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DATE: 11 March 2019

To: Members of the

GENERAL PURPOSES AND LICENSING COMMITTEE

Councillor Pauline Tunnicliffe (Chairman)

Councillor Michael Turner (Vice-Chairman)

Councillors Marina Ahmad, Gareth Allatt, Vanessa Allen, Nicholas Bennett J.P.,
Mary Cooke, Robert Evans, Russell Mellor, Alexa Michael, Tony Owen,
Neil Reddin FCCA, Melanie Stevens, Harry Stranger and Stephen Wells

A meeting of the General Purposes and Licensing Committee will be held at Bromley Civic Centre on **TUESDAY 19 MARCH 2019 AT 7.00 PM**

MARK BOWEN

Director of Corporate Services

Copies of the documents referred to below can be obtained from

<http://cds.bromley.gov.uk/>

A G E N D A

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 DECLARATIONS OF INTEREST

3 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

In accordance with the Council's Constitution, questions to the Chairman of this Committee must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Wednesday 13th March 2019.

4 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 12TH FEBRUARY 2019

(Pages 3 - 8)

5 CHILDCARE LOAN DEPOSIT SCHEME

(To Follow)

- 6 **CONSTITUTION IMPROVEMENT WORKING GROUP - MINOR CONSTITUTIONAL CHANGES**
(Pages 9 - 18)
- 7 **APPOINTMENTS TO OUTSIDE BODIES**
(Pages 19 - 22)
- 8 **WORK PROGRAMME**
(Pages 23 - 26)
- 9 **LOCAL JOINT CONSULTATIVE COMMITTEE: MINUTES OF THE MEETING HELD ON 9TH JANUARY 2019**
(Pages 27 - 30)
- 10 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000**

The Chairman to move that the Press and public be excluded during consideration of the items of business listed 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.

Items of Business

Schedule 12A Description

- 11 **EXEMPT MINUTES OF THE MEETING HELD ON 12TH FEBRUARY 2019**
(Pages 31 - 32)

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 12 February 2019

Present:

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

71 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Mary Cooke, who was replaced by Councillor Kira Gabbert, and from Councillor Robert Evans.

72 DECLARATIONS OF INTEREST

There were no declarations of interest.

73 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

74 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 27 NOVEMBER 2018

RESOLVED that the minutes of the meeting held on 27th November 2018 be confirmed.

75 STAFF PAY AWARD 2019

Under the local terms and conditions of employment framework, the Committee was required to make a recommendation on the annual staff pay award to full Council. The pay award review was now part of the Council's budget planning process - this was a key driver for coming out of the national/regional pay negotiating frameworks.

Additional documents from the trades unions were circulated, including acceptance of the Council's pay offer from UNISON and the GMB.

A Member suggested that all staff could be brought up to London Living Wage levels relatively cheaply - the cost for the remaining 23 members of staff below this level was £26k. However, officers explained that the actual cost would be much higher because of the impact on other grades.

The issue of increasing workloads and the need for a reasonable work/life balance was raised. Officers considered that policies were in place to monitor and manage workloads, and it was up to managers to follow these policies. Staff could also raise issues with Human Resources if necessary. The social care caseload promise was an example of workload being closely monitored.

It was noted that annual monitoring information on the gender pay gap would be published after the end of March - the Committee requested that this information be circulated to them. A Member commented that there was no gender pay gap, in the sense that men and women were paid the same amounts for the same jobs.

A Member suggested that the Committee should receive a report on the working conditions of staff at a future meeting, to show what the Council was doing to improve working conditions and retain its staff.

RESOLVED that

(1) Full Council be recommended to approve the following:

(i) A flat 2.25% pay increase for all staff (excluding teachers who are covered by a separate statutory pay negotiating process)

(ii) A further increase for lower paid staff as follows inclusive of the flat rate 2.25% increase.

Spinal Points	Proposed increase inclusive of the flat rate pay award of 2.25%
4-17	6%
18	5%
19-22	4%
23-30	3%

(ii) That the Trade Union's pay claim for staff be rejected (see paragraph 3.7 of the report and the Appendices.)

(2) It is noted that, as in the previous years since coming out of the nationally/regionally negotiated frameworks, Bromley staff will receive the 2019/20 pay increase in time for the April pay.

(3) A report be made to a future meeting on the working conditions of staff.

