

I hereby summon you to attend the Annual meeting of the Sevenoaks District Council to be held in the Council Chamber, Council Offices, Argyle Road, Sevenoaks commencing at 7.00 pm on 29 November 2011 to transact the under-mentioned business.



Chief Executive

AGENDA

Apologies for absence

1. To approve as a correct record the minutes of the meeting of the Council held on 18 October 2011 (Pages 1 - 8)
2. To receive any additional declarations of interest from Members in respect of items of business included on the agenda for this meeting. (Pages 9 - 10)
3. Chairman's Announcements
4. To receive any petitions submitted by members of the public.

A petition containing 1317 signatures has been submitted by Cllr Mrs Purves in the following terms:

"We, the undersigned, in the interests of the future of Sevenoaks Town centre, call upon Sevenoaks District Council to abandon all plans to increase parking charges there in 2012"

The petition contains the requisite number of signatures (the minimum threshold being 1,000 signatures) to automatically trigger a debate at the Council meeting. The Council is therefore requested to determine how it wishes to deal with the petition.

5. Matters considered by the Cabinet and/or other committees: (Pages 11 - 200)
 - (a) Joint Working Project between Sevenoaks District Council and Dartford Borough Council in Environmental Health – Proposed Forward Operating Model – Supplementary Budget Request (Cabinet – 13 October 2011) (Pages 11 - 200)
 - (b) Hackney Carriage and Private Hire Licensing Policy

(Licensing Committee – 26 October 2011)

(c) Polling Districts and Polling Places Review 2011 (Electoral Arrangements Committee – 27 October 2011)

(d) Community Governance Review (Electoral Arrangements Committee – 27 October 2011)

(e) Annual Review of Parking Charges and Christmas Parking 2011 (Cabinet 3 November 2011)

6. To consider the following reports from the Chief Executive or other Directors on matters requiring the attention of Council:

None

7. To consider any questions by Members under paragraph 19.3 of Part 2 (The Council and District Council Members) of the Constitution, notice of which have been duly given.

8. To receive any questions from members of the public under paragraph 17 of Part 2 (The Council and District Council Members) of the Constitution.

9. To receive the report of the Leader of the Council on the work of the Cabinet since the last Council meeting. (Pages 201 - 202)

10. To receive a report from the Chairmen of the Select Committees on the work of the Committees since the last Council meeting. (Pages 203 - 206)

11. To receive a report from the Chairman of the Performance and Governance Committee on the work of the Committee since the last Council meeting. (Pages 207 - 208)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Director or Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

The Democratic Services Team (01732 227241)

COUNCIL

Minutes of the meeting of the Sevenoaks District Council
held on 18 October 2011 commencing at 7.00 pm

Present: Cllr. R Orridge (Chairman)

Cllr. L Abraham, Cllr. Mrs B Ayres, Cllr. L Ayres, Cllr. L Ball,
Cllr. K S Bayley, Cllr. I Bosley, Cllr. Mrs E Bracken, Cllr. R Brookbank,
Cllr. C Brown, Cllr M Butler, Cllr. Ms I Chetram, Cllr. C Clark,
Cllr. Mrs C Clark, Cllr. P Cooke, Cllr Mrs J Davison, Cllr. R J Davison,
Cllr. C Dibsdall, Cllr. M Dickins, Cllr. J Edwards-Winser, Cllr. A Eyre,
Cllr. Mrs A Firth, Cllr. M Fittock, Cllr. P Fleming, Cllr J Gaywood,
Cllr. J Grint, Cllr. R Hogarth, Cllr. M Horwood, Cllr. Mrs A Hunter,
Cllr. J London, Cllr Ms M Lowe, Cllr. K Maskell, Cllr. P McGarvey,
Cllr. Mrs F Parkin, Cllr. A Pett, Cllr. R Piper, Cllr. Mrs E Purves,
Cllr. S Raikes, Cllr. B Ramsey, Cllr. G Ryan, Cllr. Mrs J Sargeant,
Cllr. J Scholey, Cllr. T Searles, Cllr. J Thornton, Cllr. J Underwood and
Cllr. R Walshe

Apologies for absence were received from Cllr. Mrs P Bosley,
Cllr Mrs A Cook, Cllr. Mrs A Dawson, Cllr. Mrs A George,
Cllr. Miss L Stack, Cllr. P Towell and Cllr. G Williamson

PRAYERS

Reverend Mitchell led the Council in prayers.

25. MINUTES OF THE LAST MEETING

Resolved: That the Minutes of the meeting of the Council held on 26 July 2011 be approved and signed by the Chairman as a correct record.

26. DECLARATIONS OF INTEREST

The declarations of interest made by Members at meetings held between 6 July and 22 September 2011 were received. No additional declarations were made.

27. CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked Members for the concern shown for him during his recent illness and in particular for the many offers of transport he had received at that time.

The Chairman regretted to inform Members of the death of Louise Wilson, a former Member of the Council and a Kent County Council Member, who had

passed away the previous week at the age of 92. She had been a member of the Council from its inception in 1973 representing Crockenhill and Well Hill ward until 1987.

Members were also reminded that they should contact the Chairman's Personal Assistant, Margaret Hagger by Friday 21 October if they wished to attend the forthcoming Christmas event.

The Chairman extended an invitation to Members to attend the Civic Service which would take place at 3.00 pm on Sunday 23 October at Edenbridge Parish Church.

28. TO RECEIVE ANY PETITIONS SUBMITTED BY MEMBERS OF THE PUBLIC.

The Chairman announced that no petitions had been submitted by members of the public.

29. MATTERS CONSIDERED BY THE CABINET AND/OR OTHER COMMITTEES

A. West Kent Homelessness Strategy 2011-2016

Cllr. Fleming moved and Cllr. Mrs Davison seconded the recommendation of the Cabinet held on 15 September 2011 that the West Kent Homelessness Strategy 2011-16 be adopted as District Council Policy.

The report explained that the draft Strategy had been developed in consultation with a wide range of service users and partners across various sectors and updated the Joint Homelessness Strategy 2007, although the new draft Strategy was significantly different from the 2007 document. Key themes that had emerged from consultation included a desire for more commonality in how the three West Kent local authorities (Sevenoaks District Council, Tonbridge and Malling Borough Council, and Tunbridge Wells Borough Council) worked. This included a need for more shared services, more innovation and sharing of knowledge, information and good practice, and opportunities to streamline services, processes and information. The draft Strategy provided the national, regional and local policy context, methods of consultation and key findings along with the five key strategic objectives and conclusions. The Strategy had already been adopted as policy by Tonbridge & Malling and Tunbridge Wells Borough Councils.

Cllr. Fittock welcomed the Strategy as a good and necessary approach to address the housing needs of the homeless. He voiced concerns about the possible impact of the decision to limit housing benefit payments for people aged under 35 to the shared room rate which was likely to force more people into homes in multiple occupation, which were sometimes quite primitive accommodation, and also questioned what other initiatives were proposed to deal with this. He also expressed concern that 32% of applicants for housing during the last year had not been deemed to be "in housing need" and felt that areas of underperformance highlighted in the Strategy should be addressed. He also felt that the levels of both social housing stock and right-to-buy

properties were falling and that it was likely that the percentage of long term tenancies was likely to increase further squeezing the availability of housing. Finally he welcomed the Council's strategies to deal with traveller needs which would also protect the Council's position if challenged.

The Leader of the Council explained that changes to welfare provision and the inclusion of housing benefit within the universal credit meant that 25-35 year olds would only be entitled to the shared room rental rate in future and that he had raised this at the Cabinet meeting to make it clear that the demand for accommodation in homes in multiple occupation was likely to increase and that this would need to be addressed in the Council's plans. He explained that he was very proud of the Council's achievements in recent years such as the commitment to reduce the use of bed and breakfast accommodation and the new policy around developer contributions which he felt would not deter development projects given that new housing would continue to be built as long as it was profitable to do so. He also felt that the Council had good policies in place to deal with traveller housing issues and to protect the Green Belt.

Resolved: That the West Kent Homelessness Strategy 2011-2016 be adopted as District Council policy.

B. Proposed Changes to Staff Terms and Conditions

Cllr. Fleming moved and Cllr. Mrs Davison seconded that the recommendations of the Cabinet held on 15 September 2011 and confirmed on 13 October 2011 be approved.

The report set out the proposals to achieve the savings included in the 10-Year Budget arising from changes to staff terms and conditions. The changes would be introduced on a phased basis to mitigate the impact on productivity and to ensure that residents continued to receive high quality, value for money services whilst delivering the level of savings required over the life of the 10-Year Budget. The proposals had been subject to extensive consultation with staff who had broadly understood the need for savings to be made and were supportive of the proposal as the "least worst option". The report outlined the consultation timetable and briefings which had begun in April 2011 with a view to the changes being introduced in April 2012. It was noted that in addition to briefings the staff most directly affected by the proposals had received one-to-one meetings.

The proposed changes to staff terms and conditions were outlined in Appendix A to the report and attention was drawn to the comments received from staff in response to the consultation process which ended on 6 September, which were summarised in Appendix B to the report along with the management response to those comments.

The Leader of the Council explained that the recommendations had been shaped by the Council's staff and had been subject to wide consultation. When options for savings had been considered during the preparation of the 10-Year Budget it had been proposed that the outer fringe payment for staff

would be withdrawn however this had been reconsidered as this was felt to have a disproportionate impact on lower paid staff. The proposed changes to pay and conditions would deliver the same level of savings over the ten year period but phased more evenly across that time and also contained an element of protection for staff on the affected grades.

Resolved: That

- (1) the changes to staff terms and conditions set out in the report and in Appendix A to the report be implemented from 1 April 2012; and
- (2) the 10-year budget be amended as shown in Appendix B to the report to take account of the phased introduction of these changes.

C. Review of IT Allowances/Provision of Computers for Members

Cllr. Fleming moved and Cllr. Mrs Davison seconded that the recommendations of the Modern Local Government Group held on 6 October 2011 be approved.

Members considered a report which reviewed whether an IT allowance should be added to the current Members' Allowance Scheme as recommended by the Joint Independent Remuneration Panel (JIRP). The report explained that laptops had been provided to SDC Members in 2004 under a central government funded scheme whereby funding of £60,000 was secured which equipped all 54 Councillors with a basic laptop computer. However by the time of the May 2011 elections many of the original laptops had become obsolete or required disproportionate support from the IT Department and the central government funding was no longer available. The accessibility of information by Members had also changed in the intervening years and the Council had developed a simple approach to Members' access to Council information and communications via a new Members' Electronic Portal, an extranet which made it possible to have web-based access to the e-mail system and all the necessary information systems and databases. As a consequence Members could access all of the information that they required to perform their duties securely from any internet access point including a home computer.

The Leader of the Council explained that it was no longer possible for the Council to provide a new laptop computer for every member of the Council nor to continue to provide the level of support that would have been required to support those laptops. The proposals recognised that there was no separate IT allowance currently as the allowance for Broadband had already been withdrawn from the Scheme. However the JIRP had considered that it was appropriate for Councillors to be able to claim a separate allowance as a contribution towards the cost of purchasing or maintaining a computer and to even out imbalances in the current provision for Members. The JIRP had also recognised that the current Basic Allowance in the Council's Scheme of Allowances had been set at a lower level than that recommended by the Panel for adoption and suggested that the new IT allowance should be

withdrawn should the Council decide to increase the Basic Allowance to the recommended level. The Council was being asked to make the necessary changes to the Scheme of Members' Allowances in the Constitution.

Resolved: That the Council, in giving consideration to the Report and recommendations of the Joint Independent Remuneration Panel (JIRP) as included in Appendix A to the report, and the comments of the Modern Local Government Group on 6 October 2011

(1) adopts the allowance as set out in paragraph 7 of the report, as recommended by the JIRP, with minor changes of wording to recommendations 7(a) and 7(c) suggested by the Modern Local Government Group, and be met from within budget for 2011/12 and as a growth item for future years;

(2) updates Appendix G Clause 3.7 of the Constitution in its entirety as set out within Appendix B to the report incorporating the allowance as set out in (1) above; and

(3) formally records thanks to the members of the JIRP, Barry Cushway, Sue Holes, Simon Knott, Jean Selmes and Colin Wilby for their work in preparing the review of IT allowances and provision of computers for Members.

30. REPORTS FROM THE CHIEF EXECUTIVE OR OTHER DIRECTORS ON MATTERS REQUIRING THE ATTENTION OF COUNCIL

A. Appointments to the Local Democracy and Accountability Network for Councillors

Councillor Fleming moved and Councillor Mrs Davison seconded the recommendations in the report for appointments to the new Member and Officer Local Democracy and Accountability Networks set up by South East Employers.

Resolved: That

(1) Councillors Miss Stack and Raikes be appointed to serve on the Local Democracy and Accountability Network for Councillors for the remainder of the Municipal Year; and

(2) Appointments to the Local Democracy and Accountability Network for Officers be made at the discretion of the Chief Executive.

31. TO CONSIDER ANY QUESTIONS BY MEMBERS UNDER PARAGRAPH 19.3 OF THE CONSTITUTION

No questions were submitted by Members in accordance with Paragraph 19.3 of Part 2 of the Constitution.

32. TO RECEIVE ANY QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER PARAGRAPH 17 OF PART 2 OF THE CONSTITUTION.

No questions had been received from members of the public.

33. TO RECEIVE THE REPORT OF THE LEADER OF THE COUNCIL ON THE WORK OF THE CABINET SINCE THE LAST COUNCIL MEETING.

The Leader of the Council reported on the work that he and the Cabinet had undertaken in the period 8 July to 5 October 2011.

The Leader thanked Members for supporting the new grant scheme to distribute money available through the Big Community Fund and noted that the first tranche of successful applications were being progressed and that the second tranche would be considered shortly. He also updated Members on the work of the Kent Ambition Board 2 which had just held its third meeting and would be focussing on health and education initiatives for young people. The Leader also highlighted a meeting of the West Kent and East Sussex mini Local Enterprise Partnership which had been attended by Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council together with councils from East Sussex to identify areas where the Councils could work together before raising initiatives with the full Local Enterprise Partnership. Opportunities currently being considered included rural Broadband, transport issues, mainly associated with the A21, and rail transport including the Hastings line. In response to a question from a Member regarding the Council's involvement with the National Endowment for Science Technology and Arts and the Local Government Group Creative Council's the Leader explained that he had an involvement "wearing another hat" but was hoping to be able to access some of the £35m funding available through NESTA.

34. TO RECEIVE A REPORT FROM THE CHAIRMEN OF THE SELECT COMMITTEES ON THE WORK OF THE COMMITTEES SINCE THE LAST COUNCIL MEETING.

The Council received the reports from the Chairmen of the Select Committees as follows:

- Environment Select Committee – 6 September 2011
- Social Affairs Select Committee – 8 September 2011
- Services Select Committee – 20 September 2011

35. TO RECEIVE A REPORT FROM THE CHAIRMAN OF THE PERFORMANCE AND GOVERNANCE COMMITTEE ON THE WORK OF THE COMMITTEE SINCE THE LAST COUNCIL MEETING.

The Council received the report from the Vice-Chairman of the Performance and Governance Committee on the work undertaken by the Committee at its meeting on 27 September 2011.

THE MEETING WAS CONCLUDED AT 7.28 pm

Chairman

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MEMBERS' DECLARATIONS OF INTEREST AT MEETINGS FROM
23 SEPTEMBER TO 7 NOVEMBER 2011

Cllr. Mrs Cook declared a personal interest in Minute No. 26, Asset Management Plan – Annual Report, as a governor of Leigh Primary School. (*Performance and Governance Committee – 27 September 2011*)

Cllr. Mrs Firth declared a personal interest in Minute No. 20(a), Property Review Disposal of Public Toilets (Ide Hill, Kemsing, Leigh, Swanley) and 26, Asset Management Plan – Annual Report, as a local Member for Ide Hill. (*Performance and Governance Committee – 27 September 2011*)

Cllr. Piper declared a personal interest in Minute No. 20(a), Property Review Disposal of Public Toilets (Ide Hill, Kemsing, Leigh, Swanley) and 26, Asset Management Plan – Annual Report, as a local Member for Brasted, Chevening and Sundridge and as a Member of Sevenoaks Town Council. (*Performance and Governance Committee – 27 September 2011*)

Cllrs. Mrs Cook, Mrs Davison, Mrs Hunter and Piper declared a personal interest in agenda item 5, Review of IT Allowances/Provision of Computers for Members, as they currently held computers which had been provided to them by the council. (*Modern Local Government Group – 6 October 2011*)

Cllr. Underwood declared a personal and prejudicial interest in item 5.03 SE/11/01910/FUL - Kalana, London Road, Swanley, as the applicant. He left the room while the item was considered. (*Development Control Committee – 20 October 2011*)

All other Members of the Committee declared a personal interest in item 5.03 SE/11/01910/FUL - Kalana, London Road, Swanley in knowing the applicant, Cllr. Underwood. (*Development Control Committee – 20 October 2011*)

Cllr. Cooke declared a personal interest in minute item 27, Conservation Area Appraisal for Chiddingstone Hoath, because as the local Member he had been involved in forming the document. (*Environment Select Committee – 25 October 2011*)

Cllr. London declared a personal interest in minute item 25, Annual Review of Parking Charges for 2012/13 and Christmas Parking 2011, as a permit holder and commuter. (*Environment Select Committee – 25 October 2011*)

Cllr. Williamson declared a personal interest in minute item 25, Annual Review of Parking Charges for 2012/13 and Christmas Parking 2011, as a shop owner in Sevenoaks town centre. He abstained from voting on the matter of Christmas parking. (*Environment Select Committee – 25 October 2011*)

All Councillors present declared a personal interest in Minute Item 11, Draft Taxi Licesning Policy, by virtue of knowing Cllr. John Underwood, who was a taxi driver in the District. (*Licensing Committee – 26 October 2011*)

Cllr. Ayres declared a personal interest in Minute Item 11, Draft Taxi Licensing Policy, by virtue of knowing Mr. Shanker Gaire, who was a taxi driver in the District. (*Licensing Committee – 26 October 2011*)

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Cllr. Pett declared a personal interest in Minute Item 11, Draft Taxi Licensing Policy, by virtue of knowing Colin Annetts, who was a taxi driver in the District. (*Licensing Committee – 26 October 2011*)

Item 5(a) – Joint Working Project between Sevenoaks District Council and Dartford Borough Council – Proposed Forward Operating Model – Supplementary Budget Request

The Cabinet's Recommendation to Council

At its meeting on 13 October 2011 the Cabinet considered the matter as follows:

“The Chairman welcomed members of the Social Affairs Select Committee to the meeting and explained that he had changed the order of the agenda to take this item at the start of the meeting. He explained that timetabling difficulties had meant that it had not been possible to take this matter to a meeting of the Select Committee which is why Members had been invited to attend the Cabinet during discussion of this matter.

The Portfolio Holder for Safe Communities presented a report which advised the Cabinet of the outcome of the feasibility study and business case for the joint working project between Sevenoaks District Council (SDC) and Dartford Borough Council (DBC) in Environmental Health, and set out the proposed operating model for the joint service. It was proposed that the Environmental Health Service for both Councils would be provided from the Dartford office, with a satellite office based at Sevenoaks, with existing face to face services for customers being retained. Members were reminded that the two Councils had shared an Environmental Health Manager since August 2008 and that the Cabinet had commissioned consultants to examine the feasibility of developing joint working arrangements and the preparation of a business case in September 2010. The initial work had been carried out by Price Mariners consultants and completed by Darren Walklate, the consultant who had worked on the Joint Revenues and Benefit Service, and had followed a similar methodology to complete the business case and develop an implementation plan. The criteria used to evaluate defined options for joint working were detailed in the report including the requirements to fulfil statutory obligations, deliver £300,000 pa savings across the two authorities from 2012/13, improve capacity and resilience, deliver agreed service standards, allow for further savings/generation of income whilst remaining accessible for customers. It was estimated that joint savings over a five year period would total £1.68 million and allowing for estimated implementation costs of £486,000 this would deliver a pay back period of 1.6 years. The proposed service standards and organisational structure were outlined and feedback from the consultation exercise carried out with staff during August and September was reported. It was anticipated that the proposals should be implemented in full from April 2012 and would be supported by a formal governance document and partnership agreement. The report explained that Dartford Borough Council would be considering the proposal at its Cabinet Meeting on 27th October 2011.

In commending the report and recommendations to Cabinet the Portfolio Holder for Safe Communities reminded Members that the Council was working successfully in a number of partnerships with other authorities, and

notably with Dartford Borough Council on the Revenues and Benefits Service and that a similar partnership arrangement for the Environmental Health Service was viewed as the best way to deliver an effective service whilst delivering the level of savings required and preserving as many jobs as possible for Environmental Health staff. If the Council had had to find the savings in-house this would have resulted in a major restructuring and the loss of many more posts.

The Cabinet was addressed by an officer from the Environmental Health Team, Charles Hook, who reiterated the concerns of the staff affected and the strong reservations which he believed his colleagues had about the proposals and the location of the service at Dartford with only a satellite office at Sevenoaks. He suggested that other options had not been investigated to the same degree and that basing the service at Dartford would make it difficult to conduct site visits in the south of the District. There were also concerns about the role of the Scientific Officer in the new structure and how this could impact on service delivery.

The Head of Environmental and Operational Services provided clarification on how the satellite office would work. This would involve a hot desk set up for up to 8 officers at any one time and there would be a management presence on-site for two days per week. This would enable officers to base themselves at Sevenoaks when requiring to carry out visits in the south of the District or to journey from home if more practicable. In terms of the Scientific Officer post he explained that it had been decided to retain this post from within the existing Dartford structure and that the capability of Sevenoaks officers to carry out this work would ensure greater resilience for this aspect of the service. He also stressed that the proposals would deliver all of the criteria for the service which were set out in the report. Whilst it was true that up to seven posts could be affected it was stressed that a number of vacancies had been held back in both services and that currently only a maximum of two posts across the two authorities might be subject to redundancy. In response to a question from a Member the Council's arrangements for redeployment, including training and mentoring arrangements, were explained.

The Chairman of the Social Affairs Select Committee agreed that savings had to be made and that if savings were not made in this service they would have to be found elsewhere. She understood staff concerns about change but cited the success of the Joint Revenues and Benefits Service which had initially been of similar concern to the staff involved. She felt that there would be careful monitoring both of service standards and staffing and that any concerns would be brought before Members if appropriate. She felt that this was the best solution for staff and the Council's customers and reflected working arrangements being introduced throughout the private and public sectors.

Members recognised that the proposals were unsettling for staff but considered that they offered the best way of moving forward with the opportunity to develop a new joined-up Environmental Health Service. It was felt that the provision of a satellite office and other measures made it possible for the service to be based at Dartford and that the proposals would deliver

and effective service for the Council's customers whilst achieving the savings required and protecting as many staff as possible in the circumstances.

Resolved: That

- (1) the proposed operating model for the joint provision of Environmental Health Services with Dartford Borough Council as detailed in the report and Appendix A to the report, be approved;
- (2) the Leader of the Council and the Safe Communities Portfolio Holder be delegated the authority to agree the Heads of Terms for a partnership agreement;
- (3) a provision of £243,000 investment costs be recommended to Council to support the implementation of the project as a supplementary budget request (this figure represents a 50% share of costs) and**
- (4) the Leader of the Council and the Safe Communities Portfolio Holder, together with the Deputy Chief Executive and Director of Community and Planning Services be delegated to approve any consequential actions required in order to implement the proposed business model".

Note: Text in bold type represents a recommendation to the Council.

JOINT WORKING PROJECT BETWEEN SEVENOAKS DISTRICT COUNCIL AND DARTFORD BOROUGH COUNCIL IN ENVIRONMENTAL HEALTH – PROPOSED FORWARD OPERATING MODEL

Cabinet - 13 October 2011

Report of the: Deputy Chief Executive & Director of Community and Planning

Also to be considered by: Council – 29 November 2011

Status: For Decision

Key Decision: Yes

Executive Summary:

This report provides Cabinet Members with the outcome of the feasibility study and business case for the joint working project between Sevenoaks District Council (SDC) and Dartford Borough Council (DBC) in Environmental Health, and sets out the proposed operating model for the joint service. In summary, the Environmental Health Service for both Councils would be provided from the Dartford office, with a satellite office only, based at Sevenoaks, with existing face to face services for customers being retained.

It is estimated that joint savings over a five year period would total £1.68 million. Allowing for estimated implementation costs of £486,000 a pay back period of 1.6 years can be achieved.

Dartford Borough Council are considering this proposal at their Cabinet Meeting on 27th October 2011.

This report supports the Key Aim of effective management of Council resources.

Portfolio Holder Cllr. Mrs. Bracken

Head of Service Head of Environmental and Operational Services, Richard Wilson

Recommendation to Cabinet:

- (a) It is resolved that the proposed operating model for the joint provision of Environmental Health Services with Dartford Borough Council as detailed in the report and appendix A, be approved and that;

- (b) The Leader of the Council and the Safe Communities Portfolio Holder be delegated the authority to agree the heads of Terms for a partnership agreement, and
- (c) A provision of £243,000 investment costs be recommended to Council to support the implementation of the project as a supplementary budget request (this figure represents a 50% share of costs) and
- (d) The Leader of the Council and the Safe Communities Portfolio Holder, together with the Deputy Chief Executive and Director of Community and Planning Services be delegated to approve any consequential actions required in order to implement the proposed business model.

Background and Information

- 1 Members will be aware that the Council's financial plan assumes that a saving of £150,000 per annum would be made from 2011/12 in respect of implementing a shared working proposal for Environmental Health with DBC. If not implemented, the Environmental Health team to be restructured to achieve this level of saving.
- 2 The Council already has a number of successful partnerships in place with DBC and through these have further developed good working relationships, improved efficiencies and reduced the cost of services. Building on these successes and in recognition that both Councils have shared an Environmental Health Manager since August 2008, it was felt that the next natural step would be for a joint Environmental Health Service Project.
- 3 It was agreed at the Cabinet meeting on 2nd September 2010 to employ consultants to support the development of joint working arrangements between the two councils, and to limit this Council's expenditure on this procurement to £15,000. The cost of consulting would be shared equally between the two councils.
- 4 The Consultants, Price Marriner Associates Ltd, were approached to undertake work in three stages:-
 - i. Feasibility study
 - ii. Prepare a business model for the shared service
 - iii. Implementation Plan
- 5 The Feasibility Study was completed in November 2010, and a business model prepared in February 2011. The Shared Service Project Board accepted the Feasibility Study and the amended business case, but agreed this would conclude Price Marriners involvement in the project, as even though the feasibility report and business case produced provided a useful platform, it did not provide a complete or coherent base, and the conclusion was that

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further work was needed. Expenditure on this stage of the project was £18,525 (£9,262 to SDC).

- 6 The Board at this stage agreed to seek a quotation for Darren Walklate (who was the consultant used for the shared working project in the Revenues, Benefit, Audit and Anti-Fraud project) to complete the Business Case and to form an implementation plan.
- 7 A quotation was accepted from Darren Walklate in the sum of £9,600 (£4,800 per Authority) to complete this stage of the work.
- 8 The Business Case is attached as Appendix A to this report.
- 9 Due to the timetable, it was not possible for this report to be considered by the Social Affairs Select Committee in advance of the Cabinet Meeting, but the Members of the Select Committee have been invited to this Cabinet meeting.

Project Approach

- 10 It was recognised at an early stage that the long term success of the project is very much dependent on the staff within the Environmental Health Team. It was therefore essential that the approach for this Project was one that allowed for high levels of consultation, involvement and engagement of staff, who would be given the opportunity to input and shape the future service.
- 11 The purpose of the project was to evaluate defined options for joint working against preferred criteria to determine a single, preferred model for shared working.
- 12 The principal components of the approach were to consider:-
 - i. Stakeholder views
 - ii. Baseline Analysis
 - iii. Discussions around process
 - iv. Other Environmental Health projects nationally
 - v. Consultancy input
 - vi. Options
 - vii. Criteria
 - viii. Options analysis
- 13 It was agreed that any shared service model would need to meet the following evaluation criteria:
 - 1) capable of fulfilling statutory obligations;
 - 2) £300,000 savings, capable of full implementation by 2012/13;

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- 3) improved capacity and resilience compared with making the same cuts in the two individual authorities;
 - 4) ability to meet agreed service standards;
 - 5) must have a single professional Environmental Health Manager reporting to Director/ Head of Service;
 - 6) £60,000 savings for 2015/16 from Trading/charging, sharing with an other partner authority; or further savings; and
 - 7) ability for customers to access services to be the same, or better, than current arrangements.
- 14 Further details of the Project approach are provided in Appendix A pages 9 – 15.

Location

- 15 Combining the existing services across a single site or across two sites were identified as the most appropriate. The Business Case concluded that the main office would be located in Dartford, with a satellite office based in Sevenoaks (consisting of hot desks for officers working in the Sevenoaks area, attendance at Community Safety tasking meetings and to provide a regular management presence).
- 16 The rationale for this preferred option is provided on page 8 of the business case.

Baseline Analysis

- 17 Pages 16 – 17 of the Business Case document provides the extent of the workload for the Combined Environmental Protection and Commercial teams to provide an overview of the existing workload levels which will need to be covered by the proposed joint staffing structure detailed on page 25 of the Business Case.

Service Standards

- 18 Levels of performance for both Authorities for 2009/10 and 2010/11 are shown in the tables on pages 19 and 20. Proposed service standards for 2011/12 to 2013/14 are detailed on pages 21 - 33 of the Business case. The majority of performance service standards remain as existing but two indicators, namely:
- i. % of service requests that receive a response within 5 working days; and
 - ii. % of other food inspections due and completed, propose a two year transitional period to bring them back to current Sevenoaks' performance standards. It should be noted however that for % of other food inspections due and completed the current Sevenoaks service standard is 98% and not 90%.

Organisational Structure

- 19 The proposed joint staffing structure is shown on page 25 of the Business Case. This proves for 22 Full Time Equivalent (FTE) posts. This is a reduction of 4.88 FTE posts from current staffing levels across both Authorities. This reduction does not include 2 FTE post at Sevenoaks (1 Environmental Health Officer and 1 Admin post) that have been held vacant for some time in anticipation of the shared working project. Some vacant posts have also been held at DBC for the same reason

Staff Consultation

- 20 Staff across both Authorities have been heavily involved in the design of the forward operating model and a formal staff consultation exercise was undertaken between 15th August 2011 and 23rd September 2011. A summary of the responses is provided in Appendix B to this report, grouped together into commonly themed areas as follows:-

- Why merge and current business case
- Proposed location
- Proposed structure and concerns over assimilation and ring fencing of certain posts
- Concerns about changes to pay and terms and conditions
- Out of hours arrangements
- Mileage payments and travelling time
- Redeployment opportunities
- Management Structure/arrangements

- 21 A full response will be provided to staff on all the issues raised during the consultation period.

Technology Infrastructure and ICT

- 22 The integration of both Authorities ICT systems is described more fully in pages 26 - 31 of the Business Case. It should be noted that for both Authorities, the current IT system is 'Uniform' (supplied by the IDOX Group). So whilst there are recognized operational differences, there is already a common base of systems, knowledge, process and practice.

Customers

- 23 Both Councils have Corporate performance standards and local arrangements will be maintained. Customer Service standards have been set with the broad aim of maintaining current levels of service in the longer term.

Item No. 5(a)

- 24 Customer Service provision will not be substantially altered and the forward operating model envisaged. Regardless of location base, customers will continue to contact their own local Authority as current.

Staff

- 25 The forward operating model assumes staff will remain employed by their existing employer for a period of up to two years. During this time the Council's will be establishing, through consultation, future employment arrangements.
- 26 The project will allow sufficient time for job evaluation and aims to harmonise outcomes. There will only be job evaluation where a post has changed substantially.
- 27 A joint redundancy/redeployment and ring-fencing approach has been agreed.

Timeline/Route Map

- 28 This is detailed on page 40 of the Business Case.

Key Dates

13.10.11 – SDC Cabinet Decision

27/10/11 – DBC Cabinet Decision

15.08.11 – 23.09.11 Formal Staff Consultation Period

31.10.11 – 20.11.11 Appointment of manager positions

23.11.11 – 16.12.11 Remaining staff appointed

January 2012 – All relevant aspects of ICT to be in place

February 2012 – New staffing structure established

Further details of the timeline/route map are on Page 40 of the Business Case

Financial Case

- 29 The business case has been prepared with the following parameters:
- a five year timetable – from 2012/13 (the first year of full extent of savings);
 - costs are at 2011/12 prices – no adjustment made for inflation;
 - full implementation by April 2012;
 - staffing costs are calculated on a mix of SDC and DBC current grades, with 22% on-costs;

Item No. 5(a)

- the projected costs and savings will continue to be scrutinised and refined.
- 30 As detailed on page 43, £300,000 per annum savings have been identified (£150,000 per Authority) with effect from April 2012.
- 31 The total implementation costs are estimated at £486,000 over a 6 year period, including the current financial year (page 44 of the Business Case). This provides a 'pay-back' period of 1.62 years.
- 32 The savings summary is detailed on pages 44/45 of the Business Case. Of the £300,000 identified savings, £290,000 are staff costs savings for implementing the new organisational structure.

Governance

- 33 It is anticipated that the partnership arrangement will have a governance document and partnership agreement that clearly sets out the partnership arrangements to ensure the parties adhere to the values, responsibilities and performance of the joint working project. This will cover:-
- Functions and responsibilities
 - Delegations
 - Financial reporting and budgetary arrangements
 - Exit strategy
 - Performance measurement
 - How risks and benefits will be shared
 - Staff transfers
- 34 This will be in the same format as the existing shared working arrangement between the two Authorities on the Revenues and Benefit Project.
- 35 SDC and DBC will remain as two separate Councils, keeping their own sets of accounts, their own identities and own Councillors. An officer Partnership Board will be created from each Council. The responsibility for Environmental Health Services for SDC will remain with the Head of Environmental and Operational Services.
- 36 Further information on the proposed Governance arrangements are on pages 46-50 of the Business Case.

Key Implications

Financial

- 37 The current SDC financial plan assumes that the Council will achieve annual Joint Working Savings of £150,000 from 2011/12 onwards, with respect to the Environmental Health Service. The successful delivery of this project will achieve these annual savings.
- 38 The proposal is based on savings and implementation costs split equally between SDC and DBC.
- 39 A further annual saving of £60,000 (£30,000 per Authority) has been identified with effect from 2014/15 onwards in respect of generating additional Income and/or expanding the partnership to another Authority and/or additional staffing savings.
- 40 Implementation costs are estimated at £486,000 over a 6 year period, providing a 'pay-back' period of 1.62 years.
- 41 There are differences in the structure and detail of the accounting system for each Council. It is essential that these are aligned, not least in order to allow consideration of budget savings resulting from the shared service.

Community Impact and outcomes

- 42 The provision of front line, statutory based, customer facing services is a key part of the proposed service provision. Achieving significant savings whilst safeguarding service standards is a key aspect to future service provision.

Legal

- 43 There will be a legal agreement for the proposed joint working arrangement. This document, along with detailed governance arrangements still needs to be finalised and therefore it is recommended that final approval be delegated to the Leader of the Council and to the Safe Communities Portfolio Holder.
- 44 Decisions regarding prosecutions and legal action will initially be retained by each Council. It is presumed that legal advice will follow the same approach. In future, however, a common approach to enforcement will be essential to ensure consistency.

Resources (non-financial)

Accommodation

- 45 DBC have confirmed they can accommodate the SDC staff at their current Civic Centre. Any additional costs associated with staff moving offices plus IT integration have been accounted for in the implementation costs estimate.

Equalities

- 46 Equality issues have been fully considered and are covered in the governance arrangements and in the risk assessment.

Conclusion

- 47 Assessment against criteria

The table below summarises the evaluation criteria and describes the current position based on the forward operating model

Agreed Criteria	Outcome
Capable of fulfilling statutory obligations	The service standards set out in this report are designed around meeting statutory obligations
£300k savings capable of full implementation by 2012/13	This report details how the achievement of £300,000 savings per annum would be achieved while limiting the impact of the reduced service delivery.
Improve capacity and resilience compared with making the same cuts in the two individual services	The forward operating model has been designed to ensure sufficient capacity and flexibility. A larger team of officers brings increased resilience, capacity and a wider pool of skills, knowledge and experience. The new combined service will focus on achieving quality services to met customer needs at the lowest possible cost.
Ability to meet agreed service standards	Processes will be redesigned to maintain service quality and concentrate on outcomes. This should result in services being delivered at a lower cost, but achieve the same ends for the customer.
Must have a single professional EH manager reporting to Head of Service/Director	The service is designed to include a single professional Environmental Health Manager. This will make it easier to attract new partners to join the model down track and ensure the service is self contained.
£60k savings form 2015/16 by charging/trading, sharing with a third	The financial case has included further savings of £60,000 per annum, these

party or further savings	savings are considered reasonable by the Project Board and are linked to ambitions to find a third party for who the partnership could carry out work or who could join the partnership.
Ability for customers to access services to be the same or better than current	The Business Case does not affect the current local outposts. Access to services will remain substantially the same. In fact there will be some small improvement in access as customers currently only able to access services at their own Council will (under the new arrangements) be able to access services at both councils.

