



EXECUTIVE

YOU ARE REQUESTED TO ATTEND A MEETING OF THE EXECUTIVE TO BE HELD IN THE PRINCIPAL COMMITTEE ROOM, THE DEANE HOUSE, BELVEDERE ROAD, TAUNTON ON MONDAY 13TH NOVEMBER 2006 AT 18:00.

AGENDA

1. Apologies
2. Minutes of the meeting of the meeting of the Executive held on 18 October 2006 (attached)
3. Public Question Time
4. Declaration of Interests
5. Proceeding to Housing Transfer Ballot
Report of Head of Housing (Housing Transfer Consultation Coordinator) (attached)

G P DYKE
Member Services Manager
06 November 2006

Executive Members:-

Councillor Bishop (Planning and Transportation)
Councillor Mrs Bradley (Environmental Services)
Councillor Clark (Leisure, Arts and Culture)
Councillor Garner (Housing Services)
Councillor Hall (Resources)
Councillor Leighton (Communications)
Councillor Mrs Lewin-Harris (Community Leadership)
Councillor Williams - Leader of the Council

PLEASE NOTE THAT A SPECIAL MEETING OF COUNCIL WILL FOLLOW IMMEDIATELY
AFTER THIS MEETING



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 (Council, Executive, Review Board & Review Panel Agenda, Reports and Minutes are available on the Website)

Taunton Deane Borough Council

At a meeting of Taunton Deane Borough Council held in the Principal Committee Room, The Deane House, Belvedere Road, Taunton on 10 October 2006 at 6.00 pm.

Present: The Mayor (Councillor Hindley)
The Deputy Mayor (Councillor Hayward)
Councillors Mrs Allgrove, Beaven, Bishop, Bowrah, Mrs Bradley, N Cavill, Miss Cavill, Clark, Coles, Croad, Davies, Denington, Durdan, Edwards, Floyd, Garner, Govier, Guerrier, Hall, Henley, House, Leighton, Mrs Lewin-Harris, Lisgo, Meikle, Morrell, Mullins, Murphy, Phillips, Prior-Sankey, Slattery, Mrs Smith, P Smith, Stuart-Thorn, Vail, Watson, Wedderkopp, Weston, Mrs Whitmarsh, Williams and Mrs Wilson

1. Minutes

The minutes of the meeting of the Council held on 13 September 2006, copies having been sent to each Member, were signed by the Mayor.

2. Apologies

Councillors Mrs Biscoe, Bone, Mrs Cluff, C Hill, Mrs Marie Hill, Mrs Marcia Hill, Lees, Paul, Ms Priscott and Stone

3. Public Question Time

- (1) Mr Barry Mowlem asked how much per household per annum it used to cost to collect household rubbish in the year before the recycling scheme began, how much it cost in the year of household recycling collections and how much it would cost in the 2007/2008 financial year allowing for inflation. What percentage of the rates were spent on such collections when everything went into one truck and what would that percentage be in 2007/2008. Mr Mowlem went on to make a lengthy statement in connection with the collection and recycling of household waste.

Councillor Mrs Bradley asked for a full copy of the questions posed by Mr Mowlem so that she could give a reply. She went on to draw attention to the fact that recycling was driven by the EU Landfill Directive whereby all local authorities had to find other ways of dealing with household waste.

- (2) Mr Paul Partington asked a series of 11 questions in respect of footpath 18/3 Lower Hilly Park to Rectory Road, Norton Fitzwarren.

Councillor Garner replied that the question of the costs incurred in 2002 was still being investigated by officers as the information was not

readily available and involved searches of the DLO files. He confirmed however that a written response relating to that and all the other questions of fact raised would be sent to Mr Partington within seven days. As Councillor Garner had indicated at the last Council meeting when a question was raised by Mr Partington in relation to this footpath, the decision to pursue this extinguishment was an operational decision made by the Housing Officers and not one with which Members would expect to be involved. Councillor Garner was, however, arranging to be briefed on the matter to satisfy himself that this was an appropriate approach.