76 PAY POLICY STATEMENT 2019/20

The Committee considered the council's draft Pay Policy Statement for 2019/20.

A Member asked whether the feedback from peers mentioned in relation to the appraisal process for chief officers in paragraph 3.6 of the report was

anonymous. The Director of Human Resources was requested to provide further information.

A Member commented that she had concerns about the merited pay awards, as these payments were not consolidated and therefore did not count towards staff pensions. Members were reassured that training and support was available for managers on appraisal processes. It was also confirmed that, where necessary, a market premium could be paid to attract and retain certain key staff.

RESOLVED that Council be recommended to approve the 2019/20 Pay Policy Statement.

77 MEMBERS ALLOWANCES SCHEME 2019/20
Report CSD19012

The regulations governing Members' Allowances required that, before the beginning of each financial year, the Council should make a scheme of allowances for that year, and the report detailed the proposed allowances for 2019/20. The allowances had remained frozen since 2009 due to the economic circumstances and the pressure on the Council's budgets, and most Members considered that it was now reasonable to allow an increase. The Chairman noted in particular that the allowances for the Leader and Portfolio Holders were considerably below the levels recommended by the 2018 London Councils Independent Panel recommendation.

The Mayoral and Deputy Mayoral Allowances were not part of the scheme, but were usually considered in conjunction with it. A Member commented that he believed that there was greater scope for Mayor to reclaim tax on their expenses as Mayor.

RESOLVED that Council be recommended to approve the Members Allowances Scheme 2019/20 and the Mayoral and Deputy Mayoral allowances, as set out in Appendix 2 to the report, with an increase in all allowances in line with the proposed increase in officer salaries of 2.25%.

(Note: At the Council meeting on 25th February 2019, the Members Allowances Scheme was approved as recommended but with an amendment that an allowance of £52 per meeting should be made to members of Plans Sub-Committees in place of the fixed annual allowance. There was also an error in the report - the proposed allowance for Chairmen of Plans Sub-Committees should have read £2,832.)

78 EXECUTIVE ASSISTANTS - ANNUAL REPORT 2018/19
Report CSD19015

As part of its consideration of the Members Allowances Scheme, the Committee received reports from the Executive Assistants appointed by the Leader for 2018/19. These reports were intended to illustrate the work undertaken by Executive Assistants, who were in receipt of an annual special responsibility allowance of £3,575. Councillor Gary Stevens, Executive Assistant for Resources, Commissioning and Contract Management, had not submitted a report, but he had, on 7th February 2019, attended the Executive, Resources and Contracts PDS Committee to be scrutinised on his work, and the draft minutes from that meeting were tabled.

It was suggested that the Constitution Improvement Working Group should examine the role of the Executive Assistant, and in particular whether they should have formal objectives and whether they should be delegated executive powers.

Members commented that they had heard about an officer-led Transformation Project, but they were not aware of any further detail. The Chairman stated that she had asked for more information on this.

A Member commented on the playgroup established by Councillors Nicky Dykes and Aisha Cuthbert, and inquired whether attendance was good. The report stated that the session was well attended, but the Chairman offered to find out more detail.

RESOLVED that

(1) The reports from Executive Assistants be noted.

(2) The Constitution Improvement Working Group be requested to consider whether Executive Assistants should have formal objectives set at the start of each Council year, and whether they should be allowed some measure of executive authority, and the outcome of their consideration be reported back to this Committee.

79 PROGRAMME OF MEETINGS 2019/20
Report CSD19014

The Committee considered the proposed Programme of Meetings 2019/20. The programme broadly followed previous years, and assumed no changes to the various committees and sub-committees that would be appointed by Members at the annual Council meeting.

Members proposed one change - to swap the Contracts and Commissioning Sub-Committee meeting on 9th July 2019 and the Education, Children and Families Select Committee meeting on 5th June 2019. The Chairman of the Development Control Committee requested that her Committee's dates be reconsidered to ensure that they were well placed throughout the year.

RESOLVED that

(1) Subject to the change outlined above, and to clarification of the dates for Development Control Committee, the Programme of Meetings 2019/20 be agreed.

(2) The Director of Corporate Services be authorised to adjust the programme in accordance with any changes made to committees by Members, and to make minor corrections to the programme as necessary.

(Note: An additional meeting of the Development Control Committee was agreed for 23rd July 2019.)