Risk Assessment Statement

48 Risks to the delivering of the Project have been separately assessed and are detailed on pages 51-54 of the Business Case.

Background Papers: Feasibility Study prepared by Price Marriner Associates – November 2010

Sources of information: Business Case prepared by Price Marriner Associates – February 2011

Business Case prepared by Walklates – September 2011

Various minutes of Environmental Health Shared Services Project Board

Staff Consultation details and responses

Contact Officer(s): Richard Wilson ext 7262

Kristen Paterson

Deputy Chief Executive & Director of Community and Planning

Joint working between Dartford and Sevenoaks Councils in Environmental Health – Draft Business Case



Walklates

Optimising your people process and Systems

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1. Purpose of Project

Members and senior officers in both Dartford and Sevenoaks have a commitment to shared services as a response to the pressing need to reduce costs and continue delivering quality services.

In line with this strategic commitment the Councils have been exploring options around sharing services in Environmental Health since September 2009. This project formally commenced in August 2010 with the aim of assessing the feasibility of, and the opportunities for, joint working in the Environmental Health service.

At the commencement of this project, the stated objective was **to establish savings and identify a route towards sharing Environmental Health services between Sevenoaks and Dartford Councils.**

It was determined that the outcome of such a shared service should include:

- Cashable savings
- Improved resilience
- High customer satisfaction
- High service efficiency and quality

2. Project Approach

2.1 Core Themes

Many shared service projects start with the mapping of processes or the determination of the business logic for the delivery of transactional services. The approach to this feasibility study took a somewhat different approach in that much greater emphasis was placed on creating a strong and sustainable partnership that allowed for the adoption of good practice already in place at both Councils. Therefore, for this project, the core themes were:

1. **Consensus** - finding common ground between the two Councils
2. **Challenge** - ensuring those involved were robust in challenging opinions and the scope of what is achievable.

It was recognised at an early stage that the long term success of the project is very much dependent on the staff within the service. It was therefore essential that the approach to this project was one that allowed for high levels of consultation, involvement and engagement of staff, who would be given sufficient opportunity to input and shape the future service.

2.2 Overall Process

Walklates applied a robust process that had been tried and tested in feasibility studies for similar shared working arrangements at Sevenoaks and Dartford (Revenues and Benefits Project), AGMA (Greater Manchester Authorities), WEP (West of England Partnership) and partnerships in Staffordshire and North Wales. The Project also benefited from early expert Environmental Health knowledge provided by Price Mariner Consultants.

The process identified the local requirements of the two Councils, based upon research and analysis with key stakeholders, and applied them to determine the best way forward in operational areas that are critical to success. The key steps were:

1. To identify the potential opportunities for shared working, taking account of good practice developments, both nationally and regionally, that are relevant in the local scenario
2. To objectively determine key criteria, based on local service requirements, by which delivery options can be evaluated
3. To rigorously review all of the options using agreed criteria and determine the most suitable model for joint working.

Once the preferred model had been defined in broad terms, the most effective operational model, was determined covering the main components of people, process, systems and support services. Walklates worked together with the project team, project board and relevant professionals (Human Resources, Accountancy, Legal, Customer Services and IT) to clearly describe each of the key components in turn and how they combined to produce the operational model. This definition of revised service operation was then translated into projected operating costs and these were compared with current costs to determine potential savings.

The robustness of this process was enabled by the consultant's substantial knowledge and experience of similar shared working projects across the UK. This input provided a continuous and effective source of challenge.

Overall, the process is designed to produce the right result in the context of defined requirements. Most importantly, the approach is highly inclusive allowing for greater buy-in and

ownership. This has extended to stakeholders, especially those who will be at the heart of implementing the shared service model being actively involved in the process of selection and implementation.

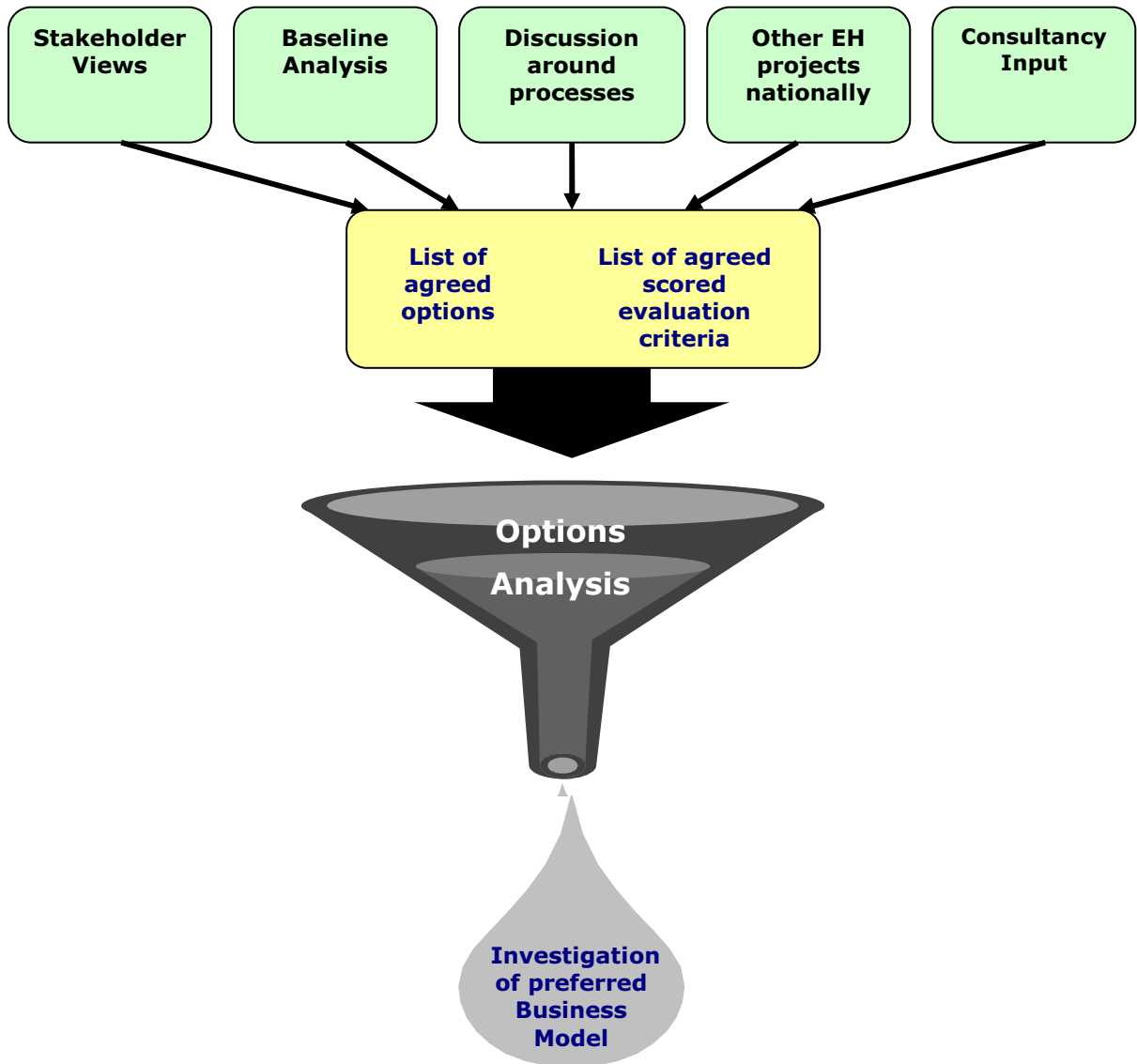
2.3 Methodology

The purpose of the project was to evaluate defined options for joint working against preferred criteria to determine a single, preferred model for shared working.

The principle components of our approach were:

- **Stakeholder views** – to understand the starting positions, preferences, and concerns of all key stakeholders (included Members, managers and staff)
- **Baseline Analysis** – to understand current finances, volumetrics in order to establish the starting point for both Councils
- **Discussions around Process** – to understand current working processes employed and assess the complexity of bringing the two teams together as well as potential for economies of scale or process improvement
- **Other EH projects nationally** – to understand how other Local Authorities have shared Environmental Health Services and to learn from these projects
- **Consultancy Input** – to provide challenge, methodology and experience from similar projects in Local Government
- **Options** – to develop a number of possible ways in which the two Councils could come together in a shared working arrangement
- **Criteria** – to develop a simple list of criteria the two Councils would use for the evaluation of options
- **Options analysis** – to use the options and criteria to decide a preferred operating model that would be the subject of detailed evaluation in Phase 2.

Project Summary Diagram



The above analysis was undertaken by a team of officers from both authorities on 13th July 2011. It was agreed that any shared service model would need to meet the following **Evaluation Criteria:**

1. Capable of fulfilling statutory obligations
2. £300K savings capable of full implementation by 2012/13
3. Improve capacity and resilience compared with making the same cuts in the two individual services
4. Ability to meet agreed service standards
5. Must have a single professional EH manager reporting to Head of Service/ Director
6. £60k savings from 2015/16 by trading, sharing with a third party or further savings
7. Ability for customers to access services to be the same or better than current

The following **Options** were selected for evaluation:

1. Seek to join an existing Shared Service arrangement locally or further afield
2. Fragmentation of the service across other departments
3. Outsource
4. Partial Outsource
- 5. Combine the existing services across a single site**
- 6. Combine the existing service across two sites**
7. Staying the same and making savings from existing services

Having regard to the criteria, and detailed scoring, options 5 and 6 (in bold above) were identified as the most appropriate. It was considered that the likely success of the project would be enhanced by devoting available resources to the thorough design and testing of the model most likely to achieve objectives of both Councils – rather than spreading the Councils limited resources over a number of options.

Further work was undertaken by the Project Team and Project Board working with the consultant, which ultimately led to the selection of a preferred option as follows:

Office located in Dartford with a satellite office in Sevenoaks consisting of hot desks for officers working in the area and a regular management presence. The main elements of the chosen model are:

- All staff would have a desk at main office and undertake work in both council areas
- 8 Hot desks at satellite office (1 manager and 7 staff desks) staff will work from the satellite office as required by managers and in line with the business requirements
- Assumption that staff will be out in the field wherever possible
- Management of outcomes and increasing autonomy
- Management presence at the satellite office at least 1 day per week
- EP attendance at Police briefings at SDC
- Provision for home working on a volunteer basis

Project Team and Project Board rationale for choice of model:

- Resilience of all staff being together but still allowing for:
- Reduced mileage (and therefore staff time)
- Maintained interaction between EP and Commercial
- Maintains contact and relationships with other departments i.e. Planning
- Allows senior management and member interaction with the EH team – ensures still have a presence at the satellite office
- Reaction to incidents, flexibility
- Provides model for attracting other Councils to join
- Increases knowledge base

Consensus and challenge were maintained by the final recommendation to members being made by Project Board, supported by Pav Ramewal (SDC) and Chris Oliver (DBC) to ensure the project benefited from experience gained through the Revenues and Benefits project.

Having selected a preferred model the Project Team worked with the specialists from HR, Finance, IT, Customer Services and Legal to add detail to the selected forward operating model. The principle elements of the work undertaken are addressed within this report including the following key components:

- Organisational structure
- Service Standards
- ICT approach and costs
- Customer Implications
- Staff implications
- Business support implications
- Culture
- Route map / timeline
- Financial case
- Governance
- Risk

Timescales for this work was deliberately tight to ensure momentum was maintained and a draft business case (early version of this document) was produced to enable consultation with staff to take place in August and September 2011.

2.3.1 Implementation

It is proposed that the business case and plans developed as the project progresses will be used as a basis for implementation of the joint working arrangements, subject to Member approval of the project.

This work will comprise:

- Further refinement of detail on the forward operating model
- Designing and agreeing an implementation plan
- Producing a detailed route map/timeline

2.4 Project Key Players and Roles

This section details the officers involved in this project and their roles.

2.4.1 Key Players

(1) Project Board

- Sheri Green (Strategic Director, DBC)
- Kristen Paterson (Community & Planning Services Director & Deputy Chief Executive SDC)
- Richard Wilson (Head of Environmental & Operational Services, SDC)

(2) Project Team

- Annie Sargent Environmental Health Manager (SDC/DBC)
- Julie Short, Shona McQuade (DBC)
- Glenys Shorrack, Alex Dawson (SDC)
- Richard Wilson and Sheri Green as required for particular tasks

(4) Specialist roles

- Costs – Adrian Rowbotham (SDC) Finance Manager, and Steve Brooks (DBC) Head of Finance and Resources
- ICT – Jim Carrington-West (SDC) Head of IT and Facilities Management and Richard James (DBC) IT Manager
- Human Resources (HR) – Carrie McKenzie-Lloyd (SDC) Human Resources Manager and Phillipa Curtis (DBC)
- Legal – Marie Kelly-Stone(DBC) and Christine Nuttall(SDC)
- Accommodation – Tricia Marshall (SDC) Head of Finance and Human Resources and Sheri Green (DBC) Strategic Director
- Customer Services – Brian Hatt (SDC) Customer Services Manager, and Carol Russell (DBC) Customer Services Manager
- Staff and other stakeholders interviewed and involved in group sessions

5) Consultant and Project Manager

- Darren Walklate (Walklates)

2.4.2 Roles

The roles of Project team, Manager and the Project Board are outlined below.

Project Board
1. Agree the project plans and documentation
2. Enable communication to all staff and stakeholders
3. Provide guidance relating to wider aspects and activities from both Councils
4. Monitor progress against the plans and agree any revisions necessary as the project progresses
5. Assist in problem solving, e.g. to help the Project Manager / Consultant resolve scoping issues that are unclear
6. Identify and manage risks and issues
7. Agree any re-prioritisation of work or reallocation of resources necessary to ensure milestones are achieved and risks are managed effectively
8. Resolve issues brought to it

Project Team
1. Review and assimilate existing project information
2. Update, revise and collate project data
3. Regular meetings with project manager to work on elements of the project
4. Communication and feedback to teams
5. Provide relevant professional input and service standards
6. Risk management input

Consultant and Project Manager
1. Facilitate delivery of the Project on behalf of the Project Board.
2. Liaise with Joint EH Manager and Project Team to ensure all non-Walklates deliverables and all Partnership dependencies are achieved within the agreed project time-scales
3. Ensure that deliverables meet requirements
4. Review and agree project documentation
5. Monitor progress against plans
6. Issue and Risk Management
7. Produce Project Deliverables
8. Facilitate Workshops and Events
9. Attend project review meetings to facilitate acceptable resolution of issues

3. Baseline Analysis

3.1 Introduction

This section utilises previously reported data collated in June 2011.

3.2 Overview of the Environmental Health Services

Environmental Protection

The Environmental Protection Team has a statutory role to protect the local environment, enforce and monitor standards and to prevent and control environmental pollution. The work is both reactive and proactive. The Councils issue permits to regulate certain industrial processes which have the potential to emit pollution into the air. These include, amongst others, vehicle re-spraying operations, dry cleaning establishments, petrol stations and cement batching plants.

The team investigates complaints related to nuisance, public health, pest control and drainage as well as providing animal welfare and stray dog services. Air quality is formally reviewed and assessed every three years, and as a result, both Councils have declared Air Quality Management Area's.

The team advises on Development Control. The Local Authorities are the main regulators of contaminated land. The vast majority of these potentially contaminated land sites are remediated through the development control planning process. EP scrutinises, comments, set conditions and approves remediation and verification reports for such applications.

The EP team is a main consultee on Licensing issues, making comments on applications and requesting licence reviews, whilst also playing an integral role in services offered by other sections of both councils.

Category (combined figures)	2009/10	2010/11
Respond to Nuisance and Public Health service requests	2158	2798
Comments made on Planning Applications	462	434
Ensure compliance of potentially polluting processes	74	75
Out of normal working hours contacts	1000	871
Animal licences issued	58	56
Pest control incidents (DBC)	781	594
Animal welfare & stray dog incidents	1363	1556
Air Quality (excludes review, assessment process, monitoring stations & AQMA's)	27	4
Contaminated Land	36	55
Filthy and Verminous premises (DBC)	29	25
Drainage (includes DBC as proposed to be transferring to EH)	390	346
Commented on Licensing Applications	62	58

Commercial

The team enforces and advises on food safety legislation in food businesses to ensure that they are hygienic and that food purchased and/or produced in the authorities area is safe to eat. The team also enforces health & safety legislation in work places where they are the enforcing authority, with the aim of reducing accidents and ill health resulting from work activities. This includes both proactive and reactive work.

Notifications of cases of infectious diseases, including food poisoning are received and the team has a responsibility to prevent the spread of illness and to investigate possible causes.

The team also has a statutory obligation to sample private water supplies (PWS). Up until 2010 PWS were monitored under a routine sampling programme. It is now a requirement to risk assess and monitor each supply and in addition, private distribution systems need to be risk assessed and monitored.

Category (combined figures)	2009/10	2010/11
Undertake enforcement of registered food premises	1763	1816
Undertake primary inspection/ interventions	1037	971
Act as enforcing authority for workplaces	3391	3077
Undertake Proactive H&S interventions	363	284
And by "Lower risk "questionnaire	140	166
Food safety requests for service	320	329
Food poisoning report investigations and notifiable infectious diseases	333	281
Take food related samples	183	85
Private water samples	73	12
Workplace accidents reported & investigated	364	320
Health and Safety Service requests	173	195

Together the Councils currently employ approximately 26.88 full time equivalent (FTE) Environmental Health staff (including carbon management, healthy lifestyle co-ordinator West Kent NHS funded and PDG funded post that ceases October 2011).

The Environmental Health service is supported by the following technology:

Category	Dartford	Sevenoaks
Environmental Health System	Uniform	Uniform
Document Image Processing (Dip) System	Idox	None

Corporate Health and Safety

The two Councils currently take a different approach to the corporate H&S function. At Sevenoaks it is undertaken by a corporate H&S advisory group chaired by the Head of Environmental and Operational Services. The group consists of representatives from Community and Planning; Corporate Resources; HR; Emergency Planning; Unison and two Health and Safety Advisors. The Corporate H&S Policy Statement defines the roles for the Chief Executive; Departmental Directors; Heads of Service; Service Managers; Other Managers and Supervisors; the Corporate H&S advisory group; the H&S advisors; the Departmental H&S coordinators and all employees. No staff salaries are charged to this function. There is a small budget [£6000] for training and literature etc.

As at Sevenoaks, Dartford’s corporate H&S Policy sets out the roles and responsibilities of Managing Director, Directors, Managers and staff. It is the responsibility of the Strategic Director to provide the Council with a competent Health & Safety Advisor, which part-time role is located within Environmental Health. This role’s responsibilities include advising Management on all Health & Safety issues and implications of new legislation, monitoring & maintaining the internal accident reporting system, reporting accident to RIDDOR, investigating accidents (where necessary) and ensuring the Council’s Health & Safety Policy and manual are kept up to date.

The post-holder assists with DSE assessments, supports Occupational Health as necessary such as in undertaking complex risk assessments, and delivers Health & Safety training to staff that do not have access to the on-line training package.

The post-holder provides H&S advice to the Contract Appointment Board regarding Contract Tender documents. The post-holder is a member of the Council’s Well-Being Group and liaises with external organisations & other Kent Authorities regarding corporate Health & Safety.

Carbon reduction

Local Authorities are required by legislation to be involved in various carbon management/climate change activities. The Energy Bill is currently before Parliament will put further responsibility on Local Authorities in relation to Climate Change.

At Dartford, work on carbon reduction, climate change and home energy conservation is coordinated by the Environmental Promotions Officer and delivered by a cross-departmental officer group and a range of external agencies. The Environmental Promotions Officer sits within the Environmental Health Environmental Protection team. The Carbon Management work is reported directly to the Regeneration Director who is the Councils Carbon Champion Director and home energy conservation activities are commissioned by the Housing Sector Private Renewals Team.

At Sevenoaks, climate change and energy efficiency activities falls primarily within the remit of the Housing Policy Team, with individual sections, including Environmental Health, contributing through a corporate Climate Change group to reduce carbon and achieving wider climate change targets. The Property Services Manager is responsible for reducing carbon in the Council's buildings and, as at Dartford, home energy conservation activities are commissioned by the Private Sector Housing Team. These various activities are led by an externally funded 50% FTE Energy/Efficiency post.

Healthy lifestyles

Both Councils receives an annual funding allocation from West Kent NHS for the delivery of targeted health interventions to improve the overall health and wellbeing of people living and working across the borough. Outreach programmes focus on two NHS priority areas; Weight Management & Communities (including smoking, drug & alcohol abuse and mental wellbeing) and are delivered in conjunction with various external agencies and the voluntary sector.

At Dartford the health promotion function is located within Environmental Health whereas at Sevenoaks it is within Community Development.

Healthy Lifestyles and carbon reduction roles will continue under different arrangements and as such are outside the scope of this document.

3.3 Performance Indicators

The Environmental Health service is assessed nationally through performance indicators, although the previously collected measures are to be replaced by Government.

The table below provides details of performance for 2009/10 and 2010/11.

Performance Indicator	Sevenoaks	Dartford
Food Establishments in the area which are broadly compliant with food hygiene law	85% (09/10)	91.3% (09/10)
	88% (10/11)	86.5% (10/11)
Percentage of higher risk (categories A& B1) health & safety inspections due that were completed	100%	100%
	100%	69.5%
Percentage of Total EH cases responded to within 5 working days	91%	95.4%
	94%	96.1%
Percentage of higher risk food inspections due that were completed (categories A & B)	100%	100%
	100%	96%
Percentage of Category C middle risk food inspections due that were completed	100%	100%
	100%	100%

4. Forward Operating Model

4.1 Introduction

This section explains how the Environmental Health service would be delivered under joint working. The approach to joint working is referred to in this report as the forward operating model.

The proposed organisation design is based on the following criteria.

- Environmental Health management and administration will be delivered from Dartford with a satellite office in Sevenoaks. Dartford was chosen as the preferred location by the Board comparing a number of criteria the most significant of which being the higher concentration of commercial inspection work in Dartford and to the north of the Sevenoaks District.
- Customer face-to-face contact will remain unchanged from current arrangements

4.2 Service Standard Definition

The Project Team has sought to design a service that meets statutory obligations in line with the best practice in Kent and nationally. The following tables set out the performance targets for key service standards, which have been assumed when designing the forward operating model:

Standards for Environmental Protection

Performance Area	Standard	Comments
% of service requests that receive a response within 5 working days	70% (2011/12) 80% (2012/13) 90% (2013/14)	
LAPPC inspections due completed	100% (2011/12) 100% (2012 onwards)	
Animal licensing	100%	
Planning Application responses	85%	Within 28 days of the applications planning refer to EH
Air Quality reporting	100% on time and to required standard	
Response time to Councillors and MPs	In line with corporate standards at both sites	

Standards for Commercial

Performance Area	Standard	Comments
% of Category A & B1 H&S inspections due and completed	100%	In addition the service undertakes proactive interventions of other categories
% of High Risk food (cat A&B) inspections due and completed	100%	
% of other food inspections due and completed	80% (2011/12) 85% (2012/13) 90% (2013/14)	
% of service requests that receive a response within 5 working days	70% (2011/12) 80% (2012/13) 90% (2013/14)	
% of food businesses in the district that are broadly compliant with food hygiene legislation	80% (2011/12) 85% (2012/13) 85% (2013/14)	
Food sampling:	Minimum 75 per year	Sample in accordance with agreed HPA/ Kent Sampling sub-group programme.
% of Private Water (PW) supplies & distribution systems risk assessed and with a monitoring programme in place	50% (2014) 100% (2015)	By end 2012-complete 100% risk assessments of PW supplies & have a monitoring programme in place By end 2013- to identify 100% Private distribution systems (PDS) By end 2014-to complete 50% risk assessments of PDS By end 2015- to complete 100% risk assessments of PDS and have a monitoring programme in place
% of notifiable infectious diseases, (including food borne diseases) investigated.	100%	To be investigated in accordance with the Framework Agreement with the Kent Health Protection Unit

EH objectives and performance targets will be reviewed annually by both councils and, on an on-going basis, as a result of any new legislation and guidance.

Organisation Design

4.2.1 Staffing numbers

Staffing requirements were calculated on the basis of the current number of staff carrying out particular roles at each Council, with an adjustment for economies of scale based on the judgement of the Project Team and Project Board. The organisational structure was designed over the course of the project and once finalised the following validations were made to ensure its fitness for purpose:

- Professional input from both Councils i.e. using managers that may be tasked with delivering the service to validate the structures;
- Taking account of challenge and constructive input from the consultant and the Project Board; and
- Comparison with the two current structure diagrams ensuring each role is covered and that all tasks can be allocated within the structure.

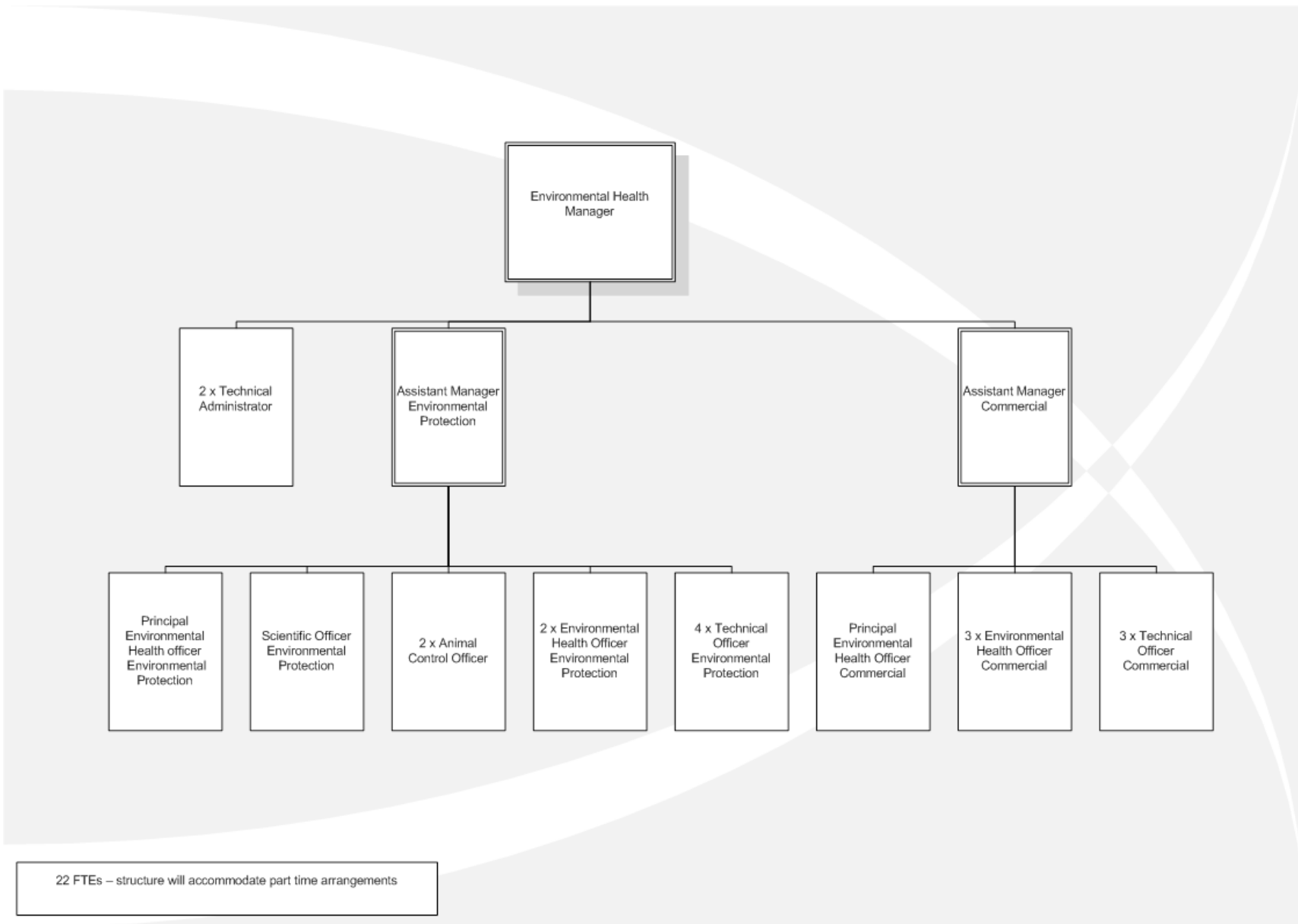
4.2.2 Organisation structure

Having determined the number of staff required, organisation structures were created on the basis of reasonable spans of control - taking into account current procedures and processes and adapting them based on anticipated use of existing technology.

The organisation structure comprises roles that are currently in existence at each of the Councils. These roles have been costed on the basis of the anticipated grade.

The structure takes account of a number of posts already removed plus further reductions in order to achieve savings targets. In total (compared with 2010/11) the structure from 2012/13 will have around seven fewer full time equivalent staff across the two councils.

The following organisational structure has been agreed, and used to cost the forward operating model:



5. Technology Infrastructure and ICT

5.1 Infrastructure/ Network services

In terms of Information and Communications Technology (ICT), this project benefits considerably from a strong starting point. Both Councils have robust ICT arrangements for supporting the Environmental Health service and a demonstrable ability to provide a shared facility.

The key consideration in the context of shared working is the core business applications used to support day-to-day working. Most importantly, the core computer system for the Environmental Health service in both Councils is Uni-form (supplied by The Idox Group). So whilst there are operational differences, there is already a common base of knowledge and practice.

For managing documents within the respective services, DBC uses a system called Idox whilst SDC does not currently utilise a document management system within Environmental Health. However, helpfully, SDC also currently operates Idox for managing documents in other corporate areas. Thus, it would be straightforward, in technical terms, to move to single, shared usage of Idox for this service area.

Furthermore, with regard to infrastructure, networks and office systems, there are no blockers to integration. Likewise, accommodation would not be a problem.

The use of GIS (Geographical Information Systems) technology is a requirement by the respective services to support the shared facility. It is intended that the existing GIS applications currently in use at DBC and SDC are used initially. A review will be undertaken into the use of GIS applications to support the Air Quality and Contaminated Land functions, as it is anticipated that efficiency gains can be made by using alternative applications or software already in use within the respective services.

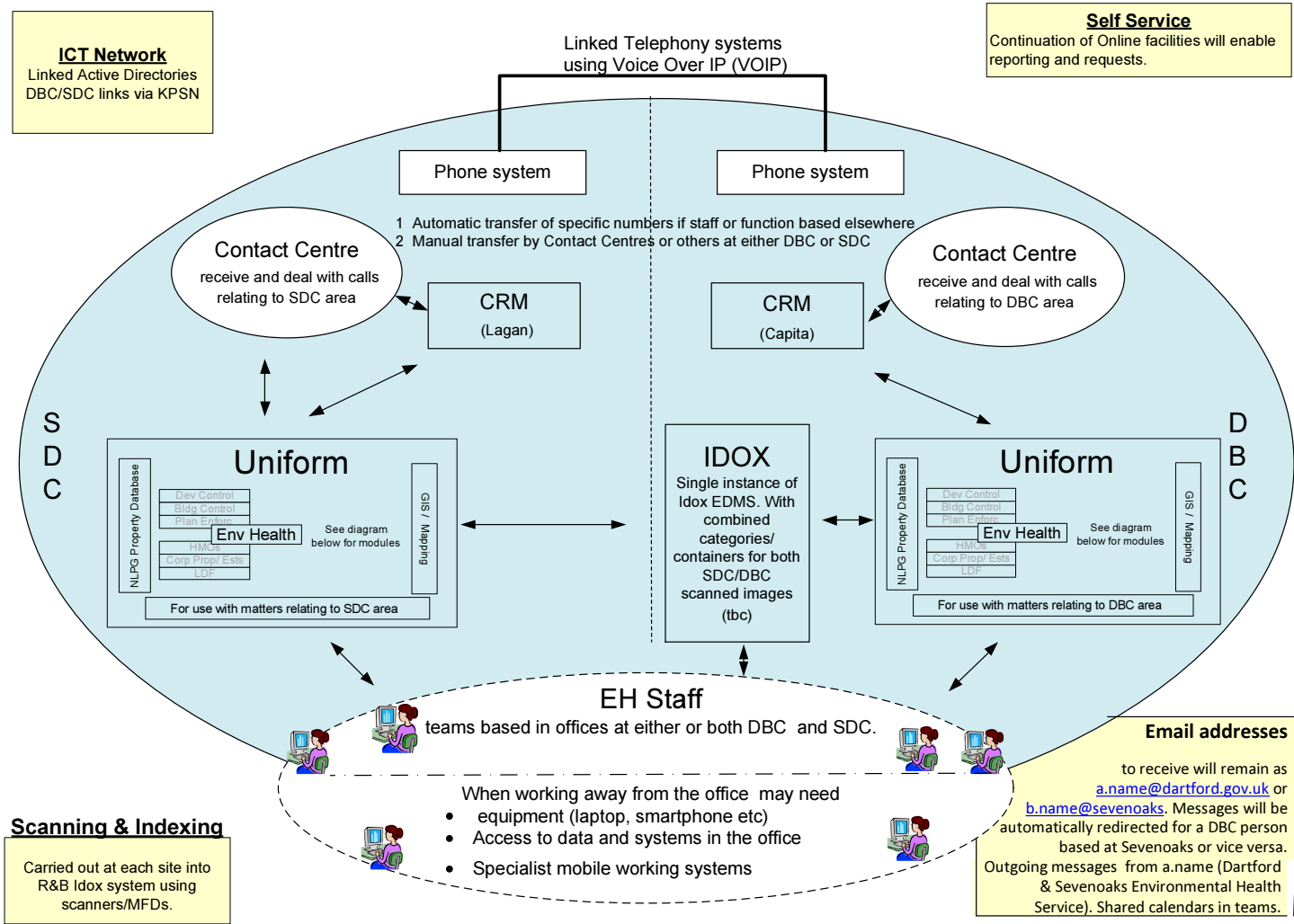
There is the potential for further joint working in this area by combining the GIS information available to the shared facility. Investigations into the potential for this will be undertaken, although the delivery of a shared GIS for EH is outside the scope of this project.

The following diagram depicts the approach to facilitating joint working agreed by the ICT group, guided by the Project Team and Project Board. This approach has been used to inform the business case section of this report. The approach has been validated by the ICT group to ensure it is fit for purpose and by the professionals within the Project Team to ensure it meets their business requirements. Further detailed work will of course be required should the project progress to implementation but the following information is likely to be a very good indication of an actual approach.

Home working forms part of the options included in this proposal. At the time of writing, numbers of potential home workers have not been identified but a cost of £1,000 per home worker can be used as a budgetary guide.

Mobile working is outside the initial scope of this proposal. Discussions with the business area regarding the initial setup of a joint service suggest that attentions would be focussed on deploying the IT infrastructure and systems to support the initial setup with mobile working considered in a later phase. It is evident that there are a number of possible approaches to mobile working including a 'mix and match' solution. . These would need to be investigated further when appropriate and relevant costing and return on investment identified as part of this process.

Diagrammatic Representation of Key ICT elements to support shared working in Environmental Health



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Agenda Item 5

Draft IT Costs of shared Environmental Health

Item	Saving	Cost – Setup	Cost - Ongoing
Shared Network			
Extend use of KPSN to linked DBC & SDC networks.	Nil	Nil -	No additional costs
Linking Active Directories at SDC/DBC		Nil	No additional costs
Changes to SDC/DBC email systems in line with R&B shared service.			No additional costs
Application Delivery via SDC Citrix Solution			No additional costs
Upgrade to Uniform and Oracle at SDC to allow connection from WKIP Citrix Servers		Nil – This would need to be completed as a pre-requisite to providing access to multiple Uni-form systems through the existing infrastructure and is programmed in for Sept /October	
Telephony Systems			
Extend use of link telephony systems using voice over IP.	Nil	Allow 2 days consultancy £1900	No additional costs
Uniform Systems			
Continued provision of separate Uniform system with one for DBC, one for SDC.	Assume zero saving in annual maintenance.	Nil directly Allow 2 days Idox consultancy £1900	See concurrent licences below.
Additional concurrency licences concurrency		10 additional licenses required for DBC at an estimated cost of £12,000 . Indications are there is sufficient capacity within the SDC system for an additional 10 concurrent users <u>corporately</u>	£3000 per 10 additional licenses required.
Upgrade of DBC Uniform server (increase processors)		To permit use of second processor already in place (currently switched off for cost purposes). The Oracle licence £10-17K	1750
Align modules in use - scoping exercise to be undertaken by project working group.	No saving even if modules discontinued	If decision taken to implement new modules likely to involve consultancy + training	
Consultancy to develop best practice		2 days £1900	
Document Management			

6. Customers

6.1 Standards

Both councils have corporate performance standards and local arrangements will be maintained.

