



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Graham Walton
graham.walton@bromley.gov.uk

DIRECT LINE: 0208 461 7743

FAX: 020 8290 0608

DATE: 28 June 2022

To: Members of the
GENERAL PURPOSES AND LICENSING COMMITTEE

Councillor Pauline Tunnicliffe (Chairman)
Councillor Mike Botting (Vice-Chairman)
Councillors Kathy Bance MBE, Nicholas Bennett J.P., Robert Evans, Kira Gabbert,
Mike Jack, Josh King, Jonathan Laidlaw, Andrew Lee, Keith Onslow,
Melanie Stevens, Harry Stranger, Ryan Thomson, Sam Webber and
Alison Stammers

A meeting of the General Purposes and Licensing Committee will be held at Bromley Civic Centre on **WEDNESDAY 6 JULY 2022 AT 7.00 PM**

PLEASE NOTE: This meeting will be held in the Council Chamber at the Civic Centre, Stockwell Close, Bromley, BR1 3UH. Members of the public can attend the meeting: you can ask questions submitted in advance (see item 4 on the agenda) or observe the meeting. If you wish to attend it will be helpful if you can please contact us, before the day of the meeting if possible, using our web-form:

<https://www.bromley.gov.uk/CouncilMeetingNoticeOfAttendanceForm>

TASNIM SHAWKAT
Director of Corporate Services & Governance

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 CONFIRMATION OF MINUTES OF THE MEETINGS HELD ON 18 AND 26 MAY 2022 (Pages 3 - 12)**
- 4 QUESTIONS**

In accordance with the Council's Constitution, questions that are not specific to reports on the agenda must have been received in writing 10 working days before the date of the meeting - by 5pm on 22 June 2022.

Questions specifically on reports on the agenda should be received within two working

days of the normal publication date of the agenda. Please ensure that questions specifically on reports on the agenda are received by the Democratic Services Team by 5pm on Thursday 30th June 2022.

- 5 APPOINTMENT OF HONORARY ALDERMEN** (Pages 13 - 18)
- 6 MINOR CONSTITUTIONAL CHANGE - STANDARDS COMMITTEE** (Pages 19 - 24)
- 7 CONSTITUTION WORKING GROUP** (Pages 25 - 28)
- 8 WORK PROGRAMME AND MATTERS ARISING** (Pages 29 - 34)
- 9 LICENSING SUB-COMMITTEE - MINUTES 25 MAY 2022** (Pages 35 - 40)

.....

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the special meeting held at 8.25 pm on 18 May 2022
following the annual meeting of the Council

Present:

Councillor Pauline Tunnicliffe (Chairman)
Councillor Mike Botting (Vice-Chairman)
Councillors Kathy Bance MBE, Nicholas Bennett MA J.P.,
Robert Evans, Kira Gabbert, Mike Jack, Josh King,
Jonathan Laidlaw, Andrew Lee, Keith Onslow,
Melanie Stevens, Harry Stranger, Ryan Thomson and
Sam Webber

Also Present:

Other members of the Council

1 PROPORTIONALITY OF SUB-COMMITTEES

RESOLVED that the proportionality of Sub-Committees be agreed as follows -

	Size	Cons	Lab	LDem	Chis	Ind
Industrial Relations Sub-Committee	7	4	2	-	1	-
Rights of Way Sub-Committee	7	5	2	-	-	-
Local Joint Consultative Cttee	9	7	2	-	-	-

2 MEMBERS OF SUB-COMMITTEES

RESOLVED that the schedule of Members to serve on Sub-Committees be agreed as follows -

(i) INDUSTRIAL RELATIONS SUB-COMMITTEE

(usually to include Leader, Deputy Leader, Chairman and Vice-Chairman of the General Purposes and Licensing Committee.)

	Councillors
1	David Cartwright
2	Dr Sunil Gupta

3	Michael Tickner
4	(Vacancy) (CON)
5	Jessica Arnold (LAB)
6	Rebecca Wiffen (LAB)
7	Mark Smith (CHIS)

(ii) RIGHTS OF WAY SUB-COMMITTEE

	Councillors
1	Jonathan Andrews
2	Mike Botting
3	Simon Fawthrop
4	Harry Stranger
5	Michael Tickner
6	Alisa Igoe (LAB)
7	Chris Price (LAB)

(iii) LOCAL JOINT CONSULTATIVE COMMITTEE

(To include Leader or named Deputy, Chairman of Executive, Resources and Contracts Policy Development and Scrutiny Committee or named Deputy and Chairman of the General Purposes and Licensing Committee or named Deputy)

	Councillors
1	David Cartwright
2	Simon Fawthrop
3	Andrew Lee
4	Colin Smith
5	Michael Tickner
6	Pauline Tunnicliffe
7	Thomas Turrell
8	Jessica Arnold (LAB)
9	Rebecca Wiffen (LAB)

(iv) APPEALS SUB-COMMITTEE

(1) All Members of the Council, except Executive Members, be eligible for appointment to the Appeals Sub-Committee.

(2) Three Members be drawn as required, to constitute an Appeals Sub-Committee.

(v) LICENSING SUB-COMMITTEE

(1) All Members of the General Purposes and Licensing Committee be eligible for appointment to the Licensing Sub-Committee.

(2) Three Members be drawn as required, to constitute a Licensing Sub-Committee.

