



EXECUTIVE

YOU ARE REQUESTED TO ATTEND A MEETING OF THE EXECUTIVE TO BE HELD IN THE DEANE HOUSE, BELVEDERE ROAD, TAUNTON ON WEDNESDAY 24TH SEPTEMBER 2003 AT 18:00.

AGENDA

1. Apologies
2. Minutes
3. Public Question Time
4. Subsidising Children's Tickets for the Proms and Pop Concerts in Vivary Park.
Report of Leisure Development Manager (enclosed)
5. Updated Housing Strategy and HRA Business Plans
Report of Community Services Policy Manager and Housing Manager (Property Services)
(enclosed)

(NOTE: These two Housing documents have been circulated to all councillors separately with the agenda for the Housing Review Panel agenda for the meeting on 17 September 2003)

G P DYKE
Member Services Manager

The Deane House
Belvedere Road
TAUNTON
Somerset

TA1 1HE

16 September 2003

Executive Members:-

Councillor Bishop
Councillor Mrs Bradley
Councillor Mrs Bryant
Councillor Cavill
Councillor Edwards
Councillor Garner
Councillor Hall
Councillor Mrs Lewin-Harris - Deputy Leader
Councillor Williams - Party Leader

Executive – 27 August 2003

Present: Councillor Williams (Chairman)
Councillors Bishop, Mrs Bradley, Mrs Bryant, N Cavill, Hall and
Mrs Lewin-Harris.

Officers: Mr S Fletcher (Chief Executive), Ms S Adam (Head of Finance),
Mrs P James (Director of Community Services), Mr A Hartridge
(Director of Development), Miss J Dickinson (Head of Commercial
Services), Mrs N Heal (Public Relations Officer) and Mr A Melhuish
(Review Support Officer).

Also Present: Councillors Mrs Allgrove, Croad, Gill, Henley, Hindley, Lisgo, Paul,
Trollope, Weston and Mrs Wilson.

(The meeting commenced at 6.00pm).

34. Minutes

The minutes of the meeting of the Executive held on 23 July 2003 were taken
as read and were signed.

35. Apologies

Councillor Edwards and Garner.

36. Public Question Time

Councillor Croad as a member of the public, Dr Vaughan-Smith and
Mr J Horsley all asked questions relating to the circumstances leading to the
closure of a footpath/cycleway at Craig Lea, Taunton and its possible re-
opening following the recent decision of the Planning Committee to
recommend that a Compulsory Purchase Order (CPO) should be made to
acquire the land concerned.

Councillor Bishop responded that there was currently unease that the costs of
pursuing CPO action were likely to be far higher than originally reported. In
addition, a further letter from the Police had been received raising concerns
over the re-opening of the route. He therefore felt it appropriate for the matter
to be referred back to the Planning Committee to reconsider the issue in light
of these developments.

Councillor Bishop undertook to provide detailed written replies to the
questions asked.

In response to a particular point made by Dr Vaughan-Smith, Councillor
Williams felt that it was important for those who wanted the path re-opened to

meet with the local Ward Councillors and he promised to draw this to their attention.

Following a second recent incident, Councillor Croad referred to the problems which could follow the leaking of confidential information and asked what the Executive was doing to secure and maintain the Council's reputation for the highest levels of integrity?

Councillor Williams assured Councillor Croad that his concerns regarding the leaking of information were shared by the Executive and was disappointed to learn of them. The Chief Executive had been requested to write to Councillors to remind them of their responsibilities particularly when dealing with confidential matters.

Mr M Bowes on behalf of Mr S Robins asked a number of questions in relation to a property under Mr Robin's ownership.

Councillor Williams replied that these issues had been covered in his letters of 18 and 20 March 2003, but that he would send a further letter to confirm that position.

37. Leisure Trust

Submitted report previously circulated which sought approval to extend the timescale for the Leisure Trust live date by three months. The report also reconsidered the most appropriate form of leisure trust in the light of recent Government proposals.

