

## **GENERAL PURPOSES AND LICENSING COMMITTEE**

Minutes of the meeting held at 7.00 pm on 28 November 2017

### **Present:**

Councillor Ian F. Payne (Chairman)  
Councillor Stephen Wells (Vice-Chairman)  
Councillors Vanessa Allen, Nicholas Bennett J.P.,  
Alan Collins, Mary Cooke, Robert Evans, Ellie Harmer,  
David Livett, Keith Onslow, Tony Owen,  
Charles Rideout QPM CVO, Teresa Te, Pauline Tunnicliffe  
and Michael Turner

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

Apologies for absence were received from Councillors Kim Botting and Tim Stevens; Councillors Keith Onslow and Robert Evans attended as substitutes. Councillor Alan Collins apologised for his late arrival.

### **292 DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

No questions had been received.

### **294 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 12TH SEPTEMBER 2017**

Members requested the following -

(a) with regard to minute 274, Audit of Financial Statements, an update on the objections to the 2016/17 accounts;

(b) with regard to minute 283, HR Key Issues Presentation, that the presentation slides be circulated.

It was noted that Councillor Pauline Tunnicliffe had sent apologies for the meeting on 12<sup>th</sup> September – this was added to the minutes.

**RESOLVED that the minutes of the meeting held on 12<sup>th</sup> September 2017 be confirmed.**

**295 FORFEITURE POLICY OF PENSION SCHEME RIGHTS -  
OUTCOME OF CONSULTATION**

The Local Government Pension Scheme Regulations provided that, in certain circumstances, the accrued pension rights of scheme members may be reduced or entirely withheld. In order for this to be considered a formal procedure was required to determine in what circumstances, and to what extent, the Council would seek to reduce a scheme members pension rights.

At its meeting on 11 July 2017 the Committee agreed a Forfeiture Policy in principle subject to the outcome of consultation with staff and trade unions. The report detailed the outcome of the consultation.

It was clarified that the number of conduct related dismissals, referred to in the report as “generally low” was less than ten per annum. The Committee considered circumstances where the policy could be applied; it was noted that in cases of gross misconduct leading to dismissal there was already a penalty in the form of loss of employment; forfeiture was an additional penalty for the most serious cases involving criminal activity. A Member referred to the case of John Jossa, who had been convicted of fraud against his employer, LB Enfield.

It was also confirmed by officers that Counsel had provided legal advice to say that it may be arguable that the policy could be applied to Councillors, although as Councillors had been excluded from the scheme in 2014 it was unlikely that circumstances would arise where forfeiture could be applied.

**RESOLVED that the comments received during the consultation period be noted and the implementation of the Forfeiture Policy with immediate effect be approved.**

**296 LOCAL PENSION BOARD - APPOINTMENT OF BOARD  
MEMBERS**  
Report FSD 17096

The Committee considered the appointment of a new Member Representative to the Local Pension Board following the resignation of one of the previous members. The Committee was informed that two further members had resigned from the Board.

**RESOLVED that**

**(1) It is noted that Mr Tony Conboy has resigned from the Local pension Board.**

**(2) Mr Geoffrey Wright be formally appointed as a replacement Member Representative to the Board, with immediate effect.**

**(3) It is noted that the meeting of the Local Pension Board has been rescheduled pending the appointment of a new Member Representative.**

**(4) It is noted that the Pension Board Annual Report has been delayed pending the rescheduled meeting of the Local Pension Board.**

**297 LICENSING UPDATE - NOVEMBER 2017**  
Report ES17092

The Committee received an update covering –

- (i) Decisions made by the Licensing Sub-Committee between 11<sup>th</sup> August and 13<sup>th</sup> November 2017.
- (ii) Changes to the standard report format for Licensing Sub-Committee.
- (iii) The appeal against the Council's decision to vary the licence for 210 High Street, Beckenham.

**RESOLVED that the report be noted.**

**298 APPOINTMENTS TO OUTSIDE BODIES**  
Report CSD17150

The Committee considered vacancies that had arisen for Council representatives on outside bodies.

Two of the Council's three representatives on the Keston Village Hall Trust, Mr Peter Luckens and Mr Peter Zieminsky, had recently resigned. The Trust had nominated Mrs Pam Broughton and Mrs Maureen Marshall to replace them for the remainder of the four year term of office ending on 20<sup>th</sup> December 2020. This was supported by two of the ward councillors. However, it was proposed that the appointments be made until 31<sup>st</sup> May 2018, with new four year terms of office starting in 2018 to tie in with the Council's four year electoral cycle. The Trust had no objection to this.

It was also proposed that the vacancy for a representative on the Diocese of Rochester Board of Education be dealt with in the same way with an appointment until May 2018.

