



RUSHMOOR BOROUGH COUNCIL

LICENSING, AUDIT AND GENERAL PURPOSES COMMITTEE

*at the Council Offices, Farnborough on
Monday, 27th January, 2020 at 7.00 pm*

To:

Cllr S.J. Masterson (Vice-Chairman)

Cllr J.B. Canty
Cllr M.S. Choudhary
Cllr A.K. Chowdhury
Cllr Veronica Graham-Green
Cllr Christine Guinness
Cllr A.J. Halstead
Cllr L. Jeffers
Cllr Prabesh KC
Cllr P.F. Rust
Cllr Jacqui Vosper

Enquiries regarding this agenda should be referred to the Committee Administrator,
Kathy Flatt, Democratic and Customer Services, Tel. (01252 398829) or email
kathy.flatt@rushmoor.gov.uk.

A G E N D A

1. **APPOINTMENT OF CHAIRMAN –**

To appoint a Chairman of the Committee for the remainder of the 2019/20 Municipal Year.

2. **APPOINTMENT OF VICE-CHAIRMAN –**

Subject to item 1 above, to appoint a Vice-Chairman of the Committee for the remainder of the 2019/20 Municipal Year.

3. **MINUTES – (Pages 1 - 4)**

To confirm the Minutes of the Meeting held on 25th November, 2019 (copy attached).

4. **SELECTION OF THE MAYOR AND DEPUTY MAYOR 2020/21 – (Pages 5 - 6)**

The Head of Democracy, Strategy and Partnerships to report on the outcome of the selection process for the Mayor-Elect and Deputy Mayor-Elect 2020/21. A copy of the criteria for the selection process is attached for information. The Committee will be asked to make a recommendation to the Council.

5. **STATEMENT OF ACCOUNTS 2018/19 - UPDATE –**

The Executive Head of Finance will give a verbal update on audit progress for the Council's Statement of Accounts 2018/19 since the last Committee meeting on 25th November, 2019.

6. **ANNUAL TREASURY MANAGEMENT STRATEGY AND NON-TREASURY INVESTMENT STRATEGY 2020/21 –**

To consider the Executive Head of Finance's Report No. FIN2004 (copy to follow) which sets out the Treasury Management Strategy and Non-Treasury Investment Strategy 2020/21, Prudential Indicators for Capital Finance and the Minimum Revenue Provision Statement for 2020/21.

7. **INTERNAL AUDIT UPDATE – (Pages 7 - 14)**

To consider the Internal Audit Manager's Report No. AUD 20/01 (copy attached), which provides an update on Audit Plan delivery to date and expected deliverables for the remainder of quarter 4.

8. **CONSULTATION ON PROPOSED TAXI SHARING ARRANGEMENTS FOR FARNBOROUGH INTERNATIONAL AIRSHOW 2020 – (Pages 15 - 28)**

To consider the Head of Operational Services' Report No. OS 2003 (copy attached) which outlines the proposals to implement a taxi-sharing scheme to run between designated points for the duration of the trade days of Farnborough International Airshow 2020 (FIA20) (20th-24th July, 2020). The Committee will be asked, as a

consultee to the process, to make comments and/or recommendations to the relevant portfolio holder on determination of any scheme.

9. **CONSULTATION ON PROPOSED VARIATION TO THE SCHEME OF HACKNEY CARRIAGE FARES – (Pages 29 - 58)**

To consider the Head of Operational Services' Report No. OS 2002 (copy attached) which outlines the proposals to vary the current scheme of hackney carriage fares which have, following provisional approval of Cabinet, been published for public consultation. The Committee will be asked, as a specified consultee in the review process, to make comments or recommendations for consideration by Cabinet on determination as may be appropriate.

10. **CONSTITUTION REVIEW – (Pages 59 - 100)**

To consider the Head of Democracy, Strategy and Partnerships' Report No. DSP2001 (copy attached), which updates on progress and proposals for the current review of the Council's Constitution.

PUBLIC PARTICIPATION AT MEETINGS

Members of the public may ask to speak at the meeting on any of the items on the agenda by writing to the Committee Administrator at the Council Offices, Farnborough by 5.00 pm three working days prior to the meeting.

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LICENSING, AUDIT AND GENERAL PURPOSES COMMITTEE

Meeting held on Monday, 25th November, 2019 at the Council Offices, Farnborough at 7.00 pm.

Voting Members

Cllr J.E. Woolley (Chairman)
Cllr S.J. Masterson (Vice-Chairman)

Cllr J.B. Canty
Cllr A.K. Chowdhury
Cllr Veronica Graham-Green
Cllr Christine Guinness
Cllr A.J. Halstead
Cllr L. Jeffers
Cllr P.F. Rust
Cllr Jacqui Vosper

Apologies for absence were submitted on behalf of Cllr Prabesh KC.

19. MINUTES

The Minutes of the meeting held on 16th October, 2019 were approved and signed by the Chairman.

20. STATEMENT OF ACCOUNTS 2018/19 - UPDATE 2

The Committee received the Executive Head of Finance's Report No. FIN1933 which informed Members of audit progress for the Council's Statement of Accounts for 2018/19 since the Committee meeting held on 23rd September, 2019.

The Committee was reminded that the statutory deadline for issuing a final set of audit statement of accounts and audit opinion of 31st July, 2019 had not been met, and noted that the Council was one of 208 public bodies (Councils, Fire and Rescue, Police and other local government bodies) which had not received an auditor opinion by the deadline. The delay in the opinion being issued continued to be mainly due to material changes in the valuation of the depot in Lysons Avenue in Ash Vale and the impact of the McCloud judgement on the Council's pension fund liability.

The Committee had received an External Audit Progress Report prepared by the auditors which set out a revised timetable for the completion of the audit and provision by them of the audit opinion. These were now scheduled to be considered at the next Committee meeting on 27th January, 2020.

RESOLVED: That

- (i) the Executive Head of Finance's Report No. FIN1933 be noted; and
- (ii) the Chief Executive, in consultation with the Chairman of the Licensing, Audit and General Purposes Committee, write a letter to the external auditors expressing the Council's disappointment with the delayed audit opinion and seeking reassurances that there would be no such delays for future audit opinions.

21. **TREASURY MANAGEMENT MID-YEAR REPORT**

The Committee received the Executive Head of Finance's Report No. FIN1931 which set out the main activities of the Treasury Management and non-Treasury Investment Operations during the first half of 2019/20, and noted that prudential indicators for the 2019/20 financial year had been updated for all treasury management and non-treasury activity during the first half of 2019/20.

The Committee was advised that the report was a statutory requirement under the CIPFA Code of Practice on Treasury Management. It was noted that the restructuring of the investment portfolio during 2018/19 had improved diversification of funds and increased the yield on all treasury management investments by £188,000 from 2018/19.

Members were advised that the treasury team continually reviewed the borrowing strategy, weighing up interest rate levels and risk of refinancing. During the 2019/20 financial year, short-term interest rates had remained low and were forecast to remain low. However, borrowing levels had increased, raising refinancing risk. To mitigate, a proportion of borrowing had been moved to one- and two-year durations.

In respect of total borrowing, at 30th September, 2019 this was £84.3m, an increase of £23.1m from the 2018/19 year-end position. Year-end borrowing was forecast to be £116m below estimated levels due to timing of investment property purchases. It was noted that the lower level of borrowing had resulted in forecast interest cost on borrowing reducing by £270,000.

The Committee noted that the Council was forecast to have non-treasury investments risk exposure of £125.4m of which £82.2m was funded via external loans, whilst the return of non-treasury investments was forecast to be below estimated return for 2019/20 due to the cost associated with commercial property being clarified during the financial year.

RESOLVED: That the Executive Head of Finance's Report No. FIN1931 be noted.

22. **INTERNAL AUDIT UPDATE**

The Committee considered the Audit Manager's Report No. AUD1908 which gave an overview of the work completed by Internal Audit for Quarter 2 (including the work slipped from Quarter 1), an update on progress made on expected deliverables for Quarter 3, and a schedule of work expected to be delivered in Quarter 4.

The Committee was advised that, whilst there were some delays in the work expected to have been completed in Quarter 2, all have started and were due to finish within the timescales stated.

RESOLVED: That:

- (i) the audit work carried out in Quarter 2 be noted;
- (ii) the update to expected deliverables for Quarter 3 be noted; and
- (iii) the expected deliverables for Quarter 4 be endorsed.

23. **ANNUAL GOVERNANCE STATEMENT - UPDATE**

The Committee received the Audit Manager's Report No. AUD1909 which described the work carried out to date to ensure the achievement of the actions detailed within the Annual Governance Statement (AGS).

It was noted that the Council was required by the Accounts and Audit Regulations 2015 to prepare and publish an AGS, and the provision of a mid-year update on the work being carried out towards the implementation of the actions detailed within the AGS was new, and aimed to highlight areas where target dates had been amended. The Committee was advised that whilst target dates for some actions had been extended, most of the actions would still be on target to be completed by the end of the financial year. A further update would be provided to the Committee at its meeting in March 2020.

RESOLVED: That the work currently being carried out towards the implementation of the actions detailed within the Council's Annual Governance Statement be noted.

24. **LOCAL GOVERNMENT OMBUDSMAN COMPLAINTS REPORT**

The Committee received the Head of Customer Experience's Report No. CE0119 which provided an annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about Rushmoor Borough Council (RBC).

The Committee was advised that individual complaints about councils escalated to the LGO were reviewed by that body to ascertain if the correct decisions were made or reasonable measures had been taken to mitigate future issues. It was noted that RBC had no complaints (0%) upheld during the reporting period of 1st April, 2018 to 31st March, 2019, compared to an average of 43% in similar authorities.

The Committee wished its appreciation of the Council's ongoing commitment to customer experience to be recorded.

RESOLVED: That the annual summary of statistics on the complaints made to the Local Government Ombudsman about Rushmoor Borough Council be noted.

25. **DATA PROTECTION POLICY AND DATA PROTECTION OFFICER APPOINTMENT**

The Committee received the Corporate Manager – Legal Services’ Report No. LSIG1911 which sought approval to the Council’s draft Data Protection Policy and sought approval to give delegated authority to the Corporate Manager – Legal Services to keep the Data Protection Policy under review and to update it as required.

It was noted that the Data Protection Policy formed part of the Information Governance Framework and its purpose was to explain the Council’s approach to ensuring compliance with the Data Protection legislation by staff, Members and customers, when personal data was collected, processed and stored.

RESOLVED: That

- (i) the draft Data Protection Policy be approved; and
- (ii) the Corporate Manager – Legal Services be given delegated authority to keep the Data Protection Policy under review and to update it as required.

The meeting closed at 8.05 pm.

CHAIRMAN

CRITERIA FOR THE SELECTION OF THE MAYOR AND DEPUTY MAYOR

The Council has established criteria for selecting the Mayor and Deputy Mayor. The Licensing and General Purposes Committee keeps the criteria under regular review. The arrangements are as follows:

- The position of the Mayor and Deputy Mayor of the Borough will be taken in order of seniority from all the elected Members of the Council and will be calculated in accordance with the procedure adopted by the Council on 20th May 1976 as follows:

“The order of seniority of Members of the Council shall be determined by the length of previous local government service with the Council, including past service with the former Aldershot Borough Council and Farnborough Urban District Council. In the case where two or more Members have the same length of service, then priority between such Members shall be determined by the number of votes received by each Member expressed as a percentage of the total number of ballot papers issued at the most recent election held in their respective Wards.”

- The normal progression through the Mayoralty will be by the holding of the position of Deputy Mayor and then progressing to the position of Mayor the following year.
- Should an elected Member be in the position of not being able or wanting to accept the nomination when they reach their position within the seniority list, they will be considered in the following Municipal Year, depending on his or her wishes.
- The Offices of Mayor and Deputy Mayor must at all times be apolitical. The Offices should not be used for political advantage.
- Past Mayors will not be considered for the position of Mayor or Deputy Mayor until fifteen years after the completion of the end of their Mayoral Year; at that time their position on the seniority list will be calculated on the basis of total length of service less fifteen years.
- A Member will not normally be selected until that Member has served a full four year term.
- A Member will not normally be selected for Mayor or Deputy Mayor if they are seeking re-election at that year's Borough Council Elections.
- Where a Member who has not been mayor before has the same number of eligible years' service as a Member who has already been Mayor, the Member who has not been mayor shall be given priority in the selection Process.

- A Member should recognise the time required in carrying out the duties and responsibilities of the Mayor and be able to allocate that time during his or her year of office.
- Those considered for appointment:
 - must demonstrate a broad base of support amongst Councillors
 - should be able to demonstrate some experience of chairing meetings
- The Mayor-Elect and Deputy Mayor-Elect will be selected at the Licensing and General Purposes Committee on the basis of the selections being submitted to full Council in March.

LICENSING, AUDIT AND GENERAL PURPOSES COMMITTEE

AUDIT MANAGER 27th JANUARY 2020
REPORT NO. AUD 20/01

INTERNAL AUDIT – AUDIT UPDATE

SUMMARY:

This report describes the work carried out by Internal Audit for quarter 3.

RECOMMENDATION:

Members are requested to:

- i. Note the audit work carried out in quarter 3, including the work slipped from quarter 2.
- ii. Note the update to the expected deliverables for quarter 4.

1 Introduction

1.1 This report is to provide Members with:

- An overview of the work completed by Internal Audit to date for Q3 2019/20.
- A schedule of work expected to be delivered Q4 2019/20.

2 Audit work – Q3 19/20

2.1 The following audit work has been carried out within quarter 3:

Work	Status
Audit findings – Appendix A of this report	
Financial borrowing	This audit was carried out by the contract auditors. A substantial assurance opinion has been given to this area. Findings are detailed within Appendix A.
Council Tax Billing and Collection	This audit was carried out by the contract auditors. A substantial assurance opinion has been given to this area. Findings are detailed within Appendix A.
Cash Receipting	This audit was carried out by the contract auditors. A full assurance opinion has been given to this area. Findings are detailed within Appendix A.
Audit work in progress	
Estates Management and Commercial Letting	The draft report is currently being reviewed by the Estates Manager and will be reported at the Committee meeting in March.

Taxi Licensing – fees and processing records	The draft report is currently being reviewed by the Licensing Manager and will be reported at the Committee meeting in March.
Building Control Partnership	Testing has been completed by the contract auditor and the report on findings is currently being drafted for review by the Building Control Manager. The findings will be communicated at the Committee meeting in March.
Follow up on high risk recommendations from previous audits	Work is ongoing to follow up on previous high recommendation made. The findings from these follow up will be communicated at the Committee meeting in March.
Capital Programme Management	Testing has commenced.

2.2 Other deliverables:

Updates have been made to the following Council policies:

- Whistle Blowing policy,
- Anti-fraud, Corruption and Bribery policy
- Anti-Money Laundering policy

These are being included within the update to the Council's constitution.

2.3 The Council makes use of access to DVLA information for investigations of Council Evasion, Council Tax Reduction fraud and fly-tipping. An unexpected audit has recently been carried out which required evidence to be gathered to justify the use of the information for investigations.

3 Expected deliverables for Q4 2019/20

3.1 The following changes will be made to quarter 4 work previously planned within the audit update provided to the Committee in November 2019:

- PCNs – This audit will be deferred to 2020/21 to be carried out as further work is required around the car park income reconciliation.
- PCI DSS - Due to the unplanned work being carried out for the taxi licensing process the PCI DSS audit will be deferred to 2020/21.
- Risk Management Consultancy – A group is overseeing the risk management process therefore consultancy is not required and the update on progress will be detailed within the Annual Governance Statement update report due to be reported to the Committee in March.

- Procurement and Housing Allocation list – This was proactive work scheduled in to be undertaken by the Council’s Corporate Investigation Officers. Due to their workload being unpredictable this work may not be carried out by the end of the financial year as reactive work takes priority over the proactive work.

3.2 The work expected to be delivered in quarter 4 is detailed within the table below. As with the previous quarter, these audits can be subject to change due to the changing needs of the organisation or resource availability. An update will be provided at the March meeting.

Service	Audit/ follow up/descriptor	Expected
Operations	Car park income reconciliation consultancy – <i>Consultancy days planned to offer advice around the reconciliation process for car park income.</i>	Q4 2019/20
Economy, Planning & Strategic Housing	SANGS consultancy and review – <i>Consultancy days planned to offer advice for the SANGS process.</i>	
Finance	Treasury Management – <i>A key financial system review.</i>	
Finance/ Operations	Capital Project – <i>A review of a capital project</i>	
Democracy, Strategy and Partnerships	Performance Management – <i>a review of the new process developed.</i>	
Finance/ ELT	Housing company/ RDP start up	
Finance	Ethical Governance – <i>A review of petty cash usage within the Council.</i>	

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HEAD OF SERVICE: David Stanley, Executive Head of Financial Services

References: *Internal Audit – Audit Plan* report, presented to the Committee on the 6th June 2019

<https://democracy.rushmoor.gov.uk/ieListDocuments.aspx?Cid=166&Mid=738&Ver=4>

AUDIT FINDINGS ON THREE ITEMS:

Audit Title 1	Financial Borrowing		
Year of Audit	2019/20		
Assurance given	<i>Substantial – Key controls designed to achieve the system/function/process objectives, are in place. There are opportunities to enhance/strengthen these controls.</i>		
Overview of area	<p>The last Treasury Strategy estimated £100 million in borrowings for 2019; as at 17th September 2019 the Council's borrowing total was at £78 million. The Council have been focusing on purchasing property and the regeneration of assets purchased in Aldershot and Farnborough. The Council currently have £20 million in short-term borrowing with the remaining total (£58 million) in long-term borrowing. Short term borrowing is kept as low as possible as this represents a higher risk should borrowings need to be re-financed.</p> <p>The service operates effectively with sound controls in place. Borrowings are well managed, with records held manually and electronically within the team. This enables informed decisions to be made and supporting records to all borrowings to be maintained effectively.</p> <p>A large proportion of the borrowing is held in long-term arrangements. This ensures that the risk remains low, especially with the recent increase in the borrowing interest rates.</p>		
Priority	Key findings	Management response and agreed action	Action by who and when
Medium	<p>Signed authorisation is not consistently obtained for borrowings before a deal is made, whether this be a new borrowing or one that has been rolled over.</p> <p><i>Risk</i> <i>In some cases, there is no audit trail of the authorisation of borrowings, increasing the risk that they could be taken out without prior knowledge or consent of the Finance Manager and Executive Head of Finance. This could lead to significant financial loss for the Council and the possibility of fraud.</i></p>	<p>Agree that not all authorisations have been recorded in a clear manner and going forward email authorisation from Head of Service will be obtained and recorded either electronically or on hard copies. Note that authorisation is not always on a loan by loan basis but on a strategic borrowing proposal.</p>	<p>Finance Manager</p> <p>January 2020</p>

	<p>Recommendation Standard form to be used to gain the appropriate authorisation before each deal is made for a new or rolling borrowing and for these to be held in a centralised place. (This is for all borrowings including ones made on the Ideal Trade platform too)</p>		
Medium	<p>The request for borrowing from the Finance Manager to the Accountant is not consistently recorded.</p> <p><i>Risk</i> <i>A lack of audit trail to support the Borrowing requirements may lead to potential fraud, undetected errors and/or losses.</i></p> <p>Recommendation An email to be sent and held in a centralised place to establish an audit trail.</p>	<p>Agree that record of borrowing requirements needs to be improved. There is email correspondence outlining the need to borrowing, however this is not 100% complete.</p>	<p>Finance Manager January 2020</p>
Low	<p>There are no written procedures within the team.</p> <p><i>Risk</i> <i>Errors may arise without clear procedures in place.</i></p> <p>Recommendation Procedures should be compiled for each task within the service.</p>	<p>Agree that procedures need to be written to support the current process in place.</p>	<p>Finance Manager January 2020</p>

Priority key for way forwards	
High priority	A fundamental weakness in the system/area that puts the Authority at risk. To be addressed as a matter of urgency.
Medium priority	A moderate weakness within the system/area that leaves the system/area open to risk.
Low priority	A minor weakness in the system/area or a desirable improvement to the system/area.