The original target date for the commencement of the new leisure trust which was to be called Tone Leisure, was October 2003. This allowed a nine-month implementation period which could result in maximising savings during the set up year. As the project had progressed a number of issues had caused some delays and these were as follows:-

- the transfer of leases on Blackbrook, Wellsprings and Castle;
- complications surrounding the most appropriate form of trust following the Governments' latest proposals; and
- some general slippage due to the volume of work/impact of other corporate projects.

As a result, the project team and external leisure and legal advisors had recommended that the start date should now be 1 January 2004. The financial impact of this change was £60,000 although this could be funded from within the existing approved budget.

The Council had previously approved the establishment of a Non-Profit Distributing Organisation (NPDO) to operate the Council's Leisure Centres,

Golf Course and Sports and Health Development Services in the form of an Industrial and Provident Society (IPS).

However, since that decision, circumstances had changed and it was now felt that the trust should become a Company Limited by Guarantee (CLG).

The main change had been the enactment of the Co-operative and Community Benefit Societies Act 2003 which meant that IPSs would be brought more into line with company and charity law.

The implication for Taunton Deane's leisure trust was that the balance of factors previously in favour of an IPS relative to a CLG had been altered. For example, it was likely that the exemption in relation to charitable registration would be removed. If this happened the responsibility for regulation of the leisure trust would move from the Financial Services Authority to the Charity Commission thus placing the organisation in the same position as a CLG in relation to participation of employees in the Board of Management, taxation issues and the rigidity of the regulatory framework.

Noted that when the current advantages of the IPS were stripped away, some of the advantages of the CLG assumed greater significance such as mandatory as opposed to discretionary relief from NNDR and the familiarity with the business model.

The issue of the ownership and involvement of employees was an important consideration for the Council. Under a CLG scenario this would only become an issue when the organisation applied for charitable registration as Directors of a charity were precluded from receiving remuneration. This would prevent staff from having ownership or a seat on the Board.

The employees had been fully consulted up to now on the proposed transfer to a leisure trust on the basis that they would have an opportunity of being members of the organisation and having two places (plus the Managing Director) on the Board. It was not therefore considered proper or sensible to remove these rights and the expertise of the staff would add considerable value to the Board at a critical and formative stage in the Trust's development.

Reported however, that when the organisation sought charitable status, employees would not be able to retain their places on the Board and might not be able to retain their role as members of the organisation. Although this could be provided for in the constitutional documents of the trust, it would be important to ensure that mechanisms were identified and introduced to enable staff to continue to play an active role in the management and development of the Trust.

Having considered the issues, the Officer Steering Group and the Council's external advisers felt it appropriate to re-visit the approved form of trust for Tone Leisure. At this stage in the implementation process this change could

be accommodated with no real impact on the cost of establishing the trust, the timescale or the future business plan. Given the changes taking place nationally and the advice being given to local authorities, it is considered prudent to recommend that Taunton Deane Borough Council forms a CLG rather than an IPS.

RESOLVED that:-

- (1) Council be recommended to approve a virement of £60,000 from the Partial Exemption VAT Reserve to the Leisure Trust set up budget, subject to the successful completion of the scheduled VAT inspection in September 2003;
- (2) Tone Leisure Limited be established as an incorporated Company Limited by Guarantee;
- (3) a decision regarding whether to apply for charitable status at this stage be deferred; and
- (4) the initial constitution of the Company Limited by Guarantee be drafted to allow employee involvement which would be reviewed in line with future consideration of charitable status.

38. Rockwell Green Pavilion – Request for Supplementary Estimate

Considered report previously circulated, concerning a request from the Health and Leisure Review Panel for a supplementary estimate of £21,160 to allow the pavilion at Rockwell Green to be constructed to the original specification.

A brief had been drawn up in 1999/2000 and included a requirement for two team changing rooms each with showers and a toilet, an officials changing room, a disabled toilet, a kitchen and storage facilities.

The design for the pavilion had been costed by the Council's Quantity Surveyor at almost £200,000, which was significantly over budget. Although a re-design had reduced the cost of construction it was still £30,000 above available funds.