80 WORK PROGRAMME
Report CSD19015

The Committee considered its work programme for the 2018/19 Council year. It was noted that in paragraph 3.3 of the report, the words at the end of paragraph 3.3 relating to the current meeting should be deleted.

**81 LOCAL PENSION BOARD: MINUTES OF THE MEETING HELD
ON 6TH NOVEMBER 2018**

The draft minutes of the Local Pension Board meeting held on 6th November 2018 were received.

**82 PENSIONS INVESTMENT SUB-COMMITTEE: MINUTES OF THE
MEETINGS HELD ON 7TH NOVEMBER 2018 AND 14TH
JANUARY 2019, EXCLUDING EXEMPT INFORMATION**

The draft minutes of the Pensions Investment Sub-Committee meetings held on 7th November 2018 and 14th January 2019, excluding exempt information, were received.

**83 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD
ON 14TH NOVEMBER 2018, EXCLUDING EXEMPT
INFORMATION**

The draft minutes of the Audit Sub-Committee meeting held on 14th November 2018, excluding exempt information, were received.

**84 APPEALS SUB-COMMITTEE: MINUTES OF THE MEETING
HELD ON 14TH JANUARY 2019, EXCLUDING EXEMPT
INFORMATION**

The draft minutes of the Appeals Sub-Committee meeting held on 14th January 2019, excluding exempt information, were received.

85 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**

**86 CESSATION OF ADMISSION BODY - DEFICIT REPAYMENT
PLAN**

The Committee agreed an indicative deficit repayment plan for an organisation ceasing to be a Pension Fund admission body.

**87 PENSIONS INVESTMENT SUB-COMMITTEE: EXEMPT
MINUTES 7TH NOVEMBER 2018 AND 14TH JANUARY 2019**

The draft exempt minutes of the Pensions Investment Sub-Committee meetings held on 7th November 2018 and 14th January 2019 were received.

**88 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 14TH
NOVEMBER 2018**

The draft exempt minutes of the Audit Sub-Committee meeting held on 14th November 2018 were received.

**89 APPEALS SUB-COMMITTEE: EXEMPT MINUTES - 14TH
JANUARY 2019**

Extracts from the draft minutes of Appeals Sub-Committee meeting held on 14th January 2019 were received.

The Meeting ended at 7.43 pm

Chairman

Report No.
CSD19053

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **GENERAL PURPOSES AND LICENSING COMMITTEE
EXECUTIVE
COUNCIL**

Date: 19 March 2019
27 March 2019
8th April 2019

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **CONSTITUTION IMPROVEMENT WORKING GROUP -
MINOR CONSTITUTIONAL CHANGES**

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: (All Wards)

1. Reason for report

- 1.1 At its meeting on 21st January 2019 the Constitution Improvement Working Group met and made a number of recommendations to amend the Council's Constitution. The most significant matters involve the following changes to the arrangements for questions, but several other minor changes were recommended.
-

2. RECOMMENDATIONS

- (1) That General Purposes and Licensing Committee and the Executive consider the conclusions of the Constitution Improvement Working Group and recommend that Council approves the following changes to the Council's Constitution as set out in Appendix A -

(A) That the following changes to Council Procedure Rules relating to questions be approved -

- that public question time be extended to a maximum of 30 minutes, in line with the time allowed for Councillor questions;
- the deadline for receipt of questions should be 5pm, ten working days before each meeting;
- that questions specifically on reports on each agenda should be allowed within two working days of the normal publication date of the agenda;
- that questions be taken at special meetings, but only on the reports on the agenda;

- members of the public should no longer read their questions at Council meetings;
- the number of questions allowed be restricted to two per person.

(The changes to be reviewed after six months of operation.)

(B) That Executive members should not sit on the Audit Sub-Committee.

(C) That the right for a single Councillor to request that an item be placed on an agenda be extended from PDS Committees to all other committees.

(D) That the Scheme of Delegation to Officers be altered to confirm that where a planning issue is called in by a ward Councillor the delegation to officers is withdrawn.

- (2) That the other matters considered by Constitution Improvement Working Group (see paragraph 6) be noted.
- (3) That the Director of Corporate Services be authorised to make any consequent minor changes to the wording and numbering of the Constitution.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £350,650
 5. Source of funding: 2018/19 Revenue Budget
-

Personnel

1. Number of staff (current and additional): 8 posts (6.79 fte)
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable:

3. COMMENTARY

- 3.1 The Constitution Improvement Working Group is an executive working group with wide representation which reviews issues relating to the Council's Constitution and makes recommendations to Council. The Working Group met on 21st January 2019 and made a number of recommendations to improve the Constitution, most of them relating to questions at meetings.