Audit Title 2	Council Tax Billing and Collection		
Year of review	2019/20		
Assurance given	<i>Substantial – Key controls designed to achieve the system/function/process objectives, are in place. There are opportunities to enhance/strengthen these controls.</i>		
Overview of area	<p>The Council Tax Billing and Collection processes are reviewed biennially, as agreed with the external auditors. The previous audit carried out in 2016/2017 concluded that the systems operated effectively. There are clear areas of responsibility within the service, including division of duties, which operates effectively.</p> <p>The system continues to operate effectively with sound controls in place. The annual billing cycle and approvals is well established and controlled, as is the management of the Valuation Office records, rejected Direct Debit payments, refunds, the iWorld system access controls and the monthly finance reconciliations.</p>		
Priority	Key findings	Management response and agreed action	Action by who and when
Medium	<p>The inspections process is not being consistently followed by the Visiting Officer.</p> <p><i>Risk</i> <i>Discounts and Exemptions may be applied incorrectly should inspections not occur as per the process. This could lead to a financial loss for the Council.</i></p> <p>Recommendation Regular performance checks to be completed to ensure that all aspects of the process are being covered.</p>	<p>Performance management has been carried out and some weaknesses were identified. These were addressed with the Visiting Officer.</p> <p>Further checks were carried out, however these tailed off when an improvement had been made.</p> <p>I recognise that these checks need to continue on a monthly basis.</p>	<p>David May, Principal Revenues and Benefits Officer</p> <p>January 2020</p>

<p>Medium</p>	<p>There are not currently regular performance checks completed for all team members, covering all tasks.</p> <p><i>Risk</i> <i>Tasks could be processed incorrectly potentially leading to accounting errors or a financial loss for the Council.</i></p> <p>Recommendation Performance checks to be completed for all team members for all tasks, each month.</p>	<p>Performance checks will be completed by choosing a random sample of work for all staff.</p> <p>This will be carried out immediately on a monthly basis.</p>	<p>David May, Principal Revenues and Benefits Officer</p> <p>Karen Parker, Senior Local Taxation Officer</p> <p>January 2020</p>
<p>Low</p>	<p>Inspections are not currently being booked in on the system, as procedures require.</p> <p><i>Risk</i> <i>Discounts and Exemptions could be allowed to continue on accounts in some cases where taxpayers are not entitled to them. This could lead to a financial loss for the Council and/or the need for time consuming recovery action.</i></p> <p>Recommendation The process outlining the steps for booking in inspections should be followed.</p> <p><i>Previous concern in the 2016/17 audit</i></p>	<p>A review will take place which details and documents what empty / occupied properties require a visit. Following this, a reminder will be sent to all staff about booking in inspections. This will then be picked up as part of the performance checks.</p> <p>Should there be any issues following this, they will receive additional performance management.</p> <p>In the interim period, a report can be run which is able to identify discounts/exemptions that haven't got inspections logged.</p>	<p>David May, Principal Revenues and Benefits Officer</p> <p>Karen Parker, Senior Local Taxation Officer</p> <p>January 2020</p>

Audit Title 3	Cash Receipting		
Year of review	2019/20		
Assurance given	<i>Full – A comprehensive system of internal controls is in place designed to achieve the system/function/process objectives. These controls are operating effectively and are being consistently applied.</i>		
Overview of area	<p>The Cash Receipting processes are reviewed biennially, as agreed with the external auditors. The previous audit carried out in 2016/17 concluded that the system continues to operate effectively. The Customer Service Unit still provides a counter facility in Reception for the public, to process face-to-face card, cheque and cash payments.</p> <p>All income is still processed through the CAPITA cash receipting system, with payments taken by system users in the Customer Service Unit and in appointed service areas, e.g. parking, crematorium, Connaught Leisure Centre, etc. through the PAYE.net system.</p> <p>The system continues to operate effectively with sound controls in place. The use of the CAPITA system and the Customer Service Unit procedures are well established and managed by an experienced team. The Finance team's procedures for the reconciliation of the cash receipting transactions are also well established and are effective in supporting the overall bank reconciliation process.</p>		
Priority	Key findings	Management response and agreed action	Action by who and when
Low	<p>There are currently daily collections for cash and cheques from the previous day's takings with this costing £18.50 per collection.</p> <p><i>Risk</i> <i>This could be an over control which is costing the Council more than is required due to the reduction in the number of cash and cheque transactions.</i></p> <p>Recommendation Collections to be changed to once a week, on Fridays, and the current insurance cover for cash holdings would facilitate this. This would save £74 a week - c.£3,800 p.a.</p>	We agree with the recommendation and will look to moving to one collection per week in the new year.	<p>Marybeth Quintmere, Customer Service Manager.</p> <p>January 2020</p>

27 JANUARY 2020

**CONSULTATION ON PROPOSED TAXI SHARING ARRANGEMENTS
FOR FARNBOROUGH INTERNATIONAL AIRSHOW 2020****SUMMARY AND RECOMMENDATIONS**

Following Cabinet approval for public consultation, this report outlines proposals to implement a taxi-sharing scheme to run between designated points for the duration of the trade days of Farnborough International Airshow 2020 (FIA20) (20th-24th July 2020).

The Committee is requested to consider the proposals and, as a consultee to the process, is asked to make comments and/or any recommendations to the relevant portfolio holder on determination of any scheme.

1. BACKGROUND & INTRODUCTION

- 1.1 The Taxis (Schemes for Hire at Separate Fares) Regulations 1986 empower local Councils' to set up schemes under which licensed taxis may be used for shared hire. Whilst normally a discretionary power, local authorities must establish such a scheme if requested to do so by the holders of at least 10% of current taxi licence holders (albeit the form and nature of any such scheme remains at the discretion of the authority).
- 1.2 In making such a scheme, the Regulations require the Council to obtain the consent of the Highway Authority and/or any landowner in respect of any pick-up and destination point forming a part of the scheme that is not on the highway. The authority is also required to consult the local Chief Constable of Police, and the relevant County Council. It is then required to publish any proposed scheme and invite public representations; considering such representations as may be appropriate before implementing any proposed arrangement.
- 1.3 Following discussions with the Taxi Trade, these powers to establish a taxi-sharing scheme were first used in Rushmoor for the Farnborough International Airshow 2004 (FIA04). At this time, a taxi-share scheme was implemented between the Farnborough Station and Cross Street, Farnborough. While pick-up and destination points have changed with show arrangements, similar schemes have been established for each Airshow since. All of these have generally been well received and have proven successful for all involved.
- 1.4 Significantly and by virtue of the petition given at **appendix A** (front sheet only provided), requests to implement a taxi-sharing scheme similar to that established for FIA18 for the duration of the trade days of FIA20 (20th-24th July 2020) have been received. As the 40 signatory petition equates to approximately 18% of current taxi licence holders, a suitable taxi-sharing scheme must therefore be established.

- 1.5 This report outlines the proposed taxi-sharing scheme for FIA20 which, following provisional approval of Cabinet, has now been published for public consultation. For these purposes, the last date for representations and consultation comments is given as the close of business **1st March 2020**.
- 1.6 Given its role and responsibilities in other areas of taxi licensing work, the views of the Licensing, Audit & General Purposes Committee are sought on the proposed scheme. Accordingly, the Committee is requested to consider the outline proposals below and make any comments or recommendations for report to and consideration by the portfolio holder for Operational Services; to whom determination of the scheme has been delegated in conjunction with the Head of Operational Services.

2. DETAILS OF THE PROPOSAL

- 2.1 Whilst providing for an uplift to the fares to be charged, it is proposed that the FIA20 scheme be established and run on a similar basis to that operated during the 2018 Airshow. This is a relatively simple and straightforward scheme and is outlined below with relevant commentary.

Authorised Places

- 2.2 It is proposed that the scheme be established for return journeys between the official Airshow rank (Rank A) and the Farnborough main-line station (Rank B) (the 'authorised places'). The Airshow rank is a temporary taxi rank established for the duration of the Airshow on the Airshow site which, subject to show planning arrangements, will be located on land just off the Queens Gate Road, Farnborough. The two points, between which the scheme is proposed to operate, are shown at **appendix B**.

Signs on Vehicles and Authorised Places

- 2.3 It is proposed that every vehicle standing for hire under the terms of the scheme be obliged to display and carry a notice indicating that the vehicle is available for shared hire between the authorised places. This will be in addition to the signs and notices presently required under the conditions of each taxi vehicle and driver's licence.
- 2.4 It is similarly proposed that the authorised places (Ranks A and B) be designated by specified signage to provide prospective passengers with information on the operation of the shared taxi scheme, together with fare tables, the times of its operation and other relevant information.

Exclusive and Shared Compellability

- 2.5 It is proposed that the scheme will run on both a shared and exclusive basis. The existing right of the hirer of a taxi to demand an exclusive service and to be carried to any other place will remain. However, passengers who wish to share the vehicle for journeys between the authorised places would be afforded 'shared compellability' arrangements.

Fares

- 2.6 In accordance with Department for Transport (DfT) guidance, any scheme for shared fares should offer an incentive both to the taxi proprietor and passengers. Such a scheme should therefore ensure that the driver receives more in fares than for an exclusive hire and that each passenger pays less.
- 2.7 In a change to FIA18, a flat fare taxi-share system charge of £4.50 per person up to a maximum charge of £18 for each taxi (regardless of the number of passengers conveyed) is proposed. Previously, a charge of £4.00 for up to a maximum of 4 passengers (up to a total maximum of £16 per taxi) applied for FIA18.
- 2.8 Based on the proposals and the journey assessment given at **appendix C**, a typical exclusive fare (in accordance with existing fare chart charges) between the proposed destination points ranges between £5.40 to £6.80 dependent on the route taken.

NB: A definitive figure cannot be provided at this stage as, at the time of writing, traffic flow routes in, out and around the Airshow site have not yet been finalised. However, having taken account of all possible routes between the authorised places, the given journey assessment shows that a standard exclusive journey would ordinarily cost more than the proposed taxi-share scheme which therefore accords with DfT guidelines.

Marshalling

- 2.9 It is also proposed that marshals regulate the operation of the taxi-sharing scheme, attending the Farnborough station rank in the morning and the Airshow rank in the afternoon in accordance with peak demands and the general flow and migration of customers. Marshals will be contracted by Farnborough International Ltd, the organisers of the Airshow.

3. CONSULTATION

Necessary Consents

- 3.1 Following receipt of the request for a taxi-sharing scheme, the Highways Authority and those with relevant land interests (including TAG and South Western Railway) have confirmed their approval of the proposals by virtue of the correspondence given at **appendix D**.
- 3.2 At the time of writing, the other statutory consultees (e.g. Police) have not made any comment on the proposals. Where appropriate, these will be considered with any representations following any period of public consultation (see below).

Public Consultation

- 3.3 Regulation 5 of the 1986 Regulations requires the details of any proposed taxi-sharing arrangement to be published in a local newspaper and at the Council Offices by way of public consultation on the proposals. Representations regarding the proposals may then be made within a period of not less than 28 days. Regulation 6 subsequently provides that the Council may make the scheme with or

without modifications after due consideration of any representations made. As stated Cabinet has provisionally approved the scheme for public consultation which will run until 1st March.

Member Consultation

- 3.4 By way of effecting suitable Member consultation, the views of the Licensing, Audit & General Purposes Committee are being sought for feedback to the portfolio holder for Operational Services; to whom determination of any scheme has been delegated.

4. IMPLICATIONS

Legal Implications

- 4.2 Having received a request by 18% of the licensed trade, the Council is required to establish a suitable taxi-sharing scheme. The form and nature of the scheme is subject to the Council's discretion, but both the trade request and the proposals outlined above largely follow those established for FIA18, are proven and have previously worked successfully without challenge.

Financial and Resource Implications

- 4.3 While the Council may incur some limited administrative costs in terms of the public consultation and signage necessary to effect a scheme, there are no significant financial implications associated with this report. All costs are factored into and can be borne by existing budgets.

Equalities Impact Implications

- 4.4 Whilst there is no directly available and/or attributable data to quantify any impact, there may be some temporary reduction and/or delay in availability of taxi services to the wider community while the taxi-share scheme operates. However, as the majority of taxi drivers are self-employed and choose when they work anyway, it is generally considered that there are no equality impact implications for those with protected characteristics.

5. CONCLUSIONS

- 5.1 Having received a request by 18% of the licensed trade, the Council is required to establish a suitable taxi-sharing scheme for the duration of the trade days of the Farnborough International Airshow 2020. A taxi-sharing scheme similar to that established for FIA18 is therefore proposed to run between the Farnborough mainline station and a temporary Airshow rank from 20th-24th July 2020.
- 5.2 The proposals are relatively simple and straightforward and generally build upon and compliment the traffic arrangements used to accommodate the Airshow. Similar schemes have been implemented for previous shows.
- 5.3 The Highways Authority and those with relevant land interests have already confirmed their approval of the proposals outlined in this report.

BACKGROUND

DOCUMENTS: - None

CONTACT DETAILS:

Report Author – **John McNab**, Environmental Health Manager
Email: john.mcnab@rushmoor.gov.uk, **Tel:** 01252 398886

Head of Service – **James Duggin**, Head of Operational Services
Email: james.duggin@rushmoor.gov.uk, **Tel:** 01252 398543

Appendices

Appendix	Title
A	- Taxi Trade Petition (front sheet only)
B	- Plan of authorised places
C	- Journey assessment
D	- Relevant consents

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TAXI TRADE PETITION REQUESTING TAXI SHARING SCHEME FOR FARNBOROUGH INTERNATIONAL AIRSHOW 2020

NB: Front page only - redacted in compliance with Data Protection Act requirements.

