

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 19 September 2019

Present:

Councillor Pauline Tunnicliffe (Chairman)
Councillor Stephen Wells (Vice-Chairman)
Councillors Gareth Allatt, Mary Cooke, Ian Dunn,
Robert Evans, Kira Gabbert, Josh King,
Christopher Marlow, Russell Mellor, Tony Owen,
Neil Reddin FCCA, Melanie Stevens, Harry Stranger and
Michael Turner

Also Present:

Councillor Graham Arthur

17 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Vanessa Allen, who was replaced by Councillor Ian Dunn. Apologies for lateness were received from Councillor Melanie Stevens.

18 DECLARATIONS OF INTEREST

There were no declarations of interest.

19 QUESTIONS

Two questions had been received from Gill Slater for written reply regarding minute 21 - the review of the LJCC Constitution. The questions and replies are set out in Appendix A to these minutes.

20 CONFIRMATION OF MINUTES OF THE MEETINGS HELD ON 8 AND 16 MAY 2019

Referring to minute 8, Work Programme and Matters Outstanding, the Chairman reported that she was in discussions with the Director of Human Resources and Customer Services about the Appeals Sub-Committee and would update the Committee at the next meeting.

RESOLVED that the minutes of the meetings held on 8th and 16th May 2019 be confirmed.

21 LOCAL JOINT CONSULTATIVE COMMITTEE (LJCC): REVIEW OF THE CONSTITUTION
Report CEO18012

The last review of the LJCC Constitution had taken place in 2007, and since then the size and structure of the Council's workforce had changed considerably. In 2015, the Council had introduced a new Departmental Representatives Forum with a reduced number of representatives, reflecting the Council's much smaller workforce. The LJCC Constitution had recently been reviewed and the Committee was requested to consider the proposed changes. The proposals had been considered at the last LJCC meeting on 12th June 2019, but there had been no agreement between the two sides and the matter had been referred to this Committee.

The main changes proposed were -

- (i) The staff-side representation should be reduced from 7 departmental representatives to 4, and the trade union representatives should be reduced from 5 to 3.
- (ii) The quorum for each meeting would be amended to require at least two staff-side members (who could be departmental representatives, trade union representatives, or a combination of both).
- (iii) Removal of paragraph 8 of the Rules and Regulation, which allowed for external trade union officials or representatives of other employee organisations to be invited to meetings, with the agreement of both employer and employee sides, to discuss particular issues.

Some Members considered that approving the changes without agreement from the staff-side was not appropriate and argued that the matter should be referred back to the LJCC to resolve. It was also argued that while the employer's side had access to the professional expertise of the Director of Human Resources and Customer Services and his staff, it was unfair that staff were being denied access to similar expertise from their unions.

Councillor Russell Mellor, as Chairman of the LJCC, urged the Committee to approve the new Constitution. He emphasised that there had been extensive discussion with the staff-side about the changes, and that the LJCC was intended to be for local matters, not involving national union officials. He added that he was confident that employment issues could be addressed locally by the local trade union officers. He also pointed out that although in the past the Council's workforce had been heavily unionised, less than 10% of staff were now union members.

RESOLVED that

(1) The recommendations in the report be noted and agreed to amend the Constitution of the Local Joint Consultative Committee as outlined in paragraph 3.14 and Appendix 2 of the report.

(2) The outcome of the consultation with trade unions and departmental representatives on the proposed changes to the Constitution of the LJCC be noted.

(3) The outcome of the LJCC meeting on 12th June 2019 in relation to the proposed changes to the LJCC Constitution, in that they were unable to reach an agreement and referred the matter to this Committee to consider, be noted.

(Councillors Mary Cooke and Robert Evans requested that their abstentions be recorded.)

22 ADDITIONAL EMPLOYEE BENEFITS
Report CSD19138

Employee benefits played a vital role in the recruitment and retention of Council staff. At its meeting on 5th September 2018 the Executive, Resources and Contracts PDS Committee, when considering the contract for employee benefits, had requested that officers look into the possibility of introducing an annual leave purchase scheme. The report also covered the option of a lease car scheme for all staff at no cost to the Council (separate to the existing and limited scheme) and an increase to the current relocation package available to successful candidates for hard to fill posts.

In response to questions, officers explained that take up of the lease car scheme could be expected to be around 2% in the first year, rising to around 5-6%, and for annual leave purchasing around 2%, based on experience elsewhere. There were greater savings on Ultra Low Emission Vehicles (ULEV) as the Government, through HMRC, wanted to encourage use of more environmentally friendly vehicles. The proposals would not allow staff to sell back their leave - this could only happen in very exceptional circumstances or when staff left the Council.

