

You are requested to attend a meeting of the Council to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 4 March 2013 at 18:30.

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## **Agenda**

The meeting will be preceded by a Prayer to be offered by the Mayor's Chaplain.

- 1 To report any apologies for absence.
- 2 To receive any communications.
- 3 Declaration of Interests  
To receive declarations of disclosable pecuniary interests or personal or prejudicial interests, in accordance with the Code of Conduct. The usual declarations made at meetings of Full Council are shown on the attachment.
- 4 (a) To receive questions from Taunton Deane Electors under Standing Order 15.  
(b) To receive any petitions or deputations from Taunton Deane Electors under Standing Order 16 and 17.
- 5 Proposed reduction of Members' Allowances in connection with the Brewhouse Theatre, Taunton - To consider the attached Motion proposed by Councillor Ian Morrell and seconded by Councillor Tony Beaven.
- 6 To receive the following recommendations from the Licensing Committee:-
  - (a) Gambling Act 2005 - Revised Statement of Principles (attached);
  - (b) Licensing Act 2003 - Licensing Policy Adoption (attached).
- 7 To receive the following recommendation from the Corporate Governance Committee - South West Audit Partnership Governance Arrangements (attached).
- 8 To receive the following recommendation from the Leader of the Council - Joint working between Taunton Deane Borough Council and West Somerset Council - Project Mandate (attached).
- 9 To receive the following recommendations from the Executive:-
  - (i) Councillor Williams - Recommendations relating to:-

(a) Corporate Business Plan 2013/2014 to 2015/2016 (attached);

(b) Treasury Management Strategy Statement and Investment Strategy (attached).

(ii) Councillor Jean Adkins - Recommendation relating to the Halcon North Regeneration, Taunton – Creechbarrow Road Project (attached).

(iii) Councillor Vivienne Stock-Williams - Recommendation relating to the Localism Act - Pay Policy Statement (attached).

10 Appointment of Civic Marshall (attached).

Tonya Meers  
Legal and Democratic Services Manager

26 June 2013

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

If a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: [www.tauntondeane.gov.uk](http://www.tauntondeane.gov.uk)



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

**For further information about the meeting, please contact the Corporate Support Unit on 01823 356414 or email [r.bryant@tauntondeane.gov.uk](mailto:r.bryant@tauntondeane.gov.uk)**

## **Council Members:-**

Councillor L Lisgo, MBE (Deputy Mayor)  
Councillor T Hall (Mayor of Taunton Deane)  
Councillor J Adkins  
Councillor J Allgrove  
Councillor J Baker  
Councillor A Beaven  
Councillor C Bishop  
Councillor R Bowrah, BEM  
Councillor S Brooks  
Councillor N Cavill  
Councillor S Coles  
Councillor B Denington  
Councillor D Durdan  
Councillor K Durdan  
Councillor M Edwards  
Councillor H Farbahi  
Councillor M Floyd  
Councillor E Gaines  
Councillor A Govier  
Councillor J Govier  
Councillor K Hayward  
Councillor R Henley  
Councillor C Herbert  
Councillor C Hill  
Councillor M Hill  
Councillor J Horsley  
Councillor J Hunt  
Councillor L James  
Councillor R Lees  
Councillor S Lees  
Councillor J Meikle, MBE  
Councillor N Messenger  
Councillor I Morrell  
Councillor M Mullins  
Councillor B Nottrodt  
Councillor U Palmer  
Councillor H Prior-Sankey  
Councillor D Reed  
Councillor J Reed  
Councillor S Ross  
Councillor T Slattery  
Councillor G Slattery  
Councillor F Smith  
Councillor P Smith  
Councillor V Stock-Williams  
Councillor P Stone  
Councillor B Swaine  
Councillor P Tooze  
Councillor J Warmington

Councillor P Watson  
Councillor E Waymouth  
Councillor D Webber  
Councillor A Wedderkopp  
Councillor D Wedderkopp  
Councillor J Williams - Leader of the Council  
Councillor G Wren

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

### **Full Council**

- **Members of Somerset County Council – Councillors Brooks, A Govier, Henley, Prior-Sankey, Mrs Waymouth, D Wedderkopp**
- **Employees of Somerset County Council – Councillors Mrs Hill, Mrs Smith and Stone**
- **Employee of Sedgemoor District Council – Councillor Slattery**
- **Employee of Job Centre Plus – Councillor Henley**
- **Employee of UK Hydrographic Office – Councillor Tooze**
- **Employee of Natural England – Councillor Wren**
- **Somerset Waste Board representatives – Councillor Hayward and Councillor Ross**
- **Director of Southwest One – Councillor Nottrodt**
- **Alternate Director of Southwest One – Councillor Ross**
- **Tone Leisure Board representatives – Councillors D Durdan and Stone**
- **Part-time Swimming Instructor – Councillor Swaine**
- **Employee of EDF Energy – Councillor Mullins**
- **Member of the Board of Governors at Somerset College – Councillor Gill Slattery**
- **Patron of Supporters, Taunton Women’s Aid – Councillor Gill Slattery**
- **Owner of land in Taunton Deane – Councillor Farbahi**



## **Motion to Full Council – 4 March 2013**

### **Proposed reduction of Members' Allowances in connection with the Brewhouse Theatre, Taunton**

**Motion proposed by Councillor Ian Morrell and seconded by Councillor Tony Beaven**

Closure of the Brewhouse Theatre is a loss to our community and an embarrassment for the Council and the County Town.

The funding gap of some £100,000 is something we, as elected representatives for our community can help with and so save this important amenity as well as 55 jobs which will be lost.

As Councillors we all receive an allowance of £4,301 per annum, with special additional sums for certain Members.

I am seeking support from my fellow Councillors to collectively reduce our annual allowance for the 2013/2014 financial year by 50% and allocate this sum of at least £120,428 to the Brewhouse in order to keep the doors open.

This motion has the caveat that the Brewhouse's long-term financial and cultural viability must be independently challenged with relevant business and management changes made in order to secure the organisation's medium and long-term viability.

I strongly believe we collectively need to support our community during these challenging times. I hope you will be willing to support this motion.



# Taunton Deane Borough Council

## Council Meeting – 4 March 2013

### Recommendations to Full Council from the Licensing Committee

#### **(a) Gambling Act 2005 – Revised Statement of Principles**

The Gambling Act 2005 places a duty on all Licensing Authorities to produce a Statement of Principles (also known as the Gambling Policy).

Each Licensing Authority is required to review this policy document at least every three years and take into account the views of those representing the holders of existing licences and certificates, local residents, businesses and the Police.

Taunton Deane's 2010 Statement of Principles has recently been updated in accordance with the Statutory Guidance issued by the Gambling Commission and widespread consultations have been undertaken. A copy of the final document is appended to this report for the information of Members.

It is **recommended** that the revised Statement of Principles be approved.



**Gambling Act 2005**

# **Statement of Principles**



**Taunton Deane Borough Council  
Statement of Principles  
INDEX**

**Part A - Overview**

	<b>Page</b>
1. <a href="#">Introduction</a>	5
2. <a href="#">Licensing Objectives</a>	6
3. <a href="#">Declaration</a>	6
4. <a href="#">General Principles</a>	6
5. <a href="#">Responsible Authorities</a>	7
6. <a href="#">Interested Parties</a>	7
7. <a href="#">Exchange of Information</a>	8
8. <a href="#">Enforcement</a>	9
9. <a href="#">Licensing Authority Functions</a>	10
10. <a href="#">Legislation</a>	10

**Part B – Premises Licences**

11. <a href="#">General Principles</a>	11
11.1 <a href="#">Transitional arrangements</a>	11
11.2 <a href="#">Location</a>	12
11.3 <a href="#">Duplication with other regulatory regimes</a>	12
11.4 <a href="#">Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime</a>	12
11.5 <a href="#">Ensuring that gambling is conducted in a fair and open way</a>	13
11.6 <a href="#">Protecting children and other vulnerable persons from being harmed or exploited by gambling</a>	13
11.7 <a href="#">Conditions</a>	13
11.8 <a href="#">Door Supervisors</a>	14
12. <a href="#">Adult Gaming Centres</a>	15
13. <a href="#">(Licensed) Family Entertainment Centres</a>	15
14. <a href="#">Casinos</a>	16
14.1 <a href="#">Casinos and competitive bidding</a>	16
14.2 <a href="#">Licence considerations/conditions</a>	16
14.3 <a href="#">Betting machines</a>	16
14.4 <a href="#">Credit</a>	16
15. <a href="#">Bingo premises</a>	17
16. <a href="#">Betting Premises</a>	17
16.1 <a href="#">Betting machines</a>	17
17. <a href="#">Tracks</a>	18
18. <a href="#">Travelling Fairs</a>	19
19. <a href="#">Provisional Statements</a>	20

## **Part C - Permits/Temporary & Occasional Use Notices**

20.	<a href="#">Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits)</a>	21
21.	<a href="#">(Alcohol) Licensed premises gaming machine permits</a>	22
22.	<a href="#">Prize Gaming Permits - (Statement of Principles on Permits)</a>	22
23.	<a href="#">Club Gaming and Club Machines Permits</a>	23
24.	<a href="#">Temporary Use Notices</a>	24
25.	<a href="#">Occasional Use Notices</a>	24

## **Part D – Decision making, complaints and reviews**

26.	<a href="#">Decision Making</a>	25
26.1	<a href="#">Committee Terms of Reference</a>	25
26.2	<a href="#">Allocation of Decision Making Responsibilities</a>	25
27.	<a href="#">Complaints against Licensed Premises</a>	25
28.	<a href="#">Reviews</a>	25
29.	<a href="#">Further Information</a>	26
	<a href="#">Appendix A – Responsible Authorities details</a>	27
	<a href="#">Appendix B – Table of Delegations of Licensing Functions</a>	28
	<a href="#">Appendix C - Glossary of terms</a>	29
	<a href="#">Appendix D – Map of Taunton Deane Borough Council area</a>	30

## PART A - OVERVIEW

### 1. Introduction

- 1.1 Taunton Deane is a mixed urban and rural district in Somerset covering approximately 178 square miles and with a population of nearly 103,000 (2001 census). The area encompasses the fertile vale of the River Tone to the centre and is bounded by Exmoor National Park to the West, the Quantock Hills to the North, the Blackdown Hills to the South and the Somerset Levels to the East.

There are approximately 45,000 dwellings and 4,000 businesses within the borough. The main urban areas are Taunton, the County Town, and Wellington. The remainder of the area is a mixture of villages and farmland. The population of Taunton is 60,400 and Wellington 12,200. Taunton Deane is not densely populated; there are approximately 2.2 people per hectare, although there are concentrations of housing in some areas.