As there was increasing pressure from the local community to build the pavilion, it had been decided that the scheme should be tendered but a list of potential further savings should be drawn up. If the tenders exceeded the budget, negotiations on savings could be entered into with the successful contractor.

Reported that when the tenders were received they were over budget and negotiations had been commenced to reduce the costs according to normal

practice to bring the tender sum within the budget figure, bearing in mind future maintenance costs and vandalism issues.

Following lengthy discussions regarding the recommended supplementary estimate, members agreed that they would not support the request to reinstate the works omitted following negotiation of the tender sum. Councillor Williams did give an assurance that contractors had been appointed and that works on the reduced scheme would be commenced shortly.

RESOLVED that the request for a supplementary estimate be not approved.

39. Chief Executive – Mr S Fletcher

Councillor Williams drew attention to the fact that this was Stephen Fletcher's last meeting of the Executive before he left the Council to take up a new appointment with the IDeA.

He thanked Stephen for his help and support whilst employed at Taunton Deane and wished him well for the future.

(The meeting finished at 8.00pm.)

TAUNTON DEANE BOROUGH COUNCIL

EXECUTIVE - 24 SEPTEMBER 2003

**Report of Karen Dyson, Leisure Development Manager
(This matter is the responsibility of Councillor Mrs D Bradley)**

Subsidising Children's Tickets for the Proms and Pop Concerts in Vivary Park 2004

This report addresses the corporate priority of DELIVERY.

Executive summary: The organiser of the proms and pop concerts has increased the ticket prices for these events to a commercial level but has indicated that, if the Council wishes to cover the costs, it might extend the reduced prices for children's tickets.

1. Purpose

- 1.1 The purpose of this report is to request Members to decide whether to support and fund the recommendation made by the Health and Leisure Review Panel, that children's tickets for the annual proms and tribute band concerts in Vivary Park should be subsidised to a greater extent than was the case in 2003.

2. Background

- 2.1 The Council has run an annual proms concert in Vivary Park since 1994 and, for the last two years, a pop tribute band concert as well. This year the concerts were run by a commercial company who funded and organised the events and bore the risk of any financial losses. The involvement of the Council is minimal as it is essentially only hiring the site to the company. This Council receives an income of £1.00 per ticket sold for the use of Vivary Park and is expecting to receive £3,532.00 this year.
- 2.2 Performing Arts Management, a well-respected national company which have been organising concerts for the last 12 years, was selected to run the Vivary events. It offered a limited portfolio of shows from which the two performed at Vivary were chosen.
- 2.3 A full report on the outcome of both the concerts was made to the meeting of the Health and Leisure Review Panel on 31 July 2003. The report is attached as Appendix A. Paragraphs 3.1 and 3.2 give details of the ticket sales and prices.

3. The 2004 concerts

- 3.1 Numbers of people attending the concerts were down on previous years, as was predicted by Performing Arts Management for its first year of running the events. At the Tribute Concert, 2,104 tickets were sold and an estimated 2,466 attended. At the Proms concert, 1,428 tickets were sold and 1,565 people attended. The prices charged for tickets was the same as that charged across the country at the company's 30 other concert venues. There were no unsolicited complaints about the ticket prices during the exit interviews conducted by officers of the Council with the public.

3.2 The children's ticket prices at the concerts were as follows:

Proms Concert:

- under 5 years free
- 5 - 16 years in advance £12.00
- 5 - 16 years on the night £16.00

Tribute Concert:

- one child under 14 years free per adult
- 14 -16 years in advance £8.00
- 14 -16 years on the night £8.00

4 **Possible Methods of Subsidy for Child Tickets**

4.1 At the meeting of the Health and Leisure Review Panel, the members discussed the price of the child tickets and the ways in which a subsidy might be used. Members resolved that the Executive be recommended to consider the possibility of the Council subsidising tickets in the following ways:

- Family tickets - to make it cheaper for people with children
- Year 6 school children - to be allowed free entry
- Single parents to be allowed more than one free child ticket