3 APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF SUB-COMMITTEES

RESOLVED that Chairman and Vice-Chairman of Sub-Committees be appointed as follows -

INDUSTRIAL RELATIONS SUB-COMMITTEE	TBC	TBC
RIGHTS OF WAY SUB-COMMITTEE	Simon Fawthrop	Jonathan Andrews
LOCAL JOINT CONSULTATIVE COMMITTEE	Michael Tickner	(Staff-side appointment)

The Meeting ended at 8.26 pm

Chairman

This page is left intentionally blank

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 26 May 2022

Present:

Councillor Pauline Tunnicliffe (Chairman)
Councillor Mike Botting (Vice-Chairman)
Councillors Kathy Bance MBE, Nicholas Bennett MA J.P.,
Robert Evans, Kira Gabbert, Mike Jack, Josh King,
Jonathan Laidlaw, Keith Onslow, Harry Stranger,
Ryan Thomson and Sam Webber

Also Present:

Councillor Julie Ireland

4 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Andrew Lee and
Melanie Stevens.

5 DECLARATIONS OF INTEREST

There were no declarations of interest.

6 QUESTIONS

No questions had been received.

7 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 5 APRIL 2022

RESOLVED that the minutes of the meeting held on 5th April 2022 be
confirmed.

8 APPOINTMENT OF OUTSIDE BODIES Report CSD22067

The Committee, on behalf of the Council, considered the appointment of
Council representatives to serve on a range of outside bodies and
partnerships. Most appointments were made annually, following the municipal
year, but a small number of appointments were for three or four year terms of
office. A schedule of nominations was circulated before the meeting.

RESOLVED that the appointments set out in Appendix A to these
minutes be confirmed.

9 WORK PROGRAMME AND MATTERS ARISING
Report CSD22068

The Committee received updates on matters outstanding from previous meetings, and considered its work programme for 2022/23.

In terms of matters outstanding, it was noted that there was no further update on Emma Raducanu, so the Chairman suggested that this did not need to be reported unless there was any progress. An update on the issue of hybrid meetings was due at the next meeting.

The Committee received an annual report each autumn on formal complaints including complaints referred to the Local Government and Social Care Ombudsman. A Member suggested that the Committee should review a much wider range of complaints, including Fix-My-Street. Other Members commented that there was a difference between complaints and requests for service or information – most of the reports on Fix-My-Street were the latter. It was noted that Cllr Turrell, as Executive Assistant, had been asked to examine the use of Fix-My-Street.

The Committee decided to appoint working groups to consider the appointment of Honorary Aldermen and the Council's Constitution. Proportionality was not required on working groups, but opposition Members commented that their groups needed fair representation on working groups and in outside body appointments.

It was confirmed that there would be a training session on Licensing after the Committee's next meeting in July. The Committee requested that minutes of Licensing Sub-Committee meetings be reported to their meetings in future.

RESOLVED that

(1) The matters outstanding and the work programme (with comments above) be noted.

(2) A Working Group comprising Councillors Kathy Bance, Mike Botting, Robert Evans and Pauline Tunnicliffe be appointed to consider candidates to be appointed as Honorary Aldermen.

(3) A Working Group be appointed to review the Council's Constitution.

The Meeting ended at 7.36 pm

Chairman

LONDON BOROUGH OF BROMLEY
ANNUAL APPOINTMENTS TO OUTSIDE BODIES
AND PARTNERSHIP BODIES 2022/23

(i) London Councils' Annual Appointments

Leaders' Committee

(S.101 Joint Committee)

Cllr Colin Smith

Cllr Kate Lymer (Deputy)

London Councils Transport and Environment Committee (TEC)

(Associated Joint Committee)

Cllr Nicholas Bennett

Cllr Will Rowlands & Cllr Colin Hitchins (Deputies)

Grants Committee

(Associated Joint Committee)

Cllr Colin Smith

Cllr Kate Lymer (Deputy)

Greater London Employment Forum

Cllr Pauline Tunnicliffe

Cllr Mike Botting (Deputy)

Lead Members for London Councils

Children & Young People, including Safeguarding, Schools, Education and Children's Social Care: Cllr Kate Lymer

Skills & Employment: Cllr Yvonne Bear

Communities, Empowerment and Inclusion: Cllr Yvonne Bear

Economic Development/Business: Cllr Yvonne Bear

Crime and Public Protection: Cllr Angela Page

Arts/Culture, Tourism, Sport & Leisure: Cllr Yvonne Bear

Health and Social Care including Adult Services: Cllr Diane Smith

Housing & Regeneration: Cllr Yvonne Bear

Planning/Infrastructure/Development: Cllr Alexa Michael

Environmental Issues: Cllr Aisha Cuthbert

Digital and Connectivity: Cllr Yvonne Bear

Devolution and Levelling Up: Cllr Yvonne Bear

Finance & Corporate Services: Cllr Christopher Marlow

London Pensions CIV

(Shareholders Committee)

Cllr Keith Onslow

Cllr Kira Gabbert (Deputy)

(ii) Partnership Annual Appointments

Safer Bromley Partnership Strategic Group (1)

Cllr Kate Lymer

Safer Neighbourhood Board (3)

Cllrs Angela Page, David Cartwright, Kim Botting,

Bromley Economic Partnership (1)

Cllr Yvonne Bear

Adult's Safeguarding Board (5)

