

YOU ARE REQUESTED TO ATTEND A MEETING OF THE EXECUTIVE TO BE HELD IN THE JOHN MEIKLE ROOM, THE DEANE HOUSE, BELVEDERE ROAD, TAUNTON, TA1 1HE ON WEDNESDAY 17TH JUNE 2009 AT 18:15.

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**AGENDA**

1. Apologies.
2. Minutes of the meetings of the Executive held on 1 April and 30 April 2009 (attached).
3. Public Question Time.
4. Declaration of Interests. To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct. The usual declarations made at meetings of the Executive are set out in the attachment.
5. Task and Finish Review into the viability of the Council providing increased funding to the Brewhouse Theatre, Taunton. Consideration of the Final Report and Recommendations of the Task and Finish Group. Report of the Scrutiny Officer (attached). Please also see agenda item No. 11.
6. Review of Parish Delegation Procedures. Joint report of the Development Manager and the Legal and Democratic Services Manager (attached). Tim Burton and Tonya Meers
7. Pioneer Somerset - Moving Forward. Report of the Strategic Director (attached). Kevin Toller
8. Treasury Management Outturn 2008/2009 and 2009/2010 Update. Report of the Management and Financial Accounting Operations Manager (attached). Lizzie Watkin
9. Performance Monitoring - Outturn Report on 2008/2011 Corporate Strategy, 2008/2009 Financial Outturn and 2008/2009 Performance Indicators. Joint Report of the Performance and Client Lead and the Financial Services Manager. Ruth James and Emily Collacott
10. Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook and related Policy Issues. Report of the Chief Environmental Health Officer (attached). James Barrah

The following items are likely to be considered after the exclusion of the press and public because of the likelihood that exempt information would otherwise be disclosed relating to the Clause set out below of Schedule 12A of the Local Government Act 1972.

11. The Brewhouse Theatre, Taunton. The confidential appendices referred to in the Task and Finish Group's Final Report are attached. Since consideration of the report by the Community Scrutiny Committee on 26 May 2009, the Brewhouse has submitted further documents detailing Outline Projections 2009-2014 - these too are attached. The comments of the Council's Section 151 Officer on these projections are also submitted. Clause 7 - Financial and Business Affairs.  
Please also see agenda item No. 5.

12. Potential purchase of Capital Asset, Taunton. Report of the Strategic Director (attached).

Joy Wishlade

Tonya Meers  
Legal and Democratic Services Manager  
09 June 2009

Executive Members:-

Councillor Henley (Chairman)

Councillor Coles

Councillor R Lees

Councillor Paul

Councillor Prior-Sankey

Councillor Slattery

Councillor Mrs Smith

Councillor A Wedderkopp

Councillor Mrs Wilson





Members of the public are welcome to attend the meeting and listen to the discussion. Lift access to the main committee room on the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is a time set aside at the beginning of the meeting to allow the public to ask questions



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact Greg Dyke on:



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Website: [www.tauntondeane.gov.uk](http://www.tauntondeane.gov.uk) (Council, Executive, Review Board & Review Panel Agenda, Reports and Minutes are available on the Website)

## **Executive – 1 April 2009**

Present: Councillor Henley (Chairman)  
Councillors Brooks, Coles, Horsley, R Lees, Mullins, Prior-Sankey,  
Mrs Smith and A Wedderkopp

Officers: Penny James (Chief Executive), Joy Wishlade (Strategic Director),  
Tonya Meers (Legal and Democratic Services Manager), Paul Carter  
(Financial Services Manager), Maggie Hammond (Strategic Finance  
Officer) and Richard Bryant (Democratic Services Manager)

Also present: Councillors Critchard, Farbahi and Morrell.

(The meeting commenced at 6.15 pm.)

### **36. Minutes**

The minutes of the meetings of the Executive held on 26 February 2009 and 4 March 2009, copies of which had been circulated, were taken as read and were signed.

### **37. Declarations of Interest**

The Chairman declared a personal interest as a Member of Somerset County Council. Councillors Brooks and Prior-Sankey declared personal interests as Members of Somerset County Council and as Members of the Somerset Waste Board. Councillor Mullins also declared a personal interest as a Member of the Somerset Waste Board. Councillor Coles declared a personal interest as a Director of Southwest One. Councillor Mrs Smith declared a personal interest as an employee of Somerset County Council.

### **38. Capital Strategy 2009-2012**

Considered report previously circulated, concerning the Capital Strategy 2009/2012, a draft of which had been circulated to Members of the Executive.

Although there was no statutory requirement for the Council to prepare a Capital Strategy, in terms of setting the direction for the use of the Council's capital resources, it was seen as a 'must have' document.

The Capital Strategy was a summary of the Council's approach to capital investment including:-

- The Vision;
- The identification of the Council's needs and needs gap;
- The management and monitoring of the Capital Programme;
- The Capital Programme and the level of resources available;

- The approach to procurement and partnership working; and
- Linkages to other Corporate Plans.

The draft Strategy for 2009-2012 had been updated from last year's version by incorporating new developments being undertaken by the Council and refreshing the financial data included within the document.

The Strategy and Performance Panel had considered the draft document at its meeting on 10 March 2009 and a number of comments made had been incorporated into the draft document. A further alteration to paragraph 8.4 of the Strategy to remove the reference to a "local housing company" was agreed.

**Resolved** that:-

- (1) the amended draft Capital Strategy for 2009-2012 be noted; and
- (2) Full Council be recommended to approve the Capital Strategy 2009-2012.

### 39. **Treasury Management and Investment Strategy for 2009/2010**

Considered report previously circulated, which detailed the Treasury Management and Investment Strategies for the 2009/2010 financial year.

It was noted that Council debt was currently £17,000,000 and outstanding investments stood at £14,500,000. Short-term interest rates were currently at 0.5% and looked to remain at this level throughout 2009/2010.

Long term rates were more stable at 4 – 4.5% (50 years) for this financial year. Noted that with the World and United Kingdom economies continuing to decline – the United Kingdom was officially in recession – interest rates were at historic all time low levels. Inflation also continued to fall.

In addition, borrowing and debt restructuring, if undertaken, would need to take advantage of lower rates and match the Council's debt to capital needs.

The Chartered Institute of Public Finance and Accountancy's Code of Practice for Treasury Management in Public Services required local authorities to set the Treasury Management Strategy Statement for borrowing each financial year.

Taunton Deane regarded the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities would be measured. Treasury management risks had been identified in the Council's approved Treasury Management Practices.

Reported that the main risks to the Council's treasury activities were:-

- Liquidity Risk (Inadequate cash resources);
- Market or Interest Rate Risk (Fluctuations in interest rate levels and thereby in the value of investments);
- Inflation Risks (Exposure to inflation); and
- Credit and Counterparty Risk (Security of Investments).

This Treasury Management Strategy also took into account the outlook for interest rates, the Council's current treasury position and its approved Prudential Indicators. Details of the Performance Indicators relevant to the Strategy were submitted.

The report also set out the Council's Investment Strategy which covered the following:-

- The Treasury Position;
- Outlook for Interest Rates;
- Borrowing Requirement and Strategy;
- Debt Restructuring; and
- The Investment Policy and Strategy.

Further reported that the Treasury Management and Investment Strategies, had assumed the largely neutral impact of Project Taunton. However, projects of this scale could have both a positive or negative impact on the timing of capital expenditure and thus cash flow.

As the project stages were developed and approved, any impact on the Treasury function would be assessed and strategies might have to be altered as a result.

**Resolved** that the Treasury Management Strategies, outlined in the report, be approved.

#### 40. **Conversion of Taunton Market Site to a Surface Car Park**

Considered report previously circulated, concerning a proposal to temporarily convert the former Market Site off Canal Road/Priory Bridge Road, Taunton, which was now vacant, into a surface pay and display car park.

Works to level the surface, mark out parking bays and to provide a suitable number of pay and display ticket machines would be required, as would measures to ensure the whole site was as secure as possible pending the start of the Project Taunton redevelopment works.

Reported that the costs involved would be funded from the monies generated by the sale of equipment following vacation of the site by the Taunton Market Auctioneers. This had produced a net income of £22,800 which was currently uncommitted.

The Executive was also requested to formally reclassify the site as a car park with effect from 1 April 2009. This was required for the purposes of treatment



within the Council's accounts.

**Resolved** that Full Council be recommended to:-

- (1) approve a supplementary estimate to the capital programme of £22,800 for the conversion of the former Taunton Market Site to a surface car park (funded from within existing resources);
- (2) authorise Executive Councillor Coles to oversee the full spending plan in conjunction with the Parking Manager and Strategic Director; and
- (3) formally reclassify the land as a car park with effect from 1 April 2009.

(Councillor Prior-Sankey declared a further personal interest during the discussion of this item as the Somerset County Council's Transport Portfolio Holder.)

(The meeting ended at 6.56 p.m.)

## **Executive – 30 April 2009**

Present: Councillor Henley (Chairman)  
Councillors Brooks, Coles, Horsley, R Lees, Mullins, Prior-Sankey,  
Mrs Smith and A Wedderkopp

Officers: Penny James (Chief Executive), Brendan Cleere (Strategic Director),  
Maggie Hammond (Strategic Finance Officer) and Richard Bryant  
(Democratic Services Manager)

Also present: Councillors Bishop, Cavill, Mrs Copley, Mrs Court-Stenning,  
Critchard, Denington, Farbahi, Mrs Floyd, Gaines, Hall, Ms Herbert,  
Miss James, Mrs Lees, Meikle, Morrell, Paul, P Smith, Mrs Stock-  
Williams, Stuart-Thorn, Thorne, Mrs Waymouth and Williams.

(The meeting commenced at 6.15 pm.)

### **41. Minutes**

The minutes of the meetings of the Executive held on 1 April 2009, copies of which had been circulated, were taken as read and were signed.

### **42. Declarations of Interest**

The Chairman declared a personal interest as a Member of Somerset County Council. Councillors Brooks and Prior-Sankey declared personal interests as Members of Somerset County Council and as Members of the Somerset Waste Board. Councillor Prior-Sankey also declared a personal interest as a Member of the Somerset Strategic Housing Partnership. Councillor Mullins also declared a personal interest as a Member of the Somerset Waste Board. Councillor Coles declared a personal interest as a Director of Southwest One. Councillor Mrs Smith declared a personal interest as an employee of Somerset County Council.

### **43. Core Council Review – Alternative Approach**

Reference Minute No. 19/2009, considered report previously circulated, concerning a proposed alternative approach to completing the Core Council Review.

The original aim of the Core Council Review was to introduce a new structure and ways of working that would enable the Core Council to:-

- Be fit for purpose, deliver the Council's vision, widened roles and ways of working; and
- Deliver substantial efficiency savings for 2009/2010 and beyond.

Proposals for new ways of working and a new structure for the Core Council were approved by Full Council on 17 February 2009. The Core Council staffing structure was based on four themes:-

- Theme 1 – Strategy and Corporate;
- Theme 2 – Growth and Development;
- Theme 3 – DLO Business; and
- Theme 4 – Operations and Regulation.

The detailed structure for Theme 1 became operational on 1 April 2009.

The remaining Themes were due to come forward at different times during 2009/2010, in accordance with the agreed phasing timetable. However, having implemented Theme 1 and reflected on the Council's decision to attach particular importance to Theme 3, the Corporate Management Team (CMT) had developed an alternative approach to completing the Core Council Review.

It was proposed that Themes 2 and 4 should be brought together onto the same implementation timetable. This would involve the early recruitment of two permanent manager posts for the Growth and Development Theme and one permanent manager post for the Operations and Regulation Theme.

The level of responsibility on the Theme Manager posts would be significantly higher than existing Core Council Managers and remuneration would therefore be the same as set for the Theme Manager posts in the Strategy and Corporate Theme.

Initially, these Theme Managers would work with the relevant Strategic Director and bring forward detailed structural proposals for Themes 2 and 4, for consultation and consideration. All other structural arrangements for these Themes would remain.

Internal applications would be sought in the first instance for the Theme Manager posts and if necessary, temporary back-filling arrangements would be made to cover vacancies arising from internal promotion to these posts. External recruitment would follow if any posts remained unfilled.

It was also proposed that the existing temporary post of Project Taunton Delivery Manager was made permanent. The post had been wholly funded from external sources, but if this ceased, the Council would need to consider funding this post as part of its staff establishment.

CMT had considered the Council's resolution to give Theme 3 priority and detailed their proposals. These included discussions with UNISON and Members and commissioning independent and external specialist advice to develop options.

CMT believed that a robust and independent approach was required to fully explore the options for this Theme, applying best value principles of challenge, comparisons, consultation and competition.

A final review of the working structure, including CMT would be undertaken in 2010, six months after the four Themes were fully operational.

The current political managements would be reviewed when detailed proposals for the new Core Council structure had been agreed. This would coincide with the new Municipal Year in 2010.

Theme 1 would generate savings of £342,000 per annum. The one-off costs of implementation were £750,000, which fell within the sum of £1,000,000 from General Fund Reserves. Noted that the balance of £250,000 would be returned to reserves, leaving a General Fund Reserve position of £1,550,000.

The proposed alternative approach had a number of financial implications. For Themes 2 and 4, there would be a one-off additional cost in the range of £27,030 to £161,330, incurred as a result of having three new Theme Managers in post for a period of up to 9 months. The one-off costs would depend on whether the new Theme Managers were recruited internally or externally.

The alternative approach to Themes 2 and 4 had a number of significant benefits, including:-

- The early creation of additional capacity, in the form of new Theme Managers to develop detailed proposals and help the Council through a period of major structural and cultural change;
- The early establishment of a 'peer group' of Theme Managers to help embed the new ways of working that were critical to the success of the new Core Council;
- Retention of key staff and levels of service in Themes 2, 3 and 4 during the proposal and implementation phase;
- A simpler, more coherent and 'joined up' approach to consultation, achieved by bringing the timetable for Themes 2 and 4 together. This would save time and energy for all staff, unions and Members involved in the process;
- The ability to make connections between Themes as they were working over the same timetable; and
- Implementation of all three remaining themes within the 2009/2010 financial year.

A supplementary estimate of £148,000 from General Fund Reserves would be required to fund one-off costs. Similarly, a sum of £13,400 would be required from the Housing Revenue Account Reserve.

The main cost for the DLO Theme would arise from commissioning independent external advice. A sum of £80,000 would be required to be earmarked from DLO reserves to fund this part of the Core Council Review.

Savings from Themes 2, 3 and 4 would not be known until proposals were published later in the year. It was hoped that any savings identified could be used to replenish reserves and fund posts in the new theme structures.

If the alternative approach was not supported, the original approach would stand. The original approach had the benefit of reduced one-off costs, but had some potential risks, which included:-

- Lack of capacity to complete the Core Council Review to timetable and/or maintain 'business as usual'; and
- Loss of key staff who might seek opportunities elsewhere while the review was rolled out.

Consultation with UNISON, staff and Members had taken place in previous stages of the Core Council Review. UNISON and staff representatives had been asked to give feedback on the consultation that had taken place with suggested improvements for later stages of the Review.

The latest views of UNISON on the alternative proposals were circulated for consideration.

Formal consultation would take place with staff and Members when detailed proposals for the remaining Themes for the Core Council had been published. This would be in addition to informal consultation through staff briefings, workshops and attendance at team meetings.

**Resolved** that:-

- (1) the proposed amended approach to completing the Core Council Review, be endorsed, including:-
  - (a) the making permanent the post of Project Taunton Delivery Manager;
  - (b) a supplementary estimate of £148,000 from General Fund Reserves to cover the costs involved;
  - (c) £13,400 being taken from the Housing Revenue Account Reserve also towards the overall costs; and
  - (d) the sum of £80,000 being earmarked from the DLO Reserves to fund the commissioning of independent external advice; and
- (2) Full Council be recommended to approve the alternative approach to

completing the Core Council Review.

(Councillor Horsley left the meeting at 6.40 p.m.)

(The meeting ended at 6.57 p.m.)

## **Usual Declarations of Interest by Councillors**

### **Executive**

- **Members of Somerset County Council – Councillors Henley, Paul and Prior-Sankey**
- **Employee of Somerset County Council – Councillor Mrs Smith**
- **Director of Southwest One – Councillor Coles**
- **Member of Somerset Waste Board – Councillor Prior-Sankey**

# Taunton Deane Borough Council

Executive – 17 June 2009

## Task and Finish Review into the viability of the Council providing increased funding to the Brewhouse Theatre, Taunton

### Report of the Scrutiny Officer

(This matter is the responsibility of Executive Councillor Fran Smith)

#### Executive Summary

This Task and Finish review has now been concluded. The final report was submitted to the Community Scrutiny Committee on 26 May 2009 and all of the recommendations were supported.

This cover sheet provides directions on how the Executive should deal with the Task and Finish report into the viability of the Council providing increased funding to the Brewhouse Theatre, particularly its three recommendations.

The final report of the Task and Finish review follows this cover report.

#### 1. The Executive is asked to do the following:-

- 1.1 Consider the report and its recommendations, and decide which, if any, of the recommendations it wishes to adopt.
- 1.2 If the Executive agrees to adopt any of the recommendations of the review, it should state who will be responsible for delivering each of the adopted recommendations. The Corporate Management Team (CMT) has had prior sight of the report and has identified a CMT member to take responsibility for each recommendation, if adopted.
- 1.3 If the Executive decides **not** to adopt any of the recommendations, it must specifically state why, as prescribed by the Local Government Act 2007.

#### 2. Contact Details

Erin Taylor  
Scrutiny Officer  
Taunton Deane Borough Council  
Telephone: 01823 356415 (internal ext. 2305)  
e-mail: [e.taylor@tauntondeane.gov.uk](mailto:e.taylor@tauntondeane.gov.uk)



## Community Scrutiny

# Task and Finish Review

A Review to look at the viability of the Council providing increased Funding to the Brewhouse Theatre



## **A Task and Finish Review to look at the viability of the Council providing increased funding to the Brewhouse Theatre**

Introduction by Councillor John Meikle  
Chairman of the Brewhouse Task and Finish Group.



Fellow Councillors, on behalf of the Task & Finish Group we submit our report, statistics, and finally an urge to the Scrutiny Committee to recommend the Executive and finally the Council to revert to our 2004 level of funding, ensuring that the Brewhouse is able to look to the future

Because of the Arts Council having a three year strategy on its grant formula, the Brewhouse has to face two lean years, in the hope that expansion may re-appear when the Arts Council changes policy.

I would ask Councillors to note that this Task & Finish Group is set up under the umbrella of the Economic budget of the Council. The Executive some time ago recognized that the Brewhouse was an essential tool to attract new employment, not only employment, but to influence the 'low wage' structure of our economy. Musgrove, Somerset College, will be recruiting high calibre staff for their 'centres of excellence'.

At this point may I thank Councillor Jefferson Horsley with whom I have worked, for a large amount of background work with the Trustees. Also thanks to the very cooperative and open manner with which the Trustees have dealt with their heavy burden (After all they are volunteers too), finally to my fellow members of the Task & Finish Group and the officers.

We are investing millions of public money into Project Taunton, and the imminent Firepool development. For companies and their managing directors, Taunton offers a range of attractions, Somerset County Cricket, a Brewhouse Theatre, a racecourse, four public schools clustered in Taunton (highly unique), the Quantock Hills and all of environment. Fast trains to London. M5.

To dilute these attractions does not serve our core policy, and such an action would demoralize the staff of 'Project Taunton'.

Fellow Councillors , quite apart from reasons of providing first class leisure facilities of all kinds. Our core value economic plans have to take a priority position.

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The other wing of this paper concentrates on providing for every section and age range of our citizens first class facilities. As some of you know, for some years I have judged that the 30,000 people from 50yrs to 90yrs who largely do not use their muscles for strenuous exercise, have been under allocated Leisure resources. ( See the statistical tables). The loss of a Theatre would be a very heavy blow. In the past I have calculated that over 10,000 who live in Taunton Deane regard the Brewhouse as part of their life, whether one or twice a year, or more frequently. Hundreds of our young people tread that stage, many have continued their career in the entertainment industry. It would be a serious blow if we turned off that tap.

There is an expression ‘ Think the unthinkable’  
My fellow councillors I hope it would be unthinkable for both economic and leisure provision reasons to reject the recommendations of my Task & Finish Group.

John Meikle . Chairman

## **Acknowledgements**

**John Buckley**

Financial Director – The Brewhouse

**Paul Birch**

Chairman of the Brewhouse

**Richard Gould**

Vice Chairman of the Brewhouse

**Ian Franklin**

Project Taunton

## **Background to the Review**

### **Why do a review on this subject?**

This Task and Finish Group was set up to seek a solution to bridge the Brewhouse Theatres's large budget gap.

The Brewhouse Theatre is a purpose built building situated in the Coal Orchard in Taunton's Town Centre. It opened in March 1977 and currently comprises a 350 seat theatre, gallery and visual art exhibition spaces and a studio, as well as conference and meeting facilities. The Brewhouse also has a bar and café.

It is considered that the Brewhouse along with the County Cricket Club and the Racecourse are key icons within 'Project Taunton' involving hundreds of millions of pounds, and attracting 20,000 extra jobs.

At the outset the Brewhouse was run and staffed by a director, two staff and 400 local volunteers. Overheads were therefore considerably less than they are today and the need for Local Authority funding was not as essential to the running of the Brewhouse then.

Over the years the volunteer workforce has been replaced to a considerable extent by employees of the Brewhouse. Staffing costs have therefore risen considerably. Over the years the grants received by the Brewhouse from the Council amongst others have failed to take into account not only levels of inflation, but the replacement of volunteers by paid staff.

During 2004 Local Authority funding was reduced from £200,000 per annum to the present £152,000 per annum; a reduction of almost £50,000 making Taunton Deane one of the lowest contributors to theatres in comparison with a family of other Councils. The Arts Council withdrawing its £85,000 grant despite the Brewhouse making every effort to put on shows and exhibitions which complied with the Arts Council Criteria has made continuation impossible. This emergency now has to be faced within days by Deane Councillors.

The Brewhouse has a substantial and serious budget gap. Without additional funding it will not be able to bridge this through budget reviews and cutbacks alone. The Brewhouse Trustees have undertaken to substantially cut costs.

## **Membership of the Review**

Councillor John Meikle (Chairman)  
Councillor Anthony Beaven  
Councillor Mrs Gloria Copley  
Councillor Mrs Joanna Lewin-Harris  
Councillor Miss Louise James  
Councillor Mrs Mary Whitmarsh

## **Terms of Reference**

This Review is subject to the following terms of reference:

- To recommend a sustainable future for the Brewhouse Theatre, with the role of amateur companies explored as one of the issues.

## **Definitions and Abbreviations**

### **The Arts Council**

The Arts Council is the national development agency for the arts in England, distributing public money from the Government and the National Lottery.

### **Sustain Fund**

A pot of £40m which has been made available to arts organizations hit by the recession to be distributed by the Arts Council.

### **Grant for the Arts**

Grants for the arts are for individuals, arts organisations and other people who use the arts in their work. They are for activities carried out over a set period and which engage people in England in arts activities, and help artists and arts organisations in England carry out their work. Grants for the Arts is funded by the National Lottery.

## Evidence Taken, Key Findings and Recommendations

### Why is the Brewhouse Theatre operating at a loss?

- A 350 seat theatre will never be able to sustain itself or break even. 350 seats do not make a viable theatre and even larger theatres require subsidies to survive. However the Brewhouse does attract audiences from Exeter and Bristol lifting Taunton's profile.
- In recent years the Brewhouse has been running a series of programmes in an effort to comply with the Arts Council requirements and secure funding. The Arts Council funding has now been withdrawn. In fact the theatre did not break even 5 years ago when it had Arts Council funding. The Brewhouse will still require subsidies to break even with a more traditional programme line up.
- The Brewhouse want to attract larger audiences, but it is costly to put on shows. The theatre cannot afford high levels of risk as there is no contingency to cover losses.
- The use of the conference facilities has been affected by poor catering as well as the Arts Council's requirement to keep the rooms free.
- The dream of securing sponsorship last year was not realised.
- The Brewhouse has been trying to deliver to two separate audiences driven by the Arts Council and popularity.

### Some Perspectives in considering funding to the Brewhouse.

Taunton, in comparison with some other Local Authorities, has a very low level of support for the Arts. Currently Taunton Deane provides the Brewhouse with an annual grant of £152,000. This compares unfavourably with grants provided by some other local Authorities:

Barnet - £371,000  
Horsham - £350,000  
Epson - £517,000  
Yeovil - £300,000 (37 week programme)

Taunton Deane's Leisure budget for this year is £2,900,000 of which only 6.9% (£200,000) is allocated to the 'arts' which includes the Brewhouse Theatre. The remainder is used to maintain Taunton's high standards of sporting facilities such as the golf course at Vivary Park, the swimming pools, football pitches and gym facilities and Blackbrook, Wellsprings and Wellington Sports Centres.

30% (30,000) of Taunton Deane's 50-80 year olds do not make use of the sporting facilities preferring instead the Library or Theatre. It is argued that the 6.9% share of the budget for Community Leisure Funds is disproportionate.

The main sports centres have approximately 200,000 visits per year. Paul Carter, the Financial Services Manager, has provided figures which give an approximation for the Leisure subsidy for each of the main facilities:

Wellsprings -	£1.30 per person
Blackbrook -	£1.30 per person
Wellington -	£1.20 per person
Vivary Golf -	£0.90 per person
Station Road Pool -	£0.60 per person
St James Street Pool -	£0.60 per person
The Brewhouse -	£1.30 per person

Since these figures were presented to the group they have been updated and are included in the Chairman's Additional Information to the report (Addendum 1)

### **Possibility of a new funding opportunity becoming available to the Brewhouse**

The Government has recently announced a £40m rescue fund for UK theatres and Councillor Horsley has been communicating with the Arts Council about the possibility of funding from this 'Sustain' pot.

If this bid is successful, shows omitted could be added back to the programme. The outcome of the bid made by the theatre is currently awaited. Although it is assumed that there will be no grant from this fund.

Correspondence between Councillor Horsley and the Arts Council is contained in Appendix A.

### **The role of volunteers at the Brewhouse**

When the Brewhouse opened it was staffed almost entirely by volunteers. However, volunteers have now been largely replaced by paid staff. It is acknowledged that in the areas of the bar and catering, due to Health and Safety Regulations, it is unlikely that these can revert to volunteer roles. However, it has been suggested that to move forward a different strategy for volunteers is needed and that the role of volunteers in the new organization will need to be reviewed. Volunteers could potentially reduce staffing costs.



## **The Amateurs and the Professionals**

The amateur groups are unhappy that they have not been given the time to prepare for their productions or been able to secure their preferred dates well in advance. The Brewhouse only charges the amateurs the cost of running the building. Therefore money is lost when the amateurs play instead of professionals. However, the amateurs are risk free whilst professional productions carry a risk to the Brewhouse.

## **The Brewhouse and Project Taunton**

The Brewhouse is very significant to the whole of Taunton's Economy and has a key role to play in Project Taunton. Project Taunton view the Brewhouse as a large part of the 'Cultural Quarter'. The loss of the Brewhouse would be disastrous to Project Taunton as it is considered fundamental to the selling power of Taunton. The Maps shown in appendices E and F demonstrate the wide geographic area in the South West from which the Brewhouse pulls its audiences.

## **The Brewhouse Budget**

The Brewhouse has been advised that if the Council is to consider increasing it's funding by £50,000, the theatre itself will need to demonstrate that it can make large savings to plug the deficit.

The Brewhouse has provided an Income and Expenditure Summary shown in confidential Appendix B. The Budget does not include depreciation figures and assumes that there will be no further assistance from the Arts Council.

The Income and Expenditure Summary shows that the year ending 31/03/2009 saw the Brewhouse making a loss. The Brewhouse did not realise expectations in income from the box office, theatre lettings, theatre memberships, learning and participation, event sponsorship or catering and the bar. They exceeded expenditure predictions in staffing costs, artistic fees, marketing and overheads.

However, the Brewhouse did make small profits with the visual arts, room hire and conferencing and confectionary sales. Additionally they also were under budget with administration costs.

The Board of Trustees of the Brewhouse recognise that if Taunton Deane agree to additional funding without the Brewhouse itself being prepared to make significant savings to its costs it will be a mere 'band aid'.

The proposed budget for the 2009/2010 year assumes that costs will remain the same as the current programme will run until 31<sup>st</sup> August 2009. From September 2009 the programme will then be restricted to lower cost, lower risk products. This revised budget still forecasts a loss.

- The Brewhouse is planning to reduce the number of shows from 30 to 20 per month.
- Income from lettings has not been increased as hoped due to the loss of use by community groups.
- There is some concern about a reduction in the quality of programmes.
- Staffing cuts would make additional savings. If the bid from the Arts Council is successful then the visual arts roles could be retained.
- Revenue from the bar and catering services needs to be increased.
- The Brewhouse accepts that the marketing budget will need to be reduced and the future approach to marketing will need to be rethought.
- All other overheads are fixed.
- The Brewhouse also recognises that there is a lack of motivation amongst staff.

However, the budget makes some assumptions:

- That an additional £50,000.00 funding from Taunton Deane will be forthcoming.
- That the Tourist Information Centre (TIC) will be re-located to the Brewhouse from September 2009 and that the TIC would run the Brewhouse Box Office which would save on staff costs. However, in the council's view To move the TIC operation to the Brewhouse would require some refurbishment and new staff. It is therefore unlikely that the TIC would be able to complete a move to the Brewhouse by September 2009, if at all.
- The Brewhouse will also require continued cash flow support.

The changes from September 2009 would make savings of 40%. However, the budget has made no allowance for increasing staff wages in line with inflation.

Somerset County Council has said that they may be prepared to increase their funding to the theatre providing that it can demonstrated that there is a sustainable future for the Brewhouse.

The Summary Income and Expenditures demonstrate how the Brewhouse will substantially reduce the budget gap. However this Task and Finish Group has questioned how robust the budget is and how removing the TIC from the forecast will affect the proposed savings. The Brewhouse has provided figures which show forecasts with and without the TIC moving their operations to the Brewhouse.

The Brewhouse has provided a narrative to accompany the 2009/2010 budget in confidential Appendix C explaining how they will be making the savings.

Appendix G is a letter and a briefing note sent by the Brewhouse to Jeremy Browne MP. It provides further useful background information to the Brewhouse's history and its current position. The Briefing addresses the current under funding position and the Brewhouse Theatre's strategic significance to Taunton and Somerset. It also includes members of the public's views on the Brewhouse with quotes taken from an on line blog.

### **Brewhouse Theatre Task and Finish Group Recommendations**

1. That the Council alters its grant to £200,000 per year. subject to the following conditions:
  - That the Section 151 Officer is satisfied with the Business Plan;
  - That the Amateur Groups have a greater involvement (including choice of theatre dates)
  - That the Trustees move towards further numbers of volunteers to assist in the reduction of staff costs; and
  - That the TIC be removed from the budget for the forthcoming year
2. That the Brewhouse Management engages and actively works with Taunton Deane to encourage and provide new links to other cultural organisations.
3. That the Board of the Brewhouse accept the re-introduction of a Taunton Deane Monitoring Panel to meet with them monthly. Such information to be effectively transmitted to all Councillors.

## Conclusions

The Brewhouse is considered essential to the future of Taunton as one of the town's biggest selling points, attracting audiences from a large geographic area.

The Brewhouse has demonstrated in the Income and Expenditure summaries that it is prepared to dramatically decrease its outgoings and make considerable savings. However, given the Brewhouse's size it will not be possible for it to remain open and make a profit without significant funding and grants from other organisations

This Task and Finish Group agree that it is important for the Brewhouse's future to be secured and recommend that the Local Authority continues to support the Brewhouse and increase funding subject to conditions.

In the words of Professor Mark Hepworth in an extract from 'Envisioning the Future of the Taunton Economy' a report commissioned by Taunton Deane Borough Council:

***'The basic point is that if the Brewhouse didn't exist, it would have to be invented! Without stable and adequate financial resources, projects to nurture and grow Taunton's creative sector cannot achieve their goals'***

## Appendix A

- **Email from Chris Humphreys sent on 27<sup>th</sup> April 2009 at 15.06**

*“Dear Cllr Horsley*

*As I explained this morning we strongly support the work of the Brewhouse and in particular the approach Robert has been taking in developing audiences and increasing the quality of the programme. This is borne out by a series of successful 'Grants for the arts awards' from the Arts Council to enable the Brewhouse to take forward a range of project initiatives.*

*We are though not in position to provide a contribution to the immediate core costs required to offset the current deficit. And I believe I made our views clear in terms of the long term and wider economic scenarios. Having said that we do recognise the strategic importance of the Brewhouse to both Taunton and the wider Somerset arts infrastructure and hope that both Taunton Deane and the County Council will be in a position to respond positively.*

*We will continue to provide advice and support to the Brewhouse, by dealing as quickly as we can with a further Grants for the arts application and considering the viability of a bid to the new Sustain programme.*

*In the meantime if you require any further information or details around our financial investment and future opportunities please let me know.*

*With best wishes.*

*Chris Humphrey*

*Executive Director*

*Arts Council England, South West”*

- **Email from Cllr Horsely sent on 28<sup>th</sup> April 2009 at 09.20**

*“Dear Chris Humphrey,*

*Thank you for your prompt response to my request to set down briefly the position of the Arts Council vis-à-vis the Brewhouse.*

*I have promised that Taunton Deane BC will seriously consider contributing towards helping the removal of the deficit a package for the long term sustainability of the Brewhouse if 4 Conditions are met:-*

*a) the Brewhouse accepts that it has to adopt a more commercial outlook towards its programming in the short term and take whatever steps are necessary to cut some of its costs b) there is a likelihood of support for this package from our County Council colleagues c) we will get your help in putting together a bid under the newly announced Sustain measures to the Arts Council and d) the trustees in partnership with other stakeholders work towards a long term plan to remove the structural problems the Brewhouse venue suffers from in terms of its size and economic viability.*

*It's a tall order. We note that there is little likelihood of the Brewhouse regaining its RFO status with the Arts Council and in the current economic climate there can be no promise of future funding from them.*

*Having said that I hope that yesterday's meeting indicated that there is a political will towards unravelling this huge crisis even if it is going to take several weeks to put together all the pieces of the jigsaw.*

*My interpretation of what I read on the website about Sustain is that it has been set up for just the type of distress situation the Brewhouse finds itself in. Like all plans there is always going to be risks in their implementation and we are unlikely to be able to dot all the "i"s and dot all the "t"s before 27 May but I sincerely believe we are laying the foundations for the Brewhouse to meet the long term requirements of both the local community and the kind of targets the Arts Council has in mind. That is why your support for putting together our bid for Sustain is so important.*

*In light of the frankness of the discussions and the imminence of the deadlines, I am arranging with my shadow counterpart to have a cross party meeting with the trustees to specify where our energy should be spent over the next few critical days. I think the trustees will still have a very difficult decision to make on 27 May about whether to continue or not.*

*We cannot imagine the Brewhouse closing and I don't believe the trustees can either. Could you possibly speculate on how the Arts Council will react if the trustees decide to revert to the "volunteer" type of delivering services - some form of Plan B which we mentioned yesterday?*

*I might say both my colleague John Meikle and I will have difficult tasks ahead to persuade our colleagues on TDBC to agree to this but that is what political leadership is about!*

*Yours sincerely,*

*Jefferson Horsley*

- **Email from Chris Humphreys sent 28<sup>th</sup> April 2009 at 12.00**

“ Dear Jefferson

Thanks for this and the clarity on the approach you are planning to take. You have asked two specific questions which I shall answer as best I can.