- (3) County Councillor Steve Brooks asked if any action was being taken in relation to the alleged inappropriate use of facilities at Hamilton Park, Taunton. He also referred to the Housing Stock Transfer process and asked if the Council intended to discontinue action on this scheme if tenants voted 'no'.

Councillor Clark assured County Councillor Brooks that he was prepared to look into the alleged problems at Hamilton Park together with County Councillor Brooks.

Councillor Garner replied in relation to the Housing Stock Transfer process and confirmed that the aim was to lay the facts before the tenants in order that they could decide. All local authorities were going through this expensive process, however, the comments made by County Councillor Brooks were noted.

- (4) Mr P Harris referred to the outstanding disputes between the Council and Mr S Robins and asked why the Council had continued to take legal action against Mr Robins when Mr Harris was in the process of resolving some of the outstanding issues.

Councillor Garner replied that he was aware of the latest court case and its outcome and that this situation had continued for a number of years. He felt that the only way it could be resolved was through the judicial process.

4. Declarations of Interest

Councillor Prior-Sankey declared personal interests as a Member of Somerset County Council, the Strategic Planning Conference and the Regional Assembly. Councillor Henley also declared a personal interest as a Member of Somerset County Council.

5. Councillor Bryan Denington

On behalf of the Council the Mayor (Councillor Hindley) welcomed Councillor Denington back to the Council meeting after a long period of incapacity.

6. **Taunton Cultural Quarter**

Council received a presentation on the development framework for the Taunton Cultural Quarter. Details were given of the proposed framework, its main elements and the opportunities presented by the proposal.

7. **Recommendations to Council from the Executive**

Funding to Support the 2006 Westival

Submitted a request for a Supplementary Estimate to add to the marketing budget and to support the efficient administration of this event.

This particular request had been submitted to the Executive in July but the timetabling of meetings had meant that confirmation of this funding was now required by the Council.

RESOLVED that a Supplementary Estimate of £19,000.00 from General Funds, to provide a grant in support of the Westival 2006, be confirmed.

8. **Bridge at Taunton Railway Station**

Councillor Brenda Weston asked Councillor Mrs Bradley what was the estimated cost of replacing or making good the netting beneath the railway bridge and the cost of repainting the bridges to improve their appearance. How much longer did she anticipate the current conflict with Network Rail about this would continue and were there any contingency plans in place to deal with this problem.

Councillor Mrs Bradley replied that she had recently attended a site meeting and confirmed that the netting under the bridge was no longer effective and problems were being caused by feral pigeons. The netting had originally been installed by Taunton Deane with the consent of Network Rail and discussions were now continuing with Network Rail regarding the best way to deal with the problem. The repainting of the bridge was in Network Rail's forward programme and it was hoped that they would work together with the Council to solve the problems.

9. **Questions to and Reports of the Leader of the Council and Executive Councillors**

The following reports were made to the Council on the main items of current and future business.

(i) Leader of the Council, Councillor Williams

Councillor Williams' report covered the following topics:-

- The regeneration of Taunton
- New growth point funding programme from DCLG

- Proposed Housing Transfer Ballot
- Wellington and the Livestock Market
- Improving Services in Somerset project
- Bishop Fox's School Education Business Partnership
- Regional Spatial Strategy
Affordable Housing

(ii) Planning Policy and Transportation (Councillor Bishop)

The report from Councillor Bishop dealt with activities taking place in the following areas:-

- Statement of Community Involvement
- Blackdown Hills
- The Neroche Scheme
- Environmental Impact Assessments
- Introduction of Standard Planning Application Form
- Planning Legislation
- Time limits for Planning Permission
- Housing Appeal

(iii) Environmental Services (Councillor Mrs Bradley)

The report from Councillor Mrs Bradley drew attention to developments in the following areas:-

- Licensing
- Health and Safety
- Environmental Protection
- Waste Collection and Recycling
- Somerset Waste Partnership Procurement
- Cemeteries and Crematorium

(iv) Economic Asset Management and Tourism (Councillor Cavill)

The report from Councillor Cavill covered:-

- Asset Management
- Wellington Food Town
- Tourism and TIC
- Economic Development

(v) Leisure, Arts and Culture (Councillor Clark)

The report from Councillor Clark provided information on the following areas within his portfolio.