- 1.2 The Council is the Licensing Authority under the Gambling Act 2005 and as such it is responsible for granting premises licences and permissions in Taunton Deane in respect of:-

1. Casinos;
2. Bingo Premises;
3. Betting Premises;
4. Tracks;
5. Adult Gaming Centres;
6. Family Entertainment Centres;
7. Club Gaming Permits;
8. Prize Gaming and Prize Gaming Permits;
9. Temporary Use Notices;
10. Registration of small society lotteries

- 1.3 The Gambling Act 2005 required the Council by the 31 January 2007 to prepare and publish a "Statement of Principles" that sets out the policies that the Council will generally apply to promote the Licensing Objectives when making decisions on applications made under the Act.

- 1.4 The draft "Statement of Principles" was prepared having regard to the provisions of the Guidance issued by the Gambling Commission and the licensing objectives of the Gambling Act 2005. It was a discussion document leading to adoption by Taunton Deane Borough Council of a formal Statement of Principles, after having due regard to any responses from those consulted on the draft policy statement.

- 1.5 The consultation took place between 12 July 2006 and 4 October 2006 with final comments being accepted up to the 6 October 2006. The Council followed the Cabinet Office Guidance on consultations by the public sector prior to adoption of the final Statement of Principles.

- 1.6 The Act required that Licensing Authorities carry out consultation of their proposed principles and that all of the following parties are consulted:

- The Chief Officer of Police.
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the Authority's area.
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

- 1.7 In addition to the above, the following were also be consulted: a range of organisations including voluntary and community organisations working with children and young people, organisations working with people who are problem gamblers, Primary Care Trust and advocacy organisations such as the Citizen's Advice Bureau. There was also consultation with other local government related services and local businesses who are holders of a premises licence.
- 1.8 The list of persons consulted was deliberately wide. This enabled the Licensing Authority to undertake a comprehensive consultation exercise with anyone who may have been affected by or otherwise have an interest in the licensing policy statement.
- 1.9 The formal Statement of Principles adopted by the Council is available on Taunton Deane Borough Council's website and in Taunton Deane libraries.
- 1.10 The statement of principles came into effect on the 31 January 2007 and will be reviewed as necessary, and at least every three years from the date of adoption.

## **2. Licensing Objectives**

- 2.1 The Gambling Act 2005 requires that the Council carries out its various licensing functions with a view to promoting the following three licensing objectives:-

- 1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;**
- 2. Ensuring that gambling is carried out in a fair and open way;**
- 3. Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

## **3. Declaration**

- 3.1 In producing its final policy statement, this Licensing Authority declares that it will have regard to the licensing objectives of the Act, the Guidance issued by the Gambling Commission, and any responses from those consulted on the draft policy statement.

## **4. General Principles**

- 4.1 Nothing in this Statement of Policy will:-
1. Undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits; or
  2. Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.
- 4.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:
1. In accordance with any relevant code of practice issued by the Gambling Commission;
  2. In accordance with any relevant guidance issued by the Gambling Commission;
  3. Reasonably consistent with the licensing objectives; and
  4. In accordance with the authority's statement of principles.
- 4.3 The Gambling Commission's Guidance for local authorities provides that "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for a licensing authority.

- 4.4 The Licensing Authority, in carrying out its functions, will not duplicate existing legislation and regulatory regimes that already place obligations on employers and operators.
- 4.5 Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. The Licensing Authority is able to exclude default conditions and also attach others, where it is believed to be appropriate.
- 4.6 The starting point in determining applications will be to grant the application without conditions. Conditions will only be considered where they are needed to meet the requirements of the licensing objectives, and any conditions applied will be proportionate to the scale of the application and the risks involved. Conditions will generally be considered unnecessary if they are already adequately covered by either mandatory/default conditions or other legislation.
- 4.7 The Council, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and to promote equality and good relations between persons of different racial groups.

## **5. Responsible Authorities**

- 5.1 In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Local Safeguarding Children Board for this purpose.
- 5.2 The details of the Responsible Authorities under the Gambling Act 2005 are shown at Appendix A.

## **6. Interested Parties**

- 6.1 The licensing authority will apply the following principles in determining an interested party:
  - 1. Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.14 and 8.15. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
  - 2. The Gambling Commission has recommended that the licensing authority states that interested parties include trade associations and trade unions, and residents' and tenants' associations (Gambling Commission Guidance for local authorities 8.17). This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.
  - 3. Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons requesting the representation is sufficient.



- 6.2 If individuals wish to approach councillors to ask them to represent their views, then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing unit whose details are given at the end of this document.

## **7. Exchange of Information**

- 7.1 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes that the provisions of the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 7.2 Should any protocols be established regarding information exchange with other bodies then they will be made available. Discussions with the Gambling Commission and Local Authorities Co-ordinators of Regulatory Services (LACORS) regarding information exchange between the Commission and local authorities are, at the time of writing, at an early stage.

## 8. Enforcement

- 8.1 This licensing authority's proposed principles are that it will be guided by the Gambling Commission's Guidance for local authorities and it will endeavour to be:
1. **Proportionate:** regulators should only intervene when necessary and remedies should be appropriate to the risk posed, and costs identified and minimised;
  2. **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
  3. **Consistent:** rules and standards must be joined up and implemented fairly;
  4. **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
  5. **Targeted:** regulation should be focused on the problem, and minimise side effects.
- 8.2 This licensing authority will also, as recommended by the Gambling Commission's Guidance for local authorities, adopt a risk-based inspection programme. Whilst the Gambling Commission's Guidance suggests that the criteria the authority will utilise in this respect are included in this statement, this has not been possible. At the time of writing, the Gambling Commission has not published its risk criteria, and regulations such as mandatory/default conditions, and Codes of Practice have not been published. LACORS is working with the Gambling Commission to produce a risk model for premises licences and this authority will consider that model once it is made available.
- 8.3 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.
- 8.4 This licensing authority will keep itself informed of developments as regards the work of the BRDO (or any body subsequently taking over its role) in its consideration of the regulatory functions of local authorities.
- 8.5 The Licensing Authority will seek to work actively with the police in enforcing licensing legislation and intends to establish protocols with the Avon and Somerset Constabulary, Devon & Somerset Fire and Rescue Service, and other Council bodies such as Environmental Health, Trading Standards and Child Protection on enforcement issues to ensure an efficient deployment of officers.
- 8.6 Bearing in mind the principle of transparency, this Licensing Authority's enforcement policy and joint protocol will be available upon request from Licensing.

## 9. Licensing Authority functions

Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*;
- Issue *Provisional Statements*;
- Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- Issue *Club Machine Permits* to *Commercial Clubs*;
- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*;
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register *small society lotteries* below prescribed thresholds;
- Issue *Prize Gaming Permits*;
- Receive and Endorse *Temporary Use Notices*;
- Receive *Occasional Use Notices*;
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange');
- Maintain registers of the permits and licences that are issued under these functions.

9.1 Local licensing authorities will not be involved in licensing remote gambling. This will fall to the Gambling Commission via operating licences.

## 10. Legislation

10.1 In undertaking its licensing function under the Gambling Act 2005, the Council is also bound by other legislation, including:-

1. Section 17 of the Crime and Disorder Act 1998;
2. Human Rights Act 1998;
3. Health and Safety at Work Etc Act 1974;
4. Environmental Protection Act 1990;
5. The Anti-Social Behaviour Act 2003 (as amended);
6. The Race Relations Act 1976 (as amended);
7. Licensing Act 2003

## PART B

## PREMISES LICENCES

### 11. General Principles

A “premises” is defined in the Act as “any place”. Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

This licensing authority takes note of the Gambling Commission’s Guidance for local authorities which states that:

- licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area.
- licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

It should be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that reference to “the premises” are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. This authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensures that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

#### 11.1 Transitional Arrangements

11.1.1 The Licensing Authority will follow guidance issued by the Government on the transitional arrangements for implementing the new provisions of the Gambling Act 2005, and will endeavour, as far as is reasonably practicable, to assist with a smooth transfer to the new licensing regime.

#### 11.2 Location

11.2.1 This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission’s Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific

policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. Any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant to show how potential concerns can be overcome.

### **11.3 Duplication with other regulatory regimes**

11.3.1 This licensing authority will seek to avoid duplication with other statutory/regulatory systems, including planning, wherever possible. This authority will not consider whether a licence applicant is likely to be awarded planning permission or building regulations approval, in its consideration of an application. It will however, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

### **11.4 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime**

11.4.1 This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime, this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable, such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

11.4.2 Applicants are encouraged to discuss the crime prevention procedures in their premises with the Council's Licensing Officers and Avon and Somerset Constabulary before making a formal application.

11.4.3 In considering licence applications, the Local Authority will particularly take into account the following:

1. The design and layout of the premises;
2. The training given to staff in crime prevention measures appropriate to those premises;
3. Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
4. Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
5. The likelihood of any violence, public order or policing problem if the licence is granted.

### **11.5 Ensuring that gambling is conducted in a fair and open way**

11.5.1 The Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks, which is explained in more detail in the 'tracks' section below.

### **11.6 Protecting children and other vulnerable persons from being harmed or exploited by gambling**

- 11.6.1 The Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as a restriction of advertising so that gambling products are not aimed at or are particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas, etc.
- 11.6.2 This licensing authority will also make itself aware of Codes of Practice issued by the Gambling Commission regarding this licensing objective, in relation to specific premises such as casinos.
- 11.6.3 As regards the term "vulnerable persons" the Gambling Commission is not seeking to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This licensing authority will consider this licensing objective on a case by case basis. Should a practical definition prove possible in future, this policy statement will be updated.

## **11.7 Conditions**

- 11.7.1 Any conditions attached to licences will be proportionate and will be:
1. Relevant to the need to make the proposed building suitable as a gambling facility;
  2. Directly related to the premises and the type of licence applied for;
  3. Fairly and reasonably related to the scale and type of premises; and
  4. Reasonable in all other respects.
- 11.7.2 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas, etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.
- 11.7.3 This licensing authority will also consider specific measures which may be required for buildings subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.
- 11.7.4 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:
1. All such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
  2. Only adults are admitted to the area where these machines are located;
  3. Access to the area where the machines are located is supervised;
  4. The area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
  5. At the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

11.7.5 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

11.7.6 It is noted that there are certain conditions which the licensing authority cannot attach to premises licences. These include:

1. Any condition on the premises licence which makes it impossible to comply with an operating licence condition;
2. Conditions relating to gaming machine categories, numbers, or method of operation;
3. Conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs, and this provision prevents it being reinstated); and
4. Conditions in relation to stakes, fees, winning or prizes.

## **11.8 Door Supervisors**

11.8.1 The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. However, door supervisors at casinos or bingo premises cannot be licensed by the Security Industry Authority (SIA).

11.8.2 In view of the above, this Licensing Authority has specific requirements for door supervisors working at casinos or bingo premises, in that they will be qualified to the SIA standard. This requirement is consistent with the standards set by the Gambling Commission for door supervisors, and is in recognition of the nature of the work in terms of searching individuals, dealing with potentially aggressive persons, etc.