In terms of the Sustain programme - as we discussed this has just been announced and won't be launched until 1 June. There are very clear criteria for the use of the funding and the overall package is fixed for the period 2009-11. Whilst all the applications will be approved nationally we are expected to advise and discuss potential applications from the region. On that basis I can confirm that we would want to discuss further with the Brewhouse the potential for making an application and how we can support them in the process.

Your second question is more complex. We were clear at the point the Brewhouse ceased being a 'Regularly Funded Organisation' that our concerns were primarily around the artistic programme. As we discussed yesterday the quality and range of the programme has increased significantly since then and we have been pleased to further support the work via our Lottery funds. If this approach to the programme changed, perhaps via the Plan B model, then clearly it would have an impact on our view in terms of further potential support. This is a difficult area as clearly the trustees need to be mindful of their responsibility for the operation of the building, but I would certainly encourage a further conversation on the implications if a return to the 'volunteer' type of delivery is to be considered.

I hope these comments are helpful. Again returning to yesterday's meeting, we are fully supportive of the Brewhouse programme and hope that we can work with you and the County Council in finding a way forward. Do please let me know if we can be of further assistance.

All the best.

Chris.

Jeremy Browne  
Masons House  
Magdalene Street  
Taunton  
TAI ISG

8<sup>th</sup> April 2009

Dear Jeremy,

### **The Brewhouse Theatre & Arts Centre**

Following our meeting last Friday, attached is the briefing note on the Brewhouse that I promised to provide.

You asked us to suggest people to get in touch with using this information. Our thoughts are that it would be useful for it to be seen by DCMS and that would be Andy Burnham, Barbara Follett and Gerry Sutcliffe. It would also be useful for Arts Council England to see it and our suggestion would be the Chair, Dame Liz Forgan and possibly the Chief Executive, Alan Davey.

One of the things I've found encouraging in putting this note together is the huge level of support from our stakeholders. To quote just a couple of examples:

"The continuing existence of the Brewhouse is critical for the town of Taunton within its emerging role for the South West as identified in the Regional Spatial Strategy". "Indeed without a vibrant cultural offer within the town centre it is our belief that we will be seriously hampered from delivering the economic growth to match the amount of housing growth that is planned". Strategic Director, Taunton Deane Borough Council

"This theatre is Taunton's cultural heart. It is the one place which cuts across cultural barriers to involve people of all ages and backgrounds" – a customer commenting on Lyn Gardner's blog.

Thank you for your help in this and we look forward to seeing how things develop from here.

Yours sincerely,

Paul Birch

Chairman of the Board of Trustees  
The Brewhouse Theatre & Arts Centre



***The Brewhouse has been underfunded since it opened***

The Brewhouse Theatre & Arts Centre was originally opened in 1977, created by the people of Taunton through public appeal. When it initially opened it had one full time staff member and 400 volunteers. Since then the demands of audiences, hygiene regulations and health and safety regulations have meant that more people are employed and there are few volunteers. Funding for the Brewhouse was originally low and changes in funding tend to be increments on a previous position. This has led to a shortage of funding throughout the life of the building. Typically this has manifested through the Brewhouse subsidising a deficit from forward sales and then, every three or four years, running out of money and having a funding crisis. Attached as Appendix 1 are a few emails from previous Directors of the Brewhouse giving a little detail to some of this history.

***We are suffering from cuts to previous funding***

In 2005/06 we received £317,000 of funding. However, stakeholders, particularly Arts Council England – South West, (ACESW) saw the programme as entertainment rather than culture, and withdrew their Regularly Funded Organisation (RFO) grant. RFO is core funding that delivers to the bottom line of the organisation. ACESW also have a scheme called Grants for the Arts (G4A) that is project funding and requires project work to be undertaken. At this time Taunton Deane also cut their grant by £30,000 in the first year and planned a cut of £15,000 the following year. The £15,000 cut wasn't implemented and is likely to be frozen at this sum for the foreseeable future. Moreover, there is little likelihood of obtaining further funding from the local authorities without a partnership/matching scheme being agreed.

Following the funding cuts the Trustees appointed Robert Miles in late 2005 as Director/CEO to diversify the programme, appeal to a wider cross section of the community and to place culture at the heart of Taunton's role in Somerset. As well as delivering to the Local Area Agreements (LAAs) for the Local Authorities the Brewhouse was seen as a potentially key driver to economic development in the region.

This coming year we have funding of £152,000 from Taunton Deane and £27,000 from Somerset County Council. We still have no RFO funding from ACESW and their RFO resources are committed for the next two years. This means that 64% of our costs will be met by our trading activity, 15% by Local Authority grants, 2% by sponsorship and 19% will not be met. This 19% is £217,000. Whilst we are developing plans to find other sources of income and will be able to cut our costs this level of deficit is insurmountable. We are applying for G4A funding but this is for specific project work rather than core funding and is also far from guaranteed.

***Taunton is strategically significant to the Somerset and the South West***

To quote from the Project Taunton note (attached as Appendix 2):

“Taunton is one of the region's 8 priority places. Its economy is of significance beyond its administrative boundary and has the potential to influence and accommodate sub-regional growth.

It is a National Growth Point and a Strategically Significant City or Town within the region. It is one of the key towns within the M5 functional zone.

It is the regional pilot for Living Places, is committed to delivering great places in which to live and work, has adopted Building for Life. It has developed the award winning Taunton Protocol for sustainable development; acknowledged as one of the most ambitious and comprehensive documents of its kind nationally, setting standards ahead of those in both the so-called Regional Spatial Strategy (RSS) and the Government's own Eco-Towns prospectus."

***The Brewhouse is strategically significant to Taunton and Somerset***

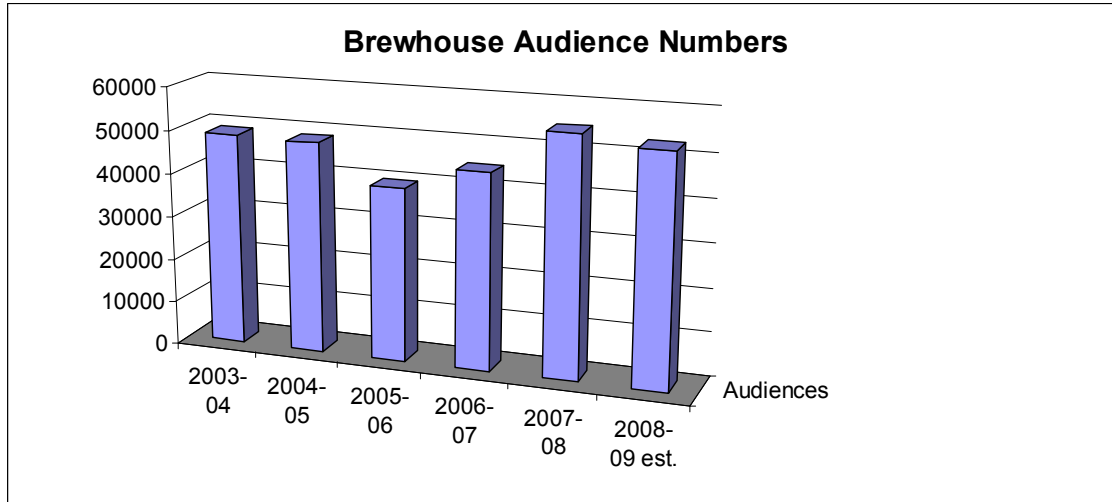
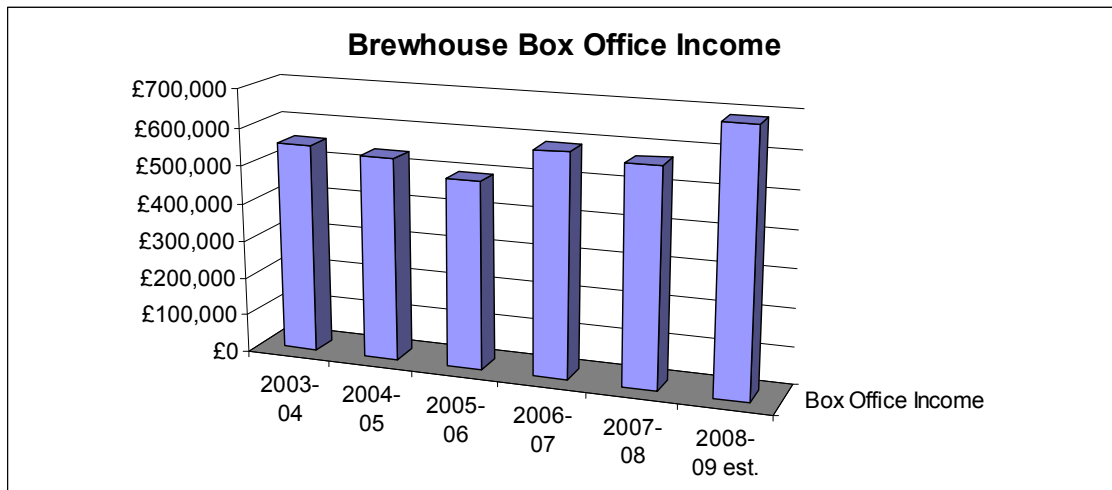
Project Taunton promises extensive regeneration of the town, set to make Taunton the centre for sustainable and prosperous living in the South West. The river frontage outside the Brewhouse is due for a significant make-over and the area between the building and the County Cricket Ground is to be developed as Somerset Square. An extended and improved theatre and arts centre is part of the longer term plans, and growing the organisation and the audiences to deliver this was embedded in the new business plans of The Brewhouse from 2006. A letter from the Strategic Director of Taunton Deane says, "The continuing existence of the Brewhouse is critical for the town of Taunton within its emerging role for the South West as identified in the Regional Spatial Strategy". Later it says, "Indeed without a vibrant cultural offer within the town centre it is our belief that we will be seriously hampered from delivering the economic growth to match the amount of housing growth that is planned". The full text of the letter is attached as Appendix 3.

***We are recognised as succeeding***

In rising to these challenges and opportunities over the last three years The Brewhouse has become recognised as offering a diverse, challenging and culturally rich programme. Box Office income has grown from £586,000 in 2005/06 to a forecast of £687,000 in 2008/09 – an increase of 39%. Audience numbers have grown from 39,751 in 2005/06 to a forecast of 52,757 in 2008-09 – an increase of 33%.

	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09 est.
Audiences	48,913	48,477	39,751	44,833	54,989	52,757
Box Office Income	£552,000	£535,000	£494,000	£587,000	£571,000	£687,000

See over for charts.



***We are delivering for our stakeholders***

The Brewhouse has focused its delivery on industry best practice, offering cultural accessibility for the whole community and also delivering on many Local Authority Agreement (LAA) targets for our stakeholders such as:-

- Children and young people
- Healthier communities
- Older people
- Economic development and enterprise
- Safer communities
- Stronger communities

Our Local Authority funding is linked to our delivery of Service Level Agreements (SLAs) that, in turn, are linked directly to their LAAs.

Beyond our funders we also deliver to the wider community. In a recent article and on-line blog Lyn Gardner, the Theatre Correspondent for The Guardian, reported on the current plight of The Brewhouse. The blog gives a national perspective on the current situation and is well worth reading. There have so far been 52 comments on the blog. These are hugely supportive of The Brewhouse and give a 'vox pop' snapshot of some of our stakeholders. The full comments can be seen on the blog:

<http://www.guardian.co.uk/stage/theatreblog/2009/apr/02/theatre>

Here are a few selected quotes:

"I have a vested interest in its survival because I owe the Brewhouse a huge debt. I have a disabled daughter who has, over the years, been involved in numerous creative projects there, including a life-changing writing course. For people like her, this theatre provides the opportunity to see a huge range of different theatrical events - venues in Bristol or Bath are outside our reach, they are not an option for us. The fact that my daughter is now studying Performance Art at college is largely down to many years of treating the Brewhouse as home.

This theatre is Taunton's cultural heart. It is the one place which cuts across cultural barriers to involve people of all ages and backgrounds. It provides access to everything from classical music to jazz and rock, mainstream theatre to experimental events - not to mention a mind-expanding exhibition space. We do not live in a city with a large variety of theatrical spaces; if we lose the Brewhouse, we lose it all. It would be a tragedy if the hard work the management team have put in over the last couple of years goes to waste."

"Time for a comment from a punter. Lyn, so glad you loved the knee trembling No Fit State's Tabu this week - well, we were lucky enough to see it last summer - yep, that's nearly nine months ago. In fact, I saw it twice. Once because Robert had already brought them to us the previous year and once seen, forever smitten (No Fit State, that is....). And twice because I realised that this was something my 13 year old, typically cynical son might actually like. Watching his mouth hang open in astonish awe for the 90 minute duration of the piece was worth its weight in gold. No, priceless, actually. And as for the Summer Set show you mention, a piece in which Somerset people told stories about their lives, loves, passions, this very seasoned theatre goer cried her eyes out. Why? Because as a lifelong resident of Somerset, I was, simply and sweetly, being given back something precious - deep love of this place and its people and our stories. I could go on, And on. But it is enough to say that I have known this organisation very well indeed for over twenty years, in all its creative ups and downs; that I feel deeply privileged to have The Best of performing and visual arts on my doorstep, and that no mourning could ever sufficiently mark the Brewhouse's loss. So please please please, all powers that be, act together to make sure that this punter continues to have the opportunity to wonder, to delight, to laugh - and to cry."

"The Brewhouse is an important part of Somerset's cultural landscape and has a programme that appeals to a variety of tastes, including a programme of public workshops. The sexy stuff happens on the stage but the education stuff is a crucial investment for the future. Like many arts organisations based in the provinces, particularly those in rural areas, The Brewhouse exists on a shoestring. It is remarkable that it can achieve so much on so little. It seems unthinkable that the venue should be under serious threat of closure. Surely the key stakeholders and investors in the venue must realise their responsibility to the public in this very sorry affair."

There are many, many more like this.

***We deliver to the local economy***

In 2004 Arts Council England calculated the Brewhouse’s contribution to the local economy as £3.8m p.a., allowing for inflation and not allowing for any improvement in our performance that would now be £4.4m. That is a return of over 1,000% on our funding requirement and over 2,000% on the funding we actually receive.

The arguments for culture as a driver for economic development are well known through the work of Professor Richard Florida in the USA and Demos in the UK. In a letter from Project Taunton it is expressed in this way, “When deciding to invest these amounts of money in any place, but especially a relatively small place like Taunton, any potential developer, whether commercial or residential, will look not just at the demographics and general economic profile, but will also look at the extent and quality of a range of complementary and existing or planned facilities; including the sporting and cultural offer”. (See Appendix 2 for the full text which has some very useful background on Project Taunton and on the strategic position of Taunton).

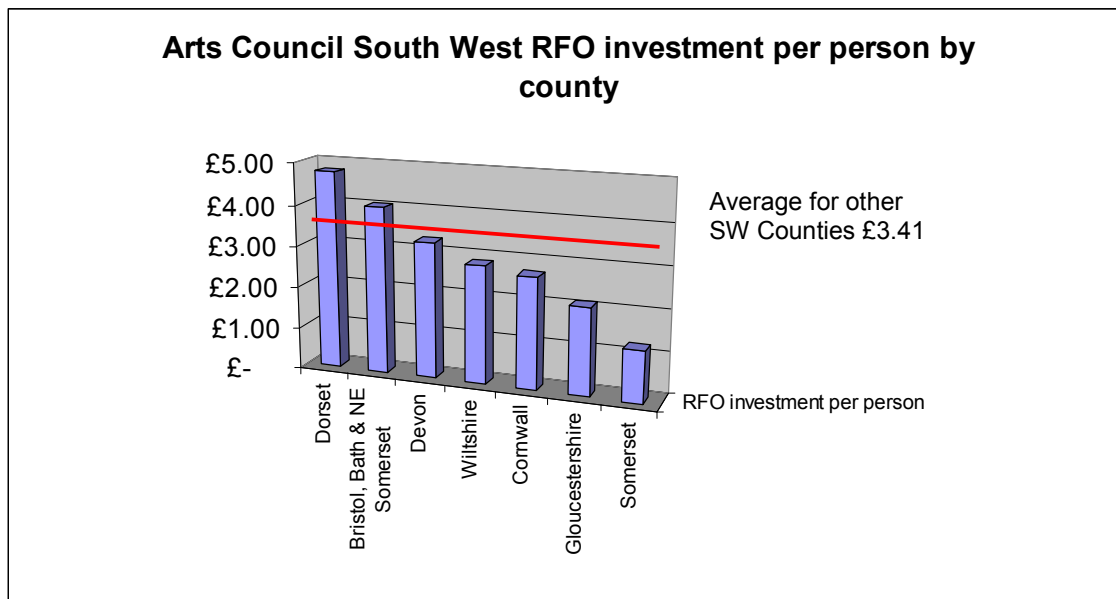
***We are underfunded relative to other theatres and other counties***

The Brewhouse is historically underfunded. In general, the fewer seats a theatre has the harder it is for it to earn money and the greater its need for funding. Below are a few theatres with an indication of their funding.

<b>Theatre</b>	<b>Seats</b>	<b>Funding</b>
The Brewhouse	352	£179,000 (plus £85,000 project funding) (£152k Taunton Deane Borough Council, £27K Somerset County Council, £85K Arts Council G4A)
Artsdepot, Barnet	400	£371,000 (Barnet Borough Council)
Capitol Arts Venue, Horsham	423	£350,000 (Horsham District Council)
South Hill Park Arts Centre, Bracknell	328	£748,000 (Arts Council, Bracknell Forest BC, Bracknell Town Council, corporate sponsors)
Epsom Playhouse	406	£517,000 (Epsom and Ewell Borough Council)
The Octagon, Yeovil	626	£300,000 (South Somerset District Council)
The Northcott, Exeter	433	£861,000 (£546,000 Arts Council, £184,000 University of Exeter, £85,000 Exeter City Council, £45,000 Devon County Council)

Somerset receives less RFO funding from Arts Council England than any other county in the South West. We receive £1.25 RFO funding per person in Somerset whereas the other counties in the South West average £3.41 per person. The chart below shows this disparity.

County	RFO Funding 2009/10	Population	RFO investment per person
Dorset	£3,386,288	708,100	£4.78
Bristol, Bath & NE Somerset, South Glos.	£4,258,182	1,055,900	£4.03
Devon	£3,725,585	1,135,000	£3.28
Wiltshire	£1,829,176	642,100	£2.85
Cornwall	£1,434,644	531,700	£2.70
Gloucestershire	£1,232,954	582,600	£2.12
Somerset	£653,948	522,800	£1.25



***Without additional funding we are about to close***

The trustees are fast approaching a position where, if no more funding is forthcoming, they will have no option but to instruct the executive to cease trading. A decision at the May Board meeting would mean a planned closure could be managed at the end of the summer season so no shows would be cancelled.

Paul Birch  
8<sup>th</sup> April 2009

## Appendix I – Emails from previous Directors

### **John C. Struthers**

*Director of the Brewhouse from May 1983 to April 1987*

*Consultant Director for 10 months during 1997 following the departure of Colin Blumeneau.*

I was therefore running the Theatre on its 10<sup>th</sup> and 20th Anniversary and have an Honorary Life Subscription as a Gold Friend

During my first period as Director the Brewhouse was staffed by several hundred volunteers. The Catering and Bar produced a significant profit as time to run them and food to sell were donated. This was time before the Theatre Royal in Plymouth and the Hall for Cornwall, so the Brewhouse was in effect the largest touring venue after Bristol. This enabled the Theatre to take pre west end shows, and slots from the bigger subsidised companies like Oxford Playhouse at reduced rates. These shows turned over considerable sums and this added to the Bar and Catering profit allowed the Theatre to self subsidise the more interesting work. Despite this South West Arts had to considerably increase its input for the venture to remain solvent

Ten years later the picture had changed, there were fewer volunteers and legislation had forced the professional management of the Bar and Catering operation, the public expectations had also changed, they expected a professional approach from all areas of the theatre and were not prepared to make allowances for volunteers. There was also more competition and the Brewhouse could no longer afford to promote the scale of work that it had in the past. The funding crisis at this stage was averted at the last minute through cost cutting, redundancies and increased support from the Arts Council, Somerset County Council and Taunton Deane. Given the recent expansion following the first lottery build I had grave concerns at the time that this hard fought rescue would in fact provide a long term solution.

Now following years of decline the theatre programme is fresh and exciting, the theatre has reacted to changing times and reinvented itself as a centre for the contemporary arts. The Brewhouse has long been the heart of Taunton and is the premiere venue for Somerset; its self subsidised voluntary past was admirable a quarter of a century ago, to survive a realistic funding structure has to be introduced.

### **Sue Kay**

*Director 1987-1989*

I remember the funding situation as essentially hand to mouth and rather precarious. This meant that even with ingenious use of resources and (at that time) heavy reliance on volunteers, the type, range and quality of work we were able to promote and the communities we were able to reach felt correspondingly constrained.

### **Rick Bond**

*Director 1989-1993*

I served as Director of The Brewhouse Theatre & Arts Centre from 1989 to 1993, leaving to become director of The Queen's Theatre, Barnstaple, a 688-seat theatre.

Finances then, as now, were always on a knife edge as we struggled to promote an inclusive programme that supported TDBC's corporate objectives. At best we received inflationary increases in our grant, while continually being promised a "the proper increase we deserved" the following year – which always failed to materialise.

At the time I felt that a more sustainable option would have been to increase the size of the auditorium and enjoy the associated revenue benefits rather than continue to rely on TDBC investment.

However, the, then, leadership at TDBC did not feel that a larger auditorium would have been viable, but without any additional revenue investment from them it was clear that The Brewhouse's future would become increasingly unsustainable.

In Barnstaple, a town with a population of just 26,000 and with less than 50,000 people living within 15 minutes drive from the theatre (and no adequate parking when they got there), we averaged ticket sales of 85-90,000 per annum with fewer performances than in Taunton. We achieved this while maintaining an artistic programme very similar to the one I'd promoted at The Brewhouse. North Devon District Council, a much smaller authority than TDBC provided our only grant, in the region of £150,000 (this was 1993) which represented 18% of our turnover.

With a capacity of just 352 The Brewhouse simply does not have the capacity to trade its way out of difficulty. In the 1980s and 1990s, the Theatre enjoyed healthy profits from its catering and bar operations which, until the advent of hygiene and health and safety regulations allowed them to be staffed on voluntary basis. I would imagine that legislation and the appearance of competing cafes in the vicinity have curtailed this revenue stream somewhat, putting even more pressure on your financial viability.

As a theatre consultant I now work with venues across the UK and, now have an objective view on the needs of the theatre for financial support. TDBC is getting exceptional value for money. Last year I undertook an organisational review of The Playhouse Theatre in Weston-super-Mare. It has 120 more seats than The Brewhouse and an unashamedly commercial diet of comedians, tribute bands, films and other popular entertainment. No education programmes, no gallery and no artistic productions. Even so, it still requires support in the region of £150,000 from North Somerset Council which it feels represents extremely good value for money.

I remember my Chair once addressing an AGM, saying that, in The Brewhouse, TDBC were getting an Asprey's diamond at Ratners' prices – a sentiment which a review of your programme is as, if not even more appropriate today.

I hope therefore that TDBC finally appreciates just what an important facility it has in its midst before it is too late to save it.



Appendix 2 – Letter from Project Taunton



Paul Birch  
Chair of Trustees  
Brewhouse Theatre  
Taunton

7 April 2009

Dear Paul,

I've jotted down below some thoughts on the growth of Taunton in general, where we are with the delivery of Project Taunton in particular and the critical importance of a quality cultural offer to achieving both. I hope this serves as useful background information in your briefing meeting with Jeremy.

#### 1. Taunton—Local and Strategic Context

Taunton is the county town of Somerset with a current population of about 63,000. It is the principal administrative, economic, cultural and retail centre in the county, as well as being a focus for many other services; including healthcare, education and leisure.

Taunton has a large retail catchment population of about 350,000, including much of Somerset and parts of north and east Devon. It's catchment for culture is much larger; perhaps as large as about 1,000,000. The town is located at the geographic centre of the region, astride the strategic road and rail routes to and from the South West. It is at the heart of an extensive network of local and sub-regional bus services and is a hub within both regional and national transport networks.

It aims to set exemplary standards of quality, design and sustainability in its ambitious growth and regeneration proposals; known locally as 'Project Taunton' (see [www.projecttaunton.co.uk](http://www.projecttaunton.co.uk)). The community has embraced the need for a step change in growth, and strong delivery partnerships have been developed involving both the public and private sectors.

Taunton is one of the region's 8 priority places. Its economy is of significance beyond its administrative boundary and has the potential to influence and accommodate sub-regional growth.

It is a National Growth Point and a Strategically Significant City or Town within the region. It is one of the key towns within the M5 functional zone.

It is the regional pilot for Living Places, is committed to delivering great places in which to live and work, has adopted Building For Life. It has developed the award winning Taunton Protocol for sustainable development; acknowledged as one of the most ambitious and comprehensive documents of its kind nationally, setting standards ahead of those contained in both the so-called Regional Spatial Strategy (RSS) and the Government's own Eco-Towns prospectus.

## **2. Potential for Growth**

Taunton has adopted a sustainable and sequential approach to the delivery of housing and economic growth, together with the other facilities, such as culture, essential to complement and support that growth.

Its first priority is to regenerate the town centre. The second priority is to maximise the potential of previously developed land within the urban area in locations such as Norton Fitzwarren. The third priority is to create sustainable new communities in mixed-use urban extensions in public transport corridors, such as at Monkton Heathfield.

The RSS Proposed Changes increases the Taunton growth requirement to 18,000 dwellings and 16,500 jobs.

A large proportion of additional jobs will need to be met on sites outside of the existing urban centre; some on existing allocations, some on the new employment land to be allocated within the mixed use urban extensions and, potentially, some on a new and larger allocation to be made having regard to Taunton's role as a priority place and its strategic role and location within the sub-region.

The town's first priority, the urban renaissance of the town centre as set out in the RTP1 award winning masterplan and the adopted Taunton Town Centre Area Action Plan, is being delivered through Project Taunton. Providing high quality, mixed use exemplars of sustainable development, the 50 hectares of previously developed town centre land will deliver a total of 7,000 jobs, 2,200 dwellings, 80,000 sq m of office space, 50,000 sq m of retail and leisure space, new and improved public realm, public access and transport measures; together with upgraded sporting, cultural and arts facilities.

Key sites include Firepool, a 7 hectare riverside site predominantly in public ownership, adjacent to the mainline railway station and within easy walking distance of other town centre amenities and facilities. It offers scope to deliver up to 4,500 new jobs within an exceptionally sustainable development of regional significance and providing around 50,000 sq m of office space, 500 dwellings, 8,000 sq m of retail and leisure space, together with new healthcare facilities.

## **3. The Role of Culture in the Delivery of Growth**

Much has been written more widely about the role of culture in supporting and enhancing community cohesion and well being.

What is often less well understood is the role of culture in supporting the delivery of large-scale urban regeneration projects.

In the case of Project Taunton, the scale of private investment involved in the delivery of the town-centre proposals described above is well in excess of £1 billion at today's costs/values. Around £300 million each in the case of both Firepool and the town centre retail schemes for instance.

When deciding to invest these amounts of money in any place, but especially a relatively small place like Taunton, any potential developer, whether commercial or residential, will look not just at the demographics and general economic profile, but will also look at the extent and quality of a range of complementary and existing or planned facilities; including the sporting and cultural offer.

Similarly, potential occupiers and inward investors will look, both at a corporate and individual level, at the same factors; as well as the range and quality of the retail, employment, housing, healthcare and educational facilities, etc.

When the proposals which underpinned the then 'Taunton Vision' were first discussed and developed, the importance of the cultural offer in general and the need for a quality space for the performing and visual arts in particular was highlighted.

Specifically, the need for a new and improved facility was identified and a whole section in the adopted Urban Design Framework was dedicated to ideas for a 'new theatre'.

Whilst thinking on how and where this facility might be delivered has evolved over the last few years, the priority attached to it and the importance of it in delivering 'rounded' regeneration and attracting large-scale external investment has not.....it is absolutely central to the successful and comprehensive delivery of Project Taunton.

Without it, the chances of delivery are reduced, potentially even prejudiced; particularly in a more difficult and competitive economic environment where all investment decisions are subject to increased scrutiny and challenge.

#### 4. Programme of Delivery

During the next 12 months, some key milestones in the delivery of Project Taunton will include:

Milestone	Timescale
• Firepool--announcement of delivery partner	2 weeks
• Firepool--start on site with demolition of existing buildings	3 months
• Firepool--start on-site infrastructure	9 months
• Firepool--establishment of National Skills Academy	9 months
• Cricket Club--completion of phase 1	5 months
• Cricket Club--completion of phase 2	5 months
• Cricket Club--submission of plans for phase 3	Now
• Somerset Square--completion of new public realm	5 months
• Brewhouse--completion of frontage works/improvements	5 months
• Castle/Museum—start on site with refurbishment, etc	Now
• Castle Green--start on site with new public realm, etc	6 months
• Third Way Road--start on site	3 months
• High Street retail scheme--developer agreement	3 months

Project Taunton has an enviable track record of proven delivery. Private and public partners have worked together to realize achievements to date and the value of that shared investment currently exceeds £125m—despite an increasingly difficult economic climate.

The continued delivery of Project Taunton is not in doubt, but a quality cultural offer is an important component of the overall 'package' and we would hope that everything reasonably possible can and will be done by all relevant partners to safeguard the future of the Brewhouse as a core component of that offer.

  
 Mark Green  
 Project Manager

Appendix 3 – Letter from Taunton Deane Borough Council



Joy Wishlade  
Strategic Director

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email: [j.wishlade@tauntondeane.gov.uk](mailto:j.wishlade@tauntondeane.gov.uk)

Our Ref: JW/EF  
Your Ref:

6 April 2009

Paul Birch  
Chair of Trustees  
Brewhouse Theatre  
TAUNTON  
Somerset

Dear Paul

The continuing of the existence of the Brewhouse is critical for the town of Taunton within its emerging role for the South West as identified in the Regional Spatial Strategy.

This not only means that it will accommodate 20,000 new homes before 2026 but will also provide the jobs and community facilities that the size of such a town will require. Indeed the Arts Council for the South West has recognized the importance of cultural development occurring alongside growth in the community by identifying Taunton as the South West pilot for the government's Living Places programme. Taunton has also been identified by Culture South West as a Priority Area for Culture. The local regeneration programme for Taunton, Project Taunton, which grew from a vision created through wide public consultation, has held the development of culture as a key to wider regeneration since its inception.

Our Corporate Strategy repeats our commitment to the Brewhouse and our view that it is critical in achieving our ambition for the growth of the town and its economy. It states that Taunton Deane will continue to support the Board of Trustees of the Brewhouse Theatre and Arts Centre to position the Brewhouse as a Regional Hub for performance and visual arts within the extended and reinvigorated Cultural Quarter of Taunton. Indeed without a vibrant cultural offer within the town centre it is our belief that we will be seriously hampered from delivering the economic growth to match the amount of housing growth that is planned. The continuation of the Brewhouse is therefore crucial for the future of the Borough.

As you are aware the Borough Council is already the largest external funder of the theatre and we join with you in requesting other public bodies consider similar levels of support.

Yours sincerely

A handwritten signature in black ink that reads 'Joy Wishlade'.

JOY WISHLADE  
Strategic Director

# Addendum 1

**Some perspectives in considering funding to the Brewhouse.**

**\*\*\*(Chairman’s insert of statistical information and comment)**

Taunton, in comparison with some other Local Authorities, has a very low level of support for the Arts. Currently Taunton Deane provides the Brewhouse with an annual grant of £152,000.00. This compares unfavourably with grants provided by some other local Authorities:

- Barnet - £371,000.00
- Horsham - £350,000.00
- Epson - £517,000.00
- Yeovil - £300,000.00 (37 week programme)

Taunton Deane’s Leisure budget to serve 100,000 population for this year is £2,696,160.of which only £90 is listed for leisure grants ! In the Economic budget, £152,000 Brewhouse. another grant £30,000. All of this adds up to £182,000. 7% The remaining £2,416051 is used to maintain Taunton’s high standards of sporting facilities such as the golf course at Vivary Park,other Parks, the swimming pools, football pitches and Gym facilities and Blackbrook and Wellsprings. Potentially this generous sum serves approx 50,000 people 9 who like physical leisure activities.

Now for the 30,000 50yr -90yr olds in Taunton Deane Most do not make use of the physical facilities, possibly preferring instead, the Library, Theatre, and musical performances. Statistically it illuminates a ratio (which possibly another Task & Finish Group should study). Share of Leisure funds 50-90 yr olds should be £808k, (Actual £6,each) . The 50% Physical Leisure £1348k (£27 each) . Adding £50,000 grant changes £6 into £7.7.

Site	This Year Total	Last Year Total	Increase / Decrease %
<b>St James</b>	136,315	129,268	5%
<b>Station Road</b>	156,891	163,279	-4%
<b>Wellington</b>	225,083	237,117	-5%
<b>Blackbrook</b>	152,255	156,401	-3%
<b>Tennis</b>	49,642	44,471	10%
<b>Vivary</b>	35,114	38,556	-10%
<b>Wellsprings</b>	216,354	222,866	-3%
<b>Development</b>	6,546	1,481	77%
<b>Total</b>	978,200	993,439	-2%
<b>Brewhouse circa</b>	120,000		

( Figures from Tone Leisure)

**Leisure Subsidy Calculations  
2009/10**

	<b>Direct Costs £</b>	<b>Mgt Fee for Trust £</b>	<b>R&amp;M allocation £</b>	<b>Total £</b>
<b>Wellsprings</b>	96,280	139,897	49,672	<b>285,850</b>
<b>Blackbrook</b>	154,400		79,657	<b>234,057</b>
<b>Vivary Golf Course</b>	17,310	25,152	8,930	<b>51,392</b>
<b>Bowls</b>	0		0	<b>0</b>
<b>Wellington Sports Centre</b>	124,640	181,105	64,304	<b>370,049</b>
<b>Station Road Pool</b>	70,730	102,773	36,491	<b>209,993</b>
<b>St James Street Pool</b>	50,290	73,073	25,945	<b>149,308</b>
<b>Brewhouse</b>				<b>£152,000</b>
	<b>513,650</b>	<b>522,000</b>	<b>265,000</b>	<b>1,300,650</b>

Figures from Paul Carter. Finance Dept.

These two tables give both perspective, and information of the average subsidy from Council Tax as each person walks through the portals of any establishment.

Average per person subsidy/

Wellsprings £1.32, Blackbrook £1.53, Vivary Golf £1.46, Wellington Sports Centre £1.64, Station Road Pool £1.28 St James St Pool £1.09  
Brewhouse £1.25.

These are the services which Council's are elected to provide.

\*\*\*\*( End of Chairman's insert)

# Taunton Deane Borough Council

**Executive – 17 June 2009**

## **Review of Parish Delegation Procedures**

### **Joint Report by the Development Manager and Legal and Democratic Services Manager**

(This matter is the responsibility of Executive Councillor Simon Coles)

**Executive Summary:** The agreements whereby eight parish/town councils determine some minor planning applications have expired. At the same time concerns have been raised in respect of both the administration and decision making procedures of the scheme. These issues need to be carefully considered and a decision made as to whether the scheme should continue or not as a result.

This matter is the responsibility of Executive Councillor Simon Coles.

#### **1. Background**

- 1.1 Taunton Deane's Parish Delegation scheme which was set up in the mid 1990s remains the only scheme of its type in the country.
- 1.2 The agreements with the eight parishes involved (Wellington, North Curry, Burrowbridge, Stoke St Mary, Milverton, Pitminster, Bishops Lydeard and Ruishton) have now expired.