Questions

- 3.2 The Working Group considered a number of proposals to improve the handling of questions from members of the public and from members of the Council. The following changes are recommended -
- The maximum time allowed for public questions be extended to 30 minutes, in accordance with the time allowed for Councillor questions.
 - The deadline for receipt of questions should be 5pm, 10 working days before the meeting, but questions relating to specific reports on the agenda should be allowed within 2 working days of the normal publication date of the agenda, and urgent questions should continue to be accepted at the discretion of the Mayor/Chairman.
 - Questions at special meetings should be allowed but restricted to questions relating to specific reports on the agenda, to be received within two working days of the normal publication date of the agenda.
 - Members of the public should no longer read their questions out at the meeting.
 - The number of questions allowed per person should be reduced to two.

Audit Sub-Committee Membership

- 3.3 The Council's Constitution allows a single member of the Executive to sit on most non-executive committees and sub-committees (although not on PDS Committees.) The Working Group reviewed whether this was appropriate in all cases, and concluded that allowing an executive member to be on the Audit Sub-Committee could potentially be perceived as compromising its independence

Adding Items to Agendas

- 3.4 The Constitution allows any Member to request that an item be placed on the agenda of a Policy Development and Scrutiny (PDS) Committee. For other committees and sub-Committees, this requires five Members, three of whom have to be members of the body concerned. The Working Group proposed that the rules be harmonised for all meetings in line with the requirements for PDS meetings.

Scheme of Delegation to Officers

- 3.5 At present the Constitution removes delegation for officers when a member requests a call-in for some planning decisions/matters. For other matters then referring to Committee is a matter of convention rather than a Constitutional requirement. Following a recent case where a discretionary matter wasn't referred to committee it had been suggested that an additional paragraph be added to the Scheme of Delegation for Development Control confirming that

when a planning matter was “called in” by a councillor the delegation to officers was withdrawn on all planning decisions.

Other Matters

- 3.6 The Working Group considered a number of other matters where it either decided that no action was required, or where changes to current practice could be implemented without the need to make formal changes to the Constitution. The Working Group -
- urged Portfolio Holders to work with their PDS Committees to agree where decisions can be made without pre-decision scrutiny at meetings;
 - considered the select committee approach operating for scrutiny of education and children’s services since 2016 and decided not to make any changes to scrutiny arrangements, but suggested that this issue be kept under review;
 - decided not to implement a suggestion that all meetings should be required to include a “matters arising” agenda item;
 - asked officers to investigate the provision of smartphones to Members;
 - supported an improved format for full Council agendas grouping items under new headings (which was used for the Council meeting on 25th February 2019.)

Non-Applicable Sections:	Impact on Vulnerable Children and Adults/Policy/ Finance/Personnel/Legal/Procurement
Background Documents: (Access via Contact Officer)	None

Changes to the Constitution - New Wording

Part 3 - Responsibility for Functions

2.02 Audit Sub-Committee (Membership proportional, and to exclude any member of the Executive.)

Part 4 - Rules of Procedure

Council Procedure Rules

3. SPECIAL MEETINGS

3.1 Calling special meetings.

Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;
- (ii) the Mayor of the Council;
- (iii) any five Members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.
- (iv) the Director of Corporate Services as Monitoring Officer; the Head of Paid Service; the Director of Finance.

3.2 Business

The business to be considered shall be as set out on the agenda

3.3 Additional Items

Any Member of the Council may require the proper officer to add an item relevant to that body's functions to the agenda for the next scheduled meeting of the Council, a committee or sub-committee, or, where this will not permit the matter to be dealt with adequately, to convene a special meeting.

3.4 Questions

There will not be a general public question time at special meetings of the Council, except in exceptional circumstances agreed in advance by the Mayor, but questions relating to specific reports on the agenda may be submitted before 5pm on the second working day after the final day on which the agenda may be published.

9. QUESTIONS FROM THE PUBLIC

9.1 General

Members of the public may ask up to two questions at each meeting of Members of the Executive or any Committee Chairman at ordinary meetings of the Council and a maximum period of 30 minutes will be allowed for such questions. Subject to the discretion of the Mayor to refer the question to another Council body if the Mayor considers it a more appropriate body to respond to the question.

