

POLICY AND RESOURCES COMMITTEE

Date: 11 June 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: Richard Lewis (Chairman)
Glenvil Greenwood-Smith (Vice Chairman)
Steven North (Leader of the Council)
David Jenney (Deputy Leader of the Council)

Tony Boto
Val Carter
Roger Glithero JP
Helen Harrison

Andy Mercer
Sarah Peacock
Phillip Stearn

27. VARIATION TO THE ORDER OF THE AGENDA

With the consent of the Committee, the Chairman announced that he would vary the order of the published Agenda.

28. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors John Farrar and Dudley Hughes JP.

29. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 16 April 2018 were approved and signed by the Chairman.

30. DECLARATIONS OF INTEREST

The following declaration of interest was made.

Councillor	Item	Nature of Interest	DPI	Other Interest
Sarah Peacock	Taxi Policy Consultation – Removal of the ‘Grandfather Rights’	Husband is a Private Hire Driver		Yes (left the meeting for consideration of the item)

31. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

32. PUBLIC SPEAKERS

Three members of the public representing the Taxi trade spoke on the item Taxi Policy Consultation – Removal of the ‘Grandfather Rights’ to object to the recommendations contained in the report.

33. TAXI POLICY CONSULTATION – REMOVAL OF THE ‘GRANDFATHER RIGHTS’

Further to consideration of the Taxi Policy at the meeting of the Committee held on 12 March 2018 and the Committee’s decision to defer consideration of the removal of the ‘Grandfather Rights’ element of the Taxi Policy, the Health Protection Manager presented a further report prepared following contact with Northampton, Kettering and Corby Councils regarding the make-up of the Hackney Carriage fleet licenced in their respective areas. The report also set out the matters to be considered arising from the Equalities Act 2010 and Statutory Guidance related to the provision of wheelchair accessible vehicles and addressed a number of specific issues raised by Members at the 12 March 2018 meeting.

The phasing out of the ‘Grandfather Rights’ had been proposed in the Taxi Policy amendment, to come into effect from 1 April 2019. From that date, when the existing vehicle associated with the plate needed to be replaced, it would be replaced with a vehicle fully complying with the Taxi Policy to be wheelchair accessible. Vehicles would therefore need to be replaced between 1 April 2019 and 31 March 2020.

There were acknowledged areas of risk in balancing the concerns raised by the Taxi trade about the implications arising from the removal of ‘Grandfather Rights’ and ensuring suitable provision of wheelchair accessible vehicles. It was considered that further consultations should be carried out on extending the date of implementation to 1 April 2020, to also include consultations with support groups for disabled people.

Copies of two letters of representation received in respect of the proposals were circulated to members of the Committee. The letters reflected the representations made by the public speakers. A petition objecting to the proposals containing 140 signatures had also been received via the Taxi trade representatives.

RESOLVED: That

- i) the Equality Implications relating to the report have been considered.

(Reason: To accord with legislation and the policy of the Council)

- ii) the following revision of paragraph 9.1.3 of the Taxi Policy be accepted and the amendments be submitted for further consultation, with the timescale for implementation being extended to 1 April 2020.

From the 1st April 2019, when the existing vehicle associated with a grandfather plate needs replacing for any reason, or the vehicle licence needs renewing it shall be replaced with a vehicle which fully meets the wheelchair specification as detailed within this policy. No exemptions will be permitted after this date.

(Reason: Consistency with previous decisions)

34. MINUTES OF SUB-COMMITTEES AND WORKING PARTIES

a) Personnel Sub-Committee – 16 April and 14 May 2018

The minutes of the meetings of the Personnel Sub-Committee held on 16 April and 14 May 2018 were received.

b) Community Facilities Fund Working Party – 26 April 2018

The minutes of the meeting of the Community Facilities Fund Working Party held on 26 April 2018 were received.

It was noted that Councillor Wendy Brackenbury's attendance had been recorded twice in the minutes. Councillor Richard Lewis had attended the meeting, but his attendance had not been recorded.

