

Public Agenda



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Date: 21 November 2016

Notice of meeting

Overview and Scrutiny Committee

Date: Tuesday, 29 November 2016

Time: 7.00 pm

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

To: Members of the Overview and Scrutiny Committee

Councillors:

C.A. Davis (Chairman)	S.M. Doran	J.G. Kavanagh
S.C. Mooney (Vice-Chairman)	K. Flurry	D. Patel
R.O. Barratt	M.P.C. Francis	O. Rybinski
S.J. Burkmar	A.L. Griffiths	R.A. Smith-Ainsley
S. Capes	N. Islam	B.B. Spoor

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AGENDA

Description	Lead	Timings	Page Number.
<p>1. Apologies</p> <p>To receive any apologies for non-attendance.</p>	Chairman	7.00 pm	
<p>2. Minutes</p> <p>To confirm the minutes of the meeting held on 20 September 2016.</p>	Chairman		5 - 8
<p>3. Disclosures of Interest</p> <p>To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.</p>	Chairman		
<p>4. Call-in of Cabinet decisions</p> <p>No Cabinet decisions have been called in.</p>			
<p>5. Review of Taxi Licensing</p> <p>To consider the report of the Licensing Manager and review the provision of taxi ranks, whether the economic needs of the Borough are adequately served by the present regime and whether the fees charged represent value for money. Members of the taxi trade will be in attendance at the meeting to contribute to the proceedings.</p>	Dawn Morrison / Cllr Williams	7.05 pm	9 - 64
<p>6. Capital Monitoring</p> <p>To note the level of capital expenditure for the period April to September 2016.</p>	Adrian Flynn / Cllr Williams	8.30 pm	65 - 70
<p>7. Revenue Monitoring</p> <p>To note the level of revenue expenditure for the period April to September 2016.</p>	Adrian Flynn / Cllr Williams	8.40 pm	71 - 78
<p>8. Cabinet Forward Plan</p> <p>A copy of the latest Cabinet Forward Plan is attached.</p> <p>If any members of the Committee have any issues they want to raise in relation to the Cabinet Forward Plan, please inform Terry</p>	Chairman	8.50 pm	79 - 84

Description	Lead	Timings	Page Number.
Collier, Deputy Chief Executive, 24 hours in advance of the meeting with reasons for the request.			
9. Work Programme			
To agree the Work Programme for the remainder of the Municipal Year 2016-2017.	Chairman	8.55 pm	85 - 88

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**Minutes of the Overview and Scrutiny Committee
20 September 2016**

Present:

Councillor C.A. Davis (Chairman)
Councillor S.C. Mooney (Vice-Chairman)

Councillors:

R.O. Barratt	A.L. Griffiths	O. Rybinski
S.M. Doran	N. Islam	R.A. Smith-Ainsley
K. Flurry	J.G. Kavanagh	B.B. Spoor
M.P.C. Francis	D. Patel	

Apologies: Councillors S. Capes

204/16 Minutes

The minutes of the meeting held on 12 July 2016 were approved as a correct record.

205/16 Disclosures of Interest

There were none.

206/16 Call-in of Cabinet decisions

No Cabinet decisions had been called in for review.

207/16 Review of Community Safety

The Community Safety Manager gave an update on Community Safety issues over the past year. He detailed the performance data for the period April 2015 to July 2016 for the key priorities for the Community Safety Team: house burglary, vehicle crime, violence with injury and anti-social behaviour.

Acting Inspector Josh Parish provided up to date crime figures from those presented in the report: all notifiable offences were down 5%; violence with injury was down; overall violent crime was up although this included such incidents as shouting on the street, fighting in the playground and offences committed by prison inmates. Vehicle crime was up but a team of offenders who had been responsible for a spate of such crimes were now in prison. The biggest drop had been in reports of anti-social behaviour which were down by 451 reports (30%) compared to the same period last year. The Community

Safety Manager was unable to explain the reason for the drop which he believed could have been due to a number of factors, including people losing patience waiting to get through on the 101 non-emergency number and hanging up the phone. Acting Insp. Parish commented that incidents could be reported in ways other than calling on the phone.

The Community Safety Manager highlighted the fact that a need by Surrey Police to identify savings and still deliver core policing to local communities had led to a re-structure in April 2016 and as a result the Community Safety Team had seen a stark rise in residents contacting them particularly about neighbourhood issues. In addition, the decision by the Police to vacate their tenancy at the Council offices had resulted in a significant drop in communication and mutual exchange of information. The new model, called Policing in Your Neighbourhood (PIYN), was currently under review.

Acting Insp. Parish commented that the re-structure had not resulted in a reduction in police numbers, but that it had taken time to train up staff. Response police officers had been allocated specifically to the borough, so they would get to know the offenders and the areas to target. The police were aware of the issues that the changes had brought about but reassured councillors that they would give the police better resilience in future.

Acting Insp. Parish responded to issues raised by Residents' Associations relating to: nuisance caused by motorbikes; anti-social behaviour in Shepperton and Hengrove Park, Ashford; and litter from HGVs parked in laybys. He agreed to pass on the information the police had not previously been aware of to be looked into, and explained the actions police were already taking to deal with known issues as resources allowed.

The Community Safety Manager responded to concerns about non-working CCTV cameras in Hengrove Park explaining the plans in place to upgrade all cameras to wireless connectivity by April 2017. This was more cost effective than assessing and repairing individual cameras. He agreed to have the Hengrove camera prioritised for replacement when the upgrade began.

Surrey's Police and Crime Commissioner (PCC), David Munro outlined his role and highlighted as priority issues: raising with the Court Prosecution Service the length of time it takes to bring serious sexual and domestic abuse cases to court; transferring as many funds as possible to frontline services aided by an estates strategy aiming to raise as much money as possible from building sales; and undertaking two projects to improve 101 non-emergency responses by bringing in additional staff (including health professionals) and installing a proper call handling system.

Mr Munro explained that the aim of PIYN was to have police officers closer to their neighbourhoods. They were undergoing training to enable them to have the skills to support a victim throughout the process from reporting to conviction. He said he took the comments made in this forum seriously and would undertake a thorough review to look at all the implications of this policing model.

Mr Munro responded to further questions from the floor.

The Leader of the Council, Councillor Ian Harvey, thanked Surrey Police for their work and support and the PCC for all the efforts he made for the borough.

Resolved to note the report of the Community Safety Manager on the review of community safety 2015-2016.

208/16 Joint Enforcement Team

The Group Head of Neighbourhood Services reported on the work of the Joint Enforcement Team (JET) which consisted of 4 law enforcement officers who worked with and assisted the police to enforce relevant Acts of Parliament and Council bye-laws and issued fixed penalty notices when required.

The JET had been working in many different areas of enforcement including: illegal estate agent boards, fly tipping, abandoned vehicles, illegal moorings and dog fouling. The JET had also taken part in Partnership Action Days and the Junior and Senior Citizen events.

She reported on JET's success in catching fly tippers and how the implementation of a new process to deal with traveller incursions would remove travellers faster and prevent them from returning to anywhere in Spelthorne at any time, with the use of a Community Protection Notice.

Although the intention of setting up JET was for it to work side by side with the police, the Group Head of Neighbourhood Services explained that since the police had moved out of the Council offices, the communication channels had deteriorated and this had impacted on the Team's ability to respond quickly on day to day issues. However, there had been an improvement in co-ordination and working practices between the JET and the Community Safety Team since the Council's internal staff re-structure.

The Committee thanked Jackie Taylor and the JET for the work they were doing.

The Chairman asked for a straw poll of those councillors present on whether they would wish Surrey Police to make such adjustments to their working practices as necessary to reinstate the previous way in which they worked with the JET. Of all those present, both Committee members and other councillors, 15 indicated in favour.

Resolved to note the work of the Spelthorne Joint Enforcement Team.

209/16 Cabinet Forward Plan

The Committee considered the Cabinet Forward Plan.

Resolved to note the Cabinet Forward Plan.

210/16 Work Programme

The Committee considered its work programme for the remainder of the Municipal Year 2016/17. The Chairman asked members to contact him with any suggestions for a main topic to be discussed at the January 2017 meeting.

Resolved to note the Work Programme for 2016/17.

Overview and Scrutiny Committee

29 November 2016



Title	Review of Taxi Licensing		
Purpose of the report	To note		
Report Author	Dawn Morrison		
Cabinet Member	Councillor Tony Mitchell	Confidential	No
Corporate Priority	Value for money Council		
Cabinet Values	Community		
Recommendations	To note the report		

1. Report aims and process

- 1.1 The Overview and Scrutiny Committee has asked to review the Council's Taxi Licensing Policy, with particular regard to the provision of taxi ranks, whether the economic needs of the Borough are adequately served by the present regime and whether the fees charged represent value for money.
- 1.2 The current draft policy is contained at **Appendix 1**
- 1.3 To assist this review, all currently licensed drivers and operators (around 200) were sent a letter on 1 September 2016, attached as **Appendix 2**
- 1.4 Five responses were received, attached as **Appendix 3**
- 1.5 Spelthorne Business Forum and the Staines-upon-Thames BID were approached by email on 23 August 2016. No responses were received. It should be noted that retail businesses have, in the past, objected to rank spaces being put in and been instrumental in having them removed through lack of use citing that they would prefer parking spaces for their customers.
- 1.6 An officer from Surrey County Council and from Surrey Police (Road Safety) were invited to attend the meeting but declined. Their responses to the invite are contained at **Appendix 4**
- 1.7 Although not part of the original remit of this review, Cllr Davis suggested that the report include impending changes to the law and policy, which are therefore outlined below.

General

- 1.8 It should be stressed at the outset that officers recognise that working as a hackney carriage or private hire driver can be extremely challenging. Drivers often work long, unsocial hours, and at times have to deal with aggressive,

unreasonable, drunken or abusive customers when their own safety could be at risk. We are living in times where people are finding it difficult to make ends meet, the night-time economy has changed beyond recognition in a relatively short space of time, and there are threats as well as opportunities to “traditional” taxi and private hire businesses due to advances in technology.

- 1.9 We must also acknowledge that the most vulnerable in our society rely on the valuable, and in some instances essential, services the taxi and private hire trade provide.

2. Background

- 2.1 Spelthorne BC first became responsible for licensing the taxi and private hire trade in 2000, when boundary changes meant that the Borough became part of the Surrey Police area when it previously came under the Metropolitan Police. This change meant that licences were no longer issued by the Public Carriage Office (now TFL).
- 2.2 The London private hire trade was unregulated for much longer than the taxi trade or PHVs outside London. The law changed in 1998 and licensing was gradually introduced to this sector over the following six years.
- 2.3 This means that, prior to the boundary changes, the private hire trade in Spelthorne was unregulated. Perhaps understandably, there was resistance at the outset from the private hire trade, who could not see the benefits to them of being licensed. To a certain extent this attitude to licensing prevails to this day, as some drivers and operators in Spelthorne have been in the trade for many years.
- 2.4 The Licensing Team was formed in 2005 with the implementation of the Licensing Act 2003 which transferred the responsibility of alcohol licensing from the law courts to local authorities. The team currently comprises of half of a full time equivalent (FTE) Licensing Manager, two FTE Licensing Officers, and a Licensing/EH Support Officer resource of 13 hours a week.
- 2.5 As well as licensing the taxi and private hire trade, (192 licences) the team has responsibility for issuing, amending and enforcing licences and registrations under the Licensing Act 2003, (around 300 licences), Gambling Act 2005, (20 premises, 51 permits, 70 small lottery registrations). The team also deals with Scrap Metal Dealers (21 licences) charity street and house-to-house collections (around 50 per year), and street trading consents. In all the team deals with between 900 and 1,000 applications per year, between 40 and 50 complaints, with proactive licensing and enforcement visits comprising around 80 visits per year. The team also takes part in regular joint enforcement initiatives alongside partners, including Surrey Police and Heathrow Police.
- 2.6 There have been staff shortages in the past year (there was a Support Officer vacancy from October to December 2015 and a Licensing Officer vacancy from January to April 2016).

Hackney Carriage and Private Hire Licensing Governance and Enforcement

- 2.7 The legal framework governing the licensing of taxis is contained in various pieces of legislation. Principally, Town Police Clauses Act 1847, Transport Act 1985, and the Local Government (Miscellaneous Provisions) Act 1976.

- 2.8 As a general rule, operational day to day decisions are the responsibility of the Environmental Health Manager. Policy decisions are determined by the Licensing Committee. Disciplinary or medical issues that call into question whether an existing driver or new applicant is “fit and proper” are referred to Licensing Sub-Committees. Matters relating to the setting of fees and charges require full Council approval.
- 2.9 The Licensing Manager reports to the Environmental Health Manager and has regular meetings and contact with the Chairman of the Licensing Committee.
- 2.10 The Council as Licensing Authority has a statutory duty to license the hackney carriage (“taxi”) and private hire trade. This is wide ranging and includes the licensing of all drivers operators to ensure they are fit and proper to be licensed, and making sure vehicles are suitable and safe for use and properly maintained.
- 2.11 The primary and important purpose of the legal framework is the protection of the public. This is endorsed by Department of Transport Best Practice Guidance (BPG) for Taxi and Private Hire Licensing which says: “The aim of local authority licensing of the taxi and private hire vehicle trades is to protect the public”. This encompasses the physical safety, comfort and convenience of people using taxis as well as their financial interests (for example, protection against unscrupulous or dishonest drivers or operators).
- 2.12 The licensing of drivers, operators and vehicles is necessarily vigorous. Drivers must pass tests to ensure the appropriate level of knowledge of the Borough’s routes and landmarks, the conditions and bye-laws that apply, and must also satisfy the licensing officers that they have a good standard of spoken English. The English test is conducted on a one-to-one basis and applicants must satisfy the officer that (s)he can conduct a basic conversation in English. Applicants must also pass a test of basic numeracy. New applicants also have to pass an advanced driving test suitable for taxi and private hire drivers.
- 2.13 Applicants must meet the DVLA Group 2 medical standard, which is the same as that required to drive lorries. This can mean that drivers’ medicals have to be referred to an independent medical advisor.
- 2.14 Applicants must have an enhanced criminal record check, which involves detailed checking of ID documentation. Immigration checks are also undertaken to make sure a person has the right to work in this country. This includes regular liaison with the Home Office.
- 2.15 Vehicles must meet the Council’s minimum criteria so that they are safe, fit for purpose, and comfortable.
- 2.16 These processes are labour-intensive as they require face to face interaction on a one to one basis.
- 2.17 In terms of enforcement, Spelthorne Borough Council aims to ensure its powers are used as effectively and proportionately as possible. This includes investigating complaints from the trade, members of the public and police, and acting on intelligence about potential unlicensed activity. Low level infringements of the rules are dealt with via the Council’s Penalty Points Scheme which was introduced in 2011 and reviewed in April 2015.
- 2.18 The team follows the Environmental Health Enforcement Policy, which has regard to the principles of “Better Regulation” which encourages a risk-based

approach to enforcement. Like Police, some of the most effective enforcement the team deals with is desk-based investigative work. The highest priority in terms of taxi and private hire licensing is dealing with unlicensed drivers due to the obvious risk they pose to the public. At the very least, an unlicensed driver would not be covered by insurance. Last year the team secured the conviction of a driver who was caught taking private hire journeys in an unlicensed car. This followed intelligence given to us anonymously. Offences such as charging more than the metered fare would also be taken seriously, and the team is currently taking a driver to court for allegedly overcharging a group of disabled people.

- 2.19 A further licensing case in court this month is a person who was caught selling prize draw tickets in the High Street, giving the impression of being a charitable collection. The man appears to have been operating in several authorities in the South-East and yet we seem to be the first authority to take him to court. Although this is not a taxi or private hire case, it shows we are not a soft touch when it comes to proportionate enforcement.