6.2 Shared Service Customer Charter

Within the implementation process, the shared Environmental Health Service will need to design and publish a Customer Charter that would bring together the best of customer service practice from both organisations. This charter would provide customers with a baseline of the service that they can reasonably expect to receive. A shared customer charter will also ensure the service levels to both councils are the same and will ensure that the service is actually meeting customer needs.

6.3 Council Formal Complaints Procedures

The procedure adopted for dealing with Formal Complaints for Revenues and Benefits Shared service will be adapted for use by the Environmental Health Shared Service. Customers will be directed to their home council complaints procedure and Environmental Health managers will have knowledge of both procedures and ensure that appropriate action is taken by liaising with relevant client authority complaints officer. It is anticipated that by each of the Councils aligning the two separate corporate procedures at some point in the future, further efficiencies will be made.

6.4 Levels of service

Service standards (at 4.2 above) have been set with broad aim of maintaining current levels of service in the longer term. The focus once the shared service is up and running would be to further improve Value for Money.

Customer service provision will not be substantially altered under the forward operating model envisaged. Regardless of location base of each team, customers would continue to contact their own local authority telephone number or visit their respective council offices to register their service request. Customers will not have to interact differently (e.g. travel to a different location) under the forward operating model. The opportunity will be in place for wider access (i.e. DBC customers at SDC outlets and vice versa) but this will not be compulsory.

Each of the contact centre teams would log service requests to each of the EH team Uniform systems as existing. Case references would be distinguished by a suffix "D" or "S" for each location source.

For telephone calls, it is anticipated that each team would be able to access the two telephone systems across both councils and would be able to transfer calls either to the relevant team or relevant officer.

No modification will be required to the respective payments systems at each authority for stray dog fines. At some point once the services are together, one authority alone could administer these payments to further improve efficiency.

Technology available to the new service should increase the opportunity for self service and extended access

6.5 Communicating changes to customers, internal & external stakeholders

Transition impacts on customers will be minimised. Previous experience has shown that customer surveys that ask about access arrangements are inconclusive. Customers are only interested in having their issue dealt with; they are not interested in corporate identity issues.

Existing Email addresses will be retained by officers with an explanatory paragraph of how the service operates being included at the bottom of each email. The email addresses linked to each council website will also be reviewed and linked if required for administrative purposes.

External government organisations will be formally informed of the two council's shared arrangements. A separate annual performance return for each council will be prepared and sent to the Food Standards Agency and the Health and Safety Executive in line with current practice.

The customer services teams at both Dartford and Sevenoaks councils will be fully briefed on the new arrangements and operating procedures before the new service is implemented. The Service Managers at both Sevenoaks and Dartford will be updated monthly during the transition process. Articles will be published about changes to the services on both council intranets to inform council staff on both sites.

6.6 Transition Impacts

It is also important to plan how the existing level of service will be maintained during the change over from the current position to the forward operating model. It will be important to involve customer services managers and staff in the planning process to ensure best outcomes are achieved.

To maximise the opportunity to improve service for customers; it is essential that every opportunity is taken to align processes between the two organisations at the earliest available opportunity. The joint working project aims to achieve one level of customer service irrespective of where customers are from (see above). Procedures will be more difficult to align but it is envisaged that the new managers, once in post, would make these operational decisions. Environmental Health staff on both sites will be required to carry out their duties according to the same nationally determined standards. This requirement will remain constant.

7. Staff

7.1 Legal Status

The forward operating model assumes staff will remain employed by their existing employers for a period of up to two years. It is also during this time that the Councils will be establishing, through consultation, future employment arrangements.

The project will allow sufficient time for job evaluation (requires job descriptions, person specifications and job grades). It is envisaged that the project would use both separate schemes (DBC and SDC use different ones) and harmonise outcomes. There will only be job evaluation where a job has changed substantially.

7.2 Redundancy/ Redeployment

A joint redundancy / redeployment and ring-fencing approach has been agreed.

7.3 Staff Consultation

Consultation is an important element of the change management and will continue as the project progresses, increasing over time as decisions are made. Consultation has taken place with staff and managers on a range of factors potentially affecting them (which include job changes, staffing reductions, relocation and widening or narrowing of duties) and staff views have been considered and fed back into the project on an ongoing basis.

Staff have been briefed throughout the project and this will continue. Staff have been consulted on specific service location and organisational structure proposals. The consultation period ended on 23rd September with Members being updated on progress at the relevant committee meetings.

7.4 Home working and Job Design

Home working and job redesign has been considered in the design of the forward operating model. It is felt that the new structure includes the opportunity to develop staff and assist with succession planning. Home working will be offered as a possibility where it is deemed worthwhile for the individual and the business need.

7.5 Travel costs

Travelling expenses for staff that have to move job location have been assumed and an allowance for this as a transition cost over two years has been built into the business case. The rationale used to calculate this allowance is based on a price per mile of 40p. This equates to approximately £10 per day (£6.50 net of tax) per member of staff and it is assumed that on average the equivalent of five staff might fall into this category.

7.6 Other Policies

Other policies (such as leave) might have an impact on service delivery and thus will need to be considered as part of implementation. In most cases, both Councils have policies in place, which do not differ significantly, so this issue is unlikely to be important in the short term.

Meetings and corporate duties such as elections will still need to be covered for both Councils. The Project Board is confident that the forward operating model is sufficiently flexible to accommodate this.

8. Business Support

8.1 Customer Services HR ICT

See separate individual sections within this document

8.2 Legal

Decisions regarding prosecutions and legal action will be retained by each council. It has been presumed that legal advice, whether required for legal action or not, will follow the same approach and there will be no change to the costs relating to this issue. A common enforcement policy will be essential to ensure consistent approach to enforcement irrespective of which council does the work.

8.3 Financial

There is a difference in the structure and detail of accounting systems for each Council. It is considered essential that these are aligned, not least in order to allow consideration of budget savings resulting from the shared service.

8.4 Property

As the forward operating model does not propose any additional accommodation requirements, there are no significant issues with arrangements to accommodate staff within existing premises.

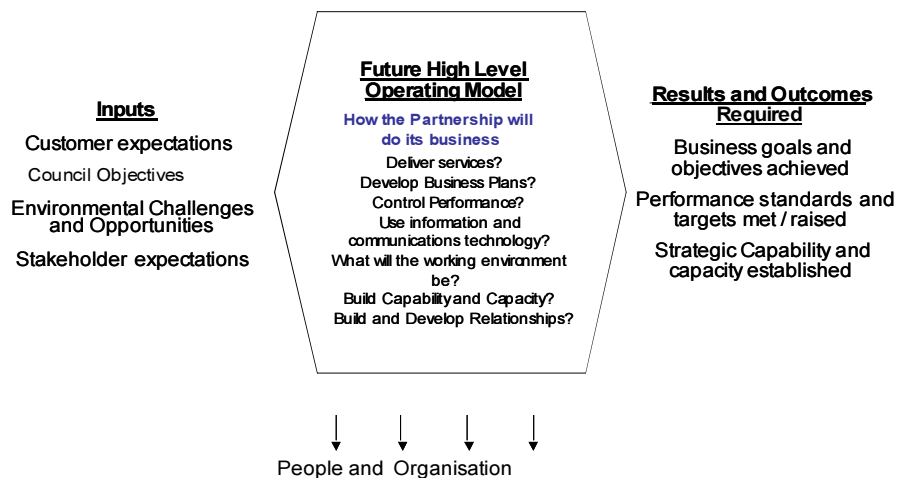
No savings have been attributed to this area as there is no way of knowing (at this stage) if the space that may be freed up could be reused. There are no costs anticipated for unused accommodation.

9. Culture

9.1 Introduction

To realise the stated objective, the forward operating model will need to determine the way the joint service will do its business. This will be achieved through a combination of technology, improved processes, changing stakeholder expectations and the way people work.

Overall the forward operating model will enable managers and staff to develop new ways of working to achieve best practice for the combined service.



9.2 Values and Beliefs

It is important that the implementation team understands how to grow and sustain the right values and behaviours that will enable success, such as:

- Customer-focused values and behaviours will be key to managing external and internal customer relationships
- Team working and collaboration is essential to enable effective partnering and develop/deliver an integrated service
- Personal accountability is vital with a focus on delivering results and tackling real priorities first

Once the new managers are in post, the team should determine/ confirm a set of values and build this into the service planning approach. This work cannot be done in advance as the new team should be identifying its own values.. To align to one or other positions (or to a different one) will require a participative exercise over a period of time, which involves staff and underpins the change management process.

9.3 Leadership styles

The forward operating model will be demanding to deliver and needs a management team that is capable of working together and providing strong leadership. It is therefore important to agree common management competencies when job descriptions are drawn up. These job descriptions will seek to meet the requirements of both Councils.

There are training and development opportunities already in operation at both Councils, which could be combined and utilised to enhance skills within the newly formed team. The forward operating model will be built upon adopting the principles of empowerment.

9.4 Managing performance and recognising good / or poor performance

The joint service will develop - once managers are appointed - to understand how it will:

- Plan and set objectives
- Monitor and manage performance against objectives
- Improve performance especially in terms of value for money (VFM) and efficiency

It is envisaged that there will be a single annual service plan (relating to both corporate plans) that will be taken through Member review arrangements along with any growth or savings proposals for the service. Service plans will be developed in conjunction with staff and be used to inform one to one interviews and appraisals.

Use of performance related payments (relating to exceptional performance) currently only apply to staff at SDC. This, and similar issues, will be addressed as part of the implementation.

Human Resources representatives confirm that the capability process is already standardised.

9.5 Competencies and Skills

The newly formed team will have to develop an approach to ensuring and sustaining continuous development of staff. The following are already in place or could easily be utilised within the new team:

- Management Development training at DBC and SDC
- CIEH and other professional training opportunities (often low cost)
- In house training facilities and Ivysoft interactive learning
- Weekly updates by email / intranet to confirm changes and share information
- Regular team meetings and one-to-ones to allow face to face interaction
- Skills analysis across the new team

9.6 Branding

The joint service will need to establish its brand and position within the marketplace. Customers need confirmation that current service provision in the longer term will be maintained or enhanced and not diminished. Forms, leaflets etc must be made common under the new branding. It is also important that the branding does not restrict future expansion possibilities as other Councils, which may not be from the West Kent area, may wish to take advantage of joining the partnership.

9.7 Roles, accountabilities and responsibilities

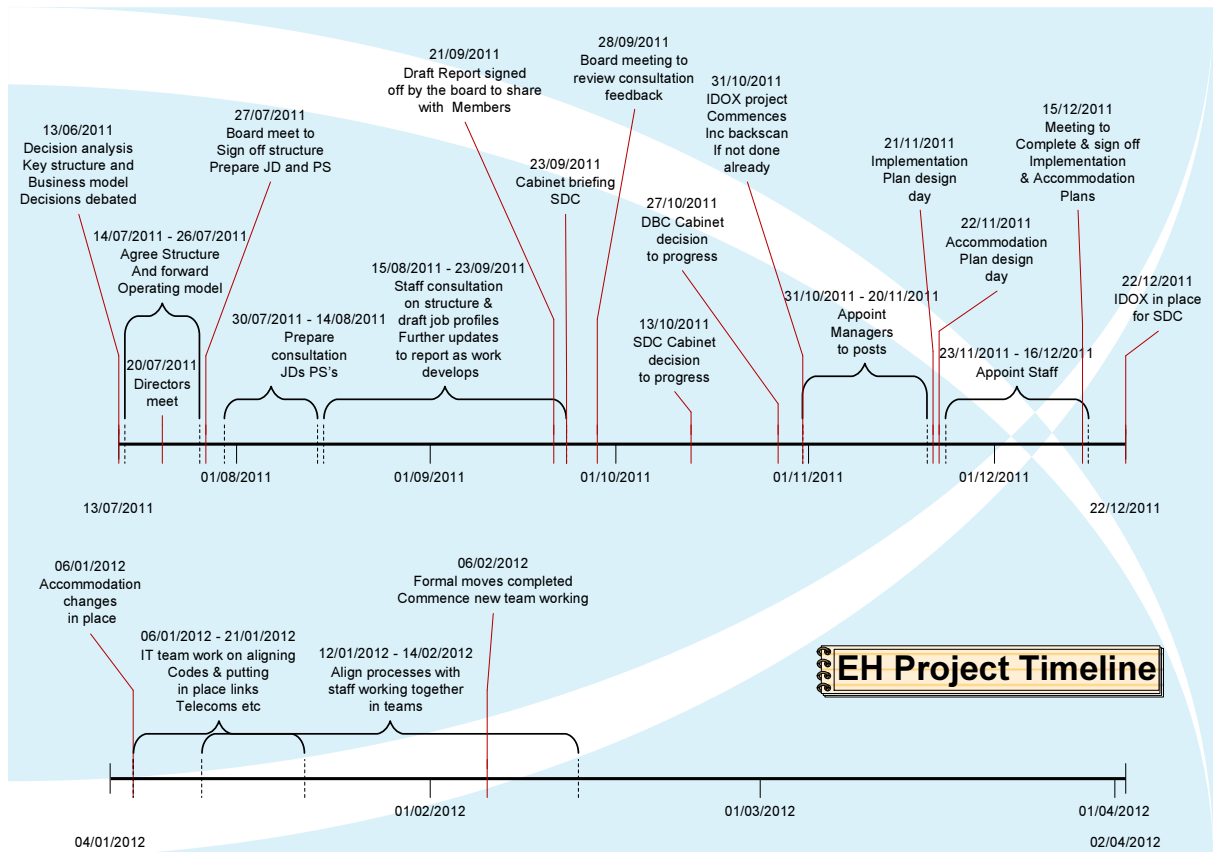
The joint service organisational structure offers the opportunity to increase productivity and build morale through the further development of interesting, challenging jobs that continue to motivate and develop staff as follows:

- Alignment of Job description / profiles with the responsibilities and performance required of the jobholder
- Potential for increased autonomy and flexibility
- Projects will be undertaken by staff who express an interest and ability to get involved
- Getting staff involved in change as it progresses – information initially and developing to a participative and inclusive approach.

10. Timeline/ Route Map

The creation of a detailed route map is planned once the business case has been established.

The following diagram represents early thinking by the Project Board and Project Team to capture an indicative timeline. This work will be used as a starting point as the project progresses, but will involve wider consultation with managers and staff to ensure all aspects of the transition are captured.



As can be seen from the diagram above, it is intended that:

- Staff consultation on structure and Job roles takes place over six weeks commencing 15th August and concluding on 23rd September 2011
- All relevant aspects of EH ICT to be in place by January 2012
- New EH team will be in place by early February 2012

Although not shown above, an operational review of the service will take place by April 2013.

11. Financial case

11.1 Projected Costs and Savings

This section overviews the projected costs and savings, which are estimated to emerge from the operation of the forward operating model for joint working.

The business case has been prepared with the following parameters:

- A five year timescale – from 2012/13 (the first year of full effect of savings)
- Costs are mostly as at 2011/12 prices – no adjustment has been made for inflation
- Full operation is assumed to commence from April 2012
- Staffing costs are calculated on a mix of DBC and SDC grades, with 22% on-costs
- The projected costs & savings will continue to be scrutinised and refined

11.2 Development

The Project Team working with accountants from both Councils has developed the projected costs/ savings emerging from the preferred business model and confirmed the current costs. The team has focused on 2 key financial dimensions in particular:

- The definition of the forward organisation chart to enable an estimate of staffing costs
- Estimates of likely additional costs and savings through shared working for key elements. The group expressed these costs and savings in terms of deviation from the current baseline.

Staffing Costs	Shown in table 11.3, salary costs (including 22% on-costs - but excluding any allowance for pension deficit) are projected on the basis of the defined joint working organisation chart/ staffing structure and shown as appropriate within direct costs/ staffing costs in the projected costs table.
Additional costs primarily one-off/ implementation costs	These are summarised in the separate costs table at 11.4, which is further analysed to establish a write off period and the likely pay back period.
Savings	Savings are shown in a separate table at 11.5. These are analysed by activity area for both councils.

11.3 Financial Case

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
	2012/13	2013/14	2014/15	2015/16	2016/17	
	£000	£000	£000	£000	£000	£000
Current Costs						
Staffing costs	1,293	1,293	1,293	1,293	1,293	6,465
Transport costs	28	28	28	28	28	140
Supplies and services	292	292	292	292	292	1,460
Technology	10	10	10	10	10	50
Misc	22	22	22	22	22	110
Total Direct Costs	1,645	1,645	1,645	1,645	1,645	8,225
Customer Services	140	140	140	140	140	700
Corporate Services	125	125	125	125	125	625
Property Services	110	110	110	110	110	550
IT Services	178	178	178	178	178	890
Management & other	83	83	83	83	83	415
Total Indirect Costs	636	636	636	636	636	3,180
Total Net Costs	2,281	2,281	2,281	2,281	2,281	11,405

Future Costs						
Staffing costs	994	994	934	934	934	4,789
Transport costs	28	28	28	28	28	139
Supplies and services	291	291	291	291	291	1,454
Technology	10	10	10	10	10	50
Misc	23	23	23	23	23	113
Total Direct Costs	1,345	1,345	1,285	1,285	1,285	6,545
Customer Services	140	140	140	140	140	699
Corporate Services	125	125	125	125	125	628
Property Services	110	110	110	110	110	550
IT Services	178	178	178	178	178	889
Management & other	83	83	83	83	83	414
Total Indirect Costs	636	636	636	636	636	3,180
Total Future Costs	1,981	1,981	1,921	1,921	1,921	9,725

Forecast Annual Savings	(300)	(300)	(360)	(360)	(360)	(1,680)
Forecast Cumulative Savings	(300)	(600)	(960)	(1,320)	(1,680)	(1,680)

11.4 Implementation Costs Summary

Estimated one-off/ implementation costs							
Costs	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	Total
IT costs	35	5	5	5	5	5	60
Implementing Idox	15						15
Home working	5						5
Travel costs for movers		10	10				20
Miscellaneous		20	10				30
Office changes	10						10
Redundancy Provision	180						180
Pay protection for staff		20	20	14	6	6	66
Backfill for transition and project management	50	50					100
Total costs	295	105	45	19	11	11	486

Estimated set up costs	£486,000	
Written off over 5 years	£97,000	pa
Written off over 10 years	£49,000	pa
Payback period	1.62	Years

11.5 Savings Summary

Estimated Savings	2012/13	2013/14	2014/15	2015/16	2016/17	Total
Savings	£000	£000	£000	£000	£000	£000
Staff savings from new organisational structure	(290)	(290)	(290)	(290)	(290)	(1,420)
Student post replace with work experience – work not training	(4)	(4)	(4)	(4)	(4)	(20)
Out of hours – redesign service to reduce costs	(5)	(5)	(5)	(5)	(5)	(25)
Longer term savings by taking on other LAs or paring down structure			(60)	(60)	(60)	(180)
DBC joining food safety training (as SDC do currently) to increase the income currently generated from training	(1)	(1)	(1)	(1)	(1)	(5)
Total savings	(300)	(300)	(360)	(360)	(360)	(1,680)

12. Governance

12.1 Introduction

It is anticipated that the partnership arrangement will have a governing document or partnership agreement that sets out the partnership arrangements in order that the parties adhere to the values and responsibilities of the partnership. There is already in existence a draft Partnership Working Agreement between Dartford Borough Council and Sevenoaks District Council which is in generic format and which facilitates the joint delivery of certain functions. The functions set out within such Agreement can be added to as an addendum to Schedule 1 of the Agreement.

Some of the main provisions of the agreement cover:

- Functions and responsibilities of the partnership
- Delegations
- Outlines financial reporting and budgetary arrangements
- Exit strategy
- How performance will be measured
- How risks and benefits will be shared
- Transfer of staff

However, the partnership agreement will not be able to anticipate every eventuality and so at times the arrangements and responsibility for supporting the governance of the partnership may fall to the partners' own corporate governance mechanisms with each partner acting with flexibility, honesty and developing and maintaining trust.

12.2 Structure

Sevenoaks District Council and Dartford Borough Council will remain as two separate councils, keeping their own set of accounts, their own identities and their own councillors. It is anticipated that Dartford Council will be the host authority for delivery of the Environmental Health Service with Sevenoaks Council retaining some agreed functions. An officer partnership board for the shared Environmental Health Service will be created represented by two officers from each council with each officer having a single vote on each decision that needs to be made by the partnership board.

The partnership board should meet at least twice a year and receive each year a report of the Heads of the relevant Shared Service showing progress in achieving the objectives of the business plan, a summary revenue account including the distribution or use of any revenue surpluses and the future financing expenditure.

The partnership board shall make proposals for any changes, which seem to be reasonable and appropriate in the circumstances. The partnership board should consider ways in which the partnership can be expanded and will consider any applications by any prospective new partner at the discretion of the host authority.

12.3 Delegations

Both Councils shall each delegate and empower the other Council to discharge on its behalf the agreed functions of the Environmental Health Service via its Head of Paid Service. The Heads of Paid Service may further delegate any of the Agreed Functions. In discharging the agreed functions the Heads of Paid Service will consider advice given by the partnership board.

12.4 Employment

The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) protects employees' terms and conditions when a business or undertaking, or part of one, is transferred to a new employer. Under TUPE, the reorganisation of a public administrative authority, or the transfer of administrative functions between public administrations, is not a relevant transfer. Although the meaning of 'administrative' is not defined, the Government guidance reinforces the established view that the principles of TUPE should be adhered to in any intra-governmental reorganisations. To avoid any doubt, the Cabinet Office Statement of Practice 'Staff transfers in the public sector' sets out the Government's policy that TUPE should apply where the public sector is the employer or client in a contracting exercise.

'Where a relevant staff member leaves any existing post within the approved service plan that post shall be filled by the relevant Head of Shared Service and any newly appointed relevant staff member shall be employed by the Council which employed the original member of relevant staff unless otherwise agreed by the relevant Head of Shared Service'. The 'Best value and performance improvement circular' specifies that the transferee service provider must offer employment to new recruits on 'fair and reasonable terms and conditions which are, overall, no less favourable than those of transferred employees' and which offer reasonable pension arrangements.

A number of staff from Sevenoaks District Council may be franchised to Dartford Borough Council on a temporary basis for up to two years in order to avoid complex staff displacement issues with Dartford Borough Council receiving the benefits of the skills and experience of staff from Sevenoaks District Council for Environmental Health Services. Similarly, Dartford Borough Council staff may be franchised to Sevenoaks District Council for the same service. Difficulties exist around differing terms and conditions of staff contracts and the two year period will enable the establishment of future employment arrangements and the carrying out of work to harmonise terms and conditions. However, case law has confirmed that employees assigned to a service automatically transfer to the transferee at the point of the transfer, notwithstanding the wishes and intentions of the parties. So, even if staff and both councils prefer a secondment model rather than a TUPE transfer, the secondment will not be effective if there is a relevant TUPE transfer. However, as there will be a shared Environmental Health Service with retained functions undertaken by both Councils it is not anticipated that a transfer of an undertaking will take place.

12.5 Financial

From the start of the project, there has been a strong and certain presumption that the entire costs and savings of the partnership will be shared on a 50 percent basis including unforeseen costs and savings the remoteness of which to be agreed by the partnership board. Flexibility will need to be built into the partnership agreement to deal with exceptional circumstances but the equal sharing of risk and reward is felt by all concerned to be critical to the success of the joint working project.

The partnership should complete an annual budget planning process and the budget for the year can be managed and monitored through the partnership board. Exceptional reporting to

the partnership board could take place if possible changes to the budget became necessary. Payments between the authorities will be made in accordance with the terms set out in the partnership agreement. Any surplus or deficit will be carried forward and included in the budget calculation for the subsequent year. A review of the factors used in calculation of the sharing percentages will be carried out at least annually including residual support service costs inflated in line with the percentage used for annual national local government pay award.

12.6 Termination

The agreement should be capable of termination by either party giving a reasonable period of notice of termination, for example, at least 18 months written notice of termination provided that such notice may not take effect before a certain date, agreed between the parties.

On termination each council should act reasonably in co-operating with each other to facilitate the disaggregation of the partnership in such a manner as to cause the least disruption to customers and to maintain levels of service as far as possible, agree arrangements for the transfer of staff and avoid redundancies wherever possible, facilitate the transfer of data and records and mitigate costs so far as practical.

The Council giving notice of termination should bear all costs arising out of or in connection with such termination and should indemnify the other council against all costs and expenses incurred or to be incurred by them arising out of or in connection with the termination including costs of redundancy or re-deployment of any staff, termination of any lease or licence for the occupation of any premises or the use of any equipment, procurement of any alternative accommodation or relocation of any services or staff and procurement implementation or reconfiguration of any equipment, preparation, disaggregation and transfer of any data and records and staff costs and administrative overheads in connection with any elements of the termination.

12.7 Performance

The partnership board should agree an annual business plan covering an agreed period including business and financial objectives, staffing levels, performance target and service level agreements.

Sevenoaks District Council may retain certain functions and responsibilities for certain aspects of the Environmental Health Service, which will need to be defined within the partnership agreement. Similarly the agreed functions to be carried out by Dartford Borough Council will be defined within the partnership agreement.

Each council should complete their respective functions in accordance with their respective financial procedures and standing orders.

It is envisaged that there will be close liaison to minimise audit costs and carry out work jointly wherever possible.

The Head of the partnership being a senior officer of the host authority acting under delegated powers shall be empowered to make any necessary technical or operational decisions for the effective operation of the Environmental Health Service including the virement of budgets and appointment of staff. The partnership board should use its reasonable endeavours to ensure fair and equitable treatment of both councils.

In the event of the partnership at any time experiencing a level of performance which is not achieving the agreed targets in the relevant annual Business Plan, the partnership board shall use all its reasonable endeavours to remedy that as a matter of priority.

It may be necessary for the partnership board to vary the transition period depending upon factors that may affect the time taken to implement the necessary changes.

A fundamental review of the service delivery may be required, if considered necessary by the partnership board but not until at least one year after the transitional period has ended.

12.8 Legislative Compliance

Local authorities can generally do only what they are expressly empowered to do and when contemplating entering into collaborative arrangements of any kind should be sure of their powers to do so.

The Local Authorities (Good and Services) Act 1970 enables councils to provide administrative, professional or technical services to other councils and to other public bodies (but not the private sector or the public in general) and section 1 (3) of the act provides for payment for these services. It should be noted that section 2 (2) requires that the accounts of a local authority entering into an agreement to provide a service under this act include a separate account in respect of the agreement.

The Local Government Act 1972 Part VI of this act gives councils the ability to establish joint arrangements, such as the discharge of a function by another council (delegation) or the establishment of a joint committee.

Councils considering a collaborative arrangement such as jointly provided services should ensure and be aware that TUPE will apply if a “relevant transfer” occurs. With the joint administrative services arrangements that are envisaged it is anticipated that a “relevant transfer” will not occur.

The councils will also need to carry out their functions in compliance with all relevant statutory requirements and restrictions including:

- The Data Protection Act
- Access to Information Act
- Equalities Legislation
- Human Rights Legislation
- Freedom of Information Act

Each council may be required to ask the other council for information to enable the satisfaction of a request made upon them under the Freedom of Information Act. The councils will need to support one another in the completion of effective requests under this Act. In addition, each council should ensure that prior to the commencement of the partnership the terms of its registration under the Data Protection legislation with the Information Commissioner enables it to send data relating to the partnership to the other council and to receive data from them and process it for the purpose of carrying out a function of the partnership.

Each council has its own partnership protocol/policy/toolkit and each authority should satisfy itself that the partnership agreement satisfies the requirements of such partnership protocol/policy/toolkit. For a partnership to be effective, certain standards of conduct are expected of the individuals in the partnership. The Sevenoaks partnership toolkit incorporates a partnership protocol on conduct and accountability which is a model drawn up by the Standards

for England who have invited local government and their partners to use their protocol and either adopt it wholly or adapt it to fit their own circumstances.

It is envisaged that each council will be responsible for entering into contracts on behalf of the partnership required for the delivery of their particular function. Every contract for the supply of goods and services for a function of the partnership should comply with the Financial and Contract Procedure Rules of the council carrying out the function and those contracts should be in the name of that council but should confirm that it has entered into the contract on behalf of the councils.

12.9 Expansion

The partnership should have the ability to consider ways in which the partnership can be expanded either between the two councils or by considering applications by any prospective new partner.

The decision whether a new partner is admitted to the partnership and if so the terms on which this takes place could be subject to the unanimous agreement of the two councils, firstly at partnership board stage and then at the appropriate member level decision making stage in each council.

13. Risk Assessment

13.1 Risk Register

The implementation of joint working carries a degree of risk. The Project Team, Staff and Board have all been involved in agreeing the principal risks and mitigating strategies detailed in the table below.

No.	Risk (description)	Strategy
1	Service delivery could be compromised leading to statutory failings	<p>The service carries out an important statutory function in protecting public health and must not be allowed to fail in pursuit of joint working. Whilst savings are vital to both councils we risk costs that may far outweigh the savings if the ability to deliver the service is compromised. This risk has been mitigated through the following measures:</p> <ul style="list-style-type: none"> • Stakeholders (lead members and senior managers) are fully supportive of the project and will be monitoring outcomes closely • Money to support the service during transition will be provided for in the business case
2	Key criteria for joint working (financial savings) may not be achieved	<p>It is well understood that the new financial climate is a significant driver for this change. It is therefore vital that any risk of overstating the savings or underestimating the costs of the project is minimised. This risk has been mitigated through the following measures:</p> <ul style="list-style-type: none"> • The costs and savings have been calculated by senior finance officers building on their expertise and experience of previous joint working projects. • Senior managers and staff have been closely involved in the calculation of the savings and challenge has been provided by external consultants. • Executive management has been closely involved in the exercise from the outset, and understands the rationale for sharing and the benefits that are likely to flow from it. The partners share a similar outlook and set of values
3	Inability to agree on the type of service to be delivered at a senior level	<p>There are cultural differences between the two Councils that translate into a different approach to delivering Environmental Health Services. Our plans assume that the constraints of the new structure and available funding will help drive changes to working practice once the new team is formed. There is a risk that member and senior managers might not be flexible in this regard. This risk has been mitigated through the following measures:</p> <ul style="list-style-type: none"> • Executive management has been closely involved in the exercise from the outset, and understands the rationale for sharing and the benefits that are likely to flow from it. • Approach to service delivery will not be tackled until the management team is in place, the service managers appreciate the need to change working practices and this will be a key focus for the new management team.
4	Threat to corporate reputation	<p>There is a risk that if Joint Working fails to deliver the required outcomes or is seen as failing then the reputation of both Councils might be affected. This risk has been mitigated through the following measures:</p> <ul style="list-style-type: none"> • Sustaining the performance of services has been a key consideration of the feasibility study. • Baseline costs and performance levels were determined and signed off by managers with hands on responsibility for the services and thus are properly understood • The board has regular involvement to ensure challenge and make sure that where problems do occur, they are addressed quickly and effectively. This is backed up with regular communications to staff and stakeholders to ensure that negative perceptions do not spread

5	<p>Loss of expertise resulting from staff leaving due to joint working</p> <p>NB beneficial longer term but not short term</p>	<p>If too many officers leave as a result of the uncertainty and disruption created by the process of moving to Joint Working it might be hard to recruit suitably skilled and experienced officers which in turn would cause issues within the service. The impact of this risk might be greater still given the officers that might find other jobs may also be those with the skills most needed for the new joint service. This risk has been mitigated through the following measures:</p> <ul style="list-style-type: none"> • The project board has already recognised the potential for disruption and has made financial provision in the business case for the cost of mitigating it. Where necessary extra support or the backfilling of roles will be arranged. Business continuity planning will be undertaken • The outline staffing structure recognises people’s need for variety and career progression, and further work will be done on this when designing new jobs and roles. The benefits of the new structure will be communicated to staff as part of the communications planning. The positive aspects of the change will be explained and attempts made to resolve any negative perceptions • All stakeholders have had involvement with the project, and the human and cultural aspects of the change are understood, and plans will be in place to deal with any potential conflicts
6	<p>Service falling over during transition</p>	<p>Evidence from previous project was that significant work is involved in moving towards the joint working service. If this is not carefully managed there is a risk that the service will fail in the short term. This risk has been mitigated through the following measures:</p> <ul style="list-style-type: none"> • Reduction in scope of duties • Service standards in year one less than years two and three • Officers need to be given permission to not do things in order to make space • Other departments have been consulted and are willing to provide significant support (HR, Finance, Customer service) to ensure the project is successful
7	<p>People governing change have different agendas and are not united towards a common goal</p>	<p>Evidence from other shared service projects suggests that a significant factor in failing to drive through successful change is a unity of purpose and drive from senior managers and members. This risk has been mitigated through the following measures:</p> <ul style="list-style-type: none"> • All stakeholders (members, managers, EH staff, HR, IT, Finance, customer services) have been consulted on the proposal at the outset in an open and honest discussion about its goals. This stakeholder engagement has highlighted a wide range of concerns and issues, which have been fed into the development of the proposal. • Clear that this commitment is in place and significant support for the achieving Joint working in the service is evident
8	<p>Poor communication between partners</p>	<p>Communication at an early stage in the project was found to be essential in the R&B work carried out previously. A change of this magnitude will impact upon all staff and it is essential that they have plenty of opportunity to understand what is happening. This risk has been mitigated through the following measures:</p> <ul style="list-style-type: none"> • Effective communications plans and systems are in place. • The board overseeing the project is made up of senior officers from both Councils. • A communications plan will be developed using a range of media, and in consultation with the Councils’ communications advisors

9	Resistance to change among staff and other stakeholders	<p>This project has had a difficult beginning over 8 months with different approaches being explored. One of the negative impacts from this has been that there is clear resistance to change from staff and it is difficult (at project commencement) to separate the legitimate concerns from those based on a misunderstanding of why this project is happening. This risk has been mitigated through the following measures:</p> <ul style="list-style-type: none"> • Staff to be involved at every stage and given the opportunity to ask questions • Change management meetings to take place throughout the project
10	Anomalies created by differential terms and conditions among staff makes harmonised working practices difficult	<p>One inevitable consequence of choosing to harmonise terms and conditions over two years is that staff doing the same job will be working to different terms and conditions. We know this is an issue from the R&B project (different pay scales, leave arrangements etc) so this will be an issue once we move to joint working. This issue will be managed through the following measures:</p> <ul style="list-style-type: none"> • The project board is fully aware of this issue and intends to use a two year period where staff remain employed by their existing employers to provide adequate time to resolve any anomalies • Clarity with staff in advance of the merger and beyond that this is inevitable and that for a number of reasons this options has been chosen as preferable to the alternative (TUPE)
11	A focus on cost savings may mean that the IT infrastructure does not provide a real enabler for change	<p>Given the focus on savings and that Environmental Health Service costs are mostly in its people there is a real risk that in order to protect front line staff that any costs on set up would be minimised. This may lead to collective failing to explore the possibilities of joined up IT infrastructure and therefore be a missed (longer term) opportunity. This risk has been mitigated through the following measures:</p> <ul style="list-style-type: none"> • IT managers and staff are working with service professionals and consultants to ensure all opportunities are explored. It has been made clear that although savings are paramount any opportunity for longer term improvements would be properly considered by the board and any such proposals should be encouraged. • These issues have been fully considered as part of the technical exploration, this work has been carried out by senior IT managers and their teams • An understanding of the infrastructure that is needed to support collaborative working, both for in-scope projects, as well as more strategic enablement has been gained. The costs of change have been calculated, and the most appropriate model devised.
12	Contracts that need to be negotiated whilst the joint working project is underway may be adversely impacted	<p>Any ongoing contracts will be referred to the Board before sign off in the interim period. Some significant value contracts will be negotiated during this time including:</p> <ul style="list-style-type: none"> • Dog kenneling – DBC £85K 3 years, due 1st July already in train. • Pest Control – DBC £36K per year, 1st August • AQ DBC – in Kent arrangements, April 2012 • SDC £24K annually (maintenance of AQ monitoring stations) due April 2012 • Scores on Doors - £1800 per annum, concludes June 2012 • Joint annual figure for Dartford and Sevenoaks in respect of NOX tubes is currently £6392.

14. Conclusion

14.1 Assessment against criteria

The table below summarises the evaluation criteria and describes the current position based on the forward operating model.

