

EXECUTIVE

28 March 2013

*Councillor Stephen Mansbridge (Chairman)
*Councillor James Palmer (Vice-Chairman)

*Councillor Richard Billington
*Councillor Sarah Creedy
*Councillor Matt Furniss
*Councillor Monika Juneja

*Councillor Nigel Manning
*Councillor Mrs Jennifer E Powell
*Councillor Nick Sutcliffe

* Present

Councillors David Elms, Angela Gunning and Caroline Reeves were also in attendance.

EX79 - LOCAL CODE OF CONDUCT – DISCLOSABLE PECUNIARY INTERESTS

There were no disclosures of interest.

EX80 - MINUTES

The Executive approved the minutes of the meeting held on 28 February 2013 as a correct record.

EX81 - HACKNEY CARRIAGE FARES REVIEW

Prior to consideration of this matter, the following persons addressed the meeting in accordance with Public Speaking Procedure Rules:

- Michael Simmonds
- Mark Rostron
- David Williams-Wynn
- Paul Soper
- Colin Fennessy

The Executive considered a report on the review of hackney carriage (taxi) fares, which included a proposed new procedure for setting maximum fares within the borough. The report invited the Executive to agree a table of fares for 2013-14 derived using this new procedure and to delegate the decision on subsequent changes to taxi fares to the Head of Health and Community Care Services and to the Lead Councillor to consider any objections arising from the statutory publication of changes to the table of fares.

Officers had based the proposed procedure for calculating fares on the principle of the London Cost Index used by Transport for London for calculating London taxi fares, but using values that were relevant to Guildford. This followed best practice guidance issued by the Department for Transport (DfT) in respect of taxi and private hire licensing. DfT had recommended that councils adopt a simple formula for deciding on (taxi) fare revisions, as this would increase understanding and improve the transparency of the process.

The Executive noted and took into account the key points raised by the public speakers, which were as follows:

- 1) The methodology should include an additional 15 per cent to the average annual salary to compensate drivers for being self-employed
- 2) Reinstatement of the £1 fee for taxis booked by telephone

- 3) Removal from the methodology of the average cost incurred by taxi drivers to receive bookings by radio
- 4) The methodology should include an automatic 15 per cent increase (ATI) to the taxi-fare after six miles.

The Executive noted that arrangements for calculating taxi fares had been the subject of considerable discussion, consultation and negotiation with the trade over the last 18 months. The report provided a detailed account of the background to the various discussions and considerations regarding the proposed methodology, both at the Licensing Committee and Executive, over that period. This included a decision by the Executive in March 2012 to commission an independent audit of the methodology.

The Licensing Committee considered the auditor's recommendations and an amended methodology on 7 November 2012. The Guildford Hackney Association (GHA) raised further concerns at that meeting about some of the assumptions about costs of running a vehicle and factors such as the mileage travelled by a taxi without a fare-paying passenger (dead mileage). The Committee felt unable to recommend the methodology to the Executive in these circumstances and asked for additional consultation to address these points.

Following the additional consultation and further discussions with GHA on the proposed methodology, officers were unable to reach a full consensus with the GHA on the table of fares.

On 9 January 2013, the Licensing Committee received a further amended methodology, calculator and table of fares that sought to address the trade's concerns. The GHA verbally accepted the outcome of the methodology which arrived at a cost of £3.24 per mile to run a taxi in Guildford. However, they opposed the table of fares, because they felt these were too high and would deter customers.

Although the Committee was satisfied with the overall methodology and agreed to recommend it to the Executive, it recognised that there might be scope for further minor improvements and adjustments in response to continuing trade concerns. Officers therefore worked with the Lead Councillor for Community Safety and Health to make appropriate minor amendments prior to consideration by the Executive and met again with members of the GHA again to discuss a number of options and a counter proposal.

Whilst officers reached consensus on some of the minor aspects of the proposed fare chart, details of which were set out in the report, they had been unable to reach agreement in respect of the GHA's demands that certain additional costs, referred to in 1) to 4) above, should be included in the methodology. The report included the officers' response to those points.

After considering the GHA proposals, and reaching agreement on some of the issues, officers had re-calculated the table of fares in accordance with the proposed taxi fare procedure, and attached a copy to the report.

The Executive was satisfied that the proposed table of fares properly provided a reasonable increase on the existing fares on all tariffs and reflected the cost of running a taxi in Guildford.

Fares would be reviewed annually but where there were exceptional rises in the cost elements of running a taxi, the table of fares would be reviewed during the course of the year.

Officers would keep the procedure for setting fares under review and where, in exceptional circumstances, amendments were required, for example to take account of significant new costs or legal requirements, these would be referred to the Executive for approval.