Rank provision

- 2.20 Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 empowers licensing authorities to appoint taxi stands within its area. The legislation refers to “stands” but they are more commonly referred to as “ranks”. The legislation requires that consultation take place with the police and highways authorities, and any bus companies. In Spelthorne, such consultation is widened to include the trade, councillors, businesses and residents.
- 2.21 Best Practice Guidance does not specifically give advice on the provision of ranks. However it does recognise that Taxi and PHV services have a valuable part to play in overall transport provision and should form a part of Local Transport Plans (LTPs).
- 2.22 The Licensing Manager attends regular Parking Review meetings between Spelthorne and Surrey County Council colleagues, both staff and councillors, for which provision of taxi ranks is a standard agenda item.
- 2.23 Licensing staff also review from time to time the provision and location of taxi ranks in the Borough, working in close partnership with both Surrey County Council (Highways) and Surrey Police (on road safety matters). This is normally instigated by suggestions from the trade. The last review of rank provision was undertaken in autumn 2014.
- 2.24 Whilst Spelthorne Borough Council works hard to assist taxi drivers and operators in order to carry out its statutory duty to protect the public, and we are proud of our record of turning around licences quickly to make sure that drivers continue to be able to work, it should be noted that the Council has no wider role in protecting existing taxi drivers’ trade.

3. Taxi and Private Hire licensing and the economic needs of the Borough

- 3.1 Whilst it is recognised that transport affects everyone and is essential for a strong economy and society, providing access to jobs, services and leisure activities, the report author has not been able to find any reports or studies that specifically correlate taxi and private hire licensing with economic needs. This would be a matter for the Department of Transport and Highways authorities responsible for Local Transport Plans.

3.2 However, in order to ensure a joined-up approach, the Council maintains strong links with the Economic Development team within the Council, as well as Surrey County Council Highways, the rail authorities, Thorpe Park, bus companies and other key partners as appropriate.

4. Value for money and fee setting

4.1 Fees charged are reviewed annually. This involves an exercise undertaken to ensure proposed fees reflect, as accurately as possible, the amount of staff time and fixed costs involved in processing licensing applications. It is only fair that the full cost of operating the licensing system is recovered by the Council, otherwise Council Tax payers are effectively subsidising the service. It is also important that there is full cost recovery at a time when the Council is faced with cuts in central government funding while trying to protect frontline services.

4.2 Fees are also compared with those of neighbouring authorities. Currently, Spelthorne's fees are lower than those set by Runnymede, for example.

4.3 This annual review is also the subject of full consultation with the trade, who are invited to make comments which must be considered before the proposed fees are approved. Fees set for the period 2016 to 2017 did not attract any objections from the trade. This may be because the main consideration for setting fees is cost-recovery and that issues such as perceived lack of enforcement or the difficulties the trade may have in sustaining income levels are not matters that can be taken into account when setting fees.

4.4 When opportunities have arisen, the Environmental Health Manager has looked to review the way the licensing service is provided, including the possibility of shared services with neighbouring authorities. This has not been taken up by the authorities that were approached. However this demonstrates that we are always mindful of finding ways to ensure that we continue to provide a good value service.

5. Current issues of concern to the taxi and private hire industry (including those outlined in responses from the trade)

5.1 Gresham Road Taxi Rank

5.1.1 It is abundantly clear that Gresham Road taxi rank is by far the most profitable and therefore popular rank in the Borough in regular use by the taxi trade and customers. Gresham Road rank is also highlighted as an issue by the drivers who provided comments for consideration.

5.1.2 There have historically been problems with some drivers not respecting the five vehicle limit, contributing to road safety concerns at peak times. In 2009, the issue was recognised as getting out of hand in the mornings, particularly during times when numbers of passengers were alighting from trains and looking to be transported to Thorpe Park.

5.1.3 There are adopted bye-laws that require a hackney carriage vehicle to move on when a rank is full. Failing to do so is known informally as "over-ranking". The exact wording is as follows:

7b: (The driver of a hackney carriage shall, when plying for hire in any street and not actually hired): "if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand".

- 5.1.4 In 2009, a concerted effort was made to address the safety issues that this often blatant over-ranking posed. This entailed daily visits to the rank, including weekends and Bank Holidays, to observe and note vehicle movements. A number of drivers were subsequently subjected to enforcement action for breaches of the bye-law. This took a staged approach starting with formal warnings, progressing to formal interviews. There were also a number who were referred to licensing sub-committees which led to several drivers having their licences suspended for one or two months, and two drivers had their licences revoked for repeated offences.
- 5.1.5 In 2011, the Council introduced a Penalty Points Scheme (PPS) and breaches of this bye-law were then dealt with via the PPS.
- 5.1.6 Graham Cannon from Surrey Police sent a letter in January 2014 (attached as **Appendix 5**) which recognised the positive impact the concerted enforcement had on the congestion in the area. He was however concerned about the potential safety issues posed by shuttle buses that take commuters from the Gresham Road side of Staines Railway Station to businesses in the Causeway.
- 5.1.7 Action taken to address this includes Surrey CC introducing double yellow lines behind the rank and designating an area close to the Cherry Orchard Junction as a pick up and drop off point.

In light of these changes and the fact the last assessment by police was almost two years ago, a further joint visit was undertaken on 9 November 2016 to assess the current situation. The findings are at **Appendix 5**.

5.2 “Marshalling Scheme”

- 5.2.1 In an effort to avoid enforcement action, some drivers started to operate an unofficial marshalling scheme in Gresham Road. At one point this involved a person observing the rank and letting drivers in the scheme know, in turn, when a space became available on the rank. Drivers not in the scheme objected to this on the basis that it gave drivers in the scheme an unfair advantage over those who were not. The Council did not and would not endorse the scheme. However there were no offences under which we were able to take formal action, even if we could get incontrovertible evidence of what was happening. The marshal did not last more than a few months but we have reports of a new system whereby drivers communicate with each other to let others know when spaces become available. Again, it is not an offence for drivers to communicate with each other. If drivers are observed to be obviously blocking a space, or if dangerous manoeuvres are witnessed, then we would take the appropriate action against the driver.

5.3 Staines Cars

- 5.3.1 Another clear issue with the rank in Gresham Road is its proximity to Staines Cars (formerly Ronia), from whom strong objections and complaints have been received over the years. Two of the responses received from drivers as part of this exercise drive for Staines Cars. Whilst we fully understand their frustration and accept that there is some encroachment on their business, and customer confusion, we have to balance that with the needs of the hackney carriage trade and also be mindful that customers should have a choice.

- 5.3.2 Staines Cars tell us that the rank is often overflowing with taxis hoping to get fares from customers alighting from late night trains. We do not dispute that this may at times be the case. However, when undertaking late night visits to licensed premises with police, officers will often divert to the rank at different times of night to check, and have not witnessed the over-ranking that has been alleged. Furthermore, we have not had complaints from residents or anyone other than licensed drivers about congestion in the area at night, and there are not the same congestion issues as the road is otherwise quiet.
- 5.3.3 Regular daytime visits to Gresham Road Rank are undertaken, both covert and overt, and this will continue. Night visits will be undertaken as resources allow.

5.4 Other ranks

- 5.4.1 The main side of Staines Railway Station is also a rank that is well-used. This is on railway owned land and, unusually, the rail authorities have not imposed a charge for using the rank spaces.
- 5.4.2 Others ranks are available to serve the night time economy, but it is clear that this has also radically changed over the last five years.
- 5.4.3 Most of the other ranks in the Borough are not used, or are misused by the public or drivers who we suspect are not using the space with the intention of plying for hire.
- 5.4.4 There is one space outside Ashford Station, on rail authority land. This is rarely used for the purpose for which it was intended and the rail authority recently told us they were proposing to remove it. We raised strenuous objections and the proposed removal has been dropped for the time being. However they are very unlikely to be persuaded to increase the rank spaces to three, as has been proposed by drivers as part of this exercise.

Ranks at other railway stations in Sunbury and Shepperton have been explored but the rail authorities proposed a disproportionate charge for their use per driver (which amounted to more than the licence fee drivers pay to us) and there were no guarantees that there would be accompanying enforcement by them.

- 5.4.5 Possibly the most viable place for a further rank is inside Staines Bus Station. Both Surrey Highways and the bus companies objected to this when the proposal was made some years ago. That, coupled with the fact that, at the time, the bus station was due to be radically reduced as part of a planned development to the Elmsleigh Centre, meant that it was not implemented. A compromise was made and a rank placed outside Communications House (Thames Street). This has almost never been used. The Licensing Team has therefore re-started the process necessary to implement a rank in the bus station and decommissioning the rank outside Communications House and would welcome any political influence in making this process as smooth as possible.
- 5.4.6 It is worth noting that most hackney carriage drivers do not (and indeed, we accept they *cannot*) solely rely on ranks to earn a living. Most take pre-booked journeys though building up a customer base, or via an operator or a taxi circuit, whereby drivers share pre-booked journeys.

5.5 Uber (and other out of Borough licensed operators)

- 5.5.1 Uber is an American company which develops, markets and operates a mobile app which allows consumers to make a trip request which is then routed to drivers. Effectively it is a technology platform that mediates between supply and demand using smartphones. Uber is a licensed operator in many UK cities including Birmingham, Bristol, Leeds, London, Manchester, Newcastle and Sheffield. More locally it is licensed with the boroughs of Windsor and Maidenhead, and Slough, as well as with Transport for London (TFL). Uber has not made an application to Spelthorne and is not licensed by Spelthorne.
- 5.5.2 We can understand that drivers get upset when out of borough drivers are seen picking up, dropping off and even waiting in the borough. The fact is a private hire driver can legally pick up and drop off anywhere as long as the driver, vehicle and operator are licensed by the same authority, wherever that may be. This is known as the 3-licence rule.
- 5.5.3 Since Uber is a licensed operator in a number of neighbouring boroughs, including the TFL area, they are going to be seen here and will be taking bookings locally through the app. The high court has ruled that the app is not a meter, so they are not plying for hire when using the app.
- 5.5.4 There appears to be a widely-held perception that cars licensed elsewhere who are driving or waiting in the Borough are all working for Uber. This is not necessarily the case. The law has recently changed to allow Operators to sub-contract work to operators who are licensed in other boroughs, (see below under De-regulation Act 2015), again as long as the 3-licence rule is engaged.
- 5.5.6 There is some evidence that vehicles licensed elsewhere are, from time to time, parking on or near designated ranks in Spelthorne. Where drivers have sent us photographic evidence of this, and other important information such as the exact location, date and time, we have reported the matter to the relevant licensing authority for them to take appropriate action.

5.6 Duty to enforce?

- 5.6.1 One of the drivers who responded has suggested that (in the legislation) “it states that in return for my fees the council agrees to supervise and control the ranks”. This is not quite accurate. Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 allows councils, when setting fee levels, to include the reasonable costs of determining and granting licence applications, providing ranks, and costs in connection with “the control and supervision of hackney carriages and private hire vehicles”. This does not impose a duty for councils to control and supervise ranks. However we accept that we have powers to enforce and it is implicit that such activity is expected to occur.

6. Recent developments in taxi and private hire licensing

6.1 Law Commission Report

In May 2014 the Law Commission published the outcome of its review into taxi and private hire licensing law. The main recommendations in the report were:

- Retention of the two tier system that distinguishes between taxis and private hire vehicles on grounds of consumer choice and appropriateness (a single system would lead to over or under-regulation)
- Significant changes to the legal distinction between taxis and PHVs on the grounds that the current system relies heavily on the imprecise concept of “plying for hire”, which is not defined in statute and has become the subject of a body of case law that is not wholly consistent
- Freeing up cross-border working for PHVs so that operators would no longer be limited to using drivers and vehicles from their own licensing area
- A single consolidated legislative framework throughout England and Wales, including London, to include transport currently exempt such as wedding and funeral vehicles
- Common national standards for vehicles drivers and operators determined by the Secretary of State
- New criminal offences specific to the trade
- Improved equality and accessibility by requiring disability awareness training for drivers
- Enhanced powers for licensing officers including granting powers to stop a licensed vehicle on a road, to impound vehicles for touting, and to issue fixed penalty notices, and
- A uniform hearings and appeals system across England and Wales for all forms of licence.

The Government has not yet issued its formal response to the report. As there were no plans to bring forward a Taxi Bill, the Government included three of the proposed measures in what is now called the Deregulation Act 2015 (only two of which made it into the final Act).

6.2 Deregulation Act 2015

In March 2014 the Government published two measures relevant to taxi and PHV licensing:

- To set a standard duration of three years for a taxi and PHV driver’s licence and a standard duration of five years for a PHV operator’s licence, and
- To allow a PHV operator to sub-contract a PHV booking to another operator who is licensed in a different licensing district

The third measure, which was removed from the Bill at Lords Committee Stage, would have allowed people who do not hold a PHV driver’s licence to drive a PHV when the vehicle was not being used by a PHV.

6.3 Future developments in taxi and private hire licensing

6.3.1 Immigration Act 2016

The Immigration Act 2016 is set to make immigration status and right to work checks a mandatory component of the licence application process for taxi and private hire drivers and operators. New provisions will also add immigration

offences and penalties to the list of grounds on which driver and operator licences can be revoked. This will not make any difference in Spelthorne since we already do stringent checks on the immigration status of new applicants and if in any doubt we will check with Home Office contacts.

6.3.2 Disability Equality Training (Taxi and private hire drivers) Bill 2016-17

This Bill was presented to parliament in June 2016 and expected to have its second reading this month (November 2016). This Bill proposes to make the completion of disability equality training a mandatory component of the licence application process for taxi and private hire drivers in England and Wales.

6.3.3 Child Sexual Exploitation

Partnership working is currently underway between all Surrey Districts to agree a consistent approach across the county to reduce risks of child sexual exploitation. This includes looking into training to ensure that licensed drivers are aware of the warning signs that could indicate when a passenger is at risk of child sexual exploitation, and a consistent and definitive policy on convictions.

This is work in progress and a report will go to the Licensing Committee at the appropriate time.

Background papers:

Department of Transport Best Practice Guidance

Appendices:

- 1 Draft Policy for the licensing of taxi and private hire**
- 2 Letter sent to drivers and operators 1 September 2016**
- 3 Responses received from drivers**
- 4 Responses from Surrey County Council and Surrey Police**
- 5 Letter(s) from Graham Cannon, Casualty Reduction Officer, Surrey Police**



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**HACKNEY CARRIAGE
AND
PRIVATE HIRE
LICENSING POLICY
2016**

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1 Introduction

Spelthorne Borough Council ('the Council') is the Local Licensing Authority for Hackney Carriage (HC) drivers and vehicles (taxis), in accordance with the Town and Police Clauses Act 1847 and for Private Hire (PH) drivers, operators and vehicles (minicabs), in accordance with the Local Government (Miscellaneous Provisions) Act 1976.

This policy was adopted on ** ***** 2016 and came into force on ** ***** 2016.

This policy aims to protect the safety of the public, whether they are fare paying passengers or other road users, by ensuring that only fit and proper persons hold licences to work as HC drivers and/ or PH drivers, or PH operators and that HC and PH vehicles are safe, roadworthy and comfortable, thereby upholding the high standards expected of the trade.

This policy will be reviewed at regular intervals to ensure that it remains current. However, when and where necessary, minor amendments may be made by agreement, by the Environmental Health & Licensing Manager and the Chairman of the Licensing Committee, as per the Council's Constitution.

<https://spelthorne.gov.uk/CHttpHandler.ashx?id=10765&p=0>

1.1 Shared Information

The Council reserves the right to consider information from internal or external sources as part of its licensing activities and to share information supplied by applicants with other enforcement bodies, e.g. the Audit Commission, the Police etc, in accordance with the Data Protection Act 1998 and any statutory code or guidance made under that Act.