A Member commented that it was important that staff understood all the financial, tax and pension implications of the car leasing scheme, but the Committee welcomed these proposals to improve Employee benefits.

RESOLVED that the introduction of the following additional and optional employee benefits be approved -

- **salary sacrifice leased cars;**
- **annual leave purchasing;**
- **an increase to the existing Relocation Package.**

23 REVIEW OF THE SCHEME OF DELEGATION TO OFFICERS
Report CSD19132

At the annual meeting of the Council each year Members were asked to approve the scheme of delegation for non-executive functions, and note the scheme of delegation for executive functions as submitted by the Leader. The scheme was essential to the smooth running of the Council, as it provided the underlying legal basis for all officers to carry out their duties, serving the residents of Bromley on behalf of the Council. In 2019, the scheme had been reviewed at the annual Council meeting on 8th May, and then updated at the Council meeting on 15th July 2019 to reflect the new officer structures. It was intended that, in future, the scheme would be submitted to this Committee before the annual meeting to allow more opportunity for examination.

The Vice-Chairman, Councillor Stephen Wells, raised some issues in connection with the scheme. He had been assured by officers that the scheme was reviewed on a regular basis to ensure that it was as up to date as possible. He welcomed the proposal that the scheme would be submitted to this Committee before being considered at annual Council each year, giving Members more opportunity to scrutinise. The scheme contained over 60 powers labelled as Council/Leader - it was noted that this meant that authority exercised by officers in these cases could be from both executive and non-executive sources.

Councillor Wells called for an annual report to be made on licensing and health and safety matters administered by officers under the scheme. The Chairman suggested that this could be submitted to the Committee's meeting in April.

The Chairman encouraged all Members to contact her with any queries or concerns about the scheme of delegation for inclusion in the annual review.

RESOLVED that

(1) The intention to report the annual review of the Scheme of Delegation to Officers to this Committee in future be noted.

(2) an annual report be made to the Committee in April summarising the licensing activities carried out by officers under delegated authority.

24 WORK PROGRAMME AND MATTERS OUTSTANDING
Report CSD19127

The Committee considered its work programme for 2019/20. The Chairman informed the Committee that a special meeting might be required to deal with the Audit of Financial Statements for 2018/19 - 28th November 2019 had been identified as a suitable date.

The briefing on licensing issues was now scheduled to take place after the next meeting on 6th November 2019.

25 PENSIONS INVESTMENT SUB-COMMITTEE: MINUTES OF THE MEETINGS HELD ON 15TH MAY 2019 AND 24TH JULY 2019, EXCLUDING EXEMPT INFORMATION

The draft minutes of the meetings of the Pensions Investment Sub-Committee held on 15th May and 24th July 2019, excluding exempt information, were received.

26 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 4TH JUNE 2019, EXCLUDING EXEMPT INFORMATION

The draft minutes of the Audit Sub-Committee meeting held on 4th June 2019, excluding exempt information, were received.

27 LOCAL JOINT CONSULTATIVE COMMITTEE: MINUTES OF THE MEETING HELD ON 12TH JUNE 2019

The draft minutes of the Local Joint Consultative Committee meeting held on 12th June 2019 were received.

28 APPEALS SUB-COMMITTEE: MINUTES OF THE MEETINGS HELD ON 3RD MAY 2019, 30TH JULY 2019 AND 31ST JULY 2019, EXCLUDING EXEMPT INFORMATION

The draft minutes of the Appeals Sub-Committee meetings held on 3rd May, 30th July and 31st July 2019, excluding exempt information, were received.

29 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 item 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**

30 PENSIONS INVESTMENT SUB-COMMITTEE: EXEMPT MINUTES - 15TH MAY 2019 AND 24TH JULY 2019

The draft exempt minutes of the meetings of the Pensions Investment Sub-Committee held on 15th May and 24th July 2019 were received.

31 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 4TH JUNE 2019

The draft exempt minutes of the Audit Sub-Committee meeting held on 4th June 2019, were received.

**32 APPEALS SUB-COMMITTEE: EXEMPT MINUTES - 3RD MAY
2019, 30TH JULY 2019 AND 31ST JULY 2019**

Extracts the draft exempt minutes of the Appeals Sub-Committee meetings held on 3rd May, 30th July and 31st July 2019 were received.

