

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 30 November 2021

Present:

Councillor Pauline Tunnicliffe (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Gareth Allatt, Julian Benington,
Nicholas Bennett MA J.P., Mark Brock, Kira Gabbert,
Colin Hitchins, Simon Jeal, Josh King, Alexa Michael,
Neil Reddin FCCA, Harry Stranger and Stephen Wells

187 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Robert Evans, Councillor Melanie Stevens (Councillor Julian Benington attended as her substitute) and from Councillor Ryan Thomson (Councillor Simon Jeal attended as his substitute.)

188 DECLARATIONS OF INTEREST

There were no declarations of interest.

189 QUESTIONS

No questions had been received.

190 MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2021

RESOLVED that the minutes of the meeting held on 21 September 2021 be confirmed.

191 EY AUDIT BRIEFING PAPER

Hannah Lill and Adrian Balmer from EY, the Council's External Auditors, attended the meeting to update the Committee on progress with the audit of the Council's accounts for 2019/20. The main outstanding issue continued to be valuations – they were working closely with Finance officers and Montagu Evans, contracted by the Council to carry out revised valuations, to resolve these issues with the aim of reporting back in February 2022. They acknowledged the hard work of Finance officers to try to resolve the issues, but commented that staff resources and turnover had hindered progress. Weekly meetings were now in place to ensure that progressed was maintained. Officers confirmed that there had been issues with staff turnover, but they were confident that the February target could be met.

The Council had previously used an estimated figure for Furniture and Equipment valuations, but this had been challenged by EY, and the Council had agreed to change its accounting policy. The problems with valuations covered a number of issues, including matters of professional judgement and incomplete evidence. In response to questions about the performance of Montagu Evans, it was confirmed that they were appointed by the Council's Property Division through a normal procurement process, following problems with the previous valuers. EY had been informed of the proposed award, but had not otherwise played a role in this process. The problems with valuations were not unique to Bromley, and were being experienced across local government.

EY had set out five recommendations for the Council in their update – two for the 2019/20 audit, and three for 2020/21 and beyond. Questioned about the final recommendation, which concerned the need to develop a sustainable resourcing strategy to address future reporting requirements, EY commented that they were not yet assured that the Council had done enough to respond to the recommendations. The Council's Finance Team had been run on lean principles, with limited capacity to support the reporting process, which was liable to become more complicated with a greater demand for technical expertise in the coming years. Officers confirmed EY's comments that financial reporting was extensive in breadth and depth, taking up a great deal of officer time, and was likely to become more demanding in future, driven by Financial Reporting Council requirements. Recruitment and retention was a problem - a number of staff had left the Council during the last year, leading to gaps, but key posts were proving difficult to fill with the right people, even with market-leading recruitment support and attractive salaries on offer.

A Member asked whether the Council's systems had now been updated to provide better data for the auditors. It was confirmed that an upgrade of the Council's ledger system was due in April 2022 – this would result in better information being provided to officers and to EY.

The Chairman thanked Ms Lill and Mr Balmer for attending and for their update.

192 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

Report CSD21117

The Committee received a report advising them of the results and recommendations of the Acting Returning Officer following a review of all polling districts and polling places in the borough. The review was required following confirmation of the new ward arrangements for Bromley to be implemented in the 2022 local election. Representations had been sought from interested parties, including all Councillors.

The use of schools as polling places had been reduced considerably for the 2021 GLA election. A number of new types of premises had been used, including various clubs, restaurants, public houses and a cinema. However, some of these were not suitable and would not be used in future elections.

This was often due to limited space in these venues, but some were only available in May 2021 as they were not operating normally due to the pandemic. Some Members were particularly concerned to ensure that the use of schools was minimised, but sometimes this was unavoidable due to the absence of suitable alternative locations. Electoral Services worked closely with schools to minimise disruption, enable schools to remain open if possible on polling day, and to inform them well in advance of scheduled polling days. In most cases, the schools still being used were those that were happy to cooperate with the Council.

Officers confirmed that polling places would be kept under review, and would always welcome suggestions from Members for potential new locations.

RESOLVED that

- (1) The outcome of the review and the consultation undertaken be noted.**
- (2) The proposals and recommendations of the Acting Returning Officer set out in the report and the Appendices be approved with affect from the proposed re- publication of the revised Register of Electors on 1 February 2022.**
- (3) It is noted that polling districts and polling places will be kept under on-going review.**

193 TEACHERS PAY POLICY 2021/22 - CENTRALLY BASED STAFF

From 1st September 2021, revised arrangements for Teachers' Pay and Conditions had come into force through the publication of the statutory School Teachers' Pay and Conditions document. The Committee received a report setting out the main changes.