To TAXI LICENSING AT RUSHMOOR BOROUGH COUNCIL

From THE TAXI TRADE

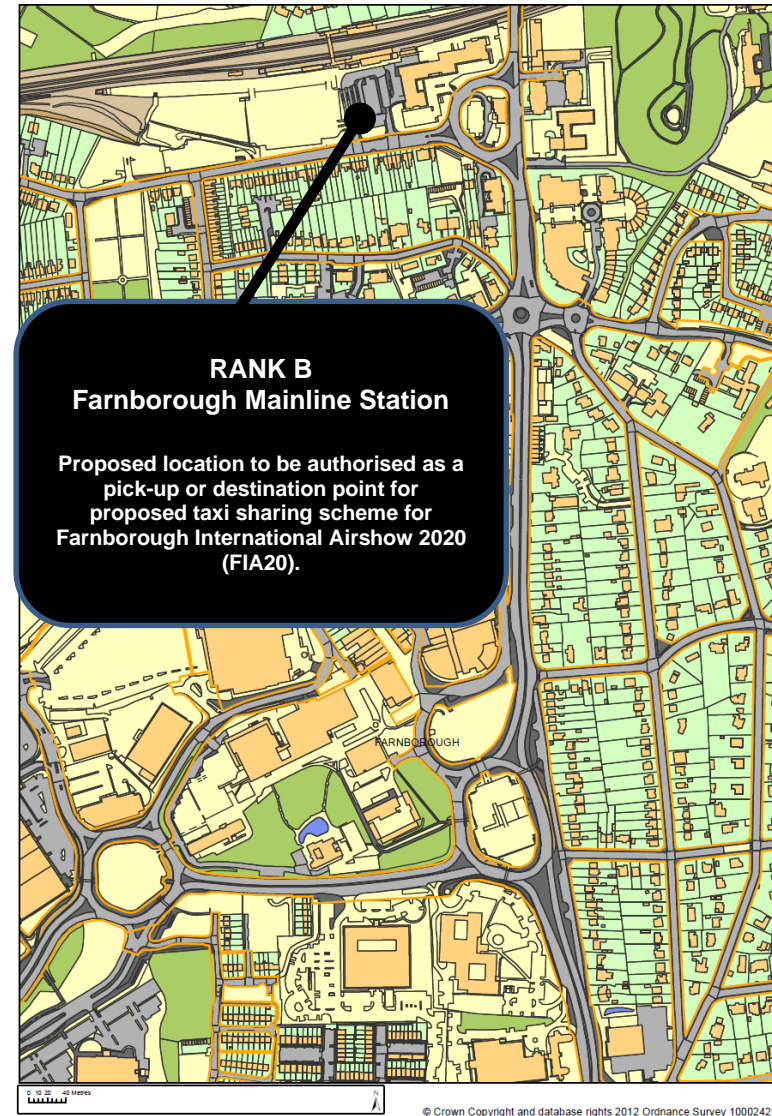
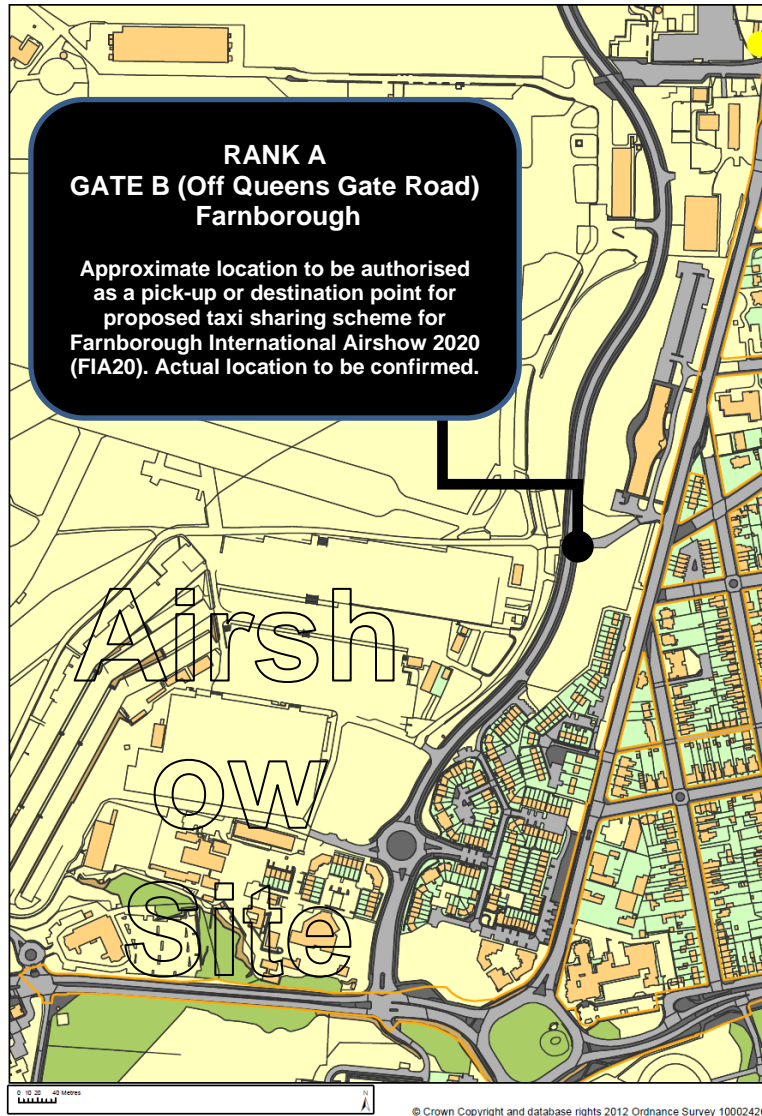
Ref: CAB SHARING, FARNBOROUGH AIRSHOW 2020

We the undersigned ask that you approve cab sharing for FIA20 at the rate of £18 for 4 people between Farnborough Main Line and the Airshow Drop-off point, plus Airshow Taxi Rank to Farnborough Main Line.

<u>Print name</u>	<u>Signature</u>	<u>Badge number</u>
U		
V		te
N		
I		
H		
D		
S		
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Redacted in compliance with data protection requirements

PLAN OF AUTHORISED PLACES BETWEEN WHICH PROPOSED TAXI-SHARING SCHEME IS PROPOSED TO OPERATE



JOURNEY ASSESSMENT OF TAXI JOURNEYS OF VARYING ROUTES

FROM / TO	ROUTE VIA	PROPOSED RANK(S)	APPROX DISTANCE (Yards)	FARE CALCULATION <small>(Based on Rate 1 of scheme of fares effective from 01.09.18)</small>		TOTAL APPROXIMATE FARE <small>(Based on Rate 1 of scheme of fares effective from 01.09.18)</small>
Queens Gate Road (Gate B) To Farnborough Station	Queens Gate Road, Fowler Avenue, Pinehurst Road (via The Village), Meudon Avenue, Farnborough Road, Union Street	A to B	3,555yds	First 1088 yards Each 149.5 yards (or part thereof)	£3.00 $\text{£}0.20 \times (3555 - 1088) / 149.5 = 3.40$	£6.40
Queens Gate Road (Gate B) To Farnborough Station	Queens Gate Road, Fowler Avenue, Pinehurst Road (via The Village), Sulzer Roundabout, Solartron Road, ASDA Car Park, Westmead, Victoria Road, Elm Grove Road, Union Street	A to B	3,575yds	First 1088 yards Each 149.5 yards (or part thereof)	£3.00 $\text{£}0.20 \times (3575 - 1088) / 149.5 = 3.40$	£6.40
Queens Gate Road (Gate B) To Farnborough Station	Queens Gate Road, Fowler Avenue (via Barons), Farnborough Road, Union Street	A to B	2,880yds	First 1088 yards Each 149.5 yards (or part thereof)	£3.00 $\text{£}0.20 \times (2880 - 1088) / 149.5 = 2.40$	£5.40
Queens Gate Road (Gate B) To Farnborough Station	Queens Gate Road, RAE Road, Farnborough Road, Union Street	A to B	2,750yds	First 1088 yards Each 149.5 yards (or part thereof)	£3.00 $\text{£}0.20 \times (2750 - 1088) / 149.5 = 2.40$	£5.40
Queens Gate Road (Gate B) To Farnborough Station	Queens Gate Road, Government House Road, Farnborough Road, Union Street	A to B	3,910yds	First 1088 yards Each 149.5 yards (or part thereof)	£3.00 $\text{£}0.20 \times (3910 - 1088) / 149.5 = 3.80$	£6.80

RELEVANT CONSENTS

Landowner consent: South Western Railway

From: Adele Richards
Sent: 16 October 2019 11:11
To: John McNab
Subject: Farnborough Airshow 2020

Morning John

Re your letter dated 11th October 2019 concerning the Farnborough Airshow 2020 in which you wish to implement a taxi sharing scheme, I wish to advise that as the Land Owner, South Western Railway give consent for this scheme.

I hope this email will suffice, however if not, please advise.

Regards

Adele Richards
Retail Team Co-ordinator
South Western Railway

Address: Overline House, Blechynden Terrace, Southampton SO15 1AL

**Landowner consent: Farnborough Airport Ltd**

From: Roger Walker
Sent: 15 November 2019 12:14
To: John McNab
Subject: Airshow Taxi Rank

Dear John

With ref to your letter dated 11 Oct 2019 your ref 19/02077/TAXGEN, I can confirm our consent to the proposal.

A couple of points to make; the company name of the airport is now Farnborough Airport Ltd and not TAG Aviation. Secondly, the road you refer to as 'off Queens Gate Road' is now known officially as Trenchard Way although it remains unadopted.

Rgds

Roger Walker
Director Airport Operations
Farnborough Airport
www.tagfarnborough.com

**Farnborough
Airport**

Highways consent

From: John Trusler
Sent: 23 October 2019 14:50
To: John McNab
Subject: Farnborough Airshow Taxi share fare arrangements.

John

As discussed, I am happy for you to proceed with the proposals set out in your letter dated 11th October 2019.

Many thanks

John

John Trusler | **Principal** Engineer

Rushmoor Borough Council

Tel : 01252 398775 | E-mail : John.Trusler@rushmoor.gov.uk

Council Offices | Farnborough Road | Farnborough | Hampshire | GU14 7JU

27 JANUARY 2020

**CONSULTATION ON PROPOSED VARIATION
TO THE SCHEME OF HACKNEY CARRIAGE FARES****SUMMARY**

This report outlines proposals to vary the current scheme of hackney carriage fares which have, following provisional approval of Cabinet, been published for public consultation.

The Committee is requested to consider the proposals and, as a specified consultee in the review process, make comments or recommendations for consideration by Cabinet on determination as may be appropriate.

1. BACKGROUND & INTRODUCTION

- 1.1. Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 (LGMPA76) gives the Council the power - not a duty (i.e. a discretionary ability), to fix the rates or fares in connection with the hire of a hackney carriage vehicle within its district by means of a scheme of fares. Further, under the Local Authorities (Functions & Responsibilities) (England) Regulations, the determination of hackney carriage fares is an executive function.
- 1.2. Accordingly, whilst the Council has always established and set a scheme of fares and largely subject this to annual review in accordance with its taxi licensing policy, any revision to the scheme of fares follows a mechanism and timetable agreed by Cabinet.
- 1.3. The approved procedure generally involves the calculation of an initial percentage uplift figure (known as the 'notional uplift') using a formula based on various indices and measures of inflation, weighted to reflect factors relevant to the trade e.g. the cost of fuel. Using the notional uplift as a guide, a revised fare scheme is normally prepared for public consultation.
- 1.4. On this occasion, proposals to change the scheme of fares were initially submitted by the taxi trade in June 2019. However, Cabinet have previously expressed concern that the scheme of fares is complex and difficult to understand; and have questioned whether it best serves public interests in its current form. Consequently, having previously questioned whether the scheme can be simplified, the proposal given at **appendix A** was developed in consultation with the Portfolio holder for Operational Services and the former Chair of the Licensing, Audit & General Purposes Committee.
- 1.5. This report outlines this proposal which, following provisional approval of Cabinet, has now been published for public consultation. For these purposes,

the last date for representations and consultation comments is given as the close of business **27th January 2020**.

- 1.6. Given its role and responsibilities in other areas of taxi licensing work, the views of the Licensing, Audit & General Purposes Committee are sought on any change to the scheme of fares. Accordingly, the Committee is requested to consider the proposals and make any comments or recommendations for report to and consideration by Cabinet as may be appropriate.

NB: Should there be no representations / objections to the proposals, the proposed scheme will be introduced from **1st March 2020**. Where, following consultation, there are significant objections to the proposals, these must be taken back to Cabinet for consideration. Allowing for Cabinet / Committee cycles, any report back to Cabinet has been scheduled to its meeting of 4th February.

2. DETAILS OF THE PROPOSAL

2.1. Proposed variation(s)

- 2.2. The proposal seeks to simplify the scheme of fares by standardising the units used throughout (using units of a mile) and reducing the number of extra charges that can be applied. In recognition that the latter may reduce taxi driver takings, this proposal also seeks to apply a reasonable increase in excess of the notional uplift and round-up all fares to the nearest 10p.

3. IMPLICATIONS OF PROPOSALS

3.1. Proposed fare changes

- 3.2. The taxi fare implications inherent to the proposals can best be seen by comparing them against the current scheme of fares (see **appendix B**) and the notional uplift. These are outlined with additional commentary below.

3.3. Notional Uplift

- 3.4. Use of the approved formula results in a notional uplift of 3.4% (rounded-up) for the benchmark period January 2018 to January 2019 (see **appendix C**).

3.5. Comparison of benchmark taxi journeys

- 3.6. The tables given at **appendix D** provide for a fare cost comparison of journeys at each mile mark (up to 15 miles) for both the current and proposed schemes. The tables given at **appendix E** similarly provide for a cost comparison of a number of local journey examples at different times of the day.

3.7. Commentary of fare proposals

- 3.8. Following a reduction in pull-off distance, the proposed scheme provides for an initial cost increase on the pull off rate of 23.64% across the different metered rates. However, after the initial pull-off distance has been travelled, there is a variable increase in the cost of all journeys which will be applicable

to all taxi users. Using each mile mark up to 15 miles as a reference, this averages at 6.38%, 6.13%, 5.47% and 6.14% at meter rates 1, 2, 3, and 4 respectively (excluding pull off rate). Similar variable percentage increases will apply thereafter.

- 3.9. Such increases are notably more than the notional uplift of 3.4% and have been applied in recognition of the proposed reduction in the number of extra charges that can be applied from four to one. The remaining extra is considered justifiable on the basis that larger vehicles are generally required in order to carry more than 5 passengers, and these are typically more expensive both to buy and run. However, as the number and/or proportion of journeys undertaken to which additional extras have historically been applied is not known, it is not possible to provide comment on the appropriate level of increase to cover the reduction of these extras or their general impact with any degree of certainty.
- 3.10. In simplifying the scheme, these levels of uplift have been achieved through proposed changes to the distance travelled on both initial pull-off and the running mile, together with adjustments to associated charges. This has resulted in proposed charges that entail the use of small denominations (e.g. £0.25 for each $\frac{1}{10}$ mile at Rate 1, £0.37 for each $\frac{1}{10}$ mile at Rate 3). Notably, the taxi trade have previously sought to avoid use of small denominations as this means they have to carry additional cash reserves and handle small coins (including at night / in the dark).
- 3.11. To help reduce the need to handle additional cash and small denominations, and by way of providing additional recompense for the reduction in extras, it is further proposed that all fares be subject to rounding-up to the nearest 10p at the end of the journey where appropriate. This affects the overall uplift calculations quoted and, for this reason, the overall journey costs and percentage increase when rounding up is applied (where appropriate) is also shown in the cost comparison tables of **appendices D and E**.
- 3.12. Using each mile mark up to 15 miles as a reference, this provides for an overall average uplift at 6.74%, 6.47%, 5.71% and 6.14% at meter rates 1, 2, 3, and 4 respectively (excluding the pull off rate). Again however, as the type and number of journeys that are taken where this rounding-up would apply cannot be quantified, we are similarly unable to advise on the appropriate level or impact of this.

4. OTHER RELEVANT CONSIDERATIONS

4.1. Legal Implications

- 4.2. Whilst the Council is not obliged to set a revised scheme of fares, the Council's current taxi licensing policy (see **appendix F**) specifies that the Council will seek to undertake an annual review of taxi fares. It further aims to give effect to any variation to the scheme of fares by October or November each year (subject to Committee cycles etc); meaning that the review is due and outstanding against this timetable.

4.3. Consultation requirements

- 4.4. By virtue of Section 65(2) LGMPA76 any revision to the scheme of fares must be published in a local newspaper and in a notice at the Council offices by way of public consultation on the proposals. Representations regarding proposed changes may then be made within a stated period of not less than 14 days.
- 4.5. Sections 65(3) and 65(4) LGMP76 also provide that where, following consultation, there are any objections to the proposals, these must be brought back to Cabinet for consideration. Otherwise, the proposed scheme takes effect on expiry of a date specified in the consultation notice (see pp 4.8 below). Allowing for newspaper publication dates and subsequent Cabinet / Committee cycles, any report back to Cabinet will be scheduled to its meeting of 4th February 2020.
- 4.6. In accordance with the approved procedure, the views of the Licensing, Audit & General Purposes Committee are also sought during any consultation period and fed back to Cabinet as may be appropriate. The Committee is therefore being asked to provide any feedback as part of this process.

4.7. Practical implementation requirements

- 4.8. Further to the above, any change to the scheme of fares results in the need to recalibrate the taximeters in all taxis licensed by the Council. A modern taximeter needs technical / specialist recalibration and, given the number of taxis involved, requires some co-ordination to take effect at the same time. For this reason, together with the aforementioned consultation requirements, Cabinet has provisionally approved that any revised scheme of fares take effect from **1st March 2020**.

4.9. Financial and Resource Implications

- 4.10. There are no direct financial implications associated with this report other than those attributable to the costs of public consultation. However, these are factored into and can be borne by existing budgets.

4.11. Equalities Impact Implications

- 4.12. Once established, a scheme of fares must be applied to journeys undertaken within the Borough. The scheme may also be, and is often applied voluntarily for journeys going outside the borough. However, fares for out of borough journeys may be negotiated with the fare paying customer in advance. A scheme of fares as regulated by taximeter therefore provides for a consistent method of calculating a fare for any journey between point A to B. It is considered that this does not discriminate between those with protected characteristics.

- 4.13. However, while subject to minor ancillary income streams (e.g. vehicle advertisements), taxi fares are the main means by which drivers can recoup

the costs of providing a taxi service and effecting an income or living. Conversely, fares must be reasonable and affordable for those that use and/or rely on such services. In essence then, there is a balance to be struck with reference to what is reasonable to expect people to pay but also to the need to give taxi drivers sufficient incentive to provide a service; particularly when it is needed (including at times involving anti-social hours). These and other relevant equality considerations are outlined at **appendix G**.

4.14. For this reason, a range of socio-economic data and indicators are also provided at **appendix H** to inform these considerations. This is provided so as to help contextualise both the current and proposed levels of taxi fares against local circumstances, local issues of relative deprivation / affluence and the ability to pay for and use taxi services.

4.15. Useful Guidance

4.16. While there is limited guidance available to local authorities in setting taxi fares, an excerpt of the Department for Transport (DfT) best practice guidelines to licensing authorities is given at **appendix I**.

4.17. While the DfT best practice guidelines have no legal standing, the following points may be relevant; namely -

- (a) It is good practice to review fare scales at regular intervals.
- (b) Fare scales should be designed with a view to practicality.
- (c) Authorities may wish to consider adopting a simple formula for deciding on fare revisions as this will increase understanding and improve the transparency of the process.
- (d) In reviewing taxi fares authorities should pay particular regard to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also to the need to give taxi drivers sufficient incentive to provide a service when it is needed.
- (e) There may be a case for higher fares at times of higher demand.
- (f) Taxi fares are a maximum, and in principle are open to downward negotiation between passenger and driver.

5. CONCLUSIONS

5.1. The Council's taxi licensing policy specifies that the Council will undertake an annual review of taxi fares. Whilst subject to an approved methodology, a proposal was approved for consultation this year in response to Member concerns with the current scheme format.

5.2. Any proposal for variation must be subject to public consultation and, by virtue of approved processes include Member consideration by virtue of the Licensing, Audit & General Purposes Committee. Where appropriate, all

representations / comments will be taken back to Cabinet for consideration before determination. However, by law, any advertised proposal will automatically take effect in the event that it does not attract any representations / comments. For practicality purposes, it is proposed that any revised scheme take effect from **1st March 2020**.