2 Applying for a New HC Driver Licence or a PH Driver Licence

All applicants must submit the following documents when applying for a new licence:

2.1 Application form

Failure to complete the appropriate form could result in an application being delayed or declined.

Knowingly or recklessly making a false declaration or omitting any material particular in giving information required when applying for a licence is an offence. Where an applicant has made a false statement or declaration the application will normally be rejected or refused.

2.2 Fee

Failure to pay the full fee could result in an application being delayed or declined.

A list of current fees and charges can be acquired from the Licensing department.

2.3 Disclosure and Barring Service (DBS) Disclosure (Formerly Criminal Records Bureau (CRB) Disclosure)

Applicants must submit an enhanced DBS disclosure, obtained within the last 6 months. The disclosure should show that applicants have been checked against both adult and child workforce lists.

2.4 Overseas Criminal History (OCH) Checks (where applicable)

Applicants who have continuously lived outside the UK for at least 1 year during adulthood (aged 18 or over), must produce a Certificate of Good Conduct, issued in the 6 months prior to the date of application, by a competent judicial or administrative authority, for every country of prior domicile. The Certificate must comprise an extract from the judicial record (or equivalent) and either record all the applicant's prior convictions, or confirm their "good conduct". In exceptional circumstances, the Council may accept evidence of the applicant's good character where applicants are unable to obtain a Certificate.

Applications for a HC Driver Licence must also submit the following:

2.5 Driving Licence

Applicants must produce a current, valid UK driving licence or equivalent issued by a member state of the European Union, European Economic Area, or Switzerland, that they have held for at least 3 years prior to the date of application (excluding any periods of suspension/ revocation) and showing the applicant's current address.

In order to allow the Council to monitor what endorsements have been made on a licence, applicants must sign a data protection mandate, giving it permission to check the DVLA's records. This will need to be done every 3 years, in line with the Data Protection Act 1998.

2.6 DVSA Enhanced Driving Test For Taxi & Private Hire Drivers

Applicants must produce a certificate confirming that they have passed the DVSA's Enhanced Driving Test For Taxi & Private Hire Drivers. At the discretion of the Licensing Manager, where an applicant is to be employed by a company exclusively using specially-adapted minibus vehicles for the sole purpose of blue badge school runs, a certificate for an alternative, equivalent test may be supplied.

2.7 Spelthorne Borough Council Knowledge Tests

All applicants must pass the Council's: -

- English Speaking & Numeracy test
- Licence Conditions test
- Topographical test

There are two versions of both the Licence Conditions and Topographical tests. The HC Driver equivalents require more detailed topographical knowledge (including detailed routes and road names).

Applicants who fail their knowledge test must wait for a minimum of a two-week period before re-sitting the test and may only sit the test 3 times in any 12-month period.

2.8 Medical Assessment Form

Applicants must submit a D4 Medical Examiner Report For A Lorry Or Bus Driving Licence, completed by their own GP, who must have had full access to their full medical records.

Applicants must satisfy the Council that they are medically fit to drive and will be expected to meet DVLA Group 2 standards, except those with insulin treated diabetes, who must meet DVLA category C1 standards.

Where a Licensing Officer or the Council's independent medical advisor has reason to believe that an applicant's ability to drive may be impaired by a specific medical condition, the applicant or their GP may be asked to provide further information pertaining to the applicant and their condition, from persons or bodies specified by the Council at any time in the 12 months following the date of submission of the medical assessment form.

The Council reserves the right to require the submission of a new medical assessment, at the licensee's expense if a Licensing Officer has reason to believe that a licensee's medical status may have changed.

Licensees must resubmit medical assessment forms every 5 years until they are aged 60. When a licensee reaches the age of 60, annual medical assessment forms must be submitted.

2.9 HC applications from existing PH licence holders

Existing PH drivers who wish to hold a HC Driver licence can apply to do so at any time during their tenure. Applicants must pay the relevant fee (a list of current fees and charges can be acquired from the Licensing department) and pass both the licence conditions and topographical tests.

Points imposed under the Council's Penalty Points Policy will transfer to the new licence.

2.10 Applications for PH Operator Licences

To be eligible for a PH Operator licence, applicants must operate from premises located within the Borough.

Applicants may submit a standard DBS disclosure, or a Police National Computer (PNC) check obtained within the last 6 months.

If an applicant for a PH Operator licence holds a current HC Driver licence, a PH Driver licence, or has submitted a DBS disclosure, obtained through the Council, within the last 6 months, they need not submit a further DBS check.

Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Normally the guidance in

this policy will take precedence over the decision of another authority and each case will be decided on its own merits (especially where previous convictions are involved).

3 Renewing your HC Driver Licence, PH Driver Licence or PH Operator Licence

Whilst the Council will endeavour to send reminder letters where possible, licensees remain solely responsible for the renewal of their licence(s).

Applications to renew licences should be lodged at least 10 working days before expiry to guarantee continuity of licensing but will not be accepted more than 6 weeks before expiry.

The Council may waive or defer any application requirement when renewing unexpired licences but reserves the right to require the submission of a full application where a licence has already expired.

All applicants must submit the following documents when applying to renew their licence: -

- Application form
- Fee
- Driving licence (see above)
- DBS enhanced disclosure conducted within the last 6 months (if none current – required every three years)
- Medical assessment completed within 6 months of the date of application (if none current – required every five years up to the age of 60, and annually thereafter)
- Data protection mandate, permitting the Council to check the DVLA's records (if none current – required every three years)

Applications not accompanied by all the appropriate documentation will usually be deferred or declined.

4 Problems with your application?

4.1 Previous Convictions

When assessing the suitability of an applicant to hold a licence the Council will consider any previous conviction, caution, court order or similar, from any reliable source, regardless of whether this is 'spent' under the Rehabilitation of Offenders Act 1974. Prior convictions / cautions do not necessarily permanently disbar an applicant. Each application is considered on its individual merits and such information is ascribed weight according to:

- how relevant the offence(s) are to the licence being applied for
- how serious the offence(s) were
- when the offence(s) were committed
- the date of conviction

- circumstances of the individual concerned
- sentence imposed by the court
- the applicant's age at the time of conviction
- whether they form part of a pattern of offending
- any other character check considered reasonable (e.g. personal references)
- any other factors that might be relevant

The following offences will be considered more serious, particularly for driver licence applications: -

Dishonesty

A licensed PHV or taxi driver is expected to be a trustworthy person. They deal with cash transactions and valuable property may be left in their vehicles. Taxi drivers are required to deposit such property with the police within 24 hours. PHV drivers must pass lost property to the operator. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in licensed drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal or agreed fare, etc. Overseas visitors can be confused by our currency and may be vulnerable to an unscrupulous driver. For all these reasons, a serious view is taken of any conviction involving dishonesty.

In general, a minimum period of 3 years free of conviction or at least 3 years from completion of sentence (whichever is longer) should be required before granting a licence. Offences involving dishonesty include:

- theft
- burglary
- fraud
- benefit fraud
- handling or receiving stolen goods
- forgery
- conspiracy to defraud
- obtaining money or property by deception
- other deception
- taking a vehicle without consent
- or any similar offences (including attempted or conspiracy to commit) offences which replace the above

Driving under the influence of alcohol or drugs

As licensees are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while under the influence of drink or drugs. An isolated incident would not necessarily debar an applicant from proceeding on the restoration of his DVLA driving licence but he should be warned as to the significant risk to his licence status in the event of re-offending. More than one conviction for these offences raises significant doubts as to the applicant's fitness to drive the public. **At least 3 years, after the restoration of the driving licence following a drink drive conviction should elapse before an application will be considered. If there is any suggestion that the applicant is alcohol or drug dependent, a satisfactory special medical report must be provided before the application can be allowed to proceed.**

Isolated convictions/cautions for drunkenness not in connection with a vehicle will not normally prevent the grant of a licence.

Driving offences involving the loss of life

A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life.

A licence will not normally be granted unless the applicant is free of conviction for 7 years or (or at least 3 years must have passed since the completion of the sentence, whichever is longer) if he has a conviction for:

- causing death by dangerous driving
- causing death by careless driving whilst under the influence of drink or drugs
- or any similar offences (including attempted or conspiracy to commit) offences which replace the above

Before a licence is granted, an applicant should be free of conviction for 3 years (or at least 3 years must have passed since the completion of the sentence, whichever is longer), if he has a conviction for:

- causing death by careless driving
- causing death by driving: unlicensed, disqualified or uninsured drivers

Drugs

A serious view is taken of any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues which should be considered.

A licence will not normally be granted where the applicant has a conviction for an offence related to the supply of drugs and has not been free of conviction for 5 years.

A licence will not normally be granted where the applicant has more than one conviction for offences related to the possession of drugs and has not been free of conviction for 5 years.

An application from an applicant who has an isolated conviction for an offence related to the possession of drugs within the last 3-5 years may be granted a licence, but consideration should be given to the nature and quantity of the drugs.

If there is evidence of persistent drugs use, misuse or dependency a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required before the licence is granted. If the applicant was an addict then they would normally be required to show evidence of 5 years free from drug taking after detoxification treatment.

Sex and Indecency offences

As licensed drivers often carry unaccompanied and vulnerable passengers, applicants with convictions for sexual offences must be closely scrutinised. Those with convictions for the more serious sexual offences will generally be refused. **For other offences, applicants will be expected to show a substantial period (normally at least 5 years) free of conviction for such offences before a licence will be granted.**

Unless there are exceptional circumstances, an application will normally be refused where the applicant has a conviction for an offence such as:

- rape
- assault by penetration
- offences involving children or vulnerable adults
- or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

Before an application is allowed, an applicant should be free of conviction for at least 10 years (or at least 3 years must have passed since the completion of the sentence, whichever is longer), if he/she has a conviction for an offence such as:

- sexual assault
- indecent assault
- possession of indecent photographs, child pornography etc.
- exploitation of prostitution
- trafficking for sexual exploitation

- or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

Before a licence is granted, an applicant should be free of conviction for at least 3 years (or at least 3 years must have passed since the completion of the sentence, whichever is longer), if he/she has a conviction for an offence such as:

- indecent exposure
- soliciting (kerb crawling)
- or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

In addition to the above the licensing authority will not normally grant a licence to any applicant who is currently on the Sex Offenders Register.

A licence will not normally be granted if an applicant has more than one conviction for a sex or indecency offence.

Violence

Licensed drivers have close regular contact with the public. A firm line is to be taken with those who have convictions for offences involving violence. An application will normally be refused if the applicant has a conviction for an offence that involved the loss of life.

In other cases anyone of a violent disposition will normally be refused to be licensed until at least 3 years free of such conviction. However, given the range of the offences that involve violence, consideration must be given to the nature of the conviction.

Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:

- murder
- manslaughter
- manslaughter or culpable homicide while driving
- terrorism offences
- or any similar offences (including attempted or conspiracy to commit) offences which replace the above

A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below and the conviction is less than 10 years prior to the date of application:

- arson

- malicious wounding or grievous bodily harm which is racially aggravated

- actual bodily harm which is racially aggravated
- grievous bodily harm with intent
- robbery
- possession of firearm
- riot
- assault Police
- common assault with racially aggravated
- violent disorder
- resisting arrest
- or any similar offences (including attempted or conspiracy to commit) offences which replace the above

A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below and the conviction is less than 5 years prior to the date of application:

- racially-aggravated criminal damage
- racially-aggravated offence
- or any similar offences (including attempted or conspiracy to commit) offences which replace the above

A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below and the conviction is less than 3 years prior to the date of application:

- common assault
- assault occasioning actual bodily harm
- affray
- S5 Public Order Act 1986 offence (harassment, alarm or distress)
- S4 Public Order Act 1986 offence (fear of provocation of violence)
- S4A Public Order Act 1986 offence (intentional harassment, alarm or distress)
- obstruction
- criminal damage

- or any similar offences (including attempted or conspiracy to commit) offences which replace the above

A licence will not normally be granted if an applicant has more than one conviction in the last 10 years for an offence of a violent nature.

In the event of a licence being granted, a strict warning both verbally and in writing should be administered.

Insurance

A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided he/she has been free of conviction for 3 years, however strict warning should be given as to future behaviour. More than one conviction for these offences would normally prevent a licence being granted or renewed.

At least three years should elapse (after the restoration of the DVLA driving licence), before a licence would normally be granted for a hackney carriage or private hire drivers licence. An operator found guilty of aiding and abetting driving passengers for hire and reward without insurance will have his operators' licence revoked immediately and prevented from holding a licence for three years.

Possession of a weapon

If an applicant has been convicted of possession of a weapon or any other weapon related offence, this will give serious concern as to whether the person is fit to carry the public.

Depending on the circumstances of the offence, an applicant should be free of conviction for 3 years (or at least 3 years must have passed since the completion of the sentence, whichever is longer), before a licence is granted.

Licensing offences

Certain offences under taxi legislation such as plying for hire, overcharging and refusing to carry persons would normally prevent a licence being granted or renewed until a period of 3 years has passed.

To summarise, a criminal history in itself may not automatically result in refusal and a current conviction for a serious crime need not bar an applicant permanently from becoming licensed. As the preceding paragraphs indicate, in most cases, an applicant would be expected to remain free from conviction for 3 to 10 years, according to circumstances, before an application can be considered. However, there may be occasions when an application can be allowed before 3 years free from conviction have elapsed.

The overall offending history must be considered when assessing an applicant's suitability to be licensed. A series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction. Obviously some discretion can be afforded if an offence disclosed is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.

In light of this, existing holders of drivers' licences are required to notify the licensing authority in writing within fourteen days of receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions).

4.2 Appeals

Any person aggrieved by the refusal of the Council to grant (or renew) any licence under this policy may appeal to a magistrates' court.

5 Responsibilities of Combined HC & PH Drivers, PH Drivers and PH Operators

5.1 Equality Act 2010

Sections 160 to 173 of the Act places certain duties on Combined HC & PH Drivers and PH Drivers who provide wheelchair accessible vehicles, to assist passengers who use wheelchairs, to carry assistance dogs etc and create offences for failure to comply unless licensees have obtained an Exemption Certificate and yellow Exemption Notice to display on their vehicle from the Council.

5.2 Combined HC & PH Drivers

Combined HC & PH Driver licences issued by the Council automatically carry a dual entitlement, allowing licensees to work as HC and PH drivers.

Holders of Combined HC & PH Driver licences must comply with:

- The Council's Hackney Carriage Byelaws (see Appendix 2) and
- The PH Driver Licensing Conditions (see section 5.3).

5.3 PH Driver – Standard Licensing Conditions

PH drivers must not:

1. Display signs, solicit fares, stand with a vehicle at a HC rank or do anything that is likely to give the impression that a vehicle is available for hire as if it were a HC vehicle. Where the Council has reason to believe that a PH driver has either touted for or accepted a non pre-booked fare, its first consideration will be enforcement action.
2. Carry more passengers than the number specified on the vehicle licence.
3. Carry any person during a hiring, without the express permission of the hirer.
4. Carry a child (below the age of ten years) in the front passenger seat of the vehicle.

5. Demand from the hirer a fare in excess of the fare agreed prior to the commencement of the journey (or as shown on the taximeter where fitted).
6. Eat or drink in the vehicle whilst undertaking a hiring.
7. Play any radio or other sound without the express permission of the hirer.
8. Refuse to carry an assistance dog, unless exempted under section 37 of the Disability Discrimination Act 1995 and the vehicle is clearly displaying the statutory exemption certificate (**disliking dogs is not cause for refusal**).