RESOLVED that

- (1) The report be noted.**
- (2) It is noted that there is a pause to Headline Pay increase for Teachers this year.**
- (3) The National Unqualified Teacher Pay Range with recommended Advisory Points be adopted in respect of Centrally Based Staff.**
- (4) Officers be authorised to uplift the Unqualified Teacher Pay Scale within the current Pay Policy accordingly and implement the new policy with effect from 1st September 2021; there are no other required changes to the Policy this year.**

**194 GAMBLING ACT 2005 - REVISED STATEMENT OF GAMBLING
POLICY 2022 TO 2025**
Report ES1037

Under the Gambling Act 2005 the Council's Statement of Gambling Policy had to be reviewed at least every 3 years. The current policy had been adopted in January 2019 and was therefore due for review. A consultation had been held between 18th August and 20th September 2021; the report presented the results of the consultation (Appendix A), and the proposed revised draft Statement of Gambling Policy for the period 2022 to 2025 (Appendix B), for approval and adoption at full Council on 6th December 2021.

The Committee was informed that only one representation had been received during the consultation – from lawyers acting for the Betting and Gaming Council (BGC.) The BGC sought one change which would make it easier for their license holders to change the conditions in their licenses, but it was not proposed to accept this.

Members sought further information about exactly how many Gambling Licenses were held in Bromley. Officers confirmed that there were no casinos or bingo halls in the borough, but a number of pubs held licenses to enable them to have slot machines. Further information would be circulated after the meeting.

Members raised the issue of the prevalence of betting shops, particularly as planning law had been relaxed to enable easier changes of use from retail to betting shops, and reference was made to a cluster of four betting shops in Penge High Street. Officers explained that, to set a limit on betting shops, it would be necessary to adopt a saturation policy with a risk assessment, but this had been examined previously and there was not sufficient evidence linking gambling premises to crime.

RESOLVED that the response to the public consultation be noted, and Council on 6th December 2021 be recommended to approve the revised Draft Statement of Gambling Policy 2022 to 2025 under the Gambling Act 2005 (Appendix B to the report) to have effect from 31st January 2022.

195 REVISED AMENITY STANDARDS FOR HMOS

Legal minimum standards for houses in multiple occupation (HMOs) were prescribed in regulations under the Housing Act 2004. These related to the provision of kitchens, bathrooms, toilets, fire safety and heating within HMOs. Under Section 65 of the Act, more detailed local HMO standards could be set, to reflect local housing conditions, provided they did not fall below the national standard.

It was proposed to revise the London Borough of Bromley's current standards for HMOs to incorporate recent changes in legislation and to improve on the

minimum legal requirements. The local standards proposed sought to drive up standards in Bromley and improve housing conditions to protect vulnerable private rented sector tenants. They were written to guide landlords more easily through the requirements and would supplement the Article 4 Direction to withdraw permitted development rights granted by Schedule 2, Part 3, Class I of the Town and Country Planning (General Permitted Development) Order 1995, which permitted a change of use from a dwelling-house to a house in multiple occupation.

It was confirmed that all HMOs in the borough would be subject to the revised standards. There were routine inspections in place for larger HMOs, but it was sometimes difficult to identify smaller HMOs unless complaints were received.

The Chairman noted that paragraph 3.9 in the report should read “...the *revised* adopted standards...”

RESOLVED that

- (1) The revised HMO Adopted Standards, Appendix 1 to the report, be approved and adopted as the standards generally required for houses in multiple occupation within the London Borough of Bromley.**
- (2) That delegated authority be given to the Director of Environment and Community Services to make further amendments to the standards as may be found necessary without reducing standards in any way.**

196 MOBILE HOMES FIT AND PROPER PERSON REGISTRATION - FEES POLICY

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (‘the Regulations’) introduced the requirement for mobile home site owners to register their site managers as fit and proper persons to manage their sites with the Local Authority.

Should a local authority intend to charge a fee for operating the fit and proper person registration scheme, it must establish the processes for making and issuing decisions; establish a fit and proper person register and publish a fees policy. The purpose of the report was to approve the fees policy attached at Appendix A to the report.

Officers confirmed that Council costs had been taken into account in setting the fees – most of the work was in processing the paperwork. The sites covered did not include Traveller sites.