9.2 Order of questions

Questions will be asked in the order notice of them was received, with all first questions heard first, then all second questions. The Mayor may group together similar questions or vary the order as he or she sees fit.

9.3 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the proper officer no later than **5pm, ten working days before the meeting**. Each question must give the name and address of the questioner and must name the Member of the Council to whom it is to be put.

Questions relating to specific reports on the agenda may be submitted before 5pm on the second working day after the final day on which the agenda may be published.

9.4 Scope of questions

The proper officer may reject a question if it:

- is not about a matter for which the Local Authority has a responsibility or which affects the borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information.

9.5 Record of questions

The proper officer will record each question and will immediately send a copy of the question to the Member to whom it is to be put. Rejected questions will include reasons for rejection.

Copies of all questions will be circulated to all Members and will be made available to the public attending the meeting.

9.6 Asking the question at the meeting

The Mayor will invite **the Member named in the notice to answer** the question. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

9.7 Supplementary questions

A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in Rule 9.4 above.

After a reply to a supplementary question has been given, the Mayor may, having regard to the time available and other matters on the agenda, allow further supplementary questions to be asked by Members (this will usually be no more than one per Member.)

9.8 Written answers

Any question which cannot be dealt with during the **30** minute period of public question time, either because of lack of time or because of the non-attendance of the Member to whom it was to be put, will be dealt with by a written answer.

9.9 **Reference of question to the Executive or a Committee**

Unless the Mayor decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Executive or the appropriate Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

10. **QUESTIONS BY MEMBERS**

10.1 **On reports of the Executive or Committees**

A Member of the Council may ask the Leader or the Mayor or the Chairman of a Committee any question without notice upon an item of the report of the Executive or a Committee or on a motion when that item is being received or is under consideration by the Council.

10.2 **Questions on notice at full Council**

Subject to Rule 9.4, a Member of the Council may ask:

- the Mayor
- a Member of the Executive
- the Leader or
- the Chairman of any Committee or Policy Development and Scrutiny Committee

a question on any matter in relation to which the Council has powers or duties or which affects the area of the Council

General

10.2.1 The number of questions a Member asks at any meeting be limited to no more than **two** written questions and **two** oral questions. For the purposes of calculating the number of questions, a request for information or action shall be regarded as a question, even when asked as a subsidiary part of the main question;

10.2.2 A Member may ask another Member to submit a question on their behalf having notified the Director Corporate Services of the situation beforehand;

10.2.3 A Member may send questions in via either their personal LBB email account, their personal home email account, or in writing;

10.2.4 Questions will be asked in the order notice of them was received, with all first questions heard first, then all second questions and then all third questions. The Mayor may group together similar questions or vary the order as he or she sees fit.

10.2.5 Members of the Executive may not submit questions on notice at full Council on executive functions.

10.2.6 Executive Assistants may not submit questions to the Portfolio Holder that they assist.

10.3 **Questions on notice at the Executive, Committees and Sub-Committees**

Subject to Rule 10.4, a member of the Executive, a Committee or Sub-Committee may ask the Chairman of it a question on any matter in relation to which the Council has powers or duties or which affect the area and which falls within the terms of reference of that Committee or Sub-Committee.

10.4 **Notice of questions**

A Member may only ask a question under Rule 10.2 or 10.3 if either:

- (a) they have given notice in writing of the question to the proper officer by 5pm ten working days before the meeting; or
- (b) if the question is about a report on the agenda, it has been submitted before 5pm on the second working day after the final day on which the agenda may be published; or
- (c) the question relates to urgent matters, they have the consent of the Chairman to whom the question is to be put and the content of the question is, if possible, given to the proper officer by 10.00 am on the day of the meeting.

Questions considered by the Mayor to be defamatory, frivolous or offensive will be rejected.

10.5 Response

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer sent later to the questioner;
- (d) replies to questions will be recorded in the Minutes and shall be made available to members within five days of the meeting;
- (e) every question shall be put and answered without discussion. The person asked the question may decline to answer or may ask another Member to answer it on their behalf, but will give reasons for so doing.

10.6 Supplementary question

A member asking a question under Rule 10.2 or 10.3 may ask one supplementary question without notice of the member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

After a reply to a supplementary question has been given, the Mayor may, having regard to the time available and other matters on the agenda, allow further supplementary questions to be asked by other Members (this will usually be no more than one per Member.)