#### **2.0 Relevant Issues**

- 2.1 Whilst the original motivations behind the scheme, which were to enable decision making at a very local level and to improve communication between the Borough and Parish Councils remain valid, a number of concerns and issues have been raised.
- 2.2 These include:
  - Changes to the scheme introduced in 2002 in an attempt to reduce the resource implications and speed up decision making have unfortunately led to a situation where Parish Councillors could be left in a position where they could fetter their discretion by considering applications without a planning officer being present or having all the relevant facts available. The possibility of the Parish Councils being left vulnerable to challenge is not an acceptable situation to be in.

- The operation of the scheme creates additional resource implications for the Development Management team at a time when all advice is suggesting that resources should be redirected away from minor proposals towards major developments that deliver the growth agenda.
- The operation of the scheme has an adverse impact upon performance against the relevant national indicators.
- Improvement in Information Technology means that the benefits from Parish clerks notifying neighbours of proposals no longer apply.

2.3 This matter was reported to the Planning Committee on 30 March 2009. The report which sets out the issues in more detail is attached at **Appendix A**.

2.4 Representatives from the Parishes addressed the Committee and all those who spoke said that they appreciated the scheme and wished it to continue.

2.5 Members of the Planning Committee made the following observations:

- It was wrong to have a system that applied to eight parishes only, but couldn't be extended due to resource implications. Should not have a two tier system.
- Is resource hungry, particularly when officers have to attend meetings that don't even start until 8pm.
- Concern over ability and training of Parish Councillors.
- It is an expensive scheme, and whether it continues or not, Parish Councils opinions remain important.
- Parish Councillors should not be put in a position where they may fetter their discretion.
- With budgeting constraints resources necessary to operate the scheme must be an important consideration.
- Parish Councils generally do a good job and the scheme should continue. However, many things need to be tightened up.
- It is taking 'the Deane to the people' and should continue. Whilst Planning Officers make recommendations based upon legal and planning knowledge, the Parish Councils have good basic knowledge.
- Due to changes in appeal processes Parish minutes will need to be very full. Will need to provide additional training which will only add to resource implications of the scheme.
- Training not an issue. Considers that the scheme works well and Councillors get all the information they need.

### 3.0 **Conclusion**

3.1 In light of the concerns raised by the Legal and Democratic Services Manager, if the scheme is to continue it can only practically do so if all relevant applications are considered with a full report with a Planning Officer present. To do this will mean Planning Officers attending more meetings (with associated additional costs) and will also restrict



opportunities for further improvement against the relevant national indicators.

- 3.2 The question that also needs to be asked is whether this scheme is actually providing value for money to the Taunton Deane council tax payer.
- 3.3 If the scheme is to continue the cost of supporting it (which primarily involves the cost of sending officers to meetings) should therefore be met by the Parish/Town Councils themselves.
- 3.2 The administrative procedures associated with the scheme result in additional tasks for Parish Clerks without adding value to the process and irrespective of any changes to the decision making aspects, it is suggested that the requirement for Parishes to carry out notification be deleted from the agreements.

#### 4. **Recommendations**

1. The Executive is recommended that the scheme should continue in respect of the decision making elements only, but with the cost of supporting the decision making process being met by those Parish/ Town Councils involved themselves.
2. The Executive is recommended that the agreements be amended to require those Parish/Town Councillors determining applications to undertake appropriate levels of training. The agreements should also contain additional requirements relating to minute taking and timing of meetings.

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# Appendix A

## Joint Report by Development Manager and Legal and Democratic Services Manager

### Review of Parish Delegation Procedures

**EXECUTIVE SUMMARY:** This report sets out the background to concerns raised in respect of both the administration and decision making procedures associated with the Parish Delegation scheme that Members need to take into account in advising the Executive Member in relation to the renewal of the agreements.

This matter is the responsibility of Executive Councillor Simon Coles.

#### **1. BACKGROUND**

- 1.1 The Parish delegation scheme whereby eight parish councils determine minor planning applications was introduced in the mid 1990s. It remains the only scheme of its type in the country.
- 1.2 Parishes are responsible for notifying neighbours and displaying site notices (with the exception of North Curry) as well as acting as a Planning Committee determining those applications.
- 1.3 In light of concerns relating to time taken targets and the resource implications of sending planning officers to all the Parish and Town Council meetings the scheme was revised in 2002 to allow decision making to be passed back to Taunton Deane for a decision in cases where the views of the Parish Council were in accord with those of the Planning Officer.
- 1.4 More recently concerns have been raised in relation to the implications of those 2002 changes in that it can lead to Parish Councillors considering proposals twice and therefore potentially fettering their discretion this approach has left the Parish Councils open to challenge on these determinations.
- 1.5 The Council has recently introduced a new IT back-office system (ACOLAID). One of the aims of its development has been to place the Council in a position where it could respond to the e-government agenda, and in particular explore on-line consultation. Keeping records of consultations on ACOLAID when the Parishes are carrying out the consultations already results in double handling of information and will

ultimately become more difficult if the consultation process is to be carried out electronically.

- 1.6 In addition the Householder appeal system is to change shortly and the Inspectorate will not be asking for full written statements, but will rely on Committee Reports and minutes. The quality of minutes of meetings taken by some Parish Councils does give cause for concern in these circumstances.
- 1.7 The agreements with the eight parishes have now lapsed and it is essential that the issues outlined above are fully considered before they are renewed.

## **2. DECISION MAKING PROCEDURES**

- 2.1 In light of the concerns raised in terms of potential fettering of discretion the Head of Legal and Democratic Services wrote to the relevant Parish Councils in December to introduce a temporary solution whereby the Parish Councils have to identify within 14 days of receipt whether they wish to determine the applications or not. This was felt necessary in order to give further time to review the processes but not to leave the Parish Councils open to challenge on decisions made.
- 2.2 The result of this temporary change has been that the Councils now have to make the decision as to whether they wish to determine the application or not prior to knowing what the public response to it is. Early experience has shown that this has resulted in a number of Parish Councils asking to determine all applications.
- 2.3 If this is formalised and we return to the original arrangements, the benefits in terms of performance and resource which were considered necessary when the scheme changed in 2002 will therefore be lost once more.
- 2.4 Performance against national indicators varies considerably between Councils. Whilst Milverton determined 100% of applications in 2008 within 8 weeks and North Curry 88%, Ruishton's performance was only 29%.
- 2.5 In 2008 there were 153 applications in the eight Parishes identified within the delegation categories. The cost of servicing the meetings if all of these were to be determined by the Parishes has been estimated at £5,000 (approximately £32 extra per application). This cost does not take into account the travelling cost of sending officers to meetings. The Council's 'Grey Fleet Plan' has resulted in travel budgets being cut across the board by 10%
- 2.6 The Government is committed to freeing up planning authority time to provide necessary resource to respond to the significant levels of growth identified in the coming years. As part of this commitment

changes have recently been made to the General Permitted Development Order with the intention of taking of much minor householder development out of the system. Taunton Deane's Parish delegation scheme inevitably results in resource being more targeted on minor proposals than would otherwise be the case. Whilst this clearly conflicts with this government advice, it must be weighed against the original motivation to introduce the scheme which were to enable decision making at a very local level and to improve communication and understanding between the Borough and Parish Councils.

### **3. CONSULTATION PROCEDURES**

- 3.1 There is general guidance on the level of publicity appropriate to minor proposals. In the majority of cases this is restricted to the display of a site notice and notification of immediate neighbours only. At the time when the delegation scheme was introduced the Council had to rely on often outdated maps to identify neighbouring properties and there was therefore obvious benefits in the Parish Clerk carrying out this task in light of their more intimate local knowledge.
- 3.2 However, with the introduction of sophisticated Geographical Information Systems that are regularly updated, the benefits of the Parish Councils carrying out this task are now less clear cut. In order to keep necessary records the information still has to be fed into the ACOLAID system by Taunton Deane staff. There is therefore no saving to Taunton Deane in the Parishes carrying out this task, and it is an additional duty for the Parish Clerk.

### **4. RECOMMENDATION**

Members are requested to consider the resource and efficiency issues referred to above carefully. These need to be balanced against the positive benefits of local decision making in deciding how to advise the Executive Member in relation to the renewal of the eight Parish delegation agreements.

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# Taunton Deane Borough Council

**Executive – 17 June 2009**

## **Pioneer Somerset – Moving Forward**

### **Report of the Strategic Director (Kevin Toller)**

(This matter is the responsibility of Councillor Ross Henley, Leader of the Council)

#### **1. Purpose of the Report**

- 1.1 To seek the agreement of the Executive on additional funding for the Pioneer Somerset Project.

#### **Executive Summary**

This report sets out proposals for programme management arrangements for the Pioneer Somerset Programme and the associated resource requirements. The proposals are those of the Pioneer Somerset Board (comprising the Leaders of the 6 Councils).

The matter was considered by the Corporate Scrutiny Committee on 8<sup>th</sup> June, and their views are reported. The funding will be considered by Full Council on 14<sup>th</sup> July.

#### **2. Background**

- 2.1 Pioneer Somerset is a programme of work, supported by the Regional Improvement and Efficiency Programme (REIP) designed to radically transform and enhance the system of two tier local government across the County. It's three aims are:
  - To achieve annual revenue savings arising from enhanced two tier working of £20m, by 2012/13 (base year 2007/08);
  - For every principal authority in Somerset to achieve levels of overall resident satisfaction in the National top quartile by 2013;
  - To achieve a marked improvement in the perception, reputation and recognition of Somerset and each of its local authorities, including positive Direction of Travel and Use of Resources ratings in the new Comprehensive Area assessment of level 3 or above by 2013.
- 2.2 This report follows the phase 1 report taken through all Councils in the Partnership at the end of last year /beginning of 2009. That report set out the way forward for the Pioneer Somerset programme, including establishing 3 priority work streams and clear governance arrangements.

- 2.3 That report set out the intention to bring in SOLACE Ent Ltd to review progress with the programme; identify barriers to future delivery and assist the Pioneer Somerset Board to develop solutions to move the programme forward. This assessment of the programme is now complete and culminated in a workshop on the 17<sup>th</sup> April involving the Pioneer Somerset Board, Deputy Leaders, Chief Executives and key officers from the Directors Group.
- 2.4 The workshop represented a 'water-shed' event for the Pioneer Somerset programme and significant progress was made in a number of areas. The workshop:-
- Re-affirmed the vision and outcomes of the Programme
  - Re-affirmed the previously agreed priority work streams agreed as part of the Phase 1 report, i.e. customer access, shared services and community leadership but a very significant fourth priority work stream was added – see para 3.1 below
  - Identified a number of 'first priority' shared service proposals which officers have been instructed to work up proposals for consideration at the next Pioneer Somerset Board meeting in May – see section 3.
  - Agreed programme management arrangements considered essential to build and maintain momentum with the programme – see section 4. Each Leader will now ensure that any necessary approvals are obtained in their Council to put the resources in place to establish the programme management arrangements, hence this report.

### **3. Priority Work Streams**

- 3.1 In considering the issue of priority work streams, discussion widened into the likely on-going budget difficulties that the public sector and in particular local authorities are likely to face in forthcoming years as the government of the day looks to rebalance the nation's books beyond the current recession. National indications suggest that the original 'efficiency' savings target applied to Pioneer Somerset will be insignificant alongside the likelihood of more substantial public sector budget reductions in the future. Radical action is required by the 6 councils at this stage to prepare the sector for the impact of this level of budget reduction and there was a determination at the workshop to tackle this issue head on, together and at speed as a fourth priority work stream.
- 3.2 The identification by the Pioneer Somerset Board of priority shared service proposals to be moved forward quickly and the intention beyond that to have a rolling programme of shared service schemes signals the future intent of the Board as does the intention to have a 6 council workshop on July 31<sup>st</sup> to discuss forward budget planning and how we can support each other in achieving the level of savings predicted to be required across the sector.
- 3.3 Much preparatory work has been going on in relation to the potential to bring forward shared service options under the priority work stream. In order to provide a greater level of clarity and impetus to this work, the Pioneer Somerset Board has agreed clear priorities for review. Officers have been

instructed to bring forward proposals as a matter of urgency in 4 key areas which offer potential for shared services, namely:

- (a) the virtual 'majors' team proposal
- (b) operational housing / strategic housing functions
- (c) equalities and diversity functions
- (d) legal services.

- 3.4 The Pioneer Somerset Board has also asked the Somerset Waste Partnership to actively market the partnership to neighbouring authorities beyond the County boundary. It is clear from research into two-tier 'pathfinders' that in the area of 'waste' Somerset is well ahead 'of the game' and the Board considers that there is potential to benefit from this.
- 3.5 This is the first stage in a rolling programme of shared service developments that the Pioneer Somerset Board will be looking to take to the 6 councils for approval. The 6 Leaders were unanimous in their support for moving this work forward.

#### **4. Programme Management Arrangements**

- 4.1 There was recognition at the workshop that the unexpected loss of the appointed programme manager last June had stalled delivery of the programme and that if the momentum now being achieved is to be maintained then additional dedicated officer capacity for the programme at this stage is absolutely essential. This re-affirmed the view of Joint Scrutiny Panel. Various options were considered but the Pioneer Somerset Board agreed to the appointment as soon as possible of:
  - a dedicated independent Chief Executive for the Programme
  - a dedicated Programme Manager
  - additional dedicated professional and administrative support necessary to support the above appointments.
- 4.2 This represents a variation from the potential models for programme management set out in the phase 1 report but in the opinion of the Board best fits the current context within which the programme finds itself.
- 4.3 Further draw down of RIEP (Regional Improvement and Efficiency Partnership) funding is not possible at this stage to support these appointments and therefore the Leaders agreed to seek the necessary resources from their respective councils up to a total budget of £350k (full year estimated costs) and proportioned across the 6 Councils as 'invest to save' bids. The apportionment to TDBC is £13,400. Any agreement to provide TDBC funding is conditional on the other councils' contributions being forthcoming. It is expected that funding beyond 2009/10 for the remainder of the programme will come from savings made by the programme.
- 4.4 The programme management appointments are considered essential if the potential benefits of Pioneer Somerset are to be achieved. Insufficient capacity at officer level has stalled progress and even with programme



management arrangements in place there will still be a significant impact on existing staff of the 6 councils.

## **5. Views of the Corporate Scrutiny Committee**

The Corporate Scrutiny Committee considered this report at their meeting on 8<sup>th</sup> June 2009. The key issues arising were:

- Concern that there could be no guarantee that the investment in programme management in this way would deliver the required results;
- Concern that investing this sum of money in the current economic climate was inappropriate;
- Concern about appointing what would be seen as a 7<sup>th</sup> Chief Executive in Somerset;
- Concern that the position of the new leadership at SCC was not yet known, and that TDBC should wait until such time as SCC's position was clear before proceeding further.

In conclusion the Corporate Scrutiny Committee decided that it was not supportive of this way forward, recommending that Pioneer finds alternative ways of making the required savings without spending £350k. The Committee also took the view that there was no need for an additional layer of management, particularly in the light of the original Unitary bid which stated that the Council's already had too much senior management.

## **6. Recommendation**

- 6.1 The Full Council be asked to agree to drawing £13,400 from reserves to cover TDBC's part of the project management costs on the basis of invest to save.

### **Background Papers:**

Pioneer Somerset - Update. Report of the Leaders of the six Somerset Councils - Executive 14<sup>th</sup> January 2009

### **Contact:**

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# Taunton Deane Borough Council

Executive - 17 June 2009

## Treasury Management Outturn 2008/2009 and 2009/2010 Update

### Report of the Management and Financial Accounting Operations Manager

(This matter is the responsibility of Councillor Henley, Leader of the Council)

#### EXECUTIVE SUMMARY

- Debt restructured to reduce outstanding amount to £15m.
- Interest rates at an all time low and likely to remain so.
- Investment returns will inevitably reduce in line with rates.
- Uncertainty to remain until economic horizon becomes clear and market nervousness eases.

#### 1. Purpose of the Report

- 1.1 To update the Executive on the outturn position for treasury management activities for 2008/09, and the current position to date for the financial year 2009/10 on treasury management issues.

#### FINAL FIGURES 2008/09

#### 2. External Debt

- 2.1 The Analysis of debt for the year ending 31st March 2009 is as follows:

	£'000
Total debt outstanding 1.4.2008	23,012
Long term loans repaid during year	(14,012)
New loans taken out during year	6,000
<b>Total debt outstanding 31.3.2009</b>	<b>15,000</b>

- 2.2 Analysis of the Councils' Loan Debt: -

31 <sup>st</sup> March 2008 £'000		31 <sup>st</sup> March 2009 £'000
18,005	Public Works Loan Board (PWLB)	6,000
3,000	Barclays Bank	3,000
0	SCC Annuity Loans	0
7	Parish Council / Local Trust Loans	0
2,000	Variable Rate PWLB ( 1 year)	6,000
<b>23,012</b>		<b>15,000</b>

### 3. Interest Rates

- 3.1 The Bank of England has reduced rates seven times during the year from 5.25% at 1<sup>st</sup> April 2008 to the current all time low of 0.5% at 31<sup>st</sup> March 2009. This has been in response to the well publicised 'credit crunch' which led to the current recession. This decline in interest rates and the associated impact on Money Market Rates is shown in Appendix C.

### 4. Borrowing Transactions

- 4.1 After consultation with our advisors, the decision was made to restructure £12m of the Council's debt in November 2008. Fixed rate borrowing of £12m was repaid. £6m of this was replaced with one year variable rate borrowing from the PWLB. It is anticipated that the remaining £6m will be borrowed in 2009/10. This was to take advantage of the expected long term lower cost of this debt.
- 4.2 The average consolidated rate of interest on the total portfolio for 2008/09 was 5.01% (6.19% in 2007/08).

### 5. Investment Transactions

- 5.1 Temporary surpluses in cash flow, as well as cash reserves, can be invested for periods of up to 2 years. By this, the Council can use these investment returns to reduce the cost of services to the taxpayer. The level of investments outstanding at 31/03/09 was £5.3m (£13.8m in 2008):

<b>31<sup>st</sup> March 2008 £'000</b>		<b>31<sup>st</sup> March 2009 £'000</b>
0	Long Term Investments	0
13,831	Short Term Investments	5,300
<u>17,831</u>		<u>5,300</u>

The detail of these investments can be found in Appendix A.

Investments have partly diminished due to the repayment of PWLB borrowings. These are likely to increase in 2009-10 when the final £6m new borrowing is undertaken as part of the debt restructuring process.

- 5.2 The average range of interest rates achieved when investing surplus funds during 2008/09 was 0.6% - 6.38% (4.7% - 6.73% 2007/08), again demonstrated by the Money Market Rates in Appendix C.
- 5.3 Interest earned on these investments amounted to £914k (£1.12m in 2007/08) of which approximately £735k (£710k in 2007/08) was allocated to the General Fund, and the balance to the HRA and some internal reserves and funds. For the General Fund this was below the amount forecast when setting the 2008/09 budget, back in February 2008, however budget monitoring predicted a reduction in investment returns

and other mitigating actions by the Council minimised the financial impact of the economic downturn.

- 5.4 Credit criteria, counterparty risk and selection: Financial markets and financial institutions remained in a state of heightened risk as the impact of the financial crisis continued to adversely affect the global economy. The Council's investment activities were restricted as a consequence in order to demonstrably address the prevailing higher risk backdrop. The Council applied a higher minimum credit criteria (in the double-A category at the very least) for its investments. In doing so, the Council demonstrated its adherence to the overriding principles of security and liquidity which are cornerstone of its investment policy and objective. The Council accepted the diminution in investment return from investing with highly rated counterparties as an acceptable risk-reward trade-off.
- 5.5 During September and October 2008 when confidence in the markets was extremely fragile and counterparty risk at its most elevated, the Council responded by placing new and maturing investments with the Debt Management Agency Deposit Facility (guaranteed by HM Treasury) and with highly liquid AAA-rated Money Market Funds.
- 5.6 Thereafter the Council restricted new lending to UK institutions which could avail of the Government's 2008 Credit Guarantee Scheme (CGS\*) and with long-term ratings in the 'double-A' category. The institutions meeting this criteria were: Abbey National, Barclays Bank, Clydesdale Bank, HSBC Bank, Lloyds TSB Bank and Bank of Scotland (both part of the Lloyds Banking Group), Nationwide Building Society and Royal Bank of Scotland,\**The CGS was announced in October 2008 to stabilise the UK banking system and provide solvency support for the "systemically critical" banking institutions in the UK. The government's CGS is not an explicit guarantee for deposits but is main platform to maintain the solvency of institutions critical to the UK's financial stability.*
- 5.7 Icelandic institutions: The Council confirms that Icelandic banks (Glitnir, Kaupthing and Landsbanki) or their UK subsidiaries (Heritable Bank and Kaupthing Singer and Friedlander) did not feature on the Council's lending list. No investments were therefore placed with any of these banks.

## 6. Prudential Indicators

- 6.1 At the time of reporting full prudential indicators for 2008/09 are still being calculated as part of the Closedown process and will be reported to the Executive at the next available meeting.

## THE CURRENT YEAR

### 7. Outlook for Interest Rates

- 7.1 Our treasury advisors central forecast is that interest rates will remain unchanged over the coming year, although there is a small upside risk of a modest increase in the final quarter.

7.2 In the current financial climate our treasury advisors are counselling caution and the central plank of our current lending policy is to ensure the liquidity and preservation of principal. Consequently, we are not assuming returns in excess of current budget (which is significantly lower than previous years) at this time. This will be reviewed quarterly.

## **8. Borrowing Strategy**

8.1 It is not envisaged that any additional borrowing will be undertaken other than the completion of the debt restructuring which commenced in November 2008.

## **9. Public Works Loan Board**

9.1 The short term variable rate loan of £6m will be repaid to the PWLB in November 2009.

## **10. Investment Transactions**

10.1 As at 3rd June 2009 sums totalling £14.5m were invested as set out in Appendix B.

10.2 The average rate of interest achieved when investing surplus funds during 2008/09 to date ranges from 0.30% - 1.33%.

## **11. Recommendation**

11.1 The Executive is requested to note the treasury management outturn for 2008/09, and the position to date for 2009/10.

### **Background Papers:**

Treasury Management & Investments Strategy 2009/10, Executive 1st April 2009.

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**Appendix A**

**Investments Outstanding At 31<sup>st</sup> March 2009 (In Maturity Order)**

<b>Borrower</b>	<b>Amount £</b>	<b>Rate of Interest %</b>	<b>Date of Investment</b>	<b>Date of Maturity</b>
Coventry BS	1,000,000	5.74%	09-Apr-08	08-Apr-09
Chelsea BS	500,000	5.75%	09-Apr-08	08-Apr-09
Royal Bank of Scotland	1,000,000	6.38%	25-Jun-08	25-Jun-09
Nationwide BS	2,000,000	3.25%	03-Dec-08	03-Dec-09
Abbey National Business Reserve	800,000	Variable	N/A	On Demand
<b>TOTAL</b>	<b>5,300,000</b>			

**Appendix B**

**Investments Outstanding At 3rd June 2009 (In Maturity Order)**

<b>Borrower</b>	<b>Amount £</b>	<b>Rate of Interest %</b>	<b>Date of Investment</b>	<b>Date of Maturity</b>
Abbey National	1,000,000	1.33%	14-Apr-09	12-Jun-09
Lloyds	1,000,000	0.58%	12-May-09	12-Jun-09
Abbey National	1,000,000	1.33%	15-Apr-09	19-Jun-09
Lloyds	1,000,000	0.63%	13-May-09	19-Jun-09
Barclays	1,000,000	0.45%	21-May-09	22-Jun-09
Royal Bank of Scotland	1,000,000	6.38%	25-Jun-08	25-Jun-09
Barclays	1,000,000	0.50%	27-May-09	29-Jun-09
Royal Bank of Scotland	1,000,000	0.70%	01-Jun-09	20-Jul-09
Clydesdale	2,000,000	0.76%	01-Jun-09	20-Jul-09
Nationwide BS	2,000,000	3.25%	03-Dec-08	03-Dec-09
Invesco	2,000,000	Various	N/A	On Demand
Royal Bank of Scotland Treasury Fund	500,000	Various	N/A	On Demand
<b>TOTAL</b>	<b>14,500,000</b>			

## Appendix C

### Bank Rate, Money Market Rates

Date	Bank Rate %	7-day LIBID %	1-month LIBID %	3-month LIBID %	6-month LIBID %	12-month LIBID %	2yr Swap Bid %	3-yr Swap Bid %	5-yr Swap Bid %
01-Apr-08	5.250	5.3500	5.7000	5.9400	5.9000	5.7500	5.1210	5.0540	5.0401
30-Apr-08	5.000	5.1000	5.4000	5.7600	5.7600	5.7400	5.3940	5.3610	5.2850
30-May-08	5.000	5.0700	5.3800	5.7900	5.9100	6.0800	5.9670	5.9140	5.7550
30-Jun-08	5.000	5.1000	5.3000	5.8000	6.0800	6.3700	6.2440	6.2190	6.0620
31-Jul-08	5.000	5.0500	5.3000	5.7000	5.8500	6.1000	5.5910	5.5760	5.5010
29-Aug-08	5.000	5.0800	5.3000	5.6900	5.8400	5.9500	5.3380	5.3150	5.2370
30-Sep-08	5.000	5.5000	5.8500	6.1000	6.2000	6.3000	5.3140	5.2540	5.1870
31-Oct-08	4.500	4.2500	5.4500	5.8000	5.7000	5.9400	4.2470	4.3850	4.5970
28-Nov-08	3.000	2.3500	2.8000	3.8500	4.0000	3.5500	3.1310	3.3270	3.6350
31-Dec-08	2.000	1.5000	2.0500	2.0000	2.7100	2.8300	2.5898	2.8610	3.1351
30-Jan-09	1.500	1.1500	1.4500	2.0000	2.1500	2.0500	2.0310	2.3680	2.9490
27-Feb-09	1.000	0.6000	1.2500	1.9000	2.0500	2.2000	2.2670	2.5890	3.1125
31-Mar-09	0.500	0.5500	0.8000	1.4500	1.6200	1.8200	2.0490	2.4550	3.0000
Minimum	<b>0.500</b>	0.3500	0.7000	1.4500	1.6200	1.8200	1.9480	2.2660	2.8220
<b>Average</b>	<b>3.626</b>	<b>3.5320</b>	<b>4.0121</b>	<b>4.4879</b>	<b>4.6069</b>	<b>4.6858</b>	<b>4.2798</b>	<b>4.3783</b>	<b>4.5055</b>
Maximum	5.250	5.5000	6.1000	6.2500	6.2500	6.5000	6.5040	6.4970	6.2700
spread	4.750	5.1500	5.4000	4.8000	4.6300	4.6800	4.5560	4.2310	3.4480

Source: Bloomberg

***Please note that the minimum, maximum and average rates/yields are those daily rates/yields during the year.***

# Taunton Deane Borough Council

**Executive - 17 June 2009**

## **Performance Monitoring - Outturn Report on 2008/2011 Corporate Strategy, 2008/2009 Financial Outturn and 2008/2009 Performance Indicators**

### **Joint Report of Performance and Client Lead and Financial Services Manager**

(This matter is the responsibility of Councillor Henley, Leader of the Council)

#### **1.0 Executive Summary**

- 1.1 The monitoring of budgets, the Corporate Strategy objectives and performance indicators is an important part of the overall performance management framework. This report outlines the final data for the 2008/2009 year.
- 1.2 In respect of budget monitoring the General Fund Revenue outturn shows an underspend of £46k, or 0.33%, when compared with the current budget, ie, the budget for 2008/2009 as approved by Council on 19 February 2008 plus any subsequently approved supplementary estimates and virements.
- 1.3 The General Fund Capital Programme expenditure for the year amounted to £8.508m, the total budget for the year was £6.361m. This overspend is regarding Project Taunton which has been funded externally. Leaving a genuine underspend of £697k which will be rolled forward into the 2009/2010 budget.
- 1.4 The Housing Revenue Account outturn shows a Working Balance carried forward into 2009/2010 of £2.757m, which is £10k or 0.34% less than predicted in the most recent budget monitoring report.
- 1.5 HRA Capital expenditure amounted to £5.366m against a current budget of £6.085m. This underspend was identified via budget monitoring and will be slipped into 2009/2010.
- 1.6 The Deane DLO has made an overall trading surplus of £95k.
- 1.7 The figures remain subject to external audit.
- 1.8 Corporate Strategy and Performance Monitoring has identified:



- |   |
|---|
| <ul style="list-style-type: none"><li>• 52% of Corporate Strategy objectives are on course</li><li>• 50% of Taunton Dean Borough Council local performance indicators are on target</li></ul> |
|---|

## **2.0 Purpose**

- 2.1 To update the Executive on the outturn position of the Authority on revenue and capital expenditure for the General Fund, Housing Revenue Account and trading services for 2008/2009, and progress against the 2008/2011 Corporate Strategy and 2008/2009 Performance Indicator targets.
- 2.2 A key feature of well-regarded councils is their ability to manage performance effectively.
- 2.3 The Council's Performance Management System is about agreeing what has to be done (Plan), undertaking it (Do) and checking it has been done (Review). Where review (or monitoring) indicates we are off-course corrective action should be taken.
- 2.4 Progress against Corporate Strategy objectives, spending within budget and improvement through the use of performance indicators forms an important part of the Council's overall performance management framework.
- 2.5 The outturn position reported for the HRA and GF contains some estimated figures for government subsidies on housing and council tax benefit. The final figures for these will not be available in time for the final accounts to be produced. Should the final figures differ significantly from those used in closing down the accounts for 2008/2009, a further report will be presented to Members giving the updated position on subsidy and the implications for the Council's reserves.
- 2.6 The following outturn figures will therefore be used to prepare the Council's Statement of Accounts, which will be presented to the Corporate Governance Committee on 30 June 2009.
- 2.7 As part of the Audit Commission's 'Use of Resources' assessment there is a requirement for the Council to consider how its financial plans and strategies help meet its corporate objectives. Appendix C shows how areas of financial investment have helped achieve the overall goals of the Council.

## **2008/2009 Outturn Figures**

### **General Fund**

#### **3.0 Revenue**

- 3.1 Members were presented with regular budget monitoring reports during

2008/2009 outlining the estimated outturn position and the likely impact on the General Fund reserve. In summary, these reports showed the following expected use of reserves to support the budget:

<b>2007/2008</b>	<b>Change during the Year £</b>	<b>Impact on General fund Reserve £</b>
<b>Actual Balance brought forward 1 April 2007</b>		<b>-644,640</b>
Original use of Reserves		0
Budgeted repayment to reserves		-169,371
Earmarked reserves returned		-1,546,265
<b>Plus supplementary estimates agreed during the year:</b>		
DLO Highways Restructure	9,121	
Unauthorised Planning	50,000	
Core Council Review – Phase 1	1,000,000	
<b>Total Use of Reserves to support the 2007/2008 budget</b>		<b>+1,059,121</b>
<b>Expected Balance carried forward 31 March 2008</b>		<b>-1,301,155</b>

- 3.2 The draft outturn for 2008/2009 is set out in summary in Appendix 'A', and is set out in four main columns as follows: -
1. The Original Budget approved by Full Council on 19 February 2008 (Column 1)
  2. The Current Budget including all supplementary estimates and virements during the year, which have been approved by the Executive. (Column 2)
  3. The Draft Outturn Position (Column 3)
  4. The Variance between the Current Budget and the Draft Outturn (Column 4).
- 3.3 The last budget monitoring report for quarter 3 of 2008/2009 to the Strategy and Performance Panel in April 2008, reported a projected overspend of £5.5k.
- 3.4 The Accounts for 2008/2009 have now been closed. Appendix A shows that the actual position for the last financial year was an underspend of £45,543 or 0.53% less than the approved authority expenditure. The main reasons for this are shown in the following table: -

<b>Expenditure Head</b>	<b>Variation £</b>	<b>Comments</b>
Forecast overspend @ Q3 as reported to the Strategy and Performance Panel	+5,500	Please see March 2009 Strategy and Performance Panel Report

<b>Additional Costs</b>		
Interest Payable on Loans	+125,150	The premium for early redemption of debt has been charged in one year rather than spread over the life of the new debt.
Concessionary Travel	+85,280	Higher than anticipated costs at Qtr3
Somerset Waste Partnership Contract	+46,180	Higher than anticipated costs at Qtr3
<b>Reduced Costs</b>		
Homelessness	-42,880	B and B expenditure is lower than expected at Qtr3.
Discretionary Rate Relief	-79,870	Actual reliefs provided for 2007/2008 were lower than budgeted for (this cost hits the General Fund a year in arrears) – this was not identified during budget monitoring.
<b>Additional Income</b>		
Investment Income	-166,800	Higher investment income than anticipated at Qtr 3 due to change in policy. (Investment income no longer given to various earmarked reserves.)
Rent Allowances/Rent Rebates/Council Tax Benefit Subsidy	-209,020	Greater subsidy entitlement than forecast during the year.
<b>Reduced Income</b>		
TIC	+49,850	Higher reduction in sales income than anticipated at Qtr3.
Planning Income	+141,870	Lower than anticipated income at Qtr 3
<b>Other</b>		
Various	803	Other minor variances across a number of services
<b>Total Net Over/ (Underspend)</b>	<b>-45,543</b>	

### 3.5 General Fund Reserve

The current budget required a total of £1,059,120 from the General Fund Reserve to support expenditure, the underspend detailed in paragraph 3.4 will now decrease this to £1,013,577.

The final figures for the Core Council Review Phase 1 are also now known and the total costs are £773k. Therefore not all of the £1m earmarked is

required and £227k will be returned to General Fund Reserves.

Therefore the current position of the General Fund Reserve is:

	£	£
Expected balance carried forward @ 31 March 2008 (as per the table in 3.1 above)		-
		<b>1,301,155</b>
Unused CCR Sup Est returned to reserves		227,310
Underspend in 2008/2009		<b>45,543</b>
<b>Actual balance @ 31 March 2008</b>		<b>1,574,008</b>

#### 4.0 Capital

- 4.1 The updated General Fund Capital Programme for 2008/2009 showed a total expenditure budget of £6.361m including General Fund Housing. The final outturn position shows total expenditure of £8.508m, giving an apparent overspend of £2.147m. However this was supported by additional external funding of £2.844m (principally in respect of Project Taunton) leaving a genuine underspend of £697k. The majority of this underspend relates to delays in the completion of projects. This slippage will be rolled forward into the 2009/2010 capital programme.

### Housing Revenue Account

#### 5.0 Revenue

- 5.1 The Housing Revenue Account has also been closed using estimated subsidy figures.
- 5.2 The last budget monitoring report to the Strategy and Performance Panel in April 2008, forecast reported underspends and slippage of over £685k, leaving a forecast working balance of £2.767m.
- 5.3 The Outturn shows a working balance carried forward into 2009/2010 of £2.757m, which is £10k less than that previously reported.
- 5.4 The variance of £10k arises for the following reasons:

Heading	£'000
<b>Reduced Income</b>	
Reduced total rents and service charges due to higher than anticipated void levels	393
Reduced Interest receivable due to drop in interest rate	135
<b>Increased Income</b>	

Supporting People – increased income for SP funded services	-33
Increased charges and facilities and contribution towards expenditure on estates	-127
<b>Reduced Costs</b>	
Reduced maintenance costs – smoke detector replacement and additional slippage with asbestos survey.	-99
Reduced management costs – internal recharges, reduction of insurance premium, employee costs, consultants days re academy.	-335
Reduction of bad debt provision	-84
Reduction – Loan charges	-109
<b>Increased Costs</b>	
Debt Management Costs – increased premium payable on debt redemption	89
Negative subsidy – additional payment relating to previous year.	143
Contribution to reserves	37
<b>Total</b>	<b>10</b>

Further details are shown in Appendix B.