PH drivers must:

1. Notify the Council in writing as soon as possible and in any event within 14 days, of any of the following:
 - a) change of name and/ or address;
 - b) any illness or injury affecting fitness to drive;
 - c) any conviction, caution, court order or fixed penalty notices received (**including motoring offences**).
2. Conduct themselves in a civil and orderly manner and comply with the reasonable requests of the passengers.
3. Take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
4. Dress respectably and neatly.
5. Convey a reasonable quantity of luggage if so required by the person hiring the vehicle.
6. Give reasonable assistance in loading and unloading the luggage.
7. Give reasonable assistance in removing luggage to or from the entrance of any place at which he/ she may take up or set down a passenger.
8. Punctually attend with the vehicle at the time and place agreed with the hirer when the booking was made, unless delayed by some sufficient cause.
9. Provide to a customer on request a written receipt of the cost of the journey undertaken.
10. On termination of a hiring, or as soon as is practicable thereafter, search the vehicle for any lost property left therein and hand anything found to the Operator.
11. Allow disabled passengers to be accompanied by their registered assistance dogs **at no extra charge**, in accordance with the Disability Discrimination Act 1995.

Assistance dogs are trained to sit in the front of a vehicle with their owner. Any other can be conveyed at the discretion of the driver, but must be carried in the rear of the vehicle.

12. Comply with the requirements of the Council's licensing policy at all times.
13. Supply customers with a receipt for a fare, if requested.
14. If requested to do so for any reason, return their driver badge issued by the Council forthwith.

The holder of a Spelthorne PH driver licence can only work in a PH vehicle licensed by Spelthorne Borough Council, for a person or company holding a Spelthorne PH operator's licence.

5.4 PH Operator – Standard Licensing Conditions

PH Operators must not:

1. Use the words 'Taxi' or 'Cab', whether in the singular or plural and whether they form part of another word or not, in connection with their PH business.

PH Operators must:

Keep (in permanent and easily legible form) a record of the following:

1. Particulars of every booking taken, regardless of whether it was made with the hirer or undertaken at the request of another operator, including:
 - a) date and time of the booking;
 - b) date and time of commencement of the journey;
 - c) name of the hirer;
 - d) place(s) at which the passenger(s) was/ were collected;
 - e) place(s) at which the passenger(s) was/ were set down;
 - f) PH vehicle licence number;
 - g) full name and licence number of the PH driver;
 - h) fare charged and whether or not calculated by a meter.
2. Particulars of any vehicle operated by the licensee:
 - a) make and model;
 - b) registration mark;
 - c) PH vehicle licence number;
 - d) PH vehicle licence expiry date;

- e) proprietor of the vehicle;
- f) date and brief description of all works of modification and major works of maintenance or repair carried out to the vehicle.

3. Miscellaneous:

- a) lost property;
- b) date and time found;
- c) vehicle in which it was found;
- d) name of hirer.

Records may be kept as part of a computerised record keeping system and shall be retained and kept available for inspection by an authorised officer for a minimum period of 12 months.

PH Operators must also:

- 4. Notify the Council in writing as soon as possible and in any event within 14 days, of any material change in their operational circumstances, including:
 - a) change of name and/ or address;
 - b) change of the nature of the business carried on by him/ her;
 - c) change of the composition of the firm, if a partnership;
 - d) any convictions recorded against the PH Operator or their business partner;
 - e) the address of any secondary office(s) opened by the PH Operator;
 - f) details of any licensed driver whose services are dispensed with by the operator, where the circumstances of the driver's dismissal relate to his/her unsatisfactory conduct;
 - f) any other change in the information given by the Operator to the Council at the time of granting the current licence.
- 5. Take all reasonable steps to fulfil each and every booking accepted, punctually at the agreed time.
- 6. Ensure that any part of the premises provided for the use of the public to make bookings is:
 - a) kept clean;
 - b) adequately heated and ventilated;
 - c) provided with adequate seating facilities;
 - d) provided with a notice indicating that the service provided is in respect of pre-booked journeys only.

7. Ensure that a copy of their licence is prominently displayed where members of the public can read it.
8. Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition, and that any defects are repaired promptly.
9. Notify the Council in writing within 7 days of details of any conviction or fixed penalty notice or formal caution imposed on him/ her.
9. At all times, comply with the requirements of the Council's policy on the licensing of PH Operators.

The holder of a Spelthorne PH operator licence can only supply private hire work to an individual who holds a current Spelthorne PH driver licence and uses a PH vehicle licensed by Spelthorne Borough Council.

5.5 Bespoke Conditions

Notwithstanding the standard conditions above, the Council reserves the right to impose further conditions on any driver or operator licence where it considers this appropriate.

5.6 Appeals

Any person aggrieved by any conditions attached to the grant of a driver or operator licence may appeal to a magistrates' court.

6 Applications for HC Vehicle and PH Vehicle Licences

Applicants must submit the following documents when applying for a new vehicle licence:

1. Application form;
2. Fee;
3. Valid certificate of insurance for the vehicle, insuring it for use as a HC and/ or PH Vehicle on the day of application;
4. Vehicle Registration Document (log book);
5. MOT certificate, where the period since the date of first registration of a vehicle is 1+ year. The certificate must have been issued in the 6 months prior to the date of application where the period since the date of first registration of a vehicle is 5+ years;
6. Letter from the registered keeper of the vehicle consenting to the vehicle being licensed (if applicable);

7. The following documents, where vehicles have been altered or converted since original manufacture:

- Wheelchair Accessible Vehicles – VOSA Certificate M1
- Stretch Limousines – VOSA SVA Certificate
- Any other relevant conversion document.

Applications not accompanied by the appropriate documentation will usually be declined.

6.1 General

Vehicles that are the subject of licensing applications must:

1. Not be a London LTI, “Fairway”, “Metrocab” or similar style of vehicle;
2. Not be over ten years old. The latest that a licence can be issued will be when it is nine years old.

Vehicles specially adapted to carry passengers who are wheel chair bound may continue to be licensed up to twelve years of age, subject to full compliance with licence conditions.

3. Have a minimum of 4 passenger doors, excluding any tailgate;
4. Have a minimum engine capacity of 1300cc;
5. Have a solid roof, which may include a solid sunroof if the openable area does not exceed 50% of the roof area. Convertibles or soft tops are not normally allowed;
6. Not have sideways facing seats and all will comply with the current seatbelt regulations;
7. Have three anchorage points for each seatbelt;
8. Have an interior release handle on all passenger exit doors;
9. Have an external mirror on each side of the vehicle which can be used as a functional driving mirror by the driver;
10. Have a suitable and accessible dry powder fire extinguisher of not less than 1kg in capacity;
11. Carry a first aid kit. The must be kept in such a position as to be readily available to passengers for immediate use in as required;
12. Not display or carry any signs (except optional ‘No smoking’ sign[s]), notices, advertisements, plates, numbers, letters, figures, symbols, emblems or devices whatsoever, on, in or from the vehicle, except for the name and telephone number of an operator – which may be displayed securely on the side doors or bonnet of the vehicle on a plate or sign written, the characters of which must not be more than 4 inches (10cm) in height and such lettering shall not be illuminated. Any signs must not obscure the driver’s vision in any direction.

13. Be right hand drive only, except for stretch limousines;
14. Only be altered or converted by an appropriately qualified installer or vehicle manufacturer (where applicable).

6.2 MOT and Vehicle Inspection Test (VIT)

Vehicles are required to pass a standard MOT test and the Council's VIT.

MOT Testing must be done annually for vehicles over the age of 1 year and 6-monthly for vehicles over the age of 5 years.

Applicants must include the MOT certificate with their application form.

6.3 Licence Plates

The Council shall determine the wording, size and manner of display of licence plates in accordance with the requirements of current legislation.

6.4 Seating Capacity of Vehicles

The Council will determine the number of persons a vehicle is licensed to carry in the following way:

- a) Where a vehicle provides separate seats for each person, the vehicle shall be licensed to carry 1 person for each separate seat provided – subject to them meeting the Council's minimum size requirements: -
 - i) 410 mm wide;
 - ii) The distance between the rear of the forward seat or dashboard and the front face of the passenger seat should measure a minimum of 660 mm per passenger.

Consideration will also be given to the amount of headroom available, as well as the materials from which the seat is made.

Whether a seat will be consider licensable is down to the discretion of the Council Officer inspecting a vehicle;

- b) Where the vehicle is fitted with continuous seats, the vehicle shall be licensed to carry 1 person for each complete length of 410 mm measured in a straight line lengthwise across the front of such a seat, to a maximum not exceeding the number of seatbelts fitted. The distance between the rear of the forward seat or dashboard and the front face of the passenger seat must measure a minimum of 660 mm per passenger;
- c) Where the vehicle is fitted with continuous seats and with arms to separate the seating spaces, the arms shall be ignored in measuring the seat, if the arms can be folded back or otherwise put out of use, to a maximum not exceeding the number of seatbelts fitted.

6.5 Tinted Windows

All vehicles must comply with the Road Vehicles (Construction & Use) Regulations 1986 and in particular the requirements relating to tinted windows, which state that as a minimum:

- For vehicles first used on or after 01 April 1985, the light transmitted through the windscreen must be at least 75% and the front side windows must allow at least 70% of light to be transmitted through them.

Newly licensed vehicles will only be considered suitable where all rear side windows allow at least 22% of light to be transmitted through them. There is no minimum transmission requirement for the rear windscreen.

6.6 CCTV (where fitted)

Where CCTV is fitted to a licensed vehicle, and in use, it must:

- a) comply with the Information Commissioner's data protection requirements and Codes of Practice;
- b) be capable of recording date, time and vehicle identification, such features to be activated at all times when in use;
- c) be event activated (e.g. door or ignition) and shall continue to record for at least 30 seconds after the ignition is switched off;
- d) be capable of storing recorded material for at least 30 days;
- e) incorporate a panic button which stores at least the previous 10 minutes of recording in a separate part of the recording media;
- f) be capable of having recorded material downloaded to another storage device for reviewing;
- g) have storage media which is not accessible to the driver or any other person travelling in the vehicle;
- h) have a data storage unit, securely fixed to the vehicle and stored separately from the recording unit, out of view of any passenger in the vehicle;
- i) be capable of recording images of all passengers travelling in the vehicle and the driver;
- j) be kept in good working order at all times;
- k) enable recordings to be made available to Licensing Officers or the Police on request.
- l) not make voice recordings

6.7 Cycle carriers and roof racks (where fitted)

Any cycle carriers or roof racks must be fitted and used in accordance with the manufacturer's instructions (including maximum load weight).

6.8 Executive PH Vehicles

Applications to register PH vehicles as Executive PH (EPH) vehicles will be considered if:

- A minimum of 90% of work is undertaken for businesses with an account with the operator, demonstrable by reference to a minimum of 3 month's work records;
- The vehicle should benefit executive status;
- Only operators who have a good compliance record, including a good complaints record of their drivers, will be considered.

EPH vehicles will be subject to the following condition (this replaces the relevant PH Condition):

The vehicle shall display an internal executive licence plate on the front windscreen facing outwards and shall also display a second internal licence plate, facing inwards where customers can easily see it but shall not be required to display any other signage on the vehicle.

An EPH vehicle shall be exempt from the tinted window requirements of this policy.

Applications for Executive Status shall be determined at the Council's discretion.

6.9 Stretch Limousines

Vehicles which have been adapted to carry more passengers than originally intended are referred to as stretch limousines. Where there are 8 or fewer passenger seats, or their equivalent where bench seats are provided, then the vehicle must be licensed.

6.10 Period of Licences

HC and PH driver licences can be issued for 1 or 3 years.

PH operator licences can be issued for 1 or 5 years.

HC and PH vehicle licences can be issued for a maximum of 1 year.

7 HC Vehicles and PH Vehicles – Standard Licence Conditions

7.1 The following conditions will normally apply to all licensed vehicles:

1. The vehicle shall at all times be maintained in sound, roadworthy, mechanical condition and serviced according to the manufacturer's recommendations.
2. No alteration to the manufacturer's specification for the vehicle shall be carried out except with the written approval of the Council.
3. Interior lighting shall be provided and maintained in working order such that it illuminates the passenger area.
4. The exterior of the vehicle shall be kept clean at all times. The interior of the vehicle (including luggage spaces) shall be kept clean and free from rubbish at all times.

5. The vehicle must at all times comply with 1 of the following:
 - a) Carry a spare wheel, capable of immediate use, together with adequate tools to effect changing a wheel; or
 - b) Carry a space saver spare wheel, capable of immediate use, together with adequate tools to effect changing a wheel. When space saver spare wheels are used, a licensee may complete their journey but must not undertake any further hiring until the punctured wheel has been repaired and refitted or else replaced; or
 - c) Carry and maintain in good working order, the manufacturer's standard issue repair and inflation equipment for that vehicle. Where a repair and inflation facility is used, a licensee may complete their journey but must not undertake any further hiring until the punctured wheel has been repaired and refitted or else replaced, and the manufacturer's repair and inflation facility has been replaced; or
 - d) Have runflat tyres fitted. Where a runflat tyre becomes punctured, as soon as this comes to the attention of the licensee, they may complete their journey but must not undertake any further hiring until the punctured wheel has been repaired and refitted or else replaced.
6. Newly licensed vehicles must conform to the requirements of section 6.5 – Tinted Windows. However, vehicles licensed before > insert date policy becomes effective < are exempt from this condition for as long as they remain continuously licensed by the Council.
7. All fuel carried by the vehicle shall be contained within permanently secured fuel tanks. Spare fuel containers must not be carried at any time whether or not they are empty.
8. The driver of a licensed vehicle shall notify the Council in writing as soon as possible, and in any event, within 14 days of any change of name or address.
9. Where CCTV is fitted to a licensed vehicle then the requirements set out at section 6.6 shall apply.

7.2 Additional Standard Conditions – Hackney Carriage Vehicles

1. A licensee shall ensure that before any other person is permitted to drive the licensed vehicle that that person holds a Combined HC & PH Driver licence issued by the Council.
2. The taximeter fitted to the vehicle shall be adjusted to record fares in accordance with the Council's tariff of fares and must be tested at intervals not exceeding 12 months.
3. The vehicle shall have an internally illuminated roof sign bearing the word "TAXI" on the front in letters which are not less than 50 mm height. This sign shall be kept illuminated when the vehicle is plying for hire.

4. The vehicle shall display an internally illuminated sign saying “For Hire” which shall be located at the front of the vehicle where it can be seen from the outside front of the vehicle. This sign shall remain illuminated at all time whilst the vehicle is available for hire.

5. Vehicle Licence Plates

Licence plates are supplied by the Council and must be securely fixed to the vehicle in the following locations:

- 1 large plate – rear exterior;
- 1 plate – internal, facing inwards displayed so that passengers can easily read it.

Licence plates must be kept clean and clearly displayed on the licensed vehicle at all times, whether or not it is being used as such.

Licence plates remain the property of the Council and must be returned when the vehicle is no longer licensed or when the vehicle licence has been suspended.

6. Licensees are responsible for ensuring that only holders of the appropriate private hire or hackney carriage driver licence issued by the Council are allowed to drive their licensed vehicle(s).

7.3 Bespoke Conditions

Notwithstanding the standard conditions above, the Council reserves the right to impose further conditions on any vehicle licence where it considers this appropriate.

7.4 Appeals

Any person aggrieved by any conditions attached to the grant of a vehicle licence may appeal to a magistrates’ court.

8 Transfer of Entitlement to a Vehicle Licence

A licence issued in respect of a vehicle can be temporarily or permanently transferred to another vehicle in the event of an accident, mechanical failure or theft.

The Council will issue a new vehicle licence to the licensee on the following terms:

1. Payment of the relevant fee;
2. Submission of a fully completed “Application to Transfer Entitlement to a HC / PH Vehicle Licence” form;
3. Surrender of the original HC / PH vehicle licence and identification plates to the Council;
4. The new vehicle must comply with all relevant requirements of this Policy;
5. The new HC / PH licence will expire on the same date as the cancelled vehicle licence.