Agreed Criteria	Outcome
Capable of fulfilling statutory obligations	The service standards set out in this report are designed around meeting statutory obligations
£300K savings capable of full implementation by 2012/13	This report details how the achievement of £300,000 savings per annum would be achieved while limiting the impact of the reduced service delivery.
Improve capacity and resilience compared with making the same cuts in the two individual services	The forward operating model has been designed to ensure sufficient capacity and flexibility. A larger team of officers brings increased resilience, capacity and a wider pool of skills, knowledge and experience. The new combined service will focus on achieving quality services to meet customer needs at the lowest possible cost.
Ability to meet agreed service standards	Processes will be re-designed to maintain service quality and concentrate on outcomes. This should result in services being delivered at a lower cost, but achieve the same ends for the customer.
Must have a single professional EH manager reporting to Head of Service/ Director	The service is designed to include a single professional Environmental Health Manager. This will make it easier to attract new partners to join the model down track (see criteria below) and ensure the service is self-contained.
£60k savings from 2015/16 by trading, sharing with a third party or further savings	The financial case has included further savings of £60,000 per annum, these savings are considered reasonable by the service manager and are linked to ambitions to find a third party for whom the partnership could carry out work or who could join the partnership albeit probably on different terms.
Ability for customers to access services to be the same or better than current	The Business Case does not affect the current local outposts. Access to services will remain substantially the same. In fact there will be some small improvement in access as customers currently only able to access services at their own Council will (under the new arrangements) be able to access services at both councils.

14.2 Recommendation

The Project Team recommends progression to Implementation of this project based on:

- The most influential criterion (based on weightings attributed at the time) is, by some margin, the cashable annual revenue savings of £300K. Based on the outcomes from the feasibility study, this level of savings is achievable
- Other criteria including the continuing delivery of service to customers are considered achievable by the Project Team and Project Board
- Consultancy challenges (raised throughout the project) have all been resolved to an acceptable level
- No major issues were identified in key work streams such as implications for staff and customers, business support etc.
- The ICT plan covers all business requirements at an acceptable level of cost
- Risks as set out in section 13 of this report are reasonable and in most cases have an identified approach to mitigation. This ensures that the risks are commensurate with the potential rewards
- Agreement on key principles of governance including a 50:50 approach to sharing risks and rewards and agreed approach to harmonising terms and conditions
- Organisational structure and approach has been designed by officers who have the requisite expertise and ongoing involvement with the project
- Continuing political and executive support for the project and an undiminished requirement to achieve savings
- Fit with the wider political movement towards sharing service in the two Councils and allows for expansion.

15. Next Steps

This section briefly describes the particular activities that will be undertaken if Members approve the business case in order to commence implementation. The Board and Project team will work with consultants to draw up detailed route map and implementation plan for moving toward implementation of the forward operating model. This will include:

- Production of an implementation plan by service managers and staff
- Detailed project time-line
- Capacity planning exercise to ensure sufficient resources are available at the right times as the project moves forward

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Summary of comments received during staff consultation period

Comments have been received both from individuals and through group meetings, and from both teams. The full comments extend to 25 pages and they have therefore been summarised under the themes set out below. The full comments have been reviewed by the Project Board.

Theme	Summary of points raised by staff and responses to these.
<p>1. The rationale for merging the two teams/comments on the business case.</p>	<p><u>Staff comments:</u></p> <ul style="list-style-type: none"> • The required savings could potentially have been made without merging the teams. • Concern that there is a risk that the investment costs will be incurred but that the planned savings may not be achieved. • Savings will be achieved by reducing staff numbers; as a result there is a risk that service standards for residents and customers will fall, and statutory duties may not be deliverable. • Concern that service resilience may be compromised . • Concerns that further savings will be required in two years. • The business case was still being finalised during the consultation period, not allowing staff sufficient time to comment on the final proposals. • The business case assumes increases in efficiency but does not detail what these are or how they will be achieved. • The long period of uncertainty experienced has depressed morale in the Team. • There has been insufficient account taken of staff feedback. • If the merger is agreed Officers would support it and work to try to make it a success but wish their views and the impact on them to be fully considered. <p><u>Response:</u></p> <p>Regarding concerns, in addition to one-to-one meetings held with Officers with roles potentially at risk within the proposed structure, all staff were offered an opportunity to discuss any aspect of the proposals and their individual circumstances and concerns. Various group meetings have also been held with staff, management, HR and the consultant, the result of which has been the need to update and amend the business case in light of points made, further financial considerations etc.</p> <p>Environmental Health staff have also been provided with the details of staff and managers within the Revenues & Benefits Services who have volunteered to share their experiences of the proposed shared working experience from the outset, as well as offer advice, help and knowledge on a personal level and their view of the shared working environment and working practices currently in operation.</p> <p>The rationale for the shared working (increased resilience, reduced costs) have been shared with staff, together with the opportunities for generating further savings in future years (growing the service with other Councils, changing processes to</p>

	<p>generate savings). Clear performance targets have been put in place based on planned resources and workload volumetrics. The business plan was only finalised after the receipt of all the consultation comments, to allow for any adjustments arising from the feedback received.</p>
<p>2. The proposed service location (main base at Dartford with a satellite office at Sevenoaks).</p>	<p><u>Staff comments:</u></p> <ul style="list-style-type: none"> • Customers calling at SDC’s reception may not be able to see an EH Officer due to the lower number of staff based there in the future. • Travel time to sites will increase, and hence mileage costs. • Concerns over travelling in and out of Dartford due to M25 congestion. • Home to work travel time will increase and may impact on childcare and other commitments. • Having staff across two sites will make staff management more difficult. • Increasing the time Officers are out on site may require a mobile working solution/increased admin support. • The staffing reductions may lead to a reduction in onsite work. • Will officer authorisations be extended to cover both areas and all work? <p><u>Response:</u></p> <p>The proposal is that the main base will be at Dartford with a satellite office at Sevenoaks, offering drop in hot desk facilities. It is intended that there will be a management presence at Sevenoaks on at least two days each week to ensure the facility is used and managed appropriately as well as to support Officers where applicable. Although nobody will be based at the satellite office on a fixed basis, having the two bases will reduce travel time for officers visiting premises and customers and offer an on-site presence for walk-in customers and liaison with other departments e.g. planning and licensing. There are many Local Authorities that have a larger geographical area than the combined area of Dartford and Sevenoaks. The main base and satellite office model has therefore been developed to mitigate wasted travel time.</p> <p>Regarding the decision to locate the Environmental Health Service at Dartford rather than Sevenoaks there are dense clusters of commercial premises in the Dartford area and to the north of the Sevenoaks area. All other factors being equal, it was this that determined the main location as Dartford.</p> <p>The proposal has been designed to enable remote working, flexible working options (i.e. consideration of condensed hours, flexi-time etc.) and working from home. Individual requests to work more flexibly or to work from home will be considered once the staffing structure is finalised and operational aspects have been fully worked out. However, it will also be important to balance such options with an operational presence on site</p>

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	<p>including attendance at meetings and the continued communication and exchange of knowledge, case updates ideas and support between Officers.</p>
<p>3. The proposed structure and allocation of staff to posts within the structure.</p>	<p><u>Staff comments:</u></p> <ul style="list-style-type: none"> • The reduction in staff numbers could lead to reductions in service standards. • Both Councils currently use contractors and these have not been included in the proposed staff structure. • Consideration should be given to dropping non-statutory work and using risk-based interventions rather than visits in order to match workload and available staffing. • Existing staff resources work with a waiting list; reducing resources could increase waiting times. • Concentrating technical tasks with one post (Scientific Officer) reduces resilience. • The original expectation was that management posts would be the main reductions but some frontline staff posts are also being reduced. • If mainly DBC or SDC staff are unsuccessful in applying for the posts in competition, valuable local knowledge may be lost. • Further clarification is required around the responsibilities of some posts, including how they relate to the duties of posts in the existing structures. • Training needs need to be considered and provided for (time and money). <p><u>Response:</u></p> <p>There is no national bench mark for the ratio of officers to premises/service requests; some Local Authorities operate with a greater staff to workload ratio, and some with a lower ratio. The structure has been designed by those currently running the service and fully aware of service volumes. Service levels have been proposed to take account of the reduced resources as well as each Council’s aspiration to provide good, cost-effective services to residents and businesses, and it is anticipated that the joint service will generate efficiencies. The proposal is a reduction in management and other posts to match the workloads and new ways of working being developed.</p> <p>In a small team one person may carry out a variety of activities, but in the new larger structure activities are allocated to specific posts. Detailed workload assessments and volumetrics have been carried out for some posts and some changes are now proposed in the allocation of work, albeit within the staffing numbers originally proposed.</p> <p>The Scientific Officer will lead and manage some specialist areas with the opportunity and requirement for other Officers within the team to provide cover, which is a resilient option. Challenges to the proposal to assimilate the post holder into this post are being addressed by line management and HR..</p>

<p>4. Staff pay and conditions.</p>	<p><u>Staff comments:</u></p> <ul style="list-style-type: none"> • It is understood that staff will stay on existing terms and conditions for two years but it is unclear what will happen after that date – this creates further uncertainty for staff. • There are a number of differences between terms and conditions for DBC and SDC staff – how and when these will be resolved, this needs further clarification. • Clarification is required over pay protection arrangements, when staff not placed in the structure would be made redundant (if not successfully redeployed) and when new job descriptions will come into force. <p><u>Response:</u></p> <p>Staff were issued with a copy of the Stability Policy (SDC) and Redeployment and Redundancy Policy and Procedure (DBC), together with a list of Frequently Asked Questions at the start of the consultation process which addresses these issues. Staff have been informed that any plan to harmonise terms and conditions, will be done in full consultation with all staff and communications to staff will be ongoing.</p>
<p>5. Out of hours arrangements.</p>	<p><u>Staff comments:</u></p> <ul style="list-style-type: none"> • Clarification is required over how the out of hours arrangements work under the new structure – are all staff expected to participate and will existing payment arrangement continue. • Further information is required about why the out of hours arrangements are being reviewed as a separate exercise. <p><u>Response:</u></p> <p>These arrangements are still under discussion as both Councils wish to continue to provide a service and staff will receive an additional payment for this. Current indications are that there will be sufficient Officers volunteering to undertake these duties but it is important that the service has contingency arrangements in place if those Officers should be unavailable. Personal circumstances will of course be borne in mind.</p>
<p>6. Mileage payments and travel time (also covered under 'location' above).</p>	<p><u>Staff comments:</u></p> <ul style="list-style-type: none"> • Further information is required about how mileage payments will be calculated, particularly if an officer makes a site visit first rather than going to the office first, this also affects how working hours would be recorded. • Concern that miles travelled may increase rather than reduce as a result of the joint service. <p><u>Response:</u></p> <p>Both Councils have policies that cover calculation of business mileage and define working time. These will continue to be</p>

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	<p>applicable and will be reviewed for consistency, fairness and practicality as has been the case for Revenue and Benefits staff who have been in the same situation of changing their work location. These discussions, including site visits, together with flexible working options can only be agreed when the staffing structure is finalised and operational aspects such as having sufficient resource on each day have been considered.</p>
<p>7. Redeployment opportunities.</p>	<p><u>Staff comments:</u></p> <ul style="list-style-type: none"> • Concern that for professional Officers the number of possible redeployment opportunities at a suitable grade are likely to be very limited. • Officers are being asked to express a view on potential redeployment opportunities now rather than at the end of the selection process. <p><u>Response:</u></p> <p>When new or vacant posts occur, where they are suitable for redeployment, they are being kept open for Environmental Health staff. Also, staff are not expected to formally express their interest until they have been unsuccessful in securing a post in the new structure. Staff are being asked to express their view informally at an early stage, so that posts are not kept open unnecessarily. Where a post is available for redeployment, training will be available to the staff involved.</p> <p>Furthermore, individual discussions have been offered to staff, some of whom have met with the Manager of the department in which a role is available, to discuss the required qualifications, knowledge, expertise and training that would be required for the role.</p>
<p>8. Management Structure/ Arrangements</p>	<p><u>Staff comments:</u></p> <ul style="list-style-type: none"> • It is disappointing to lose the input of the Head of Environmental and Operational Services to the service's development and future success. • The job description for the Environmental Health Manager has not been published. <p><u>Response:</u></p> <p>The Environmental Health Manager post will still be line to the Head of Environmental and Operational Services (SDC) and the Strategic Director (DBC). Given the proposed new joint structure further consideration of the requirements of the Environmental Health Manager role was required in conjunction with the Assistant and Principal role responsibilities, hence this job description was subsequently made available during the consultation process.</p>

Item 5(b) – Hackney Carriage and Private Hire Licensing Policy

The Licensing Committee’s Recommendation to Council

At its meeting on 26 October 2011 the Licensing Committee considered the matter as follows:

“The Assistant Licensing Partnership Manager presented the report which gave detailed feedback from the consultation period for the Draft Statement of Hackney Carriage and Private Hire Policy which ran for six weeks from the 26 August 2011 until the 7 October 2011. The proposed policy amended the current policy that Sevenoaks District Council had in operation which was last issued in January 2008. Members noted that there is no statutory requirement for a Licensing Authority to produce a Hackney Carriage and Private Hire Licensing Policy but that the Department for Transport “Best Practice” recommends that one is in place.

The Chairman advised that he had met with Mr. Rizvi the lead petitioner of a petition received against the proposed penalty points system, who was also present at the meeting. He asked whether he had had an opportunity to relay the conversation to his colleagues. Mr. Rizvi reported that he had but that it was still felt that the penalty points system was unnecessary.

Members considered the feedback attached at Appendix B in great detail.

Members considered the suggestion that the minimum number of passengers be reduced to 1 (i.e. the Smart car etc). It was agreed that Officers should explore this further, but that it should be left as it was for the time being.

Action 1: Officers investigate and report back to a future meeting.

Members discussed applicants for licences involving vehicles that had been converted to run on Liquid Petroleum Gas (LPG) and agreed suitable wording that where a spare wheel is not possible it should read ‘Where relocation of the spare wheel is not possible an acceptable alternative, as supplied by the conversion company, will be permitted.’

When considering concerns expressed with regard to the new internal plates and wearing of badges the Assistant Licensing Partnership Manager advised that these had been redesigned, and plastic receptacles would be provided for the internal plate.

Members agreed that it may not be practicable for drivers to search their vehicle after every journey but felt that a daily search should be a minimum requirement and/or should make reference to a search after each shift.

It was agreed that there should be an insertion of a requirement under ‘Breach of Policy Requirement’ “Failure to display the internal driver’s badge” 4 – 6 (points) and “Failure to display the internal vehicle plate” 4 – 6 (points).

Members' acknowledged the concerns expressed by taxi drivers with regard to the proposal of the penalty points.

Resolved: That:

- (i) All the representations and comments received following the consultation be noted,
- (ii) the Officer comments and recommendations set out at Appendix B, be approved and included in the final policy, subject to the comments/amendments made at the meeting; and,
- (iii) **the final policy be REFERRED to Full Council for adoption**".

Note: Text in bold type represents a recommendation to the Council.

COUNCIL – 29 NOVEMBER 2011

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Report of the: **Director of Community and Planning Services**

Also considered by: Licensing Committee - 26 October 2011

Status: For Decision

Executive Summary: There is no statutory requirement for a Licensing Authority to produce a Hackney Carriage and Private Hire Licensing Policy. However, it is deemed 'best practice' by the Department for Transport.

The Policy will be presented to the Council on 29th November 2011 and will take effect from 3rd January 2012 and will be in force for a minimum of three years.

This report supports the Key Aim of Safe and Caring Communities and Dynamic and Sustainable Economy

Portfolio Holder Cllr Mrs. Bracken

Head of Service Head of Environmental and Operational Services – Mr. Richard Wilson

Recommendation: Members are asked to recommend approval of the Hackney Carriage and Private Hire Licensing Policy to come into force on 3rd January 2012.

Background

- 1 Sevenoaks District Council's last adopted Hackney Carriage and Private Hire Licensing Policy was approved and adopted by Full Council on 5th February 2008.
- 2 The Hackney Carriage and Private Hire Licensing Policy is an integral part of the decision making process and gives guidance and direction to Officers when processing applications and carrying out enforcement. The policy sets out stringent guidelines that governs vehicle, operator and driver standards.
- 3 The Hackney Carriage and Private Hire Policy was sent out for consultation for six weeks from the 26th August 2011 until 7th October 2011. Every Hackney Carriage/Private Hire Proprietor, Driver and Operator was written to in August 2011 and a copy of the draft Hackney Carriage and Licensing Policy was sent for them to comment on. The policy was also sent to interested persons such as the Access Group, the Council's Vehicle Compliance testers, Officers from neighbouring authorities and Officers within the Council.

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- 4 On 26th October 2011 the Licensing Committee considered the feedback from the consultation process and approved changes to the Policy.

Key Implications

Financial

- 4 The Council's budget for the licensing of taxis is set on a cost recovery basis and the cost of this consultation is covered with the licensing administration budget.

Legal, Human Rights etc.

- 5 Decisions in relation to a licence are likely to amount to consideration of civil rights and obligations with the result that Article 6 (1) of the Human Rights Act 1998 is engaged.

Sources of Information: Local government (Miscellaneous Provisions) Act 1976.

Hackney Carriage Driver Byelaws

Town and Police Clauses Act 1947

Department for Transport Best Practice

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SEVENOAKS DISTRICT COUNCIL
DRAFT STATEMENT OF HACKNEY CARRIAGE
AND PRIVATE HIRE POLICY

DRAFT STATEMENT OF HACKNEY CARRIAGE AND PRIVATE HIRE POLICY

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GENERAL LICENSING POLICY

The policy for licensing of vehicles and drivers - general requirements that need to be met before a vehicle or driver is licensed by the Authority.

Applications for all licences relating to hackney carriages or private hire vehicles will be determined according to their particular circumstances, but shall be subject to the following general policies.

PART A - MATTERS RELATING TO ALL VEHICLES

Licences: All Vehicle Licences shall be valid for a standard term of one year (unless for administrative reasons a shorter period is appropriate).

Age

Subject to the exceptions below;

The Authority will not license a vehicle, for the first time, if it is more than 6 years old and/or has travelled greater than 100,000 miles.

The Authority will not re-license a vehicle if it is more than 10 years old.

Exceptions

Subject to a vehicle being considered mechanically fit for a further year of service the following types of vehicle are exempt

Purpose built taxis

Wheelchair accessible vehicles

Limousines, which must have a minimum engine capacity over 3,000 cc/Specialist Vehicles

Type Limitations

The Authority will not license a vehicle unless it meets the following criteria:-

(a) The vehicle shall have four side opening doors (designed for the purpose of permitting persons access to/from the interior) - any lift-up tailgate shall not be included; or a vehicle shall have three side opening doors (designed for the purpose of permitting persons access to/from the interior) and two rear opening doors (designed for the purpose of permitting persons access to/from the interior). Any vehicle's suitability for licensing will also be determined by the positioning of its seating, fittings and fixtures for the ingress and egress of passengers and their safety.

(b) The vehicle is right-hand drive unless the vehicle is one known as a 'stretched limousine' licensed for private hire use and paragraphs (a)(c) and (d) of this part of the policy will be construed accordingly.

(c) The vehicle must have E.U Type Approval

(d) if (c) cannot be satisfied then a Department of Transport Certificate of Single Vehicle Approval must be produced.

Environmental Considerations

The Best Practice Guidance asks licensing authorities to consider how far their vehicle licensing policies can and should support any local environmental policies that they have adopted, bearing in mind the need to ensure that the benefits outweigh costs (in whatever form). They suggest that authorities may, for example, wish to consider setting vehicle emissions standards, perhaps by promoting cleaner fuels.

It is considered that efforts should be made, through the licensing policy, to improve, as far as possible, the efficiency of vehicles licensed in the District by, in particular, reducing the levels of CO₂ emitted from petrol vehicles and the equivalent from diesel. There is a movement towards the use of alternative fuels and in many areas LPG conversions to vehicles are perfectly acceptable and encouraged. This will, however, be dependent on supplies of such fuel being made readily available. It may also be the case that the installation of storage tanks into vehicles may affect the ability to carry luggage.

Clearly, emissions from hackney carriages and private hire vehicles could be reduced further, by encouraging better maintenance of vehicles and by switching off engines when stationary or idling, particularly at hackney carriage ranks. It is proposed that this aspect be tackled through education and promotion.

In view of the above detail, unless more urgent measures are introduced by central government in the meantime, this Council will monitor any research published and Government guidelines with a view to specifying vehicle emissions standards and promoting cleaner vehicles.

To help consider the environmental impact, any petrol electric vehicle with an engine size under 1500cc will be considered to be licensed on a case by case basis. Sevenoaks District Council suggests that, in order to promote a greener environment, any vehicle that promotes cleaner fuel emissions may be entitled to pay a reduced fee at the time of having the vehicle tested by Sevenoaks District Council's appointed workshop.

Advertising etc

(a) The Authority will allow advertisements to be placed upon a vehicle subject to the following conditions:

(b) For saloons and estate cars all advertising/graphics etc must be confined to the side, rear or bonnet. Where advertising appears on the side of such a vehicle it must be contained within the area between the centres of the wheels (wheel base).

(c) For transit and people carrier type vehicles all advertising/graphics etc must be confined to the side, rear or bonnet. Where advertising appears on the side of such a vehicle it must be contained within the area to the rear of the centre of the front wheels and the rear light cluster.

(d) Subject to the above, a proprietor may have simple lettering and numbers on a vehicle in order to display a company name, address, telephone/fax number, E-mail

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address or Web site, but lettering height must be a minimum of 75mm and maximum of 150mm.

(e) No graphics/art works or slogans or other displays of any kind are permitted except with the consent of the Council.

(f) In the case of Private Hire Vehicles advertising is subject to the specific exclusion of the words "taxi", "cab" or "hire" the use of which is not permitted.

(g) Advertising, not relating to the vehicle's proprietor or company, may, under certain circumstances, be allowed on a hackney carriage vehicle on submission of a written request and details of the advertisement to the Council. Each request will be considered entirely on its own merits and, if approved, the written authority must be carried in the vehicle. No such advertising is permitted on a private hire vehicle.

Licence Plate Content

The external and internal licence plate issued by the Authority will include the following information;

- a. Licence No.
- b. Registration No.
- c. Vehicle make/Type.
- d. Licence expiry date.
- e. No. of passengers.

Minimum Number of Passengers to be Carried

No vehicle will be licensed unless it can accommodate at least four passengers

Vehicle Test Standards

(a) The Authority will not license a vehicle unless the person examining it (for the Authority) has confirmed that it meets the standards specified in Appendix 1 and, at the same time, the vehicle has been certified roadworthy to MOT standard.

Vehicles of a class that are not subject to 'EU Type approval' and are being tested for the first time will be additionally tested to ensure tyres, weight limits and any other aspect of the vehicle are safe and mechanically sound as possible for the passenger. Costs of such testing must be paid by the person wishing to licence the vehicle. In addition, the history of the vehicle will be taken into consideration when determining whether the vehicle should be licensed.

(b) A vehicle is required to be re-examined, when the licence has been in force for six months, to ensure that it continues to meet the standards referred to in (a) above.

Vehicles Powered by Liquid Petroleum Gas (LPG)

An applicant for a licence involving a vehicle which has been converted to run on LPG is required to produce, prior to a licence being issued, a certificate issued by a member of the LPG Association confirming that the LPG installation conforms with the Association's Code of Practice and is, therefore, considered safe.

If an LPG conversion involves installation of an LPG fuel tank in a vehicle's boot space (and possible relocation of the spare wheel) it shall be a requirement that an amount of space shall remain free for the stowage of a reasonable amount of luggage, and any spare wheel displaced as a result must be stowed in a location that does not impinge on the passenger carrying area of a vehicle. Where relocation of the spare wheel is not possible an acceptable alternative, as supplied by the conversion company, will be permitted.

TINTED WINDOWS (Without prejudice to the Road Vehicles (Construction & Use) Regulations 1986)

The Authority will not license a hackney carriage vehicle if any window of it contains glass which has been treated so that less than 50% of light is transmitted through it, unless it was first licensed prior to 1 November 2005.

Private hire vehicles with any tinted window of less than 50% transmission of light must not be used for the carriage of children and young persons who are, or will be, travelling without a parent or independent adult supervision. The only exception is that where a child or young person is to be carried as a passenger unaccompanied by an adult then it will be for the proprietor of the vehicle, and/or the operator, to satisfy themselves that such a journey in a vehicle with tinted windows is with the knowledge and consent of that child or young person's parent or guardian and the details of such knowledge and consent, whether verbal or written, will form part of the Operator's Records required to be kept by licence condition. It is good practice to always advise a person making a booking for a private hire vehicle of the vehicle type and description, including whether it has tinted windows.

PART B - MATTERS RELATING TO HACKNEY CARRIAGES

Accessibility

This section of the policy also takes into account the 2007 report published by the European Conference of Ministers of Transport and the International Road Transport Union which recognised that it is impossible to provide for 100% of wheelchair users without reducing the operational viability of the vehicle for the taxi operator and other passengers. There will be a small proportion of people who, because of the size of their wheelchair or the nature of their disability, are unable to access taxis or indeed other forms of mainstream public transport. They will continue to need specialist door-to-door services.

Sevenoaks District Council is committed to promoting inclusive and accessible environments and ensuring a wide range of opportunities are available to residents with disabilities to enjoy a high quality of life. Without the ability to travel, people with disabilities are denied access to life opportunities. Their access to education, shopping, employment, healthcare as well as social and family life is significantly improved when journeys become accessible. For this reason, Sevenoaks District Council considers it

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important that people with disabilities have access to all forms of public transportation. Accessibility is an important consideration in respect of vehicles licensed as hackney carriages. This Authority will therefore keep this section of the policy constantly under review.

Sevenoaks District Council is aware of the Government's proposals to implement the provisions of the Equality Act 2010 in relation to hackney carriages. The Government announced its proposals for taxis in 2003 and since that time has been consulting and gathering further information.

The Government is now considering how best to bring forward requirements for accessible taxis, and this includes evaluation of all options, both regulatory and non-regulatory approaches are being considered.

The ECMT-IRU recommendations for taxi vehicle accessibility are based on two design levels:

- Type One: Wheelchair Accessible Taxis: accessible vehicles capable of carrying the majority, but not all, passengers who travel in their wheelchair as well as people with other disabilities;
- Type Two: Standard Accessible Taxis: vehicles with features designed to make use by disabled people easier, but which would only be able to carry a wheelchair user who can transfer to a taxi seat.

Until such time as Regulations are introduced, the Council will monitor the percentage of wheelchair accessible vehicles in the District and will encourage proprietors and operators to introduce a higher proportion of accessible vehicles. However, the question of whether or not to require all hackney carriages to become wheelchair accessible will not be addressed until the next review of this policy.

Restriction on Numbers of Licensed Vehicles

Although at the moment there is no restriction on how many hackney carriage vehicles can be licensed, Sevenoaks District Council will seek to address this matter when the need arises and may carry out a demand survey to seek clarification whether there is unmet demand for Hackney carriage vehicles within the whole district.

Re-allocation of Expired Hackney Carriage Vehicle Plates

If, when a hackney carriage licence expires, the vehicle is not re-licensed within twenty-eight days and the owner does not take steps to inform the Council of his/her intentions, then the plate will be re-allocated. A letter will be sent to the owner of the vehicle advising them that the plate will be re-allocated.

A period of fourteen days to be given when a person is allocated a plate to be licensed as a hackney carriage, to enable the person to licence the vehicle. If the vehicle is not licensed within fourteen days, then the plate be further allocated.

Taximeters

The Authority requires every vehicle licensed as a Hackney Carriage to be fitted with a taximeter. The Taximeter shall be of a type which is EU approved or specifically authorised by the Council.

Roof Signs

The Authority requires all Hackney Carriage vehicles to be fitted with working roof-mounted signs. If the illuminated roof lights have red in them, they must be fitted so that the red light is visible from the rear.

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PART C - MATTERS RELATING TO PRIVATE HIRE VEHICLES

Taximeters

A Private Hire vehicle may be fitted with a taximeter. If a taximeter is fitted it shall be of a type which is EU approved or specifically authorised by the Council.

Roof Signs

The Authority requires that no Private Hire vehicle be fitted with a roof-mounted sign of any kind.

D - MATTERS RELATING TO DRIVERS' LICENCES

1. Before a person is licensed, or renews a licence, as a Hackney Carriage or Private Hire driver the following requirements shall be met;

a. Any applicant must be medically examined, as allowed by section 57 (2) (a) (ii) of the Local Government (Miscellaneous) Provisions Act 1976, by a qualified medical practitioner, appointed by the Council, and considered fit enough to meet at least the standards required for the grant of a Group II driving licence as recommended by the Driver Vehicle Licensing Agency

b. A first time applicant, or an applicant whose previous licence expired more than 28 days previously, must produce a certificate issued by the Driving Standards Agency that he/she has taken and passed the agency's Taxi/Private Hire Driving Assessment Test. In addition from 31 December 2009 all licensed drivers of wheelchair accessible vehicles, which are to be licensed for the first time from that date, must undertake the Driving Standards Agency's 'Wheelchair Exercise Test' and be in possession of a certificate from the Agency for doing this, before they can use the vehicle.

c. A first time Hackney carriage driver applicant must demonstrate, by means of a test, an acceptable knowledge of places, roads and routes within the Council's area.

d. An enquiry shall be made of the Driver Vehicle Licensing Agency to establish the validity of any applicant's UK driving licence and any motoring convictions recorded against him/her in order to confirm that the applicant is a fit and proper person to hold, or continue to hold, a licence. The applicant is required to authorise the Council to make such enquiries.

e. Any applicant's criminal record shall be checked via the Criminal Records Bureau in order to confirm that the applicant is a fit and proper person to hold a licence. The applicant is required to complete the necessary forms for the purpose.

f. Any applicant must make a declaration (by means of a form or questionnaire provided for the purpose) as to any criminal or motoring convictions recorded or pending against him/her in order to confirm that the applicant is a fit and proper person to hold a licence.

g. Applicants for Hackney carriage drivers and Private Hire drivers should provide documentary evidence confirming their right to live and work in the UK. Any licence granted to drivers whose leave to remain in the UK is time limited will only be valid for

the period which they are entitled to work in the UK. In order for the licence to be extended drivers must produce further evidence to prove that they have the right to work in the UK

2. All holders of Hackney Carriage and Private Hire Drivers' licences shall be required to take and pass a medical examination as described in 1(a) above, when re-applying for the grant of a standard term licence; annually from age 65 or at any other time that may be prescribed by a medical practitioner or at any time as may be required by the Council if it has reason to be concerned as to the medical fitness of a licensee.

3. In relation to the consideration of convictions and cautions recorded against persons the Council has adopted the policy set out in Appendix 2 under Convictions Policy.

4. A Hackney Carriage or Private Hire Driver's Licence shall be valid for a standard term of three years (unless, for administrative reasons, a shorter period is appropriate).5. Any outstanding application older than 12 months will be destroyed. Should the applicant wish to pursue the application after 12 months a new application will need to be submitted with a fee and a new CRB application will also be required.

5. A holder of a Hackney Carriage Driver's licence is able to drive a Private Hire vehicle. However, a holder of a Private Hire Driver's licence may not drive a Hackney Carriage vehicle.

PART E – MATTERS RELATING TO PRIVATE HIRE OPERATORS

1. A Private Hire Operators Licence shall be valid for a period of three years (unless, for administrative reasons, a shorter period is appropriate).

2. The applicant's criminal record shall be checked via the Criminal Records Bureau in order to confirm that the applicant is a fit and proper person to hold a licence. The applicant is required to complete necessary forms for the purpose.

3. The applicant must make a declaration (by means of a form or questionnaire provided for the purpose) as to any criminal or motoring convictions recorded or pending against him/her in order to confirm that the applicant is a fit and proper person to hold a licence.

PART F – BYELAWS

1. The Council has adopted a national set model of byelaws which control the licensing enforcement of Hackney Carriage drivers and Hackney Carriage proprietors.

2. The byelaws are shown on pages 50 - 54

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Appendix 1

VEHICLE TEST STANDARDS

Licence Plates - currently licensed vehicles

Where vehicles are presented with licence plates affixed such licence plates in the case of both Hackney Carriages and Private Hire vehicles shall be securely affixed as follows;

External Plate - under the rear number plate (or, if not practical, to be fitted under the number plate). Elsewhere on the rear exterior bodywork is acceptable (i.e. bumper, boot) subject to the agreement of the Council, provided always that the plate is fixed in the vertical plane);

Internal Plate - inside the rear quarter light or rear window.

Internal Drivers Badge - inside the vehicle on the left hand side of the front windscreen and in plain view of the passengers but avoiding the windscreen wiper area.

Fare Plate or Chart - securely affixed inside the vehicle in such a position that it is clearly visible to passengers and shall contain a copy of the maximum Hackney Carriage Fare Tariff as currently adopted by the Council (or, if vehicle is Private Hire, the Operator's fares if they are displayed). The vehicle plate number will be shown on the fare chart together with details of how the passenger(s) can make a complaint regarding the vehicle or driver.

Insurance

A valid copy of the insurance certificate appertaining to the tested vehicle shall be available inside the vehicle.

The Standard of the Test

Any vehicle tested must reach the standards specified within this appendix and be certified roadworthy to MOT standards.

Vehicles of a class that are not subject to EU Type' approval, and are being tested for the first time will be additionally tested to ensure tyres, weight limits and any other aspect of the vehicle are safe and mechanically sound as possible for the safety of the passenger. Costs of such additional testing must be paid by the person wishing to licence the vehicle. In addition the history of the vehicle will be taken into consideration when determining whether the vehicle should be licensed.

Exterior Bodywork and Wheel Trims

The bodywork of the vehicle shall be in good condition and shall be as originally fitted by the manufacturer. Minor paint chipping, scuffmarks or very small dents may be accepted, provided that their extent does not impinge materially on the overall appearance of the vehicle. Wheel trims must be fitted to all road wheels where part of a manufacturer's original

Upholstery

All upholstery shall be clean and in a well maintained condition. No tear, crack, hole or burn will be acceptable if greater than 25 mm in any dimension. Upholstery includes seats, headrests, armrests, carpets and other trim.

Fittings

All fittings shall be properly maintained and in good working order. Fittings include clocks, interior lights, sun blinds, door surrounds, grab handles, other equipment provided for passenger comfort and any equipment in, on or forming part of the vehicle including wheelchair ramps and securing fittings where the vehicle is to be licensed to carry wheelchair bound passengers.

'No Smoking' signs

In accordance with legislative requirements a 'No Smoking' sign(s) will be exhibited within the vehicle and such sign(s) will be of the approved type.



Example of a suitable no smoking sign. The width is 80 mm and the height is 100mm.

Roof and Floor Coverings

Shall be clean and in good condition. No tear or other damage shall exceed 25 mm in length.

Fire Extinguishers

After consulting with Kent Fire and Rescue Services Sevenoaks District Council has decided to remove the requirement for a fire extinguisher in the vehicle. The driver's main priority would be to safely assist passengers out of the vehicle and to a safe area and then to call the Fire Services, rather than trying to tackle the fire and possibly endangering themselves and passengers.

Number of Passengers allowed (the term "passenger" or "person" includes a child or young person)

At the time of testing a vehicle, the number of passengers which may be carried, (up to a maximum of 8 persons), will be calculated as follows subject to there being one seat belt provided per passenger:

- a. where separate seats for each person are provided, one person for each seat:

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b. where continuous seats are fitted, one person for each complete length of 400mm measured along the front of each seat, and this criterion also applies where there are folding arms;

c. where there is no separate seat for the driver, i.e. there is a continuous seat, for a right hand drive vehicle, the driver's seat shall comprise so much of the seat as extends from the right hand edge of the seat to a point 450 mm left of the point on the seat directly in front of the centre of the steering column.

Taximeters (and Fare Tables for Private Hire Vehicles)

All Hackney Carriage vehicles licensed or to be licensed shall have a taximeter fitted. Private Hire vehicles, licensed or to be licensed, may have a taximeter fitted. Any vehicle fitted with a meter shall be tested on the road by reference to a measured distance to establish that the taximeter is accurate. In relation to Hackney Carriages the test shall be to establish that the meter does not produce a fare in excess of the maximums prescribed the current Hackney Carriage Fare Tariff approved by the Council. In relation to Private Hire vehicles the test shall be to establish that the meter does not produce a fare in excess of the operator's current fares. Where a Private Hire Vehicle is fitted with a taximeter a table showing the current fares of the operator shall be displayed inside the vehicle in such a position that it is clearly visible to passengers. In all cases taximeters shall be fitted in such way that they are visible to passengers.

Taximeters fitted to Hackney Carriages (and Private Hire vehicles, if provided with one), must be EU approved or specifically approved by the Council.

Disabled Person's Facilities

Where a vehicle is fitted with any facilities to assist disabled persons in entering or exiting the vehicle (i.e. swivel seats or similar or wheelchair facilities) such facilities shall be checked for proper operation. Wheelchair lifting equipment must comply with the Lifting Operations Lifting Equipment Regulations 1998 B.

Roof Signs

A Hackney Carriage must have a roof "TAXI" sign. Such wording shall be displayed conspicuously in either the front or the rear of the roof mounted display facing either the front or the rear. The sign may be in any position on the roof. The sign shall be illuminated and capable of being turned on and off (preferably via the meter but manual off/on is acceptable). No "TAXI" sign is allowed inside a vehicle. In addition to the word "TAXI" the sign may also contain the words "for Hire" and a taxi firm's telephone number and name.

