

A meeting of the **CABINET** will be held in the **CIVIC SUITE 0.1A, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **THURSDAY, 20 MARCH 2014** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

APOLOGIES


Contact
(01480)

1. MINUTES (Pages 1 - 6)

To approve as a correct record the Minutes of the meeting of the Cabinet held on 13th February 2014.

Mrs H J Taylor
388008

2. MEMBERS' INTERESTS

To receive from Members declarations as to disclosable pecuniary, non-disclosable pecuniary or non pecuniary interests in relation to any Agenda item. See Notes below.

3. HACKNEY CARRIAGE FARES (Pages 7 - 12)

To receive a report on Hackney Carriage Fares by the Head of Legal and Democratic Services.

Mrs C Allison
388010

4. EXCLUSION OF PRESS AND PUBLIC

To resolve:-

that the public be excluded from the meeting because the business to be transacted contains exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) and is likely to reveal the identity of the individuals concerned.

5. TRANSFER OF CREATIVE EXCHANGE - LONGSANDS CAMPUS (Pages 13 - 22)

To consider a report by the Estates Officer on options for the continued management of the Creativexchange facility.

C Luscombe
336236

Dated this 12 day of March 2014



Head of Paid Service

Notes

1. Disclosable Pecuniary Interests

(1) *Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.*

(2) *A Member has a disclosable pecuniary interest if it -*

(a) relates to you, or

(b) is an interest of -

(i) your spouse or civil partner; or

(ii) a person with whom you are living as husband and wife; or

(iii) a person with whom you are living as if you were civil partners

and you are aware that the other person has the interest.

(3) *Disclosable pecuniary interests includes -*

(a) any employment or profession carried out for profit or gain;

(b) any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);

(c) any current contracts with the Council;

(d) any beneficial interest in land/property within the Council's area;

(e) any licence for a month or longer to occupy land in the Council's area;

(f) any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or

(g) a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.

Other Interests

(4) *If a Member has a non-disclosable pecuniary interest or a non-pecuniary interest then you are required to declare that interest, but may remain to discuss and vote.*

(5) *A Member has a non-disclosable pecuniary interest or a non-pecuniary interest where -*

(a) a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or

(b) it relates to or is likely to affect any of the descriptions referred to above, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association

and that interest is not a disclosable pecuniary interest.

2. Filming, Photography and Recording at Council Meetings

The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening at meetings. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and available via the following link - [filming, photography and recording at council meetings.pdf](#) or on request from the Democratic Services Team. The Council understands that some members of the public attending its meetings may not wish to be filmed. The Chairman of the meeting will facilitate this preference by ensuring that any such request not to be recorded is respected.

Please contact Mrs H Taylor, Senior Democratic Services Officer, Tel No. 01480 388008/e-mail Helen.Taylor@huntingdonshire.gov.uk /e-mail: if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Cabinet.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk (*under Councils and Democracy*).

If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Democratic Services Manager and we will try to accommodate your needs.

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

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Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the CABINET held in the Civic Suite 0.1A, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Thursday, 13 February 2014.

PRESENT: Councillor J D Ablewhite – Chairman.

Councillors B S Chapman, J A Gray,
N J Guyatt, R B Howe, T D Sanderson and
D M Tysoe.

In attendance: Councillors S J Criswell, R S
Farrer and T V Rogers.

66. MINUTES

The Minutes of the meeting of the Cabinet held on 23rd January 2013 were approved as a correct record and signed by the Chairman.

67. MEMBERS' INTERESTS

No declaration were received.

68. FINANCIAL MONITORING - REVENUE BUDGET 2013/14

The Cabinet received a report by the Assistant Director, Finance and Resources (a copy of which is appended in the Minute Book) on the projected budget outturn for 2013/14 together with details of variations from the previous forecast.

Members were advised that the expected outturn of revenue expenditure was £21.1m which was 1.6m less than assumed in the draft 2013/14 budget.

It was reported that the New Homes Bonus for 2015/16 would be based on the increase in houses in the year ending October 2014. Members were encouraged to note that the Council was currently ahead of its profiled new-homes target. Although income from Business Rates was forecasted to be on budget, it was explained that the impact of appeals makes the forecast subject to considerable volatility.