5.5 The working balance position projected forward into 2008/2009 now becomes:

	<b>2008/2009 Current Estimate £'000</b>	<b>2008/2009 Actual £'000</b>	<b>2008/2009 Current Estimate £'000</b>	<b>2008/2009 Revised £'000</b>
Opening Balance	3,046	3,046	2,647	2,757
Add Surplus in Year	(279)	(289)	(888)	(888)
<b>Closing Balance</b>	<b>2,767</b>	<b>2,757</b>	<b>1,759</b>	<b>1,869</b>

## Deane Helpline

5.6 During the year the Deane Helpline made a surplus of £10k, this was above budget monitoring projections. The balance on the Deane Helpline Trading Account at 31st March 2009 amounts to £12,664. It should be noted that this balance remains after making an in-year contribution to the General Fund of £30,000.

## 6.0 HRA Capital

6.1 HRA capital expenditure for the year amounted to £5.366m against a current budget of £6.085m, an underspend of £719k. This majority of this

underspend was forecast during budget monitoring and related to Decent Homes work.

This underspend will slip forward to 2009/10 and will increase the programme available in 2009/2010.

## 7.0 Deane DLO

7.1 During the year the Deane DLO made an overall trading surplus of £95k. A contribution of £30k was also made towards the General Fund regarding partnership savings, therefore the balance on the DLO Reserve as at 31 March 2009 will be £507k.

7.2 A summary of performance for both 2007/08 and 2008/09 is shown below:

<b>Deane DLO</b>	<b>(Surplus)/Deficit 2007/2008 £000</b>	<b>(Surplus)/Deficit 2008/2009 £000</b>
Highways	(24)	(6)
Grounds Maintenance	5	41
Building Maintenance	38	(136)
Cleansing	(16)	6
<b>Total</b>	<b>3</b>	<b>(95)</b>

## 8.0 Performance Management context

- 8.1 In April this year the new Comprehensive Area Assessment (CAA) regime started. The CAA is substantially different to the previous Comprehensive Performance Assessment (CPA) under which the Council was rated as Excellent. As part of the new Comprehensive Area Assessment the government introduced a new National Indicator Set which contains 199 performance indicators. These have replaced the previous best value performance indicators. Of these new National Indicators, Taunton Deane Borough Council is expected to monitor progress for around 80.
- 8.2 The Council's National Indicators are broken into two elements; those which form part of the Local Area Agreement, which are considered to be priority indicators (Appendix E refers), and a number of other National Indicators, which we are expected to monitor (Appendix F refers).
- 8.3 In addition to the National Indicators we continue to monitor a number of local performance indicators (Appendix G refers) and performance indicators in respect of the Southwest One partnership (Appendix H refers).
- 8.4 As part of the Comprehensive Area Assessment, the council has to complete a Use of Resources self-assessment. In this the Council has to demonstrate how it plans and manages its finances effectively to deliver its strategic

priorities as well as producing relevant and reliable data and information to support decision-making and performance management.

## **9.0 Progress against the Corporate Strategy 2008/2011**

- 9.1 The Objectives of the Council, together with the Key Actions to attain them, were listed in the Corporate Strategy 2008 - 2011, and approved by the Executive.
- 9.2 For the year (April 2008 - March 2009) progress against these objectives is reported in Appendix D of this report and summarised below:

<b>Corporate Objectives</b>			
☺	On course	11	52%
☹	Partially completed or action pending	8	38%
☹	Off course	2	10%
Total number of objectives =		21	

## **10.0 Progress against Local Area Agreement National Indicators 2008/2009**

- 10.1 These new National Indicators are considered to be priority indicators and progress against them will be carefully monitored as part of the Comprehensive Area Assessment for Somerset. They will also be a key part of the Managing Performance assessment for Taunton Deane Borough Council. The measurement data obtained in respect of the new National Indicators during 2008/2009 will be used as a baseline against which targets are set for future years. The 2008/2009 measurement data is outlined in Appendix E.
- 10.2 Each of the Local Area Agreement indicators has a dedicated Delivery Plan owned by the partners which can be downloaded from the Somerset Strategic Partnership website. The targets have been taken from these Delivery Plans. The Partnership sets each target and a number of targets have yet to be set.
- 10.3 We are reliant on information from several partners to inform the setting of the National Indicators. Not all of this information is yet available and consequently not all of the targets have been set. In July the Outturn Report on each of the Local Area Agreement indicators will be presented to the Somerset Strategic Partnership, this will provide additional data for the Taunton Deane Borough Council indicators. Therefore, it is proposed to present an update for these indicators in September with the quarter 1 report.

## **11.0 Progress against Taunton Deane Borough Council National Indicators 2008/2009**

- 11.1 We are also expected to monitor additional National Indicators and these are provided in Appendix F. Again, some of the information is missing as it has not yet been provided by partner organisations. The Audit Commission's

timetable for this information being provided is the end of December 2009. Therefore, we should have a full suite of information by the beginning of 2010.

- 11.2 For each national indicator there is a set of government guidance to enable the collection of data. This year the focus has been around setting a baseline for the national indicators with a view to setting targets for future years. You will be provided with these targets as part of the future quarter monitoring reports.

**12.0. Progress against Taunton Deane Borough Council Local Indicators 2008/2009**

- 12.1 In addition to the national indicators we continue to set targets for and monitor a number of local indicators. These are provided in Appendix F.

<b>Local performance indicators</b>			
☺	On target	12	50%
☹	Off target	10	42%
	Information not provided	2	8%
Total number of indicators =		24	

- 12.2 As part of the core council restructure we want to rationalise the existing arrangements for managing and monitoring performance. We need to challenge what we have to enable the introduction of a smarter and more efficient process which effectively drives and monitors council performance. Some of this work has already started and we will be involving key Members in the development work. We will keep Members informed of our progress.

- 12.3 If any Member would like any further information about any of the performance indicators, please contact Ruth James.

**13.0 Southwest One performance indicators**

- 13.1 Performance Indicator targets are set and agreed annually for each in-scope service. The measurement period for each performance indicator varies and may be monthly, quarterly or annually. Monthly progress reports are provided by Southwest One, which are monitored by the Client Team.

- 13.2 Detailed below is a summary of performance against the performance indicators for 2008/2009. The percentage showing as 'Information not provided' is reflective of the fact that a number of the performance indicators were still being developed during 2008/2009. The details are provided in Appendix H.

<b>Local performance indicators</b>		
☺	On target	75%
☹	Off target	1%
Information not provided		23%



Total number of indicators measured =	675
---------------------------------------	-----

#### **14.0 Effect on corporate priorities**

14.1 As this report covers all aspects of the council's performance, all corporate priorities are affected.

#### **15.0 Recommendation**

15.1 The Executive is requested to:

- a) Note the draft outturn positions on revenue and capital for both the General Fund and Housing Revenue Account for 2008/2009.
- b) To note the performance against targets for the Corporate Strategy, and national and local indicators for 2008/2009.

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#### **Background Papers:**

- Executive 6 February 2008, Revenue Budget Setting 2008/2009.
- Strategy and Performance Panel 10 March 2009, Financial/Performance Monitoring: Quarter Three 2008/2009.

## Appendix A

**TAUNTON DEANE BOROUGH COUNCIL  
GENERAL FUND REVENUE OUTTURN 2008/09**

Actual 2007/08 £	Portfolio	Original Estimate 2008/09 £	Current Estimate 2008/09 £	Actual Expenditure 2008/09 £	Variance £
		(1)	(2)	(3)	(4)
0	Communications	0	(12,350)	0	12,350
870,964	Community Leadership	818,840	798,900	907,316	108,416
1,290,820	Corporate Resources	1,617,990	1,758,240	1,300,560	(457,680)
1,427,715	Economic Dev. Property & Tourism	898,490	903,130	3,058,500	2,155,370
4,930,204	Environmental Services	4,960,930	4,982,850	4,788,969	(193,881)
2,022,546	General Services	1,597,690	2,104,210	1,958,773	(145,437)
2,126,986	Housing Services	2,467,860	2,817,960	2,612,194	(205,766)
888,915	Planning Policy & Transportation	733,420	796,390	1,250,138	453,748
2,660,966	Sports, Parks & Leisure	2,813,200	2,818,210	2,907,270	89,060
<b>16,219,116</b>	<b><u>Total Service Expenditure</u></b>	<b>15,908,420</b>	<b>16,967,540</b>	<b>18,783,720</b>	<b>1,816,180</b>
(1,489,927)	Capital Charges Credit	(2,205,700)	(2,205,700)	(4,500,498)	(2,294,798)
0	Interest Payable on Loans	380,880	380,880	406,033	25,153
0	Minimum Revenue Provision	280,670	280,670	275,716	(4,954)
(711,471)	Interest Income	(750,000)	(750,000)	(733,802)	16,198
0	Invest to Save Monies returned to GF Balance	0	0	169,370	169,370
0	CCR phase 1 monies returned to GF Balances	0	0	227,310	227,310
(771,990)	Contribution from General Fund Balances	0	(1,059,120)	(1,013,577)	45,543
<b>13,245,728</b>	<b><u>Authority Expenditure</u></b>	<b>13,614,270</b>	<b>13,614,270</b>	<b>13,614,272</b>	<b>2</b>
27,870	Special Expenses	29,190	29,190	29,190	0
<b>13,273,598</b>	<b>Borough Expenditure</b>	<b>13,643,460</b>	<b>13,643,460</b>	<b>13,643,462</b>	<b>2</b>
357,559	Parish Precepts	371,799	371,799	371,799	0
<b>13,631,157</b>	<b>Budget Requirement</b>	<b>14,015,259</b>	<b>14,015,259</b>	<b>14,015,261</b>	<b>2</b>
(6,983,855)	Contribution from NNDR Pool	(7,346,300)	(7,346,300)	(7,346,302)	(2)
(1,172,035)	Revenue Support Grant	(1,022,665)	(1,022,665)	(1,022,665)	0
	<b>Surplus on Collection Fund</b>				
4,831	Council Tax	50,486	50,486	50,486	0
<b>5,480,098</b>	<b>Net Expenditure to be Raised by Council Tax</b>	<b>5,696,780</b>	<b>5,696,780</b>	<b>5,696,780</b>	<b>0</b>

**GENERAL FUND RESERVE BALANCE 2008/09**

<b>1,242,161</b>	<b>Balance b/f 1 April</b>	<b>644,640</b>	<b>644,640</b>	<b>644,640</b>	<b>0</b>
(723,410)	Supplementary Estimates Agreed	0	(1,059,121)	(1,059,120)	1
175452	Monies returned to Reserves	169,371	396,681	396,680	(1)
	Earmarked reserves returned to General Reserves	0	1,546,265	1,546,265	0
(49,563)	Contribution from/(to) GF Balances	0	0	45,543	45,543
<b>644,640</b>	<b>Balance c/f at 31 March</b>	<b>814,011</b>	<b>1,528,465</b>	<b>1,574,008</b>	<b>45,543</b>

**TAUNTON DEANE BOROUGH COUNCIL  
HOUSING REVENUE ACCOUNT OUTTURN 2008/09**

Actual 2007/08 £		Original Estimate 2008/09 £	Current Estimate 2008/09 £	Actual 2008/09 £	Variance £
		(1)	(2)	(3)	(4)
	<b><u>Income</u></b>				
18,289,270	Dwelling Rents	19,261,390	19,261,390	18,878,670	382,720
483,760	Non Dwelling Rents	468,550	468,550	458,010	10,540
488,030	Charges for Services/Facilities	421,990	421,990	534,520	(112,530)
223,500	Contribution towards expenditure on estates	223,500	223,500	237,580	(14,080)
(4,388,730)	Government Subsidy	(5,826,140)	(5,826,140)	(5,969,570)	143,430
4890	Subsidy-Housing Defects Act	0	0	0	0
483,940	Supporting People	451,250	451,250	484,540	(33,290)
<b>15,584,660</b>	<b>Total Income</b>	<b>15,000,540</b>	<b>15,000,540</b>	<b>14,623,750</b>	<b>376,790</b>
	<b><u>Expenditure</u></b>				
4,985,400	Management General	4,333,240	4,333,240	3,997,800	(335,440)
4,381,720	Maintenance	5,694,850	5,156,850	5,057,540	(99,310)
76,350	Provision for Bad Debt	-	50,000	(33,630)	(83,630)
	Capital Charges - impairments	-	-	37,635,350	37,635,350
	Capital Charges – RECS	-	-	251,950	251,950
3,591,340	Capital Charges-depreciation	3,530,210	3,530,210	4,041,090	510,880
88,870	Debt Management expenses	24,000	24,000	29,570	5,570
	Redemption Costs	-	-	83,100	83,100
<b>13,123,680</b>	<b>Total Expenditure</b>	<b>13,582,300</b>	<b>13,094,300</b>	<b>51,062,770</b>	<b>37,968,470</b>
<b>(2,460,980)</b>	<b>Net Cost of Services</b>	<b>(1,418,240)</b>	<b>(1,906,240)</b>	<b>36,439,020</b>	<b>38,345,260</b>
	Capital Charges - impairments			(37,635,350)	(37,635,350)
	Capital Charges – RECS			(251,950)	(251,950)
	Capital Charges-depreciation			(510,840)	(510,840)
886,060	Loan Charges-interest	833,000	833,000	724,090	(108,910)
(319,710)	Interest Receivable	(160,000)	(330,000)	(195,420)	134,580
<b>(1,894,630)</b>	<b>Net Operating Expenditure</b>	<b>(745,240)</b>	<b>(1,403,240)</b>	<b>(1,430,450)</b>	<b>(27,210)</b>
	<b><u>Appropriations</u></b>				
-	Transfer to Earmarked Reserve	130,000	130,000	167,060	37,060
1,508,440	Revenue Contributions to Capital	1,552,160	1,552,160	1,552,160	0
<b>(386,190)</b>	<b>(Surplus)/Deficit</b>	<b>936,920</b>	<b>278,920</b>	<b>288,770</b>	<b>9,850</b>

**Working Balance**

2,659,394	Balance b/f 1 April	3,143,240	3,045,580	3,045,580	0
386,190	Net Surplus/(Deficit) in Year	(936,920)	(278,920)	(288,770)	9,850
<b>3,045,584</b>	<b>Balance c/f 31/3/2008</b>	<b>2,206,320</b>	<b>2,766,660</b>	<b>2,756,810</b>	<b>9,850</b>



## Appendix C

### How has our Investment in 2008/09 Contributed towards our Corporate Objectives?

As part of the “Use of Resources” External Assessment by the Audit Commission there is a requirement for the Council to look back and monitor how its financial plans and strategies have helped us meet our Corporate Objectives. This table helps demonstrate the achievements in 2008/09.

Service Area	Original Budget 2008/09 £	Actual 2008/09 £	Impact on Corporate Objectives
<b>General Fund Revenue:</b>			
Grant Funding of the Westival	10,800	10,800	Objective 4: developing cultural offer of Taunton Deane
Contribution to the Handyman service	10,000	10,000	Objective 11: relates to improving the perception of crime by promoting increased security to residents' properties
Warm & Well – expansion of the service	25,000	5,882	Objective 17: To meet the Home Energy Conservation Act target to improve energy efficiency
Climate Change	25,000	1,766 plus officer time	Objective 17: focus on climate change
Crime & Antisocial Behaviour Initiatives	19,500	19,500	Objective 10: reducing anti-social behaviour incidents
Area Working - Youth	25,000	18,000	AIM 4: Healthy Living
Sustainable Transport	22,000	25000	AIM 4: Transport
<b>Housing Revenue Account:</b>			
Heating Systems Renewal	131,040	33,035	AIM 4: Healthy Living
Fencing works	96,400	55,356	Objective 8: to reduce overall crime
<b>Capital Programme:</b>			
<b>Leisure Services</b>			

Grants to Clubs	109,130	76,127	Objective 14: promote healthy activities to meet needs of wider community
Play Equipment – grants to Parishes	31,000	18,460	Objective 14: continue the programme of constructing new and improved play areas
Replacement play equipment	26,000	254,268	Objective 14: continue the programme of constructing new and improved play areas
<b>Environmental Services</b>			
Neroche Project	14,700	14,700	AIM 5: Environment
<b>Housing (GF &amp; HRA)</b>			
Renovation Grants	335,000	275,698	AIM 4: Healthy Living
Disabled Facilities Grants	350,000	328,809	Objective 19: achieve equality standard
Grants to Registered Social Landlords	809,000	854,000	Objective 12: increasing the number of affordable houses in the Borough
Decent Homes works	4,512,390	4,524,104	Government target to make all homes decent by 2011



**APPENDIX D**  
**Corporate Strategy 2008 - 2011**  
**Quarter 4 (2008/2009) Monitoring**

**Economy**

<p><b>Objective 1: Stimulate the creation of 12,500 new jobs in the Borough between 2008 and 2026 of which 5% (625 jobs) will be within the Creative Industries Sector. This includes 6,500 office and admin jobs within Firepool by 2010, (through Project Taunton) with pay rates on average 5-10% greater than the Borough average. Also included are 2,500 jobs within the proposed High Street retail development.</b></p> <p style="text-align: center;"><b>Action Pending</b> ☹️</p>	
<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
<p>1.1 Review the Economic Development Strategy adopted in 2006/07 on an annual basis, and review the outcomes from the ED action plan addressing local economic issues that characterise the local economy as 'low wage, low skill, low aspiration'.</p>	<p>Local Economic Assessment completed and available to download from website.</p> <p>Employment Land and Premises questionnaires analysed and information fed into Task and Finish Group</p> <p>Envisioning process commenced and awaiting report</p>
<p>1.2 Support the Project Taunton development of Firepool through the procurement of suitable development partners, starting on site in Spring 2008.</p>	<p>Ongoing discussions with developers. The council has also received notification of its allocation of Growth Point funding and discussions are taking place for using some of this funding on the Firepool site. This being the case work will commence on site during 2009.</p>
<p>1.3 Kick start the Cultural Quarter of Project Taunton by redeveloping Castle Green, Coal Orchard and Goodland Gardens, to include providing a new site for the County Council library and records office (Start on site 2009).</p>	<p>Cricket Club nearing completion of two of their first three phases of redevelopment. Design for 'Somerset Square' finalised and completion scheduled for August 2009. Design for area in front of Brewhouse finalised and funding secured. Work now started on site with Museum of Somerset project. Design for Castle Green finalised and planning application due to be submitted w/c 18/5/09.</p>
<p>1.4 Provide an agreed framework for planning policies to successfully implement the Urban Design Framework, Project Taunton and the Urban Extension through adopting the Town Centre Area Action Plan (December 08), and developing the Local Development Framework (December 09).</p>	<p>The Town Centre Area Action Plan and supporting Design Code were adopted in October 08.</p> <p>The Planning Obligations SPD was adopted in December 08.</p> <p>Work on the Core Strategy is progressing, but due to the impact of the Core Council Review the public consultation will now be in October and November 2009.</p>
<p>1.5 Work alongside Project Taunton to ensure that if the UKHO is relocated within Taunton, the current site is used for suitable mixed use development.</p>	<p>The situation regarding UKHO is being monitored.</p>



<p>1.6 To work with partners to bring forward the proposed retail development in High Street</p>	<p>Discussions with the owners are continuing.</p>
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**Economy**

**Objective 2: To reduce deprivation in the most deprived wards in Taunton Deane, with a specific focus on Halcon and Lyngford, taking the most deprived sub-areas from these wards out of the 25% most deprived 'super output' areas in the country by 2020. (Based on national index of multiple deprivation (IMD) rankings).**

**Action Pending ☺**

Key Activities	Progress to 31 March 2009
<p>2.1 Work closely with the Project Taunton Delivery Team, Learning and Skills Council and SCAT together with other relevant partners to promote new work opportunities, apprenticeships and training provision resulting from Project Taunton. This is aimed at improving skills, employment and wage levels and preparing people for job opportunities in these wards.</p>	<p>The Taunton Deane Employment and Skills Group, created from the original Project Taunton Skills Group, are looking at employment and skills opportunities created by all development across Taunton Deane. The terms of reference for this group is in the process of finalisation.</p> <p>Development of Construction Skills Academy waiting for the announcement of the developer name (Firepool).</p> <p>Meeting held with Retail Academy to discuss potential for development of local hub</p> <p>Creative Skills Sector Hub discussions are ongoing.</p>
<p>2.2 Develop proposals for a Construction Skills Academy within the construction phase of Firepool, that is capable of improving the skills for experienced and new construction workers.</p>	<p>No further progress can be made until appointment of a Developer (Firepool).</p>
<p>2.3 Develop planning proposals to establish a local workforce 'quota' and a Section 106 policy for all developments in the Borough over a certain size, that is adopted within the Local Development Framework.</p>	<p>A 'workforce quota' policy is now included within the 'adopted' Taunton Town Centre Area Action Plan. For the core strategy planning obligations SPD will be commenced Winter 2009.</p>
<p>2.4 Continue to support the development of community owned and managed agencies, such as North Taunton Partnership, East Taunton Development Trust and Wellington Economic and Community Partnership to act as the 'local agent' for this work.</p>	<p>Link Centre in Taunton east continues to be staffed by volunteers although at a reduced level.</p> <p>As the Skills Academy for Construction is developed, the benefits and opportunities that it presents will be especially strongly promoted in North Taunton and Taunton East.</p> <p>North Taunton Partnership have now obtained funding to secure the post of the Priorswood Centre Manager. This means that the Community Project Worker no longer needs to be funded through ED Unit</p>

2.5 Ensure that other benefits from Project Taunton are delivered that will benefit the Halcon and Lyngford wards, including better connectivity to the town centre, job opportunities and new health facilities.	As above.
2.6 Promote confidence and business skills in young people through supporting the three year Young Enterprise South West programme delivered to schools in Taunton Deane's most deprived wards (reviewing its success in June 2009).	The final year of the Young Enterprise Programme has been commissioned.

## Economy

<b>Objective 3: Support the diversification and strengthening of the rural economy of the Borough through facilitating and supporting new business and sector development</b>	
<b>Action Pending</b> 😊	
<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
3.1 Facilitate and support eight rural diversification projects (such as the development of bio-fuel projects) in the rural economy between 2008 and 2011.	Work in progress. No specific projects yet taking shape but opportunities through South West Rural Enterprise Gateways (SWREG) and Rural Development Programme for England (RDPE) are being pursued.
3.2 Support the development of Wellington Economic and Community Partnership to drive forward the Wellington Food Town Annual Festival as a regionally significant event, and increase the involvement of local rural food producers	Wellington Food Town Committee has decided not to hold the annual summer Food Festival in 2009 but hope to replace this with a Christmas event. Future developments will aim to be funded through successful project bids for Local Action for Rural Communities (LARC) funds in the Blackdowns/East Devon LARC area.
3.3 Develop food and drink sector initiatives (such as hospitality partnerships and training activities) based in Wellington that also improve the performance of the rural economy of the Borough.	See above.
3.4 Facilitate the development of 20 hectares of employment land in Wellington and Wiveliscombe by 2009.	Chelston is now underway which will provide an additional c18+ ha of employment land.  The allocated employment land at Wiveliscombe is unlikely to commence in the short term.  In terms of how much employment land we need and where it is to be provided – both will be part of the Core Strategy (LDF) work so it is premature to give any figure at present.
3.5 Continue to work with our District Partners to support the development of skills and knowledge within the land-based economy by holding 6 training and development seminars per Year	Taunton Agricultural Development Officer (ADO) currently facilitating a series of 12 I.T. training workshops for farmers. A further 9 training seminars on a variety of topics are planned for 2009.

<p>3.6 Continue to develop and support initiatives to address isolation and improve communication between our rural communities, and develop further technology-based solutions</p>	<p>Taunton ADO has several communication “vehicles” in place to develop and maintain links with the farming community.</p>
<p>3.7 Continue to support the community-based Wellington Market and Coastal Towns Initiative, and to facilitate a range of specific projects for improvement to the town with RDA funding. Continue to support the Wiveliscombe Area Partnership, following the completion of their Market and Coastal Towns programme.</p>	<p>Delivery Plans for all three LARC areas within Taunton Deane ie. Western Somerset; Levels and Moors; Blackdowns and East Devon have been written and submitted to SWRDA for approval.</p> <p>Once the Delivery Plans are agreed project proposals can be submitted from April 2009 onwards.</p>

### Economy

<p><b>Objective 4: Develop the Cultural Offer of the Borough, by recognising and supporting the importance of cultural activities and creative industries to the economy of the Borough</b></p> <p><b>Action Pending</b> 😊</p>	
Key Activities	Progress to 31 March 2009
<p>4.1 Establish Taunton Deane as a Regional Centre of Excellence for Creative Industries, working closely with partners to increase the number of businesses within the sector by 5% per annum</p>	<p>A countywide CID Group now established and Business Boost currently located within the Hothouse at Somerset College.</p>
<p>4.2 Continue to work with the County-wide Creative Industries Development Group and Creative Business Boost, to support the development of the Boost project and seek a legacy from its grant funded activity from 2008 onwards.</p>	<p>See above.</p>
<p>4.3 Explore the feasibility of facilitating the development of Tone Mill, Wellington as a cultural and creative industry ‘node’.</p>	<p>The condition of Tone Mill has deteriorated and this matter has been passed to Development Control and the Conservation Officer in order to preserve the historical value of the site.</p>
<p>4.4 Produce and implement an Action Plan to develop business activities in Tourism and Culture.</p>	<p>Business Plan developed and being circulated to partner Authorities. Regeneration Directors Group are to review the future options for STP</p>
<p>4.5 Identify a suitable site for the relocation of Taunton Tourist Information Centre, required through the redevelopment of the existing site as part of Project Taunton developments.</p>	<p>A review of the TIC and future information needs is underway with proposals expected to be ready for discussion early 09.</p>
<p>4.6 Provide funding and continuing support to the Brewhouse Theatre to secure a significant improvement in its financial situation, together with a 5% improvement in audience figures over the next three years.</p>	<p>Brewhouse has announced losses over Xmas period and first quarter of year. Urgent talks underway with partners to secure additional funding.</p>

### Economy

**Objective 5: To encourage 30 new businesses per year to set up in Taunton Deane  
(5% from the Creative Industries Sector)**

**Action Pending ☹**

Key Activities	Progress to 31 March 2009
<p>5.1 Secure a major business incubation centre for Taunton with facilities for up to 40 emerging micro and creative industries companies.</p>	<p>Discussions continue but it is unlikely that funding will be available until 2010/11 at the earliest.</p> <p>However, Government proposals to mitigate the financial crisis will be monitored to see if it becomes possible to draw this funding down earlier than the proposed cycle.</p>
<p>5.2 Cross-working within the Council and with partners to purchase and/or develop land for a minimum of eight small business units.</p>	<p>The Business Support Simplification Programme (BSSP) includes strategies to support publicly owned assets for business use.</p> <p>The finalised BSSP products will be published before end 08 at which time discussion will begin with the RDA about the role of business units and their relationship with Innovation/incubation centres, knowledge networks, and productivity-led private sector growth.</p>
<p>5.3 Identify suitable land for a further strategic employment site of around 10 hectares within the Taunton area.</p>	<p>Awaiting completion of Employment Land Task and Finish Group study.</p>
<p>5.4 Work with our County-wide partners to ensure that 250 businesses in Taunton Deane receive suitable advice, counselling and support over the next three years.</p>	<p><b>Businesses Supported 2008/09</b></p> <p><u>Total Supported - 1,700 (rural 62%)</u></p> <p>Start up Supported – 95 Train to Gain Supported – 236 Intensive Assistance – 117 Provided brokerage - 32</p>
<p>5.5 Work with Partners to ensure that our LAA stretch targets for business support are achieved, thus yielding up to £1.3m extra funding for this work from Government</p>	<p>Local Economic Assessment completed which demonstrates weakness in Taunton economy even before the recession. Awaiting report on Envisioning process and further research conducted within this process.</p>
<p>5.6 Work with Taunton Town Centre Company to support and develop the Town Centre Business Improvement project</p>	<p>Grant of £60k awarded to TTCCo from LABGI funds.</p>
<p>5.7 Work with Partners to establish 'In2Somerset' (the Inward Investment Company), enabling it to co-ordinate inward investment, the Tourism Destination Management Company and business development marketing and support.</p>	<p>The Shadow Board have agreed that Into Somerset will focus on Inward Investment activities only, and that any DMO should be considered separately. Awaiting formation of Company to allow SLA to be agreed.</p>
<p>5.8 Continue to work with partners to support up to 25 expanding Taunton Deane Companies with structured business advice, support and signposting.</p>	<p>See 5.4 above.</p>

## Transport

**Objective 6: Support the County Council as lead agency, to limit the rate of growth of traffic congestion in Taunton  
(to limit vehicle delay hours at peak-time to 2,414 hours by 2011)**

### On Course 😊

Key Activities	Progress to 31 March 2009
6.1 Implement the Taunton car parking strategy, ring-fencing some income to support sustainable transport initiatives.	No further progress. Future activity is dependant on Project Taunton proposals coming forward.
6.2 Investigate, support and enable sustainable transport initiatives in Taunton Deane.	No further work was done in this quarter as the increased charges did not come into effect until 30 March.
6.3 Deliver the Congestion Reduction Strategy with SCC, implementing the agreed car park charging policies to ensure the success of the Park and Ride Schemes	Parking Charges were increased to maintain the momentum required by the strategy but also in recognition of the economic climate and the timetable for East Taunton Park & Ride. The Project Taunton timetable has slipped and is not a factor in determining charges or 2009/10.
6.4 Support the development and expansion of the Silk Mills Park and Ride Scheme.	It is proposed to submit the Silks Mills planning application at the end of July.
6.5 Work closely with the County Council to deliver the Taunton East Park and Ride facility and to agree a clear timetable for delivery.	Taunton East Park and Ride is due for completion in October 2009.
6.6 Optimise the location of homes, retail, business and leisure to minimise travel requirements, by implementing the actions in the Local Development Framework and Project Taunton.	Work on the core strategy is progressing and public consultation will be in October/November 2009.
6.7 Work with the County Council to improve public transport within Taunton Deane.	The Borough Council is involved in a range of initiatives, including an improved interchange at Taunton station, greater bus priority within Taunton town centre and planning policies to assist buses in the proposed Urban Extensions. On course.

**Transport**

<b>Objective 7: Support the County Council as lead agency, to reduce the proportion of journeys to work made in Taunton by Single Occupancy Vehicles (SOV)</b> <b>Action Pending ☹️</b>	
<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
<p><b>7.1</b>                      Deliver the actions in the Taunton Deane Borough Council Employee Travel Plan to achieve key targets including reducing the use of SOVs to 60% by March 2010.</p>	<p>The number of staff driving to work has fallen from 71.3% (2005), to 65.8% (2007) to 65.1% (2008). The number of car passengers has remained consistent, between 2% and 3% of all staff. SOV journeys are currently at 63% of all journeys to work.</p> <p>The refresh of the Employee Travel Plan is due to commence during 2009. However, there will be no further survey of staff travel behaviour until Spring 2010</p>
<p><b>7.2</b>                      Work in partnership with SCC to encourage top ten employers to achieve a transport modal shift to reduce SOVs by 2011 (to align to SCC target).</p>	<p>The Moving Forward Team (SCC) is just beginning to engage with the business community, primarily looking to target the existing business networks such as Business Link, Chambers of Commerce etc. The Cambria Farm park &amp; ride will provide the opportunity to market travel plans more effectively, as will any other changes to the operation of Taunton town centre, such as public transport improvements, reduced parking levels/increased parking charges etc. SCC is monitoring these to make the most of the opportunities being afforded. TDBC will assist wherever appropriate.</p>

<p>7.3 Develop a S106 policy to ensure <b>that</b> significant new commercial premises or major extensions to existing premises have a S106 agreement requiring submission and implementation of a travel plan</p>	<p>The TCCAP was adopted in October 2008. This contains polices that will require developers to prepare Travel Plans (via conditions / 106 agreements). A Planning Obligations (S106) Supplementary Planning Document was adopted in December 08. Work on a 'Core Strategy' is currently underway. Upon adoption (2011) a similar policy framework will exist across The Deane.</p> <p>Concerning delivery, there is 'patchy' progress on travel plans and a slightly inconsistent application of policy regarding the procurement of travel plans for major sites.</p> <p>This will be helped by the delivery of specific Travel Plan SPD. Work on this is on-going, but delayed somewhat by late publication of relevant DfT guidance. A revised project plans needs to be developed. A stakeholder workshop will be held sometime over summer 09, to be advised.</p> <p>The SPD will also look at travel planning for smaller sites where there is a need for a more collaborative approach between SCC, TDBC and developers.</p> <p>SCC have recently put in place a new monitoring system for travel plans that will help to monitor delivery and performance.</p>
<p>7.4 Support SCC in promoting and publicising alternative modes of transport to local residents and businesses through targeted road-shows, campaigns and other means.</p>	<p>SCC continues to promote alternative travel through their Smarter Choices campaign. TDBC has good working arrangements with the Smarter Choices Team and provides assistance wherever possible.</p> <p>It is recognised that more could be done to improve the promotion of sustainable travel through our web site and other literature. Further dialogue is required between SCC and TDBC.</p>

**Crime**

<p><b>Objective 8: To reduce overall crime in Taunton Deane.</b>  <b>Target to be determined through 'Safer Communities' theme of LAA and right plants</b></p> <p><b>On Course</b> 😊</p>	
Key Activities	Progress to 31 March 2009
<p>8.1 Deliver Somerset Community Safety Plan 2008-2010 by delivering Corporate Strategy objectives 8 and 9.</p>	<p>As previous progress. This is underpinned by Partnership activity across Somerset and Somerset West, including merging the Crime and Disorder Reduction Partnerships to reduce duplication and increase efficiency. This has been successful in obtaining a funding model and sub group which is now replicated in Somerset East.</p>
<p>8.2</p>	

Focus on reducing and preventing volume crimes (common assault, vehicle crime and criminal damage).	Serious acquisitive crime is a target within the LAA and has actions set out within it. Over 50 triangular signs have been produced and placed in hot spot areas to raise awareness and tackle vehicle crime
8.3 Review the success of the Wellington restorative justice scheme pilot and support further expansion if successful.	Due to a low amount of cases being reported to the Police and therefore passed on, the Panel has looked to try to expand to take cases from schools and from Housing providers

## Crime

<p><b>Objective 9: To reduce the incidence of violent crime in Taunton Deane.</b>  <b>Target to be determined through 'Safer Communities' theme of LAA</b></p> <p><b>On Course 😊</b></p>	
<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
9.1 Enforcement of licensing laws to meet the four licensing objectives of public safety, prevention of nuisance, prevention of harm to children and prevention of crime and disorder.	We have conducted a total of 155 visits to licensed premises to conduct checks against the requirements of the Licensing Act 2003. These visits are either to react to specific complaints made or are part of a proactive programme of premises inspections.
9.2 Delivery of night-time economy plan in partnership with the police. Key actions being the 'three strikes' initiative and the 'drink safe, be safe' campaign.	<p>There has been good progress with the implementation of the "Best Bar None" award scheme for Licensed premises across the County. To date 46 Police Officers have been trained as BBN Assessors. There are launch days planned for 23rd June in Bridgewater and 30 June in Yeovil, initial notification letters for the scheme have been sent and formal application forms will need to be submitted by July. We are hoping for at least 200 entries who will be competing for either the Best Small/Medium sized venue or Best Large Venue. Awards will be allocated to the winners of both of these categories for each of the 5 district areas first and then from these overall winners will be chosen. The process will culminate in a Black Tie awards ceremony in November.</p> <p>We continue to be represented at all STARC meetings with our Partners.</p>



**Crime**

<b>Objective 10: To reduce anti-social behaviour incidents in Taunton Deane.                      Target to be determined through 'Safer Communities' theme of LAA</b>	
<b>On Course 😊</b>	
<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
10.1 Support Neighbourhood Policing - fund a dedicated Taunton Deane PCSO and work closely with PCSO's, Local Action Teams and partners to provide a more co-ordinated and effective approach to tackling anti-social behaviour.	As previous update.  Dreamscheme is being implemented in Halcon to reward positive behaviour by young people.
10.2 Devise and deliver a program of actions to tackle antisocial behaviour hotspots, identified through the database and partnership working.	Dreamscheme implemented as above.  Projects as left continue to be delivered
10.3 Continue identifying and implementing youth diversionary activities and facilities, including sports and arts activities.	As above and left.
10.4 Provide training and support to the Antisocial Behaviour Officer to tackle antisocial behaviour through partnership work, youth provision and diversion work, ASBOs, the three strike policy and other means.*	This post has continued to be successful in delivering youth diversion projects and in providing business plans for Paintball and for the use of space at Asda as well as ensuring that projects are funded through the Crime and Disorder Reduction Partnership.
10.5 Deliver the STARC action plan through partnership working to tackle alcohol related crime through prevention, enforcement and Education.	This is delivered through a steering group with individual actions assigned within the group to take forward on a countywide basis.

