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To: Selection and Member Services Committee – 25 April 2014

Subject: Amendments to County Car policy

Classification Unrestricted

Summary: The report recommends a minor amendment to the County Car Policy agreed by the Committee on 13 June 2012 to reflect Her Majesty's Revenue and Customs (HMRC) guidance.

1. Introduction

- (1) The policy for the use of the County Car fleet was last considered and approved by this Committee on 13 June 2012.
- (2) The recent advice from HMRC impacts on the use of the County Cars and, as a consequence, the County Car Policy requires a minor amendment.

2. Minor Amendment to the County Car Policy

- (1) To comply with HMRC regulation and guidance, Paragraph 8 of the policy requires amendment as the fleet of County Council cars cannot be used for travel between home and County Hall as this will breach the 'pool car' rules. A journey from a Members' home to County Hall is private mileage and is therefore liable to tax as it is deemed as normal commuting, unless the Member routinely sees constituents in their own home.
- (2) However, the County Cars can be used for official business travel from a Member's home to destinations other than County Hall and from destinations other than County Hall to a Member's home.
- (3) Appended to this report is the County Car Policy agreed by this Committee on 13 June 2012 with the proposed tracked change amendment to ensure that the Policy meets HMRC regulation and guidance.

3. RECOMMENDATION

The Committee is asked to approve the amended County Council Car Policy.

MINUTES APPENDIX

(Minute 12 applies)

KENT COUNTY COUNCIL

County Car Policy

(as approved by Selection & Member Services Committee on 13 June 2012)

INTRODUCTION

This Policy should be read in conjunction with the Code of Member Conduct. Where there is doubt about the meaning or interpretation of any aspect of this Policy, advice should be sought from the Section 151 Officer and/or the Monitoring Officer.

1. County Cars are provided for use primarily by the Chairman, Vice Chairman, Leader, Deputy Leader, Leader of the Opposition and Cabinet Members when on official council business, i.e. representing KCC at meetings and events where the Member is an official KCC representative, acting in their capacity as a County Councillor, undertaking KCC business.
2. When not required for this purpose, County Cars are available for use by other Members on official council business.
3. County Cars/drivers may also be made available to senior officers and third parties when it appears to the Head of Democratic Services that it would be in the interests of the County Council to do so.
4. Optimum use of all the County Cars will be made on a daily basis, using a number of sessional drivers, based on a common-sense assessment of the relative importance of each journey.
5. If no County Car is available, Members should use their own car or public transport wherever possible. They may also use taxis in the circumstances described in paragraph 6, below.
6. A Member may use a taxi on official council business if:
 - (a) they do not have their own car available and
 - (b) they do not have easy access to public transport
7. All taxi fares for official journeys should be paid by the Member concerned and claimed back via the expenses system on the production of a valid receipt (not including gratuities), except where KCC officers are able to secure a cheaper alternative by booking and paying direct.
8. ~~Travel by County Cars may not be used for travel or taxi between from a Member's home and County Hall. However, travel by taxi between a Member's home and County Hall should be regarded as an exception to normal travelling arrangements for all Members and only authorised is possible~~ in the following specific circumstances:
 - (a) to drive the Chairman, Leader, Deputy Leader or Leader of the Opposition or their spouse/partner or other guest from home and back for the purposes of attending formal meetings or engagements that the Chairman, Leader, Deputy Leader or Leader of the

Opposition is required to attend on behalf of Kent County Council as part of their official duties

- (b) where a Member is ill or incapacitated
 - (c) on limited occasions where, on a temporary basis, the Member's own vehicle or normal mode of travel is unavailable for any reason, including the non-availability of public transport
9. No use of the County Cars other than on official business is permitted. However, in the event that the Chairman, Vice Chairman, Leader or Cabinet Members wish to combine journeys on official council business with journeys of a private nature, they may arrange for the services of a KCC driver to be provided to drive their own cars. The cost of the driver for any private journey shall be reimbursed by the Member (based on a formula to be determined on each occasion by the Section 151 Officer) and the Member may only claim expenses for the KCC element of the journey. In this regard, the Member concerned must ensure that the KCC driver(s) they use are added to their private motor vehicle policy as a named driver for the specific purpose for which they would be driving.
10. Bookings of County Cars/drivers should be made as early as possible in advance of the date required by contacting ~~the Grigorios Vrakopoulos~~, County Car Administrator (01622 694440). In order that the most efficient use can be made of the County Cars, when making a booking all Members are asked to:
- (a) state the purpose of their journey together with details of date, times and destination
 - (b) not specify a particular car or driver
 - (c) be flexible about collection/drop-off times, wherever possible
 - (d) be willing to share a car with another Member or Officer travelling in the same direction
11. Details of all journeys undertaken in the County Cars will be recorded and retained for audit and reporting purposes and Members will be asked to counter-sign the driver's timesheet