

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held on 30 June 2010

Present:

Councillor Tony Owen (Chairman)
Councillor Nicholas Bennett J.P., Councillor John Canvin,
Councillor Roger Charsley, Councillor Roxy Fawthrop,
Councillor Ian F. Payne, Councillor Charles Rideout CVO, QPM,
Councillor Diane Smith, Councillor Tim Stevens J.P.,
Councillor Harry Stranger and Councillor Michael Turner

17 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

Apologies were received from Councillors John Getgood, Will Harmer, Pauline Tunnicliffe and Stephen Wells. Councillor Peter Fookes attended the meeting as alternate for Councillor Getgood.

18 DECLARATIONS OF INTEREST

Item 7 - Councillors Nicholas Bennett JP, Roxy Fawthrop, Tony Owen, Ian Payne, Charles Rideout CVO, QPM, Diane Smith, Tim Stevens and Michael Turner and all officers present, declared personal interests as members of the Local Government Pension Scheme. Councillor Charles Rideout CVO, QPM also declared an interest as a Governor of Ravensbourne College.

Item 8 - Councillor Harry Stranger declared an interest as Secretary of the Orpington Conservative Club.

Item 15 - Councillors Roxy Fawthrop and Ian Payne declared personal interests as users of London Borough of Bromley's mobile devices.

19 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 27 MAY 2010

The Minutes of the meeting held on 27 May 2010 were confirmed as a correct record.

20 MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

The outstanding matters were noted.

21 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

22 DRAFT STATUTORY ACCOUNTS 2009/10

REPORT DR10061

The Committee considered a report setting out the Council's 2009/10 draft statutory accounts, which had been submitted for approval in accordance with the Accounts and Audit Regulations 2003.

In order to bring local authority accounts more in line with the principles of UK Generally Accepted Accounting Principles (UK GAPP), there had been some changes made to the form of the accounts in line with the 2009 Statement of Recommended Practice. The main changes were detailed in the report.

The Director of Resources responded to various questions from Members and the Chairman informed Members that they were welcome to contact officers if they had any further questions.

RESOLVED that the London Borough of Bromley's Draft Statutory Accounts for 2009/10 be approved and signed by the Chairman of the meeting as a formal record of Members' approval.

23 RAVENSBOURNE COLLEGE PENSION ARRANGEMENTS

REPORT RD10063

The report updated Members on the future proposed pension arrangements for staff at Ravensbourne College.

Due to the possible disclosure of exempt information, this report was considered in conjunction with Item 16 on the agenda (**Minute 32**).

24 THE LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS) ORDER 2010

REPORT ES10089

Members considered a report which detailed five new mandatory conditions applicable to all premises licences and club premises certificates issued by the Council where alcohol is sold for consumption on the premises.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 was made on 16 March 2010 and established a 2 phase implementation of the new mandatory conditions. The first three conditions came into force on 6 April 2010 and the 4th and 5th conditions would become active on 1 October 2010.

The Licensing Team proposed to implement the Order and update/reissue current licenses and certificates.

RESOLVED that

- (1) The new mandatory licence conditions be noted; and**
- (2) The proposals for the Licensing Team to implement the Order and update/reissue current licences and certificates be noted.**

25 LICENSING ACT 2003 - LATE OBJECTIONS

REPORT ES10095

The report provided Members with information on a Court of Appeal decision relating to late objections under the Licensing Act 2010.

As a result of a Judicial Review at the High Court (Queens Bench Division) against Westminster Council in respect of late objections, the Court ruled that there was no legal power for the Council to accept and consider late objections. The Court also ruled that Westminster Council had not adequately followed its own non-statutory consultation procedure.

RESOLVED that the following be noted

- (1) Objections received outside the statutory consultation period cannot be accepted; and**
- (2) Failure to comply with the Council's own non-statutory consultation procedure may be subject to Judicial Review.**

26 DEMOCRATIC SERVICES - BENCHMARKING INFORMATION

REPORT LDCS10117

This report was initially considered by the Committee in September 2009 when it was resolved that the matter be considered further once the effect of the changes to the Council's decision-making processes was clearer.

The report incorporated the results of a Benchmarking Survey assembled by the London Democratic Services Forum in June 2009. The figures showed that although the Council does have the highest ratio of meetings to staff in London, there had been a real reduction in the number of meetings since the introduction of new executive decision-making processes in May 2009. It was noted that the survey did not include meetings of the Licensing Sub-Committee.

RESOLVED that the benchmarking information and other performance information relating to Democratic Services be noted.

**27 APPOINTMENTS TO OUTSIDE BODIES - CRYSTAL PALACE
COMMUNITY DEVELOPMENT TRUST**

REPORT LDCS10124

At a meeting held on 27 May 2010, the Committee had approved the appointment of Councillor Tom Papworth to serve as the Council's representative on the Crystal Palace Community Development Trust.

Councillor Papworth had informed officers that he did not wish to continue in this role and that Councillor John Canvin had been nominated by the Liberal Democrat Group to take his place.

RESOLVED that Councillor John Canvin be appointed as the Council's representative on the Crystal Palace Community Development Trust in place of Councillor Tom Papworth.

28 INVESTMENT SUB-COMMITTEE - CHANGE OF NAME

REPORT LDCS10018

The Chairman of the Investment Sub-Committee, Councillor Nicholas Bennett JP, proposed that in order to better reflect its remit which was to oversee the management of the Council's Pension Fund, the Committee's name should be changed to the Pensions Investment Sub-Committee.

The change of name was supported by the Portfolio Holder for Resources, the Director of Resources and the Director of Legal, Democratic and Customer Services.

RESOLVED that

(1) The change of name from Investment Sub-Committee to Pensions Investment Sub-Committee be agreed; and

(2) Council be asked to formally approve that Part 3 of the Constitution (Responsibility for Functions) be amended accordingly.

**29 APPEALS SUB-COMMITTEE: MINUTES OF THE MEETING
HELD ON 14 JUNE 2010, EXCLUDING EXEMPT INFORMATION**

The Minutes of meeting held on 14 June 2010 were noted.

**30 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 listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if

members of the press and public were present there would be disclosure to them of exempt information.

31 PROPOSED ARRANGEMENTS FOR MOBILE PHONES

REPORT DR100058

As requested by the Audit Sub-Committee at its meeting on 23 March 2010, the Committee considered a report on the Council's provision of mobile devices.

32 RAVENSBOURNE COLLEGE PENSION ARRANGEMENTS

REPORT RD10063

The report updated Members on the future proposed pension arrangements for staff at Ravensbourne College.

This report was considered in conjunction with Item 7 on the agenda **(Minute 23)**.

33 APPEALS SUB-COMMITTEE: EXEMPT MINUTES - 14 JUNE 2010

The exempt Minutes of the meeting held on 14 June 2010 were noted.

The Meeting ended at 8.14 pm

Chairman