10.7 Written replies

Notwithstanding the provisions for other forms of questions, Members may put down questions requiring a written reply, at Full Council Meetings, where the question requires a fuller or more in depth answer than can be accommodated in an oral response.

Appendix 10 - Scheme of Executive and Non-Executive Delegation to Officers

Part II (B) Development Control Committee - add:

CP (25)	<p><i>In relation to all delegated authorities listed under Development Control -</i></p> <p><i>Delegated authority shall not apply under any circumstances where an application, amendment, alteration, revision or other change (whether major or minor) to a planning application is called in to a Plans Sub-Committee by one or more Councillors.</i></p>	Council
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(All following Development Control Delegations to be re-numbered.)

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Report No.
CSD19056

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 19th March 2019

Decision Type: Non-Urgent Non-Executive Non-Key

Title: APPOINTMENTS TO OUTSIDE BODIES

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward:

1. Reason for report

- 1.1 At its first ordinary meeting of the Council year on 29th May 2018 this Committee made its annual appointments to various outside bodies. This report deals with two casual vacancies that have arisen outside the normal annual renewal cycle. Further details are set out in section 3 of this report.

2. **RECOMMENDATIONS**

That the Committee considers the following appointments to outside bodies -

(1) Nash College Education Governing Body: one representative for the remainder of the four year term of office ending January 2023.

(2) Diocese of Rochester Board of Education: one representative for the remainder of the three year term of office ending December 2021.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £350,650
 5. Source of funding: 2018/19 Revenue Budget
-

Personnel

1. Number of staff (current and additional): 8 posts (6.79 fte)
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: This report does not involve an executive decision
-

Procurement

1. Summary of impact: Not applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not applicable

3. COMMENTARY

- 3.1 Councillor Peter Fortune, Portfolio Holder for Children, Education and Families, and Deputy Leader of the Council, has decided to step down as the Council's representative on two "outside bodies" - Nash College Education Governing Board and the Diocese of Rochester Board of Education. The Committee is requested to make appointments to these bodies, based on nominations to be received from the party groups.

Nash College

- 3.2 The Council appoints one member to the Nash College Education Governing Board. Nash College is an independent specialist further education college for disabled people aged 19-25, which also operates a range of broader services relevant to all disabled people and their families. The College is based in Hayes and run by the charity Livability. The term of office is four years, commencing January 2019, which can be extended to a further four years on review.

Diocese of Rochester Board of Education

- 3.3 The Council appoints one Member to the Diocese of Rochester Board of Education, along with the London Borough of Bexley, Medway Council and Kent County Council. Terms of office are three years, with the current triennium lasting from January 2019 to December 2021.

Non-Applicable Sections:	Impact on Vulnerable Adults and Children/Policy/Financial/Legal/Personnel/Procurement
Background Documents: (Access via Contact Officer)	None

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Report No.
CSD19052

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 19th March 2019

Decision Type: Non-Urgent Non-Executive Non-Key

Title: WORK PROGRAMME 2019/20

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 This report summarises the Committee's role and sets out the Committee's proposed dates and work programme looking forward into the 2019/20 Council year.
-

2. **RECOMMENDATION**

Members are requested to consider their work programme for 2019/20.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

1. Policy Status:: Existing Policy
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £350,650 (2018/19)
 5. Source of funding: 2019/20 revenue budget
-

Personnel

1. Number of staff (current and additional): 8 (6.79fte)
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

1. Legal Requirement: Statutory Requirement: The Committee is responsible for non-executive functions as required by the Local Government Act 2000.
 2. Call-in: Not Applicable: This report does not involve an executive decision.
-

Procurement

1. Summary of Procurement Implications: Not applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not applicable
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not applicable