- Britain in Bloom
- Events
- Community Grants
- Tone Leisure Limited activities
- Somerset Art Week
- Museum Heritage Lottery Bid

(vi) Housing Services (Councillor Garner)

Councillor Garner's report focussed on two areas. First was the usual update on the Housing Stock Transfer project and second was an update on Energy Efficiency.

With regard to the Housing Stock Transfer, the end of this process was now in sight and a snapshot of recent Housing Stock Transfer project activity was submitted. Details were also submitted of the work that was planned for the next three months.

Working with British Gas for just over a year, the Council had achieved the highest number of cavity wall insulation installations in the country. Following this success the Council sought to continue this scheme but in addition were also actively looking to introduce further initiatives that were similarly cost-effective and environmentally beneficial.

(vii) Resources (Councillor Hall)

Councillor Hall submitted his report which covered the following areas within his portfolio.

- Print and Design
- Customer Services
- Wellington Community Office
- ISIS
- Procurement
- Member Services
- Financial Services
- Revenues
- Benefits
- Information Systems

(viii) Communications (Councillor Leighton)

Councillor Leighton submitted her report which drew attention to the following:-

- The Best Value General Survey
- Your Council, Your Views
- Information Management
- Corporate Complaint's Procedure

- Public Relations and Media Relations
- Deane Despatch

(ix) Community Leadership (Councillor Mrs Lewin-Harris)

Councillor Mrs Lewin-Harris's report drew attention to the following:-

- Policy Commission
- Local Strategic Partnership which included the Apprenticeship Scheme, Somerset Gateway, Sustainable Community Strategy and LSP Review
- Crime and Disorder Partnership
- Equalities Survey
- CPA Inspection
- Corporate Strategy

10. **Standards Committee**

Reported that there had, for a little while, been two vacancies for independent members on the Council's Standards Committee. Following public advertisement and circulation of details to as many voluntary and community organisations as possible, two candidates had been interviewed for the vacancies.

The interviews had been carried out by David Baker, Chair of the Council's Standards Committee and Councillor Mrs Mary Whitmarsh, the Independent Councillor on the Committee. The two candidates were David Gollin and Harold Inder, both of whom appeared to be useful additions to the Standards Committee. The Interviewing Group had therefore recommended that they be appointed. Details of these two candidates had also previously been circulated to Group Leaders and they had raised no objection to their appointment. In order to comply with the terms of the Council's Constitution, these appointments had to be formally made by Council.

RESOLVED that David Gollin and Harold Inder be appointed as independent members of the Council's Standards Committee.

(Councillor Denington declared a personal interest in this issue as he was currently the subject of an investigation by the Standards Board for England.)

(Councillor Miss Cavill left the meeting at 9.25 pm and Councillor Murphy at 9.30 pm.)

(The meeting ended at 9.45 pm.)

TAUNTON DEANE BOROUGH COUNCIL

SPECIAL EXECUTIVE AND COUNCIL MEETING – 13 NOVEMBER 2006

ADDENDUM REPORT OF THE HEAD OF HOUSING (HOUSING TRANSFER CONSULTATION CO-ORDINATOR)

PROCEEDING TO HOUSING TRANSFER BALLOT

(This matter is the responsibility of Executive Councillor G Garner)

Executive Summary

This report should be read alongside the main report to Special Executive and Council. In that report, a further update was promised as to the results of a telephone survey carried out on our behalf.

This report includes the results of that survey, together with some assessment of what its implications are for the Council.

1. Purpose of Report

- 1.1 To update Members on the results of a telephone survey carried out by SMSR (an independent market research organisation) on the Council's behalf, so that these can be taken into account in deciding whether the Council wishes to proceed to Stage Two (ballot of all tenants).