BACKGROUND DOCUMENTS: None

CONTACT DETAILS:

Report Author – John McNab, Environmental Health Manager
john.mcnab@rushmoor.gov.uk, 01252 398886

Head of Service – James Duggin, Head of Operational Services
james.duggin@rushmoor.gov.uk, 01252 398543

APPENDICES:

Appendix	Title
Appendix A	- Proposed scheme of fares
Appendix B	- Current scheme of fares (effective 1 st September 2018)
Appendix C	- Model calculation of notional uplift of taxi fares (including indices) for 2019-2020
Appendix D	- Comparison tables of fare charges at each mile mark (up to 15 miles) for current & trade proposed fare schemes
Appendix E	- Local journey examples / costs arising from the current & trade proposed fare schemes
Appendix F	- Excerpt from the Council's taxi licensing policy
Appendix G	- Relevant considerations in setting taxi fares
Appendix H	- Socio-economic data & associated indicators
Appendix I	- Excerpt of DfT Best Practice Guidelines

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PROPOSED SCHEME OF FARES

HACKNEY CARRIAGE FARES

Proposed 2019

Below is a table of fares made by Rushmoor Borough Council under S65 of the Local Government (Miscellaneous Provisions) Act 1976 and are the MAXIMUM fares that may be charged.

- The fare charged must be in accordance with this table of fares unless a **NEGOTIATED** fare was otherwise agreed before the journey started
- This applies even if the journey takes the taxi outside the Borough of Rushmoor
- Fare rates are based on a combination of time and distance and are automatically calculated by and must be displayed on the taximeter **at all times**
- All fares subject to rounding-up to nearest 10p (£0.10)

METER RATE 1 - Day time

Any hiring on a weekday between 07:00 and 17:59 (unless Rate 3 or 4 applies instead).

First 1/2 mile or uncompleted part	£3.00
For each subsequent (or part) 1/10 mile up to 8 miles	£0.25
Thereafter, for each subsequent (or part) 1/15 mile	£0.20
Waiting time (per 40 second period)	£0.20

METER RATE 2 - Evenings and weekends

Any hiring on any day between 18:00 and 22:59 (unless Rate 3 or 4 applies instead); or
Any hiring on a Saturday or Sunday, between 07:00 and 17:59 (unless Rate 4 applies instead).

First 1/2 mile or uncompleted part	£3.60
For each subsequent (or part) 1/10 mile up to 8 miles	£0.25
Thereafter, for each subsequent (or part) 1/15 mile	£0.20
Waiting time (per 40 second period)	£0.20

METER RATE 3 - Night time, bank holidays and Easter Sunday

Any hiring on any day between 23:00 and 06:59 (unless Rate 4 applies instead).

Any hiring on Easter Sunday, a bank or public holiday or New Year's Day (1st Jan) between 07:00 and 22:59 (unless Rate 4 applies instead).

First 1/2 mile or uncompleted part	£4.50
For each subsequent (or part) 1/10 mile up to 8 miles	£0.37
Thereafter, for each subsequent (or part) 1/15 mile	£0.30
Waiting time (per 40 second period)	£0.30

METER RATE 4 - Christmas/New Year

Any hiring on Christmas Day (25 December) or Boxing Day (26 December) to 06:59 on 27 December; Any hiring on Christmas Eve (24 December) or New Year's Eve (31 December) between 21:00 and 23:59; or Any hiring on New Year's Day (1 January) between 00:00 and 06:59.

First 1/2 mile or uncompleted part	£6.00
For each subsequent (or part) 1/10 mile	£0.50
Waiting time (per 40 second period)	£0.40

EXTRA CHARGES

For each additional passenger in excess of five passengers **£1.00**

FOULING CHARGE

Any fouling to the interior of the cab making it unfit for further hiring (at the discretion of the driver). **Up to £100**

ROUNDING-UP

All fares subject to rounding-up to nearest 10p (£0.10).

COMPLAINTS AND COMMENTS - Where possible please quote the Cab / Driver Number

Please contact the Head of Operational Services at Rushmoor Borough Council, Council Offices, Farnborough Road, Farnborough, Hampshire, GU14 7JU. Tel: 01252 398 399 ■ Email: licensing@rushmoor.gov.uk



CURRENT SCHEME OF FARES (EFFECTIVE FROM 1st SEPTEMBER 2018)

HACKNEY CARRIAGE FARES

Effective from 1 September 2018

Below is a table of fares made by Rushmoor Borough Council under S65 of the Local Government (Miscellaneous Provisions) Act 1976 and are the **MAXIMUM** fares that may be charged.

The fare charged must be in accordance with this table of fares unless a **NEGOTIATED** fare was otherwise agreed before the journey started. This applies even if the journey takes the taxi outside the Borough of Rushmoor.

Fare rates are based on a combination of time and distance and are automatically calculated by and must be displayed on the taximeter at all times.

METER RATE 1 - Day time

Any hiring on a weekday between 07:00 and 17:59 (unless Rate 3 or 4 applies instead).

First 1088 yards or uncompleted part	£3.00
For each subsequent (or part) 149.5 yards up to 8 miles	£0.20
Thereafter, for each subsequent (or part) 125.2 yards	£0.20
Waiting time (per 40 second period)	£0.20

METER RATE 2 - Evenings and weekends

Any hiring on any day between 18:00 and 22:59 (unless Rate 3 or 4 applies instead); or
Any hiring on a Saturday or Sunday, between 07:00 and 17:59 (unless Rate 4 applies instead).

First 1088 yards or uncompleted part	£3.60
For each subsequent (or part) 149.5 yards up to 8 miles	£0.20
Thereafter, for each subsequent (or part) 125.2 yards	£0.20
Waiting time (per 40 second period)	£0.20

METER RATE 3 - Night time, bank holidays and Easter Sunday

Any hiring on any day between 23:00 and 06:59 (unless Rate 4 applies instead).

Any hiring on Easter Sunday, a bank or public holiday or New Year's Day (1st Jan) between 07:00 and 22:59 (unless Rate 4 applies instead).

First 1088 yards or uncompleted part	£4.50
For each subsequent (or part) 149.5 yards up to 8 miles	£0.30
Thereafter, for each subsequent (or part) 125.2 yards	£0.30
Waiting time (per 40 second period)	£0.30

METER RATE 4 - Christmas/New Year

Any hiring on Christmas Day (25 December) or Boxing Day (26 December) to 06:59 on 27 December; Any hiring on Christmas Eve (24 December) or New Year's Eve (31 December) between 21:00 and 23:59; or Any hiring on New Year's Day (1 January) between 00:00 and 06:59.

First 1088 yards or uncompleted part	£6.00
For each subsequent (or part) 149.5 yards	£0.40
Waiting time (per 40 second period)	£0.40

EXTRA CHARGES

For each additional passenger in excess of five passengers	£1.00
Any hiring booked by telephone or radio, internet, email or APP (electronic communications)	£1.00

Any hiring if the journey starts or finishes outside the Rushmoor boundary	£1.00
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NB: Passengers may be charged a maximum of four extras, up to a maximum of **£4.00**

FOULING CHARGE

Any fouling to the interior of the cab making it unfit for further hiring (at the discretion of the driver).	Up to £100
--	------------

COMPLAINTS AND COMMENTS - Where possible please quote the Cab / Driver Number

Please contact the Head of Environmental Health & Housing at Rushmoor Borough Council, Council Offices, Farnborough Road, Farnborough, Hampshire, GU14 7JU. Tel: 01252 398 399 ■ Email: licensing@rushmoor.gov.uk

RUSHMOOR
BOROUGH COUNCIL

**MODEL CALCULATION OF NOTIONAL UPLIFT OF TAXI FARES
(INCLUDING INDICES) FOR 2018-2019**

Formula to Uplift Taxi Fares				
Weighting	Annual Increases	Relevant Government Indices		% Increase
		January 2018	January 2019	
80	uplifted by Average Weekly Earnings (Whole Economy)	163.00	169.60	4.05
10	uplifted by R.P.I (Petrol and Oil)	353.40	360.10	1.90
5	uplifted by R.P.I (Vehicle Tax & Insurance)	811.10	785.70	-3.13
5	uplifted by R.P.I (All Items excl mortgage costs)	276.50	283.40	2.50

Outcome Calculation		
Annual Percentage Increase	Approved Percentage Weighting	Weighted Percentage Increase
4.05	0.80	3.24
1.90	0.10	0.19
-3.13	0.05	-0.16
2.50	0.05	0.12
Formula Uplift Total (%)		3.39

COMPARISON TABLES OF FARE CHARGES AT EACH MILE MARK (UP TO 15 MILES) FOR CURRENT & PROPOSED FARE SCHEMES

EXISTING v PROPOSED SCHEME OF FARES COMPARISON TABLE			
METER RATE 1 - Day time			
DISTANCE	CURRENT COSTS 01.09.18 (£)	PROPOSED SCHEME COSTS (£)	%AGE INCREASE
Pull-off rate	£3.00 per 1088yds	£3.00 per 880yds	23.64%
1 MILE	4.00	4.25 *4.30	6.25% *7.50%
2 MILES	6.40	6.75 *6.80	5.47% *6.25%
3 MILES	8.80	9.25 *9.30	5.11% *5.68%
4 MILES	11.00	11.75 *11.80	6.82% *7.27%
5 MILES	13.40	14.25 *14.30	6.34% *6.72%
6 MILES	15.80	16.75 *16.80	6.01% *6.33%
7 MILES	18.20	19.25 *19.30	5.77% *6.04%
8 MILES	20.40	21.75 *21.80	6.62% *6.86%
9 MILES	23.40	24.95 *25.00	6.62% *6.84%
10 MILES	26.20	27.95 *28.00	6.68% *6.87%
11 MILES	29.00	30.95 *31.00	6.72% *6.90%
12 MILES	31.80	33.95 *34.00	6.76% *6.92%
13 MILES	34.60	36.95 *37.00	6.79% *6.94%
14 MILES	37.40	39.95 *40.00	6.82% *6.95%
15 MILES	40.20	42.95 *43.00	6.84% *6.97%
Meter Rate 1 Notes:			
		Current	Proposed
Pull-off charge (£)		3.00	3.00
Pull-off distance (yards)		1088	880
Pull-off rate (£s per initial yardage)		£3.00/1088yds	£3.00/880yds
Subsequent running mile charge (£) up to 8 miles		£0.20/149.5yds	£0.25/176yds
Distance per running mile charge up to 8 miles (yards)		149.5	176
Subsequent running mile charge (£) after 8 miles		£0.20/125.2yds	£0.20/117.3yds
Distance per yardage rate charge after 8 miles (yards)		125.2	117.3
NB: All journeys shown above are for basic hire. Costs shown do not include any extras. Figures marked '*' subject to fare round-up to nearest 10p in accordance with proposal			

EXISTING v PROPOSED SCHEME OF FARES COMPARISON TABLE			
METER RATE 2 - Evenings & Weekends			
DISTANCE	CURRENT COSTS 01.09.18 (£)	PROPOSED SCHEME COSTS (£)	%AGE INCREASE
Pull-off rate	£3.60 per 1088yds	£3.60 per 880yds	23.64%
1 MILE	4.60	4.85 *4.90	5.43% *6.52%
2 MILES	7.00	7.35 *7.40	5.00% 5.71%
3 MILES	9.40	9.85 *9.90	4.79% 5.32%
4 MILES	11.60	12.35 *12.40	6.47% 6.90%
5 MILES	14.00	14.85 *14.90	6.07% 6.45%
6 MILES	16.40	17.35 *17.40	5.79% 6.10%
7 MILES	18.80	19.85 *19.90	5.59% 5.85%
8 MILES	21.00	22.35 *22.40	6.43% 6.67%
9 MILES	24.00	25.55 *25.60	6.46% 6.67%
10 MILES	26.80	28.55 *28.60	6.53% 6.72%
11 MILES	29.60	31.55 *31.60	6.59% 6.76%
12 MILES	32.40	34.55 *34.60	6.64% 6.79%
13 MILES	35.20	37.55 *37.60	6.68% 6.82%
14 MILES	38.00	40.55 *40.60	6.71% 6.84%
15 MILES	40.80	43.55 *43.60	6.74% 6.86%
Meter Rate 2 Notes:			
		Current	Proposed
Pull-off charge (£)		3.60	3.60
Pull-off distance (yards)		1088	880
Pull-off rate (£s per initial yardage)		£3.60/1088yds	£3.60/880yds
Subsequent running mile charge (£) up to 8 miles		£0.20/149.5yds	£0.25/176yds
Distance per running mile charge up to 8 miles (yards)		149.5	176
Subsequent running mile charge (£) after 8 miles		£0.20/125.2yds	£0.20/117.3yds
Distance per yardage rate charge after 8 miles (yards)		125.2	117.3
NB: All journeys shown above are for basic hire. Costs shown do not include any extras. Figures marked '*' subject to fare round-up to nearest 10p in accordance with proposal			

**EXISTING v PROPOSED SCHEME OF FARES COMPARISON TABLE
METER RATE 3 – Night-time, Easter Sunday & Bank Holidays**

DISTANCE	CURRENT COSTS 01.09.18 (£)	PROPOSED SCHEME COSTS (£)	%AGE INCREASE
Pull-off rate	£4.50 per 1088yds	£4.50 per 880yds	23.64%
1 MILE	6.00	6.35 *6.40	5.83% *6.67%
2 MILES	9.60	10.05 *10.10	4.69% *5.21%
3 MILES	13.20	13.75 *13.80	4.17% *4.55%
4 MILES	16.50	17.45 *17.50	5.76% *6.06%
5 MILES	20.10	21.15 *21.20	5.22% *5.47%
6 MILES	23.70	24.85 *24.90	4.85% *5.06%
7 MILES	27.30	28.55 *28.60	4.58% *4.76%
8 MILES	30.60	32.25 *32.30	5.39% *5.56%
9 MILES	35.10	37.05 *37.10	5.56% *5.70%
10 MILES	39.30	41.55 *41.60	5.73% *5.85%
11 MILES	43.50	46.05 *46.10	5.86% *5.98%
12 MILES	47.70	50.55 *50.60	5.97% *6.08%
13 MILES	51.90	55.05 *55.10	6.07% *6.17%
14 MILES	56.10	59.55 *59.60	6.15% *6.24%
15 MILES	60.30	64.05 *64.10	6.22% *6.30%

Meter Rate 3 Notes:

	Current	Proposed
Pull-off charge (£)	4.50	4.50
Pull-off distance (yards)	1088	880
Pull-off rate (£s per initial yardage)	£4.50/1088yds	£4.50/880yds
Subsequent running mile charge (£) up to 8 miles	£0.30/149.5yds	£0.37/176yds
Distance per running mile charge up to 8 miles (yards)	149.5	176
Subsequent running mile charge (£) after 8 miles	£0.30/125.2yds	£0.30/117.3yds
Distance per yardage rate charge after 8 miles (yards)	125.2	117.3

NB: All journeys shown above are for basic hire. Costs shown do not include any extras.
Figures marked '*' subject to fare round-up to nearest 10p in accordance with proposal

**EXISTING v PROPOSED SCHEME OF FARES COMPARISON TABLE
METER RATE 4 - Christmas & New Year**

DISTANCE	CURRENT COSTS 01.09.18 (£)	PROPOSED SCHEME* (£)	%AGE INCREASE
Pull-off rate	£6.00 per 1088yds	£6.00 per 880yds	23.64%
1 MILE	8.00	8.50	6.25%
2 MILES	12.80	13.50	5.47%
3 MILES	17.60	18.50	5.11%
4 MILES	22.00	23.50	6.82%
5 MILES	26.80	28.50	6.34%
6 MILES	31.60	33.50	6.01%
7 MILES	36.40	38.50	5.77%
8 MILES	40.80	43.50	6.62%
9 MILES	45.60	48.50	6.36%
10 MILES	50.40	53.50	6.15%
11 MILES	55.20	58.50	5.98%
12 MILES	59.60	63.50	6.54%
13 MILES	64.40	68.50	6.37%
14 MILES	69.20	73.50	6.21%
15 MILES	74.00	78.50	6.08%

Meter Rate 4 Notes:

	Current	Proposed
Pull-off charge (£)	6.00	6.00
Pull-off distance (yards)	1088	880
Pull-off rate (£s per initial yardage)	£6.00/1088yds	£6.00/880yds
Subsequent running mile charge (£)	£0.40/149.5yds	£0.50/176yds
Distance per running mile charge up to 8 miles (yards)	149.5	176

NB: All journeys shown above are for basic hire. Costs shown do not include any extras.
All figures subject to fare round-up to nearest 10p in accordance with proposal

APPENDIX E

LOCAL JOURNEY EXAMPLES / COSTS ARISING FROM THE CURRENT AND PROPOSED FARE SCHEMES

Local journey examples / costs arising from the current and proposed fare schemes										
Rate		Meter Rate 1 Day time			Meter Rate 2 Evenings & Weekends			Meter Rate 3 Night time, Bank Holidays & Easter Sunday		
Journey Details	Distance (miles)	Current Cost (£)	Proposed Cost (£)	Increase	Current Cost (£)	Proposed Cost (£)	Increase	Current Cost (£)	Proposed Cost (£)	Increase
Council Offices to Guildford Station	13.5	36.00	38.35 *38.40	6.53% *6.67%	36.60	38.95 *39.00	6.42% *6.56%	54.00	57.15 *57.20	5.83% *5.93%
Council Offices to Aldershot Station	4.1	11.20	12.00 12.00	7.14% 7.14%	11.80	12.60 12.60	6.78% 6.78%	16.80	17.82 *17.90	6.07% *6.55%
Council Offices to Frimley Park Hospital	2.7	8.00	8.50 8.50	6.25% 6.25%	8.60	9.10 9.10	5.81% 5.81%	12.00	12.64 *12.70	5.33% *5.83%
Council Offices to Gatwick Airport (M/Way) [†]	43.7	120.80	128.95 *129.00	6.75% *6.79%	121.40	129.55 *129.60	6.71% *6.75%	181.20	193.05 *193.10	6.54% *6.57%
Council Offices to Gatwick Airport (Non M/Way) [†]	47.1	130.40	139.15 *139.20	6.71% *6.75%	131.00	139.75 *139.80	6.68% *6.72%	195.60	208.35 *208.40	6.52% *6.54%
Whitchurch Close to Frimley Park Hospital	7.2	18.60	19.75 *19.80	6.18% *6.45%	19.20	20.35 *20.40	5.99% *6.25%	27.90	29.29 *29.30	4.98% *5.02%
Weyborne Road to Frimley Park Hospital	7.4	19.00	20.25 *20.30	6.58% *6.84%	19.60	20.85 *20.90	6.38% *6.63%	28.50	30.03 *30.10	5.37% *5.61%
Whitchurch Close to Fernhill Lane	7.8	20.00	21.25 *21.30	6.25% *6.50%	20.60	21.85 *21.90	6.07% *6.31%	30.00	31.51 *31.60	5.03% *5.33%
Whitchurch Close to Juniper Road	9.4	24.40	26.15 *26.20	7.17% *7.38%	25.00	26.75 *26.80	7.00% *7.20%	36.60	38.85 *38.90	6.15% *6.28%
Waiting Time		30p per minute	30p per minute		30p per minute	30p per minute		45p per minute	45p per minute	
Pull-off Fee		3.00	3.00		3.60	3.60		4.50	4.50	

Notes:

- 1) All journeys shown above are for basic hire. Costs shown do not include any extras e.g. Waiting time, additional passengers or telephone bookings.
- 2) Distance taken from AA Route Planner.
- 3) All figures subject to rounding. Figures marked '*' subject to fare rounding up to nearest 10p in accordance with proposal
- 4) Costs given are calculated for comparison purposes only. In practice, journeys marked '†' are subject to supply and demand and separate quotes – typically lower than those given.