3. COMMENTARY

- 3.1 Bromley Council operates under a “Leader and Executive” constitutional model, with most decision making functions resting with the Executive. However, there are a number of functions which the Executive is prohibited from dealing with, for which Committees need to be appointed. In Bromley, the majority of these “non-executive” functions are the responsibility of Development Control Committee for town planning and related functions, and this Committee for most other non-executive functions, including licensing.
- 3.2 General Purposes and Licensing Committee fulfils the role of Licensing Committee under the 2003 Licensing Act, but also deals with a range of other non-executive functions that cannot be dealt with by the Executive or do not fall within the terms of reference of Development Control Committee. It therefore has a range of varied and sometimes unrelated responsibilities, including finance matters relating to audit and pensions, human resources, complaints, elections and Member appointments.
- 3.3 Unlike PDS Committees, the General Purposes and Licensing Committee has decision-making powers, many of which are delegated to a number of sub-committees. These sub-committees also have decision-making powers within their own terms of reference, and in most cases their minutes are received by the parent committee for information.
- 3.4 The Committee has six scheduled meetings in the year, plus a meeting after the Council’s annual meeting to appoint its Sub-Committees. The meetings for the 2019/20 Council year are set out in [Appendix A](#), with the reports anticipated for each meeting. At present, the work programme mainly contains those regular reports that have to be considered every year.

Non-Applicable Sections:	Impact on vulnerable adults and children/Policy/Financial/Personnel/Legal/Procurement
Background Documents: (Access via Contact Officer)	None

General Purposes and Licensing Committee
Draft Work Programme 2019/20

16th May 2019

Appointments to Outside Bodies
Appointment to the Local Pension Board
Annual Leave Purchase Scheme
Electoral Review
Work Programme

25th July 2019

Audit of Financial Statements 2018/19
Work Programme

19th September 2019

Work Programme

6th November 2019

Annual Complaints Report and Annual Ombudsman's Letter
Work Programme

11th February 2020

Pay Award 2020
Pay Policy Statement 2020/21
Members Allowances 2020/21
Executive Assistants Reports 2019/20
Programme of Meetings 2020/21
Work Programme

7th April 2020

Work Programme

LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.30 pm on 9 January 2019

Present:

Employer's Side

Councillor Russell Mellor (Chairman)

Councillor Nicholas Bennett J.P.
Councillor Simon Fawthrop
Councillor Josh King
Councillor Kate Lymer
Councillor Robert McIlveen
Councillor Colin Smith
Councillor Michael Turner

Staff Side and Departmental Representatives

Gill Slater, (Vice Chairman)

Alice Atabong, Education, Care and Health
Services (Housing)
Thomas Carver, CEX
Gill Slater, Vice Chairman
Matthew Smallwood-Conway, Environment and
Community Services (Leisure and Culture)

Kathy Smith (Unite)
Sally Tsoukaris (Unison)

7 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Jackie Goad, Duncan Bridgewater, and Ade Suleiman.

Apologies were also received from Councillor David Cartwright and Councillor Robert McIlveen attended as alternate.

8 DECLARATIONS OF INTEREST

It was moved that the minutes be agreed and signed as a correct record.

Note:

Whilst it was resolved by majority that the minutes be agreed and signed, the Vice Chairman had advised that there was a section of the minutes dealing with the ACAS well-being survey that she did not agree with.

9 THE ALIGNMENT OF BROMLEY'S DISCIPLINARY PROCEDURES WITH ACAS GUIDELINES

The Staff Side asked the following question:

'Unite would like to discuss the alignment of Bromley's disciplinary procedures with ACAS guidelines:

Given the acknowledged need for amendment, Unite suggest that the LJCC recommend to the General Purposes and Licencing Committee, that the ACAS guidelines be used in the interim, until or unless robust, locally agreed procedures are adopted'.

Charles Obazuaye (Director of Human Resources) stated that there was nothing wrong with LBB's disciplinary procedures, and no fault had ever been found in them by an Employment Tribunal. Indeed, the Council had never lost an individual Tribunal case relating to unfair dismissal claims. Resultantly, the Director took the view that the matter was not a priority, but he had promised previously that he would look at the matter early in the New Year. In view of this, he expressed surprise that the matter was being raised at the meeting.

Ms Slater responded that the matter was regarded as a priority by the Unions who were currently representing staff, because the unions felt that they had to fight both the individual case as well as the associated procedures, which (in her view) were unnecessarily adversarial; Ms Slater referenced the link to staff mental health and wellbeing resulting from the process. She was not suggesting that the current Council policies were illegal which might result in the Council being criticised at an Employment Tribunal, but that rather the procedures were out of date, (not being changed since 1992), fell short of best practice and did not equate to procedures that could be expected from a 'Dream Organisation'. She expressed the view that this had been accepted by Human Resources. She stated that in view of this, it would not be unreasonable for the Council to adopt the ACAS guidelines in the interim.