With regard to achievement of revenue savings, Members expressed concern that only 58% of savings within the 2013/14 Medium Term Plan have so far been achieved, with four schemes exceeding a variance of £20,000. In the discussions that ensued, Executive Councillors stressed the importance of setting challenging, robust but realistic targets.

Having noted the position on debts collected and written off during the period October to December 2013 and in requesting that future monitoring reports be submitted to the Overview and Scrutiny Panel (Economic Well-Being), the Cabinet

RESOLVED

that the spending variations in the Revenue Budget be noted.

69. FINANCIAL MONITORING - CAPITAL PROGRAMME

Consideration was given to a report by the Head of Financial Services (a copy of which is appended in the Minute Book) highlighting variations to the approved Capital Programme 2013/2014 and the consequential estimated revenue impact. It was requested that future monitoring reports should clearly differentiate between loans to other bodies, investment schemes and other capital expenditure.

Having noted the explanations for the variations, the Cabinet

RESOLVED

that the report be received and the expenditure variations noted.

70. BUDGET 2014/15 AND MEDIUM TERM PLAN 2015 TO 2019

(Councillors S Criswell, Chairman of the Overview and Scrutiny Panel (Social Well-Being) and T V Rogers, Chairman of the Overview and Scrutiny Panel (Economic Well-Being,) were in attendance and spoke on this item).

Further to Minute No.13/55 and by way of a report by the Assistant Director, Finance and Resources (a copy of which is appended in the Minute Book) the Cabinet were acquainted with a number of variations to the assumptions made previously for the purpose of preparing the Medium Term Plan, the budget and associated level of Council Tax for 2014/15. Updated versions of Tables 1 to 6 were also circulated these had been expanded to provide a breakdown of the figures relating to salaries, government grants and fees & charges.

Attention was also drawn to a Budget Update note which summarised the impact of the Government's recent announcement that the Council Tax Freeze Grant would now be built into the base rather than just being awarded for 2 years.

In discussing the contents of the report, Members' attention was drawn to the conclusions reached by the Overview and Scrutiny Panel (Economic Well-Being). In that respect, Members concurred with the Panel that the Authority should freeze its level of Council Tax for the forthcoming year and accept the Government's Council Tax Freeze Grant.

With regard to the use of revenue reserves, Executive Councillors have been advised that a balance had been taken between progress on saving and the use of reserves in order to ensure that savings were properly targeted and effectively delivered to manage service impact. It was reported that net interest and borrowing costs would

increase to 16.4% in 2018/19. In that respect, the Cabinet considered the options available to them to keep within the limit of 15% set by Council. Given the current financial circumstances, the potential for capital savings through the Facing the Future exercise and the beneficial impact of future margins on loans to other bodies, the Cabinet concurred with the Panel that they would recommend that the 16.4% position should be accepted. It was noted that the Cabinet intends to closely monitor capital spending and that the Treasury Management Group would take a close interest in this, as well as any investment schemes, because of their impact on borrowing and investments.

Discussion also ensued on proposals put forward by the Liberal Democrat Group, in respect of which the Cabinet noted that the future of the Cromwell Museum was already being considered by Huntingdon Town Council and that the issues associated with the pay review are being considered elsewhere. Members concluded that it would be appropriate to consider all the other issues as part of the Facing the Future exercise.

In response to a question by the Cabinet on the need to ensure very effective budget monitoring, especially on savings items, the Managing Director confirmed that this was a very high priority.

Having noted the comments arising from the consultation with the business community on expenditure proposals and in acknowledging the contributions of the Overview and Scrutiny Panel, the Cabinet

RECOMMENDED

- (a) that, subject to the amendments shown in the Budget Update note and any detailed consequential amendments to the Tables, the proposed Budget and Medium Term Plan appended to the report now submitted be approved;
- (b) that the breach in the 15% limit on Net Interest and Borrowing Costs be noted and the actions outlined in paragraph 8.6c of the report now submitted, to mitigate the impact, be endorsed; and
- (c) that that there be no increase in Council Tax for 2014/15, i.e. Band D charge will remain at £133.18.