EXCERPT FROM THE COUNCIL'S TAXI LICENSING POLICY

(taken from Part H, Section 8, pages 77-78)

1.1. GENERAL ARRANGEMENTS

1.2. Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 (LGMPA76) provides that the licensing authority may set local hackney carriage fares for journeys within its area by means of a table or scheme of fares. There is no power to set private hire vehicle fares.

1.3. Frequency of review

1.4. To ensure currency, economic viability and incentive to provide taxi services, it is the policy of the licensing authority that the scheme of hackney carriage fares be subject to annual review in accordance with the timetable and methodology below.

1.5. General methodology of review

1.6. To allow comparison, increase understanding and transparency of any review, the licensing authority will normally calculate and consider a notional uplift using an approved formula based on various indices and measures of inflation relevant to taxi trade.

1.7. Also, by way of facilitating consultation and local trade input, the licensing authority will normally invite the taxi trade to submit proposals for change to the current scheme of fares by the 1st May each year (timed to reflect the annual and comparative nature of the review process).

1.8. By way of facilitating comparison and to assist it in determination of any proposed review of the scheme of fares, the licensing authority will normally take the following and similar matters into consideration –

- (a) Any notional uplift figure calculated in accordance with any approved formula;
- (b) A direct comparison table of extant and proposed changes to the pull off rate and/or running mile per unit distance travelled;
- (c) The fare charts of neighbouring authorities;
- (d) Any league table of national/regional taxi fares; and
- (e) Practical comparable journey fares from both extant and proposed fare schemes.

1.9. Nature of review

- 1.10. Where appropriate, the licensing authority will normally review, in whole or part, the structure and/or any particular feature of the extant scheme of fares (e.g. unit costs, distances travelled, time periods, chronology, calendarisation and any additional extras etc).

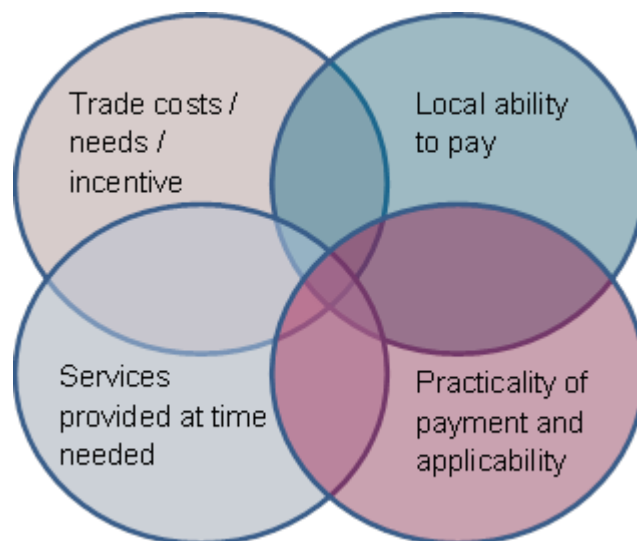
1.11. Relevant considerations

- 1.12. In reviewing the scheme of fares, the licensing authority will normally have regard to, but not be bound by the following considerations –

- (a) the needs of the travelling public;
- (b) what may be reasonable to expect people to pay;
- (c) the need to provide sufficient incentive to provide a taxi service when it is needed;
- (d) the available supply of and demand for taxi services;
- (e) any graduation of the above by time of day, day of the week, seasonal variation and/or on special occasions etc; and
- (f) the practicality of proposed fare scheme arrangements.

NB: These considerations should not be seen as a comprehensive checklist or, in any way, be regarded as standards to be automatically applied in all cases.

SUMMARY CONSIDERATIONS FOR SETTING OF TAXI FARES



WHAT MATTERS TO THE CUSTOMER / PUBLIC (in no particular order)

- Simple and easy to understand
- Fare is reasonable and affordable (£)
- Clear / Clarity of fares to be paid (in advance of journey)
- Ease of calculation (both in advance and during journey)
- Ease of calculation by taximeter
- Practicality of applicability
- Transparently and independently established
- Easy to enforce / police
- Offers sufficient incentive for trade to provide taxi services when needed

WHAT MATTERS TO THE TAXI TRADE (in no particular order)

- Fare reasonably covers the costs of service and provides reasonable driver income (£)
- Fares commensurate with level of anti-social hours worked / risk (e.g. working at night / during night time economy) (i.e. incentive to provide a service when needed)
- Ease of calculation by taximeter
- Practicality of applicability
- Practicality of payment method

SOCIO-ECONOMIC DATA & RELEVANT INDICATORS

The following socio-economic data is provided to help contextualise both the current and proposed levels of taxi fares against local circumstances, local issues of relative deprivation / affluence and the ability to pay for and use taxi services.

Relative affluence of area

Types of housing in Rushmoor

A higher percentage of housing in Rushmoor is at the lower end of the property market. In 2018, 86.6% of properties were in Band D or below. This is a much higher percentage than Rushmoor's geographic neighbours.

March 2018	Rushmoor	Guildford	Waverley	Surrey Heath	Hart
Band A	3.6%	1.9%	1.8%	1.7%	1.9%
Band B	21.8%	5.9%	6.2%	5.9%	5.1%
Band C	39.2%	20.7%	18.6%	16.3%	23.0%
Band D	21.9%	27.6%	23.5%	26.8%	22.6%
Band E	9.6%	17.2%	17.6%	18.3%	20.0%
Band F	2.9%	11.1%	12.8%	15.8%	17.3%
Band G	0.8%	12.7%	15.6%	13.9%	9.6%
Band H	0.1%	3.0%	3.9%	1.4%	0.6%
% band D or below	86.6%	56.1%	50.1%	50.6%	52.6%

(Source: Valuation Office Agency)

Number of people on benefits /claimant count

Rushmoor has a higher percentage of residents claiming benefit principally for the reason of being unemployed and claiming mainly out-of-work benefits than residents in its geographical neighbours.

Claimant Count - Claimant Count is the number of people claiming benefit principally for the reason of being unemployed.

May 2019	Rushmoor	Guildford	Waverley	Surrey Heath	Hart
% of those ages 16 -64 in area	1.3%	0.8%	0.7%	0.8%	0.6%

(Source: NOMIS - Office for National Statistics)

(Un)Employment rates

Unemployment rates (model based) are very similar in Rushmoor and surrounding areas.

Jan 2018 – Dec 2018	Rushmoor	Guildford	Waverley	Surrey Heath	Hart
Economically active (% of those ages 16 -64 in area)	87.1%	77.5%	84.0%	83.5%	90.1%
In employment (% of those ages 16 - 64 in area)	84.2%	73.9%	82.0%	80.0%	86.5%
Unemployed (% of those economically active)*	2.7%	2.8%	2.3%	2.8%	2.6%

*Model based

(Source: NOMIS - Office for National Statistics)

% population in relative deprivation

Rushmoor has higher deprivation score (as defined by the national Indices of Multiple Deprivation), and a higher percentage of children living in low income families than in the areas around Rushmoor. Also, Rushmoor has a much lower percentage of households not deprived in any dimension from the 2011 Census, compared to its geographical neighbours.

Indices of Multiple Deprivation

2015	Rushmoor	Guildford	Waverley	Surrey Heath	Hart
Deprivation score (IMD 2015)	15.1	9.4	7.1	7.7	5.0

(Source: Public Health England - 2017 Area Health Profile)

Child poverty

2016	Rushmoor	Guildford	Waverley	Surrey Heath	Hart
% children (under 16) in low income families	11.2%	9.4%	7.0%	6.7%	6.6%

(Source: Public Health England - 2018 Area Health Profile)

Deprivation dimensions data from the 2011 Census

The 2011 Census has calculated the number of households in a given area with selected household characteristics that are related to deprivation, these are called dimensions. The deprivation dimensions used by the Census are:

- **Employment** – if any member of a household, not a full-time student, is either unemployed or long-term sick
- **Education** – if no person in the household has at least level 2 education (5+GCSE or equivalent), and no person aged 16-18 is a full-time student

- **Health and disability** - if any person in the household has general health categorised as 'bad or very bad' or has a long term health problem
- **Housing** – if the household's accommodation is either overcrowded, with an occupancy rating -1 or less (this means one less room than needed based on a standard formula), or is in a shared dwelling, or has no central heating.

	Rushmoor %	Guildford %	Waverley %	Surrey Heath %	Hart %
Household is not deprived in any dimension	47.5	54.9	56.6	56.2	58.7
Household is deprived in 1 dimension	32.7	30.0	29.2	29.8	29.0
Household is deprived in 2 dimensions	15.5	12.4	11.8	11.8	10.7
Household is deprived in 3 dimensions	3.9	2.5	2.1	2.0	1.5
Household is deprived in 4 dimensions	0.4	0.2	0.2	0.2	0.1

(Source: Office for National Statistics)

Income / disposable income levels

Rushmoor residents earn £60+ less a week than residents in its geographical neighbours. Those who work in Rushmoor also earn less than if they worked in Guildford, Waverley and Hart.

Gross weekly pay of those who live in Rushmoor and those who work in Rushmoor

2018 all full time workers	Rushmoor	Guildford	Waverley	Surrey Heath	Hart	National Living Wage (over 25)	South East	Great Britain
Earnings by residence	£609.1	£723.3	£713.0	£742.3	£670.2	£303.7	£614.5	£571.1
Earnings by workplace	£693.2	£681.2	£536.5	£582.4	£622.5	£303.7	£589.2	£570.9

(Source: NOMIS - Office for National Statistics)

Average annual income levels

2018 all full time workers	Rushmoor	Guildford	Waverley	Surrey Heath	Hart	National Living Wage (over 25)	South East	Great Britain
Earnings by residence	£31,673	£37,612	£37,076	£38,600	£34,850	£15,796	£31,954	£29,697

(Source: NOMIS - Office for National Statistics)

Mode of travel choice

In 2011, Rushmoor residents mainly travelled to work by car or van (47.6%). In total 166 people (0.2%) travelled to work by taxi, this was the highest number and percentage of the population aged 16-74, compared to Rushmoor's geographical neighbours.

Method of Travel to Work - Resident Population, 2011

% of population aged 16-74	Rushmoor	Guildford	Waverley	Surrey Heath	Hart
Work mainly at or from home	2.8%	5.3%	7.0%	5.5%	6.0%
Underground, metro, light rail, tram	0.1%	0.2%	0.2%	0.2%	0.1%
Train	5.0%	7.8%	7.8%	4.4%	5.2%
Bus, minibus or coach	3.0%	2.3%	1.2%	1.4%	0.9%
Taxi (people)	0.2% (166)	0.1% (152)	0.1% (88)	0.1% (71)	0.1% (84)
Motorcycle, scooter or moped	0.6%	0.5%	0.5%	0.5%	0.5%
Driving a car or van	47.6%	39.3%	41.8%	50.1%	50.2%
Passenger in a car or van	3.9%	2.5%	2.6%	2.7%	2.4%
Bicycle	2.1%	1.8%	1.1%	1.3%	1.5%
On foot	7.4%	8.2%	6.4%	5.2%	5.4%
Other method of travel to work	0.6%	0.4%	0.5%	0.6%	0.4%
Not in employment	26.7%	31.4%	30.9%	28.1%	27.3%

(Source: Office for National Statistics)

% car ownership

In 2011, Rushmoor residents had the lowest level of car ownership, compared to our geographical neighbours

2011 Car ownership

% of households	Rushmoor	Guildford	Waverley	Surrey Heath	Hart
No car or van	16.6%	13.9%	11.9%	10.0%	8.0%
1 car or van	43.0%	40.0%	38.1%	34.5%	34.7%
2 cars or vans	31.2%	33.9%	36.3%	39.9%	42.1%
3 cars or vans	6.8%	8.6%	9.7%	11.0%	10.7%
4 or more cars or vans	2.4%	3.6%	4.0%	4.6%	4.5%

(Source: Office for National Statistics)

Net inward / outward migration

The following table demonstrates that in 2011 more people commuted out of Rushmoor than commuted into Rushmoor. More Rushmoor residents commuted into Surrey Heath than to anywhere else.

	Where people LIVING IN Rushmoor go to work	Where people WORKING IN Rushmoor live
Rushmoor	16,367 people living and working in the Borough	
	4,565 home workers	
	4,131 workers with no fixed workplace	
Hart	3,238	4,675
Surrey Heath	4,693	2,806
Guildford	3,579	2,656
Waverley	2,703	2,174
Bracknell Forest	1,158	1,072
Woking	1,013	625
Basingstoke & Deane	931	1,213
East Hampshire	636	1,236
	Total commuting OUT of Rushmoor – 26,208	Total commuting INTO Rushmoor – 25,058

(Source: 2011 Census <http://www.neighbourhood.statistics.gov.uk/HTMLDocs/dvc193/>)

Older population

Rushmoor has a lower number and lower percentage of state pensioners than in the surrounding areas.

State Pension caseload – August 2018	Rushmoor	Guildford	Waverley	Surrey Heath	Hart
Number	12,895	23,812	26,415	16,737	18,402
Percentage of population	13.5%	16.1%	20.1%	18.8%	19.3%

(Source: DWP Stat-Xplore)

Ill health

The 2011 census indicated that a higher percentage of Rushmoor residents indicated that they were in bad or very bad health, compared to the residents in the surrounding local authorities.

General Health 2011 census	Rushmoor	Guildford	Waverley	Surrey Heath	Hart
% of the population indicating that they are in bad health or very bad health	3.6%	3.2%	3.3%	3.2%	2.7%

(Source: Office for National Statistics)

**EXCERPT FROM DFT TAXI AND PRIVATE HIRE VEHICLE LICENSING BEST
PRACTICE GUIDANCE TO LICENSING AUTHORITIES
(March 2010)**

TAXI FARES

52. Local licensing authorities have the power to set taxi fares for journeys within their area, and most do so. (There is no power to set PHV fares.) Fare scales should be designed with a view to practicality. The Department sees it as good practice to review the fare scales at regular intervals, including any graduation of the fare scale by time of day or day of the week. Authorities may wish to consider adopting a simple formula for deciding on fare revisions as this will increase understanding and improve the transparency of the process. The Department also suggests that in reviewing fares authorities should pay particular regard to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also to the need to give taxi drivers sufficient incentive to provide a service when it is needed. There may well be a case for higher fares at times of higher demand.

53. Taxi fares are a maximum, and in principle are open to downward negotiation between passenger and driver. It is not good practice to encourage such negotiations at ranks, or for on-street hailings; there would be risks of confusion and security problems. But local licensing authorities can usefully make it clear that published fares are a maximum, especially in the context of telephone bookings, where the customer benefits from competition. There is more likely to be a choice of taxi operators for telephone bookings, and there is scope for differentiation of services to the customer's advantage (for example, lower fares off-peak or for pensioners).

54. There is a case for allowing any taxi operators who wish to do so to make it clear – perhaps by advertising on the vehicle – that they charge less than the maximum fare; publicity such as '5% below the metered fare' might be an example.

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LICENSING, AUDIT AND GENERAL
PURPOSES COMMITTEE

HEAD OF DEMOCRACY, STRATEGY
AND PARTNERSHIPS

27TH JANUARY, 2020

REPORT NO. DSP2001

CONSTITUTION REVIEW

1. INTRODUCTION

- 1.1 The Council's Constitution sets out how the Council operates, how decisions are made, and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.
- 1.2 The Council has a responsibility to monitor its Constitution, and to ensure that it is kept up to date. To this effect, updates are made on a regular basis. For example, in 2018 updates were made to reflect changes to the governance structure. The last full review of the document was carried out in 2013 to reflect provisions contained in the Localism Act 2011, the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, and other general updates.
- 1.3 However, since the Constitution was first prepared in 2001, the fundamental structure of the document has remained the same, and it is now timely to carry out a more comprehensive review to ensure that the Constitution reflects current working arrangements and supports the type of organisation that the Council is aiming to be in future through its transformation and modernisation programme.
- 1.4 A full review of the Constitution is now well underway, and this report updates on the process and approach, and sets out a draft updated copy of the Standing Orders for the Regulation of Business at **Appendix 1** for consideration.

2. PURPOSE OF THE REVIEW

- 2.1 A full review of the Constitution is being carried out to ensure that the provisions and underlying principles in the document continue to meet the Council's needs in the context of organisational change and that it aligns with the type of organisation that the Council is aiming to be in future.
- 2.2 The key aims for transformation and modernisation include the Council becoming a more agile and flexible organisation - to enable things to be done quickly and to act on opportunities. Also, for an increased emphasis on taking a business-like approach to service delivery, making the most efficient use of resources, and putting our customers first.