Having considered the report, the Executive

RESOLVED:

- (1) To approve the taxi fares procedure, including the methodology for calculating fares as set out in Appendix 1 to the report submitted to the Executive.
- (2) To approve the specific table of fares for 2013-14 as set out in Appendix 2 to the report.
- (3) To delegate authority to the Head of Health and Community Care Services to determine any future changes to the table of fares in accordance with the procedure and at least on an annual basis, and to authorise statutory publication of the table.
- (4) To delegate authority to the Lead Councillor for Community Safety and Health to consider objections following the statutory publication of this and any future tables of fares and to approve the final table.

Reasons for decision:

- To provide a transparent and evidence-based process for calculating taxi fares.
- To ensure the business costs associated with operating taxis are current and relevant to Guildford.
- To ensure taxi fares and charges reflect these costs and are reasonable.
- To set a table of maximum fares for 2013-14 as required by the Local Government (Miscellaneous Provisions) Act 1976.
- To create an efficient decision making process for changing the table of fares.

EX82 - COUNCIL GRANTS TO OUTSIDE ORGANISATIONS 2013-14

Prior to consideration of this matter, Laura Sercombe (Chief Executive Officer - Disability Challengers), addressed the meeting in accordance with Public Speaking Procedure Rules.

The Executive considered a report setting out details of applications for grant assistance for the 2013-14 financial year from various outside organisations. The report contained the annual list of applications from:

- a) arts, play and sports organisations and individuals of outstanding ability,
- b) community and youth related organisations
- c) cultural and recreational organisations
- d) Surrey community buildings related organisations
- e) voluntary organisations
- f) miscellaneous organisations.

Additionally, the report included details of the agreed level for each grant allocation from the Council's budget for 2013-14 together with recommendations for the suggested grant sum for each applicant.

The Executive noted that both Ash and Guildford CAB had asked for a three-year funding agreement to give them greater certainty and allow them to plan more effectively and allow both CABs to offer more attractive recruitment opportunities and improve their ability to retain staff. The total grant would remain the same and each CAB would sign a funding

agreement setting out how they would use the grant. This arrangement would help provide greater certainty to the CAB and its service users.

In a similar approach to the CAB, the Yvonne Arnaud Theatre (YAT) had asked the Council to provide a two-year period of certainty for its grant funding. In return for this certainty, the YAT had reduced the level of grant sought by 2.5 per cent, or £7,950. This approach would result in a grant of £310,220 for both 2013-14 and 2014-15.

The Executive also gave consideration to a request for grant assistance from Disability Challengers that fell outside of the Council's normal grant processes. Challengers had successfully secured a grant of £500,000 from Surrey County Council (SCC) to provide a new, fit for purpose play centre and head office. They intended to replace their existing facilities in Stoke Park, which the Council leased to them, and had submitted a planning application for this work. In total this project required funding of over £1 million and Challengers had launched a major fund-raising initiative to match the SCC contribution.

Councillors noted that the services provided by Challengers clearly related closely to SCC's statutory responsibilities but also made a significant local contribution to families in the borough. Officers had reviewed Challengers' plans and, although this was not a service for which the Council had a primary responsibility, suggested that the Council should offer an exceptional capital grant of £50,000 towards the project.

As there was no provision for such a grant in the 2013-14 approved capital programme, officers had recommended approval of a £50,000 supplementary capital estimate. This would increase the Council's underlying need to borrow and result in a small increase to the minimum revenue provision charge to the revenue account. The report included a bid pro forma setting out the business case for supporting the Challengers project.

The Executive also acknowledged the need to undertake a fundamental review of the grants system in order to ensure that our grant aid continued to support the strategic priorities of the Council and meet the current and future needs of the community.

The Executive therefore

RESOLVED:

- (1) To approve the financial support recommended for each of the applications listed within this report at the levels set out in the appendices to the report submitted to the Executive.
- (2) To approve the amalgamation of funding for Citizens Advice into a single payment fixed for three years and subject to a separate funding agreement for each Citizens Advice Bureau.
- (3) To maintain the level of grant made to the Yvonne Arnaud Theatre at £310,220 for 2013-14 and 2014-15.
- (4) To approve a supplementary capital estimate of £50,000 for a grant to Disability Challengers towards their new play centre and to include this grant in the 2013-14 approved capital programme.
- (5) To agree to undertake a fundamental review of the grants process.

Reasons for decision:

- To assist the projects and services of external organisations within the agreed level for 2013-14 financial year benefiting communities within the borough.
- To ensure that grants given in future years support the community and the Council's key strategic priorities.