\* This objective depends on continued funding from the Crime and Disorder Reduction Partnership for this post.

**Crime**

<p><b>Objective 11: To reduce the fear and perception of crime by 5% per year to 2009 (from March 2007 baseline - 25%)</b></p> <p><b>On Course</b> 😊</p>	
<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
<p>11.1 Implement actions from the 'Safer and Stronger Communities' element of the LAA to reduce fear of crime</p>	<p>The specific action plans are as outlined above (ref 8.1).</p>
<p>11.2 Support and promote the increased security of residents' properties through the Handyman Scheme, the Bobby Van initiative and the payment of grants via Age Concern, to improve the security of vulnerable properties and prevent repeat burglary.</p>	<p>First No Cold Calling Zones launched. Safer Home Group oversees other actions within this area and is county wide.</p>

Healthy Living

**Objective 12: To enable the building of 720 units of affordable housing between April 2008 and March 2011 to contribute substantially towards the affordable housing target for Taunton Deane**

**Action Pending ☹**

<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
<p>12.1 Planning Gain through Section 106 agreements - negotiations with developers to meet a targeted proportion of social housing and other subsidised housing.</p>	<p>The current state of the housing market is resulting in the prospect of the earlier delivery than expected of affordable housing on a number of S106 sites. In a few cases an increase in the amount of affordable housing is also under consideration.</p> <p>As a result of this 17 social rented houses have been agreed on Cades Farm. A similar delivery is expected on Langford Mead.</p>
<p>12.2 Utilise Council owned and other sites to develop social and other subsidised housing.</p>	<p>Work with Summerfield Homes and the National Trust for 100 affordable homes in Cheddon Road is progressing well with a planning application expected in the next few weeks.</p> <p>Work is progressing well on a similar site but a smaller scheme on land owned by the Crown Estate.</p> <p>The Council owned site at Holyoake Street has progressed well with planning permission granted. Most of the 15 households have now been decanted to alternative accommodation of their choice.</p> <p>A development of 14 two bed flats at Somerton House, Hamilton Road, Taunton is now completed and fully occupied.</p> <p>A rural exception scheme of 7 homes on a site on the edge of Milverton is still being investigated. Planning application is expected to be submitted in the next few weeks. Planning permission has been granted for 9 affordable homes at Dipford, Trull.</p>
<p>12.3 Deliver the Local Development Framework for all types of housing need, including low cost and social housing.</p>	<p>The Council's first Development Plan Document under the new planning system, the Taunton Town Centre Area Action Plan, was adopted in October 2008.</p>

	Preparatory work on the Core Strategy and Allocations Development Plan Documents continues.
12.4 Investigate new approaches to delivering intermediate housing.	<p>Our model for the provision of discounted affordable homes to buy, first used on a scheme at Chelston, continues to be used on other sites.</p> <p>As a response to current market and financial conditions some Shared Ownership properties are being converted to Intermediate Rent for fixed periods of several years, at the end of which they could revert to Shared Ownership with the payments made by the occupiers being used as a deposit for mortgage purposes.</p> <p>We are working with an external funder on potential schemes that could be delivered without the need for public funding.</p> <p>Work on the Strategic Housing Market Assessment and complementary Strategic Land Viability Assessment has been completed and the report published. This information will underpin new housing and planning policies.</p>
12.5 Ensure that all Council-owned residential properties comply with the Government's Decent Homes Standard by March 2011.	

### Healthy Living

<p><b>Objective 13: To reduce the number of homeless households in temporary accommodation by 50% by 2010, with an emphasis on homelessness prevention</b></p> <p><b>On Course</b> 😊</p>	
<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
13.1 Prevention - Deliver the issues in the Planning Out Homelessness Strategy around preventing homelessness.	"Making Homes, Helping People, Changing Lives" has now been produced as a replacement for "Planning Out Homelessness" Following the introduction of thematic working across the council discussions are taking place as to how the action points can be implemented
13.2 Supply - Deliver the issues in the Planning Out Homelessness Strategy around increasing housing supply for the homeless.	The Rough Sleeping Unit is now fully functional. Occupancy rates are high, as is demand
13.3 Supply - Deliver the issues in the Planning Out Homelessness Strategy around improving support for the homeless.	See above

Healthy Living

**Objective 14: Promote healthy activities to meet the needs of the wider community, responding to the needs of different age groups and recognising the contribution made from sports, art and culture**

**On Course** 😊

<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
<p>14.1 Consider all options for delivering new opportunities for public swimming in Taunton Deane including the construction of a new 25m pool in Taunton.</p>	<p>Still no decision made.</p>
<p>14.2 Deliver the actions identified in the Play Strategy 2007-12 to improve play provision in priority areas.</p>	<p>Out of 19 actions in the Play Strategy 12 are complete or underway, 3 are being led by a third party. The other 4 actions will be delayed until resources are available (the references are from the Play Strategy).</p> <p>LP4 and EC2: Three landscape play areas were completed during the year – Hawthorne (Holway), French Weir (Fairwater) and Howard Road (Wellington). They are attracting enormous use and have become destinations for family outings leading to greater use of the open spaces and greater levels of physical and social activity. Work has progressed on designs for 2 further play projects in Halcon – Asda greenspace and Baldwin Road.</p> <p>LP4 and F2: Oake Parish council and Village Hall Committee have been supported to agree a design for a new style play area to be funded and developed by the Council and Playbuilder.</p> <p>LP5: Stawley School governors have been offered a grant towards a play area after signing an agreement guaranteeing out of hours access for the public.</p> <p>LP1, I2 and EC1: Play Ranger and Wild Play projects continue to attract large numbers of children around the Borough.</p> <p>EC3: a destination skatepark is nearer to achievement with 2 successful funding bids by the Community Skatepark project group totalling £73,000.</p> <p>EC4: A Landscape Design company has been selected to serve 4 of the District Councils to undertake fully inclusive consultation with children leading to play area designs and the management of the construction phases for further play area replacement projects over 2 years.</p>
<p>14.3 Promote and support health activities for the elderly, such</p>	<p>Flexercise Training was provided to 13 individuals</p>

as the 'Prime' package from Tone Leisure, and other initiatives (Flexercise, health walks etc).

in February. They were a mixture of employees from homes in Taunton Deane and Volunteers working in the community. Follow-up visits to observe the individuals delivering Flexercise in their own community, have been taking place.

'Walk Well in Taunton' health walking scheme saw an average participation of 32 per walk. The scheme attracted 55 new participants. One "Walk Well Plus" walk took place during Quarter 4 with 26 participations and 1 new participant.

Active Somerset- 2 walks took place in Ruishton with a total of 30 participations.

One MEND Programme took place. 5 families completed the course, all with excellent results.

**Environment**

**Objective 15: To increase to at least 78% the percentage of people who are satisfied with the cleanliness of their local environment by 2009**

**On Course** 😊

<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
<p>15.1 Holistic management of the environment, linking highways, parks, open spaces, car parks, river and canal and other street scene areas. Achieve improved partnership and cross-service working.</p>	<p>During this quarter we have worked with local community groups you have organised 'litter picks' in their areas these have included Cotford St Luke, Wellington, Rockwell Green and the Halcon Estate in Taunton. Amongst others that have participated with the local residents are the local ward councillors and the police. In Bishops Lydeard the local school organised a day and we supplied the equipment and removed the bags of litter collected at the end of the day.</p> <p>As part of our commitment to Britain in Bloom our Coordinator has worked with a number of groups including those from Queens College and Wilton Girl Guides in cleansing works in Vivary Park. Through Wellington in Bloom they have supported the local residents at Tonedale in similar works and one of the local churches in litter picking around Wellington Basins. The Friends of Vivary Park have carried out small gardening jobs around the park.</p> <p>Continuing throughout the year has been our support of the 'unpaid workforce' from the probation service who have painted some of the street furniture in Taunton town centre and removed graffiti. They have also in Wellington painted the Wellington Playing Field sports pavilion and railings in the town centre.</p>
<p>15.2 Improve methods and approach to street cleansing such as taking a responsive approach to tackling areas that need cleaning (rather than strictly following a rota).</p>	<p>The Cleansing DLO have been working with the Parish Clerk at Bishops Hull to co-ordinate our cleaning activities with that of the sweeper employed by the parish council to achieve better coverage in the village.</p> <p>In the coming months we hope to work again with Somerset Highways during their routine verge cutting so that we can clear the litter exposed by these works. This enables us to work safely in areas that are difficult to reach during our normal operations and improves the visual impact of the area for visitors passing through. Through the summer months we are planning to increase the frequency of our rural litter picking from the A &amp; B routes.</p>

**Environment**

<p><b>Objective 16: To increase the percentage of household waste recycled to 45% by the end of 2008/09 and 47% by the end of 2009/10</b></p> <p><b>On Course ☺</b></p>	
<p><b>Key Activities</b></p>	<p><b>Progress to 31 March 2009</b></p>
<p>16.1 Expanded delivery, promotion and enforcement of the recycling service, focussing on maintaining high levels of awareness, overcoming obstacles and enforcing compliance where necessary.</p>	<p>The SWP's contractor May Gurney will be relocating from Taunton Market at the end of May 2009.</p> <p>The SWP client team for the greater Taunton area continue to provide advice and assistance to householders and solve problems when they arise. They also maintain regular liaison with the TD customer services and Deane DLO unit. In addition to the recycling performance previously referred to, this approach also contributed to TD having the 2<sup>nd</sup> lowest level of household waste arisings in UK during 2007/08.</p>
<p>16.2 Ringfence contract savings from the Somerset Waste Partnership to expand and improve the recycling service to include other types of waste, such as plastics and cardboard.</p>	<p>Budget provision has been made to allow roll out of SORT IT PLUS collections (with cardboard and plastic bottle recycling) in 2009/10. Final costs for these collections are being reported to TDBC in June 2009, which are based on the results of trials for this service and material incomes as originally contracted.</p>
<p>16.3 Work closely with the Somerset Waste Board to ensure we meet the 2020 European Landfill target of reducing biodegradable municipal waste landfilled to 35% of that produced in 1995.</p>	<p>Current SWP performance for recycling and composting puts it ahead of the current landfill diversion target.</p> <p>SWP will start work during 2009/10 on updating the Joint Municipal Waste Management Strategy for Somerset, which will update partner authority policies for diverting waste from landfill through waste minimisation, recycling and recovery.</p>



**Environment**

**Objective 17: To actively promote sustainability in Taunton Deane with a focus on climate change, energy efficiency and renewable energy, to reduce our carbon footprint on the environment**

**Off Course** ☹️

Key Activities	Progress to 31 March 2009
<p>17.1 Follow up our signing of the Nottingham Declaration on Climate Change by establishing a baseline of carbon emissions and carbon reduction targets. This will lead to developing a Climate Change Strategy to provide a joined-up approach to promoting sustainability, tackling climate change and reducing emissions.</p>	<p>Work still in progress:</p> <p>Baselines for vehicle use and emissions have now been established. A Carbon Management Plan is now being prepared providing a plan of actions to provide year on year carbon savings through Council operations.</p> <p>The Climate Change Strategy has yet to commence.</p>
<p>17.2 Reduce carbon emissions by adopting the BREEAM excellence standards for commercial construction on all Council owned land. This will include construction on Firepool and other Project Taunton sites</p>	<p>No change.</p>
<p>17.3 Ensure that new housing built through Housing Corporation funded schemes meet a minimum of level 3 of the Code for Sustainable Housing from 2007/08, with a view to increasing this level from 2008/09.</p>	<p>All schemes coming forward now through the ADP will be delivered to at least code level 3.</p>
<p>17.4 Meet the government target of improving energy efficiency by 30% on housing in Taunton Deane (1995-2010) through various housing initiatives.</p>	<p>No change</p>
<p>17.5 Review our existing buildings to ensure they are 'green' (using renewable energy suppliers, water saving measures, waste separation and recycling, energy-saving lightbulbs etc).</p>	<p>No change</p>

**Environment**

<p><b>Objective 18: To reduce the risk of flooding to Taunton town centre so as to enable development sites to come forward and to ensure that measures are in place to respond to flooding when and if it occurs within Taunton Deane</b></p> <p style="text-align: center;"><b>On Course</b> 😊</p>	
<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
<p>18.1 To construct flood alleviation measures to enable the development of Firepool.</p>	<p>Construction of additional flood storage capacity completed in December 2008 and additional flood defences completed in March 2009.....on time and under budget. Amount of flood storage provided approximately 35% greater than originally estimated.</p>
<p>18.2 To continue to have suitable contingency procedures in place should flooding occur.</p>	<p>The Floodplan had been reviewed and found to be in line with the LRF stance. Further refinements are being considered in light of the Govt response to the Pitt Review of the Gloucester flooding.</p>
<p>18.3 To investigate other areas of flood risk as they occur.</p>	<p>As previously: Flooding is identified in the Local Resilience Forum's Public Risk Assessment and pursued as an ongoing workstream.</p> <p>As previously: Through the work of the Strategic Flood Risk Assessment (published September 2007) we now have a good knowledge of those areas that are likely to flood, together with an understanding of the type of defensive works that will be necessary to provide protection to communities within Taunton Deane. We shall continue to deliver schemes of flood protection through either central funding (e.g. Longrun Farm) or developer funding (e.g. Halse Water). As part of the infrastructure needs for the growth of Taunton we have submitted bids for New Growth Point and Regional Funding Allocation (RFA2) for further schemes on tributary streams to manage flood risk to the urban area of Taunton and the River Tone. These are programmed from 2011/12 until 2014/15 and are likely to be delivered beyond the timeframe of this current Corporate Strategy.</p>
<p>18.4 To financially support the Somerset Water Management Panel.</p>	<p>No change</p>

**Delivery**

**Objective 19: To provide value-for-money services where overall satisfaction with the Council is in the top quartile nationally; over 60% of national BVPIs perform above English average; and council tax charges are in the lowest quartile when compared with other English districts.**

**Action Pending ☹**

Key Activities	Progress to 31 March 2009
<p>19.1 Continue to develop Pioneer Somerset - enhanced two-tier working across all the Somerset councils to make annual efficiency savings and improve quality and accessibility of services to residents</p>	<p>The Pioneer Board has refocused the forward plan for the Pioneer Somerset Project to concentrate efforts on 4 issues:</p> <ul style="list-style-type: none"> <li>• Shared Services. In particular the Board has identified a number of service areas that it wants looked into, and proposals prepared with a matter of urgency. These are: <ul style="list-style-type: none"> <li>○ Major applications and proposals</li> <li>○ Housing – operational and strategic (excluding Landlord services)</li> <li>○ Equalities and diversity</li> <li>○ Legal Services</li> </ul> <p>Other service areas will follow.</p> </li> <li>• Customer Access. This is a project that is being jointly led by TDBC and West Somerset. Its aims are to have a single common and joined up approach to Customer access across the Councils and ultimately to improve our customer satisfaction ratings. We are currently reviewing what needs to happen to deliver this project.</li> <li>• Community Leadership. This work stream will look at proposals for joint strategic leadership; improving LSPs; and improving community engagement and empowerment.</li> <li>• Budgets. It has been agreed that all the Somerset Councils will meet in July for a budget workshop with a view to us working together to manage budget issues for 20010/11 and beyond.</li> </ul> <p>To give Pioneer the drive it really needs to make it happen, the Board wants to appoint a Chief Executive, Programme Manager and professional/admin support. This is subject to appropriate approvals within each Council.</p>

<p>19.2 Achieve a minimum Level 3 rating for CPA 'Value for Money' annual assessment by implementing key recommendations from the Audit Commission assessment of the Council.</p>	<p>CPA has been replaced by the Comprehensive Area Assessment</p>
<p>19.3 Allocate specific funding for 'Area Working' initiatives to enable projects to be delivered that benefit local communities.</p>	<p>Funding no longer allocated.</p>
<p>19.4 Explore using other partnerships and means of delivery that will improve value for money, (e.g. the Somerset Waste Board and the relocation of the nursery).</p>	<p>Building Control is currently working in partnership with Sedgemoor District Council.</p>
<p>19.5 Improve customer perception and satisfaction of the Council through delivering the five core communications actions recommended by the LGA that promote effective communication</p>	<p>All communications actions currently being delivered. Actions include residents newspaper (Deane Dispatch), internal communications, media management, brand management (Style Guide) and A-Z of services</p>
<p>19.6 Strengthen the role of Scrutiny at the Council to drive improvement, including developing the review of Value for Money and Performance and delivering more outcome-focussed task and finish reviews.</p>	<p>New scrutiny arrangements in place</p>
<p>19.7 Develop Procurement through collaboration with Southwest One to achieve savings targets, better quality, cost effective services and support our objectives around economy, sustainability and equalities.</p>	<p>Southwest One are developing a benefits tracking system to ensure the delivery from the procurement category plans.</p>

**Delivery**

<b>Objective 20: To achieve level 4 of the Equality Standard for Local Government by the end of 2010 and to attain Level 5 by 2012</b>	
<b>Off Course ☹</b>	
<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
<p>20.1 Deliver effective Equalities Training to managers, staff and councillors and ensure this training is implemented at every level through staff appraisal, committee reporting and service planning mechanisms</p>	<p>Member training was carried out in February 2009. In partnership with SW1 an Equality and Diversity training plan has been agreed and resources allocated to deliver comprehensive staff, manager and member training throughout 2009.</p>
<p>20.2 Work through the requirements to progress the Council through Levels 2 to 5.</p>	<p>As previous quarter.</p> <p>The Equalities Framework for Local Government has been finalised. The Somerset Equalities Officers group is working toward attainment of 'Achieving' level for each authority by 2011.</p> <p>An exercise to identify gaps in attaining 'Achieving' level has been carried out and a delivery plan is currently being developed.</p>
<p>20.3 Improve engagement of BME communities through good service interface, use of an Equalities Forum and translation policies – all informed through customer feedback.</p>	<p>Engagement with BME communities has been developed through the Forum for Equality and Diversity in Somerset with an SLA now in place. Individual service areas have engaged with the Gypsy and Traveller group and the Polish community. The authority funds and engages with the Taunton Disability Discussion Group regularly on a range of subjects.</p> <p>A joint Translation policy has been developed with SCC to ensure consistency of service and to share resources and we continue to work with the Somerset Equality Officer Group to share customer engagement opportunities and information.</p>
<p>20.4 Adopt the government's 'Rural Proofing' commitment by ensuring that all our key policies are rural-proofed in future to ensure they have an appropriate focus on rural needs and circumstances.</p>	<p>The original intention was to prepare corporate guidance – to ensure that rural proofing was built into policies and strategies across the Council. However, there has been no progress.</p>

**Delivery**

<b>Objective 21: To ensure that 80% of service enquiries to the Council are resolved at the first point of contact by 2015</b>	
<b>On Course ☺</b>	
<b>Key Activities</b>	<b>Progress to 31 March 2009</b>
21.1 Work closely with our Southwest One partners to modernise and improve transactional and back office services, and improve access to and delivery of customer-facing services.	Southwest One has restructured all in-scope services.
21.2 Implement the Customer Access Strategy to deliver our services where and when they are required. Promote and monitor the Customer Contact Standards.	Have improved and maintain customer service call answering statistics.
21.3 Develop the management of complaints and consultation to ensure that consistent messages from the public are identified, fed through to services and result in service improvements.	Developing a new complaints system as part of the new CRM and implementation.
21.4 Use the demographic and social information available to focus our services more effectively on meeting the changing needs of the Taunton Deane community (e.g. ageing population)	No further progress
21.5 Implement appropriate Human Resources policies to manage the cultural change and workforce development required to achieve the above key activities.	<p><b>Southwest One</b></p> <p>Retained MR Manger continues to support CMT and Change Managers to ensure that a consistent strategic approach is taken.</p> <p>The Retained HR Manager has regular liaison meetings with the Southwest One HR team at TDBC and also other parts of the shared service delivery to ensure TDBC strategic aims and objectives are understood and incorporated in workplans.</p> <p><b>Job Evaluation</b></p> <p>The Council has been implemented on the basis that the conditions contained within Clause 12.2 of the National Terms and Conditions of Service have successfully been met. No response has been received from either UNISON Regional Office or the Head Office with regard to implementation of the Scheme on this basis.</p> <p><b>Absence</b></p> <p>As previously: The additional activity and emphasis on managing sickness absence has enabled the Council to attain the target set for 2008/09 despite the significant period of change</p>

	<p>at the Council.</p> <p>Absence will continue to be monitored as a priority with Core Council Managers, Corporate Management Team and with elected members.</p> <p><b>Organisational Development</b></p> <p>As previously: Retained HR staff continue to work with CMT to develop organisational development capacity and initiatives across the organisation and link these key issues such as Core Council Review and to change management projects generally.</p> <p>Completion of the liP assessment and developments in associated processes to ensure retention of the award have been action planned. Better working relationships with SW1 training and development have also been made during the last quarter.</p>
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## Appendix E

### Local Area Agreement National Indicator update to March 2009

National indicator	Definition	Baseline Performance 2008/09	LAA Somerset target Variable depending on Delivery Plan	Comment
1	Percentage of people who believe people from different backgrounds get on well together in their local area	77.3%	81%	Place Survey
4	Percentage of people who feel they can influence decisions in their locality	28.4%	Baseline +4%	Place Survey
6	Participation in regular volunteering	27.9%	Baseline +4%	Place Survey
7	Environment for a thriving third sector	16.3%	Baseline +3.5%	
11	Engagement in the arts	Active people survey revealed 47.7% in Somerset engaged.	Baseline +3.9%	Active people survey
16	Serious acquisitive crime rate	9.66 crimes per thousand population	9.04 crimes per thousand population	
21	Dealing with local concerns about anti-social behaviour and crime by the local council and police	29.7%	Not set	
30	Reoffending rates of prolific and priority offenders	Avon and Somerset Police to provide data	Target to be set	
32	Repeat incidents of domestic	Avon and Somerset	Target to be set	



<b>National indicator</b>	<b>Definition</b>	<b>Baseline Performance 2008/09</b>	<b>LAA Somerset target Variable depending on Delivery Plan</b>	<b>Comment</b>
	violence	Police to provide data		
39	Rate of hospital admissions per hundred thousand for alcohol-related harm	NHS to provide data	Target to be set	
47	People killed or seriously injured in road traffic accidents	SCC to provide information	Target to be set	
56	Obesity in primary school aged children in year 6	NHS to provide data	14.9% (2008-9) 14.7% (2009-10) 14.6% (2010-11)	
111	First Time entrance To the Youth Justice System aged 10-17	Probation Service to provide data	Target to be set	
112	Under 18 conception rate	NHS to provide data	22.8 per 1015-17-year-olds (data available in 2012)	
115	Substance misuse by young people	Data not yet available	Target to be set	
121	Mortality rate from all circulatory diseases ages under 75	NHS to provide data	Target to be set	
136	People supported to live independently through social services (all adults)	Data not yet available	Target to be set	
139	The extent to which older people receive the support they need to live independently at home	34.9%	36.8% by 2011	
142	Percentage of vulnerable people who are supported to maintain	Data not yet available	95.49%	

<b>National indicator</b>	<b>Definition</b>	<b>Baseline Performance 2008/09</b>	<b>LAA Somerset target Variable depending on Delivery Plan</b>	<b>Comment</b>
	independent living			
147	Care leavers in suitable accommodation	Data not yet available	2008/0 990%; 2009/10 90.5%; 2010/11 91%	
152	Working aged people on out of work benefit	Data not yet available	Target to be set	
154	Net additional homes provided	Data not yet available	Target to be set	
155	Number of affordable homes delivered (gross)	Data not yet available	611 per annum	
163	Proportion of population aged 19-64 for males and 19-59 for females qualified to at least level 2 or higher	72.4%	Target to be set	
165	Portion of population aged 19-64 for males and 19-59 for females qualified to at least level 4 or higher	28.8%	Target to be set	
166	Median earnings of employees in the area	ONS data to be provided	Baseline +1.6%	
171	New business registration rate	Data not yet available	Target to be set	
172	Percentage of small businesses in an area at showing employment growth	Data not yet available	Target to be set	
175	Access to services and facilities by public in court, walking and cycling	70% (Baseline in 2007)	90%	

National indicator	Definition	Baseline Performance 2008/09	LAA Somerset target Variable depending on Delivery Plan	Comment
179	Value for money-total net value of on-going cash-releasing value for money gains	Actual efficiency, total in-year gains £573,613	Target to be set	
185	CO2 reduction from local authority operations	Data not yet available	Target to be set	
186	Per capita CO2 emissions in the local authority area	Data not yet available	Target to be set	
187	Tackling fuel poverty -- people receiving income-based benefits living in homes with a low energy visions in rating	16.91%	Target to be set	
188	Adapting to climate change	0	Target to be set	Restructure having impact on priorities
191	Residual household waste per household	371.56 kg per household	Target to be set	

## Appendix F

### TDBC National Indicator update to March 2009

National indicator	Description	Baseline performance 2008/09	TDBC target 2009/10	Comment
2	Percentage of people who feel that they belong to their neighbourhood	60.3%	Target to be set	Place Survey
3	Civic participation in the local area	14.8%	Target to be set	Place Survey
5	Overall general satisfaction with local area	87.7%	Target to be set	Place Survey
8	Adult participation in sport	20.4	Target to be set	Participation has fallen from 21.3% in 2005/06
14	Avoidable contact: the proportion of customer contact that is of low or no value to the customer	27%	Target to be set	
15	Serious violent crime rate	0.22	Target to be set	This has decreased
17	Perception of anti-social behaviour	10.3%	Target to be set	
20	Assault with injury crime rate	6.26	Steady downward trend	
22	Perception of parents taking responsibility for the behaviour of their children in the area	34.7%	Target to be set	Place Survey
23	Perception that people in the area treat one another with respect and dignity	23.8%	Target to be set	Place Survey
27	Understanding of local concerns about anti-social behaviour and crime by the local council and police	28%	Target to be set	Place Survey
29	Gun crime rate	Avon and Somerset Police to provide data	Target to be set	
34	Domestic violence – murder	Avon and Somerset Police to provide data	Target to be set	

National indicator	Description	Baseline performance 2008/09	TDBC target 2009/10	Comment
35	Building resilience to violent extremism	Avon and Somerset Police to provide data	Target to be set	
36	Protection against terrorist attack	Avon and Somerset Police to provide data	Target to be set	
37	Awareness of civil protection arrangements in the local area	16.1%	Target to be set	Place Survey
41	Section of drunk or rowdy behaviour as a problem	23%	Target to be set	Place Survey
42	Perception of drug use or drug dealing as a problem	19.3%	Target to be set	Place Survey
48	Children killed or seriously injured in road traffic accidents	Road Safety Partnership provide information	Target to be set	
110	Young people's participation in positive activities	Data not yet available	Target to be set	
118	Take-up of formal childcare by low-income working families	HMRC to provide data	Target to be set	
119	Self-reported measure of people's overall health and well-being	77%	Target to be set	Place Survey
120	All age all cause mortality rate	NHS to provide data	Target to be set	
122	Mortality from all cancers and ages under 75	NHS to provide data	Target to be set	
137	Healthy life expectancy at age 65	NHS to provide	Target to be set	
140	Fair treatment by local services	73.8%	Target to be set	Place Survey
151	Overall employment rate	SCC to provide data	Target to be set	
156	Number of homes in temporary accommodation	43	56	CLG target to have 56 households in temporary accommodation by 2010 ☺
157 a	Processing of planning applications as measured against	75%	65%	☺

National indicator	Description	Baseline performance 2008/09	TDBC target 2009/10	Comment
	targets for "major applications"			
157b	Processing of planning applications as measured against targets for "minor applications"	75%	75%	☺
157c	Processing of planning applications as measured against targets for "other applications"	83%	85%	☹
158	Percentage of decent council homes	15.41%	15%	☺
159	Supply of ready to develop housing sites	Data not yet available	Target to be set	
160	Local authority tenant satisfaction with landlord	82.2%	Target to be set	
170	Previously developed land that has been vacant or derelict for more than 5 years	Data not yet available	Target to be set	
180	Changes in the Housing Benefit/council Tax Benefit new claims and change events	694.7	Target to be set	
181	Time taken to process housing benefit/council tax benefit new claims and change events	10.3 days	Target to be set	
182	Satisfaction of businesses with local authority regulation services	82.1%	Somerset target: 75%	☺
184	Food establishments in the area which are broadly compliant with food hygiene	86.5%	Target to be set	Somerset target not yet set
189	Flood and coastal erosion risk management	Environment Agency	Target to be set	
192	Household waste recycled composted	48.22%	Not applicable	
193	Percentage of municipal waste to	Data not yet available	Target to be set	

National indicator	Description	Baseline performance 2008/09	TDBC target 2009/10	Comment
	landfill			
194	Air quality -- percent reduction in NOx and PM10 emission through local authority estates in operations	Data not yet available	Target to be set	
195	Improved street and environmental cleanliness (levels of graffiti, litter, detritus and flyposting)	Data not yet available	Target to be set	
196	Improved street and environmental cleanliness-fly tipping	4	4	☺
197	Improved biodiversity -- active management of local sites	100%	100%	☺
199	Children and young people satisfaction with park and play areas	Data not yet available	Target to be set	For introduction in 2009/10

## Appendix G

### TDBC local indicator update to March 2009

Local indicator	Description	Performance 2008/09	Performance 2007/08	Target	Comment
BV 2a	The level of the Equality Standard	Level 1 of the new Equality Framework for Local Government	Level 2 of previous regime, Equality Standard.	Level 3	☹ Progress affected by long-term sickness absence of Equalities Officer
BV 2b	The duty to promote racial equality	79%	83%	89%	☹ see above
BV 9	Percentage of the net collectable council tax debit collected in-year	97.9%	97.2%	97.9%	☺
BV 10	Percentage of the net collectable NNDR are debit collected in-year	98.09%	98.2%	98.6%	☹
BV 12	The proportion of working days lost due to sickness absence	10.9 days	11.02 days	11 days	☺
BV 63	Average SAP rating for local authority owned premises	66.02%	66%	66%	☺
BV 66 a	Percentage of rent owed that was collected	100.15%	98.7%	98.3%	☺



Local indicator	Description	Performance 2008/09	Performance 2007/08	Target	Comment
BV 80 (vii)	Overall satisfaction with the service (Benefits)	82.85%	81.43%	Greater than 81.43%	☺
BV 86	Cost of waste collection per household	Data not yet available	£57.97		Dependent on out to finance figures
BV 156	Percentage of buildings were all public areas are suitable for an accessible to disabled people	Data not yet available	63.9%	68%	
BV 202	Number of people sleeping rough	10	10	10	Rough sleeper count Autumn 2010 ☺
BV 204	Percentage of appeals allowed against the authority's decision (planning)	18.2%	23.5%	10%	☹
BV 213	Housing casework intervention	6.4	6	4	☹
BV 218 a	Percentage of new reports of abandoned vehicles investigated within 24 hours of notification	100%	100%	98%	☺

Local indicator	Description	Performance 2008/09	Performance 2007/08	Target	Comment
BV 219b	Percentage of conservation areas with up-to-date appraisals	45.2%	45.2%	No target set	☺
LPI 10	Percentage of telephone calls answered within 20 seconds (Contact Centre only)	86.2%	81.37%	83.5%	☺
LPI 30	Percentage of council tenants who have reported anti-social behaviour in the last 12 months, rating the help and advice given as excellent or good	66.6%	67.7%	66%	☺
LPI 35	Overall tenant satisfaction with repair service	97.81%	97.9%	98.1%	☹ Very small decrease
LPI 41	Area of local nature reserves per 1000 population	1.07	1.07 ha	1.07	☺
LPI 47	Percentage of available commercial premises let	89.29%	96.7%	90%	☹ Due to downturn in commercial premises market

Local indicator	Description	Performance 2008/09	Performance 2007/08	Target	Comment
LPI 48	Percentage of available industrial premises let	63.64%	73.1%	90%	☹ Due to downturn in industrial premises market
LPI 60	The proportion of planned repairs and maintenance expenditure on HRA dwellings compared to responsive maintenance expenditure on HRA dwellings	57.55%	58.27% (71.62% was reported which was incorrect)	67%	☹ The focus at the moment is an improvement to properties to enable decent homes
LPI 61	Proportion of expenditure on emergency and urgent repairs to HRA dwellings compared to non-urgent repairs expenditure to HRA dwellings	17.71% - repairs service is dependent on the severity of weather conditions	Problems with collating data	14%	☹
LPI 62	Percentage of calls resolved at the first point of contact (Contact Centre only)	96.4%	Move to Southwest One	72%	☺

**Appendix H TDBC SW1 Key Performance Indicator (KPI) & Service Performance Indicator (SPI) - Monthly Tracker**

Key To Performance Achievement:

Pass	Fail	Subject to Baseline*	Not Reported in Period**	Target at Risk
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\* Indicator is subject to baselining and verification by SWOne

\*\* Indicator has not been reported due to collection frequency (i.e. Quarterly/Annually) or not yet in Service Credit Mechanism

SERVICE LINE	2008/09 Targets	MONTHLY PERFORMANCE												
		APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
<b>Customer Contact</b>														
KPI-1	% of calls answered in 20 secs	80%												
KPI-2	% of calls resolved at first point of contact	72%												
KPI-3	% of external customers rating the Customer Contact Service as good or very good	TBA												
KPI-4	Abandoned call rate - less than 5%	<5%												
SPI-1	% of customer calls handled by Call Centres as a percentage of total calls to Council	MI												
SPI-2	Measure of quality required: standards, courtesy, speed, accuracy	TBA												
SPI-3	Waiting time for front-line services and receptions	TBA												
SPI-4	Correspondence processed correctly within 10 working days	100%												
SPI-5	% of customers rating the service as Very Good/Good	TBA												
<b>Corporate Admin</b>														
KP1-1	% of Word Processing reworks as result of sub-standard work	<5%												
KP2-2	% of customers rating the word processing service as Very Good/Good	85%												
KP3-3	% of customers rating the corporate administration service as Very Good/Good	85%												
SPI-1	Percentage of work completed either by individual agreed customer deadline or by WP centre targets (2 days normal work - 1 week for PACE tapes or large jobs)	90%												
SP-2	Security passes to be issued at least by the date/time required	99%												
<b>Design, Print &amp; Central Despatch</b>														
KPI-1	% of customers rating the Design and Print service as Very Good/Good	90%												
SPI-1	Order fulfilled on time	90%												
SPI-2	Benchmark basket of goods/services	TBA												
<b>Finance</b>														
11	Budget Setting/Input - timeliness of information supplied and input into SAP/Cedar	Reports on time and input into SAP/Cedar on time												
12	Budget Setting Input - Accuracy of information input into SAP/Cedar (List of Control Totals agree to data input into SAP/Cedar)	Budget numbers input into SAP/Cedar agree to Budget Control Totals from budget schedules												
13	Statement of Accounts - Timeliness - Input of closing entries as per closing timeliness	Closing entries are processed into Cedar/SAP in accordance with timelines set by Corporate Finance												
14	Statement of Accounts - Accuracy - Closing entries made in Compliance with agreed Accounting Treatments & Standards where these exist	Closing entries are made in accordance with agreed Accounting treatments and standards where these exist												