9 Enforcement

Failure to comply with legislative requirements is an offence. In determining what enforcement action to pursue in respect of offences, regard will be had to the individual circumstances, the Council's policies with regard to enforcement and other national guidance, such as the Crown Prosecutor's Code of Practice. Enforcement will include prosecution of offenders where appropriate and/ or imposition of penalty points under the Council's Penalty Points Scheme. As part of our enforcement of the legislation, the Council will, when appropriate, carry out test purchasing of journeys. We will also make use of public CCTV monitoring in order to detect offences under the legislation.

9.1 Inspections

The Council reserves the right to carry out the following inspections with or without warning to ensure compliance with licence conditions and relevant legislation (including Byelaws).

- Private Hire Operators – records/ premises;
- Hackney Carriage Drivers – HC vehicles;
- Private Hire Drivers – PH vehicles.

Routine inspections will be carried out primarily in accordance with a risk-based system and wherever possible, vehicles and documentation will be inspected at the same time.

9.2 DVLA Penalties and driving standards

Licensees who accumulate 6+ points on their driving licence must notify the Council immediately, after which they will be required to pass the Driving Standards Agency (DSA) test within 3 months of notification and report the result to the Council within 1 month of the test date. Failure to do so will result in consideration of further sanctions. Licensees will only be permitted to exercise this option twice; a third accumulation of 6+ points will result in consideration of further sanctions which will normally result in revocation.

9.3 Suspension/ Revocation of Licences

9.3.1 Person not being fit and proper to hold a licence (including medical grounds)

Where a Licensing Officer has a reasonable belief that any HC or PH driver or PH operator is not a "fit and proper" person to hold a licence and/or in the interests of public safety, the Council may suspend or revoke that licence.

Before a decision to suspend or revoke a licence is taken, the Council will contact the licensee as soon as possible to invite them to attend a recorded interview with Licensing Officers at the earliest mutually convenient date. The Council will inform the licensee of the basis for the officer's belief, to give them full opportunity to respond at interview. However, representations concerning the effect of suspension/

revocation on a licensee's personal circumstances e.g. unemployment, loss of income, hardship etc will not be taken into account.

The Council reserves the right to determine cases in the absence of licensees who cannot be contacted or who do not attend their interview.

When the interview is complete, officers will review the evidence and determine the appropriate sanction. The licensee will then be notified in writing and full reasons given. Suspension/ revocation can be immediate and a licence must be surrendered on demand.

Suspension will be for a specified fixed period of up to 3 months, or where this is done for medical reasons, until the Council is in receipt of appropriate written confirmation as determined by the Council, whichever is the longer.

The Chair or the Licensing Committee will be notified of the decision thereafter.

9.3.2 Resulting from an accumulation of penalty points

See the Council's Penalty Points Policy.

9.3.3 Re-applying for a licence after suspension/ revocation

Licensees can apply for the return of their licence when the suspension period has elapsed. Expired time during the suspension period will not be re-credited.

This will depend on the reasons for revocation and the period which has elapsed since revocation. Usually the Council will not grant a new licence until at least 12 months has elapsed, or at least 5 years from the date any subsequent revocation. Where an existing licensee has their driving licence suspended or revoked, their Hackney Carriage or Private Hire Driver licence shall normally also be revoked with immediate effect. Where a licence is revoked there will be no refund of any fee.

Licensees whose licences are revoked in this manner will not normally be permitted to re-apply until 12 months has elapsed from the date of revocation.

9.4 Suspension or revocation of vehicle licences

The following may result in a licence suspension and/ or revocation:

- where a licensing officer is not satisfied that any HC or PH vehicle is fit for use as such;
- where the licensee or operator has committed an offence under Part II of the Local Government (Miscellaneous Provisions) Act 1976 or has not complied with the Act;
- any other reasonable cause as determined by the Council.

9.5 Appeals

Any licensee aggrieved by the suspension or revocation of their licence may appeal to the Magistrates' Court.

Please reply to:

Contact: Gillian Hobbs
Service: Committee Services
Direct line: 01784 444243
E-mail: g.hobbs@spelthorne.gov.uk
Our ref: OS/taxi
Date: 1 September 2016

Dear

Overview and Scrutiny Committee – 29 November 2016

Spelthorne Borough Council's Overview and Scrutiny Committee has agreed to review the Council's Taxi Licensing Policy at its 29 November 2016 meeting. The Committee will consider the provision of taxi ranks in the Borough, whether the economic needs of the Borough are adequately served by the present rank locations and whether the fees charged to drivers represent value for money.

The Chairman of the Overview and Scrutiny Committee would like to invite you to attend the meeting taking place on 29 November at 7pm in the Council Chamber at the Council offices, to observe and contribute to the proceedings. Please contact me either by 'phone or email using the details shown at the top of this letter to confirm your wish to attend, as places are limited.

The Committee would like to hear your views on all aspects of taxi licensing, together with any suggestions for desirable changes. I also enclose a list of taxi stands in the Borough and your comments on the current provision would be welcome.

If you wish to comment on the Council's taxi licensing operation, the location of the existing taxi ranks, or any other related matter then please send these to me in advance of the meeting, and in any case **by 30th September 2016**, by email or letter. Whilst there may be some opportunity for you to comment at the meeting, no-one will be called on to comment who has not written in advance and those speakers will be limited to short contributions, in order to give everyone a fair opportunity to put forward their points.

Yours sincerely



Mrs Gillian Hobbs
Committee Manager

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Questions from Taxi Drivers

Paul Johnson

There are a number of issues that I wish the Council to consider in the matter to the licensing of Private Hire and Taxis within the borough.

1.0 The use of the Taxi Ranks within the Spelthorne area.

1.1 Only two Taxi Ranks are ever used within the Borough. These are:-

Gresham Road by Staines railway station and Station Approach.

It is rare for Spelthorne licensed taxis to be found anywhere else!

The Taxi Rank based in Gresham Road is a serious health and safety risk. At rush hour times and especially when Thorpe Park is open.

Not only is the general public at risk dropping off and picking up people at the station but a number of local major employers provide mini coaches to pick and drop their staff. In addition to this regular congestion which blocks access to the railway car park in Gresham road there are pedestrians crossing the road to get to the Station as well.

2.0 Abuse of Byelaws by Spelthorne Licensed Taxis

2.1 On many occasions and especially when Thorpe Park is open or we are getting close to Christmas there are more than the official five taxis on the rank in Gresham road. I have personally counted as many as twenty regularly.

2.2 I have seen taxis blatantly touting for fares to Thorpe Park. In fact, I have stood on the pedestrian bridge at Staines station with David Watts (who has now retired from Spelthorne Council's Licensing department) and he refused to do anything.

2.3 Many of the passengers I pick up as a private hire driver tell me that the licensed taxis do not use their meters within the Spelthorne area and furthermore charge double or worse what we as private hire drivers charge.

2.4 In addition if these taxis do not like the fare they will refer the passenger to Staines Cars when in fact they are obliged to take the fare within the Spelthorne area.

2.5 I have also watched these taxis in Gresham Road operate a Marshall system which is totally wrong and denies other legitimate taxis from rightfully taking their place on the five car taxi rank.

3.0 Private Hire and Licensing Fees

3.1 In view of the above, I believe that a lot of the problems are caused by poor policing of the byelaws by Spelthorne Licensing Department. To solve this situation the Taxi Licensing fee should be much higher than Private Hire Licensing fee. This

would allow the Spelthorne Licensing Department to employ more people or outsource resources to enforce the byelaws.

3.2 Higher licensing fees for taxis and the current restriction on the age of vehicles to a maximum of seven years would also allow the Council to control the number of licensed taxis authorised to operate within the Borough of Spelthorne.

4.0 Licenced operators

4.1 There are a number of unlicensed operators providing public and private hire within Spelthorne and neighbouring boroughs, not least of which is UBER. This makes a total mockery of the local licensing system and allows PCO drivers an unfair advantage over locally licenced taxis and private hire. This obviously needs to be looked into and stopped.

Terry Lyden

Many thanks for inviting me to the above overview but unfortunately I will not be able to attend and so I give a historical view since Licensing, including new Hackney Carriages and existing Private Hire, began some 10 years ago and the way it has affected all the previous Private hire businesses such as Staines Cars, formerly Ronia Minicabs, who were based in offices and without cars blocking the streets as they do now. Uber Taxis and other Taxis not authorised to operate in Spelthorne are a particular problem leading to loss of income and blocking local streets creating dangers for other road users. The comments herein are common to all drivers and staff at Staines Cars Ltd

It is clear that the rank outside the station in Gresham Road is a source of major problems not least public safety. Since all the people going to and from the Station are Railway passengers the Railway have equal responsibility with the Local and County Councils for people travelling to and from the Station and its car parks. The Railways have a piece of car parking Land some 50 yards from the Station exit and towards Kingston Road. This would easily accommodate 5 parked taxis OFF ROAD and give them departure from this area to right or left on Gresham Road. The road at this area is also currently used for a Pick up point for mini buses from businesses on the causeway. It is noted that the railway has provided space for a few taxis on its roads on the main side of the Station.

Gaining use of this off road parking area of the Railways would free Gresham Road from Dangerous parking and provide greater safety for the travelling public. We must not face an accident situation that could have been foreseen and where public finances might be put at risk.

This would also provide a little better equality for the position of Hackney carriages and the Private Hire trade of Staines Cars Ltd whose premises are blocked by illegal parking for too many years causing loss of trade to Staines Cars. . Suitable annotation with phone access of the two taxi and private hire positions, to the left and right of the Station, could be made at the Station to give the traveling public alternative choices in service and cost.

The council has continuously failed to enforce its own laws and rules and failed to see that the street laws e.g double yellow lines are obeyed with the help of the police after normal office hours when difficulties occur.

The have also continually failed in their duty in ensuring equal opportunities . As such all or any of the benefits from licensing accrue to the Hackney Carriage trade and not the Private Hire Trade who pay high fees for NO benefits. These Private Hire fees should be reduced.

The rank in Gresham Road is all too often overloaded and drivers do not seek the next available rank. Many Hackney Carriages with licenses for Staines are lined up for hire in Thorpe Park instead of providing services by using Ranks in Spelthorne. There should be special car licenses for Thorpe Park and Thorpe Park only. Otherwise Cars who obey the rules and service the ranks in Spelthorne would suffer loss of income in an already poor income situation. These Hackney Carriages who trade at Thorpe Park tend to return en mass to Spelthorne when Thorpe Park Closes and over park in Gresham Road as many as 12 at a time

Our MP Mr. Kwarteng is on record of saying "I recognise that people will want to cross the street outside the Station in Gresham Road and it is dangerous for them to do so between parked vehicles however this is a matter for the local Council" Other Councillors have made similar comments on dangerous road conditions in the past and it seems that a risk assessment should have been made frequently on this point.

In the beginning the new Licensing Officer, Mr Watts, visited the office of Ronia Minicabs, now on this site for approximately 30 years, and said the proposal was for a rank for 3 Taxis on the opposite of the road near the Cherry Orchard junction with Gresham Road nearest Kingston Road. This seemed reasonable and we did not protest as we assumed we would have equal access to our usual Rail passenger trade.

The next we knew that the rank for three cars were placed right outside the station exit/entrance When the matter was raised with Mr Watts he said the trade asked him to do so and he claims he wrote to Ronia on the change. However the letter appears to have been lost and, not receiving a reply from Ronia, Mr Watts did not bother to seek a response from Ronia to a situation which would obviously materially damage their existing valuable trade.

Complaints to the council about lack of fair trade to an existing long established business were met with a response that ranks that were abused or not used would be removed. There was a suggestion by the Council that the Council would consider removing the new Gresham Road Station rank equidistant from the Station exit to that of the Ronia Office. None of these proposals in fact took place. Worse still the council has never signified the two differing businesses and people arriving at the Station assume all the taxis work for Staines Cars/ formerly Ronia minicabs. Worse any inappropriate action by the Hackney Carriage Taxis on the Station Rank are blamed on Staines Cars. Even when there are no Taxis on the rank people do not know that Staines Cars are an alternative source of travel and being Private Hire we

are not allowed to approach them to offer services. Hence the need for suitable notification by the Station Authorities.

The rank was then increased to 5 Cars and double yellow lines were painted to prevent excesses and also to prevent the Hackney Carriages blocking access even to the Ronia offices. This has some effect during the day but at night there are usually in excess of 10 Cars parked outside the station and into the Station Car Park and nothing is done. Car doors are opened and closed and other residents vehicles, some waiting for family to arrive home at the station, are parked on the opposite side of the road. Hence the danger increases and residents who support the Council with their tax are put at risk.

Rules to be met by the Hackney Carriage driver are not enforced and moving to the next available rank never seems to happen and they are often out of their cabs even standing in the road causing danger to themselves and other road users. The result is the Gresham Road rank is over-subscribed and others neglected.

Gary Stansby

Current taxi stands

1. Gresham Road, Staines is adequate but is used by all taxis due to the lack of high income spaces elsewhere.
2. Staines Railway Station, Station Approach - Thankfully we have these spaces put in by the railway free of charge, this does alleviate pressure.
3. Bus lay-by (east kerb) on Thames Street, Staines (adjacent to Debenhams Store) - This rank is rarely used and is pretty dismissive.
4. Unused bus lay-by (south kerb) on Mustard Mill Road, Staines (adjacent to Waitrose supermarket -This rank is used by the public, private hire and Uber who all refuse to move to allow usage.
5. On the public highway immediately outside Communication House, South Street, Staines -This would be a good, useable rank if there was a shelter and better signage indicating where it is.
6. On Clarence Street 50 metres west of Thames Street, Staines (against south kerb facing west in the lay-by adjacent to Market Square) -This rank could be 24 hours, it always has private vans/cars parked in it to use the shops etc.
7. North side of Clarence Street, Staines, on the east side of the pedestrian crossing zig-zags, outside 15-13a Clarence Street, Staines -This rank could also be 24 hours due to no other usage again except for private vans/cars parked there all day.
8. At Ashford Railway Station one space is not good enough due to safety of the drivers. There should be three spaces minimum.

Former taxi stands

1. The stand in Shepperton High Street was placed in a service road where it was not possible to park properly.
2. Two spaces in Ashford by the car park (MSCP) were never used as they were in the wrong place.

Other Places Considered

1. A stand at Staines Bus Station could be an advantage although communications along with a shelter and better signage would do.
2. The rank at Two Rivers can't be used due to the constant use by private hire cars etc...
3. A stand at Kempton would be useful.
4. I have no interest as private hire companies are used.
5. The rank needs to be three spaces and at the train station.
6. Ashford Station but three spaces.
7. Sunbury Station but three spaces.
8. Shepperton, three spaces.
9. I have no interest as private hire companies are used.

A final point I'd like to make, the taxi signage is not enough. The print in the road should state 'Taxis Only' and a double yellow line with the warning of a penalty charge.

My reason for stating three spaces is due to protecting the driver. I am unaware of any other borough where they have only one space.

As for the railways charging taxis to park, surely the answer is for these ranks to be in a road within the visual vicinity of the station.

Colin Vincent

I do think that all proposals for taxi stands should be supported. The public need to have good visual point of reference to allow licensed vehicles to collect members of the public and deter unofficial vehicles.

David Singleton

1. There are not enough taxi ranks in Staines which we can use during the day, the only ones are at Staines station and Waitrose which we cannot use because the public uses it as a carpark. The rank outside Communication House no one knows about, it will be handy if the public knew it was there by putting a sign up at the bus station.

2. We also need ranks in Shepperton and Sunbury stations as that will spread all the taxi drivers out, which at the moment they are all fighting to use Gresham Road and the main side of the Staines station. We need more spaces at Ashford station.

3. As for the rank outside Clarence street, we can't use in the day time but it's ok for the public to use them, why is this?

