

# **NORTHAMPTON BOROUGH COUNCIL**

## **CABINET**

**Wednesday, 20 May 2009**

**PRESENT:** Councillor Woods (Chair);  
Councillors Beardsworth, Church, Crake, Glynane (10.06.09) Hoare and  
Mildren (20.05.09)

### **1. APOLOGIES**

Apologies had been received from Councillor Glynane (20.05.09), Councillor Mildren (10.06.09).

### **2. MINUTES**

The minutes of the meeting held on 29 April 2009 were agreed as a true record and signed by the Chair.

### **3. DEPUTATIONS/PUBLIC ADDRESSES**

#### **RESOLVED**

- (1) That Mr John Kelly, Mr Fidler, Mr Kevin Willsher and Mr Stuart Russell be granted leave to address the Cabinet on Item 8, 'Hackney Carriage and Private Hire Operators' Fees – Response to Objections'.
- (2) That Beverley Mennell and Martin de Rosario be granted leave to address the Cabinet on Item 5A: 'Overview and Scrutiny 3: Report of Customer Services Task and Finish Group'.

B Mennell addressed Cabinet commenting on the poor disabled access to the One-Stop-Shop and suggesting that staff should be better trained to recognise customers' disabilities.

Councillor Woods referred to a recent Access to Services Review that was due to be published on 11 June, at which time its recommendations would be considered and acted upon where appropriate. He was also happy to listen to other comments and suggestions made by members of the public that might improve the Council's services.

M de Rosario addressed Cabinet and requested that access to Choice Based Lettings be as and when a housing need arose. He then reiterated Ms Mennell's comments and pointed out that there were many categories of disability that staff should be trained to identify so they could deliver the appropriate service for their differing needs. He then cited an incident where a tenant had arrived for an appointment with an officer who was off sick on that day and suggested that a policy be put into place to inform customers in time for them not to make a wasted journey to the Guildhall.

### **4. DECLARATION OF INTEREST**

There were none.

### **5. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES**

#### **5.1 OVERVIEW AND SCRUTINY 3: REPORT OF CUSTOMER SERVICES TASK AND FINISH GROUP**

Councillor Lane, as Chair of Overview and Scrutiny 3, presented the report to Cabinet. He felt it had been a good piece of work and described the methodology leading to the 18 recommendations for improvements to the services. He then pointed out that many of the

recommendations were already being addressed and welcomed the budget allocation for the new queuing system in the One-Stop-Shop.

Councillor Beardsworth complimented the Committee on the comprehensive report and passed on her thanks to those involved. She welcomed the fact that many recommendations were now being implemented.

Councillor Church drew attention to the reference in the report to the Registry Office, which was a Northamptonshire County Council responsibility and had been found to be 'small, cluttered and unwelcoming'. Councillor Lane was asked to ensure that Overview and Scrutiny submitted the report to all those listed in its recommendation 16, including the County Council.

## **RESOLVED**

That the report be received, the recommendations noted and a further report be made back to Cabinet in due course.

### **5.2 OVERVIEW AND SCRUTINY 2: REPORT OF CONTAMINATED WATER (PHASE 2) TASK AND FINISH GROUP**

Councillor Malpas, as Chair of Overview and Scrutiny 2, presented the report to Cabinet and highlighted the excellent partnership working that had led to its production. Anglian Water and the Drinking Water Inspectorate had received the report and it was expected that it was virtually impossible for such an incident to happen again.

The Committee was complimented on the work and the value of local councils working together.

Arising from the incident, it had been recognised that shared information was needed to identify the most vulnerable people and to ensure that agencies were aware of the location of all sheltered housing residents.

## **RESOLVED**

That Cabinet note the following:

1. That Anglian Water Limited has installed sufficient measures to prevent such an incident occurring in the same manner at Pitsford Water Treatment Works.
2. That the review of the Drinking Water Inspectorate's report and the tour of Pitsford Works concludes the work of the Task and Finish Group.