Measure ment period	No. on target	No. off target	Not measured /info
M	12	0	0
M	12	0	0
Q	0	0	12
M	11	1	0
M	0	0	12
Q	0	0	4
M	0	0	4
M	1	0	3
A	0	0	1
Q	4	0	0
A	1	0	0
A	1	0	0
M	12	0	0
M	12	0	0
A	1	0	0
M	12	0	0
A	0	0	1
A	1	0	0
A	1	0	0
A	0	1	0

SERVICE LINE	2008/09 Targets	MONTHLY PERFORMANCE											
		APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR
15 Budget monitoring - timeliness of information supplied (For Corporate Highlight Reports for SCC)	<i>TDBC Budget Monitoring Reports are produced on time. SCC Budget Monitoring reports are produced on time and submitted to Corporate Finance</i>												
16 Budget Monitoring: Accuracy and Quality of Quarterly report information. (For Corporate Highlight Reports for SCC)	<i>Accuracy and Quality of Quarterly Reports meets the standards as laid down by Corporate Finance</i>												
17 Supplier Payments - Volume of manual correctly authorised & completed invoices received by Exchequer input on Accounts Payable (AP) system for payment	<i>98% within 3 working days</i>												
18 Treasury - Timeliness of Treasury Management Reports	<i>100% of reports on time</i>												
19 Treasury - Compliance with the Treasury Management practice notes, Prudential boundaries and the lending	<i>100% compliant</i>												
20 Statutory Returns - Timeliness of submission of Returns	<i>TDBC 7/9</i>												
11 Survey of Budget Holders (% of Customers rating the service as Very Good/Good)	<i>TBA</i>												
12 Supplier Payments - Supplier Records - Promptness of Supplier record creation/amendment	<i>98% within 3 working days</i>												
13 Supplier Payments - Volume of manual correctly authorised & completed invoices received by Exchequer & input on Accounts Payable (AP) system for payment	<i>100% within 7 days</i>												
14 Supplier Payments - BVPI8 - Ensure measurement is reported on a regular basis	<i>100%</i>												
15 Treasury Management - Preservation of Investment Capital	<i>Invested Capital is not eroded in any way</i>												
16 Treasury Management - Meet or exceed Base Rate* 105%	<i>Target (Greater than or equal to 105%) - Net of Short Term Debt Costs</i>												
17 Statutory Returns - Accuracy of information supplied for inclusion within Returns	<i>Statutory Returns required to be completed and submitted as per 4.2.10.1 are completed correctly</i>												
<b>HR</b>													
KPI-1 % of customers rating the HR service as Very Good/Good	<i>TBA</i>												
KPI-2 Ensure payroll deadlines are met	<i>99.5%</i>												
KPI-3 Ensure statutory payroll deductions and returns are made on time	<i>100%</i>												
KPI-4 Number of errors on payroll payments	<i>0.15%</i>												
KPI-5 BV12: The number of working days/shifts lost due to sickness absence	<i>11</i>												
SPI-1 Ratio of employees to HR Staff (simple ratio)	<i>3.2</i>												
SPI-2 Cost of HR function per employee	<i>84 (M)</i>												
SPI-3 BV 11a: The percentage of top 5% of earners that are women	<i>28%</i>												
SPI-4 BV 11b: The percentage of top 5% of earners from black and minority ethnic communities	<i>1.60%</i>												
SPI-5 BV 11c: The percentage of top 5% earners that have a disability	<i>5.5%</i>												

Measure ment period	No. on target	No. off target	Not measured /info
Q	4	0	0
Q	4	0	0
Q	4	0	0
Q	4	0	0
Q	4	0	0
A	0	0	1
Q	4	0	0
Q	4	0	0
Q	4	0	0
Q	4	0	0
A	1	0	0
A	1	0	0
A	0	0	1
M	12	0	0
M	12	0	0
M	12	0	0
A	0	0	1
A	0	0	1
A	0	0	1
A	0	0	1
A	0	0	1



SERVICE LINE	2008/09 Targets	MONTHLY PERFORMANCE											
		APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR
KPI-1 % of customers rating the Procurement service as Very Good/Good	75%												
KPI-2 A record of any non-compliance with any regulatory procurement process resulting in a challenge which has a negative effect on the procurement activity	0												
SPI-1 % of total goods and services spend that is sourced electronically (based on volume)	TBA												
SPI-2 % achievement of target milestones in the Annual Procurement Plan	TBA												
SPI-3 Frequency of stock turnover measured by dividing the stock turnover value for the preceding 12 months by the average stock holding value during the measurement period	>6												
SPI-4 Percentage achievement of Procurement conducting contract management meetings with suppliers under direct control of the service	95%												
SPI-5 Percentage of key Suppliers who are sent 6 monthly survey	TBA												
<b>Property Services</b>													
KPI-1 Cost predictability of design projects	100%												
KPI-2 Time predictability of design projects	100%												
KPI-3 % of customers rating the Property service as Very Good/Good	65%												
KPI-4 % of TDBC requisition requests for goods detailed in the Supplier Catalogue delivered within 2 working days of receipt of request	90%												
SPI-1 Percentage of condition surveys undertaken against agreed programme	90%												
SPI-2 Percentage of contractor checks against agreed programme	100%												
SPI-3 Number of units void as a % of investment properties (Industrial figure quoted first, then retail figure)	TBA												
SPI-4 Continued registration with ISO 9001	100%												
SPI-5 Percentage of Asset Valuations against 5 year programme	90%												
SPI-6 Percentage of lift failures investigated within 1 hour of being reported	100%												
SPI-7 Overall average internal rate of return (AIRR) for industrial and retail investment properties	TBA												
SPI-8 Percentage of projects that are behind programme	TBA												
SPI-9 Percentage of reactive maintenance expenditure against budget.	30%												
SPI-10 Percentage of planned maintenance against budget	70%												
<b>Facilities Management</b>													
KPI-1 Number of occasions where building inaccessible	0												
KPI-2 First line response to urgent action - % of requests responded to within 10 minutes of call being made	95%												
KPI-3 Franked mail delivered or sent on same working day	99.9%												
SPI-1 % of customer rating the Facilities Management service as Very Good/Good	TBA												
SPI-2 Percentage of accommodation moves completed within agreed timetable	100%												
SPI-3 % of post sent 2nd Class	85%												
<b>TDBC Benefits</b>													
KPI-1 Performance Standards - ensure the service achieves an overall rating of 4 (Excellent) on the basis of Self Assessment against the Performance Measures	4												
KPI-2 LA error overpayments	100% subsidy												
KPI-3 Speed of processing: Average time for processing new claims	23 days												
KPI-4 Speed of processing: Average time for processing changes of circumstances	9 days												
KPI-5 BVPI 79b(ii) - Recovery of overpaid Housing Benefit: HB overpayments recovered during the period as a % of the total amount of HB overpayment debt outstanding at the start of the period plus amount of HB overpayments identified during the period	35%												
KPI-6 Number of investigations per 1,000 caseload	27												
KPI-7 Overall satisfaction with the service	>81.43%												
SPI-1 BVPI 76d - Number of prosecutions and sanctions per 1,000 caseload	4												
SPI-2 BVPI 79a - Accuracy of processing: Percentage of cases for which the calculation of the amount of benefit due was correct on the basis of the information available for the decision for a sample of cases checked post-	99%												
SPI-3 BVPI 79b (i) - Recovery of overpaid Housing Benefit: Percentage of recoverable Housing Benefit recovered during the period	65%												
SPI-4 BVPI 79b (iii) - Recovery of overpaid Housing Benefit: HB overpayments written off during the period as a percentage of the total amount of HB overpayment debt outstanding at the start of the period, plus amount of HB over payments identified during period	7%												
SPI-5 BVPI 80 (i) Overall satisfaction with facilities to get in touch with the Benefits Office	>81.97%												
SPI-6 BVPI 80 (ii) Overall satisfaction with service in actual Benefits Office	>77.39%												
SPI-7 BVPI 80 (iii) Overall satisfaction with the telephone service	>77.62%												

Measure period	No. on target	No. off target	Not measured /info
A	1	0	0
Q	4	0	0
M	0	0	12
Q	0	0	4
Q	3	0	4
Q	0	0	4
H	0	0	2
Q	4	0	0
Q	4	0	0
A	0	1	0
M	8	0	4
A	0	0	1
M	0	0	12
M	0	0	12
A	0	0	1
Q	0	0	4
Q	1	0	3
Q	0	0	4
M	0	0	12
M	0	0	12
M	0	0	12
M	12	0	0
M	11	0	1
M	12	0	0
A	0	0	1
M	0	0	12
Q	0	0	4
A	1	0	0
A	1	0	0
A	1	0	0
A	0	1	0
A	1	0	0
A	1	0	0
A	0	1	0
A	0	1	0
A	0	1	0

SERVICE LINE	2008/09 Targets	MONTHLY PERFORMANCE											
		APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR
SPI-8 <b>BVPI 80 (iv)</b> Overall satisfaction with staff in the Benefits Office	>80.70%												
SPI-9 <b>BVPI 80 (v)</b> Overall satisfaction with clarity and understandability of forms, leaflets and letters	>58.86%												
SPI-10 <b>BVPI 80 (vi)</b> Overall satisfaction with the amount of time it took to tell whether claim was successful	>77.54%												
SPI-11 Completion of government returns (timely and accurate)	All on time												
<b>TDBC Revenues</b>													
KPI-1 Percentage of the net collectable Council Tax debit collected in-year (BVPI 9)	97.90%												
KPI-2 Percentage of gross Council Tax payable from 1 April 1993 to the end of the previous financial year, collected by the end of the current financial year	99.27%												
KPI-3 Percentage of the net collectable NNDR debit collected in-year (BVPI 10)	98.60%												
KPI-4 Percentage of sundry debt payment arrangements reviewed within 28 days of default (excludes housing related debt)	100%	Baselining - not previously measured											
SPI-1 Percentage paying Council Tax by direct debit where there is a debt to pay	72%												
SPI-2 Percentage of Council Tax correspondence processed within 10 working days	81%												
SPI-2a Speed of processing: Average number of working days for processing Council Tax correspondence	11 days												
SPI-3 Percentage of payments processed upon day of receipt	97%												
SPI-4 Percentage paying NNDR by direct debit where there is a debt to pay	61%												
SPI-5 Percentage of NNDR correspondence processed within 10 working days	40%												
SPI-5a Speed of processing: Average number of working days for processing NNDR correspondence	25 days												
SPI-6 Percentage of sundry debt correspondence processed within 14 days of receipt	95%	Baselining - not previously measured											
SPI-7 Percentage of sundry debt payments made by DD, Standing Order or Debit/Credit Card	63%												
SPI-8 Bank reconciliation & all associated reconciliation to be completed within 14 days of month end	100%												

Measurement period	No. on target	No. off target	Not measured /info
A	0	1	0
A	1	0	0
A	1	0	0
M	12	0	0
A	1	0	0
A	1	0	0
A	0	1	0
A	1	0	0
A	1	0	0
A	1	0	0
A	1	0	0
A	1	0	0
A	1	0	0
A	1	0	0
A	1	0	0
A	1	0	0
A	1	0	0
A	1	0	0
M	12	0	0

TOTALS	675	13	211
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Percentages	75%	1%	23%
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# Taunton Deane Borough Council

**Executive - 17 June 2009**

## **Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook and Related Policy Issues**

### **Report of the Chief Environmental Health Officer**

(This matter is the responsibility of Executive Councillor Tim Slattery)

#### **1. Purpose**

- 1.1 The purpose of this report is to review, renew and consolidate a number of existing hackney carriage and private hire driver policies.

#### **2. Executive Summary**

This report constitutes a review of the Council's approach to taxi licensing issues. It seeks comment and approval of a new "Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook" and in so doing considers a number of new or revised policy areas. The adoption of the handbook will require the amendment of some previous council resolutions, which have been identified in the report. This matter has previously been presented to the Licensing Committee and the comments from this meeting have been incorporated into the handbook and the recommendations of this report.

#### **3. Background**

- 3.1 The Licensing department has over the last few months been working with the local taxi trade to review and consolidate a number of previous decisions and practices undertaken by the Council. The purpose of doing so is to draw all the recommendations, council policy, practice and conditions with regards to Hackney Carriages and Private Hire vehicles, drivers, owners and operators up to date and in one document. In addition the Licensing Department would like to review and refresh Council policy in relation to some issues.
- 3.2 It is intended that the one document will be named as the "Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook". Once approved this document will then become a definitive source of up to date policy and procedure for those in the trade, officers and other agencies. The draft of the aforementioned document is attached at Appendix 1.
- 3.3 Before the completion of the document a number of key issues need to be determined by the Licensing Committee for inclusion in the handbook.

#### **4. Disability Discrimination Act- Access To Hackney Carriage Vehicles**

- 4.1 On 17 November 1998 the then Environmental Services Committee resolved to remove the restriction on the number of Hackney Carriages in the Borough this allowed an increase from the 63 vehicles that were allowed at this time. At the same time and in response to Government Policy in relation to the Disability Discrimination Act 1995 a resolution was made that all new licensed Hackney Carriages would need to be wheelchair accessible. Additionally a period of protection until 2005 was granted for the existing saloon fleet. This decision was based on the Government's then timetable for the introduction of all wheelchair accessible vehicles (Minute number 50).
- 4.2 On 19 December 2001 the Executive (Minute number 136) extended the date for all hackney carriages to be wheelchair accessible from April 2005 until April 2012. This was agreed on the basis that the Government position at this time was that a hackney carriage vehicle specification, for Disability Discrimination Act compliance would be produced and that national legislation would require all Hackney Carriages to be wheelchair accessible by 2012.
- 4.3 The Executive also determined that a review any such policy should be undertaken at least three years before it came into effect or in line with Government recommendations, whichever came first. The latter resolution was to ensure that the trade had a reasonable lead in time to allow for planning any changes to vehicles required.
- 4.4 Recently the Department for Transport has further revised this timetable the relevant part of the Disability Discrimination Act 1995 (DDA) will not now be introduced in 2012 and a possible date of 2025 is being suggested.
- 4.5 Instead in February 2009 the Department for Transport (DfT) launched a consultation document on "Improving Access to Taxis". The consultation document is clear that the Government do not wish to see a reduction in the number of existing wheelchair accessible vehicles. The consultation also raises a number of interesting points in relation to this issue as follows:-
- Disability Discrimination Act compliance cannot be seen just as providing wheelchair accessible vehicles and the two terms should not be confused.
  - There is a recognition that disability can take many forms and therefore different types of vehicle may provide the best response to this, for example there is some evidence to suggest that people with ambulatory disability, and the elderly can prefer a more traditional saloon type vehicle, so a mixed fleet may be desirable. There is a recognition that more work needs to be done in this respect.

- The current make up of the Taunton Deane fleet compares favourably with the national statistics quoted in terms of proportion of wheelchair accessible vehicles.
- 4.6 There is no clear steer in the document with regards to current government thinking. The proposals that are likely to emerge from the process will inevitably have very long implementation periods, and are likely to leave decisions such as the approved DDA vehicle specification and the proportion of DDA compliant vehicles to be determined locally. In the mean time the Council has to regularise its current position pending any Government Policy change.
- 4.7 As of April 09 there are currently 140 Hackney Carriages in Taunton Deane of which 86 (61%) (including 6 on saloon car plates) are wheelchair accessible, the national level of wheelchair accessible vehicles is (47%). There are 54 saloon vehicles (39%). A total of 60 of plates 1-63 are currently occupied.
- 4.8 It is therefore proposed that until there is clear direction from Government, and to ensure the number of wheelchair accessible vehicles do not significantly decrease in the Borough, the number of saloon vehicles will be set at a maximum of 65. The remaining fleet will consist of Wheelchair accessible vehicles, which will be unlimited in number.
- 4.9 Sixty five plates will be specifically allocated as saloon plates, the term saloon vehicles includes estates and hatchbacks. Additionally those proprietors currently allocated a saloon plate may use this plate flexibly for a Wheelchair Accessible Vehicle if required. Saloon plates will be allocated to existing users of such plates (ie those 60 existing plates from 1-63 that are currently in use). The 5 unallocated saloon plates will be allocated on a first come first served basis. The Licensing Committee recommended that two of these unallocated saloon plates be granted to new entrants to the trade.
- 4.10 Any change to Council policy or any Council resolution to adopt a new Government Policy in this regard will have a rolling lead in period of five years, to ensure any changes can be planned into vehicle replacement strategies. This period may be reduced where required by any future mandatory Government legislation and is not within the control of the Council.
- 4.11 This proposal can be implemented by approving the Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook, outlined in section 6 of this report and in the report's recommendations.

## **5. Appearance And Livery Of Vehicles**

- 5.1 On 17<sup>th</sup> November 1998 the Environmental Services Committee resolved that any newly licensed vehicle would have to comply with a standard livery requirement. This recommendation has never been implemented. Members are requested to consider the issue of a standard livery for Hackney Carriages. Some Cities for example

Cardiff have a standard livery for their Hackney Carriage fleet, however the benefits for a mixed urban and rural area such as Taunton Deane are less obvious.

- 5.2 If members are inclined to pursue a standard livery in Taunton Deane then more work will need to be done to examine the feasibility and benefit of such a scheme. The imposition of any new scheme would have to include a considerable lead in time of for example 5 years so that any consequent vehicle changes could be planned by vehicle operators. Some vehicle operators who run a number of vehicles have already developed their own recognisable visual identity in their fleets.
- 5.3 In considering any livery requirements consideration must also be given to existing requirements regarding advertising on vehicles. Currently Hackney Carriages, subject to some restrictions, are permitted to carry fairly generous advertising of the vehicle operator and contact details etc as can be seen in relation to the existing fleet.
- 5.4 Private Hire vehicles are able to display some signage but it is restricted in size and content. Due to the different ways in which taxis and private hire vehicles operate a distinction in terms of appearance of the vehicles has to be made, indeed the Local Government (Miscellaneous Provisions) Act 1976 section 48 requires that, in respect of private hire vehicles:

*“A District Council shall not grant a licence unless they are satisfied that the vehicle is not of such a design and appearance as to lead any person to believe that the vehicle is a hackney carriage”*
- 5.5 Commercial advertising is only allowed on Hackney Carriage vehicles and then it is subject to some stringent rules. Commercial advertising on Hackney Carriages is permissible only with the prior consent of the Council. There has been limited take up of this facility to date but this position may change at any time.
- 5.6 Clearly any new requirement for a vehicle livery needs to be considered in the context of the current appearance of the fleet and any existing advertising utilised on vehicles. There is currently no evidence to suggest that any potential benefits outweigh the considerable outlay to the trade in implementing a livery scheme. It is therefore recommended that the resolutions 4 and 5 of the Environmental Services Committee of the 17<sup>th</sup> November 1998 (minute 50) be repealed.
- 5.7 In April the Licensing Committee debated this issue and recommended that the requirement for a livery scheme for licensed vehicles be repealed.
6. **Private Hire And Hackney Carriage Drivers, Vehicles And Operators Handbook**

- 6.1 The Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook has been developed to provide a consolidated source of information in relation to the Council's approach to taxi licensing. The current position is that this information and policy is scattered in a range of documents, old Council decisions and Licensing Team practices.
- 6.2 The Handbook is intended as an evolving policy document for use by all in the trade, those wanting to join the trade, officers and also agency partners. As a taxi driver it is currently extremely difficult to find all the information you need to know and the basis for that information, it is hoped that this policy handbook will address that. It will be sent out with every new application form, and the current version of the handbook will reside on the Council's website to be viewed or downloaded as required.
- 6.3 The Handbook is attached at Appendix 1, the significant revisions or departures from current practice are highlighted in yellow for ease of reference. Some of the more important issues are identified in turn below:-
- Sections 2.2 and 2.3 addressing EU and overseas applicants
  - Section 2.6 creation of an Insulin Diabetes Policy
  - Section 2.7 refreshed policy on how previous convictions and criminal record will be considered.
  - Section 3.1 Vehicle Specification, removal of the requirement for licensed vehicles over seven years old to pass the MOT test first time, failure to do so would result in the licence not being renewed. It is proposed to relax this requirement to allow suitable repairs to be made to vehicles of such age to allow them to pass the MOT re test and therefore continue to operate as a licensed vehicle. The safeguards of the vehicle testing regime and the vehicle conditions relating to appearance and maintenance of vehicle will be sufficient to ensure the TDBC fleet remains acceptable and safe.
  - Section 3.2 Vehicle type, addressed in section 4 above.
  - Section 13 new conditions relating to Trailers.
- 6.4 Additionally Appendices 1-5 have been reviewed and updated where required. Amendments have been made to address the issues dealt with in the main text of the handbook. Adoption of the handbook will include adoption of the revised conditions in Appendices 1-5. One point to note that is not addressed above is the removal of the requirement for vehicle engines to be at least 1400 cubic capacity. This is to allow the trade to explore smaller engine and/or alternate fuel vehicles to address environmental concerns.
- 6.5 The Licensing Committee debated the handbook and the issues arising from this and suggested a few amendments to the content which have been included in the current draft attached, and recommended that it be adopted. Additionally the Committee recommended that any future changes to the Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook be undertaken with prior consultation of the taxi trade through the Taunton Deane Taxi Association and Taunton

Deane Disability Forum and that any such future changes would be approved by the Licensing Committee at the discretion of the Chair of the Licensing Committee.

## **7. Consultation**

- 7.1 Extensive consultation has been undertaken in developing the handbook with the local taxi trade: a number of meetings have taken place with trade representatives and several mail shots sent to all Hackney Carriage and Private Hire drivers to alert them to the draft handbook on the Council's website and requesting their comments. Many comments and suggestions from this consultation have been included in the current draft of the handbook, which has been extremely helpful and constructive. We are now at a position where there appears to be broad support for the principle and contents of the handbook from the trade.
- 7.2 Additionally consultation has been undertaken with the Access Officer from the Taunton Deane Disability Forum regarding the issues addressed in section 4 of this report. The response to this consultation is that the Forum is supportive of maintaining the fleet balance of saloons and wheelchair accessible vehicles as currently exists. The Forum reports a lack of availability of Wheelchair Accessible Vehicles between 8 and 9 am and between 3 and 4 pm during school term time due to bookings related to taking children to and from school. However it could be said that this is a problem for all styles of vehicles and customers at these times.
- 7.3 However the forum reports more concerns about allegations relating to taxi driver behaviour in that some taxi drivers are sometimes unwilling to take wheelchair users and excuses are made or wheelchair users are allegedly blatantly ignored. This type of behaviour is contrary to existing drivers conditions and can be investigated separately.

## **8. Recommendations**

The Executive is recommended to:-

- 1) Repeal the resolutions 4 and 5 of the Environmental Services Committee of 17 November 1998 (Minute No. 50/1998 relating to vehicle livery);
- 2) Repeal the previous Executive resolutions 1 and 2 of 19 December 2001 (Minute No. 136/2001 relating to wheelchair accessible vehicles);
- 3) Adopt the Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook, with the policy implications that this entails; including the issue of two unallocated saloon plates to new operators;
- 4) Agree that any future changes to the Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook be undertaken with prior consultation of the taxi trade through the Taunton Deane Taxi Association and Taunton Deane Disability Forum and that any future

changes would be approved by the Licensing Committee at the discretion of the Chair of the Licensing Committee; and

5) Adopt the following conditions contained within the Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook, under the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976:

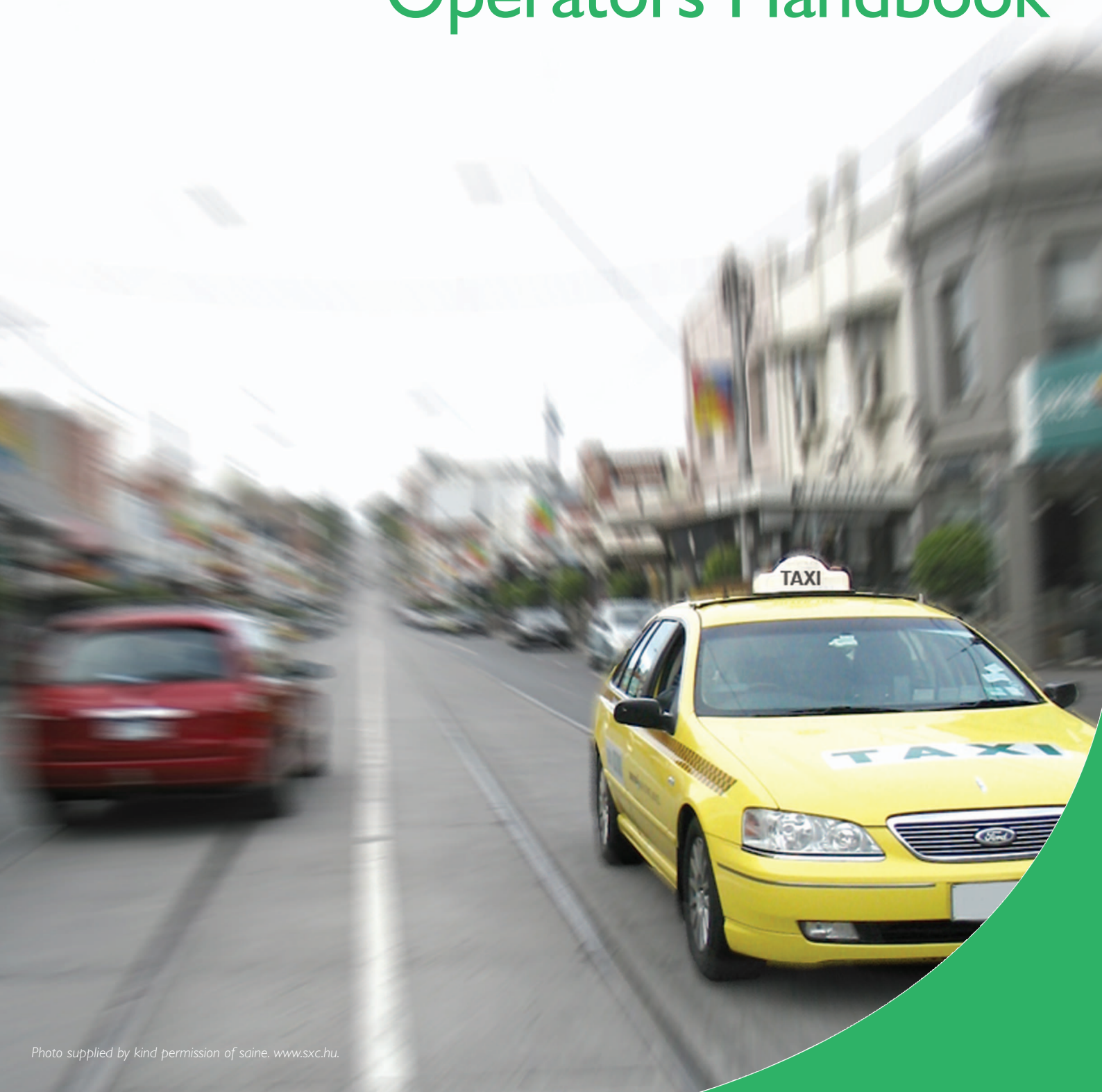
- Standard Conditions for A Hackney Carriage/Private Hire Driver's Licence;
- Standard Conditions for Private Hire Operators Licence;
- Standard Conditions for a Hackney Carriage Vehicle Licence;
- Standard Conditions for a Private Hire Vehicle Licence;
- Conditions for vehicle testing and Hackney Carriage and Private Hire Vehicle Test Criteria.

Contact Officers:-

-James Barrah, Chief Environmental Health Officer. Extension 2460

-Julia Bradburn, Principal Licensing Officer. Extension 2397

# Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook





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## **1. INTRODUCTION AND GENERAL PRINCIPLES**

This handbook gives details of all the current policies with regards to Hackney Carriage and Private Hire Vehicles, Drivers licences and Operators licences.

All policies in this handbook have been approved by the Council and will be subject to periodic updating and change. Readers are therefore recommended to use this handbook as a guide and refer to the Licensing Authority at Taunton Deane Borough Council for confirmation of the latest version of this document.

### **1.1 Hackney Carriage Licence – Dark Green and Black Plate**

A Hackney Carriage Vehicle licence entitles the holder to work anywhere in the Taunton Deane Borough Council area, they may work from the ranks or be hailed on the street. The holder is also entitled to undertake private hire work.

### **1.2 Private Hire Licence– Light Green and Black Plate**

A Private Hire Vehicle licence entitles the holder to work anywhere in the Taunton Deane Borough Council area taking pre-arranged bookings only. Private Hire Vehicles may not work from the ranks or be hailed on the street.

All Private Hire Vehicles must also work under a Private Hire Operators licence however an Operators licence is not necessary if you are operating a Hackney Carriage.

## **2. HACKNEY CARRIAGE & PRIVATE HIRE DRIVERS ISSUES**

This section should be read in conjunction with Appendix 1 which contains the Council's full Standard Conditions for a Hackney Carriage/Private Hire Driver's Licence.

### **2.1 Drivers**

All persons driving a licensed Private Hire or Hackney Carriage Vehicle must be in possession of a current Private Hire and Hackney Carriage Driver's licence issued by Taunton Deane Borough Council. The Council's driver's badge allows the holder to work in both capacities as a Hackney Carriage or Private Hire Driver. A Hackney Carriage or Private Hire Driver may only be granted a drivers badge if he has held an EU or GB

driving licence for at least 12 months prior to application to Taunton Deane Borough Council.

## **2.2 Acceptance Of Driving Licences - European Union member states**

The Driving Licences (Community Driving Licence) Regulations 1996 allow full driving licences issued by European Economic Area states to count towards the qualification requirements for the grant of Hackney Carriage and Private Hire Drivers Licence.

## **2.3 Applicants from outside the UK**

Drivers from the European Union on making an application, must show their Passports or National Identity Card, equivalent CRB from their home countries (with appropriate translation), an EU driving licence and submit a recent medical conducted in the United Kingdom.

Applicants from outside the EU will be subject to an Immigration Status Check. The results of this check may take some time to be finalised and the applicant may not be permitted to work until it is concluded. The Immigration Status check may be done in advance of the applicant arriving in the United Kingdom providing documentation is sent to the Licensing Department at The Deane House, Belvedere Road.

The Licensing Authority requires a five-year background check for all applicants, if an applicant has lived abroad for any period in the last five years or is from an EU member state or overseas then a certificate of good conduct authenticated and translated by the relevant embassy is required. The Criminal Records Bureau website ([www.crb.gov.uk](http://www.crb.gov.uk)) gives more information about obtaining certificates of good conduct, or similar documents from a number of countries. More generally, the Home Office's Employers' Helpline (0845 010 6677) can be used to obtain general information on immigration documentation. Employers and the Licensing Authority are also able to obtain case specific immigration status information, including whether an applicant is permitted to work or details of work restrictions, from the Evidence and Enquiry Unit, Floor 12, Lunar House, Wellesley Road, Croydon CR9 2BY. Further details on procedures can be obtained from the unit on 020 8196 3011.

## **2.4 Drivers Badges**

When granted a licence, drivers are issued with a badge. The driver must wear the badge at all times when they are working. The drivers badge should be visible at all times to passengers.

As a security measure if a badge is lost or stolen this must be reported to the police. A replacement badge will be issued, following the payment of a fee, once a Police Crime Reference Number is provided to the Licensing Authority. This will need to be reported to the Police as badge "lost or stolen" in order for a Crime Reference Number to be issued.

The Hackney Carriage/Private Hire Drivers' badge shall at all times remain the property of the Taunton Deane Borough Council and upon the Council suspending, revoking or refusing to renew this licence the licensee shall on demand return the badge to the Council.

Drivers may apply for either a one-year, or a three-year drivers licence, on renewal. However the Licensing Authority reserves the right to request, either from the driver or the DVLA a copy of a drivers current Driving Licence at any point during the two or three year period.

## **2.5 Medical Checks**

The House of Commons Transport Select Committee on Taxis and Private Hire Vehicles recommended in February 1995 that taxi licence applicants should pass a medical examination before a licence could be granted. Current best practice advice is contained in the booklet "Medical Aspects of Fitness to Drive" published by Medical Commission for the Prevention of Accidents.

A medical certificate shall be produced on the application for the grant of a licence and on the renewal of the licence, where the licensee has attained the age of 45, 50, 55 & 60 or the licensee attains any of these ages within the period of his/her licence.

Once the Licensee has reached the age of 60 years or attains the age of 60 within the next year he/she shall produce a medical certificate to the Council on the grant/renewal of a licence and each year thereafter.

If further medical tests are required for instance where in depth sight tests are required by the medical practitioner then the applicant must meet the additional cost of the same.

If your medical condition changes at any time during the period of your drivers' licence, you shall notify the Licensing Authority immediately or as soon as reasonably possible within 72 hours.

## **2.6 Insulin Diabetes Policy**

The Borough Council has now amended its medical policy and now permits drivers with insulin treated diabetes to be licensed subject to strict criteria and a medical test for C1 vehicle usage. The following criteria need to be met in order that a licence can be granted:

- a) no application for a taxi driving licence may be made or, in the case of an existing licensed driver, no licensed taxi may be driven until their condition has been stable for a period of at least one month;
- b) drivers must not have had any hypoglycaemic attacks requiring assistance whilst driving within the previous 12 months;
- c) drivers must regularly monitor their condition by checking their blood glucose levels at least twice daily and at times relevant to driving. The advice is the use of memory chip meters for such monitoring;
- d) drivers must arrange to be examined every 12 months by a hospital consultant who specialises in diabetes. At the examination the consultant will require sight of their blood glucose records for the last 3 months.
- e) drivers must have no other medical condition, which would render the driver a danger when driving C1 vehicles or hackney carriages and Private Hire Vehicles;
- f) drivers must sign an undertaking to comply with the directions of the doctor(s) or specialist medical advisor visited at least every 6 months and treating the diabetes and to report immediately to Taunton Deane Borough Council any significant change in their condition.

The driver would be expected to pay for any expenses that they incurred satisfying these criteria.

## **2.7 Previous Convictions**

### **2.7.1 Criminal Records Bureau Disclosure**

Applicants should be aware that Taunton Deane Borough Council as the Licensing Authority is empowered by law to check with the Police for the existence and contents of any criminal record held in the name of an applicant. Information received from the Police will be kept in the strictest confidence whilst the licensing process takes its course and will be retained for no longer than is necessary.

A Criminal Record Bureau Disclosure (CRB) will be sought on first application for a drivers licence and every three years thereafter. The cost of the three year CRB will be spread evenly in the fee total for the three year period. Taunton Deane Borough Council abides by the CRB's code of practice and a copy will be made available on request. Criminal Record Bureau checks from other sources will not be accepted. All applicants will have to apply for a CRB through Taunton Deane Borough Council.

Included with your renewal application will be a letter that will inform you of the deadline date for submitting your completed application and CRB Disclosure Form. This deadline date gives the CRB time to process your criminality check prior to your existing licence running out. If the CRB check is not received by TDBC by the expiry of your current licence and you submitted your renewal form and CRB check before the deadline date stated then we are able to extend your existing licence until the check is received. Applications received after the deadline cannot be treated in the same way, which means that licences cannot be extended and temporary badges will not be issued – therefore you may not be able to drive after your licence has lapsed until the CRB check has been received and your application processed.