11.8.3 For premises other than casinos and bingo premises, operators and licensing authorities may decide that supervision of entrances/machines is appropriate for particular cases but it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be.

## **12. Adult Gaming Centres**

12.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

12.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions may cover issues such as:

1. Proof of age schemes
2. CCTV
3. Supervision of entrances/machine areas
4. Physical separation of areas
5. Location of entry

6. Notices/signage
7. Specific opening hours
8. Self-barring schemes
9. Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

### **13. Licensed Family Entertainment Centres**

- 13.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.
- 13.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions may cover issues such as:
1. CCTV
  2. Supervision of entrances/machine areas
  3. Physical separation of areas
  4. Location of entry
  5. Notices/signage
  6. Specific opening hours
  7. Self-barring schemes
  8. Provision of information leaflets/helpline numbers for organisations such as GamCare.
  9. Measures/training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 13.3 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences when they have been published.

### **14. Casinos**

This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by Full Council.

#### **14.1 Casinos and competitive bidding**

- 14.1.1 Where a licensing authority is enabled to grant a premises licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005), there are likely to be a number of operators wishing to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. This licensing authority will run such a competition in line with any regulations/codes of practice issued under the Gambling Act 2005.

#### **14.2 Licence considerations/conditions**



14.2.1 The Gambling Commission has stated that "further guidance will be issued in due course about the particular issues that licensing authorities should take into account in relation to the suitability and layout of casino premises" (Gambling Commission Guidance for local authorities - 17.30). This guidance will be considered by this licensing authority when it is made available.

### **14.3 Betting machines**

14.3.1 This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

### **14.4 Credit**

14.4.1 The Gambling Commission has stated in its Guidance for Local Authorities that "Section 177 does not prevent the licensee from permitting the installation of cash dispensers (ATMs) on the premises. Such machines may accept credit cards (and debit cards) and the arrangement is subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service provider and does not profit from the arrangement, not make any payment in connection with the machines".

## **15. Bingo premises**

1. This licensing authority notes that the Gambling Commission's Guidance states:

15.1 It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted, the licensing authority will seek to ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area, there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

15.2 The Gambling Commission intends to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This licensing authority will consider this guidance once it is made available.

## **16. Betting Premises**

### **16.1 Betting machines**

16.1.1 This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

## **17. Tracks**

17.1 This licensing authority is aware that tracks may be subject to one or more premises licences, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas which they are not permitted to enter.

17.2 This authority will therefore expect applicants for premises licences to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. Children and young persons will be permitted to enter track areas where facilities for betting are provided, on days when dog-racing and/or horse racing takes place, but they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

17.3 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions may cover issues such as:

1. Proof of age schemes
2. CCTV
3. Supervision of entrances/machine areas
4. Physical separation of areas
5. Location of entry
6. Notices/signage
7. Specific opening hours
8. Self-barring schemes
9. Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

17.4 Further guidance from the Gambling Commission is awaited regarding where gaming machines may be located on tracks, and any special considerations that should apply in relation to, for example, supervision of the machines and preventing children from playing them. The Commission's Guidance provides that licensing authorities need to consider the location of gaming machines at tracks. Applicants for track premises licences will therefore need to demonstrate that, where the applicant holds a pool betting operating licence and intends to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

17.5 This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of betting machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.

- 17.6 The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."
- 17.7 This licensing authority awaits regulations setting-out any specific requirements for applications for premises licences but accepts the Gambling Commission's suggestion "To ensure that licensing authorities gain a proper understanding of what they are being asked to license they should, in their licensing policies, set out the information that they will require, which should include detailed plans for the racetrack itself and the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring"), and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities." and that "Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence."
- 17.8 This licensing authority also notes that in the Commission's view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

## **18. Travelling Fairs**

- 18.1 It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 18.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 18.3 The 27-day statutory maximum for land being used as a fair is per calendar year, and it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **19. Provisional Statements**

- 19.1 The Gambling Commission's guidance states that "it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence" and that "requiring the building to be complete ensures that the authority could, if necessary, inspect it fully".
- 19.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- (a) which could not have been raised by objectors at the provisional licence stage; or
  - (b) which in the authority's opinion reflect a change in the operator's circumstances.

19.3 The Gambling Commission's Guidance states that "A licensing authority should not take into account irrelevant matters..... One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal."

## PART C

### Permits/Temporary & Occasional Use Notices

#### 20. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits)

20.1 The Guidance to the Act states: "... An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre, and if the chief officer of police has been consulted on the application..."

20.2 This licensing authority proposes to consider asking applicants to demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- That the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- That staff are trained to have a full understanding of the maximum stakes and prizes.

A licensing authority cannot attach conditions to this type of permit.

20.3 With regard to renewals of these permits, a Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised Local Authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

20.4 Gaming Machines - The Act does not allow gaming machine applications from premises where children have free access. In view of this, and in order to promote the licensing objectives, this Licensing Authority will not accept any new gaming machine applications or renewal applications from existing gaming machine permit holders in relation to places including the following:

*Accommodation Agencies, Art Galleries, Assembly Rooms, Bus Stations, Railway Stations, Cafes, Canteens, Cinemas, Theatres, Schools and Colleges, Youth Clubs, Swimming Pools, Off Licences, Loan Offices, Church Halls, Banks, Car Hire Premises, Employment Agencies, Garden Centres, Hospitals, Museums, Nurseries, Sales Rooms, Showrooms, Surgeries, Hotels, Registered Homes, Garages and Service Stations, Retail Shops and Warehouses, Video Hire/Sale Premises, Shopping Arcades/Centres, Dance Halls/Discotheques, Salons/Hairdressing Premises, Snooker/Billiards and Pool Halls, Taxi and Private Hire Offices and Ranks, Waiting Rooms and Reception Areas, Leisure/Health/Sports/ Community Centres, Restaurants, Take-away Food Premises.*

*This is not an exhaustive list and the Licensing Authority reserves the right to refuse applications where the licensing objectives are likely to be undermined.*

#### 21. Alcohol Licensed premises - gaming machine permits

21.1 If a premises wishes to have more than 2 machines, it must apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and "such matters as they think relevant." This licensing authority considers that "such matters" will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff

who will monitor the machines to ensure they are not being used by persons under 18. Notices and signage may also be helpful. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/ helpline numbers for organisations such as GamCare.

21.2 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with, as an Adult Gaming Centre premises licence.

21.3 It should be noted that the licensing authority can decide to grant the application with a lesser number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

21.4 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

## **22. Prize Gaming and Prize Gaming Permits**

22.1 This licensing authority's Statement of Principles is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.

22.2 In making its decision on an application for this type of permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

22.3 The permit holder must comply with certain conditions imposed by the Gambling Act 2005. However, the licensing authority cannot attach any other conditions to a permit. The conditions provided by the Act are that:

- 1 The limits on participation fees, as set out in regulations, must be complied with;
- 2 All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- 3 The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- 4 Participation in the gaming must not entitle the player to take part in any other gambling.

## **23. Club Gaming and Club Machines Permits**

23.1 The Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

23.2 The Commission Guidance also states that "licensing authorities may only refuse an application on the grounds that:

- 1 The applicant does not fulfil the requirements for a members' or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;

- 2 The applicant's premises are used wholly or mainly by children and/or young persons;
- 3 An offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- 4 A permit held by the applicant has been cancelled in the previous ten years; or
- 5 An objection has been lodged by the Commission or the police.

23.3 There is also a 'fast-track' procedure available under the Act for premises holding a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). The Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced". Furthermore, the guidance states: "The grounds on which an application under the process may be refused are:

- 1 That the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- 2 That in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- 3 That a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

23.4 There are statutory conditions on club gaming permits that no child may use a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## **24. Temporary Use Notices**

24.1 There are a number of statutory limits as regards Temporary Use Notices. It falls to the Licensing Authority to decide what constitutes a 'set of premises' where Temporary Use Notices are received relating to the same building/site (see Gambling Commission's Guidance for Local Authorities).

## **25. Occasional Use Notices**

25.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will however consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## **PART D DECISION MAKING, COMPLAINTS & REVIEWS**

### **26. Decision Making**

#### **26.1 Licensing Committee Terms of Reference**

26.1.1 The committee's terms of reference are set out in the Council's Constitution. The terms of reference will be guided by Regulations issued under the Act, which have not yet been published.

#### **26.2 Allocation of Decision Making Responsibilities**

26.2.1 These responsibilities will be set out in the Council's policy. The table shown at Appendix B indicates how the delegation of functions might be allocated.

### **27. Complaints against licensed premises**

27.1 The Council will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

27.2 Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Council may initially arrange a conciliation meeting to address and clarify the issues of concern.

27.3 This process will not override the right of any interested party to ask that the licensing committee consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

27.4 When dealing with a complaint about a licensed premises the Licensing Authority will have due regard to the Environmental Health Enforcement Policy.

### **28. Reviews**

28.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the licensing authority to decide whether the review is to be carried out. This decision will be made on the basis of whether the request for the review is relevant to the matters listed below:

- In accordance with any relevant code of practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Is reasonably consistent with the licensing objectives; and
- In accordance with the authority's statement of licensing principles.

Requests for reviews will not be considered by the Licensing Authority where:

- The request is frivolous or vexatious;
- It will not cause the authority to consider altering, revoking or suspending the licence; or
- It is substantially the same as previous representations or requests for review.

