

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 10 April 2013

Present:

Councillor Tony Owen (Chairman)
Councillor Russell Mellor (Vice-Chairman)
Councillors Douglas Auld, Ruth Bennett, John Canvin,
Roger Charsley, Roxhannah Fawthrop, John Getgood,
Will Harmer, Charles Rideout, Diane Smith, Tim Stevens
and Pauline Tunncliffe

76 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Nicholas Bennett and Gordon Norrie – Councillors Ruth Bennett and Douglas Auld attended as their substitutes.

77 DECLARATIONS OF INTEREST

Councillor Charles Rideout declared an interest as a school governor in relation to the part 2 minutes of the Audit Sub-Committee.

78 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

79 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 14TH FEBRUARY 2013

RESOLVED that the minutes of the meeting held on 14th February 2013 be confirmed.

80 REVIEW OF LICENSED STREET TRADING Report ES13026

For the purpose of controlling street trading in the borough, the Council had implemented the London local Authorities Act 1990 in 1991. The scheme had last been reviewed in 2007, when it was agreed that the legislation be used to enable businesses to utilise the public footway, where there was sufficient space, for tables and chairs and external shop displays in a legal and controlled manner. Following the meeting of the Environment PDS Committee on 5th March 2013 the Environment Portfolio Holder had agreed a new enforcement approach.

It was proposed to designate the goods and services and pitches of 23 existing street traders currently on temporary licences to allow the granting of full licenses. It was also proposed to de-designate one pitch no longer in use which was no longer considered suitable for street trading. These changes were set out in Appendix A. The licence fees applicable from 1st April 2013 were set out in Appendix B.

Members were concerned to ensure that there was a balance of consistency with accepting local conditions and therefore proposed that ward councillors be consulted on individual locations.

In response to questions from the Committee, it was confirmed that these street trading issues were non-executive matters.

RESOLVED that, in principle, the following be approved:

- (a) Amendments to locations and goods where street trading be permitted, as set out in Appendix A, to take effect from 1st October 2013, in consultation with Ward Councillors and subject to formal consultation being undertaken and a further report being submitted thereafter.**
- (b) The fees payable for street trading applications and licences be noted, as set out in Appendix B.**

81 COMMUNICATIONS POLICY
Report RES13076

At its meeting on 27th March 2013 the Executive and Resources PDS Committee had considered a draft Communications Policy and agreed that it be referred to this Committee for approval with one minor change, that the reference to it applying to Councillors in section 3 be removed. This was an overarching policy drawing together existing guidance applicable to all staff, including teachers, and covering all means of communication, including the internet, email and social networking.

The Committee suggested one minor change to the wording of the policy to better reflect the Council's Building a Better Bromley aims.

RESOLVED that the proposed Communications Policy be approved, subject to amending the start of paragraph 2.2 to read –

“Being excellent in the eyes of our residents is a key part of Building a Better Bromley...”

82 APPOINTMENTS TO OUTSIDE BODIES
Report RES13075

The Committee was asked to consider appointments to two outside bodies. It was proposed that Councillors Robert Evans and Neil Reddin be re-appointed

to the Court of Governors of the St Olave's and St Saviours's Grammar School Foundation, but there was no candidate nominated for the vacancy on the Oxleas NHS Foundation Trust Council of Governors and it was proposed that this appointment be considered at the annual appointment of Council representatives to outside bodies in May 2013.

RESOLVED that

(1) Councillors Robert Evans and Neil Reddin be re-appointed to the Court of Governors of St Olave's and St Saviour's Grammar School Foundation for the three year term expiring 30th April 2016.

(2) That the appointment to Oxleas NHS Foundation Trust Council of Governors for the remainder of the three year term of office ending in May 2015 be deferred to the meeting in May 2013.

83 MINOR CHANGES TO THE CONSTITUTION
Report RES13078

The Constitution Improvement Working Group had made a number of recommendations for minor changes to the Council's Constitution relating to the terms of reference for the Rights of Way Sub-Committee and the Health and Wellbeing Board and the Council Procedure Rules. The exact text to be changed was set out in appendix 1 to the report.

At its meeting on 3rd April 2013 the Executive had approved procedures for administering the Community Right to Bid under the Localism Act 2011. At the suggestion of the Executive and Resources PDS Committee, the Executive had agreed that appeals under this process against listing and compensation decisions should be made to Members at the Appeals Sub-Committee. It was therefore proposed to make the following minor change to the Terms of Reference of the Appeals Sub-Committee in part 3 of the Constitution –

2.06 Appeals Sub-Committee

Add, after “- education transport appeals” a further line:

“- internal reviews relating to listing and compensation appeals under the community Right to Bid.”

RESOLVED that the proposed changes to the Constitution be referred to full Council for approval, including the additional amendment to the terms of reference of the Appeals Sub-Committee set out above.

**84 LOCAL JOINT CONSULTATIVE COMMITTEE: MINUTES OF
THE MEETING HELD ON 28TH FEBRUARY 2013**

The Committee received the minutes of the meeting of the Local Joint Consultative Committee held on 28th February 2013.

The Director of Human Resources reported that 2,995 staff had now accepted the Council's new local terms and conditions, with 544 staff refusing to accept them and 105 not responding. This meant that there would now be a forty five day period of statutory consultation starting soon with the staff that had not accepted and the trade unions.

85 PENSIONS INVESTMENT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 12TH FEBRUARY 2013, EXCLUDING EXEMPT INFORMATION

The Committee received the minutes of the meeting of the Pensions Investment Sub-Committee held on 12th February 2013 (excluding exempt information).

86 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 13TH MARCH 2013, EXCLUDING EXEMPT INFORMATION

The Committee received the minutes of the meeting of the Audit Sub-Committee held on 13th March 2013 (excluding exempt information).

87 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**

88 PENSIONS INVESTMENT SUB-COMMITTEE: EXEMPT MINUTES - 12TH FEBRUARY 2013

The Committee received the exempt minutes of the meeting of the Pensions Investment Sub-Committee held on 12th February 2013.

89 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 13TH MARCH 2013

The Committee received the exempt minutes of the meeting of the Audit Sub-Committee held on 13th March 2013.

The Meeting ended at 7.16 pm.

Chairman