Additionally when submitting an application for a licence to drive a Hackney Carriage or Private Hire Vehicle applicants are required to declare any cautions or convictions they may have.

### **2.7.2 Fit And Proper Person Test**

The disclosure of a criminal record or other information will not necessarily debar the applicant from gaining a licence unless Taunton Deane Borough Council considers that the conviction renders the applicant not a "fit and proper person." In reaching this decision the Council will consider all relevant facts such as the nature of the offence, how long ago

the offence took place, the applicant's age and any other factors which may affect the application, using the national guidance. Any applicant refused a licence on the grounds that they are not a fit and proper person to hold such a licence has a right of appeal to a Magistrates Court under the Local Government (Miscellaneous Provisions) Act, 1976.

Where there is any doubt as to whether the applicant is a "fit and proper" person, that application must be referred to the Principal Licensing Officer or the Chief Environmental Health Officer, who are delegated by the Council to grant, revoke or refuse Hackney Carriage and Private Hire licences, for consideration. In these circumstances the applicant may be interviewed by means of tape-recorded interview. A written record of the interview will then be considered in order for a decision to be made as to whether the applicant is considered "fit and proper". In certain circumstances a Licensing Sub Committee may be convened to determine the matter. Should the applicant be deemed not to be a "fit and proper" person to hold the licence the applicant will be advised that he/she may appeal against the decision to the Magistrates Court within 21 days of the decision.

Please note that if a licence is not approved then the application fee will not be refunded. If an application has been refused, a period of at least twelve months must normally elapse before a new application will be considered.

### **2.7.3 The Rehabilitation of Offenders Act, 1974**

The Rehabilitation of Offenders Act, 1974 provides that after a certain lapse of time, convictions for certain offences are to be regarded as "spent". However the Act also specifies certain occupations for which effectively some previous convictions are never spent, these occupations include Hackney Carriage and Private Hire Vehicle drivers. In making a decision regarding previous convictions the Licensing Authority will consider the rehabilitation periods specified in the Act, these are set out below. Please note it is from the Date of Conviction that the time commences for the purposes of the Rehabilitation of Offenders Act:

**Sentence****Rehabilitation Period**

2½ years (30 months) imprisonment and over  
whether sentence was suspended or not.

Never spent

6 months imprisonment and over but under 30  
months whether sentence was suspended or not

10 years

Under 6 months imprisonment/youth custody  
whether sentence was suspended or not

7 Years

A Fine or Community Service Order

5 Years

Conditional Discharge, Bound Over or Probation Order.  
Also includes Fit Person, Supervision and Care Orders

1 Year or period of probation  
sentence whichever is longer

Absolute Discharge

6 months

Disqualification, disability or prohibition

Period of sentence unless a  
long period as above e.g.  
Disqualification and a fine –  
5 years

**For applicants aged under 17 when they were convicted;** the fixed rehabilitation  
periods for imprisonment and a fine are halved.



**For convictions which can only be passed on young offenders;** they remain fixed and cannot be halved, **i.e.**

Sentence	Rehabilitation Period
Borstal	7 years
6 months – 2 years detention in a place determined by Secretary of State	5 years
6 months detention and less as above	3 years
Detention Centre Orders	3 years

- 1 Each case will be decided on its own merits
- 2 The over-riding consideration will always be the protection of public safety
- 3 A person with a current conviction for serious crime need not necessarily be permanently barred from obtaining a licence, but would be expected to remain free from conviction for 3 to 5 years before an application is entertained. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances.

#### **2.7.4 Driving Licence Penalty Points**

All penalty points are normally spent after three years from the date of offence. Exceptions to this are, for example, disqualifications whether for drink driving (10 years) or under the totting up procedure (4 years). The periods of time that must elapse in other cases before the conviction becomes spent, vary considerably according to the nature of the offence and other circumstances. If you are not sure consult a solicitor, or take advice from Licensing staff that will be treated in confidence. The following guidelines will be used by the Licensing Authority to determine applications from drivers who have penalty points.

## **New Grant**

The Council expects applicants for a new grant of Hackney Carriage or Private Hire Driver's Licences to have no convictions and to hold a clean DVLA Driving Licence or equivalent. The Council will not normally grant a licence to an applicant who has any convictions for more than one of the following offences: -

- a) One offence of speeding committed at least 12 months prior to the date of the application, and/or
- b) One endorseable parking offence.

Discretion may be exercised by the Principal Licensing Officer to grant a licence where seven or more points appear on the applicant's DVLA Driving Licence if he considers the applicant is a "fit and proper" person, but only after the applicant has been interviewed.

Where the applicant has been disqualified from driving as a result of a conviction for Drink Driving, but that conviction occurred seven years or more prior to the date of the application and they have no other unspent convictions, the Principal licensing officer may grant the licence provided that the applicant has been interviewed.

## **Renewals**

The Council expects applicants for renewal of Hackney Carriage or Private Hire Driver's Licences to hold clean DVLA Driver's Licences or equivalent, or to have no more convictions or endorsements than they had when their last Hackney Carriage or Private Hire Driver's Licence was last renewed or first granted.

The Council will not normally renew a licence when, during the period of their existing licence, the applicant has been convicted of endorseable road traffic offences involving endorsement of no more than five penalty points (not counting any penalty points which were endorsed on the DVLA Driving Licence when the licence was first granted or last renewed, provided those penalty points do not take the total now endorsed on the DVLA Driving Licence to over seven penalty points) but no other offences.

Discretion may be exercised by the Principal Licensing Officer to renew a licence where more than seven penalty points are endorsed on the applicant's DVLA Driving Licence if he considers that the applicant is a "fit and proper" person, but only after interviewing the applicant.

### **2.7.5 Further Guidance In Relation To Specific Offences.**

Specific consideration will be given to the following previous convictions and discretion may be exercised by the Principal Licensing Officer to renew a licence.

#### **(a) Minor Traffic Offences**

Convictions for minor offences e.g. obstruction, waiting in a restricted street, speeding etc., does not prevent a person from proceeding with an application. However, the number, type and frequency and repetition of these types of offences will be taken into account. If sufficient points have been accrued to require a period of disqualification of the applicants DVLA driving licence then a Hackney Carriage / Private Hire Drivers licence may be granted after its restoration but a warning will be issued as to future conduct. Holders of council issued drivers licences convicted during the period of licence of such offences may be warned as to future conduct, and any disqualification from driving will lead to an automatic revocation of any hackney carriage/ private hire drivers licence issued by the council.

#### **(b) Major Traffic Offences**

An isolated conviction for reckless driving or driving without due care and attention etc., will normally merit a warning as to future driving and advice on standards expected of Hackney Carriage and Private Hire Vehicle drivers. More than one conviction for these types of offences within the last two years may merit refusal and no further application will then be considered until a period of at least three years free from convictions has elapsed. Similarly, any conviction during the period of a council issued licence will lead to a warning as to future conduct and may lead to suspension or revocation of that licence.

#### **(c) Drunkenness with a motor vehicle .**

A serious view will be taken of convictions for driving or being in charge of a motor vehicle under the influence of alcohol. An isolated incident in the past will not necessarily debar an applicant but a strict warning may be given as to future behaviour. More than one

conviction for these offences raise grave doubts as to the applicant's fitness to hold a Hackney Carriage/ Private Hire driver's licence. At least 3 years will normally elapse after the restoration of the DVLA driving licence before an application can be considered for a Council issued driver's licence. If there is any suggestion that the applicant is or may be an alcoholic, a special medical examination will be arranged before the application is entertained.

If the applicant is found to be an alcoholic a period of five years should elapse after treatment is complete before a further licence application is considered. A driver found guilty of driving whilst under the influence of alcohol will have their Hackney Carriage/Private Hire Driver licence revoked immediately and will be banned from holding such a licence with the council for a minimum of five years.

(d) Drunkenness not in motor vehicle.

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. However, a number of convictions for drunkenness may indicate a medical problem necessitating critical examination. In some cases, a warning may be sufficient. A conviction of this type of offence during the period of a council issued licence might warrant a warning as to future conduct, with subsequent convictions possibly leading to suspension and/or revocation of any licence held.

(e) Drugs

An applicant with a conviction for a drug related offence may be required to show a period of at least 3 years free of convictions before an application is entertained, or 5 years after detoxification treatment if he/she was an addict. A driver found guilty of driving whilst under the influence of drugs, or found guilty of any drug related offence will have their council issued driver's licence suspended and/or revoked immediately and be banned from holding such a licence with the council for a minimum period of five years.

(f) Indecency Offences

As Hackney Carriage and Private Hire Drivers often carry unaccompanied and/or vulnerable passengers, applicants with convictions for indecent exposure, indecent assault, importuning, or any of the more serious sexual offences, will be refused a licence until they can show a substantial period free of such offences.

Each case will be treated on its merits. More than one conviction of this kind precludes consideration for at least five years. In either case if a licence is issued by the council then a strict warning as to future conduct may be issued. A driver found guilty of indecency offences during the period of the council issued licence will have their licence suspended or revoked immediately and be banned from holding such a licence for a minimum period of five years.

#### (g) Violence

As Hackney Carriage and Private Hire drivers maintain close contact with the public, a firm line is taken with applicants who have convictions for grievous bodily harm, wounding or assault. At least 3 years free of such convictions must be shown before an application is entertained and even then a strict warning will be administered. A driver found guilty of violence related offences will have their council issued licence suspended and/or revoked immediately and be banned from holding such a licence with the council for a minimum period of five years.

#### (h) Dishonesty

Hackney Carriage and Private Hire Drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property, taking children to school and families on holiday is indicative of the trust that people place in drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare. Overseas visitors can be confused by the change in currency and become "fair game" for an unscrupulous driver.

For these reasons a serious view will be taken of any convictions involving dishonesty. In general, a period of at least 3 to 5 years free of conviction will be required before entertaining an application. Any existing driver convicted of offences of dishonesty can expect a licence to be suspended and/or revoked and a possible ban on holding a licence for a minimum of three years.

#### (i) Insurance Offences

A serious view will be taken of convictions for driving or being in charge of a vehicle without the correct type of insurance. An isolated incident in the past will not necessarily debar an applicant provided he/she has been 3 years free of conviction unless there are

exceptional circumstances, but a strict warning may be given as to future behaviour. More than one conviction for these offences will raise grave doubts as to the applicants fitness to hold a hackney carriage and private hire drivers licence unless there are exceptional circumstances. At least three years must normally elapse before an applicant is considered for a council issued licence. A driver found guilty of driving passengers for hire and reward without the appropriate insurance will have his licence revoked immediately and be banned from holding such a licence with the Council for a minimum of five years.

#### (j) Scanners and Radar Detecting Equipment

A serious view will be taken of convictions for use of scanning and/ or radar-detecting equipment. Anyone convicted of use of a radio scanner and/or radio-detecting equipment during the period of his/her hackney carriage or private hire driver's licence will be banned from holding any such licence for a period of five years. An isolated incident in the past will not necessarily debar an applicant provided that he/she has been 3 years free of conviction unless there are exceptional circumstances, but strict warnings will be given as to future behaviour. More than one conviction for these offences will raise grave doubts as to the applicants fitness to hold a council issued drivers licence unless there are exceptional circumstances.

If you have any queries with regards to previous convictions please contact the Licensing Authority.

### **3. HACKNEY CARRIAGE & PRIVATE HIRE VEHICLE ISSUES**

This section should be read in conjunction with Appendices 3 and 4, which contain the Council's full Conditions relating to Hackney Carriages and Private Hire Vehicles respectively.

#### **3.1 Vehicle Specification**

If a vehicle is to be a licensed Private Hire Vehicle / Hackney Carriage Vehicle for the first time it must be no older than 7 years from the date of first registration.

If a licensed Private Hire Vehicle is to be replaced, it must be replaced with a vehicle no older than 7 years from the date of first registration.

Specialist and novelty vehicles or vehicles that have been subject to extensive modification for Disabled Access purposes, will not need to comply with the above conditions. Each vehicle will be considered on individual application to the Principal Licensing Officer.

All vehicles must comply with Taunton Deane Borough Council Vehicle Licensing Conditions at all times during the period of the vehicle licence. (See Appendices 3 and 4)

Certain vehicles are, due to the size and/or design unsuitable for licensing. Please check the suitability of the vehicle you have in mind with a member of the Licensing Team before purchase.

### **3.2 Vehicle Type**

In 1998 the Council removed the restriction on the number of Hackney Carriages that could be licensed in the Borough, this allowed an increase from the 63 vehicles that were allowed at this time. At the same time and in response to Government Policy in relation to the Disability Discrimination Act 1995 a resolution was made that all new licensed Hackney Carriages would need to be Wheelchair accessible. Additionally a period of protection until 2005 was granted for the existing saloon fleet. This decision was based on the Government's then timetable for the introduction of all wheelchair accessible vehicles. A revision of the Governments timetable to 2012 for Taunton Deane resulted in an extension of this period by the Council.

Recently the Department for Transport has further revised this timetable and at present there is no clarity or clear Direction on a timetable for Government requirements and specification for accessibility in relation to Hackney Carriages, leaving local authorities to continue to set policy locally.

As of April 09 there are currently 140 Hackney Carriages in Taunton Deane of which 86 (61%) (including 6 on saloon car plates) are wheelchair accessible, the national level of wheelchair accessible vehicles is (47%). There are 54 saloon vehicles (39%)

It has therefore been agreed that until there is clear direction from Government, and to ensure the number of Wheelchair accessible vehicles does not significantly decrease in

the Borough, the number of saloon vehicles will be set at a maximum of 65. The remaining fleet will consist of Wheelchair accessible vehicles which will be unlimited in number.

Sixty five plates will be specifically allocated as saloon plates, the term Saloon vehicles includes estates and hatchbacks. Additionally those proprietors currently allocated a saloon plate may use this plate flexibly for a Wheelchair Accessible Vehicle if required. Saloon plates will be allocated to existing users of such plates (ie those 60 existing plates from 1-63 that are currently in use). The 5 unallocated saloon plates will be allocated on a first come first served basis.

Any change to Council policy in this regard or any Council resolution to adopt a new Government Policy in this regard will have a rolling lead in period of five years, to ensure any changes can be planned into vehicle replacement strategies. This period may be reduced where required by any future mandatory Government legislation and is not within the control of the Council. The balance of the fleet will be reviewed annually.

### **3.3 Disability Discrimination Act (Other Issues)**

Since 31 March 2001 licensed Hackney Carriage drivers in England and Wales have been under a duty (S37 of the Disability Discrimination Act 1995) to carry guide, hearing and other prescribed assistance dogs in their taxis, without additional charge. Drivers who have a medical condition that is aggravated by exposure to dogs may apply to their Licensing Authority for an exemption from the duty on medical grounds. Any other driver who fails to comply with this duty is guilty of a criminal offence and liable, on summary conviction, to a fine of up to £1000.

The Disability Discrimination (Transport Vehicles) Regulations 2005 came into force on 4th December 2006. The result of these regulations is to lift the previous exemption for transport vehicles. The effect of the regulations is to prevent any discrimination against providing transport services to disabled people.

A full copy of the Regulations may be obtained from the Disability Rights Commission Website [www.drc-gb.org](http://www.drc-gb.org). If proprietors or owners wish to have Braille Fare cards for their vehicles then these are available on request from the Licensing Authority.



### **3.4 Limousines**

All limousines needed to be registered as Private Hire Vehicles from 28th January 2008. In England, Scotland, Northern Ireland and Wales limousines are all restricted to a maximum of 8 passengers no matter how large the vehicle is. There are no exceptions to this rule. The reason for this is that to carry more than 8 passengers the vehicle has to be registered as a Public Service Vehicle (PSV) and have a Certificate of Initial Fitness issued (COIF) however none of the American Limousines comply with the requirements and are therefore restricted by law to a maximum of 8 passengers.

Limousines need to display the private hire plates at all times however they can apply for a plate exemption, by putting the request in writing to the Licensing Authority.

### **3.5 Contract Hire Vehicles**

The Road Safety Act 2006 Sections 53 and 54 came into force on 28th January 2008. This new section of the act will require vehicles under contract for less than 7 days to be licensed as Private Hire Vehicles. However there are certain exemptions from the law. Please contact the Licensing Authority for further details.

### **3.6 Insurance**

Applicants must provide a certificate of insurance or cover note which is current and which must be for the correct category i.e. use as a Hackney Carriage (taxi) for hire or reward or public hire. For Private Hire insurance, certificates will only be accepted if Hire and Reward or Private Hire is stated.

A cover note will be accepted and the licence issued on the mutual understanding that the applicant will produce the certificate of insurance before the expiry of the cover note, which is usually 28 days. Should the certificate not be available, then a further cover note must be produced. All original insurance documents must be shown before a licence can be granted, faxed or photocopies of insurance documents cannot be accepted.

All drivers shown on the insurance certificate must be Council licensed drivers as only a licensed driver can drive a licensed vehicle. Therefore once you have licensed your vehicle, only you, as a licensed driver will legally be allowed to drive the vehicle. This applies even if a non-licensed driver wishes to drive the car for "social or domestic"

purposes. Any non-licensed person found driving a licensed vehicle may face prosecution, as well as potentially invalidating the vehicles insurance.

The proprietor of the licensed vehicle shall ensure that the vehicle is insured for the carriage of passengers to be conveyed in the vehicle specified in the licence.

### **3.7 MOT**

If you have a Hackney Carriage you must provide a current MOT for vehicles one year old or over. This is a statutory requirement. There is no such statutory requirement for Private Hire Vehicles, however Council policy requires Private Hire Vehicles over one year of age to provide an MOT to the licensing Authority.

### **3.8 Vehicle Registration Document**

You must provide a Vehicle Registration Document with your correct name and address, a bill of sale, if you have recently purchased the vehicle, or a contract hire agreement, will also be accepted. The bill of sale must state the vehicle registration number, make, colour and model of the vehicle; the date the vehicle was first registered and be in the name of the person licensing the vehicle. As soon as you receive the Vehicle Registration Document from the DVLA, the Licensing Officer must have sight of it.

### **3.9 Vehicle Test**

This section should be read in conjunction with Appendix section 5 which contains the Council's conditions for vehicle testing and Hackney Carriage and Private Hire Vehicle Test Criteria.

When you apply for the grant or a renewal of a vehicle licence you will need to book the vehicle in for a **"Two Part Test"** at our approved testing station. This is M J Auto and Commercial. Part One of this test will be the same as a normal MOT, and Part Two will cover all the additional items that Taunton Deane Borough Council requires. If the vehicle passes the tests you will receive an MOT certificate carrying the MJ Auto and Commercial identification stamp. The second certificate will be similar to the old Certificate of Compliance. This is the **"Part Two Test Certificate"**

You cannot take your vehicle anywhere else for these tests, and without the proper certificates you will not be able to licence your vehicle. The cost for carrying out both tests will be £50.35, chargeable by the approved testing station. You should book your test at least 15 days in advance, and the testing station will guarantee to test your vehicle within three working days of your requested test date. If an appointment is required at short notice it will be subject to availability. The rules regarding retests remain the same as with ordinary MOT's and the approved testing station will be able to advise you.

When you make your licence applications you will need to ensure that you supply both the part one **and** part two test sheets **and any supporting check list supplied with them.**

Without these supporting documents your application may be delayed or rejected.

If a vehicle fails the Part Two Test on a non-MOT requirement or free for re-test item the vehicle will be re-tested free of charge the following working day. All MOT items will be dealt with under normal MOT re-test regulations. All other re-tests will be charged at a fee as set by the Council's approved Testing Station. Should a vehicle miss a pre-booked appointment or turn up late for an appointment you may be charged a fee equivalent to the re-test fee. Should a vehicle fail the emissions test it will require half the test fee for a re-test.

M J Auto and Commercial  
Units 1 & 2, Canal Road  
Taunton  
TA1 1PJ  
Tel: 01823 271364

### **Limousines**

When you apply for the grant or a renewal of a Private Hire vehicle licence for a limousine only, you will need to book the vehicle in for a "**Two Part Test**" at the Vehicle and Operator Services Agency (V.O.S.A), Taunton Trading Estate, Norton Fizwarren, Taunton, Somerset TA2 6RX contact centre on **0300 123 9000.**

Part One of this test will be the same as a normal MOT, and Part Two will cover all the additional items that Taunton Deane Borough Council require. If the vehicle passes the tests you will receive an MOT certificate carrying the V.O.S.A identification stamp. The second certificate will be similar to the old Certificate of Compliance. This is the “Part Two Test Certificate”

The cost for carrying out both tests will be £53.10, chargeable by the approved testing station. You should book your test at least **30 days** in advance. The rules regarding retests remain the same as with ordinary MOT's and the approved testing station will be able to advise you.

When you make your licence applications you will need to ensure that you supply both the part one **and** part two test sheets **and any supporting check list supplied with them.** Without these supporting documents your application may be delayed or rejected. If a vehicle fails the Part Two Test on a non-MOT requirement or free for re-test item the vehicle may be re-tested free of charge the following working day. All MOT items will be dealt with under normal MOT re-test regulations. All other re-tests will be charged at a fee as set by the Council's approved Testing Station.

Should a vehicle miss a pre-booked appointment or turn up late for an appointment you may be charged a fee equivalent to the re-test fee. Should a vehicle fail the emissions test it will require half the test fee for a re-test.

Taunton Deane Borough Council will periodically review its testing station providers.

### **3.10 Plate**

All newly issued Taunton Deane Borough Council vehicle plates must be fixed on the rear of the vehicle. Where practicable the plate must be visible when the boot is in an upright position, and preferably low down on the extreme right or left hand side of the vehicle. The plate must not protrude below the bottom edge of the bumper of the vehicle and not be placed in the rear window of the vehicle. “No drill brackets” are freely available from the Council if required. Please seek advice at the time of plate issue if required.

The vehicle plate is the property of Taunton Deane Borough Council , notwithstanding section 58 of the Local Government (Miscellaneous Provisions) Act 1976 the proprietor of the vehicle shall remove and return the plate to the Council within 2 working days, except where written permission has been given by the Licensing Officer to extend this time:

- a) when the vehicle ceases to be a licensed vehicle.
- b) when the licence is revoked or suspended by the Council including suspension and revocation under section 60 and 68 of the above act.

If the plate is not returned in accordance with the above then it may be removed by an Authorised Officer of the Council or a Constable.

In the event that the plate is damaged or lost or stolen, the proprietor shall notify the Council immediately and pay the Council the relevant fee for a replacement.

If the vehicle is suspended or the licence is revoked and the plates are subsequently damaged on removal by an Authorised Officer or Constable the proprietor shall then pay the requested fee for the replacement plates, if necessary.

### **3.11 Dual Plating**

Taunton Deane Borough Council does not allow the dual plating of Hackney Carriages or Private Hire Vehicles with other Council areas.

### **3.12 Seat Belts**

The passenger is responsible for ensuring that he or she is wearing a seat belt where appropriate. All cars, including taxis, first registered from April 1987, must be fitted with rear seat belts. Under the terms of the Road Vehicles (Construction and Use) Regulations 1986 the seat belts must be readily accessible to be used by the passengers in the relevant seats. If this is not the case, the driver or the driver's employer is liable on conviction to a maximum fine of £1,000.

## **4. FARES AND METERS**

### **4.1 Meter**

All vehicles operating in the Taunton Deane Borough area, as Hackney Carriages must have a meter fitted in the vehicle. Private Hire Vehicles are not required to have meters fitted. The meter has to be sealed and the seal must not be removed or tampered with at any time. If a meter is fitted it should be positioned where passengers can clearly see it and to the satisfaction of the Licensing Officer.

### **4.2 Meter Testing**

The Council requires meters to be tested once a year at the point of renewal, the test is to ensure that the meter is accurate for time and distance and that the Council's current maximum tariff is not exceeded. A new licence will not be issued until the meter has passed the test. The cost of the initial meter test is included in the new application and renewal fee. However if the meter requires adjustment then it will need to be re-calibrated and then arrangements made for the meter to be re-tested. A further charge for a meter re test will be required and is payable prior to the test at the Housing Reception in Deane House.

### **4.3 Fare Card For Hackney Carriage Vehicles**

The Council is charged with agreeing and setting a maximum tariff to be used by Hackney Carriage Vehicles. It is illegal to charge more than is stated on the Council's fare card and if you do so you will be liable to prosecution. Drivers and operators are permitted to charge less than the maximum tariff. The Council's maximum fare tariff will be reviewed periodically by Taunton Deane Borough Council or at the request of the Hackney Carriage Drivers.

You will be given a maximum fare card with your vehicle plate. This must be affixed inside the vehicle where it is conspicuous to all passengers (normally positioned on the dashboard). The fare card states the maximum amount you may charge per mile or part thereof. Where a discounted rate is charged it is recommended that operators also display the discounted schedule of fares to ensure consumers are clear about what they are going to be charged.

#### **4.4 Fares For Private Hire Vehicle Licences**

The level of fare must be agreed between the operator and the customer at the time of booking. A fare card applicable to Hackney Carriages is available on request as a guide only.

#### **5. PRIVATE HIRE OPERATORS LICENCES**

When you apply for a Private Hire Vehicle licence, you must apply for a Private Hire Operator's Licence at the same time if you wish to operate your own Private Hire Vehicle and make provision for private hire bookings. Without a Private Hire Operators licence you will not be issued a Private Hire Vehicle licence.

A Private Hire Operator's is renewed annually. Operator's licences are not needed to operate a Hackney Carriage Vehicle service. The Council's conditions in relation to Private Hire Operators are at Appendix 2.

#### **6. PLANNING PERMISSION**

If you are running a business providing either Hackney Carriage or Private Hire services from your home address or business address you may also need to apply for planning permission. You will need planning permission if you wish to operate more than one Hackney Carriage or Private Hire Vehicle. It is the responsibility of the applicant to ensure that all necessary planning consents are obtained in relation to the provision of Hackney Carriage or Private Hire services. Please contact the Planning Department for your area through the main Council number on 01823 356356 for further details.

#### **7. RECORD KEEPING**

The Licensing Authority requires that all Private Hire Operators keep records of each booking, including the name of the passenger, the destination, the name of the driver, the number of the vehicle and the fare quoted at the time of booking. This will, for example, enable police checks to be made should a mishap befall a passenger and may also be used by the Licensing Authority for enforcement enquiries. It is suggested that 6 months is generally the appropriate amount of time for records to be kept.

## **8. ADVERTISING AND SIGNAGE ON VEHICLES**

If during the period of this licence the appearance or design of the licensed vehicle is to be altered then prior written consent of the Council to such alterations must be obtained.

Magnetic signs may not be used on any licensed vehicle. Advertising materials shall not in any way interfere with vehicle plates, internal plates, meters or any other equipment or requirements of the Vehicle Licence Conditions.

### **8.1 Advertising and Signage on Hackney Carriages.**

Advertising concerning the operator of the vehicle is permitted on the front and sides of the vehicle only. Additional commercial advertising on the vehicle requires specific permission in writing from the Licensing Authority. A roof light indicating that the vehicle is a taxi is permitted. The types of commercial advertising format (i.e. size, coverage on vehicle etc.) is essentially unrestricted, but is subject to the advertising criteria and content restrictions below.

There have been a number of headline rape and serious assault cases where members of the public have mistakenly taken a vehicle that was not a licensed vehicle or driven by a licensed driver. The Council wishes to promote both easily identifiable, high visibility taxis and the availability of the same to the general public and wheelchair users equally.

Applications for and any subsequent agreement of advertising will relate to a single advertising design on a specific vehicle model and colour, a fee is charged for such an application. Once agreed the subsequent application of advertisements on vehicles of the same model and colour will not require an additional fee. However the Council must be notified at the point at which a vehicle changes appearance by the application of an agreed advertisement to ensure Council records of vehicles details are correct. The application of an agreed advertisement but to a different model and colour of vehicle will require a new application to be made along with appropriate fee.

Advertisements must not contain content relevant to the following:

- a. Alcohol
- b. Tobacco
- c. Gambling, Casinos etc.
- d. Nudity or semi nudity
- e. Politics
- f. Religion



g. Adult only entertainment, products and services.

This list is not exhaustive and is provided as a guide to allow vehicle owners and operators to plan and prepare for advertising. The advertising criteria below apply in all cases.

-Advertising is only permitted with the prior written agreement of the Licensing Authority following receipt of a detailed written application for the proposed advertisement and the vehicle(s) it is intended to be applied to. This should clearly indicate the size, content and position of all advertising media.

-Advertising is granted only on receipt of a written agreement that the vehicle is returned to its original condition when the advertising is removed (e.g. faded paintwork over sprayed).

-When displaying commercial advertising the vehicle must also be clearly marked as a "Taxi" (this must take into account any other wording or graphics that appear on the vehicle).

-Advertising, graphics, wording or similar is not permitted on any windows, without prior written consent by the Licensing Authority.

-The advertising shall be removed immediately on receipt of a written request from the Licensing Authority. This may be in the form of a Stop Notice or Rectification Notice issued under the Local Government (Miscellaneous Provisions) Act 1976.

## **8.2 Advertising and Signage On Private Hire Vehicles**

Some limited signage is permissible on Private Hire Vehicles (See Appendix 4, Condition 13), No commercial advertising will be allowed on private hire vehicles.

## **9. Accidents**

If, at any time, you are involved in an accident you must inform the Council as soon as possible and, in any case, within 72 hours of the accident occurring. You may be required to submit the vehicle to the Licensing Authority within 72 hours to allow an assessment of the level of damage to be made. You shall not permit any passenger or member of the public to be conveyed in the vehicle unless and until the Council's Licensing Officer is satisfied that it may be so used. Where a vehicle is permitted to continue to be used prior to completion of repair works, the works must be completed or an appointment made for the repairs within 28 days of the accident.

Should the vehicle need repairing in any way, you must obtain a letter from the garage where the work has been undertaken to the effect that there is no work outstanding and the car is fully roadworthy, and submit this to the Licensing department. Notification will then be given if the vehicle can be used for work again. A Licensing Officer may request to examine the vehicle before it commences work again. A vehicle test may be required if the damage is extensive.

### **9.1 Accident Damaged Vehicles**

Vehicles that fall into category A or B insurance losses will not be licensed other than in exceptional circumstances. No vehicle will be licensed as either a hackney carriage or a private hire vehicle where a condition report obtained from Equifax indicates that the vehicle has been previously classified as a category C, D or F insurance loss, unless a Motor Vehicle Repairers' Association (MRVA) inspector appointed by the Council indicates that the vehicle is safe to be licensed. The cost of the MVRA inspection report and any subsequent re-assessment must be met by the applicant. The Council and their agents will conduct its own Equifax checks on vehicles and bear the cost of the same.

## **10. TAXI RANKS**

The following is a list of all the Taunton Deane Borough Councils ranks

### **Taunton**

Station Road

Castle Green (Taunton Bus Station)

Hammet Street

East Street

Space for eight Hackney Carriages on the North Side of Corporation Street

## **Wellington**

Space for two Hackney Carriages on the Northside of the High Street

Any enquiries or issues regarding taxi ranks are dealt with the Highways Department at Somerset County Council.

## **11. ADMINISTRATION ISSUES**

### **11.1 Change Of Address**

Should you move home within the life of the current Vehicle, Drivers or Operators Licence, you must inform the Council in writing within seven days of moving, of your new address and (if applicable) telephone number.

### **11.2 Change of Vehicle**

Should you wish to change your vehicle during the life of the current vehicle licence, you may do so by applying for a New Vehicle Licence. The same procedure for an ordinary vehicle licence must be followed. The fee for a grant of a new vehicle is payable: however, when the licence is issued, it will be for a full 12 months.

Like for like changes of saloons and wheelchair accessible vehicles, and change from a saloon to wheelchair accessible vehicle are acceptable. Change from a wheelchair accessible vehicle to a saloon will only be possible if a saloon plate is available.

### **11.3 Sale of Vehicle for Private Use**

If a Hackney Carriage or Private Hire Vehicle is sold to a third party as a private car then the Licensing Department must be informed immediately following the sale. The licence plate must be returned to the department within 2 working days. The licence plate is at all times the property of Taunton Deane Borough Council.

## **11.4 Transfer Of Interest**

Where a Hackney Carriage or Private Hire vehicle is sold to a new owner to continue to be used in this way, the seller of the vehicle must notify the Council in writing specifying the name and address of the person to whom the sale or transfer is made, within 14 days.

Transfers of interest can only be undertaken for the same plate on the same vehicle, a request for transfer of the same plate to new/different unlicensed vehicle would constitute a vehicle change (See Section 11.2 above).

At the point of exchange the seller of the vehicle must remove the plate from the vehicle and return it to the Licensing department. The new owner must then make application for transfer of the vehicle and submit the necessary insurance documentation. Checks will then be made in relation to the validity of the insurance and, where appropriate, the Hackney Carriage/Private Hire Drivers Licence of the new owner. Following the satisfactory completion of such checks, a new licence will be issued to the new proprietor of the vehicle and the same vehicle plate returned.

## **12. FEES**

Fees are applicable for each of the following applications:

- Hackney Carriage/Private Hire Drivers Licence (Grant)
- Hackney Carriage/Private Hire Drivers Licence (Renewal)
- Hackney Carriage Vehicle Licence (Grant, Renewal and Transfer)
- Private Hire Vehicle Licence (Grant, Renewal and Transfer)
- Private Hire Operators Licence
- Change of Vehicle Owners Name/Change of Vehicle Reg
- Meter Re Test
- Replacement Plate
- Internal Identification Sticker
- Additional Knowledge Test
- Replacement HC/PH Driver badge
- Advertising of vehicles

Fees are reviewed on an annual basis and new rates normally apply for 1<sup>st</sup> April each year. A list of the fees are included with each application pack.

### **12.1 Methods Of Payment**

Payment must be made in full at the time of application in order for the application to be accepted. Payment may be made by cash or by cheque which should be made payable to 'Taunton Deane Borough Council'.

## **13 Trailers**

The use of Trailers on Private Hire Vehicles and Hackney Carriages will be permitted subject to the following.

- a. For use only on pre-arranged journeys where passengers' luggage cannot be safely accommodated within the vehicle.
- b. Trailers must be purpose built luggage trailers of commercial manufacture.
- c. The contents of any trailer authorised must be secured and covered in a proper manner to protect them from the elements.
- d. Any trailer used and the licensed vehicle used to tow it must comply with Road Traffic Regulations in all respects, including having specific insurance cover for the use of the trailer in such circumstances.
- e. Any such trailers must be maintained in good working order.
- f. Trailers must display a valid trailer plate issued by the Licensing Authority which must be fixed to the rear of the trailer, due to the vehicle plate being obscured from view by the trailer when in use.

**STANDARD CONDITIONS FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE**

- 1 In order to be a licensed driver the applicant must comply with the Councils application procedure which states that for the grant of a new licence the applicant:-
  - a) must have held a full UK driving licence for at least 1 year granted under Part III of the Road Traffic Act 1988 (not being a provisional licence) or is authorised by virtue of section 99A or section 109 of the above act to drive in Great Britain a motor car
  - b) must pass the Council's Knowledge Test
  - c) must provide two satisfactory references, one of which must be from his/her last employer or from a respected member of the community from the list of approved signatories, which is the same as those persons authorised to sign passport applications
  - d) must satisfy the Councils policy regarding convictions in relation to motoring and criminal offences.
  - e) must supply a certificate, signed by his/her Doctor, stating that he/she is fit to drive for gain
- 2 A medical certificate shall be produced within seven days of the request from the Council for such certificate.
- 3 A medical certificate shall be produced on the application for the grant of a licence and on the renewal of the licence, where the licensee has attained the age of 45, 50, 55 & 60 or the licensee attains any of these ages within the period of his/her licence.

