

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00pm on 25 July 2018

Present:

Councillor Pauline Tunnicliffe (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Kathy Bance MBE, Yvonne Bear,
Nicholas Bennett J.P., Kevin Brooks, Mary Cooke,
Robert Evans, Russell Mellor, Alexa Michael, Tony Owen,
Neil Reddin FCCA, Melanie Stevens, Harry Stranger and
Stephen Wells

20 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Marina Ahmad, Gareth Allatt and Vanessa Allen. They were replaced by Councillors Kathy Bance, Yvonne Bear and Kevin Brooks respectively. Apologies for lateness were received from Councillor Brooks.

21 DECLARATIONS OF INTEREST

There were no declarations of interest.

22 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

The following questions had been received from Sam Webber for written reply.

1. Given 2002 ward boundaries will have been in place for 20 years at the time of the next local elections would any redrawing take place before or after the 2022 local elections?
2. If so when will the Council begin the consultation process for drawing up the new boundaries and will it seek to involve representations from community groups and other local organisations.

Reply:

The Local Government Boundary Commission for England is responsible for the ward boundaries – not the Council.

The Commission has advised us that they will be undertaking an electoral review of Bromley (along with many other London Boroughs) in 2019/2020.

We are waiting for further details as to the timescales, methodology and the consultation process.

23 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 29TH MAY 2018

RESOLVED that the minutes of the meeting held on 29th May 2018 be confirmed.

24 AUDIT OF FINANCIAL STATEMENTS 2017/18
Report FSD18063

The Council's statutory accounts for 2017/18 were reported for approval by Members in accordance with the requirements of the Accounts and Audit Regulations 2015. The report also detailed the conclusions and significant issues arising from the work carried out in relation to the audit of the 2017/18 accounts. Philip Johnstone of KPMG, the Council's external auditors, attended the meeting to answer questions.

Mr Johnstone explained that one elector had raised objections to the 2016/17 and 2017/18 accounts. The objections were lengthy and mainly centred on waste collection and waste management services. Mr Johnstone anticipated that the process of addressing the 2016/17 objections should be completed within the next couple of months; work on the 2017/18 objections was still at the stage of narrowing them down to a small number of heads of objection. It was unlikely that the 2017/18 issues could be resolved before Christmas. In response to questions, Mr Johnstone stated that although the correspondence involved in dealing with these objections was extensive and time consuming, there was currently no need for external legal advice, which had driven up costs in dealing with objections in previous years.

Members noted that many of the issues raised by the objector relating to the waste contract had been considered by the former Contracts Working Group and, in particular, by Audit Sub-Committee following a report by Internal Audit.

Mr Johnstone clarified that the 2016/17 accounts had been signed off, but it was not yet possible to issue the certificate due to the outstanding objections. This was not unusual and several other boroughs audited by KPMG were in a similar position.

This was KPMG's last year as the Council's external auditor and the Chairman thanked Mr Johnstone and his colleagues for their work on behalf of the Council.

RESOLVED that

(1) The Council's statutory accounts for 2017/18 be approved.

(2) In accordance with the requirements of the Accounts and Audit Regulations 2015, the Chairman of this Committee be authorised to sign and date the statutory statements on page 1 as a formal record of the Committee's approval.

- (3) The external auditor's report be noted.**
- (4) The auditor's conclusion on Value for Money (VFM) be noted.**
- (5) Agreement with the Auditor's conclusion on their independence and objectivity be confirmed.**
- (6) The objections to the accounts as set out in paragraphs 3.14 to 3.16 be noted.**
- (7) The Chairman of this Committee be authorised to sign the letter of representation for 2017/18 on behalf of the Council (see Appendix 2.)**
- (8) The Annual Governance Statement which accompanies the statutory statement of accounts be approved.**

**25 DRAFT STATEMENT OF GAMBLING LICENSING POLICY
2019-21**

The Council's Gambling Licensing Policy was due for review. The Committee considered a draft statement of Gambling Policy for 2019-2021 and agreed that it should be subject to public consultation until 16th September 2018. A number of details in the policy had been updated as necessary, but no significant changes were proposed.

In response to questions, officers confirmed that there had been a spike in new betting shops across the borough about three years ago, but there had been very little increase since then. They had carried out an assessment in Penge at the time, but had insufficient evidence to take any action.

Members asked whether there was anything that could be done to encourage the managers of betting shops to move on groups of young people congregating outside their shops. Officers explained that the young people would be on the public highway and there was nothing in the Gambling Act that would allow this - the situation was different under the Licensing Act where conditions could be imposed in alcohol licenses.

