

## **GENERAL PURPOSES AND LICENSING COMMITTEE**

Minutes of the meeting held at 7.00 pm on 17 July 2013

### **Present:**

Councillor Tony Owen (Chairman)  
Councillor Russell Mellor (Vice-Chairman)  
Councillors John Canvin, Roxhannah Fawthrop,  
Peter Fookes, Julian Grainger, Ellie Harmer, Will Harmer,  
Charles Rideout, Tim Stevens, Harry Stranger and  
Michael Turner

### **Also Present:**

Councillor Robert Evans

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

Apologies for absence were received from Councillors Roger Charsley, John Getgood (Cllr Peter Fookes attended as his substitute) and Diane Smith (Cllr Will Harmer attended as her substitute.)

### **102 DECLARATIONS OF INTEREST**

Councillor Charles Rideout declared an interest as a governor of Castlecombe Primary school.

Graham Walton, Democratic Services Manager, declared an interest as his wife was employed by Bromley Adult Education College.

### **103 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 23RD MAY 2013**

Councillor Nicholas Bennett reported that although he had been appointed as the Council's representative on the London Regional Scrutiny Board of Affinity Sutton by the Committee at the meeting on 23<sup>rd</sup> May he had not been contacted by Affinity Sutton. Officers would follow this up.

**RESOLVED that the minutes of the meeting held on 23<sup>rd</sup> May 2013 (excluding exempt information) be confirmed.**

### **104 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions had been received.

**105 CODE OF CORPORATE GOVERNANCE**  
Report 13137

At its meeting on 6<sup>th</sup> June 2013 the Audit Sub-Committee considered and approved a revised Code of Corporate Governance for adoption by full Council. The revised Code removed some of the duplication in the version previously agreed by Council in April 2011 and took account of the key elements that needed to be included in the Annual Governance Statement.

**RESOLVED that Council be recommended to adopt the revised Code of Corporate Governance (appendix 2 to the report).**

**106 RAISING CONCERNS (WHISTLEBLOWING)POLICY**  
Report 13136

The Council's whistleblowing policy had last been updated in 2008. The Audit Sub-Committee at its meeting on 6<sup>th</sup> June 2013 considered a revised and streamlined policy and referred it to this Committee for adoption.

The Committee considered whether the statements reassuring potential whistleblowers in the "Our Assurances to You" section of the document were clear and prominent enough, and provided sufficient distinction between issues raised in good faith and cases where the motivation was malicious. It was agreed that a new paragraph would be drafted for the start of the document – this would be circulated to Committee members. It was also noted that "Chair and Vice Chair, Audit Sub-Committee" needed to be changed to "Chairman and/or Vice-Chairman, Audit Sub-Committee" at the end of the document with the addition of "or" indicating that raising concerns could be to either.

Officers confirmed that records were kept of whistleblowing incidents, and that details were reported to Audit Sub-Committee.

**RESOLVED that, subject to the addition of the new paragraph described above and inclusion of contact details, the revised Raising Concerns (Whistleblowing) Policy (appendix 2 to the report) be adopted.**

**107 LICENSING ACT 2003 - BROMLEY CUMULATIVE IMPACT AREA**  
Report ES13081

In November 2005 the Council had adopted a cumulative impact policy covering a defined area of Bromley Town Centre. There was a general recognition that the policy, along with other measures taken by the Council, had been successful in protecting Bromley town centre from the worst excesses of crime and anti-social behaviour, and that the situation had improved since 2005. However, informal feedback from businesses at the northern end of the High Street suggested that they were concerned about the impact of new licensed premises at Bromley South and some felt that the

cumulative impact policy was restrictive and made it difficult for them to apply for longer operating hours.

The Committee was asked to consider a number of options –

- (i) Leaving the Cumulative Impact Policy unaltered and allowing applications to be made in the usual way, based on their individual merits.
- (ii) Considering a temporary relaxation of the policy to allow those businesses who wished to consider varying their licenses an opportunity to do so. This option could offer an opportunity to proactively manage the process with prior consultation and coordination with businesses and partners to establish common terminal hours for pubs and clubs to prevent businesses leapfrogging closing times, but each application still had to be determined on its own merits.
- (iii) Redefining the area covered by the policy.
- (iv) Removing the cumulative impact policy altogether.

Councillor Will Harmer, who represented Bromley Town Ward, agreed with the perception that the night-time situation was now much improved from when the policy had been introduced in terms of crime and disorder, but he felt that it would be helpful to the night-time economy if the policy could be relaxed. He was also sceptical about the value of the policy in resisting undesirable applications.

