

COUNCIL MEETING 9TH JUNE 2008**POLICY RECOMMENDATIONS IN PUBLIC SESSION****A LICENSING COMMITTEE – 9TH APRIL 2008****38 DRESS CODE FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS**

INFORMATION: Members were reminded that at the October 2007 Licensing Committee meeting, Members supported a proposal to introduce a dress code for all licensed drivers, subject to consultation with the trade association. The results of the consultation had been presented to the Committee on 13th February 2008. After considering the representations from the trade, Members had agreed not to adopt a prescriptive dress code, but to establish a minimum standard of dress.

Members were advised that the imposition of a dress code as a condition of a hackney carriage licence would require an amendment to the byelaws, which would then create a criminal offence. This was not a proportionate action and it was considered that it would be more appropriate to adopt a dress code that would sit alongside the licence conditions and the byelaws. Non-observance of the dress code would result in the issue of penalty points.

DECISION: **That it be Recommended to Council** that the following dress code for hackney carriage and private hire drivers be adopted as guidance:-

‘Braintree District Council is committed to encouraging the professional image of the hackney carriage and private hire trade. The Council considers therefore, that drivers should conform to minimum standards of dress, as set out below, in order to raise and maintain the profile of the licensed trade.

The Council does not impose such standards by way of conditions to any licence. It is expected however that such standards will be maintained at all times.

All drivers are required to dress smartly and to maintain a clean and tidy appearance. Clothing should not be dirty, ripped, snagged or holed or contain words or graphics that are offensive or suggestive. The torso, the tops of arms and the top half of the legs should be covered.’

39 PENALTY POINTS SCHEME FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS AND OPERATORS

INFORMATION: At the Licensing Committee meeting on 10th October 2007 Members had endorsed, in principle, the introduction of a penalty points scheme for Hackney Carriage and Private Hire Drivers and Operators, subject to consultation with the ‘taxi’ trade. In considering the responses to the consultation at their meeting held on 13th February 2008, Members were advised that the purpose of the scheme was to assist and support the Council’s Officers administratively and that it would not replace, or be in addition to, existing statutory requirements.

Members were advised that the penalty points scheme had been amended to take account of the constructive views put forward following consultation and the revised scheme was attached to the Agenda report. The Committee noted that the scheme had no legal standing as such, but that it would improve the Council's enforcement role and act as a written warning system regulating the behaviour of drivers, owners and operators on a day to day basis and giving them the opportunity to remedy a problem without the need for the Council to revoke, or suspend a licence. An accumulation of points could lead to more formal action, although it was not anticipated that this would occur.

DECISION: **That it be Recommended to Council** that

1. The Penalty Points Scheme, as outlined in the report attached to the Agenda, be endorsed for adoption by Officers as indicated in the report and the Head of Law and Governance authorised to make changes to the Constitution that are necessary, or consequent to give effect to this decision.
2. Any appeal against the issue of points be determined by a Panel comprising the Chairman of the Licensing Committee, the Licensing Officer and a representative from Law and Governance.
3. In the event of any omissions, new legislation, or additional conditions being introduced, the Licensing Officer in consultation with the Chairman of the Licensing Committee, be authorised to introduce such additional items to the existing list of offences.

B CABINET – 2ND JUNE 2008

Agenda Item **Capital Programme Update**

Item

7(b) Report attached – Page 3.

Extract of minutes to follow

Agenda Item **Best Value Performance Plan**

Item

7 (c) Report attached - Page 5. (Booklet enclosed for Non-Cabinet circulation only)
Cabinet Members are requested to bring the Best Value Performance Plan 2007/2008 booklet to this meeting

Extract of minutes to follow

CAPITAL PROGRAMME UPDATE

Agenda Item 6 (B)

Contact Details:- Trevor Wilson
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Background Papers:- Accountancy Year-end files 2007/08
Financial Implications:- Addressed in report
Equalities Implications:- Addressed in report
Legal Implications:- none
Options: To accept or reject request additional funding for projects
Risks:

EXECUTIVE SUMMARY

Tenders have been received for two of the projects included in the approved Capital Programme for 2008/09. Both are in excess of the budget provision allocated:

1. Silver Street pavilion, Silver End – the lowest tender received is £515,170 against the budget provision in the programme of £320,000. The project is for the construction of a new pavilion providing changing rooms for four teams and match officials, toilets and a small kitchen area and the provision of car parking. The project is on the edge of a conservation area and the specification is to a high standard and includes solar water heating panels on the roof, rainwater harvesting and natural ventilation. Additional budget allocation of £195,170 requested.
2. Spring Lodge, Witham - car park and entrance roadway – the lowest tender received is £303,240 against the budget provision in the programme of £250,000. Entrance roadway to be tarmac, car parking to be a mixture of brick paving and grass-crete. Efficient lighting of area but to a level appropriate to help address nuisance issues. This is the last element of the overall project on the Spring Lodge site, which has involved the refurbishment of the community hall, relocation of the Jehovah's Witness building and the provision of new accommodation for St. John Ambulance and the scout troop. Additional budget allocation of £53,240 requested.

The outturn of the capital programme for 2007/08 is reported under a separate item on tonight's agenda. The outturn records an underspend on General Fund projects of £2.233million but with a recommendation for £2.066million carry forwards, leaving unused resources of £166,000. Of this sum, the Finance Director has already approved, allocations totalling £75,000 for the following schemes:

- Urgent repairs to Rickstones Pavilion - £40,000;
- Urgent repair works to a section of wall and railings at Witham Public Park, Maldon Road, Witham - £30,000; and
- Replacing the pond dipping platform at the John Ray Park, Braintree - £5,000.

This leaves a balance of unused capital resources of £91,000.

The total additional funding requested for the two projects is £248,410. If the unused capital resources are allocated to these projects then the balance of £157,410 could be met from a contribution from the revenue balance (Revenue Outturn for 2007/08 is reported under a separate item on tonight's agenda).

Additional Capital Resource

The Council received notification from GO-East, on 14th April 2008, of an allocation of £193,200 under the Local Authority Housing Capital Grant Allocations 2008/09. The allocation is for improving non-decent properties in the private sector occupied by vulnerable people (and those with families). The grant itself carries no conditions and can be used to support any legitimate capital allocation activities. However, in terms of monitoring, EERA propose to survey local authorities during the third quarter of 2008/09 to establish the scope of activity supported by the funding.

The capital programme 2008/09 currently has allocations of £286,000 for Disabled Facility Grants and £300,000 for Renovation Grants; both are expected to be required in full. The total spend on private sector grants in 2007/08 was £764,543.

It is recommended that the allocation be used for the purpose specified i.e. adding to the budgets already provided for grants to the private sector. Whilst this grant is available for 2008/09 only, there is an opportunity to bid for funds for future years and with this in mind officers are currently investigating ways of providing additional focus to assist vulnerable people. Possible additions/ enhancement include:

- Offering a Quick Access Disabled Facility Grant scheme linked to hospital discharge procedure; and
- Promotion of a scheme with landlords to bring empty unoccupied properties back into use for letting with an enhanced renovation grant of up to £12,000 from £9,000. Targeted to family size homes and on the condition that the homes be let for 5 years.

A separate report on possible proposals will be presented to a future Cabinet meeting.

DECISION

- 1. Members agree the requests for additional funding for the Silver Street Pavilion and the car parking and roadway improvements at Spring Lodge, Witham and RECOMMEND for approval by Full Council. Funding of the required budgets from the unused balance of capital resources (£91,000) and a revenue contribution (£157,410).**
- 2. Agree to the additional allocation of capital grant of £193,200, as notified by GO East, being added to the budget for Grants to Private Sector Housing and RECOMMEND for approval by Full Council.**

BEST VALUE PERFORMANCE PLAN 2007 - 2008**Agenda Item 6 (B)**

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Background Papers:- None
Financial Implications:- None
Equalities Implications:- None
Legal Implications:- The Council has a statutory duty to publish its Best Value Performance Plan by June 30th Annually
Options: None
Risks: None

EXECUTIVE SUMMARY

The Council is required to publish a summary of current performance and future targets for a specified range of best value performance indicators. When published, these indicators are compared with the performance of other authorities to produce a comparison table. The Audit Commission's method of comparing performance is to rank Councils into quartiles – the top quartile being the 25% of councils with the best performance in a given indicator, and the bottom quartile being the 25% with the worst performance. The number of top quartile indicators and the rate of improvement are measures of the 'direction of travel' (i.e. the rate of improvement).