4.2 Performing Arts Management is a commercial company that operates by taking a standard format event to a number of different locations. It will not fund further discounts other than those already given at its concerts which include:

- Early booking discounts
- Group discounts
- Free tickets for one child per adult at the pop concert
- Reduced prices for children at the proms

In order, therefore, to offer further discounts as suggested by the Members of the Health and Leisure Review Panel, additional funding would have to be found by this Council and the agreement of Performing Arts Management secured to operate the discounts. There may be an additional cost to the Council to cover the cost of administering any additional discounts such as additional stewarding arrangements or ticket sales staff.

Taking each of the proposed subsidies in turn:

4.2.1 **Family Tickets**

Family tickets are not sold at any of the other events run by Performing Arts Management. Early indications from the company are that this is not an option they would wish to pursue.

Family tickets would need to define the size and composition of a family and to serve a useful purpose, they would need to offer a discount in excess of the two child tickets a family of four already receives at the Tribute Concert. For the Proms Concert, the discount might be one child per family of four. The easiest way forward on this proposal would be to adopt the same approach as is operated at the Tribute Concert, ie one free child ticket per adult. The cost is impossible to estimate, but at £12.00 per child ticket for perhaps 200 children, it would be £2,400.00.

4.2.2 **Year 6 Free Tickets**

Year 6 comprises children aged 10 to 11 years. There are approximately 1,328 pupils in the state schools within Taunton Deane. The maximum cost to the Council at last year's Proms ticket price of £12.00 per child would be in the region of £15,936.00. However, there could be a cap on the number of free tickets available to keep the costs within a set budget. A cap of 200 tickets would cost £2,400.00 and of 500 tickets £6,000.00.

There would need to be some regulation to ensure that an acceptable adult to child ratio was maintained for safety and control purposes and Members should consider the implications of children of this age group being either unaccompanied or with little adult supervision at an event of this sort.

Performing Arts Management would not be supportive of this proposal unless there is adequate adult supervision of each child.

(By way of comparison, the Council's sports centres do not allow anyone under 16 years to attend an aerobics class without an accompanying adult).

4.2.3 **Single Parents receiving more than one Free Child Ticket**

The figures supplied by Performing Arts Management state that 137 complimentary or free child tickets were issued for the tribute concert. The ticket price for other children attending the tribute concert was £8.00 in advance.

There is no way of knowing how many single parents had to pay for additional children but, if it were assumed that all the complimentary tickets were for the children of single parents and that they had also paid for a second child at £8.00 per head, then the additional funding required for the Council to fund a second free child place to single parents would be £1,096.00.

There would, however, be difficulties in being confident that such a subsidy was reaching the right people unless proof of the identity of the children and parent were requested which would have an administration cost to it.

5. **Conclusions**

5.1 Operating a discount for children would seem to be quite difficult and potentially costly to operate. Of the options considered, the simplest and most effective one to pursue would be to allow one free child ticket per adult at the Proms Concert with a maximum number of tickets set at 200. This would cost the Council £2,400.00.

5.2 It is suggested that the income received by the Council from ticket sales be reinvested in activities in the Park for young people.

Recommendation

It is recommended that the Executive considers whether it wishes to subsidise children's tickets and, if it does, to decide on the way in which the subsidy should be applied.

**APPENDIX 1
TAUNTON DEANE BOROUGH COUNCIL**

HEALTH AND LEISURE REVIEW PANEL - 31 JULY 2003

**Report of Karen Dyson, Leisure Development Manager
(This matter is the responsibility of Councillor Mrs D Bradley)**

Tribute Band and Proms Concerts in Vivary Park

1. Purpose

- 1.1 The purpose of this report is to present to Members a review of the tribute band and proms concerts held in Vivary Park, and seek a recommendation to enter into a further contract with the Performing Arts Management Company for up to three years.