RESOLVED: That

The following recommendations made by the Working Party be approved:

- i) The smaller bid amount be increased to £10,000.
- ii) An informative be added to the land purchase criteria, stating that land banking is not supported and any land obtained should be for immediate community use.
- iii) The Terms of Reference for the Finance and Performance Sub-Committee be amended to include the award of grants of up to £10,000 at stage 1 of the procedure.

c) Finance Sub-Committee – 30 April 2018

The minutes of the meeting of the Finance Sub-Committee held on 30 April 2018 were received.

RESOLVED: That

- i) the revenue carry forward requests in Appendix 1 to the minutes be approved.

(Reason: For formal approval to carry forward expenditure into the revenue budget for 2018/19)

- ii) the capital carry forward requests in Appendix 2 to the minutes be approved.

(Reason: For formal approval to carry forward expenditure into the capital budget for 2018/19)

- iii) the use of the 2017/18 underspend in Appendix 3 to the minutes be approved and the Chief Finance Officer in consultation with the Leader of the Council be authorised to approve the use of the proposed cost of transition reserve.

(Reason: For formal approval to incur expenditure in 2017/18 and strengthen reserves)

- iv) the reserves position in Appendix 4 to the minutes be approved.

(Reason: For approval of strengthened reserves to mitigate some future financial risk)

35. INCREASES IN FINES FOR ENVIRONMENTAL OFFENCES (THE ENVIRONMENTAL OFFENCES (FIXED PENALTIES) (ENGLAND) REGULATIONS 2017

The Waste Manager reported that the above regulations had come into effect on 1 April 2018, following a period of consultation, and amended the existing regulations relating to Fixed Penalty Notices for Environmental Offences.

The Regulations set out the statutory default fine level, together with the minimum, maximum and discount fine levels prescribed for the range of environmental offences where a fixed penalty option was available to the Council and approval was sought for the level of fines to be levied by ENC and the discount for early payment of the fines.

RESOLVED: That

- i) the Equality Implications relating to the report have been considered.

(Reason: To accord with legislation and the policy of the Council)

- ii) the Privacy implications relating to the report have been considered.

(Reason: To accord with legislation and the policy of the Council)

- iii) the increases and early repayment amounts associated with the Fixed Penalty Fines as set out in the table below be approved.

(Reason: To accord with legislation and the policy of the Council)

Offence	Default Penalty	Minimum Full Penalty 01.04.18 – 31.03.19	Minimum Full Penalty 01.04.19 onwards	Maximum Full Penalty	Recommended Penalty Level for East Northamptonshire Council.	Optional Penalty Level for Early Payment
Littering Environmental Protection Act 1990, (Section 88)	£100	£50	£65	£150	£150	£100
Fly posting and graffiti Anti-social Behaviour Act 2003 (Section 43)	£100	£50	£65	£150	£150	£100
Abandoning a vehicle. Clean Neighbourhood and Environment Act 1995 (Section 10)	£200	£200	£200	£200	£200	£150

Failure to produce waste transfer note. Environmental Protection Act 1990 (Section 34)	£300	£300	£300	£300	£300	£225
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- iv) the amendment of the Council's Enforcement Policies to set out the changes to the fixed penalty fines be approved.

(Reason: To accord with legislation and the policy of the Council)

36. FOOD SAFETY AND HEALTH & SAFETY SERVICE PLANS

The Health Protection Manager reported that the Food Standards Agency and the Health and Safety Executive required local authorities to produce an annual work plan and the proposed Food Safety and Health and Safety Service Plan 2018/19 enabled the Council to fulfil this requirement. A copy of the proposed Plan was submitted for the Committee's consideration and recommendation for inclusion in the Council's Constitution.

R.1 RESOLVED TO RECOMMEND TO FULL COUNCIL: That

the Food Safety and the Health and Safety Service Plan 2018/19 attached at Appendix A be approved.

(Reason: To accord with legislation and the constitution of the Council)

37. ON DEMAND BUS SERVICE PROVISION IN DISTRICT

The Executive Director presented a report setting out the likely impact on local communities of the withdrawal by Northamptonshire County Council (NCC) of the funding of the 'on demand' bus service, which covered the northern half of the East Northamptonshire district. As part of its budget setting for 2018/19, NCC had withdrawn subsidies from most bus routes where there was no legal requirement for provision, including the Call Connect Service

The current Call Connect service was delivered as part of a shared service arrangement between Rutland, Lincolnshire, Peterborough and Northamptonshire Councils, with NCC providing funding for the routes exclusively within Northamptonshire. NCC's current contribution was £136,000 per year which would end on 31 August 2018.