The Committee considered that terms of office should be aligned with the Council year and electoral cycles wherever possible, and if there were no conflicts with the Trusts' constitutions, and also proposed that a review be carried out of appointments to small local charities to consider whether Council representatives were necessary.

**RESOLVED that**

**(1) Mrs Pam Broughton and Mrs Maureen Marshall be appointed as the Council's representatives on the Keston Village Hall Trust until the end of May 2018.**

**(2) Councillor Stephen wells be appointed as the Council's representative on the Diocese of Rochester Board of Education for the**

**three year term of office from 10<sup>th</sup> December 2017 to 10<sup>th</sup> December 2020.**

**(3) It is noted that Councillor Colin Smith will be the Council's representative on the London Councils Leader's Committee and Grants Committee.**

**299           UPDATES TO THE SCHEME OF DELEGATION - PUBLIC PROTECTION AND SAFETY PORTFOLIO**  
Report CSD17173

Some minor changes were required to the Scheme of Delegation to Officers regarding the Public Protection and Safety Portfolio to ensure that the document remained up to date and in line with current legislation.

**RESOLVED that Council be recommended to -**

**(1) Approve the updated Public Protection and Safety Delegations to Officers in respect of non-executive delegations.**

**(2) Note the updated Public Protection and Safety Delegations to Officer in respect of executive functions received from the Leader of the Council.**

**300           AUDIT SUB-COMMITTEE: MEMBERSHIP**  
Report CSD17147

Following the appointment of a new Leader of the Council at the special Council meeting on 25<sup>th</sup> September 2017, various resulting changes to committee and sub-committee memberships were announced by the majority group. As Councillor William Huntington-Thresher had joined the Executive, Councillor Peter Fortune had stepped down from the Audit Sub-Committee, and it was proposed that Councillor Stephen Carr be appointed to the resulting vacancy.

**RESOLVED that Councillor Stephen Carr be appointed to the Audit Sub-Committee.**

**301           WORK PROGRAMME 2017/18**  
Report CSD17155

The Committee considered its work programme for the remainder of 2017/18. It was noted that a report on the Pilot Voter ID scheme had been added to the programme for the January meeting; further information about the scheme was anticipated from the Cabinet Office in December.

A number of Members commented that there was a risk of loss of confidential data due to the apparent lack of a clear desk policy across Council offices, which could in addition result in insurance claims. Members suggested that the Council's office accommodation compared unfavourably with other local

authorities with more up to date accommodation, who provided staff lockers and lockable filing cabinets. There was concern that paper information was left available on and around desks, and that some officers were leaving their desks without logging out from their computers. The risks were exacerbated by the delay in moving away from paper towards more electronic storage. The Committee concluded that a report was required setting out the current position and what action was being taken to minimise the risks.

A Member raised the issue of office cleaning, which she felt had declined; it was noted that the contractor, Amey, was due to appear before the Executive and Resources PDS Committee the following evening.

Reviews of the Appeals Sub-Committee and Appointments to Outside Bodies would also be added to the programme for the meeting on 20<sup>th</sup> March 2018 (see minutes 298 and 306.)

**RESOLVED that a report be requested on information security within Council offices.**

**302 LOCAL JOINT CONSULTATIVE COMMITTEE: MINUTES OF THE MEETING HELD ON 25TH OCTOBER 2017**

The minutes of the Local Joint Consultative Committee's meeting on 25<sup>th</sup> October 2017 were received.

**303 APPEALS SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 30TH AUGUST 2017, EXCLUDING EXEMPT INFORMATION**

The minutes of the Appeals Sub-Committee's meeting on 30<sup>th</sup> August 2017 (excluding exempt information) were received.

**304 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**

**305 APPEALS SUB-COMMITTEE: EXEMPT MINUTES - 30TH AUGUST 2017**

The exempt minutes of the Appeals Sub-Committee's meeting on 30<sup>th</sup> August 2017 were received. The Chairman stated that, in future, it would only be necessary for the Committee to receive the decision of the Sub-Committee, rather than the whole set of minutes.

The Committee requested that a report be prepared for them to consider again whether the third stage of appeal before a Member panel should be retained.

**306 LOCAL PENSION BOARD - APPOINTMENT OF BOARD MEMBERS (PART 2 APPENDIX)**

The Committee noted details of the candidates for appointment to the Local Pension Board.

**307 EXEMPT MINUTES OF THE MEETING ON 12TH SEPTEMBER**

The exempt minutes of the meeting held on 12<sup>th</sup> September 2017 were tabled – these would be presented for confirmation at the next meeting.

The Meeting ended at 7.50 pm

Chairman