- 2.3 Further to these principles, the review of the Constitution is seeking to improve the overall accessibility of the document, to make it clearer as a public document, reduce duplication, ensure provisions are consistent across the document, and improve indexing and navigability. As part of this, it is proposed to remove the Articles Section, and to integrate the Article rules within each relevant part of the Constitution. In this way, related information will be presented together in the document where possible, rather than in separate parts.
- 2.4 It is also planned to revise the Scheme of Delegation to improve clarity around responsibilities for executive decision-making and enable increased opportunities for some quicker decision-making through a revised scheme of delegation which is sustainable for the future. The revised 'Responsibility for Functions' will include the governance arrangements for new bodies such as the Rushmoor Development Partnership and future Housing Company and clarify the general powers of officers in the Corporate Leadership Team.
- 2.5 Each document within the 'Part 4 – Procedure Rules' and 'Part 5 – Codes and Protocols' will also be reviewed to ensure consistency with the rest of the Constitution, to check that references are up to date and to reflect latest guidance where available.
- 2.6 The review will preserve the Governance Structure (decision making structures) agreed by the Council in 2018 which provide all Members with opportunities to develop and specialise in areas of interest, to influence and participate in policy development on key priorities in the Council Business Plan (through groups appointed by the new Policy and Project Advisory Board) and to carry out scrutiny through improved arrangements. The updated Constitution will incorporate reference to the role of shadow portfolio holders as well as cabinet champion roles.

3. **PROCESS FOR REVIEW**

- 3.1 A cross-party Constitution Member Review Group, including the Chairman of the Licensing, Audit and General Purposes Committee, has met on a number of occasions during Autumn/Winter 2019 to consider key documents that form part of the Constitution, including the Standing Orders, the Code of Conduct for Councillors, Mayoral Protocol, Protocol for Member/Officer Relations and terms of reference for the Overview and Scrutiny Committee and Policy and Project Advisory Board. The Group's comments are helping to inform updates to the document from Members' perspective, and copies of the action notes of the meetings are attached at **Appendix 2** for information.
- 3.2 Wider consultation has also been carried out with the Corporate Leadership Team, and matters relating to executive decision making have been informed through discussion with the Leader of the Council.

- 3.3 An opinion is also being sought from a representative from the Local Government Association (LGA) with expertise on the topic of Council Constitutions. This is to provide an external view on the key elements of the draft updated document.

Key Dates

- 3.4 Further to this report, the Licensing, Audit and General Purposes Committee will consider the draft updated Constitution at its meeting on 23rd March, 2020, for recommendation to the Council on 23rd April. This is with a view to the updated Constitution coming into effect from the Annual Council Meeting in May 2020.

4. STANDING ORDERS

- 4.1 As a key document within the Constitution, the draft updated Standing Orders for the Regulation of Business are attached with this report for prior information and consideration by the Licensing, Audit and General Purposes Committee as part of the process for Review. A schedule which summarises the updates in the Standing Orders is also attached for reference.

5. CONCLUSIONS AND RECOMMENDATION

- 5.1 Changes are proposed to the overall structure and content of the Constitution to ensure that the provisions are up to date and the Council continues to work effectively in the context of ongoing modernisation and transformation and to help ensure the delegation arrangements are sustainable for future.
- 5.2 The Committee is requested to:
- (1) Note the update on the review of the Constitution and the Action Notes of the Constitution Member Review Group; and
 - (2) Endorse the draft Standing Orders for the Regulation of Business recommended by the Constitution Member Review Group for recommendation to the Council (as attached).

ANDREW COLVER
HEAD OF DEMOCRACY, STRATEGY AND PARTNERSHIPS

Part 4 – Council Procedure Rules

In all documents, changes have been made to ensure the correct titles of Heads of Services

Document	Summary of Proposed New Changes
<p>1. Standing Orders for the Regulation of Business</p>	<p>Para 4 (2) – Amend to state that the Council shall appoint standing deputies to the four relevant bodies DMC, LAGP, OSC and PPAB</p> <p>Para 4 (3) – Delete provision for the military authorities to nominate a representative to serve on the Development Management Committee as a co-opted Member</p> <p>Para 6 (i) – add reference to petitions received</p> <p>Para 9 (5) – Motions referred to a Relevant Body no longer resubmitted to the Council unless the Council is the appropriate decision maker</p> <p>New Para 9 (10) – Insert ‘Each motion shall be considered by the Chief Executive and the Head of Democracy, Strategy and Partnerships prior to inclusion on an agenda to ensure that the provisions of these Standing Orders and any other legislation and/or guidance, have been met’.</p> <p>Para 27 (5) – Delete ‘in the case of the Cabinet, the Quorum shall be five voting Members’</p> <p>Para 29 – Delete ‘Ordinary’ – so that Standing Orders can be adjourned to any next meeting of the Council</p>

Document	Summary of Proposed New Changes
Appendix 1 – Scheme for the Appointment of Standing Deputies to the Development Management Committee	<p>In the Scheme title, delete the words ‘to the Development Management Committee’</p> <p>Revise the Introduction:</p> <p>‘The Scheme for Standing Deputies applies to the Development Management Committee, Licensing, Audit and General Purposes Committee, Overview and Scrutiny Committee and the Policy and Project Advisory Board. It allows for the attendance of a standing deputy where a regularly appointed Member cannot be present’</p> <p>Para 2 – References to the DMC alone be updated to reflect the wider application of the Scheme.</p>
Appendix 2 – Scheme for Questions to Cabinet at Full Council	No Changes proposed
Appendix 3 – Scheme for the Annual Report of the Overview and Scrutiny Committee	No Changes proposed

STANDING ORDERS FOR THE REGULATION OF BUSINESS

INTRODUCTION

The Council Procedure Rules (known as Standing Orders) set out the rules of debate and procedure for the conduct of meetings of the Council, including where necessary their application to committees, sub-committees and other bodies.

The Standing Orders are:

1. Meetings of the Council
2. Order of Business – Annual Meeting
3. Appointment of Relevant Bodies
4. The Cabinet and Other Bodies
5. Election of Chairmen and Vice-Chairmen
6. Order of Business – Ordinary Meetings
7. Minutes
8. Questions
9. Notices of Motion
10. Reports of Relevant Bodies
11. Voting
12. Motions and Amendments which may be moved without notice
13. Rules of Debate for Council Meetings
14. Quorum
15. Closure and Adjournment of Meetings
16. Motions Affecting Persons Employed by the Council
17. Disorderly Conduct
18. Disturbance by Members of the Public
19. Recission of Preceding Resolution
20. Confidentiality of Certain Business

21. Petitions
22. Deputations and Memorials
23. Interpretation of Standing Orders
24. Sealing of Documents
25. Authentication of Documents for Legal Proceedings
26. Standing Orders to Apply to Relevant Bodies
27. Meetings of Relevant Bodies
28. Sub-Committees
29. Variation and Revocation of Standing Orders
30. Suspension of Standing Orders
31. Standing Orders to be given to Members

Where the term “relevant body” is mentioned under the Standing Orders it relates to the Cabinet, committees, sub-committees or Policy and Project Advisory Board and this item shall be construed as appropriate.

The Council Procedure Rules contain some mandatory standing orders and other standing orders to reflect local custom and practice. Mandatory standing orders are also reflected in the other Procedure Rules set out in this Constitution.

Members and officers shall comply with these Standing Orders at all times.

MEETINGS OF THE COUNCIL

Annual Meeting

1. (1) In a year when there is an ordinary election of councillors, the Annual Meeting will take place within 21 days of the retirement of the out-going councillors. The meeting shall normally be held on a Tuesday as near as possible to 20th day of May in each year, unless the Mayor, in consultation with the Chief Executive and Head of Democracy, Strategy and Partnerships ~~tic Services~~ determines otherwise.

Ordinary Meetings

- (2) In addition to the Annual Meeting of the Council and any meetings convened by the Mayor or by Members of the Council, meetings for the transaction of general business shall be set out in a calendar by the Head of Democracy, Strategy and Partnerships ~~tic Services~~ to ensure the effective transaction of business.

Time of Meetings

- (3) Meetings of the Council shall be held at seven o'clock in the evening, unless the Mayor, in consultation with the Head of Democracy, Strategy and Partnerships ~~tic Services~~, determines otherwise.

Extraordinary Meetings

- (4) An Extraordinary Meeting may be called by the Head of Democracy, Strategy and Partnerships ~~tic Services~~ at the request of:
 - (a) the Council by resolution
 - (b) the Mayor
 - (c) any five Members of the Council by notice which has been signed by those Members and specifies the business proposed to be transacted.

Notice of and Summons to Meetings

- (5) The Head of Democracy, Strategy and Partnerships ~~tic Services~~ will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear working days before a meeting, the Head of Democracy, Strategy and Partnerships ~~tic Services~~ will send a summons signed by him or her to every Member of the Council, ~~or leave it at the Member's usual place of residence~~. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

ORDER OF BUSINESS – ANNUAL MEETING

2. (1) The order of business of the Annual Meeting of the Council shall normally be to:
- (a) elect the Mayor and Deputy Mayor of the Borough;
 - (b) approve the minutes of the last meeting;
 - (c) receive any announcements from the Mayor and/or the Chief Executive;
 - (d) appoint the Leader of the Council;
 - (e) note the appointment of the Deputy Leader and other Members appointed to the Cabinet by the Leader;
 - ~~(f)~~ appoint to the Committees and the Policy and Project Advisory Board ~~(including chairmen and vice-chairmen)~~ as appropriate;
 - ~~(f)~~(g) appoint the Chairman and Vice-Chairman of the Development Management Committee and Licensing, Audit and General Purposes Committee, and the Chairman of the Overview and Scrutiny Committee and the Policy and Project Advisory Board; and
 - ~~(g)~~(h) consider any other business set out in the summons.

APPOINTMENT OF RELEVANT BODIES

3. (1) The Council shall at the Annual Meeting appoint the relevant bodies specified in Standing Order 4 and shall determine the composition of the voting Members of each relevant body, and may at any time appoint such other relevant bodies as are necessary to carry out the work of the Council but, subject to any statutory provision in that behalf:
- (a) shall not give effect to the appointment of any Member of a relevant body so as to hold office later than the next Annual Meeting of the Council;
 - (b) may at any time dissolve a relevant body; and
 - (c) may suspend a Member from membership of a relevant body for a specified period.
- (2) Where the Members of the Council are divided into political groups, the Council shall, at the Annual Meeting and at such other times as

appropriate, review the allocation of seats on relevant bodies between the political groups.

- (3) The Head of Democracy, Strategy and Partnerships ~~the Services~~ shall set out in a report to the Council the allocation of seats to political groups in accordance with the requirements of the Local Government and Housing Act, 1989 and the Local Government Act, 2000, upon which the Council shall determine the allocation of seats accordingly.
- (4) Subject to Standing Orders 3 (2) and (3) and Standing Order 4 (7), the Council shall make appointments to relevant bodies so as to give effect to the wishes of the political groups as appropriate.
- (5) The arrangements to secure political balance and the provisions set out in Standing Orders 3, 4 and 27 shall be undertaken in accordance with the provisions of the Local Government and Housing Act, 1989 or any subsequent amending legislation, and Regulations made thereunder from time to time by the Secretary of State.
- (6) For the purpose of these Standing Orders, the term 'political group' means two or more Councillors who wish to be treated as a political group for the purposes of the provisions of the Local Government and Housing Act, 1989 or any subsequent amending legislation, and regulations made thereunder from time to time by the Secretary of State.

THE CABINET AND OTHER BODIES

Membership

4. (1) The decision making structure of the Council shall consist of the bodies set out below, together with a Leader and Cabinet. The Council shall appoint the Members of each of the relevant bodies, which shall not exceed the number of Members specified below:

Relevant Body	Maximum Number of Voting Members
Development Management Committee	11
Licensing, Audit and General Purposes Committee	11
Overview and Scrutiny Committee	11
Policy and Project Advisory Board	11

- (2) The Council shall appoint standing deputies to the Development Management Committee Licensing, Audit and General Purposes Committee, Overview and Scrutiny Committee and Policy and Project Advisory Board, in accordance with the provisions for the

appointment of standing deputies contained in Appendix 1 to these Standing Orders.

~~(3) The military authorities may nominate a representative to serve on the Development Management Committee as a co-opted Member to assist in the consideration of the business of the Committee, but shall not be entitled to vote thereon. The Council shall make the appointment at the Annual Meeting or such other full Council meeting as appropriate.~~

~~(4)~~(3) The Member of the Cabinet with responsibility for matters relating to planning policy (~~the Environment portfolio~~) shall be an ex officio Member of the Development Management Committee PROVIDED that the Member shall only be entitled to vote if appointed with full voting rights in accordance with the political balance arrangements.

~~(5)~~(4) The Overview and Scrutiny Committee and the Policy and Project Advisory Board may appoint such non-voting Members and advisers as they consider fit.

Vacancies in Membership

~~(6)~~(5) If any Member shall be absent from three consecutive meetings of a Committee or the Policy and Project Advisory Board, he or she shall cease to be a Member thereof, unless he or she shall, in the opinion of the Committee or Board, show reasonable grounds for his or her absence. ~~there from.~~

~~(7)~~(6) On a vacancy arising on the Licensing, Audit and General Purposes Committee or the Development Management Committee, the Head of Democracy, Strategy and Partnerships Services shall give notice thereof in the summons calling the next Council meeting, so as to enable the Council to fill such vacancy.

~~(8)~~(7) On a vacancy arising on the Overview and Scrutiny Committee or the Policy and Project Advisory Board, such vacancy shall be filled by the appropriate Leader of a Political Group where it falls within that Group. In all cases the appointment shall be reported on the Agenda of the following meeting of the body. Where the vacancy is not part of the allocation of a political group, it shall be filled by the Council.

APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN

Appointment of Leader of the Council

5. (1) The Leader of the Council shall be appointed at the Annual Meeting of the Council. On a vacancy arising, or at the end of the Municipal Year, the Head of Democracy, Strategy and Partnerships Services shall seek nominations from Members and give notice in the summons calling the next Council meeting so as to enable the

Council to fill such vacancy. The Leader of the Council shall Chair meetings of the Cabinet and references to Chairman in these Standing Orders shall be construed accordingly.

Appointment of Chairmen and Vice-Chairmen

- (2) Chairmen and Vice-Chairmen of the Development Management and Licensing, Audit and General Purposes Committees shall be appointed at the Annual Meeting of the Council for the ensuing year.

Chairmen of the Overview and Scrutiny Committee and the Policy and Project Advisory Board shall also be appointed at the Annual Council Meeting.

Vice-Chairmen of the Overview and Scrutiny Committee and the Policy and Project Advisory Board shall be appointed at the first meeting of the appropriate Committee/Board in each Municipal Year.

On a vacancy arising, the appropriate Committee or Board will be asked to fill the vacancy at its next meeting. In the absence from a meeting of the Chairman and Vice-Chairmen, a Chairman for that meeting shall be appointed.

Chairman of Meeting

- (3) Any power or duty of the Mayor or a chairman in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

ORDER OF BUSINESS – ORDINARY MEETINGS

6. (1) The order of business at every meeting of the Council shall normally be to:
- (a) choose a person to preside if the Mayor and Deputy Mayor are absent;
 - (b) deal with any business required by statute to be done before any other business;
 - (c) approve as a correct record and sign the Minutes of the last meeting of the Council. No motion or discussion shall be allowed on the Minutes except as to their accuracy and any objection on that ground must be made by motion;
 - (d) deal with any business expressly required by statute to be done;
 - (e) receive any Mayor's announcements;

- (f) dispose of business (if any) remaining from the last meeting;
- (g) answer questions asked under Standing Order 8;
- (h) authorise the sealing of documents;
- (i) receive any petitions submitted under Standing Order 21;
- (i) consider motions in the order in which notice has been received;
- (j) receive and consider matters for decision submitted by relevant bodies;
- (k) consider matters for debate raised by the relevant bodies;
- (l) answer questions for the Cabinet in accordance with the agreed procedure;
- (m) receive Reports submitted by the Cabinet, Licensing, Audit and General Purposes Committee and Development Management Committee and answer questions asked under Standing Order 8 (2);
- (n) other business, if any, specified in the Summons; and
- (o) receive Reports submitted by the Overview and Scrutiny Committee and the Policy and Project Advisory Board.

Variation of Order of Business

- (2) Business falling under Items (a), (b) or (c) of Standing Order 6 (1), shall not be displaced, but, subject thereto, the foregoing order of business may be varied by:
 - (a) the Mayor at his or her discretion; or
 - (b) resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

Mayor-Elect and Deputy Mayor-Elect

- (3) The Licensing, Audit and General Purposes Committee shall recommend to the Council a Mayor-Elect and a Deputy Mayor-Elect at least one month before the end of the Municipal Year.

MINUTES

Approval of Minutes

7. (1) The Mayor shall put the question that the Minutes before the meeting be approved as a correct record.

Minutes not to be discussed

- (2) No discussion shall take place upon the Minutes, except upon their accuracy, and any question of the accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Mayor shall sign the Minutes.

Extraordinary Meetings

- (3) The Council shall approve as a correct record the Minutes of the proceedings of an Extraordinary Meeting of the Council called under Standing Order 1(4) at the next following Ordinary Meeting of the Council and they shall be signed by the Mayor.

QUESTIONS BY MEMBERS

Questions for the Cabinet

8. (1) A Member of the Council may ask a Cabinet Member any question upon any matter dealt with under the executive arrangements, in accordance with the procedure contained in Appendix 2 to these Standing Orders.

Questions relating to Reports

- (2) A Member of the Council may ask a Committee Chairman or a Cabinet Member any question upon an item in the Report of a relevant body (Standing Order 6(1)(m)) when that item is under consideration by the Council.

Questions relating to other matters

- (3) A Member of the Council may:
- (a) if ten clear working days' notice in writing has been given to the Head of Democracy, Strategy and Partnerships Services, ask the Mayor, the Chairman of the Licensing, Audit and General Purposes Committee, the Chairman of the Development Management Committee or a Cabinet Member any question on any matter in relation to which the Council has powers or duties or which affects the Borough, PROVIDED that the number of questions permitted to be asked shall be limited to three for each political group or

Member, in the case that the Member is not part of a political group.

Urgent Questions

- (b) with the permission of the Mayor, put to him or her or a Chairman or Cabinet Member any question relating to urgent business, of which such notice has not been given; but a copy of any such question shall, if possible, be delivered to the Head of Democracy, Strategy and Partnerships ~~the~~ Services not later than five o'clock in the afternoon of the day of the meeting.