2. Background

- 2.1 As Members will be aware, one of the major objectives for the Stock Transfer Project has been to raise awareness of what stock transfer is, and what it would mean to tenants. The process is one where a detailed model has been developed by central government, with clear and detailed guidance for each Council to follow. Because of the need to be able to demonstrate strict objectivity, Councils invariably have appointed external specialist advisers to support the complex process. Input from both government and the advisers has therefore assured transparency and accuracy in all material which this Council has published during the stock transfer process.
- 2.2 We have emphasised since the Council embarked on the project that the decision of whether or not to transfer the housing stock to a Housing Association would not be the Council's, but would be firmly a matter for the tenants themselves to decide. Thus, the reason for such emphasis being placed upon the need for a full understanding of what is inevitably a complex process. Whilst the Council has reached its own conclusion as to what is in the long-term best interests of tenants, it has committed itself to a "You Decide" approach to the taking of the final decision. So – when opinion testing has been carried out over the months, it has been primarily to help us assess how well we have achieved that "awareness raising".

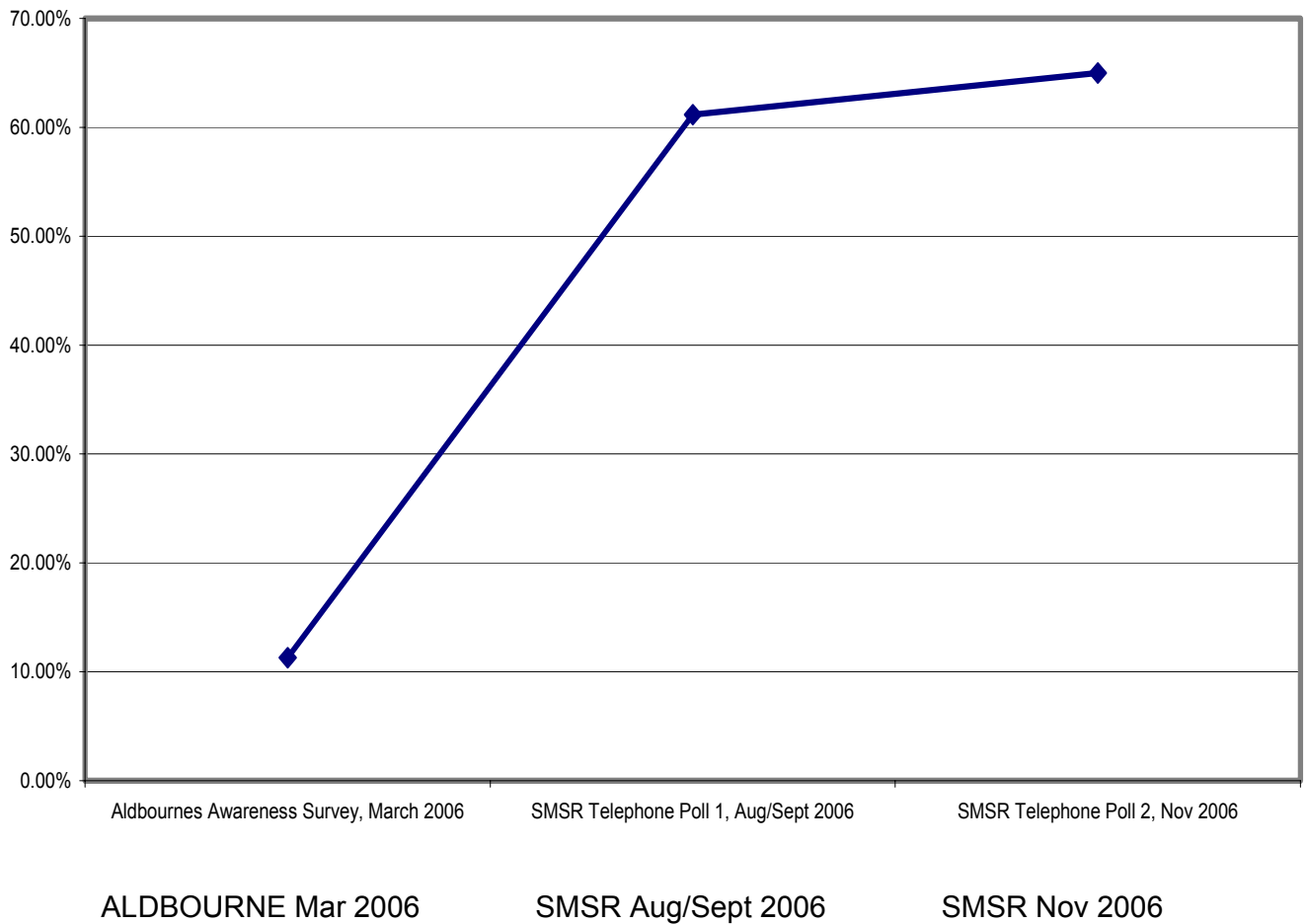
2.3 Amongst the threads being tested have been:

- Awareness of the project and its implications for tenants
- Areas where further information is desired
- Particular concerns that tenants have
- Voting intentions

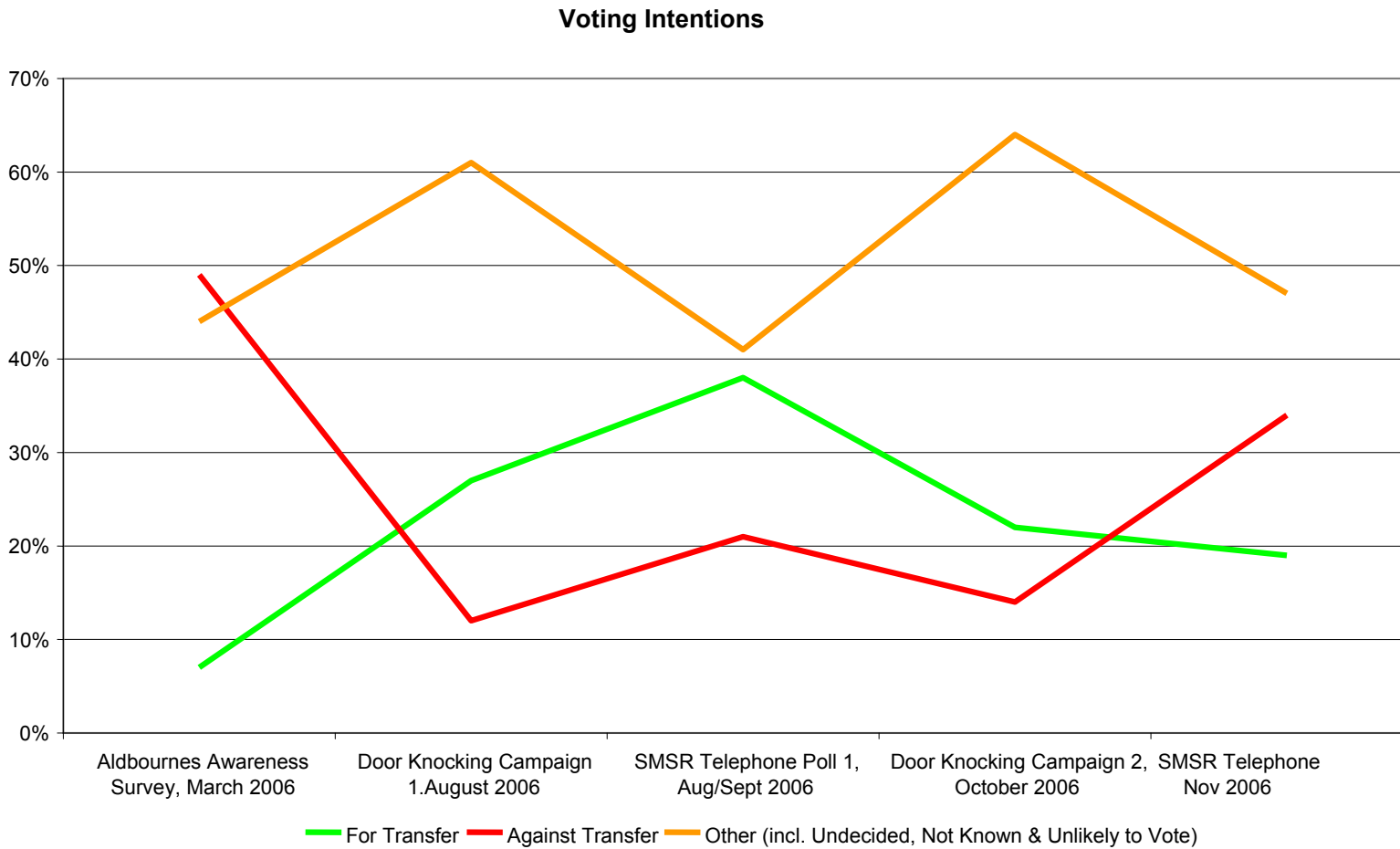
2.4 Set out below are the results of that opinion testing carried out over the last year – either by professional surveys or by our own staff “door knocking”.