- 4 Once the Licensee has reached the age of 60 years or attains the age of 60 within the next year he/she shall produce a medical certificate to the Council on the grant/renewal of a licence and each year thereafter.
- 5 The Licensee shall not assign or in any way part with the benefit or the licence that is personal to him or her.
- 6 The Licensee shall at the request of any Authorised Officer of the Council or of any Police Officer produce for inspection his/her licence within five days of the request being made at:-
  - a) in the case of a request by an Authorised Officer of the Council, The Deane House, Belvedere Road, Taunton
  - b) in the case of a request by a Police Officer, any Police Station which is within the area of the Council and is nominated by the Licensee when the request is made
- 7 The Licensee, unless specifically exempted in writing by the Council, shall display, in such a position and manner as to be plainly and distinctly visible to the passenger(s), the driver's badge which will incorporate his or her photograph and badge number (the badge shall be provided by the Council and shall remain the property of the Council).
- 8 The Licensee shall pay a fee to the Council (as determined by the Council) on application of his or her Hackney Carriage/Private Hire Driver's Licence. The fee shall include the cost of the driver's first badge. In the event of the loss of the badge or of damage occurring to the badge that renders it unfit for use the driver will pay a fee to the Council for a replacement.
- 9 The Hackney Carriage/Private Hire Driver's badge shall at all times remain the property of the Council and upon the Council suspending, revoking or refusing to renew this licence the Licensee shall on demand return the badge to the Council.

- 10 The Licensee shall not while driving or in charge of a Private Hire Vehicle:-
- a) tout or solicit on a road or other public place any person to hire or be carried for hire in any Private Hire Vehicle
  - b) cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried for hire in any Private Hire Vehicle
  - c) offer that vehicle for immediate hire while the Licensee of that vehicle is on a road or other public place
  - d) accept any offer for the immediate hire of that vehicle whilst the Licensee of that vehicle is on a road or other public place except where such offer is first communicated to the Licensee by telephone or by apparatus for wireless telegraphy fitted to that vehicle
- 11 A proprietor and/or driver of a Hackney Carriage when standing or plying for hire shall not by calling out or otherwise importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
- 12 The Licensee shall not permit or cause or suffer to be conveyed in a Hackney Carriage or Private Hire Vehicle a greater number of persons than that specified in the Licence issued in respect of that Hackney Carriage or Private Hire Vehicle.
- 13 The Licensee shall not without reasonable cause, unnecessarily prolong, in distance or in time, a journey for which the Hackney Carriage or Private Hire Vehicle he or she is driving has been hired.
- 14 If the driver of any Hackney Carriage or Private Hire Vehicle is involved in any accident then the driver must report the accident to the Hackney Carriage or Private Hire Vehicle Licence holder as soon as possible. The Hackney Carriage or Private Hire Vehicle licence holder is to report the accident to the Council as soon as possible and in any case within 72 hours of any such accident occurring.



(Condition 14 is made without prejudice to the provisions of Section 25 of the Road Traffic Act 1972.)

- 15 The proprietor or driver of a Hackney Carriage or Private Hire Vehicle shall, immediately after the termination of any hiring or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left therein.
- 16 The Licensee shall, if any property is accidentally left in a Hackney Carriage or Private Hire Vehicle driven by him/her by any person who may have been conveyed in the vehicle be found by or handed to him or her, carry it within 48 hours, if not sooner claimed by or on behalf of its owner, to Taunton Police Station, Shuttern, Taunton, Somerset and leave it in the custody of the officer in charge of the office on his or her receiving a receipt for it.
- 17 The Licensee must inform the Council in writing within 72 hours if charged or convicted of any offence that has occurred since the granting of this licence.
- 18 The licensee must inform the proprietor of the vehicle if he/she has been convicted of any motoring offence, which may preclude him/her of legally driving the said vehicle.
- 19 When the Licensee is driving a vehicle equipped with a taximeter they shall:-
  - a) when the vehicle is not hired keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter
  - b) at the commencement of the journey when the vehicle, (not Private Hire Vehicle) is hired by distance bring the machinery of the taximeter into action so that the word "Hired" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring

- c) be entitled to demand and take for the hire of the vehicle, (not Private Hire Vehicle) by distance the rate of fare indicated in the statement displayed inside the vehicle in accordance with Condition 6 of the Council's Conditions for a Private Hire Vehicle Licence and Condition 5 of the Council's Conditions for a Hackney Carriage Vehicle Licence, provided always that the Licensee shall not take or demand a fare greater than that shown on the face of the taximeter
  - d) ensure that during the time the vehicle is hired by distance the display of the taximeter is plainly visible to any person travelling in the vehicle and is properly illuminated
  - e) not wilfully or negligently cause or suffer the letters or figures in the statement displayed inside the vehicle, in accordance with Condition 6b of the Council's Standard Conditions for a Private Hire Vehicle Licence and the Standard Condition 5a of the Standard Conditions for a Hackney Carriage Vehicle Licence, to be concealed or rendered illegible at any time
- 20 The Licensee shall not tamper with or permit any person to tamper with the taximeter or the fittings thereof or seals affixed thereto with which any Hackney Carriage or Private Hire Vehicle in his or her charge is equipped.
- 21 The Licensee when driving a Hackney Carriage or Private Hire Vehicle so constructed as to carry luggage shall carry a reasonable quantity of luggage in the vehicle if requested to do so by any person who has hired the vehicle.
- 22 The driver of a Hackney Carriage or Private Hire Vehicle, when requested by any person hiring or seeking to hire the vehicle shall afford reasonable assistance in loading and unloading any luggage that the hirer may have.
- 23 The Licensee shall conduct himself or herself towards any person who has hired the Hackney Carriage or Private Hire Vehicle he or she is driving and any other person conveyed in such vehicle in an orderly, seemly and courteous manner and shall take all reasonable precautions for the safety of persons conveyed in such vehicle.

- 24 The Licensee shall ensure that he/she is employed or otherwise engaged as a Private Hire Driver by an Operator who holds a current valid Operator's Licence.
- 25 The Licensee must convey a guide or assistance dog belonging to the passenger free of charge unless the driver has a proven medical condition that precludes such action, for which a medical certificate must be obtained.
- 26 When driving a vehicle designed or adapted to permit the carriage of wheelchair bound passengers, the Licensee must not refuse wheelchair passengers:-
- a) unless he/she has a proven medical condition supported by a medical certificate from his/her doctor which precludes them from carrying wheelchair bound passengers.
  - b) without reasonable excuse e.g. the wheelchair is not of a type or design suitable to be safely carried in the vehicle.
- 27 The driver of a Hackney Carriage or Private Hire vehicle shall give the proprietor of the Hackney Carriage/Private Hire Vehicle and Operator of the vehicle a copy of his/her Hackney Carriage/Private Hire Drivers Licence.
- 28 The driver of a Hackney Carriage or Private Hire Vehicle shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
- 29 The driver on commencement of work shall ensure that there are no apparent defects to the vehicle and that the vehicle is fit to be used for gain.
- 30 The driver shall keep the vehicle, as is reasonably practicable, in a clean and tidy condition at all times.

- 31 The driver when carrying out pre arranged bookings shall on arrival at the point where the journey is due to commence, take reasonable steps to ensure that the customer is aware of the presence of the vehicle.
- 32 The driver shall not sound the horn on arrival at an appointed place.
- 34 A Hackney Carriage/Private Hire Driver shall -
- a) Wear clean and tidy attire and shall not dress in a manner likely to embarrass or offend passengers. The wearing of vests or singlets is prohibited.
  - b) Shorts may be worn if properly tailored and of sufficient length when the driver is seated as not to offend against decency.
  - c) For women drivers acceptability will additionally include skirts or dress of sufficient length when the driver is seated as not to offend against decency.
  - d) Maintain a high standard of personal hygiene
  - e) Be able to speak English.
  - f) Not use a mobile phone whilst the vehicle is moving, with the exception of a hands free device.
  - g) Refrain from eating or drinking whilst carrying passengers.
  - h) Not smoke, or allow passenger to smoke in the vehicle at any time.
- 35 Not equip the vehicle with any scanning equipment.
- 36 Not make a U-turn when leaving or returning to any of the Taxi Ranks.

## APPENDIX 2

### STANDARD CONDITIONS FOR PRIVATE HIRE OPERATORS LICENCE

- 1 The Licensee shall keep a record of each journey, For every booking of a Private Hire Vehicle invited or accepted by him or her, whether from the hirer or another Operator. So as to make the following information available:-
  - a) date
  - b) time
  - c) whether direct from hirer or at request of another Operator (in the latter instance the name of the Operator must be given)
  - d) where possible name of hirer and address
  - e) place at which vehicle is to attend
  - f) date and time at which vehicle is to attend
  - g) destination
  - h) plate and registration number of the vehicle
  - i) name of driver of vehicle

the Licensee shall preserve the particulars of each journey at the address of the place of business notified to the Council, in writing, for a period of not less than three months. The Council may require the Licensee to preserve such particulars for a longer period by delivering a notice in writing to the Licensee at least seven days before the end of a three month period. If the council serves such a notice on the Licensee, the Licensee **may not** destroy the particulars referred to in that notice, until such further notice in writing from the Council is served on the Licensee which authorises the destruction of the said particulars.

- 2 The Licensee shall keep a certified true copy of the current Private Hire Drivers Licence issued by the Council at the Operators office, and the following particulars of all licensed Private Hire Drivers engaged to drive any Private Hire Vehicle operated by him or her:-
  - a) Private Hire Drivers badge number

- b) Date that employment commenced
  - c) Date that employment terminated
- 3 The Licensee or his/her controllers shall produce all or any of the records specified in conditions 1,2 or 3 above on request to any Authorised Officer of the Council or to any Constable for inspection as soon as reasonably practicable or in any case within 72 hours.
  - 4 The Licensee shall not operate any vehicle, which is not exempted from the provisions of Part II of the Local Government (Miscellaneous Provisions) Act, 1976, by section 75 (1) of that Act, as a Private Hire Vehicle unless it is has a current Private Hire Vehicle Licence granted by the Council. However, the Licensee may operate any unlicensed vehicle from the authorised premises mentioned in the Licence provided that the usage of such vehicle is exempt from control under Part II of the Local Government (Miscellaneous Provisions) Act, 1976.
  - 5 The Licensee shall ensure that the vehicle being used for the distribution of bookings from the Licensee is at all times driven by a person who holds a valid Private Hire Driver's Licence granted by the Council.
  - 6 Should the Operator change the address from which he/she makes provision for the acceptance of bookings, from the address given on his/her application form. Details of the change of address must be notified within seven days of the change to the Licensing Manager, The Licensing Unit, Taunton Deane Borough Council, The Deane House, Belvedere Road, Taunton TA1 1HE.
  - 7 Any change of address of the Licensee must be notified to the Licensing Manager at the address as above.
  - 8 If the licensee does not operate any licensed Hackney Carriage vehicles then no advertisement containing wording which includes the words Acab@ Ataxi-cab@ or Ataxi@ may be displayed or used in any advertisement

- a) in this licence Advertisement@ includes any form of advertising, whether in a publication or by the display of notices or by means of circulars or other documents or by exhibition of photographs, pictures, video tape, film, computer generated images or by way of sound broadcasting or television
  - b) "taxi@, A taxi-cab@ and Acab@ includes the words whether in the singular or plural and words of similar sound or appearance whether alone or as part of another word
- 9 The Licensee shall ensure that all licensed vehicles carrying out work for which the operator is licensed shall satisfy the conditions of the Council.
- 10 The Licensee must inform the Council in writing within 7 days of a driver joining the company or firm, or conducting any bookings distributed by the Licensee.
- 11 This Licence has been granted to the Licensee personally and does not licence any other person, who may take over the Licensees business for which he or she requires a Private Hire Operators Licence, as a Private Hire Operator. Therefore, unless any person who intends to take over the Licensees said Private Hire business is already an Operator licensed by the Council that person must obtain an Operators licence in his or her own right from the Council prior to taking over the said Licensees Private Hire business.
- 12 The Licensee shall display this licence on the premises at all times and produce this Licence on request to any Authorised Officer of the Council or to any Constable for inspection.
- 13 The Licensee shall not permit or cause or suffer to be conveyed in Private Hire Vehicle a greater number of persons than that specified in the current Private Hire Vehicle Licence in respect of that vehicle.
- 14 The Licensee shall keep clean and in good state of decoration and repair, adequately heated, ventilated and lit any premises which they provide and to which the public have access whether for the purpose of booking or waiting; shall ensure that the

waiting area has adequate seating facilities and that such facilities and any other furnishings provided are in good state of repair and shall ensure the appropriate fire precautionary equipment is provided, properly maintained and kept in an accessible location.

- 15 The Licensed Operator is to ensure that the drivers to whom he/she distributes private hire work are Licensed by the Council by:-
  - a) checking the status of their Licence with the Licensing Manager
  - b) keeping a true copy of the drivers licence
- 16 The Licensee shall display this licence on the premises at all times and produce this Licence on request to any Authorised Officer of the Council or to any Constable for inspection.
- 17 The Licensed Operator is to be directly concerned in the day to day management of the business and is to ensure that all conditions listed above are adhered to.



**STANDARD CONDITIONS FOR A HACKNEY CARRIAGE VEHICLE LICENCE**

- 1 The licensed vehicle must be fitted with a separate secure luggage area which is suitable for carrying at least 2 pieces of luggage. The minimum dimensions for each piece of luggage are 700mm x 550mm x 200mm.
- 2 If during the period of this licence the appearance or design of the licensed vehicle is to be altered then prior written consent of the council to such an alteration must be obtained.
- 3 The proprietor of the licensed vehicle shall:
  - a keep the interior and the exterior of the vehicle clean and free from damage in line with the Two Part Test criteria
  - b ensure that the vehicle is fitted with windows that open or has appropriate ventilation in good working order
  - c provide and maintain in the vehicle an efficient fire extinguisher which should be readily available for use at all times
  - d permanently mark the fire extinguisher with the registration number of the vehicle
  - e provide and maintain in the licensed vehicle a first aid kit which complies with the guidance in the Vehicle Licensing Criteria.
- 4 The proprietor of the vehicle shall ensure that the taximeter is so constructed, attached and maintained as to comply with the following requirements:
  - a the taximeter shall be fitted with such device which will start the taximeter and will cause the word "hired" to be displayed to passengers
  - b when the taximeter is turned on the fare on the taximeter should be clearly visible to passengers
  - c the taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances so that it shall not be practical for any person to tamper with them
  - d the proprietor shall not permit any person to tamper with any of the seals on the taximeter unless authorised to do so by the Senior Licensing Officer

- e the proprietor shall notify the Council immediately if the seals on the taximeter are broken
- 5 The proprietor of the licensed vehicle shall provide a taximeter in the vehicle and shall clearly display the statement of maximum fares that has been provided by the Council and ensure that it is clearly legible.
- 6 On each occasion that the vehicle is hired the driver/proprietor shall ensure that the meter is turned on at the commencement of the journey. The driver/proprietor may charge less than the fare shown on the meter but not more. This includes any hiring which takes place after a fare has been agreed in advance even if the quoted fare is less than the metered fare would be.
- 7 The external plate issued by the Council shall state the Hackney Carriage vehicle licence number, the maximum number of passengers which the Council has licensed the vehicle to carry and must be fixed to the rear of the vehicle. All newly issued Taunton Deane Borough Council vehicle plates must be fixed on the rear of the vehicle. Where practicable the plate must be visible when the boot is in an upright position, and preferably low down on the extreme right or left hand side of the vehicle. The plate must not protrude below the bottom edge of the bumper of the vehicle and not be placed in the rear window of the vehicle. An internal plate issued by the Council, stating the plate number of the vehicle and the vehicle registration, shall be fixed to the interior of the vehicle so as to be clearly seen by passengers to the satisfaction of the Council.
- 8 Notwithstanding section 58 of the Local Government (Miscellaneous Provisions) Act 1976 the Proprietor of the vehicle shall remove and return to the Council within 2 working days, except where written permission has been given by the Senior Licensing Officer to extend this time, the plates referred to in 7 above:-
- a when the vehicle ceases to be a licensed vehicle
  - b when the licence is revoked or suspended by the Council including suspension and revocation under section 60 & 68 of the above Act
- 9 If the plates referred to in paragraph 7 above are not returned in accordance with paragraph 8 then they may be removed by an Authorised Officer of the Council or a Constable.

- 10 In the event that the plate is damaged lost or stolen the proprietor shall notify the Council immediately and pay the Council the relevant fee for a replacement.
  - 11 If the vehicle is suspended or the licence is revoked and the plates are subsequently damaged on removal by an Authorised Officer or Constable the proprietor shall then pay the requisite fee for the replacement of the plates, if necessary.
  - 12 The proprietor of the licensed vehicle shall ensure that the vehicle is insured for the carriage of passengers for hire and reward at all times.
  - 13 The proprietor and or the driver of the vehicle shall not permit cause or suffer a greater number of passengers to be conveyed in the vehicle than that specified in the licence.
  - 14 The proprietor of the licensed vehicle that has sustained \*damage in any accident (or by any other means) shall without prejudice to the provisions and obligations of the Road Traffic Act and section 50(3) Local Government (Miscellaneous Provisions) Act 1976:
    - a notify the council in writing of such damage as soon as reasonably practicable and in any case within 72 hours of the occurrence
    - b submit the licensed vehicle to the Council's Senior Licensing Officer within 72 hours
    - c not permit any passenger or member of the public to be conveyed in the vehicle unless and until the Council's Senior Licensing Officer is satisfied that it may be so used
- \*damage – is any damage to the vehicle that would cause the vehicle to fail the Two Part Test
- 15 The proprietor of the licensed vehicle shall ensure that the vehicle is at all times driven by a person who holds a valid Hackney Carriage Drivers Licence issued by the Council.
  - 16 If the vehicle is to be used for the conveyance of passengers in wheelchairs then the securing mechanism in the vehicle for the wheelchairs must be used so as to ensure the safety of the passenger at all times. Wheelchairs must only be carried forward or rearward facing.

- 17 The licensed vehicle shall be so designed that it shall:-
- a provide at least two doors for the use of persons conveyed in such vehicle and a separate means of ingress and egress for the driver
  - b provide seatbelts for all passengers
  - c provide at least 16 inches/406mm of clear space per passenger seat (cushion width or bottom space) this measurement should be taken for the widest part of the seat per passenger
  - d provide at least 9 inches/229mm of clear knee room per passenger, this measurement should be taken from the rear of the front passenger seat to the front portion of the rear passenger seat, with the front seat fully forward
  - e provide adequate means of heating and ventilation for all passengers
  - f provide drivers mirrors on the near and offside
  - g not be a convertible/cabriolet type vehicle
  - h be right hand drive only
- 18 Where vehicles are required to be Wheelchair Accessible they must be a London type Taxi (Metrocab, TX1 or similar) or a vehicle that has been approved as a Taxi by the Council and shall be capable of conveying wheelchairs.
- 19 Seats in the rear of the vehicle that can only be accessed by the boot/rear hatch or via seats that fold down or flip up will not be allowed for the conveyance of passengers in any vehicle unless with the written permission of the Council. This does not necessarily apply to any vehicle where the rear door is specifically designed for the egress and ingress of passengers.
- 20 The proprietor must not refuse to accept a booking from a wheelchair bound passenger without reasonable excuse. e.g. the wheelchair is not of a type or design suitable to be safely carried.
- 21 Any commercial advertising on the vehicle must have prior written approval of the Council's Senior Licensing Officer.
- 22 The licence holder shall keep the vehicle, as is reasonably practicable, in a clean and tidy condition at all times.
- 23 The licence holder shall ensure that there are no apparent defects to the vehicle and that the vehicle is fit to be used for gain.

- 24 The vehicle licence holder shall ensure that the vehicle is not equipped with any scanning equipment.
- 25 If a vehicle is to be a licensed hackney carriage vehicle for the first time it must be no older than 7 years from the date of first registration.
- 26 If a licensed hackney carriage vehicle is to be replaced, it must be replaced with a vehicle no older than 7 years from the date of first registration.
- 27 Specialist and novelty vehicles or vehicles that have been subject to extensive modification for Disabled Access purposes, will not need to comply with the above conditions. Each vehicle will be considered on individual application to the Principal Licensing Officer.
- 28 All vehicles must comply with Taunton Deane Borough Council Vehicle Licensing Conditions at all times during the period of the licence.

**Terms used in these conditions are as follows:-**

- “the Council” - Taunton Deane Borough Council
- “Driver” - any Hackney Carriage or Private Hire driver licensed with the Council
- “Authorised Officer” - any Officer of the Council authorised for the purposes of these conditions
- “Constable” - any Police Officer authorised for the purposes of these conditions
- “Vehicle” - a licensed hackney carriage vehicle with this Council (vehicle includes interior, exterior and engine bay)
- “Proprietor” - the owner or, in relation to a vehicle which is the subject of a hiring agreement or hire purchase or purchase agreement, the person in possession of the vehicle under that agreement
- “Plates” - means the plates issued by the Council for the purposes of identifying the vehicle as a vehicle licensed with the Council

**STANDARD CONDITIONS FOR A PRIVATE HIRE VEHICLE LICENCE**

- 1
  - a a licensed vehicle may not be a London type taxi (TX1 & Metrocab)
  - b or of such a design an appearance as to lead any person to believe that the vehicle is a Hackney Carriage.
- 2 If the licensed vehicle is hatchback or estate or minibus it must be fitted with a boot cover or guard rail to separate the rear luggage area from the passengers to the approval of the Council.
- 3 If during the period of this licence the appearance or design of the licensed vehicle is to be altered then prior written consent of the Council to such an alteration must be obtained.
- 4 The Proprietor of the licensed vehicle shall:
  - a keep the interior and the exterior of the vehicle clean and free from damage inline with the Two Part Test criteria
  - b ensure that the vehicle is fitted with windows that open or has appropriate ventilation in good working order
  - c provide and maintain an efficient fire extinguisher in the licensed vehicle which should be readily available for use at all times
  - d permanently mark the fire extinguisher with the registration number of the vehicle
  - e provide and maintain in the licensed vehicle a first aid kit that which complies with the guidance in the Vehicle Licensing Criteria.
- 5 If the licensed vehicle is provided with a taximeter the Proprietor of the vehicle shall ensure that it constructed, attached and maintained as to comply with the following requirements:
  - a the taximeter shall be fitted with such device which will start the taximeter and will cause the word "hired" to be displayed to passengers
  - b when the taximeter is turned on the fare on the taximeter should be clearly visible to passengers

- c the taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances so that it shall not be practical for any person to tamper with them
  - d the proprietor shall not permit any person to tamper with any of the seals on the taximeter unless authorised to do so by the Senior Licensing Officer.
  - e the proprietor shall notify the Council immediately if the seals on the taximeter are broken
- 6 If the licensed vehicle is provided with a taximeter the proprietor of the vehicle shall:
- a produce a statement, in a form approved by the Council, of the fare rate on which the fare recorded on the face of the taximeter is based
  - b display the statement referred to in 6a above on the inside of the vehicle so that it is clearly visible and legible to passengers, to the approval of the Council
- 7 The external plate issued by the Council shall state the Private Hire Vehicle licence number, the maximum number of passengers which the Council has licensed the vehicle to carry and must be fixed on the rear of the vehicle. All newly issued Taunton Deane Borough Council vehicle plates must be fixed on the rear of the vehicle. Where practicable the plate must be visible when the boot is in an upright position, and preferably low down on the extreme right or left hand side of the vehicle. The plate must not protrude below the bottom edge of the bumper of the vehicle and not be placed in the rear window of the vehicle. An internal plate issued by the Council, stating the plate number of the vehicle and the vehicle registration, shall be fixed to the interior of the vehicle so as to be clearly seen by passengers to the satisfaction of the Council.
- 8 The proprietor of a Private Hire vehicle shall display the Private Hire vehicle plates issued by the Council at all times unless the vehicle has the benefit of an exemption to display the external plate.
- 9 Notwithstanding section 58 of the Local Government (Miscellaneous Provisions) Act 1976 the Proprietor of the vehicle shall remove the plates referred to in 7 above and return to the Council within 2 working days, except where written permission has been given by the Senior Licensing Officer to extend this time:
- a when the vehicle ceases to be a licensed vehicle



- b when the licence is revoked or suspended by the Council including suspension and revocation under section 60 & 68 of the above Act
- 10 If the plates referred to in paragraph 7 above are not returned in accordance with paragraph 9 then they may be removed by an Authorised Officer of the Council or a Constable.
  - 11 In the event that the plate is damaged lost or stolen the proprietor shall notify the Council immediately and pay the Council the relevant fee for a replacement.
  - 12 If the vehicle is suspended or the licence is revoked and the plates are subsequently damaged on removal by an Authorised Officer or Constable the proprietor shall then pay the requisite fee for the replacement of the plates, if necessary.
  - 13 No commercial advertising is allowed on Private Hire Vehicles, the only advertising allowed on Private Hire Vehicles shall comply with the following requirements:
    - a signs must not be magnetic, the lettering must be of the same size and font for all wording and
    - b they are a maximum size of 450mm by 450mm and a minimum of 300mm by 300mm, the signs must contain the words "Private Hire vehicle" and "Advance Bookings Only". The sign may include the firms' telephone number and the firms' name, the firms' name may not include the words "Taxi" and/or "Cab". No other words are to be allowed; and
    - c they are to the approval of the Licensing Manager.
  - 14 Subject to condition 13 no advertisement sign or light may be placed inside or outside the licensed vehicle that is not required by law or by these conditions. Exceptions to this condition will only be by prior written approval of the Licensing Manager.
  - 15 The proprietor of the licensed vehicle shall ensure that the vehicle is insured for the carriage of passengers for hire and reward at all times.
  - 16 The proprietor and or the driver of the vehicle shall not permit cause or suffer a greater number of passengers to be conveyed in the vehicle than specified in the licence.

17 The proprietor of the licensed vehicle which has sustained \*damage in any accident (or by any other means) shall without prejudice to the provisions and obligations of the Road Traffic Act and section 50(3) Local Government (Miscellaneous Provisions) Act 1976:

- a notify the council in writing of such damage as soon as reasonably practicable and in any case within 72 hours of the occurrence
- b submit the licensed vehicle to the Council's Licensing Manager within 72 hours
- c not permit any passenger or member of the public to be conveyed in the vehicle unless and until the Council's Licensing Manager is satisfied that it may be so used

\*damage – is any damage to the vehicle that would cause the vehicle to fail the Two Part Test

18 The proprietor of the licensed vehicle shall ensure that the vehicle is at all times:-

- a operated by a person who holds a valid Private Hire Operators Licence issued by the Council
- b driven by a person who holds a valid Private Hire Drivers Licence issued by the Council

19 If the vehicle is to be used for the conveyance of passengers in wheelchairs then the securing mechanism in the vehicle for the wheelchairs must be used so as to ensure the safety of the passenger at all times. Wheelchairs must only be carried forward or rearward facing.

20 The licensed vehicle shall be so designed that it shall:-

- a provide at least two doors for the use of persons conveyed in such vehicle and a separate means of ingress and egress for the driver
- b provide seatbelts for all passengers
- c provide at least 16 inches/406mm of clear space per passenger seat (cushion width or bottom space) this measurement should be taken for the widest part of the seat per passenger
- d provide at least 9 inches/229mm of clear knee room per passenger, this measurement should be taken from the rear of the front passenger seat to the front portion of the rear passenger seat, with the front seat fully forward
- e provide adequate means of heating and ventilation for all passengers

- f shall be capable of carrying a reasonable quantity of luggage which must be to the satisfaction of the Council
  - g provide drivers mirrors on the near and offside
  - h not be a convertible/cabriolet type vehicle
  - i be right hand drive only
- 21 Seats in the rear of the vehicle that can only be accessed by the boot/rear hatch or via seats that fold down or flip up will not be allowed for the conveyance of passengers in any vehicle unless with the written permission of the Council. This does not necessarily apply to any vehicle where the rear door is specifically designed for the egress and ingress of passengers.
- 22 The vehicle licence holder shall keep the vehicle, as is reasonably practicable, in a clean and tidy condition at all times.
- 23 The licence holder shall ensure that there are no apparent defects to the vehicle and that the vehicle is fit to be used for gain.
- 24 The vehicle licence holder shall ensure that the vehicle is not equipped with any scanning equipment.
- 25 If a vehicle is to be a licensed Private Hire vehicle for the first time it must be no older than 7 years from the date of first registration.
- 26 If a licensed Private Hire vehicle is to be replaced, it must be replaced with a vehicle no older than 7 years from the date of first registration.
- 27 Specialist and novelty vehicles or vehicles that have been subject to extensive modification for Disabled Access purposes, will not need to comply with the above conditions. Each vehicle will be considered on individual application to the Principal Licensing Officer.
- 28 All vehicles must comply with Taunton Deane Borough Council Vehicle Licensing Criteria at all times during the period of the vehicle licence.

**Terms used in these conditions are as follows:-**

- “the Council” - Taunton Deane Borough Council
- “Driver” - any Hackney Carriage or Private Hire driver licensed with the Council
- “Authorised Officer” - any Officer of the Council authorised for the purposes of these conditions
- “Constable” - any Police Officer authorised for the purposes of these conditions
- “Vehicle” - a licensed Private Hire vehicle with this Council (vehicle includes interior, exterior and engine bay)
- “Proprietor” - the owner or, in relation to a vehicle which is the subject of a hiring agreement or hire purchase or purchase agreement, the person in possession of the vehicle under that agreement
- “Plates” - means the plates issued by the Council for the purposes of identifying the vehicle as a vehicle licensed with the Council

### CONDITIONS FOR VEHICLE TESTING

The Part One and Part Two tests for all Hackney Carriage and Private Hire vehicles licensed by Taunton Deane Borough Council will be carried out by the Council's approved testing station. The fee for these tests is currently set the by approved testing station, and should be made payable directly to the them.

The inspections will include all items tested under the Motor Vehicles (Test) Regulations 1981 as amended together with the items listed within this Authority's own Vehicle Conditions & Vehicle Licensing Criteria. The Part One test is an MOT Certificate in accordance with the Road Traffic Act and is stamped by the Approved Testing Station. An MOT carried out by any other tester is not acceptable as a Part One Test Certificate.

The Part One and Part Two Test Certificates and supporting documents are required when an application for the grant, renewal or transfer of a vehicle is submitted. Both Part One and Part Two Certificates can be no more than 30 days old.

Appointments for tests should be made directly with M J Auto and Commercial, the Approved Testing Station on **01823 271364**.

If your vehicle has a meter this will need to be tested and sealed.

You can book your vehicle in for a meter test by telephoning the Licensing Unit on 01823 356343.

Taunton Deane Borough Council gives at least 8 weeks notice that a vehicle licence is due to expire.

## **HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE TEST CRITERIA**

Hackney Carriage and Private Hire Vehicles in order to pass on the Part One and Part Two tests must ensure that:

### **GENERAL CONDITION**

- a) Engine bay clean
- b) Vehicle exterior to be clean
- c) Interior lights required and to be working
- d) No rips in the upholstery or cigarette burns of more than 2 inches or multiple cigarette burns.
- e) No rips in the carpet or floor covering
- f) Boot or luggage area must be dry and clean
- g) Front and rear demister in working order
- h) Where a vehicle is supplied with ashtrays they must be in place, unless the space where the ashtray was is blocked off to the satisfaction of the vehicle examiner
- i) There are no dents of more than 2 inches across
- j) No more than 4 dents per panel and not more than 8 in total
- k) Scratches not more than 2 inches - pass (subject to below)
- l) Any dents/scratches/stone chippings must not be rusting
- m) The colour of the vehicle must be consistent throughout

- n) If anything other than one colour any deviations should be done professionally
- o) Internal Private Hire and Hackney Carriage Vehicle Sticker must be placed in top left corner of front windscreen. Where the vehicle has a safety screen the sticker should be placed on this.
- p) The external plate issued by the Council shall state the Private Hire Vehicle licence number, the maximum number of passengers which the Council has licensed the vehicle to carry and must be fixed on the rear of the vehicle. Where practicable the plate must be visible when the boot is in an upright position, and preferably low down on the extreme right or left hand side of the vehicle. The plate must not extend below the bumper line of the vehicle and not be placed in the rear window of the vehicle

## **TYRES**

All tyres to be of same size

## **CAR NUMBERS**

A small call sign number on rear of vehicle

## **SCANNING EQUIPMENT**

The vehicle licence holder shall ensure that the vehicle is not equipped with any scanning equipment.

## **FIRE EXTINGUISHER**

Each licensed vehicle must carry a fire extinguisher of any type, it must be a minimum of one litre capacity. The Fire extinguisher shall be marked with the vehicle registration number in black permanent marker pen. A notice explaining where extinguisher located. The extinguisher must be securely fixed in a readily accessible position inside the vehicle or in the boot. Without the fire extinguisher the licence will not be issued.

## **FIRST AID KIT**

The first aid kit shall consist of the following:

- Ten antiseptic wipes, hygienically packed
- One conforming disposable bandage (not less than 7.5 cm wide)
- Two triangular bandages
- One packet of 24 assorted adhesive dressings
- Three large sterile unmedicated dressings (not less than 15 cm x 20 cm)
- Two sterile eye pads, with attachments
- Twelve assorted safety pins
- One pair of rustless blunt-ended scissors

## **FOR WHEELCHAIR ACCESSIBLE VEHICLES**

The following will fail the Part Two Test:

- a) Wheelchair securing straps not available
- b) Securing straps not adequately secured when not in use
- c) Seat belts not available for wheelchair passengers
- d) Securing straps have no means of release
- e) Securing mechanisms in floor present a trip hazard
- f) Rough edges are present on any device used to secure wheelchair

## **Ramps**

The following will fail the Part Two Test:

- a) Ramps are not able to be adequately secured when not in use



- b) No means of securing ramps to vehicle when in use (pins, clamps) etc
- c) Incline of ramps more the 1:12 (to pavement for side loading vehicles, to road for rear loading vehicles)
- d) Ramps are not marked with maximum load bearing capacity
- e) Ramps are not permanently marked with vehicle registration number
- f) Rough edges are present on any device to secure a wheelchair
- g) Non-slip surface or raised edges not present on ramps

#### **PRIVATE HIRE VEHICLES ONLY**

No roof signs on Private Hire Vehicle

A licensed vehicle may not be a London type taxi (TX1 & Metrocab)

- a) or of such a design an appearance as to lead any person to believe that the vehicle is a Hackney Carriage

If the licensed vehicle is hatchback or estate or minibus it must be fitted with:-

- a) a boot cover or guard rail to separate the rear luggage area from the passengers to the approval of the Council

## GLOSSARY

Terms used in the above conditions are as follows:-

the Council	means Taunton Deane Borough Council.
Driver	means any Hackney Carriage/Private Hire Driver licensed with this Council.
Authorised Officer	means any Officer of the Council authorised for the purposes of these condition.
Constable	means and Police Officer authorised for the purposes of these conditions.
Vehicle	means a licensed Hackney Carriage Vehicle with this Council (vehicle includes interior, exterior and engine bay).
Proprietor	means owner or in relation to a vehicle which is the subject of a hiring agreement or hire purchase – purchase agreement, means the person in possession of the vehicle under that agreement.
Plates	means the plates issued by the Council for the purposes of identifying the vehicle as a vehicle licensed with this Council
Licensee	means a licensed Hackney Carriage/Private Hire Driver
Police Officer	means any Police Officer authorised for the purposes of these conditions.
Road	means any highway and any other road to which the public has access and includes bridges over which a road passes.
Wireless telegraphy	has the meaning assigned to it in Section 19 of the Wireless Telegraphy Act, 1949.