

## **GENERAL PURPOSES AND LICENSING COMMITTEE**

Minutes of the meeting held at 7.00 pm on 26 March 2015

### **Present:**

Councillor Tony Owen (Chairman)  
Councillor Russell Mellor (Vice-Chairman)  
Councillors Nicholas Bennett J.P., Kim Botting,  
Mary Cooke, Ellie Harmer, William Huntington-Thresher,  
David Livett, Diane Smith, Tim Stevens,  
Pauline Tunnicliffe, Michael Turner and Angela Wilkins

### **Also Present:**

Councillor Graham Arthur, Councillor Kevin Brooks,  
Councillor Robert Evans, Councillor Hannah Gray and  
Councillor Colin Smith

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

Apologies for absence were received from Councillors Kathy Bance (who was replaced by Cllr Angela Wilkins), Eric Bosshard and Charles Rideout.

#### **61 DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

No questions had been received.

#### **63 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 10TH FEBRUARY 2015**

**RESOLVED** that the minutes of the meeting held on 10<sup>th</sup> February 2015 be confirmed.

#### **64 REVIEW OF EMPLOYEE REPRESENTATION ARRANGEMENTS** Report DHR15005

The report set out proposals for restructuring the current employee representation arrangements. It was proposed to end secondments of staff into representational roles (the staff-side secretary and trade union roles) and to review the role and structure of the Departmental Representatives Forum.

The Chairman invited Glenn Kelly, Staff-side Secretary, to address the Committee. He criticised the Council for planning to silence the voice of its workers and doing this at precisely the time of greatest crisis when representation was needed most. Bromley was the only borough taking this approach and would be failing in its statutory role. He accepted that it might be reasonable for the borough to offer to pay for only three or four days per week, with the Unions picking up the remainder of the costs, but even this was not being offered. Questioned by Members, Mr Kelly emphasised that the Council currently paid for time off for trade union duties, not trade union activities, and that withdrawing this would be illegal.

The Chairman invited Kathy Smith to address the Committee. She argued that the consultation was flawed as it was restricted to Trade Union and Departmental Representatives and the report was biased, leaving out any downsides to the proposals. Councillors and chief officers had previously stated that they valued the representatives and their ability to defuse problems, but the proposals would leave staff feeling abandoned without proper representation. In particular, it would lead to greater disruption and costs as she would be frequently called away from her work in the Library Service. She asked whether service managers had been consulted about this, and was informed that they had been.

The Director of Human Resources argued that the law required employers to allow time off for trade union duties but not for trade union activities, and did not require the Council to employ or second representatives, only to provide reasonable support. Bromley had very generous representation arrangements and other organisations such as the Civil Service were taking similar measures to Bromley. In the current financial crisis no part of the organisation could be exempt from review.

The Committee discussed the proposals. Some Members considered that employees should pay for representation through their trade union subscriptions, not Council Tax payers. They agreed that the current arrangements needed to be updated.

One member argued that although it was reasonable to reduce the costs of representation as staff numbers declined there was scope for negotiation with staff on these proposals. The representatives were particularly important to staff at a time of great change, and their removal would be unlikely to save costs.

The Chairman invited Mr Kelly and Ms Smith to make a closing statement before the Committee came to its decision. Mr Kelly emphasised that the majority of his time was spent representing individual staff members and that it would be impractical to do this while carrying out another full time role. Ms Smith emphasised the chaos that would arise in departments as staff representatives would frequently be called away from their substantive roles and called for a proper negotiation.

**RESOLVED that**

**(1) The secondments of staff into the roles of Staff Side Secretary and Trade Union Representative cease and the current staff undertaking these roles return to their substantive positions within the Council, with adequate support and training if required.**

**(2) The current arrangements for Departmental Staff Representatives within the Council be reviewed to reflect the reduced workforce and realignment or reduction of services in line with the proposed arrangements set out in paragraphs 3.12 to 3.15 in the report.**

**(3) Subject to (1) above, it is noted that the Council will continue to provide reasonable support including paid time off for legitimate trade union duties in a balanced way taking into account service delivery issues.**

(Councillor Angela Wilkins requested that her vote against the recommendations be recorded.)

**65 STAFF CAR ALLOWANCE**  
Report DHR15004

As part of the 2015/16 budget Council staff and their representatives had been consulted on a proposal to replace the current car allowances paid as a lump sum and a mileage allowance with a single flat rate consistent with the HMRC recommendation. This would result in savings of about £300k per annum. It was now proposed to adopt a graduated approach with the new arrangements not coming fully into operation until 2017/18.

The Chairman invited Glenn Kelly, Staff-side Representative, to address the Committee. He stated that the proposals amounted to a £1k pay cut for around 300 workers and were disappointing in view promises not to make further changes to terms and conditions soon after the move to local pay. He suggested that the new arrangements would make it harder for the Council to recruit and retain staff.