The first is as to levels of awareness of the project and its implications:

Tenants Fully Aware of Transfer Process



The following shows the results of opinion testing as to voting intentions:



The awareness aspect shows a steady and satisfactory pattern, which does demonstrate that our aims of ensuring that tenants are fully aware of the issue before them has been properly met.

Until now, voting intentions have also shown a steady trend, with a reducing level of “don’t knows/won’t reveals” and a consistent majority of those who were in favour of transfer, over those who were not. But, that trend has now sharply reversed with the recent SMSR opinion testing. The 10% telephone sample which they conducted now shows a sizeable majority opposed to the transfer, and with an increased number of respondents unprepared to give their voting intentions. Whereas in September, SMSR found 38% in favour of the transfer and 21% against, now there has been a reversal of the trend with 19% now in favour and 36% shown to be against.

3. Assessment

3.1 This unexpected reversal in a firm trend presents the Council with a real dilemma as to whether it should, indeed, now proceed to the formal tenant ballot under Stage Two.

3.2 The Advisers' Views:

We have sought the advice from the Council's external advisers – Price Waterhouse Cooper (Lead advisers); Pinsents (legal); and The Bridge Group (communications). We have also sought guidance from Government Regional Office. Their unanimous view is that:

- The survey results point to the near certainty that the tenants as a body will reject the stock transfer.
- They believe, however, that the work done in raising the level of awareness amongst tenants, as to the process and its implications for tenants, have been successful and have reached an acceptable level.
- Their advice, consequently, is that the Council does not proceed to a Stage Two ballot.

4. What then are the factors which the Council should take into account?

4.1 Validity of survey results

The change of direction in voting trends is quite contrary to previous surveys – including the door knocking carried out by our staff. Inevitably, such a telephone poll of 10% of the tenants is only a partial snapshot, and cannot guarantee that that will be the outcome of the formal vote of all tenants. However, having discussed the outcome with SMSR and with our advisers – all of whom have had experience in such stock transfer projects – the consistent view coming back is that the results are valid, and do point firmly towards the presumption that a full ballot would also produce a “no” vote.

4.2 The cost of a Stage Two ballot

The cost of employing the Electoral Reform Society to carry out a ballot on the Council's behalf is £14K; if the Council does not proceed to Stage Two, then that £14K would be saved.

What also needs to be taken into account in assessing the financial consequences is that, if the Council were to withdraw from the expected ballot at this stage, then a good deal of work would still be needed in order to explain to tenants why this had happened – through the further use of our Consultants, and of PR, newsletters/letters, drop-in sessions and free-phone.