Cllrs Mark Brock, David Jefferys, Angela Page, Colin Smith & Cllr Diane Smith

Children's Safeguarding Board (5)

Cllr Kira Gabbert, David Jefferys, Angela Page, Colin Smith & Cllr Kate Lymer

(iii) Children, Education & Families Annual Appointments

Management Committee of Wood Lodge Living Skills Centre (1)

(Deferred)

Early Years Development & Child Care Partnership (1)

Cllr Kate Lymer

Bromley "Y" Project (2)

Cllrs Kate Lymer & Felicity Bainbridge

Mentoring Steering Group (1)

Cllrs Angela Page

Cllr David Cartwright (Deputy)

Court of the University of Kent (1)

Cllr Jonathan Andrews

(iv) Environment & Community Services Annual Appointments

London Road Safety Council (1)

Cllr Nicholas Bennett

(v) Renewal, Recreation & Housing Annual Appointments

The Crystal Palace Community Development Trust (1)

(Crystal Palace and Anerley ward)

Cllr Ruth McGregor

Newable Ltd (1) *(formerly Greater London Enterprise – GLE)*

Cllr Yvonne Bear

London Youth Games (1)

Cllr Aisha Cuthbert

Proactive Bromley (2)

Cllrs Adam Grant & Kate Lymer

Biggin Hill Airport Consultative Committee

Representative of the Council as freeholder:

Cllr Christopher Marlowe

Cllr Harry Stranger (Deputy)

Representative of Biggin Hill Ward:

Cllr Melanie Stevens

Cllr Sophie Dunbar (Deputy)

Representative of Darwin Ward:

Cllr Jonathan Andrews

(vi) General Annual Appointments

Bromley Town Twinning Association (3)

Cllrs Kathy Bance, Kim Botting & David Jefferys

Community Links Bromley (2)

Cllrs Kathy Bance & Kevin Kennedy-Brooks

Leadership Committee of the Bromley Community Fund (1)

Cllr Pauline Tunnicliffe

(vii) Four Year Terms (2022-26)

The Petts Wood and Hawkwood Committee (1)

(Petts Wood and Knoll and Chislehurst wards)

Cllr Simon Fawthrop

Cllr Christopher Marlow (Deputy)

Reserve Forces and Cadets Association for Greater London (1)

Cllr Mike Botting

Thomas Stringer Charity (2)

(Darwin and Biggin Hill wards)

Cllrs Jonathan Andrews & Melanie Stevens

Keston Village Hall Trust (3)

Mr Robert Smithson, Mr Ravi Ravindran & Mrs Meryl Higgins
(nominated by the Trust)

Bromley Youth Music Trust Board of Directors (1)

Cllr Hannah Gray

Mytime Active (2)

Cllrs Robert Evans & Josh King

Thames Regional Flood and Coastal Committee (1)

(One nomination through London Councils covering Bromley, Bexley, Greenwich and Lewisham)

Cray Valley War Memorial Hall (4)

(St Mary Cray ward)

Cllrs Yvonne Bear, Chris Price, Colin Hitchins, Harry Stranger

The Hayes (Kent) Trust (1 of 2)

Mrs Alison Naish

Report No.
CSD22079

London Borough of Bromley

PART ONE - PUBLIC

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

Date: **Wednesday 6 July 2022**

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

Title: **APPOINTMENT OF HONORARY ALDERMEN**

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

Chief Officer: Tasnim Shawkat, Director of Corporate Services and Governance

Ward: All

1. Reason for decision/report and options

- 1.1 To agree nominees for appointment as Honorary Aldermen for consideration at a special meeting of the Council.

2. **RECOMMENDATION**

That the Committee considers whether to make recommendations to Council for the appointment of Honorary Aldermen.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Transformation Policy

1. Policy Status: Existing Policy:
 2. Making Bromley Even Better Priority (delete as appropriate):
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
-

Financial

1. Cost of proposal: Estimated Cost: There is a small cost for providing badges.
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Mayoral Services
 4. Total current budget for this head: £172k
 5. Source of funding: Revenue Budget
-

Personnel

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

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: Non-executive decisions are not subject to call-in
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Property

1. Summary of Property Implications: Not Applicable
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
-

Customer Impact

1. Estimated number of users or customers (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 Council on 17th March 2008 approved a Scheme of Enrolment of Honorary Aldermen and the first appointments of Honorary Aldermen were made and celebrated at a special Council meeting on 23rd June 2008. Since then, further appointments have been made in 2010, 2011, 2014, 2016 and 2018. The Scheme was updated recently by this Committee on 5th April 2022. A total of 36 former Councillors have been appointed as Honorary Aldermen. A special meeting of the Council is required to appoint Honorary Aldermen and the resolution needs to be supported by at least two thirds of those voting at that meeting.
- 3.2 There are two criteria for appointment as an Honorary Alderman –
- (i) Serving a minimum of three terms (12 years) as a member of the Council.
 - (ii) Rendering eminent or notable service generally or by serving as mayor or chairman of a major Council Committee or holding one or more senior positions on the Council in any political group.
- 3.3 In addition, the title would need to be withdrawn should the Honorary Alderman be re-elected to the Council, so the honour is usually only given where the person concerned is not expected to seek re-election or to play a prominent public role.
- 3.4 An informal cross-party meeting is being held to discuss potential candidates for appointment as Honorary Aldermen – the outcome will be reported to this meeting.