28.2 The licensing authority can also initiate a review of a licence if it feels it appropriate.



## **29. Further information**

29.1 Further information about the Gambling Act 2005, this Statement of Principles or the application process can be obtained from:-

Taunton Deane Borough Council  
Licensing  
The Deane House  
Belvedere Road  
Taunton  
TA1 1HE

Tel: 01823 356343  
Fax: 01823 356564  
E-mail: [licensing@tauntondeane.gov.uk](mailto:licensing@tauntondeane.gov.uk)  
Website: [www.tauntondeane.gov.uk](http://www.tauntondeane.gov.uk)

29.2 Information is also available from:-

### **Gambling Commission**

Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP

Tel: 0121 230 6500  
Fax: 0121 233 1096  
Email: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

### **Department of Culture, Media and Sport**

2-4 Cockspur Street  
London  
SW1Y 5DH

Tel: 020 7211 6200  
E-mail: [Enquires@culture.gov.uk](mailto:Enquires@culture.gov.uk)  
Website: [www.culture.gov.uk](http://www.culture.gov.uk)

**Gamcare:** [www.gamcare.org.uk](http://www.gamcare.org.uk)

# APPENDIX A

## RESPONSIBLE AUTHORITIES DETAILS

<b>RESPONSIBLE AUTHORITY</b>	<b>ADDRESS</b>	<b>TELEPHONE NUMBER</b>
<b>Taunton Deane Borough Council (in the capacity of Licensing Authority)</b>	Licensing The Deane House Belvedere Road Taunton TA1 1HE	01823 356343
<b>Avon and Somerset Constabulary</b>	Liquor Licensing Bureau Avon and Somerset Constabulary PO BOX 2781 BRISTOL BS2 2AS	0117 945 5154
<b>Somerset Fire and Rescue Service</b>	Chief Fire Officer Somerset Command Chiltern House 15-17 Silver Street Taunton TA1 3DH	01823 273020
<b>Taunton Deane Borough Council Environmental Protection Team</b>	The Deane House Belvedere Road Taunton TA1 1HE	01823 356339
<b>Somerset Local Safeguarding Children Board</b>	Somerset Local Safeguarding Children Board County Hall Taunton TA1 4DY	01823 358098
<b>Taunton Deane Borough Council (Planning Department)</b>	Development Control Manager Planning Department The Deane House Belvedere Road Taunton TA1 1HE	01823 356464
<b>Gambling Commission</b>	Victoria Square House Victoria Square Birmingham B2 4BP	0121 230 6500
<b>HM Revenue and Customs</b>	Michael Paul House Corporation Street Taunton TA1 4BZ	0845 010 9000

# APPENDIX B

## TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COUNCIL	LICENSING COMMITTEE OR SUB-COMMITTEE	OFFICERS
Three year licensing policy	✓		
Policy not to permit casinos	✓		
Fee Setting - when appropriate			✓ (to be approved by Executive Councillor)
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		✓	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		✓	
Applications for other permits			✓
Cancellation of licensed premises gaming machine permits			✓
Consideration of temporary use notice			✓
Decision to give a counter notice to a temporary use notice		✓	

# Glossary of Terms

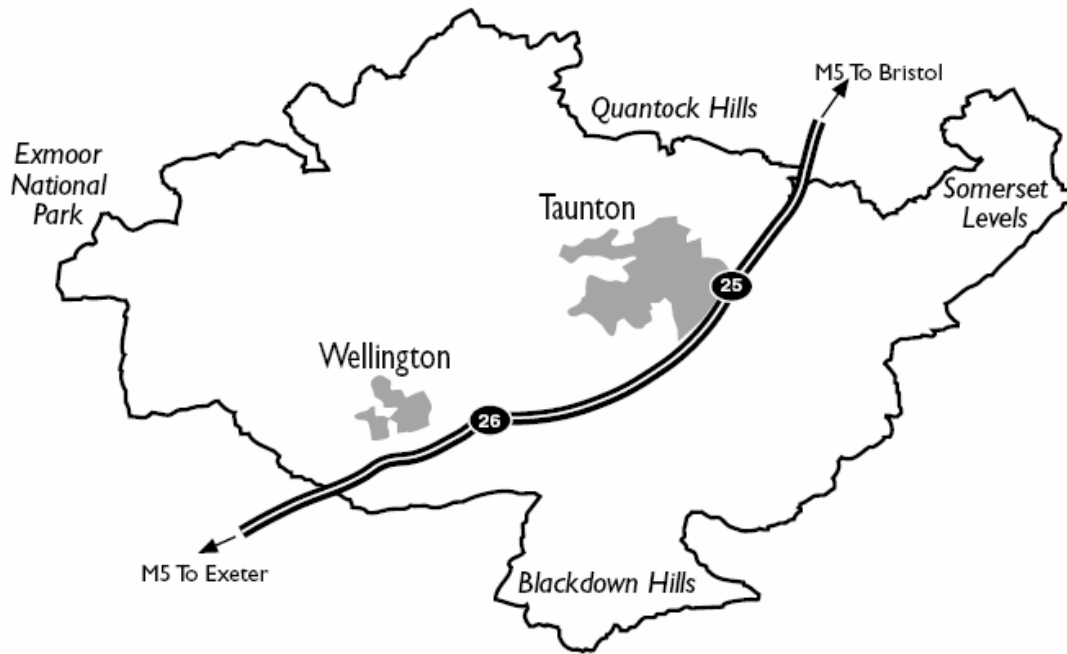
Within this Statement of Policy, the following words and terms are defined as stated:

Act:	The Gambling Act 2005
Betting Machine	A machine which has been designed or adapted for use to bet on future real events, over the counter.
Code of Practice:	Any relevant code of practice under section 24 of the Gambling Act 2005
Council:	Taunton Deane Borough Council
Council area:	The area of Taunton Deane administered by Taunton Deane Borough Council (Map
DCMS	Department of Culture, Media and Sport
Default Condition:	A specified condition provided by regulations to be attached to a licence, unless excl
Gaming Machine	<p>Category</p> <p>A</p> <p>B1</p> <p>B2</p> <p>B3</p> <p>B3A</p> <p>B4</p> <p>C</p> <p>D non money prize (other than crane grab machine)</p> <p>D non money prize (crane grab machine)</p> <p>D money prize</p> <p>D combined money &amp; non-money prize (other than coin pusher or penny falls machines)</p> <p>D combined money &amp; non-money prize (coin pusher of penny falls machine)</p>

Guidance	Guidance issued to Licensing Authorities by the Gambling Commission (April 2006) a
LACORS	Local Authorities Co-ordinators of Regulatory Services ( <a href="http://www.lacors.gov.uk/">http://www.lacors.gov.uk/</a> )
Licensing Authority	Taunton Deane Borough Council
Mandatory Condition:	A specified condition provided by regulations to be attached to a licence
Notifications:	Notification of temporary and occasional use notices
Premises:	Any place, including a vehicle, vessel or moveable structure
Regulations:	Regulations made under the Gambling Act 2005

# APPENDIX D

## MAP OF TAUNTON DEANE



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## **(b) Licensing Act 2003 – Licensing Policy Adoption**

Under the Licensing Act 2003 the Council is required to adopt and publish a Statement of Licensing Policy. The published Policy then provides the framework for all decisions on applications relating to the Licensing Act 2003 and the way the Authority carries out its functions in relation to the legislation.

The Licensing Act 2003 further requires that the Policy must be reviewed at least every five years although if a need is identified it can be reviewed earlier.

Since the last adoption of the policy in 2010, changes to the Licensing Act have been made to reflect changes following the introduction of the Police Reform and Social Responsibility Act 2011. As a result, the Licensing Committee has decided that the Council's Licensing Policy needs to be updated.

Consultation on the updated document was undertaken between September and November last year with no responses being received.

A copy of the document is appended to this report for the information of Members.

In the circumstances, the Licensing Committee **recommends** that the revised Statement of Licensing Policy 2013-2018 be approved.



Licensing Act 2003

Statement of Licensing Policy

2013 - 2018



## Contents

		Page
	<b>Adoption and Contact Details</b>	2
<b>1.0</b>	<b>Introduction</b>	3
1.1	Background	3
1.2	Aim	3
1.3	Purpose	3
1.4	Consultation	3
1.5	Fundamental Principles	4
<b>2.0</b>	<b>General Principles</b>	4
2.1	Revision of Policy	4
2.2	Children and Cinemas	5
2.3	Licensing Hours	5
2.4	Maximum Capacities	6
2.5	Late Night Refreshment	6
<b>3.0</b>	<b>Licensing Approach</b>	7
3.1	Partnership Working	6
3.2	Integrating Strategies	7
3.3	Avoiding Duplication	7
3.4	Conditions	7
3.5	Enforcement	7
3.6	Live Music, Dancing and Theatre	8
<b>4.0</b>	<b>Administrative Issues</b>	8
4.1	Temporary Event Notices	8
4.2	Applicants for Personal Licences	8
4.3	Large Scale Events	8
4.4	Reviews of Licences or Club Premises Certificates	8
4.5	Administration, Exercise and Delegation of Functions	9
<b>5.0</b>	<b>The Licensing Authority as a Responsible Authorities</b>	10
<b>6.0</b>	<b>Suspension of Licences for non payment of annual fee</b>	11
<b>7.0</b>	<b>Further Information</b>	11
<b>Appendix A</b>	<b>Glossary of Terminology</b>	12

## Adoption & Contact Details

This Statement of Licensing Policy will be considered by the Licensing Committee on 19 December 2012 and will be recommended to Full Council for adoption.

The Full Council of Taunton Deane on 4 March 2013 adopted this Statement of Licensing Policy for the period 2013 – 2018.

This Statement of Licensing Policy became operative from 5 March 2013.

For further information regarding this document please contact:

The Licensing Team, Taunton Deane Borough Council, The Deane House, Belvedere Road, Taunton, Somerset. TA1 1HE. Tel: 01823 356343 Fax: 01823 351801 Email [licensing@tauntondeane.gov.uk](mailto:licensing@tauntondeane.gov.uk)

## 1.0 Introduction

### 1.1 Background

1.1.1 Taunton Deane Borough Council (the Council) is the Licensing Authority under the Licensing Act 2003 (the Act). It is empowered to administer the following in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment within the Borough:

- premises licences including provisional statements, variations, transfers, interim authorities and reviews
- club premises certificates
- temporary events notices
- personal licences

1.1.2 Unless otherwise stated this licensing policy will not depart from the Secretary of State's Guidance. Therefore to reduce repetition if matters are detailed in the Guidance they may not be included in this policy.

### 1.2 Aim

The Act requires the Licensing Authority to carry out its various licensing functions so as to promote the four licensing objectives.

The aim of this Licensing Policy is to set out how the Licensing Authority seeks to promote the four licensing objectives, which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

These four objectives will be the paramount considerations when determining a course of action in relation to the Licensing Authority's licensing functions. Each objective will be given equal importance.

### 1.3 Purpose

The main purpose of this policy is to provide clarity to applicants, interested parties and responsible authorities on how the Licensing Authority will determine applications to supply alcohol, provide regulated entertainment and operate late night refreshment.

### 1.4 Consultation

1.4.1 Before determining its policy for any five year period, the Licensing Authority will consult the following:

- the Chief Officer of Police
- the Fire Authority
- persons/bodies representative of local holders of premises licences
- persons/bodies representative of local holders of club premises certificates
- persons/bodies representative of local holders of personal licences
- persons/bodies representative of businesses and residents in the Borough

1.4.2 The Licensing Authority may consult beyond the statutory requirements, and seek comments from additional bodies, groups or individuals.

## 1.5 Fundamental Principles

1.5.1 This Policy sets out the Licensing Authority's general approach to the making of licensing decisions and is consistent with the provisions of the Act. Nothing in the Policy will undermine the right of any individual to apply for permissions and to have any such application considered on its individual merits. Similarly, nothing in the policy will override the right of any person to make representations on an application or to seek a review of a licence or certificate where provisions have been made to do so in the Act.