4. The drivers have got a system going on at Gresham Road which means that if you are not in the system, you have no chance in getting on the rank because when one driver moves off, they call another one around. They are parking up on the main side using it as a feeder rank waiting for the phone call to go to Gresham Road.

5. Uber are also parking up at the station and also all around the town and on the taxi ranks. They are taking a lot of work by stealing out our customers. Something has to be done about it.

6. As for the money we pay for the car plate and badge, I think that it is too much as we do not get any help with new taxi ranks or anything else. All we want is a fair system where we can all benefit from it.

Jason Rider

See separate hand written letter.

JASON RIDER
RIDERS TAXIS.

STANWELL
STAINES

DEAR GILLIAN Hobbs.

I only have one point to discuss **LEVEL PLAYING FIELD.** And Conducts of a Hackney I want you to define what Conducts of a Hackney is and why we have to pass this when we apply for our Hackney carriage license!!

Because you have allowed a crooked system to exist in question Rd there has never been a level playing field

Mainly drivers of a non British origin tell me that because they are the majority it is there way or no way so they block me out from the rank in question Rd whilst they block me out they are holding the space whilst the driver who is next on there list comes to take the space that the driver who is blocking me out is holding.

This mal practice stop me from recruiting drivers. How could I tell new drivers forget everything you was tested

on in the council and go and join the system on the main rank that blocks drivers that aren't part of the system.

Yours Sincerely,


RIDERS TAXIS.

P.S. ~~so~~ Can you tell me what you have done with the 1.3 to 1.4 million pounds that you have taken in licensing fees since you licensed ~~that~~ ~~the~~ taxis back in 2002.

P.P.S Under section 70 town and police clauses act 1976 it states that in return for my fees the council agrees to supervise and control the rank. If you had done your job a group of drivers would not be running a system on the rank your supposed to do that so can i have a reduction of my fees because im a driver that is charged for the rank but dont have equal access to it.

P.O.P.O.S whilst no one parks in your car parking space you allow private vehicles to park on mine and other taxis to block me out of mine. !!!
!!!

P.P.P.P.S.

You've got ~~us~~ me involved in a Conflict an unofficial war over the ground in gresham Rd.

Is it this Councils policy to get people fighting for the ground?

Is it this Councils policy to send more and more drivers to gresham Rd making the Conflict more and more intense

Is it this Councils policy to remove professional people like me from their patch where they worked long before there was any taxi rank and to replace me with drivers who are clearly not qualified, if they were they would follow conditions of a hackney.

When I asked the Council how they could send drivers out who didnt even now the loose roads they said the SAT NAV would teach them.

A little bit later the informer wrote an article saying that Sat NAVS were unsafe because they leave you in compromising positions

I would add they ~~cannot~~ cannot tell a person coming into the town any local history.

Sorry to go on but your licensing has to be enforced

Unfortunately there is no one in the council that understands the implications of the policies they impose you can go on and on about the taxi ranks.

But let me be clear about something when you don't have ranks in certain areas of the borough i.e. Stanwell, certain private hire companies will send a hackney carriage that will overcharge the Stanwell people using the excuse that they had to send a car from Stanier or Ashford. I would have a wager with anyone in the council that they couldn't get a taxi sent from a private hire company to turn up and use its meter like a taxi is supposed to do ~~over~~ !!!!!

THE TAXI INDUSTRY WILL NEVER WORK WHILST CERTAIN DRIVERS CONTROL THE REST BY WAY OF A CORRUPT SYSTEM WHEN THIS COUNCIL CREATES A LEVEL PLAYING FIELD AND PUTS ALL THE TAXIS IN THE SAME BOAT AT THAT POINT COMRADERY BETWEEN DRIVERS WILL ALLOW THE INDUSTRY TO WORK A 100 TIMES BETTER AND BECOME PROFESSIONAL.

Invitation to Overview and Scrutiny Committee 29 November 2016 – re Taxi Licensing Policy

Dear Nick and Graham,

Thank you for your comments.

The Chairman raised the matter with the Committee because he had received a number of complaints from taxi drivers about the provision of taxi ranks and how this provision impacts on the economic needs of the Borough. Taxi drivers had also queried whether they were getting value for money from the Council's charges. The Committee agreed to add a review of the Council's Taxi Licensing Policy to its work programme.

As well as a report on these issues from Spelthorne Borough Council's Licensing Manager, the Chairman, Councillor Colin Davis, has invited any written comments that Surrey County Council might like to submit on the issues relevant to you. I understand your involvement is to comment on the Borough's proposals for new or amended ranks and I am sure Dawn will be happy to include these in her report to the Committee. However, if you feel there are any additional written comments you can provide, either generally or about specific locations in the Borough, which may assist the Committee in their consideration of this matter, then I would be very grateful to receive them.

Whether or not you feel there is anything additional you can provide in writing, the Chairman would be very grateful to have your attendance at the meeting, so that you may hear directly the concerns raised by councillors and be able to assist them at the meeting with a response.

I look forward to hearing from you.

Regards
Gill
Committee Services

Comments from Surrey County Council

You are absolutely right in saying that SCC's role is to comment on SBC's proposals for new and / or amended Taxi Ranks. Sometimes this process is iterative, and with Dawn attending the Parking Task Group we have the ideal forum for any discussion of detail and normally we are able to find mutually agreeable solutions. Beyond that we have no role in Taxi Licencing at all. It is for the Borough to decide how many Ranks are required, to propose locations, provide appropriate enforcement, etc, etc.

In this context I don't feel we have anything to contribute to a review of the Borough's Taxi Licensing Policy, and so I am quite puzzled to know what Cllr Davis feels we could add to the discussion.

If there are Highways matters that are of interest to the Overview and Scrutiny Committee, then they would be very welcome to send a deputation to the Local Committee, where written formal questions may be raised, answered and debated. I am sure that Cllr Saliagopoulos, the current Chairman of the Local Committee, would be delighted to receive any questions the Overview and Scrutiny Committee might have.

If Cllr Davis has something in mind that he feels we could contribute to then please let me know.

Thanks, Nick
Parking Project Team

Comments from Surrey Police

My involvement has been that certain locations for new taxi ranks have been put forward by your office and I think some of these have been suggestions from the taxi drivers themselves. These locations have been referred to SCC and Surrey Police (me as the police rep) for consideration. My involvement has always been on the issue of road safety and this includes if the location is safe to act as a rank and also if the area is already parked up with private vehicles and what this displacement of parked vehicles will have in the local area. In the past I have made full comment on these proposed locations, with some rejected and some agreed as suitable and this has often been as a result of site visits carried out in conjunction with representatives from both SCC and SPC Taxi office. I am not aware of any recent new locations that have been put forward.

In light of the fact that SCC will not be attending and the latest info on what the committee require on that evening, I do not feel that this is a meeting that I wish to attend. I really cannot add anything further to the comments I would have made at the time on these individual locations and the above comments on the general principles involved.

Kind regards,

Graham

Graham Cannon
Road Safety & Traffic Management



**SURREY
POLICE**
*With you, making
Surrey safer*

Graham Cannon
Road Safety & Traffic Management
Officer

29th January 2014

Our Ref:
Your Ref:

Reba Danson
Licensing Enforcement Officer
Spelthorne Borough Council
Council Offices
Knowle Green
Staines Upon Thames
TW18 1XB

Dear Reba,

Re- Road Safety in Gresham Road Staines near Rail Station.

Further to our site visit at the above location on Tuesday 28th January, I would make the following observations and comments-;

The problems of parking and general road safety in Gresham Road, near the rail station, have been raised many times over the last six years or so. The main complaint centres on the use of the taxi rank immediately outside the station and the often inconsiderate parking that also takes place in the area, in contravention of the formal waiting restrictions that are in place.

During this time I am aware that there have been numerous complaints over the number of taxis that park outside the station, off the designated rank, waiting for a space and a fare. This has resulted in many taxis waiting on the yellow lines and causing a certain amount of obstruction to the through flow of passing traffic, as well as providing obstructions and difficulties for any pedestrians that wish to cross Gresham Road at that point. In addition, they have been driving up and down the road looking for a space on the rank, as well as parking up in Cherry Orchard. The only way to resolve the matter was for regular enforcement to take place, thereby ensuring that the only stationary taxis were those parked in the designated rank.

My observations on Tuesday were that the situation, with regard to taxis, was much better than in previous visits some years ago. There were very few, if any, that were parked on the yellow lines waiting for a space on the rank. In my opinion this is most likely as a result of the enforcement that takes place in this area.

However, I noted that many private cars and company mini buses were parked on the waiting restrictions outside the station. Whilst there is an exemption for a short period of parking to allow pick up and drop off, I observed a number of company mini buses parked up for anything

up to 10 minutes waiting for company employees to arrive off the trains. This in effect is causing the same problems as that caused by the taxis some years ago. I accept that your department are only responsible for the enforcement of the taxi rank; however in my opinion enforcement of these waiting restrictions is also required from a road safety point of view. I am aware that the enforcement of the waiting restrictions is a matter for Spelthorne Borough Council Parking Services and I feel that some form of representation should be made to them to ensure that this enforcement takes place.

In summary, I do feel that the enforcement of the taxi rank and the surrounding waiting restrictions is required to ensure the safety of the general travelling public in that area.

Yours sincerely,

A black rectangular box redacting the signature of Graham Cannon.

Graham Cannon

Road Safety & Traffic Management.

From: Cannon, Graham 14422
Sent: 10 November 2016 07:19
To: Morrison, Dawn
Subject: RE: Overview and Scrutiny Committee 29 November 2016 - Taxi Licensing Policy

Dawn,

Pleasure to meet you yesterday to have a look at the taxi/ parking issues In Gresham Road, outside the rail station. Hope you have dried out now!

In relation to our site visit on 9th November between 07.50 and 08.30hrs, I would make the following comments-;

As indicated in my previous correspondence of January 2014, I have looked at this many times before over the years and on this particular location it was the best and most orderly that I have seen it. There were only 2/3 taxis parked up waiting for fares at any one time and these were all parked in the designated taxi rank. There were a few company mini buses that were waiting on the yellow lines near the station entrance, however these were not there for a long period of time before the train came in and their passengers boarded and the vehicle moved off without causing any real issues. As indicated, a certain amount of time is permitted (but not exactly specified) to allow passengers to board/ alight, so this is a difficult one to deal with and manage.

I would consider that some enforcement of the waiting restrictions and the taxi rank is required to maintain the current situation, which in my view was as good as it is likely to get, given the activity that takes place outside this and every rail station, particularly at peak times. I have checked the injury collision data for the last three years and have attached details of the only one that has occurred in the entire length of Gresham Road and as you will see it has its own special circumstances and cannot be considered as an indication that there is a particular road safety problem for pedestrians at this location.

Kind regards,

Graham

Graham Cannon

Road Safety & Traffic Management

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Accidents between dates 01/05/2013 and 30/04/2016 (36) months

Selection: Notes:

Info Tool Single Accident Report

SP23099/15 04/03/2015 Wednesday Time 2221 Vehicles .00 Casualties .00 Serious
 Fine without high winds Road surface Dry Darkness: street lights present and lit
 Special Conditions None Road Type Single carriageway
 PASSENGER IN V1 HAVING A VERBAL ARGUMENT WITH C1 WHO WAS WALKING AT THE SIDE OF THE ROAD. C1 HELD
 ONTO DOOR HANDLE AND FEEL TO ROADSIDE.
 Occurred on GRESHAM ROAD STAINES-UPON-THAMES

Vehicle Reference 1 Goods <= 3.5 tonnes mgw Going ahead
 Not in restricted lane No skidding, jack-knifing or overturning
 First point of impact Did not impact Age of Driver 40 Breath test Negative
 Vehicle direction NW to SE Driver Postcode TW18 3D
 FRV Not foreign registered vehicle Journey 6
 Casualty Reference: 1 Age: 26 Female Pedestrian Severity: Serious
 Pedestrian Direction: 0

Accidents involving:

	Fatal	Serious	Slight	Total
Motor vehicles only (excluding	0	1	0	1
2-wheeled motor vehicles	0	0	0	0
Pedal cycles	0	0	0	0
Horses & other	0	0	0	0
Total	0	1	0	1

Casualties:

	Fatal	Serious	Slight	Total
Vehicle driver	0	0	0	0
Passenger	0	0	0	0
Motorcycle rider	0	0	0	0
Cyclist	0	0	0	0
Pedestrian	0	1	0	1
Other	0	0	0	0
Total	0	1	0	1

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Overview and Scrutiny Committee

29 November 2016



Title	Capital Monitoring Report		
Purpose of the report	To note		
Report Author	Adrian Flynn		
Cabinet Member	Councillor Howard Williams	Confidential	No
Corporate Priority	Financial Sustainability		
Recommendations	The Committee is asked to note the current level of spend.		
Reason for Recommendation	'Not applicable'		

1. Expenditure to date and Estimated Outturn

- 1.1 Attached as Appendix A & B is the actual spend to date on capital covering the period April to September 2016.
- 1.2 For the period ending September 2016, capital expenditure including commitments was £383.527m which represents (87.54%) of the revised budget (excluding the Knowle Green and £1.1m of the Housing opportunity project).
- 1.3 The projected outturn shows that we are anticipating to spend £405.161m which represents (92.48%) of the revised budget (excluding the Knowle Green and £1.1m of the Housing opportunity project).

Key Issues

- 1.4 £8.1m of the £8.2m that has been allocated for Housing and Knowle Green relocation projects may not be spent in the current financial year and may need to be carried forward at year end.
- 1.5 *Acquisition of Assets*, Following on from the purchase of the BP site in Sunbury, further acquisitions may take place before the end of the financial year and a carry forward request will be made at year end for the remaining budget that is unspent.
- 1.6 Accountancy have concerns to how realistic some of the outturn forecasts are regarding some of the projects being completed by the end of the financial year and this is an issue that we will need to keep an eye on during the 3rd Quarter to see if progress is being made and to evaluate if some projects

should be removed from 2016/17 and moved to the 2017/18 capital programme at the end of the Quarter.

Significant Developments/Variances

- 1.7 Laleham Park Upgrade: The project has been redefined to address changes in the project and the Portfolio Holder's views. The project is expected to run over 2 financial years and a carry forward request will be made at the year end.
 - 1.8 Memorial Gardens: The project has been completed and is under budget by £40k.
 - 1.9 Disabled Facilities grant: We have received extra funding of £359k which will allow further grant payments to be made throughout the rest of the financial year.
- 2. Options analysis and proposal**
- 2.1 Overview and Scrutiny Committee is asked to note the current spend position.
- 3. Financial implications**
- 3.1 Any underspend on the approved Capital Programme enables the authority to invest the monies to gain additional investment income or can be used to fund additional schemes.
- 4. Other considerations**
- 4.1 Schemes which are currently incomplete and require a budget carry forward may have contractual obligations which could leave us liable to litigation if they are not allowed the funds to complete the works.
- 5. Timetable for implementation**
- 5.1 Bi monthly monitoring reports are prepared for Management team and incorporate revised actual figures.