A Private Hire vehicle shall not have any roof-mounted sign, or any similar sign inside the vehicle, or any other "thing" which may be mistaken/construed as a Hackney Carriage sign.

Doors

A vehicle shall have four side opening doors (designed for the purpose of permitting persons access to/from the interior) - any lift-up tailgate shall not be included;

or

A vehicle shall have three side opening doors (designed for the purpose of permitting persons access to/from the interior) and two rear opening doors (designed for the purpose of permitting persons access to/from the interior)

Windows

All windows designed to open shall operate in accordance with manufacturer's specification.

'Tinted windows' – i.e. any treatment to a vehicle's windows, which allows less than 50% of light to be transmitted through them and has the effect of obscuring the glass, is only acceptable, if the vehicle was first licensed as a hackney carriage, prior to 1 November 2005 and has been continuously licensed, or that the vehicle is to be used only as a licensed private hire vehicle.

Company Advertising

For saloons and estate cars all advertising/graphics etc must be confined to the side, rear or bonnet. Where advertising appears on the side of such a vehicle it must be contained within the area between the centres of the wheels (wheel base).

For transit and people carrier type vehicles all advertising/graphics etc must be confined to the side, rear or bonnet. Where advertising appears on the side of such a vehicle it must be contained within the area to the rear of the centre of the front wheels and the rear light cluster.

Subject to the above a proprietor may have simple lettering and numbers on a vehicle in order to display a company name, address, telephone/fax number, E-mail address or Web site, or advisory notices to do with smoking, but lettering height must be a minimum of 75mm and maximum of 150mm.

No graphics/art works or slogans or other displays of any kind are permitted except with the consent of the Council.

In the case of Private Hire Vehicles company advertising is subject to the specific exclusion of the words "taxi" or "cab" the use of which is not permitted.

Advertising, not relating to a hackney carriage vehicle's proprietor or company, is allowed under certain circumstances and will have been approved by the Council in writing. The written approval must be carried in the vehicle. No such advertising is permitted on a private hire vehicle

Excise Licence

There shall be displayed in the front windscreen of the vehicle a valid vehicle excise licence.

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Luggage Space - Vehicle Boots (and spare wheel in LPG powered vehicles)

The space provided in the vehicle for luggage stowing whether or not the vehicle has a separate luggage boot shall be clean and tidy with space available for luggage to be stowed.

If the vehicle is powered by Liquid Petroleum Gas and the LPG fuel tank has been installed in the boot space there shall remain free an amount of space for the stowage of a reasonable amount of luggage and any spare wheel displaced as a result of the tank installation must be stowed in a location that does not impinge on the passenger carrying area of a vehicle. Where relocation of the spare wheel is not possible an acceptable alternative, as supplied by the conversion company, will be permitted.

Any vehicle adapted or constructed for the use of liquid petroleum gas must be examined to ensure such adaptation or construction complies with the guide lines as laid down by the L P Gas Association and the appropriate certificate(s) and window display is shown.

Driving Position

The vehicle must be right hand drive unless the vehicle is a 'stretched limousine'(see page 1 of the Policy).

Mechanical Person Lift

If a mechanical person lift is fitted to the vehicle a current test certificate showing compliance with the Lifting Operations Lifting Equipment Regulations 1998 B must be produced at the time of the vehicle compliance test..

Appendix 2

CONVICTIONS POLICY

POLICY AS TO THE RELEVANCE OF CONVICTIONS AND CAUTIONS IN RELATION TO THE CONSIDERATION OF WHETHER A PERSON IS 'FIT AND PROPER' TO HOLD A HACKNEY CARRIAGE OR PRIVATE HIRE DRIVERS LICENCE

The purpose of this policy is to provide guidance on the criteria taken into account by the council when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage and/or private hire driver or operator licence.

The overriding aim of the licensing authority is to protect the safety of the public. The licensing authority is concerned to ensure:

- That a person is a fit and proper person
- That the person does not pose a threat to the public
- That the public are safeguarded from dishonest persons
- The safeguarding of children and young persons

This policy provides guidance to any person with an interest in taxi and private hire licensing. In particular, but not exclusively:

- Applicants for drivers' licences
- Existing licensed drivers whose licences are being reviewed
- Licensing officers
- Members of the licensing committee/ panel (or other relevant decision making body)
- Magistrates hearing appeals against local authority decisions

Where licensing officers have delegated powers to grant licences, they will utilise these guidelines when making a decision to grant a licence.

There may be occasions where it is appropriate to depart from the guidelines, for example where the offence is a one-off occasion or there are mitigating circumstances or alternatively where there are many or continuous offences which may show a pattern of offending and unfitness.

A person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but would normally be expected to:

- a. Remain free of conviction for an appropriate period; and
- b. Show adequate evidence that her or she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence). Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.

Any applicant refused a driver's licence on the grounds that the licensing authority is not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal [Local Government Miscellaneous Provisions Act 1976, s 77 (1)].

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Section 61 and Section 62 of the Local Government Miscellaneous Provisions Act 1976 allow the licensing authority to suspend, revoke or refuse to renew a licence if the application/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.

The Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 2002, allows the licensing authority to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Therefore, the licensing authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending.

In this policy the term "disqualification" refers to the period served, in order to take account of the fact that a court may reduce the period of disqualification from driving. An applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.

Consideration of disclosed criminal history

Under the provisions of Sections 51, 55, and 59, Local Government (Miscellaneous Provisions) Act 1976, the licensing authority is required to ensure that an applicant for the grant or renewal of a hackney carriage and/or a private hire vehicle drivers' licence and/or private hire vehicle operators licence is a 'fit and proper' person to hold such a licence. However, if an applicant has any convictions, warnings, cautions or charges awaiting trial, the licensing authority will look into:

- 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

Existing holders of drivers' licences are required to notify the licensing authority in writing within twenty-one days of receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions).

Applicants can discuss further what effect a caution/conviction may have on any application by contacting the licensing officer [insert details here] in confidence for advice.

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The licensing authority conducts disclosures from the Criminal Records Bureau (CRB) of any applicant for a driver licence. The licensing authority follows the CRB's Code of Practice on the fair use of disclosure information. A copy is available on request.

Applicants applying for the grant or a renewal of a drivers' licence will be required to obtain an enhanced disclosure at their expense. The licensing authority abides by the CRB's Policy on the secure storage, handling, use, retention and disposal of disclosure information, which is available on request.

More information about the CRB can be found on their website at www.disclosure.gov.uk.

The licensing authority is also entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the licensing authority or other licensing authorities, and information disclosed by the police under the Home Office scheme for reporting offences committed by notifiable occupations.

It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material particular in giving information required by the application for a licence. Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence, the licence will normally be refused.

Serious offences involving 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 intent
- Grievous bodily harm with intent
- Robbery
- Possession of firearm

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- Riot
- Assault Police
- Common assault with racially aggravated intent
- 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)
- S.4 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.

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.

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.

(a) 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

(b) 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

(c) 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.

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 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.

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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

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.

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

Drink driving/driving under the influence of 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.

Minor Traffic Offences

An applicant whose ordinary driving licence is endorsed with a minor traffic offence, e.g. obstruction, waiting in a restricted street, speeding, etc., shall not be prevented from proceeding with an application. If sufficient points have been accrued to require a period of disqualification of the applicant's ordinary driving licence then a hackney carriage or private hire licence may be granted after its restoration (subject to statutory requirements), but a warning may be issued as to future conduct.

Major Traffic Offences

An applicant who has an isolated conviction for reckless driving or driving without due care and attention, etc., will normally be warned as to future driving and advice on the standard expected of Hackney Carriage and Private Hire drivers. More than one conviction for this type of offence within the last three years will merit refusal and no further application shall be considered until a period of one to three years free from a conviction of a similar nature has elapsed.'

In relation to existing licence holders any conviction for a major traffic offence shall cause their "fit and proper" status to be reviewed immediately as the Council will regard any such conviction as indicating that they have fallen below the standards required for licensed drivers.

Disqualification from Driving

Without prejudice to any other Council or legislative requirement, any currently licensed hackney carriage or private hire licensed driver, who is disqualified from driving, either by an accumulation of penalty points on their driving licence or by any conviction for

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any offence by a Court, will have their Council licence suspended or revoked given due consideration to the circumstances. Before a hackney carriage or private hire driver licence can be re-issued then the person will be required to pass the 'Driving Standards Agency Driving Test' for hackney carriage and private hire drivers.

All Other Crimes

All other applications where the applicant has convictions for criminal offences, where sentences of less than those previously mentioned are imposed, or where fines, probation, supervision orders or conditional discharges have been imposed and a significant period of time has elapsed since conviction, should be treated entirely on their own merits.

Any other offence, not previously mentioned, where a 'Caution' has been administered, should be treated solely on the circumstances of it.

In relation to existing licence holders, if any person receives a conviction or caution for any criminal offence within the category of "all other crime offences" then the revocation or suspension of their licence will be imposed or considered, giving due thought to their "fit and proper" status in the light of the offence, sentence and circumstances presented.

Outstanding charges or summonses

If the individual is the subject of an outstanding charge or summons their application can continue to be processed, but the application will need to be reviewed at the conclusion of proceedings. Where information is received through the Notifiable Occupations Scheme on existing licence holders, consideration will be made at committee.

If the outstanding charge or summons involves a serious offence and the individual's conviction history indicates a possible pattern of unlawful behaviour or character trait, then in the interests of public safety the application may be put on hold until proceedings are concluded or the licence may be refused.

A suspension or revocation of the licence of a driver takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes a statement that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver. [Road Safety Act 2006, s 52, 2A&2B]

Non-conviction information

If an applicant has, on more than one occasion, been arrested or charged, but not convicted, for a serious offence which suggests he could be a danger to the public, consideration should be given to refusing the application. Such offences would include serious violent offences and serious sex offences.

In assessing the action to take, the safety of the travelling public must be the paramount concern.

Cautions

Admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.

Licensing offences

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

Summary

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.

Any person who has committed an offence and has to wait before an application is positively considered is more likely to value their licence and act accordingly.

While it is possible that an applicant may have a number of convictions that, individually, meet the above guidelines, 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.

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Appendix 3

Enforcement and Penalty Points Scheme

Any vehicle that is approached by an Authorised Officer of Sevenoaks District Council in order to carry out a vehicle inspection/driver check must remain until the inspection has been carried out. An exemption to this is if a fare arrives, which the driver is obliged to take or the driver informs the officer of a pre-booked fare prior to the inspection taking place.

Alternatively an Authorised Officer of Sevenoaks District Council may request that you attend the Council offices with the licensed vehicle in order to carry out an inspection.

It is Sevenoaks District Council's proposal to implement the Penalty points system in order to regulate enforcement and any action required.

This scheme will be used to enforce current legislation and any future bye laws in respect of Hackney Carriage Drivers and will be operated as follows:

1 The Council's Taxi Licensing and Enforcement Policy will be fully considered by an authorised officer when determining the manner on which any breach of legislation or the requirements of this Policy are dealt with.

(a) Where it is decided that the use of the penalty points system is appropriate, the points will be issued in accordance with this appendix. If this appendix allows a range of points for a particular incident, the authorised officer will determine the appropriate number of points proportionate to the offence.

(b) Penalty points will only be imposed where the licensee agrees the breach or offence has taken place. Where the licensee does not agree that the breach or offence has taken place, the matter will be referred in the first instance to the Licensing Manager for consideration regarding further action. The Licensee may be required to appear before the Licensing Committee.

(c) The imposition of penalty points against a driver who is an employee will not necessarily result in additional imposition of points to his/her employer or operator. However the Council retains the discretion to issue penalty points to drivers, driver/proprietors and operators for a single contravention if the circumstances warrant it i.e. the breach is one against all these licences and it is considered joint responsibility is held.

(d) Points issued to either a proprietor or driver will be confirmed in writing within ten working days from the discovery of the contravention.

(e) When issued, the penalty points will remain "live" for a period of one year from the date they are imposed so that only points accumulated in a rolling twelve month period will be taken into account.

(f) There is no financial penalty associated with the system, and the licensee may continue to work. However, the licensee may be asked to attend either a meeting with the Licensing Manager or attend a hearing of the Licensing Committee if 12 penalty

points are imposed on an individual licence in any one 12 month period, where appropriate action will be taken in accordance with this policy.

(g) Where a driver, proprietor or operator attains more than 12 penalty points, disciplinary options available to the Licensing Committee will include suspension or revocation of the driver's licence, where appropriate.

(h) If it is felt that the matter does not warrant suspension or revocation of the licence, the period for which the points are to remain "live" may be extended or a written warning may be issued to the driver as to his future conduct.

(i) Periods of suspension of a licence will be dependent on the nature of the breaches of the legislation or the requirements of this Policy and the compliance history of the licence holder.

(j) A driver will always have the right to be represented at any meeting, either legally or otherwise, and to state any mitigating circumstances he deems necessary.

(k) Any driver or vehicle proprietor or operator subject to suspension or revocation has the right of appeal to the Magistrates Court against the suspension or revocation. All suspensions will therefore be subject to a 21-day appeals period prior to implementation to allow for the formal appeals process.

(l) The penalty points system will operate without prejudice to the Council's ability to take other action under appropriate legislation or as provided for by this policy.

(m) The penalty points system outlined below identifies a number of breaches of conditions, byelaws and/or statutory provisions. It then indicates the number of points to be invoked should the breach be proven.

2. Penalty Points Tariff

Legislative offences and penalties:

Two statutes principally create offences relating to hackney carriages and private hire vehicles -

- i) Town Police Clauses Act 1847
- ii) Local Government (Miscellaneous Provisions) Act 1976

The offences are set out below under the relevant statute

In relation to the maximum penalties specified, the levels of fine are currently as follows:

Level 1 - £200

Level 2 - £500

Level 3 - £1,000

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Level 4 - £2,500

Any subsequent amendments to the legislation will supersede the tables below and this appendix may be amended to reflect the revised legislation by way of an addendum to this policy.

Town Police Clauses Act 1847

Section	Offence	Level of Fine	Penalty Points
40	Giving false information on a hackney carriage licence application.	1	12
44	Failure to notify change of address on a hackney carriage licence.	1	2
45	Plying for hire without a hackney carriage licence.	4	8-12
47	Driving a hackney carriage without a hackney carriage driver's licence.	3	8-12
47	Lending or parting with a hackney carriage driver's licence.	3	4
47	Hackney carriage proprietor employing an unlicensed driver.	3	8
48	Failure of a proprietor of a Hackney Carriage vehicle to retain and produce a valid Hackney Carriage driver's licence for the person driving the Hackney Carriage vehicle..		6
48	Failure of a proprietor to produce a hackney carriage driver's licence.	1	3
52	Failure to display a hackney carriage plate.	1	4
53	Refusal to take a fare without a reasonable excuse.	2	6-12
54	Charging more than the agreed fare.	1	6-12
55	Obtaining more than the legal fare (including failure to refund).	3 and 1 month's imprisonment	6-12

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56	Travelling less than the lawful distance for an agreed fare.	1	6
57	Failure to wait after a deposit to wait has been paid.	3	6
58	Charging more than the legal fare.	1	12
59	Carrying persons other than with the consent of the hirer.	1	8
60	Driving a hackney carriage without the proprietor's consent.	1	6-12
60	Allowing a person to drive a hackney carriage without the proprietor's consent.	1	6-12
62	Driver leaving a hackney carriage unattended.	1	2
64	Hackney carriage driver obstructing other hackney carriages.	1	3

Local Government (Miscellaneous Provisions) Act 1976

Section	Offence	Level of Fine	Penalty Points
46(1)(A)	Using an unlicensed private hire vehicle.	3	12
		by virtue of s76	
46(1)(b)	Driving a private hire vehicle without a private hire driver's licence.	3	12
		by virtue of s76	
46(1)(c)	Proprietor of a private hire vehicle using an unlicensed driver.	3	8
		by virtue of s76	
46(1)(d)	Operating a private hire vehicle without a private hire operators' licence.	3	8
		by virtue of s76	

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46(1)(e)	Operating a vehicle as a private hire vehicle when the vehicle is not licensed as a private hire vehicle.	3	12
		by virtue of s76	
46(1)(e)	Operating a private hire vehicle when the driver is not licensed as a private hire driver.	3	8
		by virtue of s76	
48(6)	Failure to display a private hire vehicle plate.	3	4
		by virtue of s76	
49	Failure to notify the transfer of a vehicle licence.	3	3
		by virtue of s76	
50(1)	Failure to present a hackney carriage or private hire vehicle for inspection upon request.	3	6-12
		by virtue of s76	
50(2)	Failure to inform the Council where a hackney carriage or private hire vehicle is stored, if requested.	3	3
		by virtue of s76	
50(3)	Failure to report an accident to the Council within seventy two hours.	3	6
		by virtue of s76	
50(4)	Failure to produce the vehicle and insurance documentation upon request.	3	8-12
		by virtue of s76	
53(3)	Failure to produce a driver's licence upon request.	3	3
		by virtue of s76	
54(2)	Failure to wear a private hire driver's badge.	3	4-6
		by virtue	

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		of s76	
56(2)	Failure of a private hire operator to keep proper records of all bookings, or failure to produce them upon request of an authorised officer of the Council or a police officer.	3	6
		by virtue of s76	
56(3)	Failure of a private hire operator to keep proper records of all private hire vehicles, or failure to produce them on request of an authorised officer of the Council or a police officer.	3	6
		by virtue of s76	
56(4)	Failure of a private hire operator to produce his licence upon request.	3	4
		by virtue of s76	
57	Making a false statement or withholding information to obtain a hackney carriage/private hire driver's licence.	3	12
		by virtue of s76	
58(2)	Failure to return a plate after notice has been given following expiry, revocation, or suspension of a hackney carriage or private hire vehicle licence.	3	6-12
		by virtue of s76	
61(2)	Failure to surrender a driver's licence after suspension, revocation, or refusal to renew.	3	6-12
		by virtue of s76	
64	Permitting any vehicle other than a hackney carriage to wait on a hackney carriage rank.	3	6
		by virtue of s76	
66	Charging more than the meter fare for a journey ending outside the District, without prior agreement.	3	6-12
		by virtue of s76	
67	Charging more than the meter fare when a hackney carriage is used as a private hire vehicle.	3	6-12
		by virtue of s76	
69	Unnecessarily prolonging a journey.	3	6-12

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		by virtue of s76	
71	Interfering with a taxi-meter with intent to mislead.	3	12
		by virtue of s76	
73(1)(a)	Obstruction of an authorised officer of the Council or a police officer.	3	12
		by virtue of s76	
73(1)(b)	Failure to comply with a requirement of an authorised officer of the Council or a police officer.	3	6-12
		by virtue of s76	
73(1)(c)	Failure to give information or assistance to an authorised officer of the Council or police officer.	3	6-12
		by virtue of s76	

2.2 Hackney Carriage and Private Hire Licensing Policy

Hackney Carriage and Private Hire Licensing Policy

Breach of Policy Requirement	Points
Failure to wear a driver's badge.	4-6
Failure to ensure the safety of passengers.	8-12
Concealing or defacing a vehicle licence plate.	6
Failure to attend on time for a pre-arranged booking without reasonable cause.	2
Conveying a greater number of passengers than permitted.	6

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Failure to have the light illuminated when plying for hire as a Hackney Carriage	3
Behave in a disorderly/rambunctious/abusive/insulting/threatening manner whilst operating as licensed taxi which could bring discredit upon the industry or Sevenoaks District Council	3-12
Failure to operate/conduct business in a fit and proper manner	3-12
Failure to give reasonable assistance with passenger's luggage.	3
Private hire plying for hire or accepting a fare that is not pre-booked.	6-12
Operating/using a vehicle that is not clean and tidy and in a safe condition internally or externally.	3 - 6
Driving without the consent of the proprietor.	6
Drinking or eating in the vehicle whilst carrying passengers.	2
Smoking in the vehicle at any time.	6
Allowing a private hire vehicle to stand in such a position as to suggest that it is plying for hire or using a hackney carriage stand.	6
Allowing a hackney carriage vehicle to stand in a position, not being a hackney carriage stand, to suggest that is plying for hire.	6
Using a non-hands free mobile telephone whilst driving.	12
Failure to advise of a relevant medical condition.	6-12
Failure to provide a receipt for a fare when requested.	2
Failure to operate the meter from the commencement of the journey and /or charging more than the fixed charge for hire of a hackney carriage.	4-12
Failure to produce a licence upon request.	3
Failure of Private Hire Operators to maintain accurate records regarding the start and termination of employment of a driver.	3
Failure to show a private hire driver's licence to the private hire	2

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operator at the commencement of employment.	
Failure of a private hire operator to request and/or record details of a private hire driver's licence at the beginning of employment.	2
Failure to surrender a driver's licence, badge or plate upon request.	6-12
Failure of a licence holder to disclose convictions within twenty one days of conviction.	12
Refusal to carry guide, hearing and assistance dogs unless the driver has been exempted on medical grounds.	2
Failure to conduct a minimum of a daily search of a vehicle or at the end of the driver's shift or failure to take found property to the Council within seventy two hours of finding.	3
Failure to report an accident within twenty four hours.	3
Failure to comply with requirements for the safe carrying of a wheelchair.	6
Operating a vehicle that does not comply with the Council's licensing policy where such a breach of policy requirements is not otherwise specified herein.	2-6
Operating/using a vehicle which is not maintained in a sound and roadworthy condition.	6-12
Modifying a vehicle without the consent of the Council.	12
Failure to display or maintain external plates as issued by the Council or displaying them incorrectly e.g. in the window of a vehicle.	4
Affixing or displaying a roof sign on a private hire vehicle.	12
Displaying a sign or advertisement on a licensed vehicle that does not satisfy the policy requirements or has not been approved by the Council.	4
Using a taxi-meter that does not conform to Council requirements.	6
Driving with no insurance or inadequate insurance for the vehicle.	12

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Permitting the vehicle to be used for any illegal or immoral purposes.	12
Failure of a private hire operator to ensure that office staff act in a civil and courteous manner at all times.	3
Failure of a private hire operator to keep the operating premises in accordance with council requirements.	3
Failure of a private hire operator to ensure that all vehicles operated by him are adequately insured.	12
Failure of a private hire operator to obtain public liability insurance for the operating premises if the public are allowed access.	12

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HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS

MEANINGS

In these conditions, unless otherwise indicated,

“the Council” means the Sevenoaks District Council; and

“the district” means the area of the Sevenoaks District Council

“proprietor” means a person who is the holder of a licence issued by the Council under section 37 of the Town Police Clauses Act 1847 and Part II of the Local Government (Miscellaneous Provisions) Act 1976

“vehicle “ means the vehicle that is specified on that licence

1. FIXING OF LICENCE PLATES ETC

The proprietor must ensure that the identification plate and fare chart, which have been supplied by the Council, are fixed and maintained in the positions specified and are kept in a clean and legible condition.

Plate etc	Position
External Licence Plate	Under the rear registration number plate or, in exceptional circumstances, another position near that location subject to the Council's prior approval.
Internal licence Plate	inside the rear quarter light or rear window.
Fare Chart With Plate Number	In a conspicuous position inside the passenger compartment of the vehicle so that it can be read by passengers.

2. ROOF SIGN

The proprietor must fix a sign on the roof of the vehicle of a design acceptable to the Council. The sign must have the word TAXI printed on it. It may also have printed upon it the words FOR HIRE and the name and/or telephone number of the proprietor's taxi firm.

3. ADVERTISING AND OTHER SIGNS

(a) The proprietor must not permit any advertising on or in the vehicle which is not advertising his/her taxi firm unless authorised to do so by the Council in writing.

(b) the proprietor must not permit any sign or mark other than those required or allowed in paragraphs 1 and 2 except with the express consent of the Council.

(c) advertisement of the proprietor's taxi firm must be in accordance with the following criteria:

(i) For saloons and estate cars all advertising/graphics etc must be confined to the side, rear or bonnet. Where advertising appears on the side of such a vehicle it must be contained within the area between the centres of the wheels (wheel base).

(ii) For transit and people carrier type vehicles all advertising/graphics etc must be confined to the side, rear or bonnet. Where advertising appears on the side of such a vehicle it must be contained within the area to the rear of the centre of the front wheels and the rear light cluster.

(iii) Subject to (i) and (ii) the above a proprietor may have simple lettering and numbers on a vehicle in order to display a company name, address, telephone/fax number, E-mail address or Web site, or advisory notices to do with smoking, but lettering height must be a minimum of 75mm and maximum of 150mm.

(iv) No graphics/art works or slogans or other displays of any kind are permitted except with the consent of the Council.

4 NO SMOKING

In accordance with legislative requirements a 'No Smoking' sign(s) will be exhibited within the vehicle and such sign(s) will be of the approved type.



Example of a suitable no smoking sign. The width is 80 mm and the height is 100mm.

5. SPOILAGE OF THE INTERIOR OF THE VEHICLE BY PASSENGERS

(a) Where a passenger has spoiled the interior of the vehicle any dispute in this respect including any claim for damages shall be a matter between the proprietor and the passenger.

(b) The wording in (a) above shall be reproduced in plainly visible lettering on the fare chart.

6. WHEELCHAIR SIGNS

Subject to the provisions of paragraph 4 above the proprietor may affix a sign on the outside of the vehicle indicating that it is able to convey passengers in wheelchairs provided the vehicle has been manufactured or properly adapted for that purpose.

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7. CARRIAGE OF ANIMALS OTHER THAN GUIDE/HEARING/ASSISTANCE DOGS

The proprietor has discretion as to whether the vehicle is used to convey an animal other than a guide or hearing dog within the meaning of Section 37 of the Disability Discrimination Act 1995. When a guide/hearing/assistance dog etc. is conveyed, no extra charge shall be made. Conveyance of a guide or hearing dog etc may only be declined if the driver of the vehicle has been granted a statutory exemption on medical grounds.

8. PRODUCTION OF CERTAIN DOCUMENTS

The proprietor must at any time by demand of an officer of the Council produce for inspection any or all of the following documents;

- (a) A current, valid, certificate of motor insurance, or cover note valid for at least 28 days for the vehicle that provides insurance cover for it as a Hackney Carriage;
- (b) A current, valid, MOT test certificate for the vehicle as required by S47 of the Road Traffic Act 1988;
- (c) A current, valid, vehicle excise licence;
- (d) The current proprietor's Hackney Carriage Vehicle licence for the vehicle; and
- (e) The vehicle's V.5 Registration Document.

9. MOTOR INSURANCE CERTIFICATE

The proprietor must at all times ensure that the vehicle is properly insured for use as a Hackney Carriage and a copy of the insurance certificate should be available inside the vehicle whilst it is licensed as a Hackney Carriage.

10. DAMAGE TO THE VEHICLE

The proprietor must, in the event of any damage to the vehicle materially affecting its safety, performance, appearance or comfort or convenience of passengers, report the occurrence to the Council in accordance with Section 50(3) of the Local Government (Miscellaneous Provisions) Act 1976 and the vehicle must not be used for hire again without the approval of the Council.

11. TAXIMETER

1. The proprietor must ensure that the vehicle is fitted with an EU or Council approved taximeter and the taximeter

- (a) Is calibrated at all times with a tariff not higher than the current Hackney Carriage Fare Tariff approved by the Council.
- (b) Is not tampered with in any way so as to effect the production of a fare that exceeds the maximum fare laid down by the current Hackney Carriage Fare Tariff approved by the Council.

(c) When its machinery is in action, records on its face, in figures clearly legible and free from ambiguity, the fare which the driver is entitled to demand and take for the hiring of the carriage.

(d) Has the word ' fare' printed on its face in plain letters so that the word clearly applies to the fare recorded thereon.

(e) Is positioned so that all letters and figures on its face are plainly visible to any passengers and for that purpose the letters and figures are suitably illuminated during any period of hiring.

2. The proprietor must produce to the Council, if demanded, and after any changes to the calibration of the meter a certificate of calibration issued by a competent taximeter installer.

12. MAXIMUM FARE

When the vehicle is hired the proprietor must not in any circumstances require or cause to be charged a fare which is greater than that authorised by the Council's current Hackney Carriage Fare Tariff.

13. DRIVERS

The proprietor must ensure that each person who drives the vehicle;

(a) holds a current and valid Hackney Carriage Drivers Licence issued by the Council.

(b) is acquainted with and understands their licence conditions and related statutory provisions.

(c) observes Council Byelaws and related statutory provisions.

14. BREAKDOWNS ETC

If, whilst hired, the vehicle breaks down or otherwise becomes unfit or unable to carry the hirer to his/her destination, the proprietor must;

(a) secure, without delay, suitable alternative transport to carry the hirer to his/her destination unless the hirer voluntarily elects to wait until the vehicle is repaired or is otherwise able to continue the journey.

(b) report the occurrence to the Council within 24 hours.

15. LOST PROPERTY

In relation to property which has been left, or may have been left, in the vehicle by passengers the proprietor must;

(a) daily search the vehicle to establish whether or not there is any such property.

(b) if any such property is found, notify the Council within 72 hours and provide a description of the property.

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(c) take reasonable steps to secure the return of the property to its owner.

16. PRESENTATION OF VEHICLE FOR INSPECTION

The proprietor must present the vehicle for inspection at any time and at any place required by the Council. If the vehicle is not presented at the place and time required by the Council then it may not be used as a Hackney Carriage without the Council's approval.

17. DISCLOSURE OF CONVICTIONS/CAUTIONS

The proprietor must notify the Council in writing of any convictions or cautions imposed on him/her whilst the licence is in force. Such notification must occur within 21 days of the imposition of a conviction/caution.

18. TRANSFER OF HACKNEY CARRIAGE INTEREST IN THE VEHICLE

If the proprietor, or part proprietor, transfers his/her Hackney Carriage interest in the vehicle to another person or persons the proprietor, or part proprietor, must notify the Council within 14 days of the date of the transfer and specify the name and address of each person to whom the interest has been transferred. (the Council may, with reasonable cause, revoke, suspend or review the licence if it considers any transferee is not a suitable person to hold a Hackney Carriage Vehicle Licence).

A fee and change of ownership form must also be submitted to the Council with a valid insurance document, V5 registration document and a current MOT test certificate whenever a vehicle is sold to another licensed driver.

19. COMPLAINTS BY HIRERS

The proprietor of the vehicle must ensure that, should any complaint be made regarding the vehicle or its driver, then sufficient information must be given to the complainant for that person to be able to identify the driver and/or the vehicle and the means of pursuing such complaint with the Council if necessary by giving the details of the Officer Licensing 'Taxis' his/her office address, name and telephone number.

20. USE OF TRAILERS

A. The vehicle may tow a trailer only when one is required in order to convey a hirer's luggage. If a trailer is towed it shall;

(i) comply with the towing weights specified by the vehicles' manufacturer;

(ii) provide secure and weatherproof stowage for the luggage. And

(iii) have displayed, upon its rear, the vehicle's licence plate.

B. The vehicle is not permitted to have a trailer in tow whilst it is standing on a taxi rank.

21. OTHER MATTERS

The proprietor must ensure that;

- (a) the vehicle is provided with sufficient means by which passengers may communicate with the driver and such means of communication are maintained.
- (b) the vehicle is maintained in a clean, comfortable, safe, watertight, mechanically sound and roadworthy condition.
- (c) at all times windows that are designed to open shall do so in accordance with manufacturer's specifications.
- (d) that, at all times, the area designed for the stowage of luggage is kept clear and available for the purpose.

22. 'TINTED WINDOWS'

The Hackney Carriage, once it has been licensed, is not permitted to have any treatment to its windscreen or windows which would cause the light transmission through the glass to be less than 50%.

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PRIVATE HIRE VEHICLE LICENCE CONDITIONS

MEANINGS

In these conditions, unless otherwise indicated,

“the Council” means the Sevenoaks District Council; and

“the district” means the area of the Sevenoaks District Council

“proprietor” means a person who is the holder of a licence issued by the Council under section 48 of the Local Government (Miscellaneous Provisions) Act 1976

“vehicle “ means the vehicle that is specified on that licence

1. FIXING OF LICENCE PLATES ETC

The proprietor must ensure that the following plates etc have been supplied by the Council and is responsible for their fixing and maintenance in the positions specified and keeping them in a clean and legible condition.

Plate etc	Position
External Licence Plate	Under the rear registration number plate or, in exceptional circumstances, another position near that location subject to the Council's prior approval.
Internal Licence Plate	inside the rear quarter light or rear window.
Fare Chart and Plate Number when meter fitted	In a conspicuous position inside the passenger compartment of the vehicle so that it can be read by passengers.

2. ADVERTISING AND OTHER SIGNS

(a) the proprietor must not permit any advertising on or in the vehicle which is not advertising his/her taxi firm.

(b) the proprietor must not permit any sign or mark other than those required or allowed in paragraph 1 except with the express consent of the Council.

(c) advertisement of the proprietors taxi firm must be in accordance with the following criteria

(i) For saloons and estate cars all advertising/graphics etc must be confined to the side, rear or bonnet. Where advertising appears on the side of such a vehicle it must be contained within the area between the centres of the wheels (wheel base).

(ii) For transit and people carrier type vehicles all advertising/graphics etc must be confined to the side, rear or bonnet. Where advertising

appears on the side of such a vehicle it must be contained within the area to the rear of the centre of front the wheels and the rear light cluster.

(iii) Subject to (i) and (ii) the above a proprietor may have simple lettering and numbers on a vehicle in order to display a company name, address, telephone/fax number, E- mail address or Web site, or advisory notices to do with smoking, but lettering height must be a minimum of 75mm and maximum of 150mm.

(iv) No graphics/art works or slogans or other displays of any kind are permitted except with the consent of the Council.

3. NO SMOKING

'No Smoking' signs will be fixed inside the vehicle in accordance with current legislative requirements.

4. SPOILAGE OF THE INTERIOR OF THE VEHICLE BY PASSENGERS

(a) Where a passenger has spoiled the interior of the vehicle any dispute in this respect including any claim for damages shall be a matter between the proprietor and the passenger.

(b) The wording in (a) above shall be reproduced in plainly visible lettering within the vehicle (on or next to the fare chart if fitted).

5. WHEELCHAIR SIGNS

Subject to the provisions of paragraph 2 the proprietor may affix a sign on the outside of the vehicle indicating that it is able to convey passengers in wheelchairs provided the vehicle has been manufactured or properly adapted for that purpose.

6. CARRIAGE OF ANIMALS OTHER THAN GUIDE/HEARING/ASSISTANCE DOGS.

The proprietor has discretion as to whether the vehicle is used to convey an animal other than a guide/hearing or assistance dog within the meaning of Section 37 of the Disability Discrimination Act 1995. When a guide or hearing dog etc is conveyed no extra charge shall be made. Conveyance of a guide/hearing or assistance dog etc may only be declined if the driver of the vehicle has been granted a statutory exemption on medical grounds.

7. PRODUCTION OF CERTAIN DOCUMENTS

The proprietor must at any time by demand of an officer of the Council produce for inspection any or all of the following documents;

(a) a current, valid, certificate of motor insurance or cover note valid for at least 28 days for the vehicle that provides insurance cover for it as a Private Hire Vehicle;

(b) a current, valid, MOT test certificate for the vehicle as required by S47 of the Road Traffic Act 1988;

(c) a current, valid, vehicle excise licence;

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- (d) the current proprietor's Private Hire Vehicle licence for the vehicle; and
- (e) the vehicle's V.5 Registration Document.

8. MOTOR INSURANCE CERTIFICATE

The proprietor must at all times ensure that the vehicle is properly insured for use as a Private Hire Vehicle and a copy of the insurance certificate should be available inside the vehicle whilst it is licensed as a Private Hire Vehicle.

9. DAMAGE TO THE VEHICLE

The proprietor must, in the event of any damage to the vehicle materially affecting its safety, performance, appearance or comfort or convenience of passengers, report the occurrence to the Council in accordance with Section 50(3) of the Local Government (Miscellaneous Provisions) Act 1976 and the vehicle must not be used for hire again without the approval of the Council.

10. TAXIMETER

If a taximeter is fitted to the vehicle;

1. The proprietor must ensure that the taximeter is EU type approved or specifically authorised by the Council and the taximeter;
 - (a) is calibrated at all times to include the current fare tariff of the Operator.
 - (b) is not tampered with in any way so as to effect the production of a fare that exceeds the maximum fare laid down by the current fare tariff of the Operator.
 - (c) when its machinery is in action, records on its face, in figures clearly legible and free from ambiguity, the fare which the driver is entitled to demand and take for the hiring of the carriage.
 - (d) has the word 'fare' printed on its face in plain letters so that the word clearly applies to the fare recorded thereon.
 - (e) is positioned so that all letters and figures on its face are plainly visible to any passengers and for that purpose the letters and figures are suitably illuminated during any period of hiring.
2. The proprietor must produce to the Council, if demanded, or after any changes to the calibration of the meter arising from the introduction of a revised fare tariff of the Operator, a certificate of calibration issued by a competent taximeter installer.