It was also RESOLVED

that, subject to approval of the Budget by Council, the additional approvals required for those MTP schemes highlighted in Table 4 be approved.

71. TREASURY MANAGEMENT STRATEGY 2014/15

By way of a report by the Head of Financial Services (a copy of which is appended in the Minute Book) the Cabinet was invited to consider the contents of the Treasury Management Policy and Strategy for 2014/15. The documents had been considered by the Overview and Scrutiny Panel (Economic Well-Being) whose comments were relayed

to the Cabinet.

Whereupon, it was

RESOLVED

that the Council be recommended to approve the Treasury Management Policy and Strategy for 2014/15 as appended to the report now submitted.

72. HUNTINGDONSHIRE DISTRICT COUNCIL CORPORATE PLAN 2014-16

(Councillors S Criswell, Member of the Corporate Plan Working Group was in attendance and spoke on this item).

The Cabinet reviewed the proposed vision, strategic themes and aims for the 2014-16 Huntingdonshire District Council Corporate Plan (a copy of which is appended in the Minute Book). The Plan had been considered by all of the Overview and Scrutiny Panels whose comments were relayed to the Cabinet

In noting a timetable for preparing a performance framework to support the Plan and having thanked the Panels for their input, the Cabinet

RESOLVED

that the progress made on the 2014-16 Huntingdonshire District Council Corporate Plan be noted and the recommendations of the Overview and Scrutiny Panels on the Plan be incorporated into the final version.

73. EXCLUSION OF THE PUBLIC

RESOLVED

that the public be excluded from the meeting because the business to be transacted contains exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) and consultations or negotiations in connection with labour relation matters between the Council and its employees

74. FACING THE FUTURE

(Councillors S Criswell, Chairman of the Overview and Scrutiny Panel (Social Well-Being) and T V Rogers, Chairman of the Overview and Scrutiny Panel (Economic Well-Being,) were in attendance and spoke on this item).

Further to Minute No 13/35 and by way of a report by the Assistant Director (Finance and Resources) (a copy of which is appended in the Annex to the Minute Book), the Cabinet was invited to consider the recommendations of the Overview and Scrutiny Panel Chairmen and Vice-Chairman on priorities for further work following completion of

the first phase of the Facing the Future process.

Members were advised that Strategic Service Review templates for 32 Council activity areas had been considered by the Panels. They contained details of the areas' statutory duties, performance standards, manpower, financial information and options for the future of the service and had been categorised into those which require further research, those which are politically sensitive and those which have a limited service impact. In discussing the potential loss of an element of control from shared services and outsourcing the Panel recognised that this has to be weighed against the possible savings that might be achieved.

Having referred to the complexities of researching some of the savings and recognising the level of work required to be undertaken by Management Team and Executive Councillors to deliver savings in a timely fashion, the Cabinet

RESOLVED

- (a) that the content of the report now submitted be noted;
- (b) that the list of suggestions be categorised into service areas and cascaded down to the Heads of Service to create an implementation plan, in consultation with Executive Leader, Managing Director and Portfolio Holders;
- (c) that priority be given to those suggestions that would result in "quick wins" or would give the best returns within a shortest timescale; and
- (d) that those suggestions deemed to have most impact on services to the public be held in abeyance until the financial impact of the items in list 1 and 2 have been fully investigated.

Chairman

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Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: HACKNEY CARRIAGE FARES

Meeting/Date: CABINET 20 March 2014

Executive Portfolio: Councillor T D Sanderson, Executive Councillor for Strategic Economic Development and Legal

Report by: Head of Legal & Democratic Services

Ward(s) affected: All

Executive Summary:

To approve the existing table of fares which is now considered to be an Executive function, rather than a function of the Licensing and Protection Panel.

Recommendation(s):

The Cabinet is recommended to;

- a. approve the current table of Hackney Carriage fares attached as Appendix A;
- b. delegate the approval of future Hackney Carriage fare tables to the Head of Legal and Democratic Services after consultation with the relevant Executive Portfolio holder, and
- c. delegate to the Head of Legal and Democratic Services after consultation with the relevant Executive Portfolio Holder authority to consider any objections arising from b. above and to determine the table of fares accordingly.