2. Background

- 2.1 The Council has run an annual proms concert in Vivary Park since 1994. Last year, an additional pop concert was held for the first time. The pop concert was aimed at a family market, as Vivary Park was not considered suitable for a teenage concert. Both events were well attended but, despite this, the events made a loss of £2,935; this being principally due to the low ticket price applied to the pop concert and increasing costs.

- 2.2 A report was taken to this Committee on 12 December 2002, when Members discussed the matter and resolved that:

- the appropriate Executive Councillor be recommended to permit a commercial concert organiser to stage the events in Vivary Park for 2003;
- consideration be given to provide a discount for Access to Leisure; and
- a complete review of the service provided by the commercial concert organiser be undertaken at the end of the event and the finding reported to a future meeting of the Review Panel.

- 2.3 Performing Arts Management were selected to run the concerts. The company, who are based in Macclesfield, have been organising concerts for the last 12 years. During 2003, the company is organising 31 concerts in 25 venues. The company undertook to arrange the promotion of the event, all permissions, licences, on site equipment, stewards, refreshments, health and safety, ticket sales, police liaison and provide two evening concerts. In return for the Council allowing the use of Vivary Park, the company agreed to pay the Council £1.00, excluding VAT, for each ticket sold.

A choice of two tribute concerts were offered: Platinum Abba or Queen Tribute. It was decided to select the Queen Tribute, as an Abba band had performed at the 2002 pop concert.

There was also a choice of two proms concerts; a classic proms or proms spectacular. It was decided, due to the inevitable rise in the rise in ticket price, to have the classic proms as this was the lower priced concert.

- 2.4 At the meeting of the Health and Leisure Review Panel, held on Thursday 3 April 2003, Members were requested to decide on the key areas that a review of the concerts should cover. The members decided that the areas should be:
- ticket sales;
 - complaints about ticket prices;
 - food and drink;
 - health and safety;
 - quality of the way event was organised.
- 2.5 A review of the concerts has been carried out by making enquiries of the various parties, both within the Council, and outside who have had to deal with the company and/or attend the events in an official capacity. An exit poll was taken at each event of 50 persons each evening.

3. **The Review**

- 3.1 **Ticket Sales.** Final numbers of ticket sales are still awaited from the company. The figures are anticipated to be lower than in previous years and the final outturn will be verbally reported to the Panel.
- 3.2 The price charged at these concerts was no higher than the company charges elsewhere. There were no unsolicited complaints about ticket prices although, of course, the sales numbers will reflect the price increase. One comment was received that the children's proms tickets were too expensive at £12 and one single parent felt that the one free child per adult was unfair to single parents with more than one child.
- A small number of people also gathered each evening at the rear of the park to watch the shows without the necessity of purchasing a ticket. The security firm reported that some of these people had stated that the ticket price was too expensive, and Performing Arts Management reported receiving a number of calls asking why the ticket price was higher than previous years. The Access to Leisure option was available for those holding Buzz cards on a low income. There were no tickets sold to cardholders for the tribute concert, with two tickets sold for the proms. The company reported that they do not normally offer any low income price reductions at their other concerts, but had agreed to do so here. It is recommended that in future the Council ensures that this is publicised within the district.
- 3.3 **Food and Drink.** Catering was provided at both events consisting of a mobile catering unit offering hot cooked food, tea, coffee and cold drinks. An outlet providing alcoholic beverages was also on site. At no time during the events were there long queues for service. The vast majority of those attending the events appeared to have brought their own refreshments.
- 3.4 **Health and Safety.** The Licensing Officer reported that the events were well organised from a safety point of view. He would be happy if the company were to run the event next year. However, he was not very impressed with the company due to the lack of planning for particular features of the site, lack of information received regarding ticket sales and arrival of first aid just five minutes before the site was due to open. Doubts were also expressed regarding the number of toilets provided only being sufficient for 3,000 persons instead of the 5,000 for which the licence had been granted.

3.5. Quality of the Organisation. Performing Arts Management, who are based in Macclesfield, have been organising concerts for the last 12 years. This was the first event that they had organised in Taunton.