The Leader stated that the current procedures had served the Council well since 1992 without causing any problems. He therefore moved that no further action be taken. The proposal was seconded and the matter was closed.

10 THE WELLBEING SURVEY BEING UNDERTAKEN BY ACAS.

The Staff Side had asked for a discussion to take place concerning the Wellbeing Survey that had been undertaken by ACAS. They wanted to know if they could be involved in its development.

The Director of HR expressed surprise that the matter was being raised at the LJCC. He advised that he had previously met with the Unions to discuss the survey and had promised that it would be looked at in the new financial year.

Ms Slater asserted that there had been no meetings to discuss the issue since the previous meeting of the LJCC. She said that although the matter had been raised at the LJCC meeting in July, it had been some time since the Committee had met and that therefore it was not inappropriate for the matter to be raised again.

Kathy Smith (Unite) stated that as far as the Unions were concerned, the discussion that the Director had referred to around the well-being survey had not taken place, and she asked for a copy of the minutes to be provided. The

Director assured that a copy of the minutes would be provided. The Director mentioned that email correspondence had also taken place concerning the matter. Ms Slater remarked that the email correspondence related to a different issue.

Ms Slater stated that a previous unminuted discussion about the nature of the survey as a 'staff wellbeing survey' had taken place, where the Director of HR had confirmed that there would be an ACAS 'wellbeing survey' likely to reflect the experience Cllr King was familiar with in relation to such surveys. The Director of HR said that it was not specifically a 'wellbeing survey' but was a 'staff engagement survey' which was more broadly based.

Councillor Fawthrop suggested that the Unions be allowed to submit additional questions that could be considered for incorporation into the survey. The Director agreed that additional questions could be added to the survey as required.

Councillor King asked when the survey was going to take place. He also asked for clarification as to the nature of the survey—was it a well-being survey or not? The Director replied that it was a 'staff engagement survey'. However, it was possible to add additional questions to the survey which could be related to well-being.

The Director drew attention to the sterling work that had been undertaken by Nicola Musto around mental health issues. The work had been carried out with the support of the Council and Ms Musto continued to raise awareness of mental health issues.

Ms Smith referenced a previous survey that had been undertaken by the Departmental Representatives concerning what was required to transform Bromley into a 'Dream Organisation'. She said that it was her understanding that only 12 responses to the survey had been received. She stated that the survey should have the 'right' questions incorporated, along with relevant engagement from staff and unions. The survey should make a difference to people's lives and should not be undertaken just as a formal exercise.

The Leader noted the excellent work undertaken by Ms Musto and provided clarification on the '12' responses that had been mentioned by Ms Smith. He said that the number '12' was not the total number of responses that had been received; it was the number of Departmental Representatives that had sent in responses on behalf of their Departments. The Director of HR confirmed that this was the case.

Sally Tsoukaris said that the survey should be a meaningful exercise, and that was why the unions were seeking to be involved. She asked if a draft of the proposed questions could be provided to the unions. This would avoid duplication. Councillor Nicholas Bennett supported this.

RESOLVED that LBB's draft survey questions are disseminated to the Staff Side in due course to streamline the process and to avoid duplication.

11 THE TRANSFORMATION BOARD

Unite had submitted the following statement for consideration:

'Unite would like to request a briefing in relation to the 'Transformation Board' and ask that there be elected staff representation on the Board.'

Councillor Fawthrop asked if the unions had misunderstood the nature of the Transformation Board. He said that in effect the Transformation Board was replacing the Commissioning Board which was currently suspended. The purpose of the Transformation Board was that it was an officer board that had been set up to look at Transformation.

The Director confirmed the comment made by Cllr Fawthrop and advised that it was not a Board where it was relevant or appropriate to have staff representation on it at this point. They may be a time in the future when this could change.

Ms Slater asked how the agenda for the Transformation Board would be communicated to staff. The Director responded that arrangements for this would be made at the appropriate time—the Interim Chief Executive would need to be satisfied that the correct transformation strategy had been formulated first.

12 DATE OF NEXT MEETING

In the LBB calendar of meetings, the next meeting had been scheduled for 21st February. Members felt that this was too soon after the meeting that had just taken place and so it was agreed that the Committee meet next in April.

RESOLVED that the meeting scheduled for 21st February be cancelled, and the LJCC meet again in April.

Post meeting note:

It has been agreed that the LJCC will meet next on 24th April 2019.

The meeting ended at 7.15 pm

Chairman

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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