This report summarises Braintree District Council's performance for 2007 -2008 with a set of 88 indicators by reporting the past two years' performance and giving the targets for the coming three years. The report also records the changes in actual performance and the estimated quartile position between this year and the previous year.

The performance has improved significantly since last year with 51% of indicators improving and 31% maintaining performance levels. 74% of indicators met or exceeded targets, and a further 8% were within 5% of target.







32% of indicators are estimated to be in the top quartile compared with 23% last year, and 35% are estimated to be in second quartile. Therefore 67% of indicators are showing above average performance when compared to other authorities. This is also an improvement on last year where we reported 66% above average.

Finally, the report considers all the indicators where performance fell below target, and reports why this happened and what is to be done about them in future.

DECISION

To endorse the report and the Best Value Performance Plan 2007/2008.

At-a-glance summary of performance 2007/2008

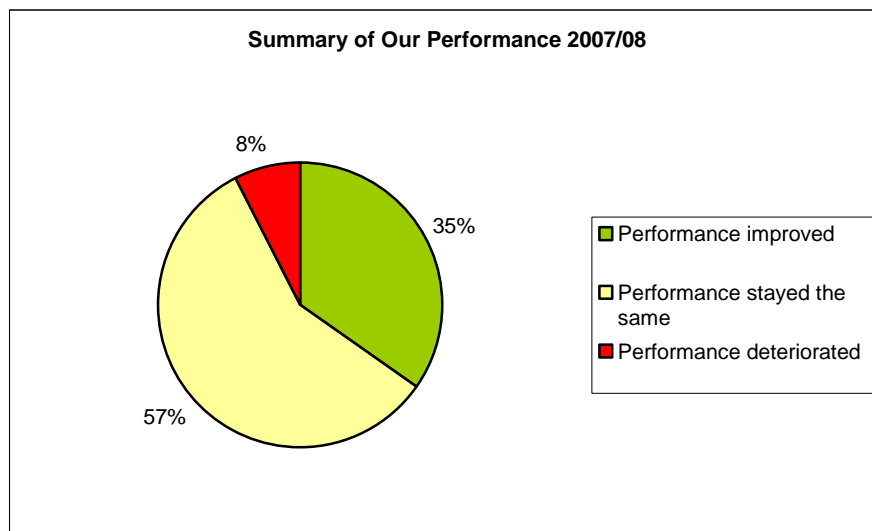
Performance against targets				
Number of Best Value Performance Indicators reported	Number of indicators for which targets have been set.	Number and % where we were on target	Number and % where we were within 5% or more of the target	Number and % where we were 6% or more off target
				
	73	54(74%)	6 (8%)	13 (18%)
88	Number of indicators where performance can be compared with previous years.	Number where we have improved on last years performance 	Number where we have performed the same as last year 	Number where our performance is down on last year 
	88	45(51%)	27(31%)	16(18%)

Note – Some of the indicators do not have targets set against them because they measure activity rather than a figure which we aspire to achieve (ie. The number of ill-health retirements).

National Quartile comparisons

Of the 88 Indicators reported in this plan, 66 have comparative data from other authorities that is used to define the quartile position of this council.

- ❑ 23 (35%) have risen to a higher quartile from last year.
- ❑ 38 (57%) have remained in the same quartile as last year
- ❑ 5 (8%) have dropped to a lower quartile



Note:

The range of indicators we are required to report changes from year to year. Only 66 of the indicators have data from previous years that can be used to assess improvement with time.

The Audit Commission uses a number of different indicators (not just BVPI's) to measure our assessed annual Direction of Travel.