11. DRIVERS

The proprietor must ensure that each person who drives the vehicle;

- (a) holds a current and valid Private Hire Drivers Licence issued by the Council.
- (b) is acquainted with and understands their licence conditions and related statutory provisions.

- (c) observes their licence conditions and related statutory provisions.

12. BREAKDOWNS ETC

If, whilst hired, the vehicle breaks down or otherwise becomes unfit or unable to carry the hirer to his/her destination the proprietor must;

- (a) secure, without delay, suitable alternative transport to carry the hirer to his/her destination unless the hirer voluntarily elects to wait until the vehicle is repaired or is otherwise able to continue the journey.
- (b) report the occurrence to the Council within 24 hours.

13. LOST PROPERTY

In relation to property which has been left, or may have been left, in the vehicle by passengers the proprietor must;

- (a) daily search the vehicle to establish whether or not there is any such property.
- (b) if any such property is found, notify the Council within 72 hours and provide a description of the property.
- (c) take reasonable steps to secure the return of the property to its owner.

14. PRESENTATION OF VEHICLE FOR INSPECTION

The proprietor must present the vehicle for inspection at any time and at any place required by the Council. If the vehicle is not presented at the place and time required by the Council then it may not be used as a Private Hire Vehicle without the Council's approval.

15. DISCLOSURE OF CONVICTIONS OR CAUTIONS

The proprietor must notify the Council in writing of any convictions or cautions imposed on him/her whilst the licence is in force. Such notification must occur within 21 days of the imposition of a conviction/caution.

16. TRANSFER OF PRIVATE HIRE INTEREST IN THE VEHICLE

If the proprietor, or part proprietor, transfers his/her Private Hire interest in the vehicle to another person or persons the proprietor, or part proprietor, must notify the Council within 14 days of the date of the transfer and specify the name and address of each person to whom the interest has been transferred. (the Council may, with reasonable cause, revoke, suspend or review the licence if it considers any transferee is not a suitable person to hold a Private Hire Vehicle Licence).

17. COMPLAINTS BY HIRERS

The proprietor of the vehicle must ensure that, should any complaint be made regarding the vehicle or its driver, then sufficient information must be given to the complainant for that person to be able to identify the driver and/or the vehicle and the means of pursuing such complaint with the Council, if necessary, by giving also the

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details of the Officer licensing private hire vehicles, his/her office address, name and telephone number.

18. USE OF TRAILERS

The vehicle may tow a trailer only when one is required in order to convey a hirer's luggage. If a trailer is towed it shall;

- (i) comply with the towing weights specified by the vehicle's manufacturer;
- (ii) provide secure and weatherproof stowage for the luggage. And
- (iii) have displayed, upon its rear, the vehicle's licence plate.

19. OTHER MATTERS

The proprietor must ensure that;

- (a) the vehicle is provided with sufficient means by which passengers may communicate with the driver and such means of communication are maintained.
- (b) the vehicle is maintained in a clean, comfortable, safe, watertight, mechanically sound and roadworthy condition.
- (c) at all times windows that are designed to open shall do so in accordance with manufacturers specifications.
- (d) that, at all times, the area designed for the stowage of luggage is kept clear and available for the purpose.

20. 'TINTED' WINDOWS

Private Hire Vehicles with any tinted window of less than 50% transmission of light must not be used for the carriage of children and young persons who are, or will be, travelling without a parent or independent adult supervision. The only exception to this is that where a child or young person is to be carried as a passenger unaccompanied by an adult then it will be for the proprietor of the vehicle and/or the operator to satisfy themselves that such a journey in a vehicle with tinted windows is with the knowledge and consent of that child or young person's parent or guardian and the details of such knowledge and consent, whether verbal or written, will form part of the Operator's Records required to be kept by licence condition.

PRIVATE HIRE DRIVER LICENCE CONDITIONS

MEANINGS

In these conditions, unless otherwise indicated,

“the Council” means the Sevenoaks District Council; and

“the district” means the area of the Sevenoaks District Council

“driver of a private hire vehicle “ means a person who has been granted a licence by the Council under section 51 of the Local Government (Miscellaneous Provisions) Act 1976

1. A driver of a private hire vehicle shall: -
 - (a) not wilfully or negligently cause or suffer the licence plate of the vehicle to be concealed from public view while the vehicle is licensed; and
 - (b) not cause or permit the vehicle to be used, whilst licensed, with any such plate so defaced that any figure or material particular is illegible.
2. The driver of a private hire vehicle provided with a taximeter shall: -
 - (a) when not hired, keep the machinery of the taximeter inactive so that no fare is recorded on the face of the taximeter;
 - (b) before beginning a journey for which a fare is charged bring the machinery of the taximeter into action and keep the machinery of the taximeter in action until the termination of the hiring; and
 - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half-an-hour after sunset and half-an-hour before sunrise, and also at any other time at the request of the hirer.
3. A driver of a private hire vehicle shall not tamper with or permit any person to tamper with any taximeter with which the vehicle is provided, with the fittings thereof, or with the seals affixed thereto.
4. Where a vehicle is equipped with a taximeter and where such taximeter is to be used to record the fare for a hiring, the driver shall -
 - (a) ensure, during the continuance of such hiring, that the dial of the taximeter is not concealed in any manner or by any means and that such dial is distinctly and plainly visible and legible to any person hiring or being conveyed in the vehicle;
 - (b) cause the dial of the taximeter to be kept properly illuminated throughout the hiring;
 - (c) report immediately to the Council and to the Operator any failure of the taximeter;

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(d) not wilfully or negligently cause or suffer the table of the Operator's fares to be inverted or detached or altered or the letters or figures on such table to be in any manner or by any means concealed at any time.

5. The driver of a private hire vehicle shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.

6. A driver of a private hire vehicle who has agreed or has been hired to be in attendance with the vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.

7. A driver of a private hire vehicle shall not convey or permit to be conveyed in such vehicle any greater number of persons than the number of persons specified on the licence plate affixed to the vehicle.

8. If a badge has been provided by the Council and delivered to the driver of a private hire vehicle he shall, when working as such and when hired, wear that badge in such position and manner as to be plainly visible.

9. The driver of a private hire vehicle so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the vehicle: -

(a) convey a reasonable quantity of luggage;

(b) afford reasonable assistance in loading and unloading; and

(c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.

10. The driver of a private hire vehicle shall be entitled to demand and take for the hire of the vehicle only;

(a) such fare as may be shown on the face of any taximeter provided in the vehicle (where the fare for the hiring is charged by reference to the Operator's table of fares) save for any extra charges authorised by the Operator which it may not be possible to record on the face of the taximeter; or

(b) such other fare as may have been agreed with the hirer prior to the commencement of the hiring.

11. The driver of a private hire vehicle bearing a table of the Operator's fares shall not wilfully or negligently cause or suffer the letters or figures in that table to be concealed or rendered illegible at any time while the vehicle is licensed.

12. The driver of a private hire vehicle shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.

13. The driver of a private hire vehicle shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him: -

(a) carry it as soon as possible and in any event within 48 hours if not sooner claimed by or on behalf of its owner, to the office of the Council and leave it in the custody of the officer in charge of the office on his giving a receipt for it; and

(b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to ten pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever be the greater) but not more than twenty five pounds.

14. A Private Hire Driver must comply at all times with the current legislation relating to no smoking in the vehicle whether it is used for the conveyance of the public or not.

Informative

If you accept bookings for the private hire vehicle, which you are driving, direct from a hirer you must ensure that you have a Private Hire Operator's Licence, as it is unlawful for you to accept bookings without such licence.

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PRIVATE HIRE OPERATORS LICENCE CONDITIONS

MEANINGS

In these conditions, unless otherwise indicated

"the Council" means the "Sevenoaks District Council",

"the Operator" means the holder of a licence and

"Licence" means a licence granted by the Council under section 55 of the Local Government (Miscellaneous Provisions) Act 1976 to operate private hire vehicles.

1. RECORD KEEPING

The operator shall keep (in a non-erasable form) comprehensive records as follows;

A. Drivers

The Operator must keep up to date records of the names and addresses of all licensed drivers who are used and shall notify the Council;

- (i) when any new driver begins service,
- (ii) when any driver's service ceases; and
- (iii) of any change of address of any driver in service.
- (iv) if he/she becomes aware that any driver is suffering from any illness, disability or condition which may affect the driver's ability to safely carry out his/her duties.

B. Vehicles

- (i) of all vehicles operated and the dates and times during which they are operated;
- (ii) the maintenance history of each vehicle, including details of all repairs carried out;

C. Bookings

All bookings made for private hire vehicles shall be recorded the same calendar day and kept for 6 months. The record of each booking must include;

- (i) the source from which the booking came and the time it was received
- (ii) pick-up point and the time the journey commenced;
- (iii) destination point and the time the journey ended;
- (iv) the vehicle used;
- (v) the driver employed;

- (vi) by whom the entry was made in the record
- (vii) the fare quoted (if quoted) at the time of booking
- (viii) the fare actually charged
- (ix) the reason(s) why the fare actually charged was different if it was different
- (x) any other relevant information.

2. DISCLOSURE OF CONVICTIONS

The operator shall immediately disclose to the Council in writing details of any convictions imposed on him during the currency of this licence.

3. TAXI METERS

Where a taximeter is used to record the fare for hiring, the Operator shall ensure that a table showing his/her current fare scale is displayed inside the vehicle in a position so that it is plainly and easily visible to any person being conveyed in the vehicle and that the table is kept in clean and legible condition.

4. ADVERTISEMENT OF BUSINESS

The operator must not use in any advertisement of his/her business the words "Hackney Carriage", "Taxi" or "Cab" if licensed Hackney Carriages cannot be supplied.

5. SURRENDER OF LICENCE

If at any time during the period of the licence the operator for any reason does not wish to retain the licence (which is not transferable) or if at any time during the period of the licence it is suspended or revoked he must immediately surrender and return the licence to the Council.

6. NOTIFICATION OF ACCIDENTS

If any vehicle (licensed by the Council) which is used by the Operator is involved in an accident the Operator must notify the Council within 72 hours.

7. RUNNING OF BUSINESS

The Operator shall;

- (a) provide a prompt, reliable and efficient service to the public at all reasonable times and in particular ensure that the premises to which the public have access for the purpose of making bookings or waiting for cars etc are kept clean and provided with adequate seating facilities;
- (b) ensure that the use of the premises which is used for the running of his/her business has no detrimental effect on the neighbourhood.
- (c) notify the Council within 21 days of any change of business address or change of company or trading name.

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8. PUBLIC LIABILITY INSURANCE

If the Operator has premises to which the public have access, in connection with the hiring of vehicles, he shall ensure that there is public liability insurance in force which indemnifies him against any claim for loss, damage or personal injury by any person using those premises.

9. DRIVERS – MEDICAL FITNESS

The Operator must not knowingly permit a driver to drive a licensed vehicle if he/she is aware that the person is suffering from any illness, disability or condition which may affect their ability to safely carry out their duties.

10. VEHICLES WITH TINTED WINDOWS

If a Private Hire Vehicle with tinted windows which have less than 50% light transmission through any of them is used for the carriage of children or young persons without adult supervision then it is the responsibility of the Operator to ensure that, when the booking for the vehicle is taken, the person accepting the booking has sought the knowledge and consent of the child or young persons parent or guardian for the journey and such knowledge and consent whether verbal or written is recorded in the Operator's 'Record of Journeys' as required by these licence conditions

Informative

The Operator shall be aware that a booking accepted by telephone, or otherwise verbally, is a lawful agreement and he/she may be liable for breach of contract if a booking is not honoured. The accurate recording of booking details is a means of protecting yourself if such circumstances arise.

BYELAWS

Made under section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875, by the District Council of Sevenoaks with respect to hackney carriages in the District of Sevenoaks.

INTERPRETATION

1. Throughout these byelaws “the Council” means the District Council of Sevenoaks and “the district” means the District of Sevenoaks.

PROVISIONS REGULATING THE MANNER IN WHICH THE NUMBER OF EACH HACKNEY CARRIAGE, CORRESPONDING WITH THE NUMBER OF ITS LICENCE, SHALL BE DISPLAYED.

2. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto.

(b) A proprietor or driver of a hackney carriage shall: -

(i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;

(ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED.

3. The proprietor of a hackney carriage shall: -

(a) provide sufficient means by which any person in the carriage may communicate with the driver;

(b) cause the roof or covering to be kept water-tight;

(c) provide any necessary windows and means of opening and closing not less than one window on each side;

(d) cause the seats to be properly cushioned or covered:

(e) cause the floor to be provided with a proper carpet, mat or other suitable covering;

(f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;

(g) provide means for securing luggage if the hackney carriage is so constructed as to carry luggage;

(h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use; and

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(i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.

4. The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say: -

(a) the taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;

(b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;

(c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance and time in pursuance of the tariff fixed by the Council;

(d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;

(e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and

(f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

PROVISIONS REGULATING THE CONDUCT OF THE PROPRIETORS AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE DISTRICT IN THEIR SEVERAL EMPLOYMENTS, AND DETERMINING WHETHER SUCH DRIVERS SHALL WEAR ANY AND WHAT BADGES.

5. The driver of a hackney carriage provided with a taximeter shall: -

(a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;

(b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring; and

(c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half an hour after sunset and half **and** hour before sunrise, and also at any other time at the request of the hirer.

6. A proprietor or driver of a carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired: -
 - (a) proceed with reasonable speed to one of the stands appointed by the Council;
 - (b) 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;
 - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
 - (d) from time to time, when any other carriage immediately in front is driven off or moved forward, cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
8. At no time is smoking permitted in any Hackney Carriage or Private Hire Vehicle.
9. A proprietor or driver of a hackney carriage, when standing or plying for hire shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.
10. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
11. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
12. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
13. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
14. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage: -
 - (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading; and
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.

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PROVISIONS FIXING THE RATES OR FARES TO BE PAID FOR HACKNEY CARRIAGES WITHIN THE DISTRICT, AND SECURING THE DUE PUBLICATION OF SUCH FARES.

15. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate or fare being calculated by distance and time unless the hirer expresses at the commencement of the hiring his desire to engage by time.

Provided always that, where a hackney carriage furnished with a taximeter shall be hired by distance and time, the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

16.(a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by Council resolution to be exhibited inside the carriage, in clearly distinguishable letters and figures.

(b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

PROVISIONS SECURING THE SAFE CUSTODY AND REDELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES, AND FIXING THE CHARGES TO BE MADE IN RESPECT THEREOF.

17. The proprietor or driver of a hackney carriage shall, immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the carriage for any property which may have been accidentally left therein.

18. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:

(a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the office of the Council, and leave it in the custody of the officer in charge on his giving a receipt for it; and

(b) be entitled to receive from any person to whom the property shall be redelivered an amount equal to ten pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever is the greater) but not more than twenty five pounds.

PENALTIES

19. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction therefore.

REPEAL OF BYELAWS

The byelaws relating to hackney carriages referred to in the following schedule are hereby repealed.

SCHEDULE

<u>Date of Byelaws</u>	<u>By Whom Made</u>	<u>Date of Confirmation</u>	<u>By Whom Confirmed</u>
17th December 1964	Sevenoaks Urban District Council	5th April 1965	An Assistant Under Secretary of State

GIVEN under the COMMON SEAL
OF THE DISTRICT COUNCIL OF
SEVENOAKS this 7th day of October 2004

Item 5(c) – Polling District and Polling Places Review 2011
The Electoral Arrangements Committee’s Recommendations to Council

At its meeting on 27 October 2011 the Electoral Arrangements Committee considered the matter as follows:

“The Electoral Services Manager presented a report which advised the Committee that the Council was required to carry out a review of polling districts and polling places at least once every four years under the Electoral Administration Act 2006. The last review had been completed in 2007 and a review therefore had to be completed by the end of December 2011. The requirement to divide the district into polling districts for the purposes of elections and to provide a polling place for every district that was easily accessible to all electors, including those with disabilities, was highlighted. The report also explained the Council’s practice of avoiding the use of school premises wherever possible to minimise disruption to school activities along with the intention that temporary stations should not be used on grounds of expense and that no more than 1800 electors should be allocated to a polling station. The Polling Districts and Polling Places Review process was outlined along with the timetable for the conclusion of the review. As part of this notice of the review had been given as required in the regulations, the Returning Officer had provided comments on the existing polling station locations and there had been public consultation which had invited comments from a number of organisations including parish councils, District and County Councillors, local political associations and all local government electors. This consultation period had begun on 22 August and ended on 7 October 2011. The responses to the consultation were contained in Appendix A to the report.

The Electoral Services Manager explained that investigations had been carried out in six polling districts in an effort to secure permanent changes to existing venues and the options and recommendations in respect of each polling district and polling place were outlined, along with the reasons for the recommendations, in Appendix B to the report. Very few changes were proposed although it was recognised that not all locations were ideal but some were used due to lack of suitable alternatives or the non-availability of venues. It was proposed that the venues used for the 2011 elections should be retained with the exception of the East Hill and Knatts Valley Polling Districts where it was proposed to locate a double station at Woodlands Manor Golf Club where there were good parking facilities, and West Kingsdown (East) where the function room in The Portobello Inn would replace the Village Hall, which was no longer available. Enquiries had also been made about the possibility of returning to use Knole Academy East (the former Wildernesse School) as a polling place for Hillingdon and Wildernesse Polling Districts, which had not been available in 2011, and it had been confirmed that this venue could be used in future. It was therefore recommended that this should be included in the proposals contained in Appendix B to the report and the recommendations to be approved by the Council on 29 November 2011. The Electoral Services Manager stressed that the Council kept the position under review and that if more appropriate venues emerged in any of the polling districts these could be considered at any time and for this reason the review

had not identified a need for many changes. It was accepted that polling arrangements in Birchwood and Kemsing West were not ideal but that these would be kept under review.

Councillor Brookbank expressed his concern at the polling arrangements made for Birchwood Polling District at the General Election but accepted that the arrangements applied at the 2011 Elections, when Birchwood electors polled at the White Oak Bowls Centre, had been better but still wondered whether a temporary polling station might be an option. Members noted that an approach had been made to the manager of the new hotel at Birchwood as a possible polling location but that this had been turned down. Councillor Mrs Hunter offered to contact the owners, Whitbreads, at a more senior level to see whether they might reconsider this position.

Resolved: That it be recommended to the Council that

(1) the proposed polling scheme contained in Appendix B to the report, as amended and attached to these minutes, be approved; and

(2) the timetable in paragraph 9 of the report (in relation to the next phase of the review) be adopted”.

Note: Text in bold type represents a recommendation to the Council.

POLLING DISTRICTS AND POLLING PLACES REVIEW

Electoral Arrangements Committee – 27 October 2011

Report of the: Deputy Chief Executive & Director of Corporate Resources

Also to be considered by: Council – 29 November 2011

Status: For Decision

Executive Summary: Legislation requires district councils to review the polling districts and polling places within its area by the end of 2011. This report outlines the existing and proposed scheme for the Sevenoaks District Council area.

Portfolio Holder Cllr. Mrs. Bracken

Head of Service Head of Legal – Mrs. Christine Nuttall

Recommendation to Electoral Arrangements Committee

That it be recommended to the Council that:

- (a) the proposed polling scheme as shown in Appendix B be approved; and
 - (b) the timetable in paragraph 9 (in relation to the next phase of the review) be adopted.
-

Reason for Recommendation: a review of polling districts and polling places is required by law to be carried out in 2011.

Introduction

- 1 The District Council completed a review of polling districts and polling places at the end of 2007 as required by the Electoral Administration Act 2006. A district council must complete a further review before the end of the period of four years starting with the completion of the previous review.
- 2 The process for conducting the review is further explained in the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006. Although the legislation refers specifically to parliamentary elections, the Electoral Commission (EC) advised (in its circular dated 26 June 2007) that such reviews should be conducted simultaneously with a review of local government arrangements. EC further advises that the polling districts and places for parliamentary elections and local government elections should always be the same and this is the case currently in Sevenoaks.

Item No. 5(c)

- 3 District councils are required to divide their area into polling districts for the purpose of elections and to designate polling places for these polling districts. The aim should be to provide a polling place for every polling district that is easily accessible to all electors, including those with disabilities. Each parish has to have a separate polling district.
- 4 In Sevenoaks, we have taken the view over the years that we should avoid the use of school premises wherever possible because of the potential disruption to schooling. As a result, at the May 2011 elections only four schools were used as polling places and in each instance the school was able to continue as near normal. Also, when selecting new venues, consideration must be given to the assured availability of the premises even at short notice.
- 5 Wherever possible at polling places that have access issues, polling staff direct voters to an alternative entrance or set up ramps (where appropriate) in liaison with the caretaker of the premises.
- 6 As part of this review, the Returning Officer (RO) for the Sevenoaks District is required to comment upon the existing polling stations (i.e. the room or building where polling takes place) and upon any new proposals. Generally, the RO considers that no more than 1800 electors should be allocated to one polling station as it would be administratively difficult for the usual team of polling staff (comprising one presiding officer and two poll clerks) to handle more than this number. However, on the occasion of polling for multiple elections on the same day (as in 2011), the RO always reviews staffing levels.

The Process to Date

- 7 Notice of the review was given on 22nd August 2011 in the following ways:
 - notice displayed at Council Offices in Sevenoaks and Swanley;
 - article on the District Council website;
 - local news release;
 - letter to Sevenoaks District Councillors and to Kent County Councillors representing electoral divisions within the Sevenoaks District Council area;
 - letter to the Dartford, Sevenoaks and Tonbridge & Malling Members of Parliament and to MEPs representing the South East Region;
 - letter to all parish councils within the Sevenoaks District;
 - local political associations in Dartford, Sevenoaks and Tonbridge & Malling parliamentary constituencies of the three main political parties;
 - the Acting Returning Officer for the Dartford and Tonbridge & Malling parliamentary constituencies.

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- 8 The notice and articles invited electors within the Sevenoaks District and all the above consultees to submit representations by Friday, 7 October and these appear as Appendix A. Persons or bodies making representations were requested to give alternative places that may be used for polling.
- 9 The envisaged timetable for this review is as follows:
- Commencement of review Monday, 22 August 2011
 - Deadline for representations Friday, 7 October 2011
 - Electoral Arrangements Committee Thursday, 27 October 2011
 - Full Council Tuesday, 29 November 2011

Following approval by the District Council, the polling scheme will be published and representations will again be sought over a six week period. Subject to responses, further meetings of the Electoral Arrangements Committee will be arranged.

Options (and Reasons for the Recommendation)

- 10 Appendix B contains details of electorates by polling district, the proposed polling place and reason for the choice and details of the number of polling stations at each polling place. Consideration has been given to any forthcoming developments in the Sevenoaks District that might affect electorates over the next few years. At the moment the only site that is likely to have any significant impact is the former West Kent Cold Store but it is hard to estimate when the anticipated increase in electorate will take effect. As with all new developments of any significant size, the impact will be kept under constant review. There is no need to wait until the next four yearly review before taking action.
- 11 Investigations have been carried out in six polling districts in an attempt to secure permanent changes to the existing venues:
- (Sevenoaks) Hillingdon and (Sevenoaks) Wildernesse
 - (Swanley) Birchwood
 - (West Kingsdown) East Hill and (West Kingsdown) Knatts Valley
 - West Kingsdown East

Hillingdon and Wildernesse Polling Districts

11. The former Wildernesse School was the venue for these polling districts at least since 1974. A classroom was used allowing the school to function. Following ward boundary changes in 2003, this venue has been situated outside the Hillingdon polling district but after extensive consultation, it was agreed that Hillingdon electors should continue to use this venue as well as electors from Wildernesse polling district (where the building is situated).

12. However, in May 2011 the venue (now Knole Academy East) was not available and electors for these two polling districts had to attend St. John's C.E.P. School in Kennedy Gardens which is also the venue for Holly Bush polling district. To have electors from three polling districts at one venue is not an ideal situation particularly at multiple elections, as in 2011.
13. Enquiries have again been made of Knole Academy in order to return to this venue at future elections. Discussions are continuing and Members will be updated on progress at the meeting of the Committee.

Birchwood Polling District

14. In recent years both the Birchwood School and its replacement Birchwood Public House have closed. Inquiries were made of the new hotel at Birchwood before the 2011 elections and again recently but they are adamant there is no accommodation available that is suitable for polling purposes. At the 2010 parliamentary general election Birchwood electors voted at the White Oak Leisure Centre; this venue was not ideal in itself and its close proximity to the polling venue for White Oak polling district (White Oak Bowls Centre) caused some confusion amongst the electorate.
15. In 2011, therefore, Birchwood electors polled at White Oak Bowls Centre, Hilda May Avenue. Whilst there were initial access difficulties due to security arrangements, overall this was a better arrangement than the year before. I will ensure the access issues are not repeated and therefore the 2011 arrangements should continue for the present. Long term arrangements for the Birchwood polling district will be kept under review.

East Hill & Knatts Valley Polling Districts

16. For several years East Hill electors have had to poll at Woodlands Church Hall, Tinkerpot Lane, the same venue as Knatts Valley electors. As most electors will have to travel by car in order to vote, it is important to have car parking facilities: there are none at the current venue.
17. Enquiries have been made of the Woodlands Manor Golf Club, also in Tinkerpot Lane, which has ample car parking available. They are willing to accommodate a polling station and I recommend the use of these premises for both polling districts at future elections (using both the Church Hall and the Golf Club would cause elector confusion).

West Kingsdown East Polling District

18. The West Kingsdown Village Hall, Fawkham Road is no longer available for use as a polling station. Enquiries have been made of The Portobello Inn, London Road (at the junction with Fawkham Road) and they are willing to accommodate a polling station in their Function Room. Access will be from the car park and a ramp will be provided to assist electors with disabilities, if appropriate. I recommend this change on a permanent basis.

Key Implications

Financial

19. The permanent changes recommended to two polling venues are likely to lead to a very small saving in hire charges.
20. Investigations are underway to remedy the access difficulty at Edenbridge Scout HQ (Stangrove and South End polling district) at a maximum one-off cost of £150.

Community Impact and Outcomes

21. District councils are required to divide their area into polling districts for the purposes of elections and to designate polling places for these polling districts. The aim should be to provide a polling place for every polling district that is easily accessible to all electors, including those with disabilities.

Legal, Human Rights etc.

22. There are no legal or human rights implications in this report.

Resource (non-financial)

23. Staff input has been required to investigate alternative polling arrangements and will be required in order to keep polling arrangements under constant review.

Value For Money and Asset Management

24. Whenever there is a perceived lack of polling facilities within a polling district, suggestions are made by interested parties for the use of a temporary building. This involves the delivery and setting up of a “portacabin” containing furniture, ramp access, toilet facilities and a generator to provide electricity; there is also the security of these temporary structures to consider. Enquiries of neighbouring authorities indicate a cost of well over one thousand pounds for the use of each “portacabin”. I believe it is important on cost grounds, therefore, to try to find alternative solutions.

Conclusions

25. There have been many reviews of polling arrangements over the years, often as a result of boundary changes or the implementation of policies, e.g. alternatives to schools and an increase in the provision of polling places to encourage turn-out. In between, a constant watch is kept on providing the best facilities available. Not surprisingly, therefore, this review proposes a minimum of changes most of which have been enforced due to the non-availability of venues.

Risk Assessment Statement

26. Legislation requires district councils to carry out four yearly reviews, 2011 being a review year; there appears to be no legal sanction if this deadline is not met. Council approval of this report's proposals ought to be obtained on 29 November 2011 and although representations upon the review may be received for six weeks after this date, the review itself will have been carried out within the timescale.
27. Section 18B of the Representation of the People Act 1983 (inserted by the Electoral Administration Act 2006) states
- “the authority must seek to ensure that all electors in a constituency in its area have such reasonable facilities for voting as are practicable in the circumstances;
- the authority must seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled”
28. Following the review in 2007, the Property Services section of the District Council investigated access arrangements at all polling places and keeps such matters under review in partnership with the RO. These matters need to be addressed otherwise the District Council may be criticised for its inaction.

Background Papers:

Electoral Administration Act 2006

Review of Polling Districts and Polling Places
(Parliamentary Elections) Regulations 2006

Representation of the People Act 1983

Electoral Commission Circular EC28/2007

Files EL9 and EL10 in the Electoral Services
section (providing history)**Contact Officer(s):**

Ian Bigwood – ext. no.7242

Dr. Pav Ramewal
Corporate Resources Director

Review of Polling Districts, Polling Places and Polling Stations

Responses to Consultation

Contributor	Details of Comments	Returning Officer's Response
Chevening Parish Council	The Parish Council voted unanimously to retain polling at Chevening Church Hall.	
Edenbridge Town Council	<p>1. Edenbridge Scout HQ, Station Road, Edenbridge - difficult access for mobility buggy.</p> <p>2. Scout HQ and W.I. Hall - voter confusion due to close proximity of the two polling stations.</p> <p>3. Scout HQ – polling booths not wide enough for mobility buggy so impairing secrecy of the vote.</p>	<p>1. A ramp, specifically designed for the situation, is being constructed.</p> <p>2. The two polling places serve electors of different wards and, therefore, different polling districts. Legislation requires polling places to be within the polling district (except in special circumstances). It is unwise to have electors of different wards sharing the same premises as this leads to ballot papers being placed in the wrong ballot boxes and consequent difficulties at the counting of votes.</p> <p>3. Wider booths, already used at other locations, will be allocated to the Scout HQ in the future.</p>
Cllr John Scholey	Polling arrangements for Edenbridge North & East Ward are satisfactory.	
Halstead Parish Council	The Parish Council is pleased to note the retention of the Pavilion, Station Road, Halstead.	
Margaret Bown, Hartley resident	Approves of existing arrangements for All Saints Church Centre, Ash Road, Hartley (the hall is accessible).	
Seal Parish Council	The Parish Council and local District Councillors agree with the retention of the current polling places.	
Shoreham Parish Council	The Parish Council approves of the current	

	arrangements.	
Cllr Robert Brookbank	Birchwood (Swanley) polling district – Cllr Brookbank seeks a polling place within the polling district and suggests the new hotel at Birchwood.	Contact made with the hotel for second successive year; they are still of the opinion that the hotel does not have suitable accommodation and will not, therefore, offer their premises for polling purposes (see Appendix B).
Westerham Parish Council	The Parish Council is not aware of any problems or access difficulties with either of the two polling places serving the Parish.	
County Cllr Nick Chard	Supports the polling stations allocated to the Sevenoaks East County Electoral Division.	
Acting Returning Officer for Dartford Parliamentary Constituency	Satisfied with the current arrangements in respect of that part of the Dartford Parliamentary Constituency that lies within the Sevenoaks District Council area.	
Acting Returning Officer for Tonbridge & Malling Parliamentary Constituency	Although some venues (such as The Rock Public House) are not ideal, accepts there are no alternatives in the area; therefore, happy with proposals.	
Sevenoaks Liberal Democrats	<p>1. Kemsing polling districts – unsatisfactory for electors of Kemsing West to have to poll at St. Edith Hall, High Street, Kemsing (situated in Kemsing East); however, unable to suggest alternative solution.</p> <p>2. St. John’s C.E.P. School, Kennedy Gardens, Sevenoaks – venue for voters of three polling districts at 2011 elections caused a lot of problems. Noted that this is a temporary arrangement.</p>	<p>1. Continue to seek for suitable polling place within the Kemsing West polling district (see Appendix B).</p> <p>2. Discussions taking place with Knole Academy East for a return to former Wildernesse School site for electors of Hillingdon and Wildernesse polling districts (see Appendix B).</p>
Tonbridge, Edenbridge & Malling Conservative Association	Supports the representations made about the disabled access difficulties at Edenbridge Scout HQ.	See above and Appendix B.

