

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 26 September 2018

Present:

Councillor Pauline Tunnicliffe (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Marina Ahmad, Gareth Allatt, Vanessa Allen,
Nicholas Bennett J.P., Simon Fawthrop, Russell Mellor,
Alexa Michael, Tony Owen, Angela Page,
Neil Reddin FCCA, Melanie Stevens, Harry Stranger and
Stephen Wells

Also Present:

Councillor Angela Wilkins

37 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Mary Cooke and Robert Evans; Councillors Angela Page and Simon Fawthrop attended as their substitutes. Apologies for lateness were received from Councillor Marina Ahmad.

38 DECLARATIONS OF INTEREST

Councillors Fawthrop, Owen and Reddin declared interests in relation to the minutes of the last meeting as they held deferred pensions.

39 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 25TH JULY 2018

In relation to minute 28 - Work Programme - the Chairman reported that the leader was in the process of re-establishing the Constitution Improvement Working Group.

A Member suggested that an additional report from the Executive Assistants on what projects they were currently involved in would be useful; it was suggested that this was really a role for the PDS Committees, and the Chairman offered to send a message to PDS Chairmen.

RESOLVED that the minutes of the meeting held on 25th July 2018 be confirmed.

**40 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING
 THE MEETING**

One question had been received for written reply from Dermot Mckibbin -

Please will the Council publish by polling district for all electoral wards in the borough to reveal in which polling districts residents in the borough were unable to vote in the recent local elections due to lack of the relevant identification.

Reply:

We are not aware of any residents in the borough who were unable to vote at the recent local elections due to the lack of relevant identification.

We publicised widely the opportunity for an elector to apply up to 5pm the day before poll, for a certificate of identity, if they were not able to produce the relevant documentation.

We received one enquiry, but on further discussion with the individual, it was established that he had sufficient ID to vote.

No certificates were issued.

**41 FEEDBACK ON THE 2018 LOCAL ELECTIONS AND VOTER ID
 PILOT SCHEME**
Report CSD 18121

The Committee received an update from the Chief Executive in his role as Returning Officer on the key issues arising from the Local Council elections held on 3rd May 2018, including the initial findings on the Voter ID Pilot Scheme.

The following issues were raised -

- It was clarified that the rejected postal votes were not spoiled ballot papers, but were due to the paperwork sent in by the voter not being in order.
- Some Members called for more efforts to find alternatives to using schools as polling stations, such as church or community halls. It was also suggested that there needed to be more meaningful consultation with ward Members at a stage when they could still affect proposed changes. The Returning Officer confirmed that this was looked at every year, that Members were kept informed and that in some cases it was possible to make arrangements that allowed the schools to remain open when they hosted a polling station. A Member mentioned that Crofton Baptist Church should be used in his ward to avoid having to use Crofton School.

- A Member commented that the Voter ID Pilot added pressure on Election staff and was not worth pursuing. Another Member suggested that the further Voter ID pilots elsewhere in the country were not needed. The Returning Officer commented that Councillors could lobby their MPs on this issue. The Council had been invited to join the Board monitoring the pilots proposed for 2019.
- A Member recounted an episode where a voter had arrived late in the day at a polling station only to find that their name had already been crossed off. It was confirmed that a ballot paper could not be issued in these circumstances, and that these cases were always reported to Electoral Services for investigation. One possible cause was the wrong member of a family being crossed off on the register.
- A Member complained that he was disappointed that the Returning Officer had not taken action when he had reported an incident of intimidation, but that he had felt compelled, in view of his duty of care to candidates and party workers to report the matter to the Police. It was confirmed that while the Returning Officer was charged with ensuring the electoral process was fair he could not be responsible for the conduct of candidates and others involved. The Returning Officer confirmed that he had to make judgements on a daily basis on a variety of such issues.
- The same Member complained about an incident when he had been secretly recorded - he was advised to take this up outside the meeting.
- Several Members commented on the role of tellers. The Returning Officer confirmed that they were not part of the electoral process and they were not part of his responsibility - he expected the political parties to guide and control their own tellers. Nevertheless, there was a code of conduct issued by the Electoral Commission and a Notice on the role of tellers which Presiding Officers made available to tellers at their polling stations.
- A Member commented that there had not been enough done to ensure that hard to reach groups were not disadvantaged by the ID pilot, that information was not made available in other languages and that the Council's Impact Assessment was superficial. Officers responded that great efforts had been made to contact hard to reach groups, particularly through their groups and representatives, and that there was no evidence of a requirement for translated documents.
- Some Members reported anecdotal evidence that some people had not voted either as they objected in principle to providing ID, or because they assumed that they did not have the right documents. Officers explained that people with none of the approved documents could still apply for a certificate of identity, although none had been issued.

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- A Member asked for the detailed feedback sent by the Council to the Cabinet Office to be made available to Committee members. The Returning Officer agreed to check with the Cabinet Office whether this could be done.
- A Member commented that the voter ID Pilot did not appear to have affected turnout. He requested turnout figures for local elections going back to 2002.

The Chairman joined other Members of the Committee in thanking the Returning Officer and his staff for a smoothly run election - it was noted that the Election Team had won the Team of the Year award at the Bromley Stars. The Returning Officer confirmed that he would consider all comments.

RESOLVED that the content of the report be noted.

**42 FEEDBACK FROM THE MEMBERS INDUCTION PROGRAMME
2018**
Report CSD 18118

The Committee received a report reviewing the Member Induction Programme following the 2018 local elections. The report included tables with detailed feedback from all the sessions - most of the feedback was positive. One new Member commented that more information on Council decision-making processes and structures would have been helpful.