4. TRANSFORMATION/POLICY IMPLICATIONS

- 4.1 The Council's policy on appointing Honorary Aldermen is set out in the attached Appendix containing the Honorary Aldermen Scheme of Enrolment. The Council can also appoint Honorary Freeman - persons of distinction (not necessarily former Councillors) who have rendered eminent service to the borough.

5. FINANCIAL IMPLICATIONS

- 5.1 The proposal involves some modest costs for the production of badges and certificates. The special Council meeting can be held on the same night as the Council's annual meeting (possibly on 10th October 2022) and so meeting costs will be minimal.

6. LEGAL IMPLICATIONS

- 6.1 The power to appoint honorary aldermen is contained in section 249 of the Local Government Act 1972.

Non-Applicable Headings:	Impact on Vulnerable Adults and Children, Personnel, Property, Procurement, Customer Impact, Carbon Reduction, Ward Councillor Views
Background Documents: (Access via Contact Officer)	Report to GP&L Committee (6 th February 2018)

LONDON BOROUGH OF BROMLEY

**HONORARY ALDERMAN
SCHEME OF ENROLMENT**

1. Qualifications Required for Enrolment

A person shall be deemed to be eligible for consideration to be nominated to the position of Honorary Alderman if he or she:

- i) has rendered a minimum of 12 years' service as a member of the London Borough of Bromley; and
- ii) has rendered eminent, or notable, service generally or by service as Mayor, or a Chairman of a major Council Committee or holding one or more senior positions on the council in any political group.

2. Method of Enrolment

- 2.1 Applications for nomination as an Honorary Alderman shall be made by a Member of the Council and submitted, in writing, to the Director of Corporate Services and Governance for consideration by the General Purposes and Licensing Committee.
- 2.2 Prior to the submission of any application for nomination, the person nominated shall be asked by the Member nominating him or her if he or she is willing to accept nomination for enrolment as an Honorary Alderman.
- 2.3 Election to the position of Honorary Alderman shall be by a resolution of the Council, passed on the recommendation of the General Purposes and Licensing Committee, by not less than two-thirds of the Members voting thereon at a meeting of the Council specially convened for the purpose by the Mayor with notice of the object.
- 2.4 Following the election of a person to the position of Honorary Alderman, the Director of Corporate Services and Governance will arrange for the name of the person to be admitted to the Roll of Honorary Aldermen, which shall be established for such purpose.

3. Rights and Privileges

- 3.1 An Honorary Alderman shall be entitled to the following rights and privileges:
 - (i) to enjoy the courtesy title of "Honorary Alderman" and to be addressed as such;
 - (ii) to attend as an observer at meetings of the Council or any other meetings to which the press and public are admitted and to have a seat reserved for this purpose;
 - (iii) on request, to receive a copy of the Council Summons and Agenda;
 - (iv) to receive invitations to all Civic events to which members of the Council are invited;
 - (v) to walk in Civic Processions in a position immediately senior to serving Members;
 - (vi) to wear the Badge of Office of Honorary Alderman on Civic occasions.

- (vii) on death, to have the Borough flag flown at the Civic Centre at half- mast.
 - (viii) to enjoy such other privileges as the Council may confer upon them from time to time.
- 3.2 In the event of an Honorary Alderman resuming membership of the Council, he or she shall cease to be entitled to be addressed as “Honorary Alderman” or to attend or take part in any Civic ceremonies of the Council as an Honorary Alderman.
- 3.3 It shall be competent for the Council in any particular case to withdraw the title of “Honorary Alderman” and the attached rights and privileges on the recommendation of the General Purposes and Licensing Committee. Such withdrawal of the title shall be by resolution of the Council, passed by not less than two-thirds of the Members voting thereon at a meeting of the Council specially convened for the purpose by the Mayor. On the passing of such resolution, the Chief Executive shall delete the name of the person concerned from the Roll of Honorary Aldermen and advise that person accordingly.

(Reviewed April 2022)

Honorary Aldermen

Reg Adams
Douglas Auld (Deceased)
E Dennis Barkway C.B.E.
Peter Bloomfield
Paul Bonter
Dr Eric Bosshard
Joan Bryant
Ingrid Buckley
Roger Charsley
Frank Cooke (Deceased)
David Crowe
Richard Foister (Deceased)
Peter Fookes
Chris Gaster (Posthumous)
John Getgood
David J Harding
David Haslam
Jenny Hillier
John R Holbrook (Deceased)
Carole Hubbard (Deceased)
Brian Humphrys
Gordon Jenkins
Lt Col Philip G Jones OStJ TD DL (Deceased)
Maurice Kenward
Dorothy Laird JP
John A M Lewis (Deceased)
Mrs Anne Manning
Maurice J Mason (Deceased)
David McBride
Ernest Noad
Mike Norris
Sue Polydorou JP M.B.E.
Simon Randall C.B.E.
Brian R Reading
Catherine Rideout
Charles Rideout
George Taylor
Selwyn Ward
Anthony M Wilkinson
Arthur Wilkinson
Peter C Woods (Deceased)
Joan Wykes O.B.E. (Deceased)

Report No.
CSD22080

London Borough of Bromley

PART ONE - PUBLIC

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

Date: **Wednesday 6 July 2022**

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

Title: **MINOR CONSTITUTIONAL CHANGE – STANDARDS COMMITTEE**

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

Chief Officer: Tasnim Shawkat, Director of Corporate Services and Governance

Ward: All

1. Reason for decision/report and options

- 1.1 This report proposes that an amendment is made to the Council's Constitution regarding the composition of the Standards Committee. As currently worded, the Constitution prevents members of the Executive from sitting on the Standards Committee, but, following the Localism Act 2011, this provision is no longer required in law and can be removed.