4.3 Commitments

We have told our tenants that it will be they who will make the final decision as to the future management of their homes. This has been emphasised by the use of the “You Decide” logo, and by the commitments made by the Council throughout the project.

In assessing the likely reactions, it is also clear that there would be disappointment amongst staff that a full vote amongst tenants was not to be pursued. Staff have approached the project with considerable energy and enthusiasm, with an exceptional level of commitment to the many hours which have been devoted to raising awareness amongst tenants as to the nature of the choice before them. Having seen what the consequences of what a “no vote” would have on the quality of the service which can be provided for tenants – there would be a clear disappointment were that important decision to be taken at this stage based upon this opinion sample. They are also very conscious of the often stated desire amongst tenants to let them now vote on the issue.

4.4 How then would a withdrawal be viewed at this stage?

Many tenants would clearly see this as a sensible way of saving £14K of public money. Those who opposed the transfer would, no doubt, also be glad that the process had been stopped.

On the other hand, however, there is clearly a sizeable body of tenants who believe that the future levels of investment in their homes do depend upon a transfer to Deane Housing. If we were to pull back at this stage, there will also be those who would feel that the Council has reneged on a firm promise that this plan would be finally disposed of – one way or the other – by a vote of all tenants. As our inability to meet the Decent Homes Standard starts to bite, then there will inevitably also be questions raised by tenants as to the credibility of a 10% telephone sample forming the foundation for such a crucial decision by the Council.

5.. Summary

- The result of the SMSR survey as to voting intentions has come as somewhat of a surprise, and runs counter to the trend that has been shown over the course of previous opinion testing.
- The awareness of the process itself has now reached a level which is nevertheless acceptable to our advisers and to GOSW.
- We must accept the advice of our advisers that it is very unlikely that a full vote of all tenants will produce a different result.
- The financial costs of holding the ballot are approximately £14K.
- There are, however, a range of other factors which the Council must also weigh in the balance in deciding whether it wishes to proceed to a full tenant ballot at Stage Two.

6. Conclusions

The options now open to the Council are:

- (1) Proceed to Stage Two of the formal ballot of our tenants (as previously recommended), or,
- (2) Postpone a Stage Two ballot (not recommended), or,
- (3) End the Stock Transfer Project at this point without going to formal ballot.

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TAUNTON DEANE BOROUGH COUNCIL

SPECIAL EXECUTIVE AND COUNCIL MEETING – 13 NOVEMBER 2006

REPORT OF THE HEAD OF HOUSING (HOUSING TRANSFER CONSULTATION CO-ORDINATOR)

PROCEEDING TO HOUSING TRANSFER BALLOT

(This matter is the responsibility of Executive Councillor G Garner)

Executive Summary

The report comes to the Exec and to full Council at the end of the formal consultation period with our tenants as to Stock Transfer. It is for the Council to now decide on whether to proceed to “Stage 2” - ie to a ballot of tenants as to a transfer to Deane Housing Ltd.

1. Purpose of Report

- 1.1 To seek agreement from the Executive and Council to proceed to balloting tenants as to the transfer of the housing stock to Deane Housing Ltd. Formally the ballot is known as Stage Two of the Housing Stock Transfer Consultation.

2. Background

- 2.1 Members will not need reminding that for the last 20 months or so, the Council has been consulting its tenants, partners and others over the possibility of transferring its housing stock to a new, independent housing association – Deane Housing Ltd.
- 2.2 On 13 September 2006, the Executive and Council decided to proceed with Stage One of the formal process. This involved sending out the Offer Document, a DVD, a summary and an introductory letter to every tenant. We also sent a letter of notification to all our leaseholders.
- 2.3 As members will appreciate – all documents such as these which the Council has circulated during the process - have been formally approved as to their accuracy and fairness by our advisors. In the case of the Offer Document, this together with the “Promises” it contains, has also been contributed to and agreed by the tenants’ bodies and by the Shadow Board of Deane Housing. All publications relating to the consultation are verified by the Housing Corporation, Department of Communities and Local Government, Government Officer of the South West and all our advisors including the tenants’ independent advisors.