1.5.2 The Licensing Authority may only impose conditions on a premises licence if they are consistent with the operating schedule or after receiving relevant representations. Any conditions attached to the licence must relate to the promotion of the Licensing Objectives.

1.5.3 The Licensing Authority acknowledges that the Government believes that in some circumstances flexible hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided.

1.5.4 It is necessary to consider national guidance in the context of local circumstances. Where licensed premises are surrounded by housing, unrestricted extensions of hours could extend the time of such disturbance to later in the night. The Guidance acknowledges that tighter control may be justified in residential areas and the Licensing Authority considers that this is particularly relevant to parts of its administrative area, always having regard to the individual merits of any application.

1.5.5 In general terms the Licensing Authority will closely scrutinise applications for premises licences showing a late terminal hour so as to be satisfied that they will have no adverse impact on the licensing objectives.

1.5.6 Once people are beyond the control of the individual, club or business holding the relevant authorisation licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour. Licensing law will always be part of a holistic approach to the management of the evening and night-time economy in this Borough.

## 2.0 General Principles

In all applications relating to premises, the Legislation requires applicants to specify methods by which they will promote the four licensing objectives in their operating schedules. The operating schedule should include reference to the measures the applicant intends to use to promote the licensing objectives.

### 2.1 Revisions to Policy.

2.1.1 The Licensing Authority have a duty to review their Licensing Policy and have therefore consulted with Responsible Authorities and other stakeholders since the implementation of the legislation in order to identify topics that may need to be added or removed from the Licensing Policy.

**2.1.2 Areas of change have been necessitated through the implementation of the Police Reform and Social Responsibility Act 2011.**

2.1.3 Applicants for a premises licence are advised to include in their Operating Schedule, (where applicable) specifically how they prevent sales of alcohol to persons under 18, minimise glass

related injuries and or assaults, prevent noise from licensed premises becoming a nuisance and manage customers outside their premises who are smoking.

2.1.4 Crime Statistics locally have indicated that a last time of entry condition has assisted in the promotion of the licensing objectives. It is therefore expected that applicants for late licensed premises will be expected to provide detailed reasons in their operating schedules for seeking to allow any new entry to the premises after 1am."

## 2.2 Children and cinemas

2.2.1 The Act requires applicants for premises licences and club premises certificates to copy details of their applications to a body which:

- a) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and
- b) is recognised by the Licensing Authority for that area for the purposes of this section as being competent to advise it on such matters.

2.2.2 The Licensing Authority's policy is that the "Responsible Authority" in relation to the protection of children from harm will be Somerset County Council's Children's Social Care at County Hall, Taunton, TA1 4DY.

2.2.3 The Licensing Authority will expect licensees of premises giving film exhibitions to include, in their operating schedules, arrangements for restricting children from viewing age restricted films. Such premises will be subject to a mandatory condition requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification, (BBFC) or in specific cases where such certificates have not been granted, the Licensing Authority.

2.2.4 The Licensing Authority does not intend to adopt its own system of film classification but reserves the right to amend the classification imposed by the British Board of Film Classification.

2.2.5 If the Licensing Authority attaches an age-restriction to any film that differs from the BBFC classification or attaches one to an unclassified film, the information about the Licensing Authority's classification will be published on the Council's website at [www.tauntondeane.gov.uk](http://www.tauntondeane.gov.uk).

## 2.3 Licensing Hours

2.3.1 With regard to licensing hours the Licensing Authority will consider each application on its individual merits.

2.3.2 Applications for premises licences with a terminal hour later than 12 midnight where the sale or supply of alcohol for consumption on the premises is the main Activity or where the sale or supply of alcohol is accompanied by musical entertainment, will be subject to close scrutiny by the Responsible Authorities to ensure that there will be no adverse impact on the licensing objectives. Specifically, the applicant should ensure that the operating schedule for such a premises demonstrates how the licensing objectives will be met. Applicants are strongly recommended to seek the advice of both the Council's Licensing Officers and the Police in this regard.

2.3.3 This is a general policy and does not automatically mean that all applications will result in licences being granted until midnight or that no applications will be granted with a closing hour after midnight.

- 2.3.4 In considering these issues the Licensing Authority will give careful consideration to the nature of the venue proposed. For example, the Council is keen to promote establishments at which the service and consumption of alcohol is not the primary Activity. These may include restaurants, theatres, cinemas, comedy clubs, galleries, museums, and similar venues. The Licensing Authority's experience is that such venues are liable to give rise to fewer public concerns and so applications for such premises to operate past midnight are more likely to be successful.
- 2.3.5 The Licensing Authority will pay special regard to the proximity of residential uses to the proposed premises, the parking areas and routes taken by customers when arriving at and leaving the premises. Consideration will be given to the imposition of stricter noise control conditions, if representations are received in areas with a concentration of residential property.
- 2.3.6 The Licensing Authority will expect premises to be cleared of patrons within a reasonable time of the terminal hour set for the premises. Applicants should state in their operating schedule the time they require to clear the premises. In normal circumstances, this will not exceed 30 minutes from the last sale of alcohol. Where the applicant can show that an extended period would assist in the promotion of the licensing objectives, the Council will consider permitting longer than 30 minutes.
- 2.3.7 Shops, stores and supermarkets will generally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless there are good reasons for restricting those hours. An example would be where the Police make representations that the premises are a focus of disorder and disturbance.

## 2.4 Maximum Capacities

- 2.4.1 The type of entertainment offered on licensed premises and the closing hour of premises permitted to provide alcohol to the public often have a direct link to crime and disorder, public nuisance and public safety issues.
- 2.4.2 The Licensing Authority believes that some of the problems that may occur in late night licensed premises may be controlled by good management practices. However, controlling the numbers of customers allowed into the premises will also assist in promoting the following three licensing objectives:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance

## 2.5 Late Night Refreshment

The Licensing Authority will expect applicants for licences, in respect of late night refreshment premises, to detail in their operating schedules how they intend to promote the licensing objectives and in particular how they intend to address queue management, litter and noise disturbance.

## 3.0 Licensing Approach

### 3.1 Partnership Working

- 3.1.1 The Council recognises that Licensing functions are not the only means of promoting the licensing objectives. Delivery must involve working in partnership with Planning, Environmental Health, the Police, the Fire Authority, the Safer Somerset Group, the Town Centre Manager, Pubwatch, local businesses and residents, Somerset County Council, transport operators and those involved with child protection.

3.1.2 The Council recognises that co-operation and partnership remain the best means of promoting the licensing objectives.

## 3.2 Integrating Strategies

3.2.1 There are many stakeholders involved in the leisure industry and many are involved in the promotion of the licensing objectives. A number of stakeholders' plans and strategies deal with matters related to the licensing function. Where this is the case the Council will aim, as far as possible, to coordinate them.

3.2.2 Cultural Strategy – The Council will monitor the impact of any decisions on the provision of regulated entertainment. The aim is not to deter live music, but to ensure that the licensing objectives are promoted. The Council will monitor the effect of licensing on the provision of regulated entertainment, particularly live music and dancing, to ensure that any licensing conditions that impose any restrictions, on such events, are proportionate and reasonable.

3.2.3 Equality & Diversity – The Council is required by legislation to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between people. The impact of these issues on the Licensing Policy will be monitored and amendments will be made as necessary.

3.2.4 Enforcement Policy – All licensing enforcement will be conducted in accordance with the Regulators Compliance Code and the Environmental Health Enforcement Procedures.

## 3.3 Avoiding Duplication

3.3.1 The Licensing Authority recognises the need to avoid, so far as possible, duplication with other regulatory regimes such as health and safety at work, fire safety, building control and planning. Conditions will not be imposed if the matters concerned are already provided for in other legislation. However, other legislation may not always cover the unique circumstances that arise in connection with licensable Activities and in such cases tailored conditions may be necessary but only if relevant representations are received.

3.3.2 Non-compliance with other statutory requirements may be taken into account in reaching a decision about whether or not to grant a licence but only if relevant representations are received.

## 3.4 Conditions

3.4.1 Conditions may only be attached if relevant representations are received, any such conditions attached to licences and certificates will be tailored to the individual style and characteristics of the premises and events concerned.

3.4.2 However, where it is considered necessary to promote one or more of the licensing objectives the Licensing Authority will consider attaching conditions, if relevant representations are received, drawn from the Pool of Model Conditions set out in the Secretary of State's Guidance. This list is not exhaustive and additional conditions may be attached to any licence or authorisation, if a representation is received.

## 3.5 Enforcement

3.5.1 The Council when planning and carrying out enforcement Activities will always have regard to the principles in the Regulators' Compliance Code.

3.5.2 The Council intends to use appropriate enforcement to promote the licensing objectives. Once licensed, it is essential that premises are monitored to ensure that they are run in accordance

with their operating schedules, in compliance with the specific requirements of the Act and any licence conditions. It will also be important to monitor the Borough for unlicensed Activities that require a licence.

- 3.5.3 The Licensing Authority has established protocols with Avon and Somerset Constabulary, Somerset County Council Trading Standards and Devon and Somerset Fire Authority on enforcement issues to ensure an efficient deployment of Police and Council officers.

### 3.6 Live Music, Dancing and Theatre

- 3.6.1 The Council recognises the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre for the wider cultural benefit of the community and, in particular, for children and young people.
- 3.6.2 When considering applications for such events and the imposition of any conditions if representations are received on licences or certificates, the Licensing Authority will carefully balance the need to promote the licensing objectives against these wider cultural benefits.

## 4.0 Administrative Issues

### 4.1 Temporary Event Notices

4.1.1 The Act requires that a Temporary Event Notice must be given to the Licensing Authority, Avon and Somerset Police and the Council's Environmental Health Service a minimum of 10 clear working days' before the event or in the case of a Late Temporary Event Notice not less than 5 clear working days before the beginning of the event.

4.1.2 The Licensing Authority however recommends that Notices are given at least 28 days before the planned event to allow enough time for the organiser to liaise with the fire authority, the police and the relevant Council officers to ensure that the event passes off safely with minimum disturbance to local residents.

### 4.2 Applicants for Personal Licences

The Licensing Authority places particular emphasis on the role of premises supervisors and licensees and, where the Police object, on the grounds of prevention of crime and disorder there will be a presumption against issuing a personal licence to any applicant with an unspent conviction for a relevant offence. If the applicant can demonstrate exceptional and compelling reasons for disregarding the conviction, this will be taken into consideration.

### 4.3 Large Scale Events

Large Scale events of a temporary or more permanent nature will generally require detailed planning and more consultation with responsible Authorities and possibly representatives of other organisation concerned with safety. For such events it is therefore recommended that applicants contact the Licensing Team at the earliest opportunity to discuss their proposals.