2. **RECOMMENDATION**

That Council be recommended to update Article 9 of the Constitution – The Standards Committee – by replacing the current paragraph 9.2 (b) with –

“Members of the Executive may sit on the Standards Committee, subject to not being in a majority.”

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Transformation Policy

1. Policy Status: Existing Policy:
 2. Making Bromley Even Better Priority (delete as appropriate):
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Democratic Representation
 4. Total current budget for this head: £1,137,390
 5. Source of funding: Revenue Budget
-

Personnel

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

Legal

1. Legal Requirement: None – the requirement to have a Standards Committee was removed under the Localism Act 2011.
 2. Call-in: Not Applicable: Non-executive decisions are not subject to call-in
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Property

1. Summary of Property Implications: Not Applicable
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
-

Customer Impact

1. Estimated number of users or customers (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 Article 9 of the Council's Constitution specifies the composition of the Standards Committee, requiring a membership of five Councillors, three from the majority group and one each from the next two largest groups. The Constitution also stipulates that members of the Executive cannot sit on the Committee. This provision stems from the Local Government Act 2000 which required the compulsory establishment of a Standards Committee with no executive members. This provision was later removed under the Localism Act 2011 but this unnecessary requirement has not yet been deleted from the Council's Constitution.

3.2 Article 9, paragraph 9.2 (b) states –

“A Councillor who is a member of the Executive is not eligible to sit on the Standards Committee.”

It is proposed that this is replaced by –

“Members of the Executive may sit on the Standards Committee, subject to not being in a majority.”

3.3 The full current text of Article 9 is set out in Appendix A.

Non-Applicable Headings:	Impact on Vulnerable Adults and Children/Policy/Finance? Personnel/Property/Procurement/Customer Impact/Ward Councillor Views
Background Documents: (Access via Contact Officer)	LBB Constitution

CONSTITUTION OF THE LONDON BOROUGH OF BROMLEY

Article 9 – The Standards Committee

9.1 Standards Committee

The Council will establish a Standards Committee

9.2 Composition

- (a) The Standards Committee will have a membership of five Councillors, up to three from the largest political group and a minimum of one from each of the next two political groups.
- (b) A Councillor who is a member of the Executive is not eligible to sit on the Standards Committee.
- (c) The Chairman will be appointed from, and by, members of the Standards Committee and will hold office for one year.
- (d) Independent persons appointed under the Localism Act 2011 shall be entitled to attend and speak at all meetings of the Standards Committee.

9.2 Role and Function

The Standards Committee will have the following roles and functions:

- (a) Promoting and maintaining high standards of conduct by Councillors, co-opted members and Church and Parent Governor representatives.
- (b) Assisting the Councillors, co-opted members and Church and Parent Governor representatives to observe the requirements on declaring pecuniary interests within the Members Code of Conduct and associated local protocols.
- (c) Advising the Council on the adoption or revision of the Members' Code of Conduct and associated local protocols.
- (d) Monitoring and reviewing the operation of the Members Code of Conduct and associated local protocols.
- (e) Developing for recommendation to the Council, local protocols to supplement the members Code of Conduct.
- (f) Enforcing local protocols and applying sanctions in respect of breaches of the members' Code of Conduct as appropriate.

- (g) Advising, training or arranging to train Councillors, co-opted members and Church and Parent Governor representatives on matters relating to the declaration of pecuniary interests, Members' Code of Conduct and associated local protocols.
- (h) Hearing cases against Councillors in consultation with the Independent Person.
- (i) To keep under review, amend and make additional provisions to the Protocol on Member/Officer relations.
- (j) To monitor the Officers' Code of Conduct to ensure consistent application and enforcement Council-wide.
- (k) General overview of probity matters arising from Ombudsman reports, Monitoring Officer reports, Audit Committee reports and ethical indicators.

This page is left intentionally blank

Report No.
CSD22087

London Borough of Bromley

PART ONE - PUBLIC

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

Date: **Wednesday 6 July 2022**

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

Title: **CONSTITUTION WORKING GROUP**

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

Chief Officer: Tasnim Shawkat, Director of Corporate Services and Governance

Ward: All

1. Reason for decision/report and options

- 1.1 At its last meeting, the Committee agreed to set up a working group to review the Council's Constitution. This report provides further detail and suggested terms of reference.