EX83 - ON-STREET PARKING AGENCY AGREEMENT AND PARK AND RIDE FUNDING

The Executive considered a report on the outcome of discussions with Surrey County Council (SCC) on the future management of on-street parking and funding for park and ride. The report sought agreement to enter, with effect from 1 April 2013, into a new five-year agency agreement with SCC for the provision of on-street parking management in Guildford and Waverley and the signing of a memorandum of agreement to confirm the future funding of park and ride services.

Councillors were reminded that the Council entered into an agency agreement in 2004 with SCC to manage on-street parking in Guildford on SCC's behalf, under which any surplus income was ring-fenced to the Guildford Local Committee (GLC) and used to support park and ride.

SCC carried out a review in 2011 of the on-street parking function which it had delegated to all borough and district councils and decided to terminate all existing agreements and offer new agency agreements for the management of on-street parking. This was because the service across the county was running at a substantial and increasing deficit. The new arrangements required the splitting of any surplus with 65 per cent going to SCC centrally and 35 per cent to the enforcing borough or district. This was the basis of the current agreement, which would expire on 31 March 2013.

When SCC changed the way of allocating the on-street parking surplus in 2011, it removed the funding arrangements for park and ride. This change only affected Guildford, as no other borough or district has park and ride services. SCC agreed to set up a Task Group to look at future funding, but in the interim suggested that if Guildford agreed to put its 35 per cent of the surplus towards park and ride, then SCC would make up the rest. The Executive agreed this approach on 5 January 2012.

The Executive noted that, under the new five-year agency arrangements, the enforcing authorities would retain 20 per cent of any surplus, with the local committees receiving 60 per cent and SCC centrally receiving 20 per cent. The enforcing authority would take the risk of any loss. For Guildford, the link with the park and ride service and the division of the surplus required further negotiation.

The Executive was very pleased to note that the agreement offered to us by SCC proposed the retention of the whole surplus made in Guildford for use in Guildford, and that after park and ride had been funded the remaining amount, if any, would be split by agreement between the GLC and ourselves. Although not specifically in the agency agreement, the report had recommended that the Head of Operational Services, in consultation with the Lead Councillor for Town Centre Planning and Transport, negotiates and agrees the relevant split with the GLC.

For the work in Waverley borough, we would receive 20 per cent of any surplus made and we would make up any deficit from the general fund.

In relation to park and ride, SCC's Task Group had proposed deducting the cost of park and ride from the on-street money taken in Guildford before splitting the remaining surplus. It

also suggested that the rental costs of the Artington site, which Guildford currently met from the general fund, should be included. This would provide an annual saving of £75,000. However, it also meant that if the costs of park and ride exceeded the level of the on-street surplus, then we would be liable for the difference.

Officers were currently finalising the wording of the new on-street agency agreement and the memorandum of agreement for park and ride with SCC to ensure they were both in place for 1 April 2013. The report had invited the Executive to authorise the Head of Operational Services, in consultation with the Head of Legal and Democratic Services and the Lead Councillor for Town Centre Planning and Transport, to finalise the details of the agreements based on the principles set out in Heads of Terms appended to the report.

The Executive noted that under Overview and Scrutiny Procedure Rule 17 (h), the interim Head of Legal and Democratic Services had designated this matter to be urgent and had invited the Executive and the Chairman of the Customer and Community Scrutiny Committee to determine that the call-in procedure should not apply in relation to the decision on this matter. The reason for the urgency was that any call-in of a decision by the Executive to enter into the proposed agreements with Surrey County Council would mean that the Council could not comply with the requirement to commence the new arrangements with effect from 1 April 2013.

Having noted that the chairman of the scrutiny committee had agreed prior to the meeting to waive call-in on this basis, the Executive

RESOLVED:

- (1) To enter into a new five-year agency agreement with Surrey County Council for the provision of on-street parking services in the boroughs of Guildford and Waverley from 1 April 2013.
- (2) To enter into a memorandum of agreement with Surrey County Council for the provision of park and ride services in the borough of Guildford for a five year period from 1 April 2013
- (3) To authorise the Head of Operational Services, in consultation with the Head of Legal and Democratic Services and the Lead Councillor for Town Centre Planning and Transport, to agree the final details of the on-street parking agreement and the memorandum of agreement for park and ride based on the principles set out in the Heads of Terms in paragraphs 1 to 8 of Appendix 2 to the report submitted to the Executive.
- (4) To authorise the Head of Operational Services, in consultation with the Lead Councillor for Town Centre Planning and Transport, to negotiate and agree with the Guildford Local Committee the allocation of any remaining surplus monies on the Guildford on-street parking account (after the funding of the park and ride service has been deducted) as between the Guildford Local Committee and Guildford Borough Council.
- (5) To agree that, in view of the urgency described in paragraph 6.7 of this report and referred to below, the call-in procedure under Overview and Scrutiny Procedure Rule 17 (h) should not apply in relation to this matter.