### 4.4 Reviews of Licence or Club Premises Certificate

- 4.4.1 The Licensing Act details that; where a premises licence or club premises certificate has effect, an interested party or a Responsible Authority may apply to the relevant Licensing Authority for a review of the licence. The relevant Licensing Authority may, at any time, reject any ground for review specified in an application under this section if it is satisfied that the ground is not relevant to one or more of the licensing objectives, or in the case of an application made by a

person other than a Responsible Authority, that the ground is frivolous or vexatious, or the ground is a repetition.

4.4.2 The Licensing Authority can, on review of licence or certificate, revoke the licence or certificate, suspend the licence or certificate, remove the DPS, reduce hours or licensable Activity or add conditions to the licence or certificate.

4.4.3 The Licensing Authority recommends that Persons or Bodies considering seeking a review should discuss the matter with the Licensing Team to discuss possible alternatives and to ascertain the correct procedure.

#### 4.5 Administration, Exercise and Delegation of Functions

4.5.1 The Council has a Licensing Committee, consisting of 15 elected members, to carry out its licensing functions and to make licensing decisions, except those functions relating to the making of a statement of licensing policy.

4.5.2 In the interests of speed, efficiency and cost-effectiveness the Committee will delegate certain decisions and functions to sub-committees and officers.

4.5.3 For example, where there are no relevant representations on an application for the grant of a premises licence or club premises certificate or Police objection to an application for a personal licence or to an Activity taking place under the authority of a temporary event notice, these matters should be dealt with by officers.

4.5.4 The following table sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committees and officers.

4.5.5 This scheme of delegation does not prevent the referral of matters to a higher authority if considered appropriate in the circumstances of any particular case.

<b>MATTER TO BE DEALT WITH</b>	<b>SUB-COMMITTEE</b>	<b>OFFICERS</b>
Application for personal licence	If an objection is made	If no objection is made
Application for personal licence, with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a representation is made	If no representation is made
Application for provisional statement	If a representation is made	If no representation is made
Application to vary premises licence/club premises certificate	If a representation is made	If no representation is made
Application to vary designated premises supervisor	If a police objection is made	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection is made	All other cases



Application for interim authority	If a police objection is made	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a police objection to a temporary event notice	All cases	

## 5.0 The Licensing Authority as a Responsible Authority

- 5.1 There is no requirement under the Act for responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. The Council will therefore determine when it considers it appropriate to Act in its capacity as a Responsible Authority based on the individual circumstances of each situation and in accordance with its duties under section 4 of the 2003 Act.
- 5.2 The Licensing Authority would not normally expect to Act as a Responsible Authority on behalf of other parties (for example, local residents, local councillors or community groups) although there are occasions where the authority may decide to do so. Such parties can make relevant representations to the Licensing Authority in their own right, and the Licensing Authority considers it reasonable to expect them to make representations themselves where they are reasonably able to do so. However, if these parties have failed to take Action and the Licensing Authority is aware of relevant grounds to make a representation, it may choose to Act in its capacity as Responsible Authority.
- 5.3 The Licensing Authority will normally expect that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other Responsible Authority.
- 5.4 The 2003 Act enables licensing authorities to Act as responsible authorities as a means of early intervention; where it considers it appropriate the Council may do without having to wait for representations from other responsible authorities.
- 5.6 In cases where the Licensing Authority is also acting as Responsible Authority in relation to the same process, it is important to achieve a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. In such cases licensing determinations will be made by the licensing committee or sub committee comprising elected members of the authority (although they are advised by a licensing officer). Therefore, a separation is achieved by allocating distinct functions (i.e. those of Licensing Authority and Responsible Authority) to different officials within the authority.

5.7 In these cases, the Licensing Authority where possible will allocate the different responsibilities to different licensing officers or other officers within the local authority to ensure a proper separation of responsibilities. The officer advising the licensing committee (i.e. the authority acting in its capacity as the Licensing Authority) will be a different individual to the officer who is acting for the Responsible Authority. The officer acting for the Responsible Authority should not be involved in the licensing decision process and should not discuss the merits of the case with those involved in making the determination by the Licensing Authority.

5.8 Communication between these officers in relation to the case should remain professional and consistent with communication with other responsible authorities. Representations, subject to limited exceptions, will be made in writing.

## 6.0 Suspension of licences following non payment of fees

6.1 In order to provide a strong incentive for businesses to pay their fees in a timely manner and save the Council the time and cost of pursuing non payment, the Licensing Authority will use its powers under the Act to suspend licences due to non payment of fees.

## 7.0 Further Information

7.1 Further information about the Licensing Act 2003 and this statement of Licensing Policy can be obtained from:

The licensing Team,  
Taunton Deane Borough Council, The Deane House, Belvedere Road, TAUNTON. TA1 1HE  
Tel: 01823 356343 Fax: 01823 351801  
Email: [licensing@tauntondeane.gov.uk](mailto:licensing@tauntondeane.gov.uk)  
Website: [www.tauntondeane.gov.uk](http://www.tauntondeane.gov.uk)

7.2 Information is also available from the Department for Media Culture and Sport

2- 4 Cockspur Street, London SW1Y 5DH.  
Tel: 020 7211 6200  
Email: [enquiries@culture.gov.uk](mailto:enquiries@culture.gov.uk)  
Website: [www.culture.gov.uk](http://www.culture.gov.uk)

## APPENDIX A

### GLOSSARY OF TERMINOLOGY

Club Premises Certificate	means a certificate granted to a qualifying club under the Act in respect of premises occupied, and habitually used for the purposes of a club. Alcohol must not be supplied other than to members by or on behalf of the club.
Entertainment facilities	are defined as facilities for enabling persons to take part in entertainment for the purpose of being entertained. The descriptions of entertainment are making music, dancing, and entertainment of a similar description to that falling within those mentioned above. This definition is subject to Part 3 of Schedule 1 to the Licensing Act 2003 (interpretation).
Hot food or hot drink	<p>food or drink supplied on or from any premises is “hot” for the purposes of Schedule 2 to the Act if the food or drink, or any part of it:</p> <p>(i) before it is supplied, is heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and, at the time of supply, is above that temperature,</p> <p>or</p> <p>(ii) after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.</p>
Interested Party	<p>is defined as:</p> <p>(i) a person</p> <p>(ii) a body representing persons</p> <p>(iii) a person involved in a business</p> <p>(iv) a body representing persons involved in such businesses.</p> <p>(v) a member of the relevant Licensing Authority.</p>
Licensable Activities and qualifying club Activities	<p>are defined in the Licensing Act as:</p> <p>(i) the sale by retail of alcohol</p> <p>(ii) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club</p> <p>(iii) the provision of regulated entertainment</p> <p>(iv) the provision of late night refreshment - for those purposes the following licensable Activities are also qualifying club Activities:</p> <p>(i) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption on the premises where the supply takes place</p> <p>(ii) the sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place</p> <p>(iii) the provision of regulated entertainment where that provision is by or on behalf of a club for members of the club or members of</p>

	the club and their guests.
Operating Schedule	<p>means a document that must be prepared by or on behalf of an applicant for a premises licence or club premises certificate containing a statement including the following matters:</p> <ul style="list-style-type: none"> <li>• the relevant licensable Activities</li> <li>• the times at which licensable Activities are to take place and any other times the premises are to be open to the public</li> <li>• information about the Designated Premises Supervisor</li> <li>• whether any alcohol sales are on and/or off sales</li> <li>• the steps being taken to promote the licensing objectives.</li> </ul>
Personal Licence	authorises an individual to supply or authorise the supply of alcohol in accordance with a premises licence.
Premises Licence	authorises the premises to be used for one or more licensable Activity.
Provision of late night refreshment	<p>is defined as the provision of hot food or hot drink to members of the public, or a section of the public on or from any premises, whether for consumption on or off the premises between 11 pm and 5 am</p> <p>or</p> <p>at any time between those hours when members of the public, or a section of the public, are admitted to any premises, a person supplies, or holds himself willing to supply, hot food or hot drink to any persons, or to persons of a particular description, on or from those premises, whether for consumption on or off the premises.</p>
Regulated Entertainment	<p>is defined as:</p> <ul style="list-style-type: none"> <li>(a) a performance of a play</li> <li>(b) an exhibition of film</li> <li>(c) an indoor sporting event</li> <li>(d) a boxing or wrestling entertainment</li> <li>(e) a performance of live music</li> <li>(f) any playing of recorded music</li> <li>(g) a performance of dance</li> <li>(h) entertainment of a similar description to that falling within paragraph (e), (f) or (g) where the entertainment takes place in the present of an audience and is provided for the purpose, or for purposes which include the purpose, of entertaining that audience. Any reference to an audience includes a reference to spectators. This definition is subject to Part 3 of Schedule 1 to the Licensing Act 2003 (interpretation).</li> <li>(i) Entertainment Facilities. This definition is subject to Part 1 of Schedule 1 to the Licensing Act 2003 (interpretation).</li> </ul>

Responsible Authority	<p>is defined as:</p> <p>(i) Chief Officer of Police for any Police area in which the premises are situated</p> <p>(ii) the Fire Authority for any area in which the premises are situated</p> <p>(iii) the enforcing authority within the meaning given by section 18 of the Health and Safety at Work etc Act 1974 for any area in which the premises are situated</p> <p>(iv) the local planning authority within the meaning given by the Town and Country Planning Act 1990 (c.8) for any area in which the premises are situated</p> <p>(v) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health</p> <p>(vi) a body which:</p> <p>(a) represents those who, in relation to any such area, are responsible for, or interested in matters relating to the protection of children from harm, and</p> <p>(b) is recognised by the Licensing Authority for that area for the purposes of this section as being competent to advise it on such matters</p> <p>(vii) any Licensing Authority (other than the relevant Licensing Authority) in whose area part of the premises is situated</p> <p>(viii) in relation to a vessel:</p> <p>(a) a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c.57)) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is or is proposed to be, navigated at a time when it is used for licensable Activities</p> <p>(b) the Environment Agency</p> <p>(c) the British Waterways Board, or</p> <p>(d) the Secretary of State</p> <p>(e) the Local Licensing Authority</p> <p>(f) Local Health Bodies for the responsible area to include a Primary Care Trust</p> <p>(g) a person prescribed for the purpose of this subsection.</p>
Temporary Event	<p>is defined as the use of premises for one or more of the licensable Activities during a period not exceeding 168 hours usually where a premises licence covering the licensable Activity is not in place.</p>
Temporary Event Notice	<p>a document giving notice to the Licensing Authority of intention to hold a temporary event.</p>

# **Taunton Deane Borough Council**

## **Council Meeting – 4 March 2013**

### **Recommendation to Full Council from the Corporate Governance Committee**

#### **South West Audit Partnership Governance Arrangements**

The Corporate Governance Committee met on 4 February 2013 to consider approving proposed changes to the governance of the South West Audit Partnership (SWAP) towards the setting up of a Company Limited by Guarantee.