Officers explained that holders of alcohol licenses could have up to two gaming machines in their premises. This did not apply to unlicensed premises such as chicken shops, but some owners attempted to get around this by installing skill-based machines. Determining whether such machines were skill-based or gaming machines could be a very difficult and technical issue which the Gambling Commission would need to advise on - Members were encouraged to report any unlicensed premises where they were concerned that these rules were being broken. Members also raised the possibility of premises owners (such as coffee shops and pizza parlours) seeking alcohol licenses with the real motive of being able to install gaming machines. Officers were not aware that this was a problem, and it would be difficult to refuse such applications, but in such cases there would be controls under the alcohol license.

RESOLVED that

(1) The draft Gambling Policy as attached to the report be subject to public consultation until 16th September 2018.

(2) Feedback from the consultation be received at the next meeting on 25th September 2018.

26 UPDATE ON THE NEW ANIMAL WELFARE REGULATIONS

The Committee received a report updating them on the draft Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 coming into force on 1st October 2018. The report advised on the key differences from the existing regime, and informed them of how the Licensing team would implement these. However, officers also advised that the Guidance for the new Regulations was not yet available, and was unlikely to be published before October, which made detailed planning very difficult.

A Member asked whether process maps were available to assist them in directing complaints and queries. Officers responded that process maps would be unlikely to capture all the variations possible in process and encouraged Members to seek advice on particular issues from the Licensing Team.

Members asked about officers' rights of entry to licensed animal premises. It was confirmed that significant evidence was required to apply to the court for a warrant to enter a private house, and officers usually took an informal approach in dealing with such cases.

RESOLVED that the report be noted, particularly the key changes highlighted in paragraphs 3.9 - 3.16.

27 LOCAL PENSION BOARD - APPOINTMENT OF BOARD MEMBER

Report FSD18062

The Committee was informed that Josepha Reynolds had resigned as one of the two Employer representatives on the Local Pension Board. Expressions of interest in the role had been sought and one application had been received, from Emma Downie, a current employee of the Council. Her expression of interest form had been included on the part 2 agenda.

RESOLVED that

(1) It is noted that Josepha Reynolds has resigned as an Employer Representative on the Local Pension Board.

(2) Council be recommended to appoint Emma Downie as an Employer Representative.

28 WORK PROGRAMME
Report CSD18113

The Committee considered its work programme for the 2018/19 Council year. As the agenda for the meeting on 27th November was quite light, the Chairman suggested that this meeting could potentially be cancelled. The only item listed, a review of the Members Allowances Scheme, could be taken at the September meeting.

Members also discussed whether it was necessary to re-establish the Constitution Improvement Working Group. The Committee was advised that in recent years the Working Group had been set up by the Leader using his executive powers, although it did not have to be an executive working group and could be set up by this Committee.

A Member suggested that a skills audit of Members should be carried out to ensure that advantage was being taken of the abilities and experience of all Members. The Chairman suggested that this could be considered at the next meeting.

29 PENSIONS INVESTMENT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 22ND MAY 2018, EXCLUDING EXEMPT INFORMATION

The draft minutes of the meeting of the Pensions Investment Sub-Committee held on 22nd May 2018, excluding exempt information, were received.

The Chairman suggested that it might be useful for the Committee to receive a presentation from one of the chairmen of the Sub-Committees at successive meetings, possibly starting with the Chairman of the Pensions Investment Sub-Committee. She promised to email Committee Members about this to seek their views.

30 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 24TH MAY 2018, EXCLUDING EXEMPT INFORMATION

The draft minutes of the meeting of the Audit Sub-Committee held on 24th May 2018, excluding exempt information, were received.

31 APPEALS SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 25TH JUNE 2018, EXCLUDING EXEMPT INFORMATION

The draft minutes of the meeting of the Appeals Sub-Committee held on 25th June 2018, excluding exempt information, were received.

32 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**

33 LOCAL PENSION BOARD - APPOINTMENT OF BOARD MEMBER: PART 2 APPENDIX

The Committee noted the expression of interest form received in relation to this appointment.

34 PENSIONS INVESTMENT SUB-COMMITTEE: EXEMPT MINUTES - 22ND MAY 2018

The draft exempt minutes of the meeting of the Pensions Investment Sub-Committee held on 22nd May 2018 were received.

35 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 24TH MAY 2018

The draft exempt minutes of the meeting of the Audit Sub-Committee held on 24th May 2018, excluding exempt information, were received.

36 APPEALS SUB-COMMITTEE: EXEMPT MINUTES - 25TH JUNE 2018

Extracts from the draft exempt minutes of the meeting of the Appeals Sub-Committee held on 25th June 2018 were received.

(After the meeting was closed, the Committee received a briefing on licensing issues.)

The Meeting ended at 7.51 pm.

Chairman