Length of Questions

- (4) No question asked under 3 (a) or (b) above shall exceed ~~fifty~~100 words in length including any document appended thereto.

Answers not to be discussed

- (5) No speech or discussion shall, without the consent of the Council, be allowed on any question so put, or on any answer thereto.

Forms of Answer

- (6) An answer may take the form of:-
 - (a) a direct oral answer; or
 - (b) where the desired information is contained in a publication of the Council, a reference to that publication; or
 - (c) where the reply to the question cannot conveniently be given orally, a written answer circulated to Members of the Council; or
 - (d) a reference to the fact that the question relates to a confidential matter and as such can only be answered when the Council has resolved to exclude the public.

Questions to the Chairman of the Overview and Scrutiny Committee

- (7) A Member of the Council may ask the Chairman of the Overview and Scrutiny Committee any question on a matter relating to the Committee's responsibilities during consideration of the Annual Report of the Overview and Scrutiny Committee to the Council, in accordance with the procedure contained in Appendix 3 to these Standing Orders.

NOTICES OF MOTION

Notice to be in writing

9. (1) Notice of every motion, other than a motion which under Standing Order 12 may be moved without notice, shall be given in writing or sent electronically including the name of the Member or Members of the Council giving the notice, and delivered, at least ten clear days before the meeting to which it relates, ~~to at the office of the Head of Democracy, Strategy and Partnerships Services by whom it shall be dated.~~

Inclusion of Motions in Summons

- (2) The Head of Democracy, Strategy and Partnerships Services shall set out in the Summons for the appropriate meeting of the Council, the motions of which notice has been duly given in the order in which they have been received, unless the Member giving notice of the motion shall have ~~in writing~~ withdrawn it or indicated that he or she proposes to move it at a later meeting.

Motions not moved considered withdrawn

- (3) If a motion thus set out in the Summons be not moved either by a Member who gave notice thereof or by another Member on his or her behalf it shall, unless postponed by consent of the Council, as appropriate, be treated as withdrawn and shall not be moved without fresh notice.

Motions referred to a Relevant Body

- (4) Where a motion has been included in the Summons and moved and seconded, the Mayor may direct that it be referred to the relevant body and not further debated at that meeting of the Council.
- (5) ~~The recommendations, A motion upon a motion, shall then be considered~~ by a relevant body shall be submitted with a recommendation for decision to the ~~by the~~ Cabinet or a Committee or, if appropriate, to the Council. ~~, as appropriate, prior to being resubmitted to the Council as a recommendation.~~

Motions Submitted

- (6) The number of new motions permitted to be considered at each meeting of the Council shall be limited to one per political group or one per Member, in the case that a Member is not part of a political group.

~~(7)~~ Every motion shall be relevant to some matter in relation to which the Council has powers or duties.

Length and Content of Motions

~~(7)~~(8) No motion, other than a motion which may be moved without notice under Standing Order 12, shall exceed 100 words in length including any document appended thereto.

(9) A Motion should be expressed in positive terms to either adopt a certain course of action, carry out some act or to declare a particular view.

~~(8)~~(10) Each Motion shall be considered by the Chief Executive and Head of Democracy, Strategy and Partnerships prior to inclusion on an agenda to ensure that the provisions of these Standing Orders and any other legislation and/or guidance, have been met.

REPORTS OF RELEVANT BODIES

Submission and Form of Reports

10. (1) As soon as is practicable following a meeting of a relevant body, it shall submit a Report to the Council. Relevant bodies shall, as appropriate:
- (a) submit proposals containing recommendations which require approval by the Council;
 - (b) submit Reports which relate to matters of information or to decisions taken; and
 - (c) submit items for debate on which the Council's views are sought.

Transfer of Matters Contained in Reports

- (2) At a meeting of the Council, any Member, immediately following the relevant page of a Report of the Cabinet or Committee being called over, may move that an item contained in the Report be discussed at the meeting and, upon being seconded, any such motion shall be put to the meeting without discussion, PROVIDED that the proposer may, when putting his motion, indicate briefly his or her reasons for so moving and the Chairman or Cabinet Member may respond thereto.

Reports not to be discussed

- (3) No discussion (other than a question asked or answered in accordance with Standing Order 8) shall take place upon any

matter contained or referred to in a Report of a relevant body submitted under Standing Order 10(1)(b) above.

VOTING

Majority

11. (1) Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question is put. The mode of voting at meetings of the Council shall be by show of hands or, if there is no dissent, by the affirmation of the meeting.

Mayor to have casting vote

- (2) In the event of an equality of votes, the Mayor, or in the case of a relevant body, the Chairman, shall have a casting vote, whether or not he or she has already voted. If the Mayor or Chairman declines to give a casting vote the proposition shall not be carried.

Right to have vote recorded

- (3) Where any Member requests it, immediately after the vote is taken, his or her vote will be so recorded in the minutes to show whether he or she voted for or against the question or abstained from voting.

Recorded Votes

- (4) On the requisition of any Member of the Council made before the vote is taken, the voting on any question shall be recorded so as to show whether each Member present gave his or her vote for or against that question or abstained from voting.
- (5) A recorded vote shall be taken on any decision relating to the budget or council tax.

Appointments

- (6) Where there are more than two persons nominated for any position to be filled by the Council or relevant body, and of the votes given there is not an overall majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken and so on until a majority of votes is given in favour of one person.

MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE

12. The following motions and amendments may be moved without notice:-

- (a) appointment of a Chairman of the meeting at which the motion is made;
- (b) motions relating to the accuracy of the Minutes;
- (c) that an item of business specified in the Summons has precedence;
- (d) remission to a relevant body;
- (e) appointment of a relevant body ~~Committee~~ or members thereof, occasioned by an item mentioned in the Summons to the meeting;
- (f) adoption of Recommendations of the relevant bodies or Officers and any consequent resolutions;
- (g) that leave be given to withdraw a motion;
- (h) extending the time limit for speeches;
- (i) amendments to motions;
- (j) that the Council proceed to the next business;
- (k) that the question be now put;
- (l) that the debate be now adjourned;
- (m) that the Council do now adjourn;
- (n) authorising the sealing of documents;
- (o) suspending Standing Orders, in accordance with Standing Order 29;
- (p) motion under Section 100A of the Local Government Act, 1972 to exclude the public;
- (q) that a Member named under Standing Order 17 be not further heard or do leave the meeting;
- (r) inviting a Member to remain where he or she has a pecuniary interest;
- (s) giving consent of the Council where the consent of the Council is required by these Standing Orders;
- (t) continuing the sitting under Standing Order 15(1);
- (u) to debate a matter contained in the Report of a relevant body in accordance with Standing Order 10(2).

RULES OF DEBATE FOR COUNCIL MEETINGS

Form of Motions and Amendments

13. (1) A motion or amendment shall not be discussed unless it has been proposed and seconded, and unless notice has already been given in accordance with Standing Order 9 it shall, if required by the Mayor, be put into writing and handed to the Mayor before it is further discussed or put to the Meeting.

Secunder's Speech

- (2) A Member when seconding a motion or amendment may, if he or she then declares his or her intention to do so, reserve his or her speech until a later period of the debate.

Members to stand while speaking and form of reference to other Members

- (3) A Member when speaking shall stand and address the Mayor. If two or more Members rise, the Mayor shall call on one to speak; the other or others shall then sit. While a Member is speaking the other Members shall remain seated, unless rising to a point of order or in personal explanation. Members should be referred to by their titles of "Mayor", "Deputy Mayor", "Chairman" or "Councillor" as appropriate.

Content and length of speeches

- (4) A Member shall direct his or her speech to the question under discussion or to a personal explanation or to a point of order. No speech shall exceed five minutes except by consent of the Council.

When a Member may speak again

- (5) A Member who has spoken on any motion shall not speak again whilst it is the subject of debate, except:-
- (a) to speak once on an amendment moved by another Member;
 - (b) if the motion has been amended since he or she last spoke, to move a further amendment;
 - (c) if his or her first speech was on an amendment moved by another Member, to speak on the main issue, whether or not the amendment on which he or she spoke was carried;
 - (d) in exercise of a right of reply given by paragraph (11) or (13) of this Standing Order;
 - (e) on a point of order;

- (f) by way of personal explanation.

Form of Amendments to Motions

- (6) (a) An amendment shall be relevant to the motion and shall either:-
 - (i) refer a subject of debate to a relevant body for consideration or re-consideration;
 - (ii) leave out words;
 - (iii) leave out words and insert or add others; or
 - (iv) insert or add words;but such omission, insertion or addition of words shall not have the effect of negating the motion before the Council.
- (b) Subject to Standing Order 13(6)(a), any amendment to a recommendation on a Notice of Motion shall incorporate a specific reference to the Notice of Motion submitted for consideration.

Amendments to be disposed of singly

- (7) Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of PROVIDED that the Mayor may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Council's business.

Subsequent Amendments

- (8) If an amendment be lost, other amendments may be moved on the original motion. If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

Alteration of Motion

- (9) With the consent of the Council, a Member may:
 - (a) alter a motion of which he or she has given notice; or
 - (b) with the further consent of his seconder, alter a motion which he or she has moved;

if (in either case) the alteration is one which could be made as an amendment thereto.

Withdrawal of Motions and Amendments

- (10) A motion or amendment may be withdrawn by the mover with the consent of his or her seconder and of the Council, which shall be signified without discussion, and no Member may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.

Right of Reply

- (11) The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment, and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his or her amendment.

Motions which may be moved during debate

- (12) When a motion is under debate no other motion shall be moved except the following:
- (a) to amend the motion;
 - (b) to adjourn the meeting;
 - (c) to adjourn the debate;
 - (d) to proceed to the next business;
 - (e) that the question be now put;
 - (f) that a Member be not further heard;
 - (g) by the Mayor under Standing Order 17(2) that a Member do leave the meeting;
 - (h) a motion under Section 100A of the Local Government Act, 1972 to exclude the public.

Motions for adjournment, closure etc.

- (13) A Member may move without comment at the conclusion of a speech of another Member, "That the Council proceed to the next business", "That the question be now put", "That the debate be now adjourned", or "That the Council do now adjourn", on the seconding of which the Mayor shall proceed as follows:

- (a) on a motion to proceed to the next business: unless in his or her opinion the matter before the meeting has been insufficiently discussed, he or she shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business;
- (b) on a motion that the question be now put: unless in his or her opinion the matter before the meeting has been insufficiently discussed, he or she shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion his or her right of reply under paragraph (11) of this Standing Order before putting his or her motion to the vote; and
- (c) on a motion to adjourn the debate or the meeting: if in his or her opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion he or she shall put the adjournment motion to the vote without giving the mover of the original motion his or her right of reply on that occasion.

Points of order or personal explanations

- (14) A Member may rise on a point of order or in personal explanation, and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order or statutory provision and the way which he or she considers it has been broken. A personal explanation shall be confined to some material part of a former speech by him or her which may appear to have been misunderstood in the present debate.

Ruling of Mayor to be final

- (15) The ruling of the Mayor on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

Members not to impute unworthy motives

- (16) No Member shall impute to another Member dishonest or unworthy motives, or use offensive or unbecoming words, or be guilty of tedious repetition.

Protest not to be entered on Minutes

- (17) No protest or expression of dissent, other than as a record of votes, shall be entered upon the Minutes of the Council.

Respect for Chair

- (18) Whenever the Mayor rises during a debate a Member then standing shall resume his or her seat and the Council shall be silent.

QUORUM

14. (1) Subject to the provisions of Paragraph 45 of Schedule 12 of the Local Government Act, 1972, no business shall be transacted at a meeting of the Council unless at least one-third of the whole number of Members of the Council are present.
- (2) If during any meeting of the Council the Mayor, after counting the number of Members present, declares that there is not a quorum present the meeting shall stand adjourned.

CLOSURE AND ADJOURNMENT OF MEETINGS

15. (1) No opposed business (i.e. business which any Member wishes to debate) shall be taken at an Ordinary Meeting of the Council after eleven o'clock in the evening, except the business then under consideration and as hereinafter provided. At the conclusion of the business then under consideration, the Mayor shall call over the business remaining to be transacted and any opposed business, including the remainder of a Report of the relevant body if then under discussion, shall stand adjourned unless the Council resolve, on a motion which shall be put without debate, to continue the sitting either for a particular item or items on the agenda or for all the remaining business.
- (2) When a meeting is adjourned pursuant to any provision contained in these Standing Orders (except in accordance with Standing Orders 17 (2) or (3)) then the consideration of all business not transacted shall be adjourned to a day and time to be fixed by the Mayor or, if he or she does not fix a day and time, to the next Ordinary Meeting of the Council. Notice of an adjourned meeting shall be given to each Member by the Head of Democracy, Strategy and Partnerships ~~the Services~~ and such notice shall specify the business remaining to be transacted, but it shall not be necessary to send with such notice a further copy of any minutes and/or reports already circulated.

MOTIONS AFFECTING PERSONS EMPLOYED BY THE COUNCIL

16. If any question arises at a meeting of the Council, or of a relevant body, as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of any person employed by the Council, such question shall not be the subject of discussion until the Council or relevant body, as the case may be, has decided whether or not the power of exclusion of the public under Section 100A of the Local Government Act, 1972 shall be exercised.

DISORDERLY CONDUCT

Naming a Member

17. (1) If at a meeting any Member of the Council, in the opinion of the Mayor notified to the Council, misconduct himself or herself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Council, the Mayor or any other Member may move "That the Member named be not further heard", and the motion if seconded shall be put and determined without discussion.

Removal of disorderly Member

- (2) If the Member named continues his or her misconduct after a motion under Standing Order 17 (1) has been carried the Mayor shall:

EITHER move "That the Member named do leave the Meeting" (in which case the motion shall be put and determined without seconding or discussion);

OR adjourn the meeting of the Council for such a period as the Mayor shall consider expedient.

Adjournment in case of disorder

- (3) In the event of general disturbance, which in the opinion of the Mayor renders the due and orderly dispatch of business impossible, the Mayor in addition to any other power vested in him or her may, without the question being put, adjourn the meeting of the Council for such period as considered expedient.

DISTURBANCE BY MEMBERS OF THE PUBLIC

18. If a member of the public interrupts the proceedings at any meeting the Mayor shall warn him or her. If he or she continues the interruption the Mayor shall order his or her removal from the Council Chamber. In case of general disturbance in any part of the Chamber open to the public the Mayor shall order that part to be cleared.

RESCISSION OF PRECEDING RESOLUTION

Motion to rescind a previous decision

19. (1) A motion or amendment to rescind a decision made at a meeting of the Council within the previous six months cannot be moved unless the notice of motion is signed by at least six Members.

Motion similar to one previously rejected

- (2) A motion or amendment in similar terms to one that has been rejected at a meeting of the Council in the previous six months cannot be moved unless the notice of motion or amendment is signed by at least six Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

Recommendation of Relevant Body

- (3) Standing Orders 19 (1) and (2) shall not apply to motions moved in pursuance of a recommendation of a relevant body.

CONFIDENTIALITY OF CERTAIN BUSINESS

20. Where a relevant body shall have resolved to exclude the public from a meeting pursuant to Section 100A(2) or (4) of the Local Government Act, 1972, a Member of the Council who attends the meeting shall not, without permission of the relevant body, disclose any matter dealt with or discussed in the absence of the public until the matter has been reported to the Council and is not subject to any stipulation that the matter shall continue to be regarded as exempt or confidential; or until the matter has been communicated to the media Press by or with the authority of the relevant body.

PETITIONS

21. Where a petition is submitted to the Council in accordance with the Council's Petitions Scheme, and has at least 1000 eligible signatures, the subject matter of the petition shall be reported to the next Ordinary Meeting of the Council, allowing at least ten working days' notice. The petition organiser shall be given the opportunity to present their petition to the Council and a maximum of ten minutes shall be permitted for this. Members of the Council shall not be permitted to ask questions of the petition organiser. The Council will then consider its response to the petition.

DEPUTATIONS AND MEMORIALS

Deputations to the Council

22. (1) A deputation may be received by the Council, according to the wishes expressed by the deputation; but no such deputation shall be received unless five clear days' notice of the intended deputation and of its objects shall have been received by the Head of Democracy, Strategy and Partnerships Services; and then only by leave of the Council.

Reception of Deputations

- (2) Two persons may address the Council, but the first speaker's address shall not exceed ten minutes and the second speaker's address shall not exceed five minutes. The duration of any address shall include the time taken to read a memorial which may be presented by the deputation. Following the address, Members of the Council shall not be permitted to ask questions of the deputation, except at the discretion of the Chairman.

The Scheme for Public Speaking at meetings of relevant bodies is contained in Part 4 of the Council's Constitution.

Memorials

- (3) A copy of a memorial which a deputation wishes to present to the Council or to a relevant body, shall be delivered to the Head of Democracy, Strategy and Partnerships Services at least five clear days prior to the meeting at which the deputation desires to be received. The purpose of any such memorial shall be circulated by the Head of Democracy, Strategy and Partnerships Services to the Members of the Council or the relevant body concerned, unless the Mayor or, as the case may be, Chairman directs otherwise.

Urgent Memorials

- (4) A memorial on any subject which the Mayor may deem to be urgent shall be brought before the next meeting of the Council or a relevant body, whichever may first be sitting; or he or she may, if he or she deems it necessary, direct the Head of Democracy, Strategy and Partnerships Services to Summon a Special Meeting, either of the Council or of a relevant body to deal with the matter.

INTERPRETATION OF STANDING ORDERS

23. The ruling of the Mayor or, as appropriate, the Chairman of a relevant body as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council or a relevant body, shall not be challenged.

SEALING OF DOCUMENTS

Custody of Seal

24. (1) The Common Seal of the Council shall be kept in a safe place in the custody of the Solicitor to the Council Corporate Manager - Legal Services.

Authorised use of Seal

- (2) The Common Seal of the Council shall be affixed to any document authorised by a resolution of the Council, the Cabinet or a Committee to which the Council have delegated their powers in this behalf or through powers and duties delegated in the Council's Constitution.

Attestation of Seal

- (3) The Seal shall be attested by either the Chief Executive, Executive Director or the Corporate Manager – Legal Services Solicitor to the Council and an entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be signed by a person who has attested the Seal.