Review of Polling Districts, Polling Places and Polling Stations

Proposals by Sevenoaks District Council

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Ash (AA)	289	Ash Village Hall, The Street, Ash	In use at least since 1974 and well located in the village.	1	Electorate warrants only one station
Hodsoll Street & Ridley (AB)	452	Hodsoll Street & Ridley Village Hall, Hodsoll Street	In use at least since 1974 and situated in the heart of Hodsoll Street Village (though some distance from other community off the Gravesend Road).	1	Electorate warrants only one station
New Ash Green North West (AC)	2127	New Ash Green Youth Centre, Ash Road, New Ash Green	First used in 1981, replacing a mobile polling station situated elsewhere. Although located at one end of the polling district it is still close to all electors.	2	Electors exceed 1800
New Ash Green South East (AD)	2321	New Ash Green Village Hall, Centre Road, New Ash Green	Replaced school in 1976. Although located to one end of the polling district it is still close to all electors.	2	Electors exceed 1800

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Brasted (AE)	763	Brasted Village Hall, High Street, Brasted	Replaced school in 1977. Well located in village but poor parking. Tried pavilion at recreation ground (better parking) at 1997 by-election but, overall, this did not find favour.	1	Electorate warrants only one station
Toys Hill (AF)	371	Toys Hill Hall & Chancel Kitchen, Puddledock Lane, Toys Hill	Venue for new polling district since 2003. Previously, part of Brasted polling district which meant a very long journey to the polling station. Poor access only marginally improved by setting up polling station in kitchen (so less steps) and providing hand rail. Not possible to install a ramp. Poll cards to electors state “Difficult access for disabled or infirm”.	1	Electorate warrants only one station
Chevening (AG)	2350	Chevening Church Hall, Homedean Road, Chipstead	In use at least since 1974. Located at one end of main body of electors in Chipstead and Bessels Green. Suggestion of separate polling district for Bessels Green did not find favour locally in 2002.	2	Electors exceed 1800

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Bough Beech (AH)	251	The Wheatsheaf at Bough Beech, Hever Road, Bough Beech	Venue since 2009 when Village Hall was no longer available. Central to the community and good parking facilities.	1	Electorate warrants only one station
Chiddingstone Causeway (AI)	326	Chiddingstone Causeway Village Hall, Chiddingstone Causeway	To one end of polling district but no known alternative in rural area. Ramp provided by owners.	1	Electorate warrants only one station
Chiddingstone Hoath (AJ)	168	The Rock Inn Public House, Chiddingstone Hoath	Replaced dilapidated hall in 1981. Access not ideal and site is to one end of polling district but no known alternative in rural area.	1	Electorate warrants only one station
Chiddingstone Village (AK)	205	Chiddingstone Primary School, Chiddingstone Village	Well located. School prefers this arrangement to the alternative of adjacent parish hall as latter is used by school for meals.	1	Electorate warrants only one station
Cowden (AL)	650	Cowden Memorial Hall, Chantlers Mead, Cowden	Replaced school (closed down) in 1983. Well located in village.	1	Electorate warrants only one station
Crockenhill (AM)	1326	Crockenhill Village Hall, Stones Cross Road, Crockenhill	Replaced school in 1981. Quite central to the village.	1	Electorate warrants only one station
Dunton Green (AN)	1723	Dunton Green Village Hall, London Road, Dunton Green	Replaced school in 1979. A little way away from the main body of electors but no alternatives have been suggested.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Marlpit Hill (AO)	1551	St. Paulinus Church Centre, Hillcrest Road, Edenbridge	Replaced Men’s Club in 1979. Well located in main area of electorate.	1	Electorate warrants only one station
Marsh Green (AP)	358	St. John’s United Reformed Church, Marsh Green	Venue for new polling district since review of Edenbridge polling arrangements in 1997. Located close to main area of electorate.	1	Electorate warrants only one station
Pound Green (AQ)	1077	Edenbridge Sports Pavilion, Lingfield Road, Edenbridge	Venue for new polling district since review of Edenbridge polling arrangements in 1997. Located at edge of main body of electors but not aware of any alternative.	1	Electorate warrants only one station
Spitals Cross (AR)	1194	Fircroft Tenants & Residents Association, Farmstead Drive, Edenbridge	Venue for new polling district since review of Edenbridge polling arrangements in 1997. Located at the heart of the main body of electors.	1	Electorate warrants only one station
Stangrove & South End (AS)	1781	Edenbridge Scout HQ, Station Road, Edenbridge	New site in 2003 after changes to District Ward boundaries. Not quite central to elongated polling district. Small step access – purpose built ramp being provided.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Town (Edenbridge) (AT)	880	Edenbridge W.I.Hall, Station Road, Edenbridge	Replaced school (no longer wished to be used) in 1981. Quite well located within polling district.	1	Electorate warrants only one station
Eynsford (AU)	1461	Eynsford Village Hall, High Street, Eynsford	Replaced school in 1981. Central to village.	1	Electorate warrants only one station
Farningham (AV)	1088	Farningham Village Hall, High Street, Farningham	In use at least since 1974 and well located in the village.	1	Electorate warrants only one station
Fawkham (AW)	475	Fawkham Village Hall, Valley Road, Fawkham	Central within Parish. Good parking. Replaced school in 1977.	1	Electorate warrants only one station
Halstead (AX)	1265	Halstead Pavilion, Station Road, Halstead	Replaced parish hall in 1997. Though not as central in village, it does provide better parking and facilities.	1	Electorate warrants only one station
Hartley North (AY)	2219	Longfield & Hartley Scout HQ, Larkwell Lane, Hartley	Well located within polling district. First used in 1987 following boundary changes.	2	Electorate exceeds 1800
Hartley South (AZ)	2200	All Saints Church Centre, Ash Road, Hartley	Well located within polling district. Good parking. Replaced school in 1976.	2	Electorate exceeds 1800
Four Elms (BA)	459	Four Elms Village Hall, Ide Hill Road, Four Elms	Replaced school (no longer wished to be used) in 1981. Well located in village.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Hever (BB)	503	Hever Village Hall, Hever Road, Hever	Replaced school (no longer wished to be used) in 1981. Ramp provided by owners.	1	Electorate warrants only one station
Hextable (BC)	3433	St. Peter’s Church Hall, College Road, Hextable	In use at least since 1974. Very well located.	2	Electorate exceeds 1800
Horton Kirby (BD)	974	Fighting Cocks Public House, The Street, Horton Kirby	Replaced school in 1995. Electors enter via rear of building; disabled access via the bar. Quite central to village.	1	Electorate warrants only one station
South Darenth (BE)	1704	Horton Kirby & South Darenth Village Hall, Horton Road, South Darenth	Replaced fire station (poor facilities) in 1981. Although outside village, no known alternative.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Kemsing East & Kemsing West (BF/BG)	1700/1601	The St. Edith Hall, High Street, Kemsing	Replaced school in 1981. Good facilities but situated at eastern end of village. Second polling district created in 1999 for the western end and polling took place at the Town Church, Dynes Road, but Town Church pulled down in 2000. The Dynes Residential Care Home was used on one occasion but is no longer available. Retain two polling districts and continue to seek polling place for western end.	2	One polling station for each of the two polling districts
Knockholt (BH)	989	Knockholt Village Centre, Main Road, Knockholt	In use at least since 1974. Good parking. At edge of village but close to the main body of electors.	1	Electorate warrants only one station
Leigh (BI)	1452	Leigh Small Village Hall, High Street, Leigh	Replaced school (no longer wished to be used) in 1977. Ramp provided by owners. Located in village; some distance from electors in the communities of Charcott and Powdermills but no known alternatives available in these rural areas.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Otford (BJ)	2673	Otford Village Memorial Hall, High Street, Otford	Replaced school in 1981. Centrally located, good facilities.	2	Electorate exceeds 1800
Fordcombe (BK)	591	Fordcombe Village Hall, Fordcombe	Replaced school (no longer wished to be used) in 1981. Well located in village.	1	Electorate warrants only one station
Penshurst (BL)	764	Penshurst Village Hall, Penshurst	Replaced school (no longer wished to be used) in 1981. Good location in village.	1	Electorate warrants only one station
Riverhead (BM)	1890	Riverhead Village Hall, Amherst Hill, Riverhead	Replaced school in 1979. Central site but no parking; not aware of any alternatives.	2	Electorate exceeds 1800
Seal – St. Lawrence (BN)	377	St. Lawrence Village Hall, Church Road, Stone Street	New site in 1991 after creation of new Parish Ward. Well positioned in village.	1	Electorate warrants only one station
Seal (BO)	1323	Seal Village Hall, High Street, Seal	Replaced school (probably in 1979). Quite central to village.	1	Electorate warrants only one station
Underriver (BP)	271	Underriver Village Hall, Carters Hill, Underriver	Replaced school (probably in 1979). Situated in village.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Bat & Ball (BQ)	842	Sevenoaks Community Centre, Otford Road, Sevenoaks	This polling district was most recently altered in 2003 as a result of the Periodic Electoral Review (PER). This polling place has been used since 1984; good parking and access and close to main body of electors.	1	Electorate warrants only one station
Bradbourne (BR)	1241	Sevenoaks Town Council Offices, Bradbourne Vale Road, Sevenoaks	Minimal change to polling district in 2003 following PER. Previous venue at a mobile classroom in the grounds of the former Bradbourne School (now Knole Academy West) was not suitable for voters with disabilities. In the absence of any alternative in the polling district, the offices of the Sevenoaks Town Council have been used since 2003. Whilst this venue is located outside the polling district, it is not much further for voters to travel than the former venue.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Greatness (BS)	1184	Greatness Club House, Mill Lane, Sevenoaks	Replaced St. John Ambulance Hall in 1993 (which had difficult access). Central to polling district.	1	Electorate warrants only one station
High Street (Sevenoaks) (BT)	1331	The STAG Community Arts Centre (Plaza Suite), London Road, Sevenoaks	Replaced St. Nicholas Parish Hall (demolished) in 1997. Good access and well located within polling district.	1	Electorate warrants only one station
Hillingdon (BU)	1295	To be confirmed.	The former Wildernesse School, in use at least since 1974. Classroom used, so school able to function. Since 2003 PER, situated outside polling district but after extensive consultation, agreed that voters should continue to use this venue. As Knole Academy East, not available in 2011 but discussions have resumed to try to identify suitable accommodation on the site.	1	Electorate warrants only one station
Holly Bush (BV)	1777	St. John’s C.E.P. School, Kennedy Gardens, Sevenoaks	In use at least since 1981. School able to function. After 2003 PER, preferred option over St. John’s Church Hall (St. John’s Hill/Quakers Hall Lane).	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Kippington North (BW)	1094	Christ Church United Reformed Church, Littlecourt Road, Sevenoaks	Revised polling district in 2003 (following PER) to accommodate as many electors as possible. Venue used for the first time in 2003. Access and parking o.k.	1	Electorate warrants only one station
Kippington South (BX)	1149	Kippington Community Centre, Kippington Road, Sevenoaks	Revised polling district in 2003 (following PER) to accommodate as many electors as possible. Venue in use at least since 1981; newly built in 2004. Good access and parking.	1	Electorate warrants only one station
Lower St. John’s (BY)	881	British Red Cross Centre, Bradbourne Vale Road, Sevenoaks	New polling district following 2003 PER. Venue in use since 2003; good access and parking and well located.	1	Electorate warrants only one station
Sevenoaks Common (BZ)	1458	Solefield School, Solefields Road, Sevenoaks	In use at least since 1974. Classroom used, so school able to function. There are steps and a narrow entrance which makes access less than ideal.	1	Electorate warrants only one station
Tubs Hill (CA)	1254	St. Luke’s Church Hall, Eardley Road, Sevenoaks	New polling district following 2003 PER. Venue in use since 2003; good access and well located.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Upper St. John’s (CB)	1404	United Reformed Church, St. John’s Road, Sevenoaks	New polling district following 2003 PER. Venue in use since 2003; good access, only on-street parking. Located slightly to one side of polling district.	1	Electorate warrants only one station
Wilderness (CC)	308	To be confirmed.	The former Wilderness School, in use at least since 1974. Classroom used, so school able to function. As Knole Academy East, not available in 2011 but discussions have resumed to try to identify suitable accommodation on the site.	1	Electorate warrants only one station
Sevenoaks Weald (CD)	974	Weald Memorial Hall, Long Barn Road, Sevenoaks Weald	Venue in use since 1983, replacing school. Centrally located within village.	1	Electorate warrants only one station
Badgers Mount (CE)	537	Badgers Mount Memorial Hall, Orpington-By-Pass, Badgers Mount	In use at least since 1974. Close to main body of voters.	1	Electorate warrants only one station
Shoreham (CF)	894	Shoreham Village Hall, High Street, Shoreham	Replaced school in 1977. Good access and well located.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Well Hill (CG)	215	Well Hill Mission Church, Well Hill	New polling district following 2003 PER. Venue in use since 2003; Residents’ Association preferred location over public house alternative. Not the best access to the building or into the building but preferable to voters journeying long distances into Shoreham village.	1	Electorate warrants only one station
Ide Hill (CH)	525	Ide Hill Village Hall (Wheatsheaf Room), Ide Hill	Replaced school in 1985. Quite close to village; good parking.	1	Electorate warrants only one station
Sundridge (CI)	1002	Sundridge Village Hall, Main Road, Sundridge	In use at least since 1974. Quite central to village.	1	Electorate warrants only one station
Birchwood (CJ)	1023	White Oak Bowls Centre, Garrolds Close, Swanley	Two former venues (Birchwood School and Birchwood Public House) are both closed. White Oak Leisure Centre was used in 2010 but was not popular. New hotel at Birchwood not available/not suitable. In 2011, White Oak Bowls Centre was used; propose to continue this arrangement until a suitable site is found within the polling district.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Christ Church (CK)	2038	Christ Church Centre, Kingswood Avenue, Swanley	Replaced school in 1981. Good location; separate polling booth provided for voters with disabilities so as to avoid steps inside the building. Limited on-street parking opposite with a two hour waiting restriction; blue badge holders can park outside hall.	2	Electorate exceeds 1800
High Firs (CL)	2100	High Firs Primary School, Court Crescent, Swanley	In use at least since 1981. Classroom used, so school able to function. Good location.	2	Electorate exceeds 1800
St. Mary’s (CM)	3238	Swanley Youth Centre, St. Mary’s Road, Swanley	In use since 1985. Located to one end of polling district but no known alternative closer to a central point.	2	Electorate exceeds 1800
Swanley Lane (CN)	1633	Swanley ACF Hall, Swanley Lane, Swanley	In use at least since 1974. Located at the extremity of the polling district but convenient for voters on their way to the station and shops. Rough ground on approach to hall. No alternative within the polling district.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
Swanley Village (CO)	342	The Lamb Inn, Swanley Village Road, Swanley Village	In use since 2005. Located a little to one end of village, quite good access, some parking.	1	Electorate warrants only one station
White Oak (CP)	2062	White Oak Bowls Centre, Garrolds Close, Swanley	In use since 1999. Quite well located, good access, parking available.	2	Electorate exceeds 1800
Crockham Hill (CQ)	584	Crockham Hill Village Hall, Crockham Hill	In use since 1997, after demolition of WI Hall. Located close to main body of voters with good access and parking.	1	Electorate warrants only one station
Westerham (CR)	2899	Westerham Hall, Quebec Avenue, Westerham	In use at least since 1974 (excepting for a few years during re-construction and because of prior bookings). Quite central to village, good access and parking.	2	Electorate exceeds 1800

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
East Hill (CS)	266	Woodlands Manor Golf Club, Tinkerpot Lane, West Kingsdown	New - For several years East Hill electors have had to poll at Woodlands Church Hall, Tinkerpot Lane, the same venue as Knatts Valley electors. As most electors will have to travel by car in order to vote, it is important to have car parking facilities and there are none at the current venue. Woodlands Manor Golf Club, also in Tinkerpot Lane, has ample car parking and is willing to accommodate a polling station.	1	Electorate warrants only one station
Knatts Valley (CT)	216	Woodlands Manor Golf Club, Tinkerpot Lane, West Kingsdown	New – sensible for Knatts Valley electors to also attend these premises as using both the Woodlands Church Hall and the Golf Club would cause elector confusion.	1	Electorate warrants only one station

Polling district (& letters)	Electorate - August 2011	Proposed polling place	Reason for choice (all are existing unless shown as “new”)	No. of polling stations	Reason
West Kingsdown East (CU)	1205	The Portobello Inn, London Road, West Kingsdown	New – West Kingsdown Village Hall no longer available. The Portobello Inn, London Road (at the junction with Fawkham Road) are willing to accommodate a polling station in their Function Room. Access will be from the car park and a ramp will be provided to assist electors with disabilities, if appropriate.	1	Electorate warrants only one station
West Kingsdown – Hever (CV)	2718	The Pavilion, London Road, West Kingsdown	In use since 1999. Not well located, being on the opposite side of the A20 from most voters, but provides a solution after many years of poor provision for this polling district. We provide temporary outside lighting.	1	Although electorate warrants it, there is insufficient space to provide 2 polling stations. Instead, extra polling staff are appointed to share out duties. Due to a potential triple poll in 2011, a second polling station was set up in the adjacent Library for the evening period of polling and this is a solution in similar future circumstances.

Item 5(d) – Community Governance Review
The Electoral Arrangements Committee’s Recommendations to Council

At its meeting on 27 October 2011 the Electoral Arrangements Committee considered the matter as follows:

“The Electoral Services Manager advised the Committee that Government and Electoral Commission guidance recommended that District Councils should carry out a review of the boundary and electoral arrangements of the parishes within their areas every 10-15 years. With effect from February 2008 District Councils had taken on responsibility for carrying out these community governance reviews (formerly known as parish reviews). The last such review had been carried out in Sevenoaks in 1999 and it was proposed that a review should be carried out now both to meet the recommended timeframe and to take advantage of a small window of opportunity ahead of scheduled elections. The review would have to be completed within 12 months of the review commencing and it was proposed that the review should commence on 30 November and be completed by August 2012 with the publication of the Council’s decisions in respect of parish boundaries and electoral arrangements. Any changes would take effect from the date of the next full parish council elections in May 2015. The timetable outlined in the report provided for widespread consultation to allow interested persons or groups the opportunity to input to the review including District and County Councillors, local parishes, known community groups and local MP’s. Proposals could relate to the creation, merging, grouping, altering or abolition of parishes, or relate to the name of a parish or to the number of councillors or warding arrangements for parishes. It was noted that any changes to parish boundaries would have knock-on effects for neighbouring parishes and would require negotiation to gain the fullest backing of the local community and the parishes affected. The potential impact of the West Kent Cold Store development was discussed and it was noted that a development of this size could ultimately warrant the creation of a new parish”.

Resolved: That it be recommended to the Council that

- (1) a community governance review be undertaken;**
- (2) the terms of reference for the review set out in the Appendix to the report be adopted; and**
- (3) the timetable for the review contained in paragraph 5 of the report be adopted”.**

Note: Text in bold type represents a recommendation to the Council.

COMMUNITY GOVERNANCE REVIEW

Electoral Arrangements Committee – 27 October 2011

Report of the: Deputy Chief Executive & Director of Corporate Resources

Also to be considered by: Council – 29 November 2011

Status: For Decision

Key Decision: No

Executive Summary: Government and Electoral Commission guidance recommends that district councils review the boundaries and electoral arrangements of parishes every 10-15 years. The previous review was completed in 1999. A review must conclude within 12 months of its commencement.

Portfolio Holder Cllr. Mrs Bracken

Head of Service Head of Legal – Mrs Christine Nuttall

Recommendation to Electoral Arrangements Committee:

That it be recommended to Council that:

- (a) a community governance review be undertaken;
 - (b) the terms of reference (see Appendix) be adopted; and
 - (c) the timetable for the review, outlined in paragraph 5, be adopted.
-

Reason for recommendations: It is timely to conduct a review now in accordance with Government and Electoral Commission guidance. The suggested timetable meets the requirement of completing a review within 12 months of its commencement.

Introduction

- 1 The Local Government and Public Involvement in Health Act (LGPIH) 2007 devolved the power to take decisions relating to the creation or abolition of parishes, the boundaries of parishes and the electoral arrangements of parish councils from the Secretary of State and the Electoral Commission to principal councils. With effect from February 2008, district councils have had the responsibility for undertaking community governance reviews (formerly known as parish reviews) and have been able to decide whether to give effect to

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recommendations made in those reviews. In making that decision, councils need to take account of the views of local people.

- 2 Councils are required to have regard to guidance issued by the Secretary of State and the Electoral Commission. Guidance suggests that it is good practice for a principal council to consider conducting a review every 10-15 years. In Sevenoaks, the last review was completed in 1999 and so it is timely to conduct a fresh review. There is an opportunity now, ahead of any scheduled elections, to conduct this review and have any recommendations implemented at the next full parish council elections in May 2015. If any recommendations by the District Council to change parish boundaries affect also the boundaries of District wards or Kent County Council electoral divisions, the Electoral Commission will give effect to those changes.

The Sevenoaks District Council Approach

- 3 At previous parish reviews, the District Council has taken the view that it is for local people or local groups to suggest changes to the existing set-up. The District Council does not initiate changes but must, ultimately, decide upon any conflicting proposals. It has always placed great store upon proposals having the fullest backing of the local community and neighbouring parishes that may be affected. It will be expected therefore that any submissions to the District Council, which must be in writing, will state what consultations have been held with affected persons or groups and the outcome of those consultations.

Actions

- 3 The LGPIH requires the District Council to draw up terms of reference for a community governance review. The review begins when the District Council publishes the terms of reference. The suggested terms are attached as the Appendix.
- 4 The District Council must ensure that interested persons or groups have the opportunity to input to the review and the following actions will be undertaken:
 - Display notice at the Council Offices in Sevenoaks and Swanley
 - Article on the District Council website
 - Article in In Shape
 - Local news release
 - Letter to all parish councils within the Sevenoaks District
 - Letter to other known community groups within the Sevenoaks District
 - Letter to Sevenoaks District Councillors and to Kent County Councillors representing electoral divisions within the Sevenoaks District Council area
 - Letter to Kent County Council

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- Letter to MPs representing constituencies within the Sevenoaks District
- 5 The review is concluded when the District Council publishes its recommendations and this must be within 12 months of the review's commencement. The envisaged timetable is as follows (the start date being the day following full Council):

- Commencement of review Wednesday, 30th November 2011
- Deadline for submissions Friday, 24th February 2012
- Preparation of draft proposals
followed by meeting of
Electoral Arrangements Committee By end of March 2012
- Publication of the
District Council's draft proposals Wednesday, 11th April 2012
- Consultation period concludes Friday 6th July 2012
- Preparation of final proposals
followed by meeting of
Electoral Arrangements Committee Mid July 2012
- Full Council confirms final proposals July 2012
- The District Council publishes its
recommendations August 2012
- Effective date of any changes to
parish boundaries and electoral
arrangements (next full parish
council elections) Thursday, 7th May 2015

Key Implications

Financial

6. There are no cost implications for the District Council in conducting a community governance review apart from staff resources.

Community Impact and Outcomes

7. The District Council believes that parish councils play an important role in terms of community empowerment at the local level and is keen to ensure that parish governance in the Sevenoaks District continues to be robust, representative and enabled to meet the challenges ahead. Government guidance states that "Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services."

Legal, Human Rights etc.

8. There are no legal or human rights implications in this report.

Resource (non-financial)

9. Staff input will be required to co-ordinate submissions and present them to Members at future meetings of the Electoral Arrangements Committee.

Conclusions

10. In accordance with Government guidance, a community governance review is due. There is an opportunity to conduct a review before the next scheduled major election (Police and Crime Commissioners on 15th November 2012) and plenty of time to implement the outcome ahead of the next full parish council elections in 2015.

Risk Assessment Statement

11. District Councils are expected to carry out community governance reviews every 10-15 years. If the opportunity is not taken now, staff resources may not be available until 2018, the next year of no scheduled elections.

Background Papers:

Local Government and Public Involvement in Health Act 2007

The Local Government Act 1972

Guidance on community governance reviews (published jointly by the Department for Communities and Local Government and the Electoral Commission) – April 2008

Contact Officer(s):

Ian Bigwood – ext. no.7242

**Dr. Pav Ramewal
Corporate Resources Director**

Community Governance Review Terms of Reference

Sevenoaks District Council has resolved to undertake a community governance review of the whole of the Sevenoaks District. The District Council will be guided by the relevant legislation and guidance, in particular the Local Government and Public Involvement in Health Act 2007 and Guidance on Community Governance Reviews (published jointly by the Department for Communities and Local Government and the Electoral Commission).

Why is the District Council undertaking the review?

Government guidance recommends a review every 10-15 years. The last review was completed in 1999.

What is a community governance review?

It is an opportunity for interested persons to consider how local communities are represented by considering:

- creating, merging, grouping, altering or abolishing parishes
- the naming of parishes and the style of new parishes
- the electoral arrangements for parishes (overall number of councillors, parish warding and number of councillors for those wards)

Parish governance in the Sevenoaks District Council area

Parish councils, representing local communities, cover the whole of the Sevenoaks District Council area. The District Council believes that parish councils play an important role in terms of community empowerment at the local level and is keen to ensure that parish governance in the Sevenoaks District continues to be robust, representative and enabled to meet the challenges ahead. Government guidance states that “Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.”

How will the District Council publicise the review?

The District Council will publicise the review by displaying a notice at the Council Offices in Sevenoaks and Swanley, placing articles on the District Council’s website and in the In Shape magazine and by issuing local news releases. Specifically, the District Council will write to all parish councils and to other known community groups, to District Councillors and to the relevant County Councillors and MPs and also to Kent County Council.

What does the District Council expect from interested persons?

Anyone may make representations to the District Council and those views will be put before Members of the Council at meetings of the Electoral Arrangements Committee. The Council would like to ensure that:

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- electors are able to identify clearly with the parish in which they are resident because it considers this sense of identity and community gives strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government and generates a strong, inclusive community with a sense of civic values, responsibility and pride
- parishes reflect distinctive and recognisable communities of interest, with their own sense of identity
- boundaries between parishes will normally reflect the “no-man’s land” between communities represented by areas of low population or pronounced physical barriers
- any proposals have been discussed and, preferably, agreed with affected parishes before a submission is made to the District Council

Timetable for the review

Action	Date
Commencement of review	Wednesday, 30 th November 2011
Deadline for submitting views	Friday, 24 th February 2012
Submissions considered by the District Council’s Electoral Arrangements Committee	End of March 2012
Publication of the District Council’s draft proposals	Wednesday, 11 th April 2012
Deadline for submitting views on the District Council’s draft proposals	Friday, 6 th July 2012
Further submissions considered by the Electoral Arrangements Committee	Mid July 2012
Meeting of the full Council to confirm the District Council’s final proposals	July 2012
Publication of the District Council’s recommendations	August 2012
Effective date of any changes to parish boundaries and electoral arrangements	Thursday, 7 th May 2015 (next full parish council elections)

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How to submit your views

In writing to	Ian Bigwood, Electoral Services Manager, Sevenoaks District Council, Council Offices, Argyle Road, Sevenoaks TN13 1HG
By e-mail to	elreg@sevenoaks.gov.uk

Parish councils will be provided with a proposals form.

Dated 30th November 2011

**Item 5(e) –Annual Review Of Parking Charges and Christmas Parking
2011
The Cabinet’s Recommendation to Council**

At its meeting on 3 November 2011 the Cabinet considered the matter as follows:

“The Portfolio Holder for the Cleaner and Greener Environment presented the Annual Review of Parking Charges and outlined options for increases in respect of car park and on-street parking charges to meet the budget plan for 2012/13. The budget plan increase for parking for 2012/13 had been set at 2.5% and the options included in the report would enable this to be achieved or a higher rate of increase applied if Members so wished. The options were outlined in the report and attention was drawn to the historic information relating to car parking charges and to the charges applied by neighbouring authorities. Members were reminded that the Council’s car parks were subject to business rates of over £215,000 pa and that the business rate liability was already £13,000 over budget for the current financial year and in looking at options for charges the increased cost to the Council of providing car parking should be taken into account. In formulating the options for consideration by the Cabinet care had been taken to balance the need to raise revenue to cover the costs of providing car parking with the need to encourage people to shop in Sevenoaks. For this reason no increases were proposed for short stay car parking. The Cabinet was reminded of the need to maintain the charging differential between the Blighs car park and the other short stay car parks in the town centre and that it was not proposed to increase evening car park charges or to introduce charges for using the car parks on Sundays.

The options for increases to charges for On-Street parking were contained in Appendix D to the report but in view of the standardisation of charging structures introduced in 2011/12 the only changes proposed related to the long stay charges and to permit costs with the exception of a suggested amendment to the Swanley tariff structure which had not been standardised. It was proposed that the revised charges for Swanley should also be applied for the parking scheme at Knockholt station and that a new 4 hour tariff should be introduced in the pay and display areas around Sevenoaks station on the same cost rate as Swanley and Knockholt station. The Cabinet was reminded that any changes to car parking charges would require changes to the relevant parking places and traffic regulation orders and that these would be subject to statutory public consultation. Members were also asked to consider repeating the free Saturday parking concession on the two Saturdays before Christmas and that as Christmas Eve fell on a Saturday this year to consider whether to allow free parking on the two preceding Saturdays.

The Cabinet had regard to the recommendations of the Environment Select Committee which had considered this matter on 25 October 2011. The Cabinet noted the need to adopt a fair approach to parking charges to cover the costs to Council tax payers of providing parking with the needs of shoppers and other users. It was also felt that the requirements set out in the

Council's four year savings budget should be respected. The Cabinet felt that the increases under consideration, on average, were below the current rate of inflation and that there had also been service improvements such as the introduction of the facility to pay for parking by telephone. Members also highlighted the availability of Business Parking Permits which offered parking at a discounted rate. In considering the options for Swanley the Cabinet also felt that it was important for charges to be standardised across the District as far as possible and that the proposals for increases in charges for use of the Council's car parks and for on-street parking were in alignment. Members supported the proposal to introduce a new 4 hour tariff for Sevenoaks commuters but the Cabinet did not feel that the tariff for on-street parking in the area around Knockholt station should be changed as a new parking scheme had only been implemented at the beginning of October 2011 and was due for review in six months time.

The Cabinet supported the proposals to provide free car parking on two Saturday's before Christmas and hoped that this would encourage people to shop in Sevenoaks. The Cabinet also noted that free car parking would also be available on the evening of 25 November 2011 when the Christmas lights would be turned on.

Resolved: That

(1) car parking charges for 2012/13 as identified in the table in Appendix C to the report be increased as follows:

the following items by Option 1: 1.2, 1.3, 1.6, and 1.7

the following items by Option 2: 1.4, 1.8, 1.9, 1.10, 3.5, 4.5, and 5.5

the following items by Option 3: 2.1, 2.2, 2.3 and 2.4

and that in addition residents permits be increased in line with on-street residents permits; all subject to consultation as noted in the report.

(2) on-street parking charges for 2012/13 as identified in the table in Appendix D to the report be increased as follows:

the following items by Option 1: 10.1, 10.3, 10.4, 12.1, 13.1, 14.1 and 14.2

the following items by Option 2: 7.4 and 12.3

the following items by Option 3: 8.4, 10.5, 12.2, 12.4, 13.2 and 13.3

subject to consultation as noted in the report.

(3) the proposed changes to the on-street tariff structure in respect to Swanley and the Sevenoaks rail commuter areas be approved, subject to consultation; and

(4) free parking be provided for Christmas 2011 in all car parks and on-street parking areas throughout the district on Saturdays 10th and 17th December and that the Council be recommended to fund the cost identified in the report from Supplementary Estimates".

Note: Text in bold type represents a recommendation to the Council.

CABINET – 3 NOVEMBER 2011

ANNUAL REVIEW OF PARKING CHARGES FOR 2012/13 AND CHRISTMAS PARKING 2011

Report of the: Community and Planning Services Director

Also considered by: Environment Select Committee - 25 October 2011

Council – 29 November 2011

Status: For Decision

Executive Summary:

This report is the annual review of parking charges. It proposes options for increases in respect to car park and on-street parking charges to meet the budget for 2012/13, and includes consideration of free Christmas parking for 2011.

This report supports the Key Aim of the effective management of Council resources.

Portfolio Holder Councillor Mrs Avril Hunter

Head of Service Head of Environmental and Operational Services – Mr Richard Wilson

Recommendation: It be RESOLVED that:

- (a) Members confirm any proposed increases to car park charges for 2012/13, subject to consultation as noted in the report;
- (b) Members confirm any proposed increases to on-street parking charges for 2012/13, subject to consultation as noted in the report;
- (c) the proposed changes to the on-street tariff structure in respect to Swanley, Knockholt station and the Sevenoaks rail commuter areas be approved;
- (d) free parking be provided in all car parks and on-street parking areas throughout the district for two Saturdays before Christmas Day 2011; the dates to be specified or subject to consultation as noted in the report and to the subsequent agreement of the Portfolio Holder, and that the cost in terms of lost income be funded from Supplementary Estimates.

Introduction

1. Through the Council's budget process, the budget plan increase for parking income from both car park and on-street parking for 2012/13 is set at 2.5%.

2. In addition to achieving the target increases for both of the parking accounts, and for guide purposes in connection with the budget setting process, further options are provided to indicate possible additional income that could be achieved.
3. Included in this report is a suggestion that the Council considers repeating its free parking concession on two Saturdays before Christmas.

Car Parks – Background

4. Because car park ticket machines do not accept bronze coins, and because of the general lack of availability of 5p coins, parking tariffs are usually set to the nearest 10p. This practice is commonly adopted by local authorities. It should be noted that although a tariff increase of 10p may be relatively low in monetary terms, it can be high in percentage terms depending upon the scale of the charge, particularly in relation to lower tariffs.
5. Historic information in respect to increases in the Council's car park charges is shown in the History of Parking Charges for Car Parks and On-Street Parking, attached as Appendix A. This has been taken into account in formulating the proposals and options put forward.
6. For guide purposes, current car parking charges for neighbouring authorities are attached as Appendix B.
7. For information, in relation to parking in the vicinity of rail stations, the current day charge for the station car parks operated on behalf of Southeastern Trains is £6.50 at Sevenoaks and £5.00 at Swanley. Annual season ticket charges at Sevenoaks are £1,176 for Car Park 4 (off Morewood Close) and £1,252.50 for Car Park 1 (adjacent the station).

Car Parks – Proposals for 2012/13

8. The budget increase of 2.5% is £47,051.
9. Proposals and options are provided and attached as Appendix C. This comprises a table showing individual increases proposed and the resultant income for all three options and a second table showing the increases in percentage terms. All income figures quoted are net of VAT.
10. The proposals within each option are not exclusive to that particular option, but can be interchanged or swapped with those in other options to provide a preferred set of proposals should Members so wish. However, care should be taken to maintain the charging differential between the Blighs car park and the other short stay car parks in the town centre.
11. In respect to the Sevenoaks town centre car parks:
 - Option 1 proposes for Blighs car park a 10p increase on the 1, 2 and 3 hour tariffs with the 30 minute tariff being remaining at 50p to encourage short use turnover and, for the other town centre car parks, a 10p increase

is similarly applied to the 2, 3 and 4 hour tariffs, again to encourage shorter stay use by leaving the 1 hour charge at 90p.

- Option 2, in addition to Option 1, applies a larger increase of 20p to the longest period of stay in all car parks (i.e. 3 hours in Blighs and 4 hour in the others).
- Option 3, in addition to Option 1, applies an increase of 20p to the two longest periods of stay in all car parks (i.e. 2 and 3 hours in Blighs and 3 and 4 hours in the others).
- The effect of the re-opening of the new Waitrose store and car park upon patronage of the town centre car parks has been taken into account.

12. In respect to other areas:

- Option 1 generally proposes nominal increases for long stay and season ticket charges. In view of the revision to the charging structure implemented as part of the last review to standardise charges in the car parks in the St Johns Hill, Swanley and Westerham areas, there are no proposals to further modify the short stay charges in these areas.
- Options 2 and 3 propose cumulatively larger increases to the long stay and season ticket charges.

13. The cost of altering ticket machines and signing has been taken into account in the budget figures provided.

Car Parks – Evening Charge

14. As for last year, no increases to the evening parking charge are proposed. As Sevenoaks District Council is one of a few Councils in this area of Kent that have an evening parking charge, and taking into account the likely impact any increase may have upon businesses in the Sevenoaks town centre, no increase is proposed as part of this review. However, for illustration purposes, it is estimated that a 10p increase would yield £4,800 income.

Car Parks – Sunday Charges

15. As the situation regarding Sunday parking is largely unchanged. It is not recommended that Sunday parking charges be considered as part of this review for the reasons stated below.

16. A number of Kent authorities (Ashford, Canterbury (in part), Dover, Maidstone, Shepway, Thanet and Tunbridge Wells) have parking charges that apply seven days a week, although Dover's do not apply to all car parks on Sundays. Medway Council also has Sunday parking charges. However, in respect to neighbouring authorities, of those noted in the table of Current Parking Charges for Neighbouring Authorities (Appendix B) only Maidstone and Tunbridge Wells operate Sunday charges.

17. It should be noted that the station car parks operated by Southeastern Rail have a £1.00 charge for Sundays.
18. Whilst it is apparent that a number of people are using our car parks on Sundays, without undertaking detailed surveys it is difficult to know the purpose and quantify the length of stay. Hence, it is not possible to predict the likely, resultant effect of Sunday charges with any degree of confidence.
19. With regards to on-street parking restrictions, apart from double yellow line restrictions which operate for 24 hours each day of the week, most others apply from 8.30am to 6.30 Monday to Saturday. This is the case for many restrictions in Sevenoaks town centre, including the on-street pay and display parking areas, and in surrounding roads where unrestricted parking is available on Sundays. Therefore, if Sunday parking charges were to be introduced, there would be a risk of displacement parking occurring in residential roads on the periphery of the town. The same situation exists in Westerham and Swanley but to a lesser extent.
20. Should Sunday parking charges be considered, it is suggested that the current tariff structure simply be extended to apply for the whole week rather than introduce a different charge or charges. This would help avoid confusion to the public and assist in accommodating the additional information on the car park signs, which may otherwise need enlarging or replacing.
21. Parking enforcement activity takes place over 7 days a week, although enforcement on Sundays is specifically provided through overtime payments as this does not form part of the Civil Enforcement Officers' standard working week. Because of this, Sunday enforcement often takes the form of a shorter working day. Additional enforcement requirements would complicate and stretch the working rotas for the Civil Enforcement Officers who currently work alternate between a 4 day and a 6 day working week. In view of this, and without a renegotiation of contracts, it would not be possible to guarantee that sufficient enforcement resources would be available to meet any needs in connection with Sunday parking charges.
22. It would be possible to introduce Sunday parking charges for a trial period and monitor any effects this may have. Additional income is likely to be low. Experience elsewhere suggests between 5% and 8% of the weekday income could be achieved, which would equate to between £11,000 and £17,000 if applied to all car parks. However, allowing some reduction due to the availability of on-street parking, this could easily reduce significantly and a range of between £5,000 and £10,000 might be more realistic.

Car Parks – Summary

23. Option 1 of the proposals provides 2.6% against the budget target of 2.5%. Options 2 and 3 provide higher levels of income for possible consideration. As stated earlier, individual proposals can be selected from any of the Options to provide a preferred selection should Members wish.

24. The adjustment of car park charges will require an amendment to the Council's Off-Street Parking Places Order. The process requires the Council to undertake statutory public consultation by way of Public Advertisement of the proposals. To enable any revised charges to take effect at the beginning of April 2012, the proposals would need to be advertised in January so that any objections received could be reported to Cabinet for consideration in February to facilitate implementation on, or as soon after, 1st April 2012.

On-Street Parking – Background

25. As a result of last year's review, charges in the various on-street pay and display areas in Sevenoaks were amended to provide standardised tariff structure for the 30 minute, 1 hour and 2 hour periods. However, differential charges remained for the all day periods due to the type of location.
26. However, since the adoption of pay-by-phone for parking charges in July this year, it has become apparent that some modification is needed to the on-street charging structure in Swanley to prevent multiples of the 4 hour charge being bought instead of the higher all day charge being paid.

On-Street – Proposals for 2012/13

27. The target increase of 2.5% is £12,617.
28. Options are provided, attached as Appendix D, for the consideration of increases to meet the budget target and to possibly provide some additional income to the on-street parking account. The proposals are presented in the same table format as for the car park proposals with three options being provided for consideration.
29. The figures shown do not include VAT as this is not applicable to on-street parking.
30. In view of the standardisation of the charging structures last year, only changes to the long stay charge and to permit costs have been proposed, with the exception of a suggested amendment to the Swanley tariff structure as outlined below.
31. As can be seen from the History of Parking Charges for On-Street Parking, the cost of the first and second permits for residents was last amended in 2008, when the Sevenoaks Parking Review was implemented, when the cost of a first permit was reduced from £40 to £30 and the cost of a second permit increased from £40 to £60. Otherwise, all other permit costs were more recently adjusted with effect from April 2010.
32. However, it should be noted that a parking scheme being implemented in the area outside Knockholt Station which, at the time of preparing this report, is due to be implemented at the end of September 2011, will provide additional income to the on-street parking account from year 2012/13 onwards. This is estimated at £59,000 per annum, although income this year is expected to off-

set implementation costs with little or no surplus. The expected income from this scheme exceeds the 2.5% budget target for 2012/13.