The Director of Human Resources informed the Committee that there was no evidence that the proposals put the Council at a disadvantage in attracting staff. He also emphasised that consultation with existing staff was still continuing and that he would report further on how the changes would be implemented.

The Chairman invited Mr Kelly to make a closing statement before the Committee came to its decision.

**RESOLVED that**

**(1) It is agreed that all new recruits required to use their car for legitimate business purposes will be reimbursed on a single, flat rate, set locally by the Council.**

**(2) Subject to (1) above, it is agreed that the local rate applicable to new recruits from 1<sup>st</sup> April 2015 is 45p per mile.**

**(3) Authority be delegated to the Director of Human Resources in consultation with the Director of Finance to review and vary the local mileage rate payable having regard to local circumstances and the prevailing recommended HMRC rate.**

**(4) It is noted that, for existing staff, their representatives are being consulted on the proposed phasing arrangement set out in paragraph 3.8 of the report.**

(Councillor Angela Wilkins requested that her vote against the recommendations be recorded.)

**66 LICENSING ACT 2003 CUMULATIVE IMPACT BROMLEY TOWN CENTRE**  
Report ES15026

The Committee received a report advising them of developing issues regarding alcohol-related crime in Bromley town centre, which had been designated a cumulative impact area. The Metropolitan Police had reported a London-wide increase in crime associated with the late night economy, but local police believed that the increase in Bromley town centre was disproportionate. Additional charts showing the impact of licensing changes from February 2014 onwards on crime levels were circulated. These showed that a large increase in crime could be attributed to additional late night licenses.

A ward Councillor, Councillor Michael Rutherford, had appealed to the Committee to support the night time economy and not to impose a general tightening of the licensing regime.

The Portfolio Holder for Public Protection and Safety also urged that no additional general restrictions be imposed and advised the Committee that he would be meeting with the Borough Commander and pressing for sufficient Police resources to be available to deal with the issues arising from the small number of establishments linked to the problems. While some Members wanted to see action taken through the licensing regime to prevent more crime, the Committee considered that this was largely a matter for police enforcement and decided not to adopt a stricter approach to new or amended licenses.

**RESOLVED that the contents of the report be noted.**

**67 ANTI SOCIAL BEHAVIOUR, POLICING AND CRIME ACT 2014 -  
IMPLICATIONS FOR LICENSED PREMISES**  
Report ES15024

The Committee received a report informing them of changes to the closure powers in the Licensing Act 2013 introduced by the Anti-Social Behaviour, Crime and Policing Act 2014. The Act simplified 19 powers down to 6, including a power for the local authority or the Police to quickly close premises for up to 48 hours.

**RESOLVED that the contents of the report be noted.**

**68 DEREGULATION OF ENTERTAINMENT LICENSING -  
LICENSING ACT 2003**  
Report ES15025

The report advised Members of changes intended to provide a further deregulation of aspects of entertainment and indoor sports licensing with likely effect from 6 April 2015.

**RESOLVED that the contents of the report be noted.**

**69 PROGRAMME OF MEETINGS 2015/16**  
Report CSD15045

The Committee considered the proposed Programme of Meetings for the next Council year, 2015/16. The programme was based on previous years and had been subject to wide consultation.

The Committee discussed whether Executive and Resources PDS Committee on 7<sup>th</sup> October 2015 could be moved to the following day – this would clash with Plans 3 but would enable Members to attend the Conservative Party Conference which ended on 7<sup>th</sup> October. The Committee concluded that Party Group Leaders should be consulted before the Programme was finalised.

**RESOLVED that the Programme of Meetings for 2015/16 be approved subject to further consultation on the date of Executive and Resources PDS Committee in October 2015.**

**70 RIGHTS OF WAY SUB-COMMITTEE - DRAFT MINUTES OF  
THE MEETING HELD ON 4TH FEBRUARY 2015**

The minutes of the meeting of the Rights of Way Sub-Committee held on 4<sup>th</sup> February 2015 were received.

**RESOLVED that Council be requested to consider amending the Scheme of Delegation to Officers to enable them to make Definitive Map Modification Orders and amendments to the Definitive Map and Statement of Public Rights of Way.**

**71 LOCAL JOINT CONSULTATIVE COMMITTEE: MINUTES OF  
THE MEETING HELD ON 10TH FEBRUARY 2015**

The minutes of the Local Joint Consultative Committee meeting held on 10<sup>th</sup> February 2015 were received.

**72 PENSIONS INVESTMENT SUB-COMMITTEE: MINUTES OF THE  
MEETING HELD ON 24TH FEBRUARY 2015**

The minutes of the Pensions Investment Sub-Committee meeting held on 24<sup>th</sup> February 2015 were received.

The Meeting ended at 8.32 pm

Chairman