## **6. SUPPORTING THE COMMUNITY IN THE RECESSION**

As Portfolio Holder for Improvement and Strategic Partnership, Councillor Woods presented the report to Cabinet. He described some of the initiatives outlined in the report and explained how current services were being geared up to address a change in demand arising from the current economic downturn. These included additional support for first-time benefits applicants and plans to improve processes for rough sleepers. A 'Mortgage Rescue' scheme had helped 18 local families. He then referred to the multi-agency 'recession open day', to be held at the Guildhall on 19 June, which had now been entitled 'Coping Through the Recession'. The Council was keen to pick up appropriate initiatives from Government and was preparing an expression of interest for funding for the construction of a number of council homes. Councillor Woods explained about ongoing partnership working and plans to

pool resources with other divisions of the Public Sector, including Job Centre Plus, in an attempt to help more people.

Councillor Beardsworth welcomed the 200% increase in the resettlement of rough sleepers and the Open Day, which would offer people the opportunity to apply for retraining and to look at positive aspects arising from their difficulties.

It was accepted that the Borough Council should work closely with other public partners as well as the local Press and that as employers, would need to address employment issues, with a particular focus on opportunities for young people.

#### **RESOLVED**

That the various initiatives and measures undertaken by the Council to support the community during the recession be noted.

### **7. CHANGE MANAGEMENT PLAN**

#### **RESOLVED**

That this item be deferred.

### **8. HACKNEY CARRIAGE AND PRIVATE HIRE OPERATORS' FEES - RESPONSE TO OBJECTIONS**

#### **RESOLVED**

That this item be adjourned to Wednesday 10 June 2009.

#### **10 June 2009**

The meeting reconvened on Wednesday 10 June 2009 at 6.00pm to consider this item only.

**Present:** Councillor Woods (Chair), Councillor B Hoare (Deputy Chair), Councillors Beardsworth, Church, Crake and Glynane.

**Apologies:** had been received from Councillor Mildren.

As the relevant portfolio holder, Councillor Crake presented the report and explained that Cabinet members had now examined all the letters of objection.

John Kelly addressed Cabinet suggesting that the proposed licensing fees increase was unlawful owing to the Council having contracted out the inspection of vehicles in 1996 at a considerable cost saving. He also felt that the twice-yearly vehicle inspection and licence fee was unreasonable. Mr Kelly then mentioned that members of the Trade were proposing court action to retrieve what they considered to be past overcharges. He commented on the proposed fee rises being above the inflation rate and referred to the Council's lack of detailed accounts justifying the rise. He then requested that a cap be placed on the number of licences granted in the town.

Councillor Woods asked whether, if the Council were to set the charges to recover most of the costs of providing the service, this would be acceptable to Mr Kelly. Mr Kelly commented that he would be satisfied if it could be proven that the proposed fee rises were in line with current costs. In relation to points made in Mr Kelly's written submission, it was noted that the rises were not being calculated in line with the retail price index. Further, in relation to the capping of licences, it was made clear that there was no Government legislation to restore capping if unmet demand was not there. It was also clarified that fees charged by Hackney Carriages were a matter for discussion at the Licensing Committee.

Mr Fidler then addressed Cabinet and produced a paper that was received by the Chair and circulated to Cabinet members. Summarising his objections, Mr Fidler explained his interpretation of the Local Government (Miscellaneous Provisions) Act 1976, that the window in which the proposed fees were to be implemented was incorrect and that the time for this had now expired. Furthermore, he maintained that the Council should keep separate accounts detailing exactly the proportion of the Licensing budget that was allocated to the administration of the Hackney Carriage and Private Hire service. He did not agree the 60% estimation as set out in the report. Finally, referring to the figures appended to the supplementary report, Mr Fidler submitted to Cabinet that they could not impose higher fees than those that had been advertised.

Councillor Hoare commented that it was not possible to have an exact breakdown of the costs of direct and indirect overheads in relation to licensing administration but that Cabinet was satisfied that the officers' scrutiny of the process was accurate. Whilst Mr Fidler disputed the reliability of the data, especially in comparison to figures produced by other councils, it was noted that it was the duty of this Authority to cover its own costs as calculated by its finance officers.