The current governance arrangements, introduced on the formation of the partnership in 2005, are based on Section 101 of the Local Government Act, 1972. Under this model each partner is bound by a legal agreement between it, the other partners and the Host which is South Somerset District Council.

The Joint Committee model was designed and intended for relatively small partnerships, where a single or limited service could best be delivered by two or three local authorities combining their resources.

However since 2005, the partnership has gradually expanded to the current twelve members. The increased membership has benefited all partners with greater economies of scale, a wider expertise base and quality and productivity improvements that would not have been possible with a smaller partnership.

The Partnership Board have explored a number of ways in which the current model might be adapted to meet the current and future needs of the partnership. Whilst some progress was made, there remained a number of fundamental issues that could not be resolved via the current governance model or issues where SWAP is unable to definitively provide a resolution. The principle areas that needed to be addressed can be summarised as:-

- Partnership Board Voting Arrangements;
- Financial Control; and
- Staff Pay, Terms and Conditions.

Following much discussion, including a Councillors' workshop, the Partnership Board, has concluded that the following governance structure should be adopted:-

#### **The Members' Board**

This is, in effect, the equivalent of the current Partnership Board. Each partner would

nominate a Councillor to represent them on this Board. It is the supreme authority of the company and would make all decisions relating to strategy, policy, appointment and dismissal of senior management and the admission of new partners.

### **The Board of Directors**

The Board would oversee the implementation of the strategy and policy, as well as ensuring the operational activities of the partnership are achieving the objectives set by the Members' Board. The Board will be much more 'hands on', functioning very much like the current Management Board. Most Board members, in order to be effective, will need a good working understanding of internal audit and risk management. Provision has been made in the articles for other directors to be appointed, including some SWAP management.

The Partnership Board has endorsed the following membership arrangements for the board of directors:-

- Two Councillors who would normally be the Chairman and Vice Chairmen of the Members' Board.
- Twelve officers representing each of the current partners.
- A maximum of three executive officers from SWAP, with at least the Chief Executive being included.

The existing Joint Committee arrangement governing SWAP will cease in 2013, as it is clear that the majority of Partners support the change to a Company Limited by Guarantee. This Council now needed to consider whether:-

- (1) It wishes to join this arrangement, and appoint suitable representatives to govern Taunton Deane's interests; or
- (2) It wishes to withdraw and bring internal audit services back in house.

The existing Partnership arrangements bring significant advantages to this Council (resilience / shared expertise / cost stability). Should the service be brought back in house then this would be lost. For this reason, at this moment in time, it would seem sensible for this Council to join the new company.

The Members Board (referred to above) will clearly have the authority to make the significant decisions, with the Board of Directors having the authority over more routine operational matters.

This Council must appoint an elected Member to the Members Board. The Corporate Governance Committee was informed at its meeting that ideally this should not be the Chairman of the Corporate Governance Committee, or the Executive Councillor for Resources as they were likely to have potential conflicts of interest.

However, since then the Monitoring Officer has clarified the issue with SWAP and is

now satisfied that a conflict of interest would not, after all, exist.

This Council has a choice as to whom to appoint to the Board of Directors – an officer or an elected Member. Traditionally this Council would expect an elected Member to take on this function – but the responsibilities delegated to the Board of

Directors are rather ‘operational’ in nature and it is felt that it would make more sense to appoint an officer in this instance – the Deputy Section 151 Officer (Maggie Hammond) with the Client and Corporate Services Manager as alternate.

The new Company will apply to become an admitted body of the Local Government Pension Scheme operated by Somerset County Council. It will require partner authorities to guarantee the pension liabilities of the partnership. Taunton Deane will therefore need to guarantee our share of the pension fund deficit appropriate to ex-Taunton Deane staff in the partnership. This is estimated at £148,901.

This is simply a contingent liability to meet pension fund liabilities in the event of the failure of the Company and is similar to that which would have applied on dissolution of the current partnership arrangements. These liabilities should be no greater than what would be the case if the current partnership ceased.

The Corporate Governance Committee therefore **recommends** that:-

- a) The formation of a Company Limited by Guarantee, to replace the existing South West Audit Partnership Joint Committee, be supported;
- b) Taunton Deane Borough Council elects to be a Member of the company the South West Audit Partnership Limited from 1 April 2013 in accordance with the terms and basis set out in the new Company’s Articles of Association, Deed and Service Agreement;
- c) Taunton Deane Borough Council agrees to the dissolving of the South West Audit Partnership Joint Committee at a date to be determined, but not later than 30 June 2013;
- d) Taunton Deane Borough Council notes the separation of responsibilities and membership profiles of the Members’ Board and Board of Directors and nominates the Chairman of the Corporate Governance Committee to sit on the Members Board and the Deputy Section 151 Officer as to be the Director on the Company Board.
- e) The Legal and Democratic Services Manager be requested to progress the necessary legal work to facilitate the above and put in place the appropriate controls, authorities and indemnities to support officers and Members in the governance roles.
- f) Taunton Deane Borough Council agrees to offer a guarantee to the Somerset Pension Fund to the level of deficit relating to our ex-employees (estimated at £148,901).



# **Taunton Deane Borough Council**

## **Council Meeting – 4 March 2013**

### **Recommendation from the Leader of the Council**

#### **Joint working between Taunton Deane Borough Council and West Somerset Council – Project Mandate**

At its meeting on 21 February 2013, the Corporate Scrutiny Committee considered the proposal of joint working between Taunton Deane Borough Council (TDBC) and West Somerset Council (WSC), with a particular focus on Joint Management and Shared Services.

#### **West Somerset Council**

In 2006, the Audit Commission's Comprehensive Performance Assessment identified WSC as a "weak" Council. As a result, an Interim Manager was brought in and significant change took place. The current Chief Executive Officer (CEO) was appointed in 2009 and, at this stage, WSC had a credible and sustainable future.

WSC is a good Council. However, the current recession and significant cuts in funding have placed WSC in a very difficult position. It is now chronically underfunded, and is unable to "grow" itself out of trouble and as a consequence it lacks capacity and resilience in some areas.

WSC can set a budget for the next three years, albeit by utilising reserves in the latter two years.

Recognising its position WSC commissioned the Local Government Association (LGA) to undertake a review of options in the summer of 2012. Broadly speaking the Review concluded that as a matter of urgency WSC should look at their own cost base to make further savings, in the medium term they should seek a partner to share services with – and – in the longer term they may well be unviable and a Boundary Commission Review would be required.

In parallel WSC Members were considering the possibility of significantly increasing its Council Tax in excess of the Government threshold which would require the setting of two budgets – one within the referendum threshold – and one over the referendum trigger point designed to raise sufficient Council tax to achieve sustainability. WSC propose in 2013/2014 to set a budget that does not trigger a referendum and have asked Taunton Deane to join them in a project which would result in joint working.

#### **Taunton Deane Borough Council**

TDBC is an ambitious Council with clearly defined strategic priorities. TDBC knows what it wants to achieve around the growth of Taunton (and Taunton Deane) - investment in Infrastructure, jobs and housing and investment and maintenance of

our high quality environmental, cultural and leisure offer. These priorities feature in the new Business Plan – and – to a large extent the current Corporate Plan.

The Executive has asked Full Council to dedicate the vast majority of New Homes Bonus to supporting these priorities. This is the right fit with the Business Plan – but it does mean that funding is not available to support continuing front-line services.

The funding environment is only going to get more challenging – and – more risky. There is limited Central Government/Local Enterprise Partnership capital funding available for growth – but – funding of core services will increasingly be down to Councils themselves, utilising new funding streams like Business Rate Retention.

Whilst reserves are currently healthy, the Section 151 Officer recognises these increased risks to the authority and her Robustness Report, which accompanied this year's budget, recommended that the minimum level of reserves is increased.

Front-line/core services must be reviewed to ensure they are affordable going forward. Status quo is not an option. The Medium Term Financial Plan shows a starting gap of £1.2million in 2014/2015 rising to £2.4million in 2015/2016.

In three to four years time TDBC will be in the same position as WSC if it does nothing.

The current Business Plan draft sets out how this gap will potentially impact services based on the limited priority work done with Members as part of the Business Plan questionnaire. A more detailed priority setting exercise will be facilitated by the LGA for all Members shortly. Corporate Management Team will then translate this into a costed Business Plan – and – we will see the real impact on all services of the savings we need to make.

It is this position – not the Status quo – that needs to be compared with the potential costs and benefits of the joint project.

The importance of thinking radically about what the Council needs to look and feel like to deliver the best services to the community that it can is therefore essential.

Members showed a clear appetite for Shared Services with 91% supporting them as a model going forward. There is far less “in principle” support of outsourcing and more private sector based solutions. In terms of shared management 41% of Members supported this – not a majority – but significant enough to suggest it is something we could explore further to minimise costs and impacts on funding available for front line services

## **Joint Management and Shared Services**

It is suggested that the principles of Joint Management and Shared Services link to TDBC's requirements going forward. They could potentially be the best way to deliver a sustainable future for Council services and protect capacity and investment to deliver strategic ambitions. Clearly they broadly fit with Members aspirations from the recent Business Plan questionnaire.

History and experience also tell us that these solutions have worked well for the Council. Through examples such as the Somerset Waste Partnership, Southwest One, Tone, the South West Audit Partnership and the Private Sector Housing Partnership, significant financial savings and service improvements have been delivered in a way that would not have been possible by TDBC alone.

Whatever the individual Members view on the current coalition Government, it is vital to properly consider the policy drive of the time. This is particularly important for an ambitious Council like TDBC seeking to maximise external funding opportunities.

Government policy is also pushing TDBC towards joint arrangements. Between 30 and 40 Councils already share joint management and the Government expects more Councils to be sharing on a voluntary basis in the future.

If TDBC is able to minimise management costs and maximise service efficiencies through sharing service standards and/or resources to invest in our strategic ambitions and our own local priorities will be protected.

### **Joint Management and Shared Services – working with the Strategic Alliance**

The existence of the new Strategic Alliance is a tremendous opportunity to deliver Joint Management and/or Shared Services.

Historically Somerset County Council (SCC) promoted a Unitary Council and some Members of TDBC supported this on the basis of the advantages which would accrue from joint management and services. This did not protect the individual democratic mandate of TDBC and, at the time, the Council's position was that TDBC could deliver broadly the same advantages and benefits without the need for structural change and the creation of such a big unit of Local Government.

TDBC joined forces with the other four Districts to promote "Team Somerset" latterly known as "Pioneer Somerset". This was absolutely built around Joint Management and Shared Services. Both major parties at TDBC drove the "Team Somerset" agenda and helped 'defeat' the County Unitary bid.

The commitment of the Strategic Alliance to the Joint Management and Shared Services agenda – albeit grounded in the initial issues of WSC – is a real opportunity to actually deliver the principles of Team Somerset.