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1. BACKGROUND

- 1.1 At a meeting of the Licensing and Protection Panel on 26 October 2011 it was agreed that following consultation, the revised table of fares for Hackney Carriages at Appendix A was approved to take effect from 1st December 2011.
- 1.2 Under the terms of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and recent case law (007Stratford Taxis Ltd v Stratford on Avon District Council) relating to policy matters associated with the function of taxi licensing, it has recently been clarified that the decision relating to the adoption and approval of a table of fares is considered to be an Executive function.
- 1.3 Councillor Sanderson the Executive Portfolio Holder for Strategic Economic Development and Legal was present at the meeting of the Licensing and Protection Panel on 26 October 2011, however the decision to approve the fare increase was recorded as having been made by the Licensing & Protection Panel, rather than as an Executive decision.
- 1.4 This purpose of this report is to ensure that the Council conforms with recent case law which clarifies the determination process.

2. RISK ASSESSMENT

- 2.1 It is important that the Council takes account of Court of Appeal decisions and associated legal advice to ensure the decisions the Council make are sound in the event they are challenged. There is no current application from the taxi trade to change the tariffs/ fares, but it is important that the Cabinet approve the existing tariff and are designated to consider any future applications. The Cabinet can also give authority under delegated powers to the relevant Executive Portfolio Holder.

3. CONSULTATION

- 3.1 No consultation is required at the present time as consultation was undertaken before the implementation of the current table of fares, between 15 July and 5 August 2011. Consultation will continue to be undertaken upon receipt of any future requests for fare increases.

4. LEGAL IMPLICATIONS

- 4.1 Legal challenge will be less likely by making this an Executive function.

5. RESOURCE IMPLICATIONS

- 5.1 None

6. OTHER IMPLICATIONS

- 6.1 None

7. REASONS FOR THE RECOMMENDED DECISIONS

- 7.1 As there has been no request from the trade to date to increase the tariff, it is recommended that the current tariffs be ratified under the Executive function with appropriate delegated powers being put into place for the future.

BACKGROUND PAPERS

Report to the Licensing and Protection Panel on Hackney Carriage Fares dated 26 October 2011.

007 Stratford Taxis Ltd R (on application of) v Statford on Avon District Council [2011]EWCA Civ 160

CONTACT OFFICER

Christine Allison, Licensing Manager
Tel No: 01480 388010.

TABLE OF HACKNEY CARRIAGE FARES

APPENDIX A

**Fares for Distance
(Inclusive of Value Added Tax)**

Maximum Fares	
<p>Tariff 1</p> <p>If the distance does not exceed 234.6666 yards (214.58 metres)</p> <p>For each subsequent 234.6666 yards (214.58 metres) or uncompleted part thereof</p> <p>Flag fall at 1760 yards (1609.34 metres)</p> <p>For each subsequent 234.6666 yards (214.58 metres) or uncompleted part thereof</p>	<p>£2.70</p> <p>£0.20</p> <p>£4.10</p> <p>£0.20</p>
<p>Waiting Time</p> <p>For each period of 27 seconds or uncompleted part thereof</p>	<p>£0.10</p>
<p>Tariff 2</p> <p>For hiring's begun between 11.30pm and 7.30 am and any hiring's begun on any Bank Holiday and any Sunday –</p> <p>If distance does not exceed 160 yards (146.30 metres)</p> <p>For each subsequent 176 yards (160.93 metres) or uncompleted part thereof</p> <p>Flag fall at 1760 yards (1609.36 metres)</p> <p>For each subsequent 176 yards (160.93 metres) or uncompleted part thereof</p>	<p>£2.70</p> <p>£0.20</p> <p>£4.70</p> <p>£0.20</p>
<p>Waiting Time</p> <p>For each period of 27 seconds or uncompleted part thereof</p>	<p>£0.10</p>
<p>Extra Charges</p> <p>For persons soiling the hackney carriage</p>	<p>£50.00</p>

(N.B Table effective from 1st December 2011)

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Agenda Item 5

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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