

## **GENERAL PURPOSES AND LICENSING COMMITTEE**

Minutes of the virtual meeting held at 6.00 pm on 30 September 2020

### **Present:**

Councillor Pauline Tunnicliffe (Chairman)

Councillors Gareth Allatt, Vanessa Allen, Robert Evans, Kira Gabbert, Josh King, Christopher Marlow, Russell Mellor, Tony Owen, Neil Reddin FCCA, Melanie Stevens and Harry Stranger

### **94 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Michael Turner and Stephen Wells.

### **95 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **96 QUESTIONS**

No questions had been received.

### **97 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 18TH MAY AND 13TH JULY 2020**

**RESOLVED** that the minutes of the meetings held on 18<sup>th</sup> May and 30<sup>th</sup> July 2020 be confirmed.

### **98 ANNUAL COMPLAINTS REPORT AND LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN LETTER 2019/20**

The Committee received the Annual Complaints Report for 2019/20 and an oversight of the annual letter from the Local Government and Social Care Ombudsman on complaints received about the Council for the year ending 31<sup>st</sup> March 2020. The report also updated Members on the introduction of a Habitual Contact Policy (Appendix 2 to the Report).

The Chairman noted that Environment and Public Protection Complaints were managed separately from other corporate complaints. The Council's Corporate Complaints Manager was unable to join the meeting due to technical problems, so the Chairman invited Members to send in any queries or comments to her.

**RESOLVED that the Annual Complaints Report be noted, and any comments or questions be referred to the Corporate Complaints Manager via the Chairman (See appendix A).**

**99 LICENSING ACT 2003: STATEMENT OF LICENSING POLICY FOR 2021 TO 2026**  
Report ES20043

At its meeting on 30<sup>th</sup> July 2020 the Committee had considered the revised Statement of Licensing Policy for 2021-2026. The Statement had since been subject to five week public consultation which had closed on 31<sup>st</sup> August 2020. The policy document is set out at Appendix A to the report.

The Committee noted the consultation responses and recommended that the revised Statement be adopted by full Council. The Committee proposed one change, which was to re-instate a flow chart of the licensing application process, as in previous versions of the Statement.

The following comments were also made –

- In section 2, the text should state “...up to January 2026.”
- A general licensing complaint form should be available on the Council website to enable members of the public to record issues with licensed premises which would then potentially build up an evidence base for reviews.
- The reference to “micro-pubs” had been inserted at the review five years before at the request of Members to indicate a general support for local businesses.
- A report should be made to the next meeting summarising the increased workload of the Public Protection and Licensing Team across the range of licensing functions.

It was clarified that any ward councillor could ask for a review of a premises licence. Reviews did not need to be sought through ward councillors, who did not have any specific powers in this respect – all applicants for reviews had to refer to the four licensing objectives with appropriate evidence. It was also explained that where potential license holders had spent convictions under the Rehabilitation of Offenders Act these could not formally be taken into account.

**RESOLVED that**

**(1) The responses to public consultation be noted and the revised Statement of Licensing Policy under the Licensing Act 2003 be recommended for adoption by full Council on 12<sup>th</sup> October 2020 to have**

**effect on 7th January 2020, subject to re-instatement of an updated flow-chart.**

**(2) A licensing complaint form be developed for the Council website.**

**(3) A report be submitted for the next meeting on the workload for the licensing team.**

**100 REVIEW OF PUBLIC SPACE PROTECTION ORDERS  
CONCERNING ALCOHOL CONTROL ZONES 2020  
Report ES20033**

The Committee received a report reviewing the existing Public Space Protection Orders (PSPO) regarding drinking in a public space to see whether they were necessary and effective. The Council currently had three Public Space Protection Orders setting out Alcohol Exclusion Zones (AEZ), now more commonly known as Controlled Drinking Zones (CDZ), covering Beckenham, Bromley and Penge town centres. Orpington town centre had also been covered by an AEZ, but this had not been renewed. It was noted that the map for the Bromley AEZ had been omitted in error from the report, and the Beckenham map had been duplicated.

A PSPO had to be reviewed every three years, but could be extended if the review supported extension and other requirements were satisfied. Most boroughs to the north of Bromley had now designated their entire boroughs as Alcohol Exclusion Zones, and it was recommended that Bromley follow suit. It was also proposed that psychoactive substances should be covered in the new order.

The exact details of the PSPO were set out in Appendix B to the report. The Metropolitan Police had written in support of the Alcohol Exclusion Zones, and also supported a controlled zone around Star Lane, St Paul's Cray, to reduce anti-social behaviour from off-road bikes/motorcycles. The letter was set out in Appendix C to the report.

It was confirmed that the Orders related to easily accessible public space (not necessarily just land in public sector ownership); incidents at night in locked parks would be issues of trespass. The fixed penalty notices were usually issued by the Police due to the difficulty in obtaining names and addresses, and the Council currently did not have people with accredited powers. It was also confirmed that it was proposed that the Alcohol Exclusion Zone would cover the entire borough; this would overcome recent problems when anti-social behaviour was covered in some areas, but not others nearby.

**RESOLVED that**

**(1) The proposed statutory consultation exercise (as at Appendix A to the report) be approved to go out for public consultation in line with the Government's Guide to Good Practice, to review the current Public**

**Space Protection Order controls concerning the consumption of alcohol in a public place in the Borough.**

**(2) If no significant objection emerges as part of the consultation and no issues arise as a consequence of legal compliance checks, the Director of Environment and Public Protection be given delegated authority to create the Public Space Protection Order, in consultation with the Committee, as soon as possible following the end of statutory consultation; if a significant objection does occur then the matter will be referred back to this Committee for final decision on how to proceed.**

**101 APPOINTMENT OF PENSIONS BOARD MEMBER**  
Report CSD20093

The Committee noted that Piny Borg had resigned as an Employer Representative on the Local Pension Board, and a replacement needed to be appointed by full Council. One expression of interest in the role had been received – this was attached to the agenda as a part 2 appendix.)

**RESOLVED that Council be recommended to appoint Brayán Bernal Gil to the Local Pension Board as an Employer Representative.**

**102 WORK PROGRAMME AND MATTERS OUTSTANDING**  
Report CSD20094

The Committee received a report on its work programme and matters outstanding from previous meetings.

**RESOLVED that**

**(1) The work programme and matters outstanding from previous meetings be noted.**

**(2) It is noted that a special meeting will be held in early November to consider the annual report on Teacher's pay, and that the meeting scheduled for 2<sup>nd</sup> December would be brought forward to 25<sup>th</sup> November due to the revised timing for the 2019/20 annual accounts.**

**103 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 15TH JULY 2020, EXCLUDING EXEMPT INFORMATION**

The draft minutes from the meeting of the Audit Sub-Committee held on 26<sup>th</sup> February 2020 were received.

**104 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**

**105 APPOINTMENT OF PENSIONS BOARD MEMBER - APPENDIX**

The Committee noted the expression of interest in the role of Local Pension Board Member.

**106 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 15TH JULY 2020**

The draft exempt minutes from the meeting of the Audit Sub-Committee held on 15<sup>th</sup> July 2020 were received.

The Meeting ended at 6.56 pm

Chairman