Background papers: None

Appendices: A&B

CAPITAL MONITORING REPORT AT 30 SEPTEMBER 2016

Portfolio Member	ORIGINAL BUDGET	CARRY FORWARDS	SUPPLEMENTARY ESTIMATE	REVISED BUDGET	ACTUALS YTD	COMMITMENTS	MANAGERS PROJECTED OUTTURN	MANAGERS PROJECTION TO REVISED BUDGET
Cllr Pinkerton - Housing	1,516,200	83,400	-	1,599,600	(506,716)	25,000	309,165	(1,290,435)
Cllr Mitchell - Environment & Compliance	1,131,000	246,100	225,000	1,602,100	131,604	251,078	1,182,600	(419,500)
Cllr Gething - Planning and Economic Development	10,197,000	71,900	-	10,268,900	3,031,402	6,751	3,187,700	(7,081,200)
Cllr Harvey - Leader	3,013,600	-	429,000,000	432,013,600	380,170,068	234,000	400,000,000	(32,013,600)
Cllr Barnard - Corporate Management	597,600	120,200	-	717,800	161,213	22,160	481,200	(236,600)
	16,455,400	521,600	429,225,000	446,202,000	382,987,571	538,989	405,160,665	(41,041,335)

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CAPITAL MONITORING REPORT AT 30 SEPTEMBER 2016

Portfolio Member / Service Head	Cost Centre	Description	Original Budget	Carry Forwards	Supplementary Estimate	Revised Budget	Actuals YTD	Commitments	Managers Projected Outturn	Managers Projection to Revised Budget	Comments
Housing Investment Programme											
Cllr Pinkerton - Housing											
Lee O'Neil	40203	Disabled Facilities Mandatory	475,000	-	-	475,000	156,078	-	644,300	169,300	DFG payments are expected to be in line with the total grant received for the year. This is expected to be spent by end of the financial year
Lee O'Neil	40204	Disabled Facilities Discretion	29,600	-	-	29,600	-	-	29,600	-	
Lee O'Neil		Less Specified Capital Grant	(285,000)	-	-	(285,000)	(644,335)	-	(644,335)	(359,335)	
		Net Cost of Disabled Facilities Grants	219,600	-	-	219,600	(488,257)	-	29,565	(190,035)	
Lee O'Neil	40209	Home Improvement Agency grant	81,000	-	-	81,000	-	-	81,000	-	
		HIA Funding	(52,700)	-	-	(52,700)	(39,500)	-	(52,700)	-	
		Total	28,300	-	-	28,300	(39,500)	-	28,300	-	
Total For HIP			247,900	-	-	247,900	(527,757)	-	57,865	(190,035)	
Other Capital Programme											
Cllr Pinkerton - Housing											
Deborah Ashman	41622	Affordable Housing Opportunity	1,100,000	83,400	-	1,183,400	1,900	-	83,000	(1,100,400)	Continuing to look for the other opportunities and in touch with Registered Social Landlords Partners. Residual amount of expenditure is expected after the purchase of Bugle site.
Deborah Ashman	42024	Winter Shelter	25,000	-	-	25,000	-	-	25,000	-	The agreement is to pay A2Dominion subject to confirmation of Homes & Communities Agency funding for the scheme. Project is expected to be completed by end of the financial year
Deborah Ashman	42253	Day Cen Replacement Furniture	35,000	-	-	35,000	19,141	-	35,000	-	More Furniture are being ordered. Project is expected to be completed by end of this financial year
Deborah Ashman	42283	DayCenHairSalonRefurbishment	18,300	-	-	18,300	-	-	18,300	-	Contractor has been selected and work is expected to start in November 2016 and completed by end of this financial year
Deborah Ashman	42013	Civica EDMS&Locata Integration	25,000	-	-	25,000	-	25,000	25,000	-	Civica Housing Module & Locata integration work is in progress. Work is expected to be completed by end of this financial year
Deborah Ashman	42015	Landlord Guarantee Scheme	65,000	-	-	65,000	-	-	65,000	-	We are at the initial stage of procuring the Rent Management Package. Work is expected to commence by end of November 2016 and implementation is expected to be completed by end of this financial year
		Total	1,268,300	83,400	-	1,351,700	21,041	25,000	251,300	(1,100,400)	
Cllr Mitchell - Environment & Compliance											
Jackie Taylor	41026	Laleham Park Upgrade	200,000	-	-	200,000	-	-	50,000	(150,000)	This project is still being redefined to address changes to the project and the views of the portfolio holder is also being sought. Work is expected to commence during this year with completion in the next financial year. Balance will be requested to be carried forward into next financial year
Jackie Taylor	41030	Skate Park/Keep Fit Hengrove park	-	69,600	-	69,600	-	-	69,600	-	Tender exercise is to take place in October. Thereafter, work is expected to commence in November. Project is expected to be completed by end of the financial year
Jackie Taylor	41320	Pay & Display Machines	136,000	5,000	-	141,000	119,090	13,736	141,000	-	All machines are delivered. Installation to be completed by end of November 2016.
Jackie Taylor	41321	ReplaceNoticeProcessingSystem	15,000	-	-	15,000	-	-	15,000	-	Upgrade of Systems & Handhelds is expected to start in November 2016. The project is expected to be completed by end of this financial year
Jackie Taylor	41502	Refuse/Recycling Vehicles	-	-	225,000	225,000	-	-	225,000	-	Tenders have been invited. Vehicles are expected to be purchased before the end of this financial year
Jackie Taylor	41506	Spelride Bus Replacement	250,000	-	-	250,000	-	219,200	250,000	-	The Buses are expected to be delivered by end of November 2016
Jackie Taylor	41602	Replacement of Market Stalls	50,000	-	-	50,000	-	-	50,000	-	The tender for replacement market stalls is due to go out during October with an expected completion date of November 2016
Jackie Taylor	41603	Replace of Grass Cut Machinery	40,000	-	-	40,000	-	-	40,000	-	Project is underway. Replacement machinery is expected to be in place by end of November 2016
Jackie Taylor	41620	Wheelie Bins	50,000	-	-	50,000	13,817	17,867	50,000	-	Bins will be ordered throughout the financial year depending on need as & when identified
Jackie Taylor	42027	Domestic Home Energy	30,000	-	-	30,000	-	-	30,000	-	Project is underway. Contractor has been selected and work is expected to start soon and completed by end of this financial year
Jackie Taylor	42032	Allotment Fencing	10,000	-	-	10,000	-	-	10,000	-	Tenders have been invited. Work is expected to commence in November and completed by end of December 2016
		Total	781,000	74,600	225,000	1,080,600	132,907	250,803	930,600	(150,000)	
Deborah Ashman	41006	Kenyngton Manor Pavilion	-	-	-	-	(2,204)	-	-	-	Retention payment is expected in this financial year
		Total	-	-	-	-	(2,204)	-	-	-	
Lee O'Neil	41314	Air Quality	-	24,500	-	24,500	-	-	5,000	(19,500)	Project was delayed due to shortage of staff. Project is expected to start soon and completed by end of the next financial year. Balance will be requested to be carried forward into next financial year
		Total	-	24,500	-	24,500	-	-	5,000	(19,500)	
Cllr Gething - Planning and Economic Development											
Heather Morgan	41007	Stanwell Skate Park	-	-	-	-	(1,249)	-	-	-	Retention payment is expected to be paid in this financial year
Heather Morgan	41015	Runnymede Estates	55,600	-	-	55,600	-	-	55,600	-	Capitalised Planned Maintenance expenditure to be moved here at the end of the financial year
Heather Morgan	41618	Esso Site Stanwell	-	15,700	-	15,700	-	-	15,700	-	Development of the site is expected to be completed for the lease by end of the financial year
Heather Morgan	42009	Loan to Knowle Green EstatesLtd	2,986,400	-	-	2,986,400	2,986,356	-	2,986,400	-	

CAPITAL MONITORING REPORT AT 30 SEPTEMBER 2016

Portfolio Member / Service Head	Cost Centre	Description	Original Budget	Carry Forwards	Supplementary Estimate	Revised Budget	Actuals YTD	Commitments	Managers Projected Outturn	Managers Projection to Revised Budget	Comments
Heather Morgan	42011	Replace Council Accommodation	7,000,000	-	-	7,000,000	-	-	-	(7,000,000)	We are still looking out for appropriate replacement accommodation
Heather Morgan	42017	Memorial Gardens	90,000	-	-	90,000	45,095	-	50,000	(40,000)	Work has already been completed & tested in association with Runneymede Borough Council. There may be some outstanding payments due to Runneymede Borough Council
Heather Morgan	42033	Greeno Centre Car Park	65,000	-	-	65,000	1,200	-	65,000	-	Planning permission has been granted. We are in process of appointing the contractor to undertake the work. Project is expected to be completed by end of this financial year
Heather Morgan	42036	Plot 12&13 Towpath Car Park	-	56,200	-	56,200	-	6,751	15,000	(41,200)	Work relating to clearing the site and installing fencing is expected to be completed by end of November 2016
Total			10,197,000	71,900	-	10,268,900	3,031,402	6,751	3,187,700	(7,081,200)	
Cllr Harvey - Leader											
Heather Morgan	42038	Acquisition of Assets	3,013,600	-	429,000,000	432,013,600	380,170,068	234,000	400,000,000	(32,013,600)	Expected expenditure on number of assets/ sites by end of this financial year
Total			3,013,600	-	429,000,000	432,013,600	380,170,068	234,000	400,000,000	(32,013,600)	
Cllr Barnard - Corporate Management											
Helen Dunn	43003	New Software	20,000	-	-	20,000	(1,082)	2,950	20,000	-	Expenditure on various software enhancements throughout the financial year
Helen Dunn	43608	Other Hardware	20,000	-	-	20,000	9,343	-	20,000	-	Expenditure on various hardware enhancements throughout the financial year
Helen Dunn	43615	Replacement Back Up	80,000	-	-	80,000	80,000	-	80,000	-	Project is already completed
Helen Dunn	43616	Wireless Presentation	15,000	-	-	15,000	9,875	-	15,000	-	Project is expected to be completed by end of this financial year
Helen Dunn	43617	Microsoft Datacentre Licence	19,100	-	-	19,100	-	-	19,100	-	Quotes have been invited. Project is expected to be completed by end of December 2016
Helen Dunn	43618	Email	10,000	-	-	10,000	6,357	-	6,400	(3,600)	Project is already completed
Helen Dunn	43619	Members Ipads	4,500	-	-	4,500	3,527	-	4,500	-	Project is expected to be completed by end of this financial year
Helen Dunn	43620	Unix	35,000	-	-	35,000	16,400	14,000	35,000	-	Work is currently in progress and expected to be completed by end of this financial year
Helen Dunn	43621	VDI	205,000	-	-	205,000	20,506	2,995	80,000	(125,000)	Work is currently in progress and not expected to be completed by end of this financial year. Balance will be requested to be carried forward into next financial year
Total			408,600	-	-	408,600	144,926	19,945	280,000	(128,600)	
Linda Norman	43505	CRM Solution	-	11,800	-	11,800	12,000	1,615	12,000	200	This project has now been completed
Linda Norman	43510	New Booking System	-	4,900	-	4,900	2,136	600	4,900	-	This project has been delayed as this has to be integrated with Financial system & Website. This is expected to be completed by the end of the financial year
Total			-	16,700	-	16,700	14,136	2,215	16,900	200	
Sandy Muirhead	43503	Agile Working	-	48,200	-	48,200	995	-	10,000	(38,200)	Project involves process of reviewing current ICT platforms and the set up of trials for the most suitable replacement. It also covers review of change management and training needs for staff, analysing the current working patterns and learning lessons from trials. Project is under review and needs to be integrated into ICT across the Council. Project is expected to be completed by end of next financial year and balance will be requested to be carried forward
Sandy Muirhead	43511	ScannersCorporateEDMS Roll out	36,000	-	-	36,000	-	-	36,000	-	Project is part of EDMS. Project Corporate Scanning team will be created by end of December 2016. Project is expected to be completed by end of this financial year
Sandy Muirhead	43512	Sharepoint redesign & Relaunch	90,000	-	-	90,000	-	-	20,000	(70,000)	This project is under review and will be integrated with other ICT projects and not expected to be completed in this financial year. The balance will be requested to be carried forward into next financial year
Sandy Muirhead	43515	Corporate EDMS Project	63,000	55,300	-	118,300	1,155	-	118,300	-	Work on Phase II is being undertaken. Currently the full analysis also being undertaken to find out Licence requirement & software set up. Project is expected to be completed by March 2017.
Total			189,000	103,500	-	292,500	2,150	-	184,300	(108,200)	
Cllr Mitchell - Enviroment & Compliance											
Keith McGroary	41619	Small Scale Area Regeneration	700,000	-	-	700,000	900	275	200,000	(500,000)	Regeneration of Shopping Parades has now been commissioned to Runneymede Borough Council. £200k is expected to be spent by end of this financial year with match funding of £100k from Surrey County Council. This project is expected to run up to 4 financial years and completed in 2018/19
Keith McGroary	41621	External Funding CCTV Enhancement	(350,000)	-	-	(350,000)	-	-	(100,000)	250,000	Negotiations are on with Runneymede Borough Council to carry out this project. If negotiations are successful then proposal will be submitted by end of October 2016. Otherwise, it will go to tender again. Project is expected to be completed by end of this financial year
Total			350,000	147,000	-	497,000	900	275	247,000	(250,000)	
Total For Other			16,207,500	521,600	429,225,000	445,954,100	383,515,328	538,989	405,102,800	(40,851,300)	#
Total Expenditure			17,143,100	521,600	429,225,000	446,889,700	383,671,406	538,989	405,957,700	(40,932,000)	
Total Funding			(687,700)	-	-	(687,700)	(683,835)	-	(797,035)	(109,335)	
GRAND TOTAL			16,455,400	521,600	429,225,000	446,202,000	382,987,571	538,989	405,160,665	(41,041,335)	

Overview and Scrutiny Committee

29 November 2016



Title	Revenue Monitoring Report		
Purpose of the report	To note		
Report Author	Adrian Flynn		
Cabinet Member	Councillor Howard Williams	Confidential	No
Corporate Priority	Financial Sustainability		
Recommendations	The Committee is asked to note the current level of spend.		
Reason for Recommendation	Not applicable		

1. Key issues

1.1 To provide Overview and Scrutiny Committee with the net revenue spend figures to the end of September 2016.

- The forecast outturn at net expenditure level is £7.250m against the revised budget of £14.890m; A projected favourable variance of £7.640m.
- After taking into account the use of carry forwards, interest earnings and repayments the net position is approximately £3.968m favourable variance.
- The reason for this dramatic change of position is a result of purchasing the BP site in Sunbury and the net rental income from the end of September 2016 onward. The net surplus generated from this will be set aside to build the initial basis of a reserve to be built up to fund potential refitting (not repairs – which are covered with the lease being full repairing) costs at the end of the initial 20 year lease period.

Interest earnings are forecast to be on par with the budget.

2. Options analysis and proposal

2.1 Cabinet are asked to note the current net revenue spend and forecast position.

The following highlights the more significant or material variances

Leader

- 2.2 Democratic Representation and Management: £75k adverse variance: Impact of increased allowances and higher NI contributions agreed by the Council offset by a small reduction in training expenditure.
- 2.3 Asset Management Administration: £7.780m favourable variance: Rental income of £7.8m received before interest payments offset by costs associated with the Bugle. Net Rental Income of £4m from the BP Sunbury site, to be set aside in reserve at year end.
- 2.4 Legal: £20k adverse variance: Increased employee costs as a result of using Temporary staff to cover vacant posts and increased costs of computer software and publications offset by an increase of legal costs reimbursed.

Corporate Management

- 2.5 Information and Communications Technology: £28k favourable variance: Vacant post less the partnership costs of covering that post.
- 2.6 Corporate Management: £77k adverse variance: Consultancy costs in respect of Knowle Green Estates Ltd, towards a sustainable future and specialist VAT advice on asset transactions.

Environment & Compliance

- 2.7 Refuse collection: £128k favourable variance: Increased income from Brown Waste bin collections, plus grant funding from Surrey County Council for the Food Waste Collection Service.
- 2.8 Environment Services Admin: £39k favourable variance: Increased income from the sale of compost bin liners, grant funding received from the County Council, a vacant post and maternity leave.
- 2.9 Car Parks: £48k adverse variance: Vacant posts covered by temp staff and lower income as parking charges were not increased at the beginning of the financial year but this has been partially offset by the delayed sale of Bridge street car park resulting in income not budgeted for.
- 2.10 DS Management and Support: £24k favourable variance: Savings due to vacant posts and different ways of working.