Reasons for decision:

- To ensure the continued cost-effective and efficient operation of on-street parking.

- To confirm funding for park and ride services to support a sustainable local environment.

EX84 - HOUSING REVENUE ACCOUNT 2013-2043 BUSINESS PLAN

At its meeting on 24 January 2013, the Executive approved a business plan for the Housing Revenue Account (HRA), which incorporated the latest estimate of the cost of rent rebates to be borne by the HRA and retained capital receipts. The weekly limit rent, set annually by the Department for Communities and Local Government (DCLG), was the most significant factor that determined the cost of rent rebates charged to the HRA.

The DCLG issued a corrected determination of this Council's weekly limit rent on 6 February 2013, which the Council took into account at its budget meeting on 14 February 2013, together with the budgetary implications. The Council agreed to make a budgetary provision of £148,200 for the 2013-14 financial year to meet the estimated cost of this liability, which was £111,100 less than we had originally estimated. In order to maintain a balanced budget, officers had also amended the transfer to the reserve for new build.

Since drafting the business plan, DCLG had clarified how the new pooling arrangements for capital receipts generated by right to buy sales will operate. Under the new rules, the amount payable to the government had changed. Once the Council has sold the number of units assumed by the government in their debt settlement model, we would retain a much larger percentage of the capital receipt. The threshold was lower than we had assumed. This, coupled with a small projected increase in the number of dwellings sold because of the increased discount available to purchasers, meant that the projected level of retained capital receipts would be higher.

The Executive considered a report containing an updated business plan to incorporate the change in the budgetary provision needed to meet the anticipated liability for the 2013-14 financial year and the latest estimated level of retained capital receipts.

The changes were not significant or material over the life of the business plan, but an indication of the sort of adjustment that might be necessary during the financial year. At present, there was no mechanism to update the business plan during the year except by taking a report to the Executive. So that the business plan can reflect the most up to date information, the report had asked the Executive to authorise the Head of Neighbourhood and Housing Management, in consultation with Head of Financial Services and the Lead Councillor for Housing and Social Welfare to make changes during the year.

Having considered the report, the Executive

RESOLVED:

- (1) To agree the revised Housing Revenue Account 2013-2043 Business Plan as set out in Appendix 1 to the report submitted to the Executive.
- (2) To delegate authority to the Head of Neighbourhood and Housing Management, in consultation with the Head of Financial Services and the Lead Councillor for Housing and Social Welfare, to update the HRA Business Plan as required in response to minor changes issued by the government.

Reasons for decision:

- To enable the approved Housing revenue Account (HRA) 2013-2043 Business Plan to reflect the impact of the 2013-14 weekly limit rent announced by the Department for

Communities and Local Government (DCLG) and the latest estimates of retained capital receipts

- To enable the plan to be kept up to date as the year progresses and new information is available.

EX85 - APPROVAL OF CAPITAL SUM: BEREAVEMENT SERVICES INFRASTRUCTURE IMPROVEMENTS

The Executive considered a report which explained the current position on two capital schemes relating to the bereavement service that were on the provisional list of the approved capital programme. The first scheme, approved in February 2012, related to improvements to the Crematorium estimated at £80,000 and the second, approved in February 2013, covered further improvements to the Crematorium and provision of land for burial estimated at £1,113,250.

For efficiency and value for money reasons, both bids required reconsideration and the report had recommended the merger of the two schemes and moving £62,700 to the approved list of capital schemes in order to provide:

- an access ramp to the entrance to the Crematorium (£9,600)
- audio visual improvements (£30,100)
- survey, design and investigative work to guide the fundamental service review of bereavement services due to take place in 2013 (£23,000)

The outstanding merged budget (£1,130,550) would remain as a provisional scheme until the outcomes of the fundamental service review were established.

Having considered the report, the Executive

RESOLVED:

- (1) To approve the amalgamation of the two provisional capital budgets in Appendices 1 and 2 of the report submitted to the Executive.
- (2) To move the sum of £62,700 from the provisional capital programme to the approved programme for 2013-14.

Reasons for decision:

- We need to amalgamate the provisional capital sums due to the forthcoming fundamental service review of bereavement services and the need to re-phase the provisional capital budgets. This will ensure the full consideration and efficient administration of the available funding.
- We need to move capital funding to the approved list to deliver immediate infrastructure improvements at Guildford Crematorium.