2. **RECOMMENDATION**

That the Committee agrees terms of reference for a Constitution Working Group (see paragraph 3.5 below) and appoints Members to serve on the Working Group.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Transformation Policy

1. Policy Status: Existing Policy:
 2. Making Bromley Even Better Priority (delete as appropriate):
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
-

Financial

1. Cost of proposal: No Cost Further Details
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £376,460
 5. Source of funding: Revenue Budget
-

Personnel

1. Number of staff (current and additional): 6
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Not Applicable: Non-executive matters are not subject to call-in
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Property

1. Summary of Property Implications: Not Applicable
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
-

Customer Impact

1. Estimated number of users or customers (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 Under the Local Government Act 2000, the Council agreed a Constitution which came into effect in May 2002 when executive arrangements started. The Constitution has been amended many times since then, notably following recommendations from the former Constitution Improvement Working Group, which last met early in 2019.
- 3.2 The Constitution consists of the following parts –
- Part 1 – Summary and Explanation
 - Part 2 – 16 Articles
 - Part 3 – Responsibility for Functions
 - Part 4 – Rules of Procedure and Financial Regulations
 - Appendices - (11 Appendices)
- 3.3 At its meeting on 26th May 2022 the Committee agreed to set up a new working group to review the Council's Constitution and related matters. In particular, the overall structure and approach of the Constitution should be reviewed as a priority, but there are also other issues which the working group should consider, such as formal question time at meetings, and the Council's Petition Scheme, which has not been reviewed since 2012.
- 3.4 The composition of the working group is not required to be proportional, but there is a balance to be found between having a small, flexible group and encouraging representation from across different parts of the Council.
- 3.5 It is proposed that the Working Group operates under simple terms of reference as follows –
- (1) To consider the overall structure of the Constitution.
 - (2) To identify aspects of the Constitution that can be simplified and improved.
 - (3) To make recommendations to General Purposes and Licensing Committee for consideration by full Council.

Non-Applicable Headings:	Impact on Vulnerable Adults and Children/Policy/Legal/Personnel/Financial/Procurement/Carbon Reduction/Customer Impact/Ward Councillor Views
Background Documents: (Access via Contact Officer)	None

This page is left intentionally blank

Report No.
CSD22078

London Borough of Bromley

PART ONE - PUBLIC

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

Date: **6 July 2022**

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

Title: **WORK PROGRAMME AND MATTERS ARISING**

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

Chief Officer: Tasnim Shawkat, Director of Corporate Services and Governance

Ward: All

1. Reason for decision/report and options

- 1.1 This report summarises the Committee's work programme for the 2022/23 Council year. This report also covers matters outstanding from previous meetings.

2. **RECOMMENDATION**

Members are requested to consider and note the matters outstanding from previous meetings (paragraph 3.5) and their work programme for 2022/23 (Appendix B).

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority (delete as appropriate):
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
-

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: £366k
 5. Source of funding: Revenue Budget
-

Personnel

1. Number of staff (current and additional): 6
 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 require an executive decision.
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Property

1. Summary of Property Implications: Not Applicable
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
-

Customer Impact

1. Estimated number of users or customers (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 Bromley Council operates under a “Leader and Executive” constitutional model, with most decision-making functions resting with the Leader, Executive and Portfolio Holders. However, there are a number of functions which the executive side 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, Pensions Committee, Audit and Risk Management Committee, Standards Committee and this Committee for any other non-executive functions.
- 3.2 General Purposes and Licensing Committee fulfils the role of Licensing Committee under the 2003 Licensing Act (which requires a membership of between ten and fifteen), 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 other non-executive Committees. It therefore has a range of varied and sometimes unrelated responsibilities, including human resources, complaints, elections and appointments. The Committee’s Terms of Reference are set out in the Constitution are set out at Appendix A.
- 3.3 The Committee’s role is very different to that of a PDS Committee, in that it has decision-making powers, many of which are delegated to a number of sub-committees -
- Appeals Sub-Committee
 - Industrial Relations Sub-Committee
 - Licensing Sub-Committee
 - Local Joint Consultative Committee
 - Rights of Way Sub-Committee

These sub-committees have decision-making powers within their own terms of reference, and in some cases only meet when issues arise that require a decision from Members.

- 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 2022/23 Council year are set out in Appendix B, with the reports anticipated for each meeting.
- 3.5 Members are asked to note the following matters outstanding from a previous meeting –

Minute 8 Appointment of Outside Bodies (26 May 2022)

The appointment of a Member to the Management Committee of the Wood Lodge Living Skills Centre was deferred – this is an appointment associated with Bickley and Sundridge ward.

Minute 9 Work Programme (26 May 2022)

Members set up Working Groups to consider the appointment of Honorary Aldermen and to review the Council’s Constitution. Reports on both issues are on the current agenda.

Non-Applicable Headings:	Impact on vulnerable adults and children/Policy/Financial/Personnel/Legal/Procurement/Carbon Reduction/Customer Impact/Ward Councillor Views
Background Documents: (Access via Contact Officer)	Work Programme Report to GP&L Committee, 5 April 2022

**General Purposes and Licensing Committee
Terms of Reference**

2.01 **General Purposes and Licensing Committee** (Membership proportional – may include one Member of the Executive from each recognised party group, subject to Executive Members not being in a majority.)

- (a) Electoral issues
- (b) Making byelaws
- (c) Staffing matters
- (d) Open Government
- (e) Complaint Procedures
- (f) Member appointments
- (g) Health and Safety
- (h) Licensing of births, deaths and marriages
- (i) Licensing matters, including, where appropriate, determining cases relating to individual licenses
- (j) Non-executive highway functions as set out in Schedule 1 to the Functions Regulations (excluding functions under the Town & Country Planning Act 1990)
- (k) Any non-executive function not delegated elsewhere or reserved to Council.