Housing

- 2.11 Housing needs: £30k adverse variance: Redundancy payment made which will be covered by business improvement reserve.
- 2.12 Housing Benefit Administration: £60k favourable variance: Vacant part time posts and staff working less hours than budgeted.
- 2.13 Housing Benefit Payments: £439k adverse variance: Recovery of overpayments is lower than anticipated.

Community Wellbeing

- 2.14 Sports Development: £2k favourable variance: Increased activity has resulted in higher income.
- 2.15 Community Care Administration: £6k favourable variance: Savings due to vacant posts offset by higher advertising costs.
- 2.16 Meals on Wheels: £8.5k adverse variance due to higher staff costs as a result of weekend working.

Planning and Economic Development

- 2.17 Building Control: £12k favourable variance: Increased activity has resulted in increased income offset by temporary staff costs.
- 2.18 Knowle Green: £64k favourable variance: Increased in year income as a result of termination of the Surrey Police lease. The 2017/18 budget will require adjusting.

Finance and Customer Services

- 2.19 Accountancy: £35k favourable variance: Vacant post
Unapportionable Central Overheads: £52k adverse variance: Additional Municipal Mutual Insurance Ltd levy paid with respect to local authorities' historical liability.

3. Financial implications

- 3.1 As set out within the report and appendices.

4. Other considerations

- 4.1 There are none.

5. Timetable for implementation

- 5.1 Bi – monthly reports are produced for Management team

Background papers: None

Appendices: A&B

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2016/17 Net Revenue Budget Monitoring
As at end of 30 SEPTEMBER 2016

	16/17	16/17	16/17	16/17
	Budget		Forecast	Variance
	Original	Revised	Outturn	to Revised
	£	£	£	£
Gross Expenditure	57,037,600	57,134,200	57,546,100	411,900
Less Benefits (offset by grant)				
Total Gross Expenditure excluding Benefits	57,037,600	57,134,200	57,546,100	411,900
Less Housing Benefit grant	(31,944,000)	(31,944,000)	(31,944,000)	-
Less Specific fees and charges income	(10,000,400)	(10,000,400)	(18,051,900)	(8,051,500)
Net Expenditure - broken down as below	15,093,200	15,189,800	7,550,200	(7,639,600)
Leader of the Council	637,700	637,700	733,200	95,500
Deputy Leader	631,700	635,300	637,800	2,500
Corporate Management	1,861,400	1,893,900	1,984,700	90,800
Housing	1,037,200	1,064,800	1,418,400	353,600
Finance and Customer Service	3,647,100	3,674,600	3,726,700	52,100
Planning and Economic Development	2,556,100	2,606,700	(5,412,500)	(8,019,200)
Environment and Compliance	4,633,900	4,588,700	4,389,500	(199,200)
Community Wellbeing	88,100	88,100	72,400	(15,700)
NET EXPENDITURE AT SERVICE LEVEL	15,093,200	15,189,800	7,550,200	(7,639,600)
Salary expenditure - vacancy monitoring	(300,000)	(300,000)	(300,000)	-
Partnership Savings	-	-	-	-
Pay award	132,000	132,000	132,000	-
Efficiencies to offset pay award	(132,000)	(132,000)	(132,000)	-
NET EXPENDITURE	14,793,200	14,889,800	7,250,200	(7,639,600)
NET EXPENDITURE	14,793,200	14,889,800	7,250,200	(7,639,600)
Interest earnings	(1,150,000)	(1,150,000)	(1,150,000)	-
Interest repayments			3,767,522	3,767,522
Staines Town Development/TaSF	(786,000)	(786,000)	(786,000)	-
Independent Living Service Reserve	55,955	55,955	55,955	
BUDGET REQUIREMENT	12,913,155	13,009,755	9,137,677	(3,872,078)
Baseline NNDR Funding	(3,009,000)	(3,009,000)	(3,009,000)	-
Revenue Support grant	(580,000)	(580,000)	(580,000)	-
Transition Grant	(100,000)	(100,000)	(100,000)	-
New Homes Bonus	(1,895,600)	(1,895,600)	(1,895,600)	-
NET BUDGET REQUIREMENT	7,328,555	7,425,155	3,553,077	(3,872,078)
Collection Fund Surplus/(deficit)	(148,029)	(148,029)	(148,029)	-
CHARGE TO COLLECTION FUND	7,180,526	7,277,126	3,405,048	(3,872,078)
2015/16 Revenue carryforward			(95,909)	(95,909)
Net Position				(3,967,987)

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Appendix B			
REVENUE MONITORING 2016/17			
EXPENDITURE AND INCOME SUMMARY 30 SEPTEMBER 2016			
Results to 30-Sep-16	Budget	Forecast	Variance
	Revised	Outturn	to Revised
	£	£	£
Leader of the Council			
Employees	390,000	419,100	29,100
Other Expenditure	314,400	410,800	96,400
Income	(66,700)	(96,700)	(30,000)
	637,700	733,200	95,500
Deputy Leader			
Employees	180,700	184,500	3,800
Other Expenditure	465,600	502,900	37,300
Income	(11,000)	(49,600)	(38,600)
	635,300	637,800	2,500
Corporate Management			
Employees	1,160,500	1,117,100	(43,400)
Other Expenditure	780,900	906,000	125,100
Income	(47,500)	(38,400)	9,100
	1,893,900	1,984,700	90,800
Housing			
Employees	1,290,000	1,274,300	(15,700)
Other Expenditure	33,252,500	33,449,800	197,300
Housing Benefit grant income	(31,944,000)	(31,944,000)	-
Income	(1,533,700)	(1,361,700)	172,000
	1,064,800	1,418,400	353,600
Finance and Customer Service			
Employees	3,129,400	3,091,800	(37,600)
Other Expenditure	870,600	976,200	105,600
Income	(325,400)	(341,300)	(15,900)
	3,674,600	3,726,700	52,100
Planning and Economic Development			
Employees	1,707,500	1,665,600	(41,900)
Other Expenditure	2,550,900	2,523,700	(27,200)
Income	(1,651,700)	(9,601,800)	(7,950,100)
	2,606,700	(5,412,500)	(8,019,200)
Environment and Compliance			
Employees	4,027,600	3,883,100	(144,500)
Other Expenditure	4,883,600	4,987,400	103,800
Income	(4,322,500)	(4,481,000)	(158,500)
	4,588,700	4,389,500	(199,200)
Community Wellbeing			
Employees	1,452,400	1,450,900	(1,500)
Other Expenditure	677,600	702,900	25,300
Income	(2,041,900)	(2,081,400)	(39,500)
	88,100	72,400	(15,700)
NET EXPENDITURE AT SERVICE LEVEL	15,189,800	7,550,200	(7,639,600)
Total Employees	13,338,100	13,086,400	(251,700)
Total Other Expenditure	43,796,100	44,459,700	663,600
Housing Benefit grant income	(31,944,000)	(31,944,000)	0
Total Income	(10,000,400)	(18,051,900)	(8,051,500)
	15,189,800	7,550,200	(7,639,600)
Total Expenditure	57,134,200	57,546,100	411,900
Total Income	(41,944,400)	(49,995,900)	(8,051,500)
Net	15,189,800	7,550,200	(7,639,600)

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Spelthorne Borough Council Cabinet Forward Plan and Key Decisions

This Forward Plan sets out the decisions which the Cabinet expects to take over the forthcoming months, and identifies those which are **Key Decisions**.

A **Key Decision** is a decision to be taken by the Cabinet which is either likely to result in significant expenditure or savings or to have significant effects on those living or working in an area comprising two or more wards in the Borough.

The members of the Cabinet and their areas of responsibility are:

Cllr I.T.E. Harvey	Leader of the Council	Cllr.harvey@spelthorne.gov.uk
Cllr A.C. Harman	Deputy Leader	Cllr.harman@spelthorne.gov.uk
Cllr. M.M. Attewell	Community Wellbeing	Cllr.attewell@spelthorne.gov.uk
Cllr C. Barnard	Corporate Management	Cllr.barnard@spelthorne.gov.uk
Cllr N. Gething	Planning and Economic Development	Cllr.gething@spelthorne.gov.uk
Cllr A.J. Mitchell	Environment and Compliance	Cllr.mitchell@spelthorne.gov.uk
Cllr J.M. Pinkerton OBE	Housing	Cllr.pinkertonj@spelthorne.gov.uk
Cllr H.R. Williams	Finance and Customer Services	Cllr.williams@spelthorne.gov.uk

Whilst the majority of the Cabinet's business at the meetings listed in this Plan will be open to the public and press, there will inevitably be some business to be considered which contains confidential, commercially sensitive or personal information.

This is formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that part of any of the Cabinet meetings listed below may be held in private where exempt and / or confidential information is due to be considered.

Representations regarding this should be made to committee.services@spelthorne.gov.uk

Please direct any enquiries about this Plan to the Principal Committee Manager, Greg Halliwell, at the Council offices on 01784 446267 or e-mail g.halliwell@spelthorne.gov.uk

Published on 14 November

Spelthorne Borough Council

Cabinet Forward Plan and Key Decisions for 23 November 2016 to 31 March 2017

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer/ Cabinet Member
Cabinet 23 Nov 2016	Provision of a contract framework for disabled facility grant works	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Part public/part private	Tracey Willmott-French, Senior Environmental Health Manager Portfolio Holder for Housing
Cabinet 23 Nov 2016	Lease of office premises at Knowle Green to Surrey County Council	Non-Key Decision	Public	Heather Morgan, Group Head - Regeneration and Growth Portfolio Holder for Planning and Economic Development
Cabinet 23 Nov 2016	Surrey Police Lease surrender	Non-Key Decision	Public	Heather Morgan, Group Head - Regeneration and Growth Portfolio Holder for Planning and Economic Development
Cabinet 21 Dec 2016	Surrey Flood Risk Strategy	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Public	Sandy Muirhead, Group Head - Commissioning and Transformation Portfolio Holder for Environment and Compliance
Cabinet 21 Dec 2016 Council 23 Feb 2017	Capital Programme 2017-2018	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance and Customer Services
Cabinet 21 Dec 2016	Treasury Management half-yearly report	Non-Key Decision This is not a Key Decision	Public	Ryan Maslen, Deputy Principal Accountant Portfolio Holder for Finance and Customer Services

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer/ Cabinet Member
Cabinet 21 Dec 2016 Council 22 Dec 2016	Calendar of meetings 2017-2018 To approve a calendar of meetings for the Municipal Year 2017-2018.	Non-Key Decision	Public	Gillian Hobbs, Committee Manager Leader of the Council
Cabinet 21 Dec 2016 Council 22 Dec 2016	Supplementary Capital Estimate for property acquisitions	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Part public/part private	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance and Customer Services
Cabinet 21 Dec 2016	The Bugle site	Non-Key Decision	Part public/part private	Heather Morgan, Group Head - Regeneration and Growth Leader of the Council
Cabinet 21 Dec 2016	Acquisition of sites in the Borough	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Private	Heather Morgan, Group Head - Regeneration and Growth Councillor Ian Harvey
Cabinet 25 Jan 2017 Council 23 Feb 2017	Revenue Budget 2017 - 2018	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance and Customer Services
Cabinet 25 Jan 2017 Council 23 Feb 2017	Treasury Management Strategy Statement	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance and Customer Services

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer/ Cabinet Member
Cabinet 25 Jan 2017	Fees and Charges 2017-2018	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance and Customer Services
Cabinet 25 Jan 2017	Health and Wellbeing Strategy Update	Non-Key Decision This is not a Key Decision	Public	Mary West Councillor Maureen Attewell
Cabinet 25 Jan 2017 Council 23 Feb 2017	Appointment of Independent Remuneration Panel	Non-Key Decision	Public	Gillian Hobbs, Committee Manager Leader of the Council
Cabinet 22 Feb 2017	Economic Development Strategy	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Public	Keith McGroary, Community Safety and Economic Development Manager Councillor Nick Gething
Cabinet 22 Feb 2017 Council 23 Feb 2017	Annual Grants awards 2017-2018	Non-Key Decision	Public	Joanne Jones, Community Development Manager Deputy Leader
Cabinet 22 Mar 2017	Revenue Monitoring	Non-Key Decision	Public	Adrian Flynn, Principal Accountant Portfolio Holder for Finance and Customer Services
Cabinet 22 Mar 2017	Capital Monitoring	Non-Key Decision	Public	Adrian Flynn, Principal Accountant Portfolio Holder for Finance and Customer Services

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer/ Cabinet Member
Cabinet 22 Mar 2017	Discretionary Rate Relief	Non-Key Decision This is not a Key Decision	Public	Linda Norman, Group Head - Finance and Customer Relations Portfolio Holder for Finance and Customer Services
Cabinet 22 Mar 2017	Contaminated Land Strategy To agree the Strategy subject to consultation with statutory bodies.	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Public	Tracey Willmott-French, Senior Environmental Health Manager Portfolio Holder for Environment and Compliance
Cabinet 22 Mar 2017	Update on Proposals for devolution - Three Southern Counties Governance arrangements	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Public	Sandy Muirhead, Group Head - Commissioning and Transformation Leader of the Council

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Overview and Scrutiny Committee Work Programme 2016-2017

Date of Meeting	ISSUE	Lead Officer	Objectives
29 November 2016	1. Minutes	Chairman	To agree the minutes of the previous meeting.
	2. Taxi Licensing	Dawn Morrison/ Cllr Mitchell	To review the Council's Taxi Licensing Policy.
	3. Capital Monitoring Report	Terry Collier / Adrian Flynn / Cllr Williams	To receive and note the current Capital spend position.
	4. Revenue Monitoring Report	Terry Collier / Adrian Flynn/ Cllr Williams	To receive and note the current Revenue spend position.
	5. Work Programme and Cabinet Forward Plan	Chairman / Terry Collier	To note the proposed work programme and consider issues of interest for the future work programme from the Forward Plan.

Overview and Scrutiny Committee Work Programme 2016-2017

Date of Meeting	ISSUE	Lead Officer	Objectives
17 January 2017	1. Minutes	Chairman	To agree the minutes of the previous meeting.
	2. Budget Issues – 2017–2018/2018-2019	Terry Collier/Cllr Williams	To consider the issues for the Budget 2017-2018.
	3. Capital Monitoring Report and projected outturn	Terry Collier / Adrian Flynn / Cllr Williams	To receive and note the current Capital spend position.
	4. Revenue Monitoring Report and projected outturn	Terry Collier / Adrian Flynn/ Cllr Williams	To receive and note the current Revenue spend position.
	5. Treasury Management half-yearly report	Terry Collier / Adrian Flynn/ Cllr Williams	To note the Treasury Management situation.
	6. O&S Task Groups - update	Cllrs Capes and Francis	To receive updates on the work of the Parks and Communications Task Groups.
	7. Project Management update	Sandy Muirhead/Cllr Barnard	To receive an update on the status of current Council projects.
	8. Work Programme and Cabinet Forward Plan	Chairman / Terry Collier	To note the proposed work programme and consider issues of interest for the future work programme from the Forward Plan.

Overview and Scrutiny Committee Work Programme 2016-2017

Date of Meeting	ISSUE	Lead Officer	Objectives
28 March 2017	1. Minutes	Chairman	To agree the minutes of the previous meeting.
	2. Parking in Ashford and Stanwell	Jackie Taylor/ Cllr Mitchell	To review arrangements for parking in Ashford and Stanwell
	3. Work Programme and Cabinet Forward Plan	Chairman / Terry Collier	To note the proposed work programme and consider issues of interest for the future work programme from the Forward Plan.

Task Groups

Review of Council's Communications Strategy

Members: Cllr Capes (lead), Doran, Islam

Review of parks and open spaces' bylaws and management of open spaces

Members: Cllr Francis (lead), Mooney, Islam, Spoor

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