A member mentioned a particular site in Biggin Hill ward – officers confirmed that they were aware of this site.

RESOLVED that

- (1) The proposed fees policy presented in Appendix 1 be approved with immediate effect.**

(2) That delegated authority be given to the Director of Environment and Public Protection, in agreement with the Portfolio Holder for Public Protection and Enforcement, to make minor amendments to the policy as may be found necessary, based on the same principles of fee setting as applied within this report, to ensure the fee remains appropriate.

197 COUNCIL MOTION - HONORARY FREEDOM OF THE BOROUGH
Report CSD21108

Section 249 of the Local Government Act 1972 enabled councils to award honorary freedom to "...persons of distinction and persons who have, in the opinion of the council, rendered eminent services to the city, borough or royal borough or parish or community..."

At a special meeting of the Council on 18th October 2021 a motion was presented calling for the honorary freedom of the borough to be awarded to Ms Emma Raducanu. The motion was amended and then passed, referring the matter to this Committee to consider. Council officers had been pursuing this with Ms Raducanu's team, but there was no further progress to report.

Members recognised that the award of honorary freedom was intended to be a rare and special honour, and agreed that it would be useful to draw up a scheme with some criteria for making future awards.

RESOLVED that

(1) The current position be noted.

(2) A scheme of appointment for honorary freedom of the borough should be developed for consideration at the next meeting.

198 MEMBER INDUCTION 2022
Report CSD21105

The Committee considered a report summarising the initial plans for Member Induction after the 2022 local elections, including Member IT provision. The plans were at an early stage and Member's views were sought on the proposals.

In discussing the proposals, Members made the following comments –

- Money did not need to be spent on external consultants to deliver any of the induction sessions;
- Better use should be made of the Council's new intranet;
- New Members would benefit from leaflets describing the work of each committee, and explaining declaration of interests;

- Early sessions should cover issues such as standards, ward work, an overall explanation of how the Council worked and finance;
- Members needed to have a document setting out officer structures and who to contact;
- Members should have the option of a Council smart-phone including email;
- Consideration should be given to making some of the induction sessions virtual or hybrid;
- “Market-place” sessions should be considered, with some consistency of attendance by senior officers.

The Chairman of the Standards Committee reported that, at its meeting on 15th July, his Committee had considered ethical conduct in planning, and had recommended that Members should undergo mandatory training before being involved in taking planning decisions, or within three months of election. Similar provision should be made for Licensing training.

It was noted that DBS checks were not carried out on all Members, but were required in specific circumstances, such as for serving on the Fostering Panel, where Members were asked to consider confidential personal material.

RESOLVED that the Committee’s views set out above be taken into consideration for the Member Induction Programme 2022.

199 APPOINTMENTS TO OUTSIDE BODIES
Report CSD21104

This Committee received a report proposing the re-appointment of Councillor Robert Evans as the Council’s representative on the Diocese of Rochester Board of Education.

RESOLVED that

(1) Cllr Robert Evans be re-appointed as the Council’s representative on the Diocese of Rochester Board of Education for the three year period from 1st January 2022 to 31st December 2024.

(2) That the Committee notes the remaining vacancies on other outside bodies –

- **Community Links Bromley – one vacancy for the term of office expiring in May 2022.**
- **Cray Valley War Memorial Hall – two vacancies for the term of office expiring in May 2022.**

200 WORK PROGRAMME AND MATTERS ARISING
Report CSD21106

The Committee received a report summarising their work programme for the 2021/22 Council year and also covering matters outstanding from previous meetings. Councillor Stephen Wells confirmed that he had met with the new Director of Corporate Services and Governance to discuss the Scheme of Delegation to Officers, and she was very keen to assist with developing a new Scheme. The Chairman thanked Councillor Wells for his work on this issue.

It was confirmed that officers were working on providing better equipment to enable hybrid meetings to be held.

RESOLVED that the matters outstanding from previous meetings and the updated work programme for 2021/22 be noted.

201 RIGHTS OF WAY SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 23 SEPTEMBER 2021

The minutes of the Rights of Way Sub-Committee's meeting on 23 September 2021 were received.

202 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 21 OCTOBER 2021, EXCLUDING EXEMPT INFORMATION

The minutes of the Audit Sub-Committee's meeting on 21 October 2021 were received.

203 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 summary
refers to matters involving exempt information**

204 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 21 OCTOBER 2021

The exempt minutes of the Audit Sub-Committee's meeting on 21 October 2021 were received.

The Meeting ended at 8.39 pm

Chairman