AUTHENTICATION OF DOCUMENTS FOR LEGAL PROCEEDINGS

25. Where any document will be a necessary step in legal proceedings on behalf of the Council it shall be signed by the Corporate Manager – Legal Services Solicitor to the Council or the Head of Democracy, Strategy and Partnerships ~~tie Services~~ where appropriate unless any enactment otherwise requires or authorises, or the Council give the necessary authority to some other person for the purpose of such proceedings.

STANDING ORDERS TO APPLY TO RELEVANT BODIES

26. The Standing Order of the Council headed "Rules of Debate" (except those parts which relate to standing and to speaking more than once) shall, with any necessary modification, apply to meetings of relevant bodies.

MEETINGS OF RELEVANT BODIES

Convening of Meetings

27. (1) A relevant body shall hold meetings at such times as may be required and may adjourn such meetings as may be thought proper. Special meetings of a relevant body shall be summoned by the Head of Democracy, Strategy and Partnerships ~~tie Services~~ at the request of the Chairman or any three Members of the relevant body.

Discussion of additional items

- (2) No additional item of business not already included on the agenda for a meeting of a relevant body shall be raised unless the Chairman is satisfied that the matter is one of urgency. Urgent

matters which Members propose to raise shall be notified to the Chairman or to the Head of Democracy, Strategy and Partnerships ~~tic Services~~ not later than noon on the day of the meeting (unless relating to an emergency arising after that time).

Minutes

- (3) Minutes of the proceedings of a relevant body shall be recorded in a Minute Book kept for that purpose and shall be signed by the Chairman at the same or following meeting.

Quorum

- (4) Except where authorised by Statute or ordered by the Council, business shall not be transacted at a meeting of a relevant body unless at least one half of the whole number of voting Members are present.

~~(5) In the case of the Cabinet, the Quorum shall be five voting Members.~~

Voting

- (6) Voting at a meeting of a relevant body shall be by a show of hands PROVIDED that immediately after the vote is taken any Member may require that his or her vote for the question or against the question or whether he or she abstained from voting shall be recorded in the Minutes.

Mover of Motion may attend meeting

- (7) A Member of the Council who has moved a motion which has been referred to a relevant body shall have notice of the meeting at which it is proposed to consider the motion. He or she shall have the right to attend the meeting and if he or she attends shall have an opportunity to explain the motion.

Attendance of Members

- (8) No Member of the Council shall attend a meeting of a relevant body, except as a member of the public, unless:-
 - (a) he or she is a Member of the relevant body; or
 - (b) he or she is entitled to be present at such meeting by virtue of any provisions contained in these Standing Orders; or
 - (c) he or she is invited by the relevant body to be present at such meeting.

but that any Member of the Council shall have the right to ask the relevant body to address the meeting on an item of business included on the agenda.

- (9) Members of the Council attending, as members of the public, meetings of the Cabinet, Committees or Policy and Project Advisory Board of which they are not Members, shall be entitled to remain, during the consideration of business where the press and public are excluded.
- (10) When the Cabinet is holding informal discussions on future policy issues, other Members of the Council shall not be entitled to be present unless invited.

Public Participation

- (11) Members of the public may address or ask questions of relevant bodies in accordance with the Public Speaking Procedure Rules in Part 4 of this Constitution.

SUB-COMMITTEES APPOINTED BY COMMITTEES

Consent of Council required Arrangements

- 28. (1) Any Sub-Committees established by a Committee shall be appointed in accordance with the political balance arrangements agreed by the Council and the Committee shall give effect to the appointments proposed by the appropriate political groups.

Chairman to be Ex Officio Member

- (2) The Chairman of a Committee shall be an ex officio Member of every Sub-Committee appointed by that Committee, unless he or she signifies to the Committee that he or she does not wish to serve PROVIDED that he or she may not vote at a meeting of a Sub-Committee of which he or she is not a voting Member.

Co-opted Members

- (3) A Sub-Committee may appoint such non-voting Members and advisers as it considers fit.

VARIATION AND REVOCATION OF STANDING ORDERS

Motions to amend Standing Orders

- 29. (1) Any motion to add to, vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned without discussion to the next **Ordinary** Meeting of the Council.

SUSPENSION OF STANDING ORDERS

30. (1) Subject to Paragraph (2) of this Standing Order, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.
- (2) A motion to suspend Standing Orders shall not be moved without notice (i.e. under Standing Order 12) unless there shall be present at least one-half of the whole number of the Members of the Council.

STANDING ORDERS TO BE GIVEN TO MEMBERS

31. A copy of these Standing Orders and of such statutory provisions as regulate the proceedings and business of the Council, shall be made available to each Member of the Council by the Head of Democracy, Strategy and Partnerships ~~the Services~~ upon delivery to him of the Member's Declaration of Acceptance of Office on the Member being first elected to the Council.

SCHEME FOR THE APPOINTMENT OF STANDING DEPUTIES ~~TO THE DEVELOPMENT MANAGEMENT COMMITTEE~~

1. Introduction

~~The Scheme for Standing Deputies to the Development Management Committee allows for the attendance at the Development Management Committee of a standing deputy where a regularly appointed Member cannot be present~~

The Scheme for Standing Deputies applies to the Development Management Committee, Licensing, Audit and General Purposes Committee, Overview and Scrutiny Committee and the Policy and Project Advisory Board. It allows for the attendance of a standing deputy where a regularly appointed Member cannot be present

2. Scheme

The arrangements for the Scheme for Standing Deputies ~~to the Development Management Committee~~ are as follows:

- (1) Each political group, which is allocated seats on the Development Management Committee, Licensing, Audit and General Purposes Committee, Overview and Scrutiny Committee and Policy and Project Advisory Board may nominate one standing deputy to attend the Committee on occasions when an appointed Member cannot be present. The appointment of standing deputies will usually take place at the Annual Meeting of the Council when the committee membership is decided.
- (2) Members appointed as standing deputies are in the same position in terms of responsibilities and duties as any other member of the committee, for example, in relation to the declaration of any interests they might have, and will be able to exercise full voting rights.
- (3) Standing deputies may attend meetings in that capacity only where the ordinary councillor will be absent for the whole of the meeting and must declare at the beginning of the meeting which councillor they are substituting for.

APPENDIX 1

- (4) If a standing deputy is present at a meeting at which the Member whom he or she is replacing turns up during the course of proceedings, the original member should be required to withdraw from participation at the meeting.
- (5) A standing deputy shall be advised of a Member's absence either directly by the Member who is unable to attend, or by the Committee Administrator on notification of an advance apology by 5pm on the day of the meeting at the latest.
- (6) The names of those councillors appointed as standing deputies shall be published on ~~the development management committee~~ agendas alongside the ordinary committee membership.

SCHEME FOR QUESTIONS TO THE CABINET AT FULL COUNCIL

OVERVIEW

The purpose of the Scheme for Cabinet Questions at full Council is to enable any Member of the Council to ask a Member of the Cabinet a question on any item dealt with under the executive arrangements. Questions can relate to any function not dealt with elsewhere in the decision-making structure (e.g. committees) or which affects the Borough.

A period of 15 minutes will be allocated for questions to Cabinet Members

PROCESS

Questions must be tabled in accordance with the process set out below.

Members asking questions will be able to ask a maximum of one supplementary question relating to the same subject.

- (1) Members may submit questions up until 4.00 p.m. on the day before the Council meeting to the Head of Democracy, Strategy and Partnerships in the following form:
 - a full question identifying the Cabinet Member who will be asked
 - questions should be submitted in writing (including e-mail)
- (2) Members may submit more than one question but a second or subsequent question will be permitted once those Members submitting questions have had a chance to ask their first question.
- (3) The Head of Democracy, Strategy and Partnerships will prepare a list of tabled questions/topic areas in the order in which they have been received.
- (4) The appropriate Cabinet Member(s) will be advised of the subject area/question that will be asked at the meeting.
- (5) In consultation with the Mayor, the tabled questions will be put into their final order (taking account of any Member who has submitted more than one question)
- (6) At the meeting, the Mayor will conduct the question session in the usual way, allowing a supplementary question where appropriate.
- (7) The 15 minutes session will only be extended if there are tabled questions still to be dealt with and at the discretion of the Mayor. There will be no supplementary questions in such circumstances.
- (8) The Mayor's ruling in respect of the conduct of questions to the Cabinet will be final.

APPENDIX 3

SCHEME FOR THE ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE TO COUNCIL

OVERVIEW

The main features of the procedure are:

- The Chairman of the Overview and Scrutiny Committee, or nominated spokesperson, shall introduce the Annual Report of the Overview and Scrutiny Committee to the Council (a maximum of 5 minutes for the presentation shall be permitted).
- A period of 15 minutes will be allocated for questions on the Report. Questions must be tabled in accordance with the process set out below.
- Members asking questions will be able to ask a maximum of one supplementary question relating to the same subject.

PROCESS FOR QUESTION TIME

Any Member of the Council may ask a question on an item included in the Annual Report, subject to written notice.

The process for question time shall be as follows:

- (1) Members will be able to submit questions up until 4.00 p.m. on the day before the Council meeting to the Head of Democracy, Strategy and Partnerships in the following form:
 - a full question which identifies the item to which the question relates
 - questions should be submitted in writing (including e-mail)
- (2) Members may submit more than one question but a second or subsequent question will only be permitted once other Members submitting questions have had a chance to ask their first question.
- (3) The Chairman or nominated spokesperson will be advised in advance of the question that will be asked at the meeting.
- (4) In consultation with the Mayor, the tabled questions will be put into their final order (taking account of any Member who has submitted more than one question).
- (5) At the meeting the Mayor will conduct the question session in the usual way, allowing a supplementary question where appropriate.
- (6) The Mayor's ruling in respect of the conduct of questions will be final.

Constitution Group Meeting

11th November at 6.30 p.m. in the Chief Executive's Office

Attendance: Cllr Stephen Masterson, Cllr John Woolley, Cllr Adrian Newell, Cllr Frank Rust, Jill Shuttleworth and Ian Harrison

ACTION NOTES:

The Group noted the timetable for the Constitution Review and considered the following documents for the Constitution.

Document	Summary of draft changes	Summary of Group's comments
Protocol for Member/Officer Relations	<p>Document updated to be more concise and with clearer focus on the key elements of the expectations for Member/Officer Relations.</p> <p>Some points have increased emphasis.</p> <p>Duplication related to access to information provisions removed.</p>	<p>Endorsed shorter document for usability.</p> <p>Para 2.9 - insert 'a decision of' the Council</p> <p>Para 3.2 - support point on power imbalance</p> <p>Para 4.3 – support wording on access to officers</p> <p>Para 6.2 – strengthen wording 'Members must not negotiate' with third parties</p>
Terms of Reference Overview and Scrutiny Committee	<p>Presentation and structure of the document to mirror the heads included in the Policy and Project Advisory Board Terms of Reference. To achieve this, some sections of the old Overview and Scrutiny Procedure Rules have been re-presented in this part.</p>	<p>Endorsed presentation of the Terms, subject to the following points:</p> <p>Include reference to</p> <ul style="list-style-type: none"> • an Annual Joint Meeting to be held between Chairmen and V-Chairmen of OSC and PPAB • Task and Finish Groups to be reviewed annually, and time-limited <p>Quorum – to specify the minimum number of councillors to attend as six out of eleven voting Members.</p>

		<p>To include reference to a role for the Overview and Scrutiny Committee in the scrutiny of the Cabinet Champion's activities. Reporting once a year.</p> <p>Ensure cross reference to the O&S Procedure Rules document</p>
Terms of Reference Policy and Project Advisory Board	Presentation and structure of the document to mirror the heads included in the Overview and Scrutiny Committee Terms of Reference	<p>Endorsed presentation of the Terms, subject to the following points:</p> <ul style="list-style-type: none"> Strengthen expectation for Cabinet Members to attend PPAB frequently as a matter of good practice. (Strengthening link between Cabinet and PPAB). Cabinet Members attendance to be recorded in minutes. <p>Include reference to</p> <ul style="list-style-type: none"> an Annual Joint Meeting to be held between Chairmen and V-Chairmen of OSC and PPAB Task and Finish Groups to be reviewed annually, and time-limited <p>Quorum – to specify the minimum number of councillors to attend as six out of eleven voting Members.</p>
Overview and Scrutiny Procedure Rules	<p>Some information has been moved to the OSC Terms of Reference for ease of reference for meetings.</p> <p>The remaining information is focused on procedures to be followed for call-in, formal reports of the OSC and councillor right to call for action.</p>	<p>On Call for Action – para (c) excluded matters – to be determined 'in the judgement of the Head of DSP, MO or Mayor' i.e. a person outside of the political sphere.</p> <p>On Call-in – the Group identified a need for more training for councillors on the provisions around call-in</p>

<p>Public Involvement:</p> <ul style="list-style-type: none"> • Protocol for Public Neighbourhood Meetings • Public Speaking Procedure Rules • Petitions Scheme • Access to Information Procedure Rules 	<p>No significant proposed to the documents - but to update taking account of the Group's feedback.</p>	<p>General points:</p> <ul style="list-style-type: none"> • Prepare linked document to the Members Code of Conduct with provisions setting out expectations re: use of Social Media during meetings and particularly Members' seminars/meetings and events which are closed to the public. • Inclusion of Social Media guidance for Councillors 'dos and don'ts' • Standing Orders – reference to the recording/webcasting of Council Meetings • Council agenda – say what provision Standing Order 8 is – rather than simply referring to the para number (for public understanding) <p>Access to Information Procedure Rules:</p> <ul style="list-style-type: none"> • Para 3.2 – add reference to Chairman's reminder of the public's right to use social media to record meetings. <p>Petitions Scheme:</p> <ul style="list-style-type: none"> • Support 10 minutes for a petitioner to present to a meeting, however, need for provision to manage the overall numbers of public speakers in a session. <p>Public Speaking Procedure Rules:</p> <ul style="list-style-type: none"> • Suggested 5 minutes to address a meeting, with Chairman's discretion to extend to 10 minutes. Endorsed facilitation of joint presentations. <p>Protocol for Public Neighbourhood Meetings</p> <ul style="list-style-type: none"> • Council Offices can be used for public meetings
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Constitution Group Meeting

10th December at 6.30 p.m. in Ian Harrison's Office

Attendance: Cllr Stephen Masterson, Cllr Terry Bridgeman, Cllr Adrian Newell, Cllr Frank Rust, Cllr Paul Taylor, Jill Shuttleworth, Andrew Colver and Ian Harrison

ACTION NOTES:

The Group noted the timetable for the Constitution Review and considered the following documents for the Constitution.

Document	Summary of draft changes	Summary of Group's comments
Action Notes of the Meeting held on 11th November		<p>Terms of reference of the O&S Committee:</p> <ul style="list-style-type: none"> • Reference to Annual Joint Meeting of chairs and v/chairs to describe the purpose of the meeting • Distinction between Standing Groups, and Task and Finish Groups • Scrutiny of Cabinet Champion – focus on performance on matters within the Council Business Plan
Standing Orders for the Regulation of Business	<p>Quorum to be 50% at all principal meetings</p> <p>Motions:</p> <ul style="list-style-type: none"> • where referred to a relevant body, they should not come back to Council unless it is a 'Council' matter (many will be executive or committee decisions) • Motions – to be considered by the CX and Head of DSP prior to inclusion on an agenda 	<p>The Group endorsed the proposed changes</p> <p>The Group also considered provisions for substitute members/standing deputies for principal meetings and supported an arrangement for named standing deputies for LAGP, PPAB & OSC as for DMC. A separate, more flexible arrangement for substitutions on Member Working Groups.</p> <p>Members would welcome training on Stranding Orders and rules for debate</p>

Code of Conduct for Councillors	No changes to the main Code. Proposed to add an Annex with Guidance for using Social Media – circulated.	Agreed that Social Media Annex was a good start to written guidance for councillors. It was recognised that this may need to be refreshed regularly.
Members Planning Code of Good Practice	Additional section ‘Separating Professional and Public Roles’. Updates to reflect current role designations.	Endorsed Code. The Group asked about the process/sanctions for dealing with complaints about a breach of the Code, and it was noted that a monitoring team may decide to arrange a hearing as set out in the Standards Hearing Procedure Rules.
Mayoral Protocol	New addition to the Constitution to codify the arrangements for the Mayoral role and support arrangements.	Endorsed Protocol subject to the following comments: Para 3 – add reference to criteria for a suitable engagement to accept and ‘in the event of doubt, refer to the Head of Service’ Para 8 – add reference/guidance for pre-election period
Members Learning and Development Policy	Updates to reflect current Group names and role designations.	Endorsed the updated Policy

Constitution Group Meeting

20th January at 5.30 p.m. in the Vulcan Room

Attendance: Cllr Stephen Masterson, Cllr Adrian Newell, Cllr Frank Rust, Cllr Paul Taylor, Jill Shuttleworth, Andrew Colver and Ian Harrison

ACTION NOTES:

The Group noted the timetable for the Constitution Review and considered the following documents for the Constitution.

Document	Summary of draft changes	Summary of Group's comments
Action Notes of the Meeting held on 11th November		Approved
Draft Report for the Licensing, Audit and General Purposes Committee	The draft report with updates to Standing Orders was circulated for comments	<p>The Group endorsed the report and recommendations.</p> <p>The following points were made on the Standing Orders:</p> <p>Para 6 (1) – add 'to receive petitions submitted in accordance with SO 21'</p> <p>Para 6 (1) (m) – add 'and to answer questions in accordance with SO 8 (2)'</p> <p>Para 17 (2) - add his 'or her'</p> <p>Para 29 – delete 'Ordinary'</p> <p>The new scheme for Appointment of Standing Deputies was endorsed.</p>
Part 2 – The Constitution and how the Council Operates	New document (circulated) to amalgamate information previously presented in the Introduction and parts of the Articles	<p>The Group endorsed the revised Part 2.</p> <p>It was agreed to re-word Para 4.3 on public rights to attend meetings to clarify that the public are exempt from attending for the item; as distinct from the meeting.</p>
Approach to the Scheme of Delegation	An update was given outlining the approach to the Scheme of Delegation.	It was agreed that documents would be circulated to the Group shortly in advance of the next meeting on 9/3/20