3.5.1 Exit Poll. An exit poll was taken after the tribute concert and during the interval at the proms. Approximately, 50 members of the audience were approached at each event.

Everyone who was approached after the tribute concert enjoyed it, found the music content to be very good and the band very good. Comments of “very good, brilliant and fantastic” were made time after time. Not one single bad comment was made, although one person did express a small disappointment with the band’s lead singer.

The proms audience all enjoyed the concert and, without exception, thought the music content and orchestra to be very good. One person said they would like an earlier entry time and one person said they would have preferred a military band. These were the only adverse comments received.

3.5.2 The Council’s Requests. The company conceded to all the Council’s requests, including permitting price reductions for Access to Leisure Buzz card holders. It permitted carers free entry with their clients as the Council had done in previous years.

3.5.3 Quality of Performers. Music and sound quality at both concerts was good, although the sound was lost for a brief period during the proms. The orchestra and soprano were both of a high standard. Just one adverse comment on the tribute band was made.

3.5.4 Security. Security was well maintained, whilst managing not to be overbearing. There were no ‘incidents’ and no problems with non-ticket holders on the gate. The security staff were polite and easily identified. No adverse comments regarding the security guards have been received from the public.

3.5.5 Toilets. The additional toilets provided were of the single portaloo type. A urinal was also brought on site. These units were not of the higher standard provided by the Council in previous years. However, they were well looked after and, apart from the usual queues due to high demand at the interval, they were sufficient to cope with demand. Favourable comments regarding the cleanliness of the facilities were received from the audience.

3.6 Comments on Other Aspects of the Event

3.6.1 Impact on Vivary Park. There was no damage to the park, other than that to be expected from an event of this size.

3.6.2 Youth Issues. There were fears expressed by Members that young people leaving the town centre pubs on a Friday night might cause problems at the concern, but this did not happen.

The Council’s Youth Officer has suggested that there is a need for the tribute band to be chosen by local young people. Performing Arts Management has responded saying that their business depends on

them booking a portfolio of tribute bands which their clients can choose from. They would be pleased to receive suggestions from local young people but could not guarantee to be able to book that particular show unless a number of other venues also wanted it. Members should also bear in mind that the tribute band event has been aimed at a family market, ie parents bring their children with them, hence the free tickets for children when accompanied by an adult. It is, therefore, important to consider the wishes of the older age groups.

Conclusion

Overall, officers were pleased with the way in which these events were organised, the quality of the two shows and the attendances.

Recommendation

It is recommended that the Executive Member for Culture, Arts Leisure gives approval for:

- the officers to negotiate with Performing Arts Management to provide a proms and 'pop' concert package in Vivary Park for a maximum of three years;
- the contract to include a requirement for the company to actively promote the discounted price of tickets for people on low income;
- the Council's Youth Officer to consult with local people of all ages to conclude what tribute bands they would like to see.

EXECUTIVE – 24 September 2003

Report of the Community Services Policy Unit Manager
and Housing Manager (Property Services)

This matter is the responsibility of Executive Councillor Greg Garner

Updated Housing Strategy and HRA Business Plans

1. Executive Summary

The purpose of this report is to seek approval from Members for the adoption of updated Housing Strategy and HRA Business Plan documents. This is important, as they will contribute toward establishing the Councils baseline position for the Housing Revenue Account stock option appraisal process.

2. Background

Last year, these two documents were produced and submitted to the Government Office for the South West as part of the Housing Investment Programme. They were subsequently assessed as being 'above average' nationally.

Since that time, a number of issues have emerged or the circumstances relating to a range of existing policies and procedures have changed.

These two documents have, therefore, been modified and updated to reflect the latest positions.

During the next financial year, it is proposed to revise the two documents and submit them to the GOSW to seek approval under the 'fit for purpose' criteria, which, if achieved, will reduce the need for the Council to write detailed plans for housing each year.

3. Recommendation

The Executive is recommended to adopt the updated Housing Strategy and HRA Business Plan documents, subject to any revisions being required.

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Core Priorities – All