General Purposes and Licensing Committee
Work Programme 2022/23

18th May 2022 *(following annual Council meeting)*

Appointment of Sub-Committees

26th May 2022

Appointments to Outside Bodies

Work Programme & Matters Outstanding

6th July 2022

Appointment of Honorary Aldermen

Minor Changes to the Constitution

Constitution Working Group

Work Programme & Matters Outstanding

(+ Licensing Training session after the meeting)

22nd September 2022

Review of Local Elections 2022

Annual Complaints Report and Annual Ombudsman's Letter 2021/22

Freedom of Information Requests

Work Programme & Matters Outstanding

3rd November 2022

Teachers Pay Policy 2022/23 - Centrally Based Staff

Work Programme & Matters Outstanding

8th February 2023

Pay Award 2023

Pay Policy Statement 2022/23

Members Allowances Scheme 2023/24

Programme of Meetings 2023/24

Work Programme & Matters Outstanding

29th March 2023

Executive Assistants Reports 2022/23

Annual Review of the Scheme of Delegation to Officers

Work Programme & Matters Outstanding

Draft Minutes from Sub-Committee meetings are received for information at each meeting.

This page is left intentionally blank

LICENSING SUB-COMMITTEE

Minutes of the meeting held at 10.00am on 25 May 2022

Present:

Councillor Nicholas Bennett MA J.P. (Chairman)
Councillors Kira Gabbert and Pauline Tunnicliffe

1 APPOINTMENT OF CHAIRMAN FOR THE MEETING

Members appointed Councillor Bennett as the Chairman for the meeting.

2 DECLARATIONS OF INTEREST

Councillor Gabbert announced that she personally knew some members of the public who were sitting in the gallery. Several years ago Cllr Gabbert served as a school governor alongside one of the objectors speaking at the meeting, but had no contact with this person since.

Councillor Bennett announced that he recognised some members of the public who were sitting in the gallery and that he knew the person Councillor Grant was representing.

3 APPLICATION FOR A NEW PREMISES LICENCE AT LA SPORTS CLUB, ST DUNSTAN'S LANE, BECKENHAM BR3 3SS

The Applicant explained the history of the site and said the aim was to have a family run sport club. Money had been invested since the purchase to improve the facilities, but the pavilion required considerable work. The Lawnmower Shed was therefore provided as a coffee shop where families could meet and socialise. Following representations on this application, a planning application was submitted and awaiting validation.

In terms of the licensing objectives, the Applicant was acutely aware of the responsibility to protect children from harm and of preventing crime and disorder and had taken steps including installing CCTV. In terms of preventing public nuisance, there would be enforcement against anti-social parking and better communication with residents. For public safety, the pavilion was too dangerous to use, so the application was for the Lawnmower Shed. The pavilion was excluded from the application. The Applicant was familiar with problems with the lane and granting a licence would help to regulate the situation.

Questions to the Applicant

Councillor Tunnicliffe asked if the pavilion had been licensed and when it was last used. The Applicant did not know. In relation to the website referring to activities such as parties, the Applicant said the site was nothing to do with the club and a legacy of Andrew Birchenall.

Councillor Gabbert enquired about the capacity of the Lawnmower Shed and the Applicant said the outside seating area had 8 trestle tables with a combined capacity of 48. Refreshments would only be allowed within that area, so taking a pint to the pitch would not be permitted. The area was as shown in the photo on page 61 of the agenda. The plans for the pavilion were to restore it, but the club needed money to do so. That would come from the sports club as a whole and there was no breakdown of projected revenue between the Lawnmower Shed and other activities. It was, therefore, not possible to say how much money the Applicant was expecting to make from alcohol sales. Once the pavilion was up and running, the Lawnmower Shed would no longer be needed.

The Chairman asked about the website. The Applicant explained the history and the previous involvement of a former director. What was detailed on the website was not an operation that the Applicant was promoting. In terms of the apparent discrepancy between saying in the application the premises was a coffee shop for socialising and having matches with children, yet serving alcohol until 22:00, the Applicant explained there would be football in the evening, such as training, events and tournaments. The intention was to use the ground for evening football, so there would be longer hours. The primary purpose was a sports club, there would be no bingo or party nights. The Lawnmower Shed was currently not open after 15:00, except when there was a temporary events notice, such as last Friday when it closed at 19:00. Normally it would not open until 22:00.

Councillor Gabbert enquired how the temporary events went and the Applicant said there had been some feedback about the marshals and parking. In reply to Councillor Tunnicliffe's query, the Applicant said everyone had left the site by 19:30.

The Chairman pointed out that under the Council's licensing policy a licence would not be granted unless there was planning permission. He asked if there were any reasons for making an exception. The Applicant replied by saying there was a legitimate prospect that permission would be granted and within 8 weeks.

The Licensing Officer asked which building was the subject of the application and the Applicant confirmed it was just the Lawnmower Shed. In relation to the condition about pre-booked events, there would only be events related to what the club does, such a football themed children's birthday party. The Applicant confirmed that there would be on-sales only. The Applicant would arrange for a designated premises supervisor, who would be hired directly or sub-contracted.

In reply to Councillor Gabbert's question about events, the Applicant explained the intent was for it to be a family sports related club rather than a commercial sports club where rooms were hired out. They did not want to undermine the ethos and have events that did not come under the umbrella of sport and family.

Objectors

Councillor Harris asked about the planning application for the Lawnmower Shed and the Applicant confirmed it was for conversion to a cafe with outside seating and a pergola. The event on May 20th was discussed and in particular parking and highway safety. Councillor Harris concluded by saying if a licence were granted, it should be members only and with alcohol only while sport was being played.