- 2.4 Throughout the process it has been essential for us to test out how successful we have been in getting the issues across to our tenants in a clear way on what is such an important issue for them all.
- 2.5 Before the Offer Document was sent out on 9th October we employed an independent market research organisation (SMSR) to carry out a telephone survey of a 10% sample of our tenants. The results of this were that around 38% were in favour of transfer, 22% were against with the remainder (40%) as yet undecided or, in a few instances, not going to vote.
- 2.6 This was a considerable advance on previous testing carried out at the beginning of the year when awareness of the issues involved were found to be at a much lower level.
- 2.7 To further raise awareness of the Offer Document, and to emphasise the key role for tenants in deciding the future of their homes, staff have again been “door knocking” over the last month. This has also given each tenant the opportunity to raise any concerns or questions as to the Offer and as to the process. It has also provided the chance to outline the consequences that we see in a “no” vote. We have also held drop-in sessions and attended meetings, coffee mornings and various events to help with this understanding.
- 2.8 However clearly this is done Stock Transfer will never be a simple concept to describe. So it is unfortunate that various letters and articles have appeared in the press which seem designed to counteract the good work and clarity that has been achieved during the Council’s consultation campaign.
- 2.9 Our role has been to respond objectively and accurately to such misinformation. This we have done by re-emphasising the crucial and unarguable facts ie – that a “no” vote would indeed mean an inevitable cut in services and in the posts which provide those services - due to the shortfall of £1.85m per annum needed by the Council to meet the “Decent Homes Standard” by 2010/11. We have also reinforced the unchallenged fact that a “yes” vote would ensure no cuts but would instead produce an extra £6m pa to spend on tenants’ homes, estates and services.

3. Current Situation

- 3.1 Door knocking has been completed. SMSR are carrying out another 10% telephone survey, the results of which will be available to help inform discussion on 13 November.
- 3.2 The responses from tenants to the Offer Document have been examined to see whether issues have been raised which would require any changes to be made. During this “Stage One” consultation some 209 reply cards were received covering a range of issues. What is clear is that tenants felt the offer document properly covered all the issues. Tenants asked that as well as the postal ballot, could a telephone voting system be incorporated. This has been arranged subject to the stage two decision to go ahead to ballot. Tenants also wanted reassurances on rent, rights, protection of future generations,

price of homes and improvements to services. These will be included in our next newsletter. Consequently there are no additions or changes to the Offer which need to be notified to tenants - if the Council decides to progress to "Stage Two".

- 3.3 We have made provisional arrangements for a ballot to be conducted by Electoral Reform Services who would handle the entire procedure independently from the Council. If the Council agree then the ballot will proceed immediately with the results being delivered before Christmas - as projected.

4. Financial Situation

- 4.1 The ballot, "door knocking" and all the costs of the Housing Transfer Consultation work are within the approved budget.
- 4.2 Should there be a "yes" vote then the procedure for formalising the transfer and its associated costs will need to be reported to a meeting of the Council for the necessary decisions to be made. A further special meeting has therefore been provisionally arranged for the evening of 19th or 20th December. Details of this will be confirmed to members in the next few weeks

5. Conclusion

- 5.1 We are now entering the final stage of this lengthy Stock Transfer consultation. This has been aimed at ensuring that the Council and our tenants are at one over what they would wish to see from their future housing service. It has also sought to ensure that what is being offered on the one hand by Deane Housing and on the other by this Council, are fully understood by tenants. It is now for the Council to decide whether or not to proceed to "Stage Two" of the Housing Stock Transfer - the ballot of the tenants.

6. Recommendation

- 6.1 The Executive and Council are recommended to proceed to "Stage Two" of the formal Housing Stock Transfer by carrying out a ballot of our tenants on whether Taunton Deane Borough Council transfers its homes to Deane Housing Ltd.

Members will be updated at the meeting should any further information be received since the drafting of this report which would affect this recommendation.

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