33. In respect to the Swanley on-street parking charges, the current charges are 60p for up to 4 hours and £3.00 for all day. These charges were not included in the standardisation of on-street parking charges agreed by Members last year. To address issues with people purchasing multiples of the 4 hour charge by pay-by-phone to obtain all day parking at a reduced cost compared to paying the all day charge (£1.80 as opposed £3.00) and to align the tariff structure for Swanley with others in the district, it is recommended that the tariff structure for Swanley be amended as shown in the table attached as Appendix E. This will have the advantage of offering users in this area of Swanley a greater choice of tariffs to suit parking needs, particularly as the pay and display parking may not be used exclusively in connection with rail travel as it is within residential/office/shopping areas.
34. It has previously been agreed that the charges to be applied for the parking scheme at Knockholt station would be the same as for Swanley. It is recommended that any amendment to the Swanley tariff structure also be applied to the Knockholt scheme even though some of the tariffs might not be suited to rail use, they still offer a choice.
35. In order to improve the choice of parking tariffs in the pay and display areas in the vicinity of Sevenoaks station, it is recommended that a new 4 hour tariff be provided at the same cost rate as Swanley and Knockholt station. This would further standardise the tariffs and would particularly assist those people who wish to park later in the afternoon, perhaps to travel to London and return later in the evening.
36. If the tariff change is implemented in April, the cost to amend ticket machines and signing would be minimal as the ticket machine maintenance agreement includes for a change to the tariff structure.

On-Street – Summary

37. Option 1 of the proposals provides 2.3% against the budget target of 2.5%. Options 2 and 3 provide higher levels of income for possible consideration, although individual proposals can be selected from any of the Options to provide a preferred selection should Members wish.
38. Any on-street proposals would require an amendment to the Traffic Regulation Order. The process requires the Council to undertake statutory public consultation by way of Public Advertisement of the proposals. Any objections would need to be reported to the Sevenoaks Joint Transportation Board (JTB) and then to Cabinet for final consideration. The advertising of the proposals would need to suit the programme for the JTB meetings to ensure implementation at the beginning of April 2012.

Christmas Parking 2011

39. Last year, Members of Cabinet approved free parking on the two Saturdays before Christmas to encourage people to shop locally and to help support local businesses in the face of competition from other shopping areas in the region. Members are asked to consider repeating the free parking concession this Christmas.
40. For information, this only applies to Sevenoaks and Westerham as parking charges in Swanley (and now in Halstead outside Knockholt station) only apply Monday to Friday.
41. Christmas Day falls on a Sunday, so the two Saturdays immediately before would be the 17th December and Christmas Eve. However, there may be some doubt as to the benefit of providing free parking on Christmas Eve as opposed to another Saturday earlier in the month and, therefore, consideration could be given to making parking free on, perhaps, Saturdays the 10th and the 17th instead. We are obtaining the views of the Sevenoaks Chamber of Commerce, the Sevenoaks Town Council and Westerham Parish Council on any preferred dates and will give a verbal update concerning any responses received.
42. It should be noted that the provision of free parking will enable people to park up to the maximum period of stay should they so wish, which is likely to reduce the turnover of spaces. All parking areas will be enforced as normal to ensure compliance with general conditions of use.
43. As last year, all ticket machines would be closed-off with suitable signing provided to advise users that they do not need to pay.
44. The parking areas operated by Sencio at the Sevenoaks leisure centre form part of the Suffolk Way car park. Sencio has confirmed that it is happy to support the Christmas free parking concession this year.
45. It is estimated that the loss of income for all car parks and on-street areas throughout the district for each Saturday would be in the region of £7,000. Therefore, the total cost of providing free parking for the two Saturdays is estimated at £14,000. It is suggested that should free parking be made available for Christmas 2011, it be funded from the Supplementary Estimates.

Key Implications

Financial

46. Proposals to increase parking income are required to meet the Council's budget targets set in respect to car park and on-street parking.
47. The financial implications are evident in the report and appendices.

Community Impact and Outcomes

48. The introduction of parking charge increases is likely to have an impact to some degree upon those people from the local community and visitors from outside the district who use the parking facilities, although it is impossible to quantify any likely resultant effect. Rather than pay any higher charges, people may instead decide to park for shorter periods, may lessen the frequency of their visits or may choose to go elsewhere.

Legal, Human Rights etc.

49. As mentioned in the summary sections of this report, any changes to car park charges will necessitate an amendment to the Car Park Order and any changes to on-street parking charges will necessitate an amendment to the Traffic Regulation Order. There are set legal processes to be followed in respect to both of these Orders.
50. There are no human rights issues or implications.

Equality Impacts

51. There is a low risk that any of the options presented will have an adverse impact on people with 'protected characteristics' under the Equality Act. There are no apparent issues of direct relevance to parking charges as our car parks are open to use by anyone who chooses to do so. Free parking is generally available in roads just out from the town centres, although in some cases this might be limited to 2 hours. Free parking is offered for those with disabilities who hold a Blue Badge and this remains unaffected. Any issues will be monitored through complaints received. The Parking Enforcement Policy is subject to a separate Equality Impact Assessment and has not identified any substantial issues.

Conclusions

52. The budget proposals to meet the budget targets along with other options for consideration are detailed in the appendices. It is important that the proposals are considered making reference to the History of Parking Charges and the Parking Charges for Neighbouring Authorities, both of which are appended to this report.

Risk Assessment Statement

53. The estimated figures are based upon current levels of patronage taking into account the effect of the recent temporary Waitrose store. The introduction of higher parking charges could lead to reduced patronage and, hence, the under-achievement of the income levels estimated in this report.

Sources of Information: Information from car park ticket machines
Information from neighbouring authorities

Contact Officer(s): Gary Connor Ext.7310

**Kristen Paterson, Community
and Planning Services
Director**

HISTORY OF PARKING CHARGES - CAR PARKS

Council - 29 November 2011
Item No. 5(e) - APPENDIX A

(Showing charges as and when increased and approximate percentage increase)

		1992	1997	2001		2002		2003		2004		2005		2006		2007		2008		2009		2010		2011		
SEVENOAKS TOWN CENTRE																										
Evening charges											£1.00															
Short stay	1 hr	30p	20p	30p	50%	40p	33%			50p	25%	60p	20%			70p	17%			80p	14%			90p	13%	
all excluding	2 hrs	30p	30p	50p	66%	70p	40%			£1.00	43%			£1.10	10%			£1.20	9%			£1.40	17%	£1.50	7%	
Blighs	3 hrs	£1.20	£1.20	£1.00	-16%	£1.40	40%			£1.50	7%			£1.60	7%			£1.80	13%			£2.00	11%	£2.10	5%	
	4 hrs	£1.20	£1.20	£1.50	25%	£2.00	33%							£2.10	5%			£2.50	19%			£2.70	8%	£3.00	11%	
Short Stay	30 mins					30p						40p	33%			50p	25%			60p	20%			50p	-17%	
Blighs only	1 hr					50p				60p	20%	70p	17%			80p	14%	90p	13%			£1.00	11%			
(started in 2002)	2 hr					£1.00				£1.20	20%			£1.40	17%			£1.50	7%			£1.70	13%	£2.20	29%	
	3 hr					£1.50				£1.80	20%			£2.00	11%	£2.20	10%	£2.50	14%			£2.70	8%	£3.60	33%	
Page 187	Long stay	£1.20	£1.50	£2.00	33%	£2.30	15%	£2.50	9%	£3.00	20%	£3.10	3%	£3.20	3%	£3.40	6%	£3.80	12%						£4.00	5%
Seasons (yr)	Buckhurst 2	£125	£180	£220	22%	£300	36%	£450	50%	£500	11%	£515	3%	£530	3%	£560	6%	£769	37%			£779	1%	£799	3%	
	South Park	£180	£250			£300	20%	£450	50%	£500	11%	£515	3%	£530	3%	£560	6%	£769	37%			£779	1%	£799	3%	
	Residents	£18	£25	£30	20%	£35	16%	£40	14%																	
SEVENOAKS STATION																										
Bradbourne	After 3.00 pm															£1.50										
	Day	£1.20	£1.50	£2.00	33%	£3.00	50%	£4.00	33%			£4.10	3%	£4.20	2%	£4.30	2%	£4.60	7%	£5.00	9%	£5.40	8%	£5.80	7%	
	Season (yr)	£160	£210	£300	43%	£440	46%	£550	25%	£650	18%	£670	3%	£760	13%	£780	3%	£910	17%	£970	7%	£990	2%	£1,020	3%	
Sennocke	2 hr	40p	30p	50p	66%	£1.00	100%																			
	After 3.00 pm															£1.50										
	Day	£1.50	£2.00			£3.00	50%	£4.00	33%			£4.10	3%	£4.20	2%	£4.30	2%	£4.60	7%	£5.00	9%	£5.40	8%	£5.80	7%	
	Season (yr)	£195	£255	£300	17%	£440	46%	£550	25%	£720	31%	£740	3%	£800	8%	£820	3%	£950	16%	£1,010	6%	£1,030	2%	£1,060	3%	
SEVENOAKS ST JOHNS HILL																										
St. Johns &	30 mins			Free											10p										20p	100%
St. James	1 hr			Free											20p			30p	50%						40p	33%
(started in 2001)	2 hrs			Free											30p			50p	67%						60p	20%
	2 to 4 hrs			50p								60p	20%					80p	33%						£1.00	25%
	Day			£1.00								£2.00	100%					£2.20	10%			£2.50	14%	£2.70	8%	

Agenda Item 5

HISTORY OF PARKING CHARGES - CAR PARKS

Council - 29 November 2011
Item No. 5(e) - APPENDIX A

(Showing charges as and when increased and approximate percentage increase)

		1992	1997	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	
WESTERHAM															
													30min	20p	
Quebec Avenue and Darenth	Up to 2 hrs		20p					30p	50%		1 hr	30p	n/a	40p	33%
	Day		50p					70p	40%		2 hrs	50p	67%	60p	20%
	Season (yr)		£50								2-4 hrs	80p	14%	£1.00	25%
	Residents (yr)		n/a		£35				£40	14%	Day	£1.50	214%	£2.00	33%
Fullers Hill (started 2002)	Up to 30 mins				10p				20p	100%					
	30 min to 1 hr				30p				40p	33%					
and Vicarage Hill (started 2005)	1 hr to 2 hrs				n/a			50p	60p	20%					
	Residents (yr)				£35				£40	14%					
STANLEY															
Park Road (started 2005)	30 mins							Free	10p					20p	100%
	1 hr							Free	20p		30p	50%		40p	33%
	2 hrs							Free	30p		50p	67%		60p	20%
	2 to 4 hrs							50p			80p	60%		£1.00	25%
	Residents (yr)							£40							
Bevan Place (started 2005)	30 mins							Free	10p					20p	100%
	1 hr							Free	20p		30p	50%		40p	33%
	2 hrs							Free	30p		50p	67%		60p	20%
	2 to 4 hrs							50p			80p	60%		£1.00	25%
	Day							£2.50			£ 3.00	20%		£3.50	17%
	Season (yr)							£396							
	Residents (yr)							£40							
Station Road	30 mins		10p					Free	10p					20p	100%
	1 hr		10p					Free	20p		30p	50%		40p	33%
	2 hrs		20p					Free	30p		50p	67%		60p	20%
	2 to 4 hrs		n/a					50p			80p	60%		£1.00	25%
	Day		£1.50				£2.50	66%			£ 3.00	20%		£3.50	17%

Agenda Item 5

HISTORY OF PARKING CHARGES - ON STREET

Council - 29 November 2011

Item No. 5(e) - APPENDIX A

(Showing charges as and when increased and approximate percentage increase)

		2002	2004	2006	2008	2009	2010	2011
PAY & DISPLAY								
Sevenoaks								
Town centre shops (2004)	30 minutes		10p					
(High St, London Rd	1 hour		30p	40p 33%	50p 25%			60p 20%
South Park)	2 hours		60p	90p 50%	£1.00 11%			£1.20 20%
				(and extended to 9.30pm)				
Town commuters (2008)	30 minutes				10p			
(Hollybush Lane	1 hour				50p			60p 20%
Plymouth Drive)	2 hours				£1.00			£1.20 20%
	Day				£2.00		£2.20 10%	
Rail commuters (2008)	30 minutes				10p			
St Botolphs	1 hour				50p		60p 20%	
Morewood Close)	2 hours				£1.00		£1.20 20%	
	Day				£4.00	£4.50 13%	£5.00 11%	
Courts area (2008)	30 minutes				10p			
(Morewood Close)	1 hour				50p			60p 20%
	2 hours				£1.00			£1.20 20%
	4 hours				£2.00		£2.20 10%	
Swanley								
Rail commuters (2008)	4 hours				50p		60p 20%	
(Azalea Drive & Goldsel Road)	Day				£2.00	£2.50 25%	£3.00 20%	
Westerham								
The Geen (2002)	15 minutes	n/a		10p				Gone
Market Square (2002)	30 minutes	10p		20p 100%				
The Grange (2002)	1 hour	30p		40p 33%				50p 25%
Croydon Road (2007)	2 hours	50p		60p 20%				£1.00 67%

2008
 2009
 2010
 2011

Agenda Item 5

HISTORY OF PARKING CHARGES - ON STREET

Council - 29 November 2011
Item No. 5(e) - APPENDIX A

(Showing charges as and when increased and approximate percentage increase)

		2002		2004		2006		2008		2009		2010		2011	
PERMITS & WAIVERS															
Residents permits	First	£35				£40	14%	£30	-25%						
	Second	£35				£40	14%	£60	50%						
	Third	n/a				n/a		£100				£115	15%		
	Fourth	n/a				n/a		£200				£230	15%		
Residents' visitor vouchers	Each	£1.00										£1.20	20%		
Non-residents permits															
Sevenoaks town commuters	Various roads							£380		£250	-34%	£260	4%		
Sevenoaks rail commuters	Inner zone							£610				£630	3%		
	Outer zone							£725				£745	3%		
Residential business permits	First					£60						£100	67%		
	Second					n/a						£200			
Waivers	1 hour					n/a						£2.00			
	4 hours					n/a						£3.00			
	Day					£2.00						£6.00	200%		

CURRENT PARKING CHARGES FOR NEIGHBOURING AUTHORITIES – AS AT SEPTEMBER 2011

(Charges shown relate to town centre car parks)

	Dartford ①	Gravesham ②	Maidstone ③	Orpington (L.B. of Bromley)	Oxted (Tandridge)	Sidcup (L.B. of Bexley)	Tonbridge & Malling ④	Tunbridge Wells ⑤	Sevenoaks
Charges apply:		8am - 6pm Mon - Fri	8am - midnight Mon - Sun	7.30am - 7.30pm Mon - Sat	7am-5pm/7pm Mon - Frid	8am - 6pm Mon - Sun	8am - 6pm Mon - Sat	8am - 6pm Mon - Sat and 10am - 4pm On Sundays	8.30am - 6.30pm Mon - Sat
Short Stay									
0 - 30 minutes	---	---	30p - 40p	---		---	30p	---	(Blighs in brackets) (50p)
0 - 1 hr	50p	50p	50p - £1.80	20p - 40p	Up to 4 hours free parking except in one car park where the charge is £4.60 for parking before 10am.	50p - 90p	80p	£1.00	90p (£1.00)
1 - 2 hrs	£1.00	80p	£1.00 - £1.80	40p - 80p		£1.00 - £1.20	£1.50	£2.10	£1.50 (£2.20)
2 - 3 hrs	£2.00	80p	£1.40 - £1.80	60p - £1.20		£1.30 - £1.60	£2.10	£3.10	£2.10 (£3.60)
3 - 4 hrs	£2.00	£1.00	£1.80 - £2.70	£1.00 - £1.80		£1.30 - £1.60	£2.60 - £3.10	£4.00	£3.00 (—)
Evenings	£1.00		£1.50	---		---	---	---	£1.00
Long stay									
All day	£4.00	£2.00- £5.50	£4.50 - £5.50	n/a		£3.80 - £10.00	£4.50	£5.50 - £10.00	£4.00

- ① Dartford: evening charge does not apply to all car parks
- ② Gravesham: charges only apply Monday to Friday.
- ③ Maidstone: charges apply up to midnight and 7 days a week; £1.50 charge applies evenings and overnight.
- ④ Tonbridge & Malling: 30p charge not available in all car parks.
- ⑤ Tunbridge Wells: charges apply 7 days a week (but only from 10 to 4 on Sundays).

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CAR PARK TARIFF INCREASES				Proposed Increases			Estimated Income			
Item No.	Description	Charge Period	Current Charge	Option 1	Option 2	Option 3	Option 1	Option 2	Option 3	
1.0	SEVENOAKS TOWN CENTRE - Blighs									
1.1	Short stay	30 minute	50p			+ 10p			£5,500	
1.2	" "	1 hour	£1.00	+ 10p	+ 10p	+ 10p	£11,500	£11,500	£11,500	
1.3	" "	2 hours	£2.20	+ 10p	+ 10p	+ 20p	£8,000	£8,000	£16,000	
1.4	" "	3 hours	£3.60	+ 10p	+ 20p	+ 20p	£2,500	£5,000	£5,000	
	Buckhurst 1, Buckhurst 2, South Park, Suffolk Way									
1.5	Short stay	1 hour	90p			+ 10p			£14,500	
1.6		2 hours	£1.50	+ 10p	+ 10p	+ 10p	£10,000	£10,000	£10,000	
1.7		3 hours	£2.10	+ 10p	+ 10p	+ 20p	£3,500	£3,500	£7,000	
1.8		4 hours	£3.00	+ 10p	+ 20p	+ 20p	£2,000	£4,000	£4,000	
	Buckhurst 2 & Pembroke Road									
1.9	Long stay	all day	£4.00	+ 10p	+ 20p	+ 30p	£3,500	£6,400	£10,500	
1.10	Season tickets	year	£799	£10	£20	£30	£1,400	£2,800	£4,200	
2.0	SEVENOAKS STATION									
2.1	Long stay	all day	£5.80	+ 20p	+ 30p	+ 40p	£3,600	£5,400	£7,200	
2.2		2 days	£11.60							
	Season tickets:									
2.3	Bradbourne	year	£1,020	£10	£20	£30	£1,200	£2,400	£3,600	
2.4	Sennocke	year	£1,060	£10	£20	£30	£700	£1,400	£2,100	
3.0	SEVENOAKS ST JOHNS HILL									
3.1	Short stay	30 minute	20p							
3.2		1 hour	40p							
3.3		2 hours	60p							
3.4		2-4 hours	£1.00							
3.5	Long stay	all day	£2.70	+ 10p	+ 20p	+ 30p	£350	£700	£1,050	
4.0	SWANLEY									
4.1	Short stay	30 minute	20p							
4.2		1 hour	40p							
4.3		2 hours	60p							
4.4		2-4 hours	£1.00							
4.5	Long stay	all day	£3.50	+ 10p	+ 20p	+ 30p	£600	£1,200	£1,800	
5.0	WESTERHAM									
5.1	Short stay	30 minute	20p							
5.2		1 hour	40p							
5.3		2 hours	60p							
5.4		2-4 hours	£1.00							
5.5	Long stay	all day	£2.70	+ 10p	+ 20p	+ 30p	£700	£1,400	£2,100	
							Total:	£49,550	£63,700	£106,050
							Percentage:	2.6%	3.4%	5.6%

CAR PARKS TARIFF INCREASES - PERCENTAGES				Proposed Increases			Percentage Increase		
Item No.	Description	Charge Period	Current Charge	Option 1	Option 2	Option 3	Option 1	Option 2	Option 3
1.0	SEVENOAKS TOWN CENTRE - Blighs								
1.1	Short stay	30 minute	50p			+ 10p			20%
1.2	" "	1 hour	£1.00	+ 10p	+ 10p	+ 10p	10%	10%	10%
1.3	" "	2 hours	£2.20	+ 10p	+ 10p	+ 20p	4.5%	4.5%	9.0%
1.4	" "	3 hours	£3.60	+ 10p	+ 20p	+ 20p	2.8%	5.5%	5.5%
	Buckhurst 1, Buckhurst 2, South Park, Suffolk Way								
1.5	Short stay	1 hour	90p			+ 10p			11%
1.6		2 hours	£1.50	+ 10p	+ 10p	+ 10p	6.7%	6.7%	6.7%
1.7		3 hours	£2.10	+ 10p	+ 10p	+ 20p	4.8%	4.8%	9.5%
1.8		4 hours	£3.00	+ 10p	+ 20p	+ 20p	3.3%	6.6%	6.6%
	Buckhurst 2 & Pembroke Road								
1.9	Long stay	all day	£4.00	+ 10p	+ 20p	+ 30p	2.5%	5.0%	7.5%
1.10	Season tickets	year	£799	£10	£20	£30	1.2%	2.5%	3.7%
2.0	SEVENOAKS STATION								
2.1	Long stay	all day	£5.80	+ 20p	+ 30p	+ 40p	3.4%	5.1%	6.9%
2.2		2 days	£11.60						
	Season tickets:								
2.3	Bradbourne	year	£1,020	£10	£20	£30	1.0%	2.0%	2.9%
2.4	Sennocke	year	£1,060	£10	£20	£30	0.9%	1.9%	2.8%
3.0	SEVENOAKS ST JOHNS HILL								
3.1	Short stay	30 minute	20p						
3.2		1 hour	40p						
3.3		2 hours	60p						
3.4		2-4 hours	£1.00						
3.5	Long stay	all day	£2.70	+ 10p	+ 20p	+ 30p	3.7%	7.4%	11.1%
4.0	SWANLEY								
4.1	Short stay	30 minute	20p						
4.2		1 hour	40p						
4.3		2 hours	60p						
4.4		2-4 hours	£1.00						
4.5	Long stay	all day	£3.50	+ 10p	+ 20p	+ 30p	2.9%	5.7%	8.6%
5.0	WESTERHAM								
5.1	Short stay	30 minute	20p						
5.2		1 hour	40p						
5.3		2 hours	60p						
5.4		2-4 hours	£1.00						
5.5	Long stay	all day	£2.70	+ 10p	+ 20p	+ 30p	3.7%	7.4%	11.1%

ON-STREET PARKING - OPTIONS PAGE 1 TARIFF INCREASES				Proposed Increases			Estimated Income		
Item No.	Description	Charge Period	Current Charge	Option 1	Option 2	Option 3	Option 1	Option 2	Option 3
6.0	SEVENOAKS TOWN CENTRE (High Street, London Road, South Park)								
6.1	Short stay	30 minutes	10p						
6.2		1 hour	60p						
6.3		2 hours	£1.20						
7.0	SEVENOAKS TOWN COMMUTER AREAS (Plymouth Drive, Holly Bush Lane)								
7.1	Short stay	30 minutes	10p						
7.2	" "	1 hour	60p						
7.3	" "	2 hours	£1.20						
7.4	long stay	all day	£2.20	+ 10p	+ 20p	+ 30p	£1,300	£2,600	£3,900
8.0	SEVENOAKS RAIL COMMUTER AREAS (St Botolphs, Morewood Close)								
8.1	Short stay	30 minutes	10p						
8.2	" "	1 hour	60p						
8.3	" "	2 hours	£1.20						
8.4	long stay	all day	£5.00	+ 10p	+ 20p	+ 30p	£1,700	£3,400	£5,100
9.0	SEVENOAKS COURT AREA (Morewood Close)								
9.1	Short stay	30 minutes	10p						
9.2	" "	1 hour	60p						
9.3	" "	2 hours	£1.20						
9.4		4 hours	£2.20						
10.0	SWANLEY (Azalea Drive, Goldsel Road)								
10.1	short stay	30 minutes	60p	- 50p	- 50p	- 50p	-£50	-£50	-£50
10.2		1 hour	60p						
10.3		2 hours	60p	+ 60p	+ 60p	+ 60p	£360	£360	£360
10.4		4 hours	60p	+ £1.60	+ £1.60	+ £1.60	£800	£800	£800
10.5	long stay	all day	£3.00	+ 10p	+ 20p	+ 30p	£1,700	£3,400	£5,100
11.0	WESTERHAM (The Green, Fullers Hill, Market Square, Croydon Road)								
11.1	short stay	30 minutes	10p						
11.2	" "	1 hour	50p						
11.3	" "	2 hours	£1.00						
Sub-total (carried forward to next page):							£5,810	£10,510	£15,210

ON-STREET PARKING - OPTIONS PAGE 2 PERMIT INCREASES			Proposed Increases			Estimated Income		
Item No.	Description	Current Charge	Option 1	Option 2	Option 3	Option 1	Option 2	Option 3
12.0	Residents Permits							
12.1	First	£30	+ £5	+ £5	+ £5	£1,945	£1,945	£1,945
12.2	Second	£60	+ £5	+ £5	+ £10	£640	£640	£1,280
12.3	Third	£115	+ £5	+ £10	+ £10	£190	£380	£380
12.4	Fouth	£230	+ £10	+ £10	+ £20	£60	£60	£120
13.0	Non-Resident Permits							
13.1	Sevenoaks town	£260	+ £10	+ £15	+ £20	£1,830	£2,745	£3,660
13.2	Sevenoaks station outer zone	£630	+ £10	+ £15	+ £20	£10	£15	£20
13.3	Sevenoaks station inner zone	£745	+ £10	+ £15	+ £20	£330	£495	£660
14.0	Residential Business Permits							
14.1	First	£100	+ £10	+ £15	+ £20	£110	£165	£220
14.2	Second	£200	+ £10	+ £15	+ £20	£10	£15	£20
			Sub-total for Permits:			£5,125	£6,460	£8,305
			Sub-total for Tariffs:			£5,810	£10,510	£15,210
			Total:			£10,935	£16,970	£23,515
			Percentage increase:			2.3%	3.5%	4.9%

ON-STREET PARKING - PERCENTAGES PAGE 1 - TARIFF INCREASES				Proposed Increases			Percentage Increase		
Item No.	Description	Charge Period	Current Charge	Option 1	Option 2	Option 3	Option 1	Option 2	Option 3
6.0	SEVENOAKS TOWN CENTRE (High Street, London Road, South Park)								
6.1	Short stay	30 minutes	10p						
6.2		1 hour	60p						
6.3		2 hours	£1.20						
7.0	SEVENOAKS TOWN COMMUTER AREAS (Plymouth Drive, Holly Bush Lane)								
7.1	Short stay	30 minutes	10p						
7.2	" "	1 hour	60p						
7.3	" "	2 hours	£1.20						
7.4	long stay	all day	£2.20	+ 10p	+ 20p	+ 30p	4.5%	9.1%	13.6%
8.0	SEVENOAKS RAIL COMMUTER AREAS (St Botolphs, Morewood Close)								
8.1	Short stay	30 minutes	10p						
8.2	" "	1 hour	60p						
8.3	" "	2 hours	£1.20						
8.4	long stay	all day	£5.00	+ 10p	+ 20p	+ 30p	2.0%	4.0%	6.0%
9.0	SEVENOAKS COURT AREA (Morewood Close)								
9.1	Short stay	30 minutes	10p						
9.2	" "	1 hour	60p						
9.3	" "	2 hours	£1.20						
9.4		4 hours	£2.20						
10.0	SWANLEY (Azalea Drive, Goldsel Road)								
10.1	short stay	30 minutes	60p	- 50p	- 50p	- 50p	- 83.0%	- 83.0%	- 83.0%
10.2		1 hour	60p						
10.3		2 hours	60p	+ 60p	+ 60p	+ 60p	100%	100%	100%
10.4		4 hours	60p	+ £1.60	+ £1.60	+ £1.60	267%	267%	267%
10.5	long stay	all day	£3.00	+ 10p	+ 20p	+ 30p	3.3%	6.7%	10.0%
11.0	WESTERHAM (The Green, Fullers Hill, Market Square, Croydon Road)								
11.1	short stay	30 minutes	10p						
11.2	" "	1 hour	50p						
11.3	" "	2 hours	£1.00						

ON-STREET PARKING - PERCENTAGES PAGE 2 - PERMIT INCREASES			Proposed Increases			Percentage Increase		
Item No.	Description	Current Charge	Option 1	Option 2	Option 3	Option 1	Option 2	Option 3
12.0	Residents Permits							
12.1	First	£30	+ £5	+ £5	+ £5	16.7%	16.7%	16.7%
12.2	Second	£60	+ £5	+ £5	+ £10	8.3%	8.3%	16.7%
12.3	Third	£115	+ £5	+ £10	+ £10	4.3%	8.7%	8.7%
12.4	Fouth	£230	+ £10	+ £10	+ £20	4.3%	4.3%	8.7%
13.0	Non-Resident Permits							
13.1	Sevenoaks town	£260	+ £10	+ £15	+ £20	3.8%	5.8%	7.8%
13.2	Sevenoaks station outer zone	£630	+ £10	+ £15	+ £20	1.6%	2.4%	3.2%
13.3	Sevenoaks station inner zone	£745	+ £10	+ £15	+ £20	1.3%	2.0%	2.7%
14.0	Residential Business Permits							
14.1	First	£100	+ £10	+ £15	+ £20	10.0%	15.0%	20.0%
14.2	Second	£200	+ £10	+ £15	+ £20	5.0%	7.5%	10.0%

PROPOSED CHANGES TO TARIFF STRUCTURE

Council - 29 November 2011

Item No. 5(e) - Appendix E

On-Street Tariffs	30 mins	1 hour	2 hours	4 hours	Day
Existing Tariff Structure					
Sevenoaks town centre	10p	60p	£1.20		
Sevenoaks town commuters	10p	60p	£1.20		£2.20
Sevenoaks rail commuters	10p	60p	£1.20		£5.00
Sevenoaks courts area	10p	60p	£1.20	£2.20	
Swanley & Knockholt				60p	£3.00
Westerham	10p	50p	£1.00		
Proposed Tariff Structure *					
Sevenoaks town centre	10p	60p	£1.20		
Sevenoaks town commuters	10p	60p	£1.20		£2.20
Sevenoaks rail commuters	10p	60p	£1.20	£2.20	£5.00
Sevenoaks courts area	10p	60p	£1.20	£2.20	
Swanley & Knockholt	10p	60p	£1.20	£2.20	£3.00
Westerham	10p	50p	£1.00		

* new tariffs in bold; based on current tariff structure no increases shown.

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Council – 29 November 2011



COUNCIL – 29 November 2011

Report by Leader of the Council

This is my report to Council on the work undertaken by the Leader and the Cabinet in the period 5 October to 15 November 2011. I am listing below the agenda items discussed since Members will have received the minutes of those meetings.

Cabinet – 13 October 2011

- Conservation Area Appraisal and Management Plan – Chipstead Village and Brittain's Farm
- Joint Working Project between Sevenoaks District Council and Dartford Borough Council in Environmental Health – Proposed Forward Operating Model
- LDF Affordable Housing Supplementary Planning Document
- Performance Monitoring
- Financial Prospects and Budget Strategy 2012/13 and Beyond
- Annual Treasury Management Report 2010/11

Cabinet – 3 November 2011

- Kent & Medway Investment Fund
- Annual Review of Parking Charges 2012/13 and Christmas Parking 2011
- Cleaning of Private Streets
- Progress on 2012/13 Budget
- Appointment to the Kent Flood Management Committee

The work of the Leader – Meetings held and attended:

October 2011

- Universal Credit meeting with Peers, House of Lords
- Business Breakfast – How Social Media can benefit business, Swanley
- Communications portfolio briefing
- Modern Local Government Group
- Meeting with West Kent Chief Executives and Leaders with Greg Clark MP
- Business Breakfast, Sevenoaks
- Meeting with Graham Gibbens, Chairman of Ambition Board 2
- Public Sector Income Generation Conference, Barbican – guest speaker
- SDC Benefits team meeting
- LG Group Councillors' forum
- LGA Group Executive

Agenda Item 9

Council – 29 November 2011

- A21 Reference Group
- Sevenoaks Rail Travellers Association AGM
- LG Group Improvement Board
- LG Group – Power of Local Government Conference – guest speaker
- Peer Information and Development day
- Chartered Institute of Housing round table on direct payment demonstration projects
- St Luke’s Church, Sevenoaks – speaking engagement
- NESTA local authority project steering group
- Memorial Service for Sir Simon Milton
- Chevening House cocktail party

November 2011

- Championing the UK’s Real-life entrepreneurs, Salomon Centre
- Communications portfolio meeting
- Ambition Board 2 meeting
- Conference call with Majeet Gill, Chief Executive and Cllr Tom Regis, Chairman, Policy & Resources Committee re welfare reform
- Opening of the Sevenoaks Area Mind IT Centre
- Announcement of Olympic Torch Relay through the District
- Meeting with Audit Commission re Annual Audit letter
- LGA Improvement Programme Board
- Meeting re launch of Sevenoaks Christian School
- Meeting with Kent Waste Partnership
- LG Group Councillors’ Forum
- LGA Group Executive
- Lord Mayor’s show (as a guest of David Wootton, Sevenoaks resident and Lord Mayor of London)
- Remembrance Day Parade, Sevenoaks
- West Kent Housing Association liaison meeting

Council- 29 November 2011

REPORTS OF SELECT COMMITTEE CHAIRMEN

a) Environment Select Committee – 25 October 2011

At the October meeting of the Environment Select Committee the following was discussed and items were resolved:-

Cabinet response to the P&G committee

Future work plan

Presentation on Green Belt Extensions Policy was received

Annual review of parking charges 2012/13 [park & on street] and Christmas Parking

Cleaning of Private Streets

Conservation Area Appraisal for Chiddingstone Heath

Review of Service Plan

Ian Bosley
Chairman

b) Social Affairs Select Committee – 1 November 2011

Taking the theme of Health and Wellbeing, Members sought to learn more about the provision of Mental Health services in the District. Prior to the meeting an extremely interesting visit had been paid to Sevenoaks Area Mind Centre in St John's Road. Members of the committee also joined about twenty five other walkers on one of the free weekly health walks (The reports on both visits can be found on the Council's web site). I would encourage you all to take the opportunity to join one of these walks. I have certainly enjoyed discovering different parts of the District that I hadn't known, learning more about its history, meeting new people and best of all, feeling fitter for a gentle hour's ramble.

Jess Mookherjee, from NHS West Kent and Jill Roberts, Chief Executive of Sevenoaks Mind, gave a detailed picture of their work. Members learned that between one in six and one in four people will experience some form of common mental health problems such as depression or anxiety which can be triggered by bereavement, financial worries, unemployment etc.

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Inpatient admissions in the District as a whole are below the average for Kent but conversely two wards in Swanley and one in Sevenoaks have the highest rates in the County. People suffering from more long term mental health problems are likely to have a shorter life expectancy than the public at large as they are more prone to diseases such as diabetes, certain cancers, strokes, often caused by poor diet, smoking, alcohol or drug misuse. Worryingly only a small proportion of those sufferers, whether exhibiting common or more severe mental problems such as bi-polar disorder or schizophrenia, have care packages or proper access to services. Nor are children immune from problems such as hyperactivity, emotional conduct or eating disorders.

Jill Roberts spoke about the stigma and social exclusion still attached to mental health and the sense of isolation felt by the sufferers, depression is 'a dark and debilitating place to be'. She spoke of the charity's aim to make the service more accessible, to set up self-help groups, develop more services and stop the 'revolving door' syndrome.

Ashley Scarff, Associate Director of Strategy and Planning at the Maidstone and Tunbridge Wells NHS Trust, gave an update on the maternity services at the new Pembury Hospital following Members' concerns as to whether there were sufficient maternity beds to meet demand. Mr Scarff accepted that initially there had been a surge in demand partly caused by mums-to-be wanting to be delivered at the new facility even though they had not been booked into Pembury. The position had now settled down and the Midwifery- led Birthing unit at Maidstone was up and running and proving to be popular despite earlier reservations.

A report on the Hospital in general was received and Members questioned the lack of public transport to Pembury from the Sevenoaks area and asked for this to be reconsidered. There were also concerns around the number of car parking places for both visitors and staff.

Alison Cook
Chairman

c) Services Select Committee – 8 November 2011

At the above meeting, the committee reviewed a wide range of topics including the replies from Cabinet on Performance Management issues and the proposed changes to Staff Terms and Conditions.

Some minor changes to the future work plan were agreed, mainly to smooth out the future work load of the Committee.

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A verbal update was received from the Under Occupation of Social Housing Working Group. Having gathered information and looked at two sample cases, the Group is moving towards setting up a forum of interested parties to debate the issue and define a way forward.

A report from officers updating the Revenue and Benefits situation was received. It dealt with the current difficulties and the planned way forward. There was also an introduction to the future "single benefit" payment system which the government plans to introduce over the next few years.

The 2012/13 budget process was discussed and the only two growth items were reviewed.

One information item: the update on the Licensing Partnership was tabled for individual review.

R.J.Davison
Chairman.

REPORT OF THE CHAIRMAN OF THE PERFORMANCE AND GOVERNANCE COMMITTEE - 15 NOVEMBER 2011

The total Trading Account Position was discussed having been referred to the committee by the Finance Advisory Group in addition the Management Performance report was referred to the committee by Services Select Committee.

A future work plan for 2011/12 for the Performance and Governance Committee was agreed and contributions made to the Budget Strategy for 2012/13 and beyond. Members were given an update on the Investment Strategy. The Council's Formal Customers Complaints for 2010 were monitored.

Cllr. M Fittock
Chairman

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