Kevin Willshire addressed Cabinet reading through the list of proposed increases as advertised. He questioned the actual costs of driver inductions, charges for returned cheques and CRB checks and felt that there was not enough detail supplied for a proper audit leading to the proposed fee increases. He went on to suggest that any increase in fees would have to be passed on to the customer. He also objected to the higher increase in fees for larger operators. Again Councillor Woods asked whether, if the Council set the charges to recover most of the costs of providing the service, this would be acceptable. Mr Willshire confirmed that it would be.

Stuart Russell addressed Cabinet referring to a previous item on the agenda in which the Council was suggesting ways to help the public through the current recession. He commented that people would suffer more if the increases were agreed, as the cost would be passed on to the trade's customers. Councillor Hoare pointed out that by not imposing the increases, Council Tax payers would be subsidising the costs, whether or not they were taxi users.

Addressing the points made by the speakers, Councillor Woods received confirmation from the Borough Solicitor that the window quoted in the report for the date of implementation for the increase was accurate. Councillor Woods then confirmed that the increases proposed were those as set out in paragraph 2.3 of the original report to Cabinet and as advertised in the local press. It was then made clear that the financial information relating to the proportion of the licensing budget allocated to the administration of taxis was accurate as verified by the Director of Finance and the Licensing Officer. It was considered that there would be no advantage in imposing a cap on the number of licences issued and anyway, this would be against the advice of the Department of Transport. Fees for CRB checks, returned bank cheques and induction had been calculated at the cost to the Council plus a nominal charge for officer time connected with their administration.

In relation to the twice-yearly testing and licensing of vehicles, it was noted that, even with this level of testing, a significant number of vehicles failed on-the-spot checks when the quarterly 'multi-agency check' operations were carried out. The Council had responsibility to ensure the safety of the public in licensed vehicles.

## **RESOLVED**

1. That the full cost to the Council of providing the Private Hire and Hackney service, as set out in Appendix 1 of the report be noted.

2. That the objections contained in Appendix 2 of the original report and Appendix 1 of the supplementary report be rejected for the reasons outlined in the letters of response.
3. That Cabinet's earlier decision to implement the fees outlined in recommendation 2.3 of the report be reaffirmed and that they take effect from Monday 29 June 2009.

## **9. PERFORMANCE**

### **9.1 PERFORMANCE REPORT (MONTHLY REPORT)**

As Portfolio Holder for Performance, Councillor Hoare presented the report to Cabinet. He pointed out that as of the year-end, 70% of targets had been met, with 80% of indicators showing an improvement. Of the 11 main indicators not achieved, some were linked to current economic issues. He commented that the Council now had in place appropriate directors and a robust performance monitoring team to enhance the continued improvement in performance and its reporting.

It was recognised that although the good work was continuing, there was always room for improvement and a further report was to be presented to Cabinet in June or July to show the end of year figures with progression figures spanning a number of years

Councillor Hoare informed Cabinet that the format of the report was soon to be altered as newer software was introduced and it would be able provide more up to date information.

## **RESOLVED**

That the contents of the report be noted.

### **9.2 CAPITAL PROGRAMME 2008/09 TO 2009/10 PROJECT APPRAISAL/VARIATION**

Councillor Mildren, as Portfolio Holder for Finance, introduced the report to Cabinet. He explained that approval was needed for replacement seating in the Mounts Swimming Baths and also for the purchase of recycling bins for kerbside glass collections.

## **RESOLVED**

1. That the scheme set out in 2.1 of the report be approved and be included in the capital programme for 2008-09.
2. The scheme set out in 2.2 of the report be approved be included in the capital programme for 2009-10.

At this point, The Chair noted that this was the final Cabinet meeting of the Council Year. He thanked Cabinet members and officers for their continued support.

The meeting concluded at 19:06 on 10 June 2009