The Committee was sympathetic to the concerns that had been raised, and was inclined to look favourably on variations from responsible operators – particularly those who had successfully operated under temporary events notices or who were accredited under the Best Bar None scheme. Members were wary of setting a standard closing time, and preferred staggered times that allowed people to disperse more gradually. Each application would still have to be considered on its own merits. Members also considered, however, that more evidence was needed and that a strategic policy for the night-time economy in Bromley town centre should be drawn up, taking account of the new development at Bromley South.

There was also a cumulative impact policy for Beckenham, but the Committee considered that the situation there was very different to Bromley.

**RESOLVED that**

**(1) officers be authorised to indicate that although all applications will be considered on their merits, applications from businesses wishing to vary their licenses will now be considered more favourably.**

**(2) evidence be collected to develop a strategy for managing the night-time economy in Bromley town centre in the light of the development at Bromley South.**

**108 APPOINTMENTS TO OUTSIDE BODIES**  
Report RES13114

One vacancy had arisen following the resignation of Councillor Sarah Phillips as the Council's representative on the Governing Body of Bromley Adult Education College.

**RESOLVED that Councillor Michael Turner be appointed as the Council's representative on the Governing Body of Bromley Adult Education College for the remainder of the four year term of office ending in May 2014.**

**109 PENSIONS INVESTMENT SUB-COMMITTEE - MINUTES OF THE MEETING HELD ON 9TH MAY 2013 (EXCLUDING EXEMPT INFORMATION)**

The Committee received the minutes of the meeting of the Pensions Investment Sub-Committee meeting held on 9<sup>th</sup> May 2013 (excluding exempt information).

**110 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 6TH JUNE 2013, EXCLUDING EXEMPT INFORMATION**

The Committee received the minutes of the meeting of the Audit Sub-Committee meeting held on 6<sup>th</sup> June 2013 (excluding exempt information).

**111 INTRODUCTION OF THE LOCAL POLICING MODEL (LPM) AND THE POTENTIAL IMPACT ON THE LICENSING ACT 2003**

It was agreed that this matter be considered as a matter of urgency as the proposed changes to the Police Licensing Team might have a significant impact on the Council's Licensing Objectives.

The Metropolitan Police were implementing a new model of local policing which would see a greater emphasis on the role of Safer Neighbourhood Teams (SNT's). Cllr Tim Stevens as the Portfolio Holder with responsibility for Public Protection and Community Safety and chairman of the Safer Bromley Partnership had been in communication with Bromley Police senior management team and had raised concerns about the future of the Bromley Police Borough Licensing Team under this new model of service delivery. The view being taken by the Metropolitan Police Service was that licensing would be part of the new and wider roles for local SNT's without a dedicated officer/team taking a borough-wide view and responsibility.

Chief Inspector Carron Schusler had informed Cllr Stevens that there was some local discretion and that she had made a successful bid for a temporary licensing post. However, this was a one full time equivalent position and represented a reduction from the current position of two officers (1.6 fte). The Police were planning that the dedicated licensing officer would have responsibility for responding to applications, making representations and attending hearings of Licensing Sub-Committee, but the SNT's would deal with licensing visits. A table showing the impact of the LPM on different London Boroughs was circulated – this showed that none of the eleven boroughs who had responded faced losing a Licensing officer.

The Committee was concerned at this potential reduction in licensing services, and asked officers to establish exactly what the statutory responsibilities of the Police were for licensing matters.

**RESOLVED that**

**(1) Officers obtain more information on the proposals and the responsibilities of the Police and evaluate the impact on the Council's licensing services.**

**(2) The Chairman and Councillor Stevens meet with the local Police to convey the Council's concerns at the proposals.**

**(3) Approaches be made to GLA Members and others who may be in a position to influence the proposals.**

**112 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**

**113 EXEMPT MINUTES OF THE MEETING HELD ON 23RD MAY 2013**

In relation to minute 98/1 (Affinity Sutton Pension Arrangements) the Committee was informed that the arrangements were progressing in line with expectations.

**RESOLVED** that the exempt minutes of the meeting held on 23<sup>rd</sup> May 2013 be confirmed.

**114        PENSIONS INVESTMENT SUB-COMMITTEE - EXEMPT  
             MINUTES - 9TH MAY 2013**

The exempt minutes of the meeting of the Pensions Investment Sub-Committee on 9<sup>th</sup> May 2013 were received.

**115        AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 6TH JUNE 2013**

The exempt minutes of the meeting of the Audit Sub-Committee on 6<sup>th</sup> June 2013 were received.

The Meeting ended at 7.42 pm

Chairman