The Meeting ended at 7.40 pm

Chairman

GENERAL PURPOSES & LICENSING COMMITTEE

19th September 2019

(1) From Gill Slater (Unite Steward) to the Chairman of General Purposes and Licensing Committee

Whilst the LJCC is a Public meeting (para 3.16 e), this does not enable external staff representatives to contribute to LJCC discussions as currently (Regulation 8). In line with the proposed Transformation Programme's 'cultural change' to ensure '*effective communication and engagement takes place to ensure broad ownership and understanding of the activities*', will Councillors please reconsider deletion of Regulation 8?

Reply:

I note the question but this is covered in the report on the LJCC on the Committee's agenda tonight.

This is sent in response to your question as to whether the Council will engage with staff and their representatives as part of the Transformation programme.

As you will be aware, Ms Emete Ogbomo was appointed as the Council's Transformation Programme Manager on 12 August 2019. Ms Ogbomo's role is to lead on culture change and to review the Council's key policies. I can report that a co-ordinated and comprehensive approach to staff and departmental reps engagement has begun in earnest and the pace gaining momentum.

On 30 July Ms Ogbomo, met with trade union representatives (a meeting I understand you were present at to inform of her role.) I am informed that the meeting was very positive and engaging from which she took away a number of key points (amongst other things) relating to engaging staff prior to the roll out of the new IT KIT, staff well-being and for due consideration to be given of the expectations on Managers/ Chief officers in relation to the conduct of disciplinary hearings.

On 20 August, Ms Ogbomo attended the Dep Reps pre meeting who were also informed of her role as leading on Culture change and information brought to them about the new Smart Working Policy and campaign "Smile you can now work agile" which was well received and resulted in an invitation to attend the team meeting for the Coordination and Review Team to speak to staff.

On 3 September, Ms Ogbomo attended the Dep Rep forum and outlined her role and planned activities to engage with staff, training/mentoring for managers, proposed campaigns and the staff conference scheduled for 19 and 21 November.

On 5 September Ms Ogbomo attended the Managers briefing held in the Council Chamber at which her role was detailed with a call to engage with management and their teams. This resulted in several further invitations from Team Leaders to attend their next team meetings to engage with staff on the Transforming Bromley Programme (TBP) and to generate interest and enthusiasm over the up and coming staff conference "This time it's for REAL".

On 10 September Ms Ogbomo attended the Co-ordination and Review Team meeting at the Walnuts, Orpington. Her attendance was well received by Tony King and the team and included an open discussion and questions about the new Smart working policy and agile working as well as information brought to them about the benefits to staff under the TP.

Ms Ogbomo also has the following planned visits to team meetings to engage with staff;

1. 18 September - Swapag
2. 23 September - Housing, Planning and Regeneration
3. 9 October - Complex Care Team meeting (Mandy Henry)
4. 15 October - Dep Reps meeting
5. 22 October - PHAB (Public health)
6. 31 October - Lunch and Learn Let's talk about it

I am further advised of the Lunch and Learn session "Let's Talk About it" on 31 October to look at the Disciplinary Policy and Procedure which is envisaged will be very productive.

Frequently asked questions about Agile working are also now available to staff and will be in the Transforming Bromley Newsletter on 30 September. This is a two page flyer which is also being distributed at the team meetings being attended.

In addition to the above there are planned facilitated staff "Call it out" sessions/focus groups on matters/issues which need to be discussed with resolutions for the way forward.

19 & 21 November- Staff Conference "This Time it's for REAL"- Direction of travel on TBP by Chief Executive and speaker on culture change amongst other things as well as refreshments.

(2) From Gill Slater (Unite Steward) to the Chairman of General Purposes and Licensing Committee

Quoracy has only once been a TU issue. The LJCC minutes (Item 4 paragraph 16 below) set out the concerns of Dep Reps, who abstained from voting, regarding the respective roles of the TU and Dep Reps at the LJCC. Will Members reconsider the amendment to Regulation 2 whereby matters eg the London Living Wage / disciplinary procedures, could be considered at the LJCC without TU input?

Item 4 para 16 -

"A Departmental Representative commented that he accepted that there was a problem with Departmental Representatives attending the LJCC. He explained that this was because in many cases the Departmental Representatives felt that the matters discussed at the LJCC were better placed for the trade union to respond to. They felt that often they had little to contribute to the matters being discussed."

Reply:

I note the question but this is covered in the report on the LJCC on the Committee's agenda tonight.