All of the sessions had been provided by in-house staff, except the session on Scrutiny. Some Members considered that it was useful to have an outside perspective on this subject, but a number of Members thought that this was unnecessary expenditure, and that in future the session could be run by Councillors and officers.

The report also covered the issue of new IT equipment to Councillors. Following extensive consultation by BT, the Council's IT contractor, the range of equipment available to new Members, and returning Members wishing to upgrade, had been expanded to a choice of an iPad, a standard laptop or a 2-in1 laptop with detachable screen. A Member commented that she had not been offered assistance to install her new laptop at home; it was confirmed that, with the agreement of Members at the time, this had not been included in the IT support contract, but that such additional assistance could still be provided in exceptional circumstances

The Council offered a basic mobile phone, or a £10 per month contribution to the cost of using a Member's personal phone for Council business. Some Members requested that the Council provide smart-phones to assist them in their work, and officers responded that this could be reviewed, but this would involve additional expenditure.

RESOLVED that the content of the report be noted.

43 REVIEW OF MEMBERS ALLOWANCES SCHEME
Report CSD 18120

The regulations governing Members' Allowances required that full Council approve a Members' Allowances Scheme each year before 1st April for the following financial year. At its meeting on 29th May 2018 this Committee asked for an early report on the Members' Allowances Scheme to allow more scope for discussion and research. The report set out the current scheme and examined some of the issues that could be reviewed prior to recommending the 2019/20 scheme.

Two areas for particular consideration were proposed - changing from a fixed allowance to a £50 per meeting allowance for attendance at Plans Sub-Committees, and examining whether executive Members were underpaid. It was suggested that executive Members should be asked how many hours per week they spent on Council work to provide evidence for the review.

The Mayoral Allowance had a different legal basis to other Member Allowances, and was not part of the Members Allowances Scheme. A Member suggested that it should be possible for the Mayor to claim most expenditure as business expenses rather than through the allowance, thus saving on tax paid.

RESOLVED that the contents of the report be noted and a further report be made to a future meeting.

**44 DRAFT STATEMENT OF PRINCIPLES FOR GAMBLING
2019/2022**
Report ES18067

At its last meeting the Committee had approved a revised Statement of Gambling Policy for public consultation. The Committee received a report summarising the outcome of the consultation and proposing that the Committee recommend the amended Statement to full Council. Two responses had been received as a result of which a number of changes had been made to the Statement, after consultation with the Gambling Commission.

A Member commented that the Council's policy included protecting children from being harmed or exploited by gambling, but this was different from preventing children from being involved in gambling. Officers clarified that the law allowed children to have access to licensed Family Entertainment Centres and certain categories of machines.

RESOLVED that the responses to public consultation be noted and full Council be recommended to adopt the Statement of Gambling Policy under the Gambling Act 2005 to have effect from 31st January 2019.

45 CHANGES TO ANIMAL LICENSING LEGISLATION - REVIEW OF FEES AND CONDITIONS

Members were informed that on 1 October 2018 a new statutory instrument (2018 No.486) would come into force, the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. The new legislation introduced an updated licensing framework in England for five activities involving animals - selling animals as pets, providing for or arranging for the provision of boarding for cats or dogs, hiring out horses, dog breeding and keeping or training animals for exhibition. The introduction of the legislation highlighted the need to revise both current procedures and the fee structure.

Guidance on the fee structure was still awaited from the Department for the Environment, Food and Rural Affairs (Defra), but the legislation was clear that licenses should be charged on a full cost recovery basis. This would result in large increases for many small businesses.

The Committee was concerned that the regulations would potentially apply to a range of very low key activities, such as equestrian sports men and women, people who took pets into schools or old peoples' homes or those who rescued wild animals.

(During consideration of this report Councillor Tony Owen declared an interest as he used a local cattery, and Councillor Neil Reddin declared an interest as he had a client whose business could be affected.)

RESOLVED that

(1) The changes required by the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, and the associated conditions, be noted.

(2) It is agreed that the current fee structure be retained until such time that the new fees can be reviewed and set in accordance with the guidance provided by Defra.

(3) Authority be delegated to the Director of Environment and Community Services for the administration of the Council's power to grant or renew a licence for a licensable activity under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (selling animals as pets, providing or arranging for the provision of boarding for cats or dogs, hiring out horses, breeding dogs or keeping or training animals for exhibition.)

46 WORK PROGRAMME
Report CSD18117

The Committee considered its work programme for the 2018/19 Council year. It was noted that the meeting on 27th November would probably need to go

ahead; it was suggested that updates from Sub-Committee Chairmen could be dealt with at this meeting.

47 PENSIONS SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 24TH JULY 2018, EXCLUDING EXEMPT INFORMATION

The draft minutes of the meeting of the Pensions Investment Sub-Committee on 24th July 2018, excluding exempt information, were received.

48 APPEALS SUB-COMMITTEE: MINUTES OF THE MEETINGS HELD ON 7 AUGUST AND 8 AUGUST 2018, EXCLUDING EXEMPT INFORMATION

The draft exempt minutes of the meetings of the Appeals Sub-Committee on 7th and 8th August 2018, excluding exempt information, were received.

49 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED that the Press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters
involving exempt information**

50 PENSIONS SUB-COMMITTEE: EXEMPT MINUTES - 24 JULY 2018

The draft exempt minutes of the meeting of the Pensions Investment Sub-Committee on 24th July 2018 were received.

51 APPEALS SUB-COMMITTEE: EXEMPT MINUTES - 7 AUGUST AND 8 AUGUST 2018

Extracts from the draft exempt minutes of the meetings of the Appeals Sub-Committee on 7th and 8th August 2018 were received.

(After the meeting closed, the Committee received a briefing on Employment Law from the Director of Human Resources.)

The Meeting ended at 8.20 pm

Chairman