The Call Connect service had been reviewed in 2015-2017 as part of the Scrutiny Committee Review of Community Transport. Members of the Review Panel had subsequently expressed concern about the additional gaps that would be created by the withdrawal of the Call Connect Service

Two local County Councillors had held discussions with representatives of Lincolnshire and Northamptonshire County Councils and, subject to the agreement of the partner authorities, it would be possible to offer a "service on demand" service within East Northamptonshire by creative use of the current bus provision at specified periods of the day. An outline of the proposals was submitted.

Lincolnshire County Council had stated that the services would require an annual payment of £43,000, with a pro-rata cost in 2018/19 of £25,000. Concessionary Bus Passes would continue to be eligible for use on the modified service, with the bus-operator recovering a proportion of the fares due from the County Council.

The two councillors had held a meeting, to which all affected Town and Parish Councils had been invited, to outline this possible solution and seek their financial support towards its implementation. Whilst the majority of those present had been supportive of the principle, formal approval was required from the relevant parish council for financial support to be confirmed. In addition, whilst some town and parish councils had made some provision within their precept for 2018/19 for such additional costs arising from County Council's budget position, many had not and would be unable to provide support in 2018/19. In the latter cases they had been asked to commit to raising their precept for 2019/20 to cover a contribution for that year.

It was unlikely that Town and Parish Councils would be able to cover the full cost and some had informally asked if ENC could make a contribution to enable the modified service to be implemented until the anticipated start date of the new North Northamptonshire Unitary Council. Given the potential impact of the loss of the Call Connect service on the wellbeing of the most vulnerable in rural communities who might also be socially isolated, it was proposed that this council considered partially matching the funding provided by Town and Parish Councils. There was an anticipated underspend that could be provided of up to £10,000 in 2018/19 whilst additional provision could be built into the base budget for 2019/20.

Given the uncertain future funding context for local government, particularly the current financial position of NCC, there was a risk that the anticipated North Northamptonshire Unitary Council might not continue any funding of the modified service from 2020/21. The use of the service would therefore be reviewed as part of the planning for the new unitary council and the relevant Town and Parish Councils would need to consider making further provision for 2020/21.

RESOLVED: That

- i) the Executive Director (Monitoring Officer), in consultation with the Chairman of the Policy and Resources Committee, be authorised to approve the release of ENC funding of up to £10,000 in 2018/19 from in-year underspend, provided that written assurance of contributions from Town and Parish Councils is received by 30th June 2018 of at least £15,000 for 2018/19 and £30,000 in 2019/20.
- ii) if the funding commitments set out in i) above are agreed, provision be made in the base budget for 2019/20 for up to £13,000.

(Reason: To mitigate the impact of the withdrawal of County Council subsidised Call Connect service on residents, particularly older people, unable to access private transport for activities that are important to their health and wellbeing.

38. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following item of business as it was likely that exempt information, as defined under paragraph 3 of Schedule 12A of the Local Government Act 1972, may be disclosed.

39. WASTE AND CLEANSING CONTRACT PROCUREMENT UPDATE – FOOD WASTE DISPOSAL

The Waste Manager presented a report providing an update on the work of the Waste Project Board and sought the Committee's approval to proceed with the procurement of a contract for the disposal of food waste.

It was noted that the main waste disposal contract had been awarded and would commence on 30 July 2018. At its meeting held on 9 January 2017, this Committee had resolved that the specification in terms of recycling collections should remain unchanged from the existing service and that any new service provider would be required to continue the collection arrangements.

RESOLVED: That

- i) the recommendation of the Waste Project Board to procure new arrangements for disposal of food waste be accepted.

(Reason: To provide a seamless transition from the existing to the new contract arrangements for the provision of waste and recycling collections)

- ii) the Head of Environmental Services, in consultation with the Chairman of the Policy and Resources Committee, be authorised to award the Food Waste Disposal contract

(Reason: To provide a seamless transition from the existing to the new contract arrangements for the provision of waste and recycling collections)

Chairman