Mr Tullett set out problems with the event last Friday. He queried if children would benefit from easy availability of alcohol at the ground and said he was concerned by noise and anti-social behaviour. The Applicant confirmed the application was not for an open-air pub.

Mrs Cape said she represented the Park Langley Residents Association. She pointed out there were no windows or doors to close, so she believed it would cause a public nuisance to residents. Alcohol may lead to anti-social behaviour. There would be long hours at weekends and during holidays, so residents would have no peace. If approved, the licence should be for members and guests only and no alcohol on Sundays.

Councillor Grant said outdoor drinking and noise would cause a nuisance. There was a public safety concern with use of the alleyway. Players drinking could create anti-social behaviour and there was no synergy between youth sport and alcohol.

Answering Councillor Tunnicliffe's question, the Applicant confirmed there was no seating available within the Lawnmower Shed.

The Applicant finished by saying the process had been a learning curve. They were working on improving the facility and the Lawnmower Shed was part of that. The club was open to working within constraints but wanted to move forward. The application would not be amended though to members only or changing the hours of operation.

Decision

Following a short adjournment, members returned and the Chairman announced the application was refused as it was contrary to the Council's policy that planning permission was needed first. There was no reason to make an exception.

Reasons

The following are the reasons for the decision.

The Licensing Sub-Committee carefully considered the application for a new premises licence at L.A. Sports Club, St Dunstan's Lane, Beckenham, BR3 3SS. In doing so, they had regard in particular to:

- The four licensing objectives
- The Council's current Statement of Licensing Policy
- The Secretary of State's Revised Guidance issued under section 182 of the Licensing Act 2003
- All written and oral representations by the Applicant
- All written and oral representations by local residents
- All written and oral representations by members
- All written representations by responsible authorities

Members noted the absence of any objection from any responsible authority other than the Planning Authority, which stated there was no planning permission for the Lawnmower Shed or its use. The Applicant did not disagree and has submitted a planning application.

Members noted that many of the representations made by objectors (for example parking problems, access and traffic) related to matters which were most suitably considered as part of the planning process. Although Members greatly appreciated those concerns, they were constrained to focus on the promotion of the licensing objectives. No matter how much Members may have sympathised with objectors, matters of principle over the use and the wider implications of the use were outside the scope of the licensing system.

In order to reflect the limited remit of licensing, it is expected that applicants will first obtain all necessary planning permissions before applying for a premises licence. That process will allow for the wider planning issues to be assessed initially, leaving licensing sub-committees to then focus on the discrete issue of the licensing objectives. It also removes any overlap with the planning system. This approach is set out in paragraph 22.1 of the Council's Statement of Licensing Policy, which says "The Licensing Authority will not grant an application for a new Premises Licence or Club Premises Certificate unless it is satisfied that all relevant planning permissions are in place where necessary." The Applicant did not provide any reason of sufficient weight to depart from this policy. As no planning permission for the Lawnmower Shed was in place, they therefore rejected the application. The committee also noted that a separate planning application for floodlights had been made by the Club. If this was not granted, effectively use of the grounds for football would be limited to the hours of daylight, which in the depths of winter, would be at approximately 4pm.

For completeness, members went on to consider the application on its merits.

In relation to the police, they did not object provided that their conditions were attached, which the Applicant said they agreed to. Members were therefore reassured in relation to the prevention of crime and disorder. Although mention had been made at the hearing of graffiti appearing after the event at the grounds last Friday, there was no evidence of any connection with the premises.

Some objectors had alleged the vehicular and pedestrian access to the premises was dangerous. Members noted the Secretary of State's Revised Guidance, which says in paragraph 2.7 this objective concerns the safety of people using the premises. Members concluded that concerns of highway safety should be considered in connection with the planning application. Members therefore did not identify any grounds for concluding there would be a risk to public safety in the licensing context.

While some objectors had queried how it would be compatible for the club to be both family friendly and still serve alcohol. Members took into account the Council's Statement of Licensing Policy, that the access of children to licensed premises will only be limited where it is necessary for the prevention of physical, moral or psychological harm (P27). No such harm was identified. There was no objection from the child protection team, subject to conditions to which the Applicant agreed. Members therefore reached the conclusion that children would be protected from harm.

Members shared, with objectors, concerns in relation to noise. The premises were located in a residential area in a shed where there had never been licensed activities. While there would be some noise from use of the facilities for football, granting the licence for the premises would result in additional noise and disturbance. Members went on to consider if this would be so disproportionate or unreasonable as to amount to a public nuisance.

Members concluded that, if the premises were operated in such a way as to make it a destination venue, which would attract customers for the sole purpose of drinking it was likely that this would be a public nuisance. In contrast, if the premises were operated in accordance with the Applicant's stated intention of being ancillary to football, there was less chance that it would be a public nuisance.

As a consequence, if Members had been minded to grant the licence, they would have imposed conditions in order to ensure that the primary purpose of the license was to provide a drink for spectators and players whilst the football was taking place and for a short time thereafter. Consideration would have been given as to whether the sale of alcohol would be limited by a condition of club membership and temporary membership for the day in question for visitors. Had the committee been in a position to determine the application they would have also wished to consider a limitation on the area within the club grounds where alcohol could be consumed.

Chairman

This page is left intentionally blank