Whilst the driving authorities are TDBC and WSC the alliance partners of SCC, Sedgemoor District Council and Exmoor National Park Authority are supporting the proposed Business Case and have indicated their willingness to be actively involved in the detailed consideration of shared services in particular.

The potential is therefore considerable across the West of Somerset. The financial pressures on all authorities are different to Team Somerset times – doing nothing is no longer an option for any Council. This Strategic Alliance is TDBC's opportunity to capitalise on these pressures to drive partnership working forward with some pace.

## **Working with West Somerset Council**

This proposal will see TDBC and WSC being the key building block of the Alliance. It will lead to a proposal for Joint Management and Shared Services arrangements for these two Councils as a minimum, other Councils may well join and broaden the detailed proposals (and therefore opportunities for further savings/income generation).

There are benefits to working with WSC:-

- They are a willing partner – they will jointly fund the project.
- Their community broadly looks to Taunton Deane – we share a boundary, housing market, health, employment and retail catchment area.
- If WSC was to ultimately be an unviable unit of Local Government at some point in the future, TDBC would be strategically positioned to capitalise on any advantages from a Boundary Review.
- We will become better aligned to the strategic and economic benefits arising from the Hinkley C development.

The jointly funded project will deliver work streams and data which will be of value to TDBC even if the Business Case does not stack up or is not ultimately approved by Members. We will have a much better understanding of our services and potential for change in terms of improving efficiencies, reducing costs or improving income.

TDBC and WSC will keep their own local priorities, policies and service standards. Each Council will need to be assured their local priorities and standards are deliverable within their own affordability envelope. It may well be that harmonisation is preferred by Members in some areas as it is better for the customers of both authorities to have consistency – and/or – it is more efficient and the efficiencies are more important than having separate policies, or standards. This will always be a Member decision taken by each individual Council.

Given this, WSC financial circumstances are not a risk to TDBC. They are a matter for WSC and they may conclude at the end of the Business Case work that there is insufficient savings/additional income to make the Business Case deliverable for them.

No “dowry” or financial support from TDBC is expected. TDBC will not be subsidising WSC’s contribution to any joint management or shared services at any point in time.

## **The Way Forward**

If Members wish to explore the opportunities for Joint Management and Shared Services within the context of the Strategic Alliance and with WSC, a Business Case will need to be put together.

The process for this – and – all of the detail is set out in Appendix A. This is a key document as it will shape the production of the Business Case.

The following are some of the key features of the Business Plan process:-

### (a) **Project Scope, Vision and Objectives**

The Strategic Business Case will explore whether joint working will help both Councils achieve:-

- A sustainable future for both democratically independent organisations - each responsible for the government of their own area, acting independently of each other much of the time.
- A single, fully merged affordable officer structure.
- Efficient, effective and affordable service delivery with reduced costs, increased income and improved resilience.

### (b) **Showstoppers**

It is important to be clear on the non-negotiable or “show stoppers” from the outset. These are identified as:-

- The Councils will retain their democratic independence as two sovereign local authorities with separately elected Members.
- There must be no detriment to the local taxpayers of either Council in the delivery of joint management and services.

### (c) **Timescales**

WSC can set a budget for 2013/2014 and 2014/2015 through the use of reserves. The TDBC Business Plan runs to March 2014/2015. The project duration will reflect these two aligned timescales.

The key milestones in terms of timescales are as follows:-

- Detailed joint management proposal for consideration in October 2013 and implementation in April 2014.
- High level Business Case for Stage 2 on the shared service arrangements in October 2013 to hopefully green light work on Stage 2 in 2014/2015.
- Detailed shared service proposals for consideration in October 2014 and implementation in April 2015.

### (d) **Governance**

Key proposals are the establishment of the following two groups:-

- Joint Members Advisory Panel - This will consist of four Members from each Council. The group will ensure the democratic involvement in the project direction.

- Joint Programme Board - This would include the two CEO's, three TDBC Directors and three WSC Corporate Directors/Managers.

Each Council would also have its own independent Scrutiny and Executive arrangements for considering reports. It may be appropriate, on occasions, to have joint meetings.

#### (e) **Resources**

This project will require resourcing for the production of the Business Plan to the next key milestone, namely the October 2013 decision on Joint Management and high level service case.

New unavoidable costs will arise from the need to procure additional support from Southwest One and external specialist advice. This will be in the region of £35,000 of which £30,000 will be stand alone TDBC costs and TDBC's share of joint costs.

If Members choose to allocate new funding to this project so as to protect existing work programmes we would need to back fill three days per week capacity for a Strategic Director and a Lead level Officer. This would require one off funding of up to a maximum of £57,000.

The CEO's of both Council's are exploring the potential for funding contributions from the LGA and/or the DCLG. It is not known at this stage if this will be effective as no formal external funding streams currently exist.

Members therefore have a clear choice:-

- To mandate the Business Plan to explore with the Strategic Alliance and in detail with WSC the case for joint management and/or shared services.

or

- To reject this and to proceed on our own to reduce Corporate Management costs and to streamline services.

To do nothing is not an option or we will meet our own "Fiscal Cliff" in three or four years time.

Whatever option is chosen, Members will be in control. The Corporate Management proposals will reflect the strategic ambitions already established by Members in the Business Plan approved to date by the Executive and also subject to Full Council approval on 4 March 2013.

The services proposal will reflect the priorities established by Members in the planned LGA work commencing soon. All options must be financially deliverable and provide a mechanism for closing the gap in our own or both organisations.

The proposal is that the Joint Management and Shared Service project will maximise the resources available to Members to invest in TDBC's strategic priorities

and services, thus reducing the financial pressures on the Council's ambitions and service standards.

The project will only succeed with clear and shared vision/objectives and strong political and management leadership. Focus will be vital and both Members and officers will need to invest time and energy in delivering the Business Case. This can only be achieved if it is agreed this is a priority project.

Existing resources can be dedicated to this project but this will mean other lesser priority work will need to be re-scheduled or stopped. Alternatively additional one-off resources could be allocated from reserves to wholly off-set or to mitigate the impact of a new project on existing priorities/ "Business as usual". A 100% backfill of required roles at TDBC would cost a maximum of £57,000 for the eight months to the end of October 2013.

When the Corporate Scrutiny Committee considered this issue Members narrowly supported the project in principle and the detailed Project Mandate (attached as Appendix A) and agreed to request Full Council to fund up to £30,000 of unavoidable one off costs for additional Southwest One support and external advice.

The Committee also agreed that Full Council should be recommended to allocate one-off funding to meet the cost of backfilling the existing officer roles who would be involved in preparing the Business Case if agreement to proceed is obtained.

In the circumstances, it is **recommended** that:-

- (1) The proposed project for future joint working between Taunton Deane Borough Council and West Somerset Council be supported in principle;
- (2) The detailed Project Mandate be approved;
- (3) Unavoidable costs for additional Southwest One support and external advice amounting to £30,000 be met from the General Fund Reserves; and
- (4) One-off funding, up to a maximum of £57,000, be allocated also from General Fund Reserves to meet the cost of providing staff resources to cover those officers who would be engaged in preparing the Business Case for the proposed project.

**JOINT WORKING BETWEEN  
TAUNTON DEANE BOROUGH COUNCIL  
AND  
WEST SOMERSET COUNCIL  
FEBRUARY 2013**



## 1. INTRODUCTION

1.1 This document sets out the high level issues that Members need to consider in deciding whether to progress this project. It shares early thoughts on the following:

Section 2 Aims & Objectives (and Show-Stoppers)

Section 3 Project Scope & Duration

Section 4 Governance Arrangements for the Project

Section 5 Project Resourcing

Section 6 Critical Success Factors

This Project Mandate will, if approved, be used to develop a Project Initiation Document and can be used as a “base” to assess Project progress against.

### **Background**

1.2 This Project is being developed against a background of increasing changes in both local and central government where pressure to maintain services is set against an increasingly difficult financial position.

1.3 West Somerset Council’s financial position has been well publicised and is summarised well in the report to their Full Council on 12<sup>th</sup> December 2012. The report also shares an independent assessment on the Councils financial viability and sets out a strategy for protecting their future position. Members at West Somerset will be considering this Project Mandate (as a way of moving their strategy forward) at their Full Council meeting on 27<sup>th</sup> February 2013.

1.4 Taunton Deane’s financial position is also well understood and Members have started to develop a Corporate Business Plan to assist with the challenge of working in an environment of shrinking resources. The challenges currently faced by West Somerset will be a familiar picture to many more authorities – including TDBC - in the next couple of years as the funding available for local government services continues to reduce. Fundamental change is required if this Council is remain financially viable for the medium term.

1.5 As set out in the covering report of the Chief Executive this Project fits with the strategic objectives of Taunton Deane.

1.6 The difficult financial challenges facing both Councils will not be met entirely through joint working. Both Councils will still need to decide separately on the balance they wish to make between levels of tax, their appetite for investment and risk, their views on priorities and service standards, and so on.

- 1.7 This Project will bring forward options for Members to consider in driving forward joint management and joint / shared services (with no option ruled in or out at this stage) in Taunton Deane and West Somerset.

## **2. AIMS & OBJECTIVES / SHOW STOPPERS**

- 2.1 The Strategic Business Case will explore whether joint working will help both Councils achieve:-

- A sustainable future for both democratically independent organisations.
- Reduced net costs – major financial savings (reduced staff numbers, reduced duplication of systems and processes).
- Improved resilience – protecting each Council further against the risk of service failure.
- Effective, efficient and affordable service delivery (developing a flexible approach to service delivery).

- 2.2 The Strategic Business Case will be developed to support the vision of:-

- A single, fully merged affordable Officer structure serving two separate, sovereign Councils.
- Each responsible for the government of their own area, acting independently of each other much of the time.
- The ability for Members to make local decisions on the quality and level of service will be preserved.

- 2.3 In addition, it is hoped that the joint working arrangements could progress some other ambitions for the Councils such as retaining local employment, and promoting high quality customer access (retaining face to face presence in both localities). Until the Strategic Business Case is developed it will not be clear whether these are deliverable, or simply unaffordable.

- 2.4 There are two identified “show stoppers” for both Councils:-

- The Councils will retain their democratic independence as two sovereign local authorities with separately elected Members.
- There must be no detriment to the local taxpayers of either Council in the delivery of joint management and services.

## **3. PROJECT SCOPE AND DURATION**

- 3.1 This project will produce a Strategic Business Case to explore a single Officer management and staffing structure to provide services to the communities of Taunton Deane Borough Council, and West Somerset Council.

- 3.2 The project will consider how this will fit with existing Partnerships and wider collaboration ambitions with neighbouring authorities and other public sector providers. The aim will be to ensure that nothing prejudices further wider collaboration in the medium to long term.

- 3.3 No service delivery option is to be ruled in or out at this stage – the project will seek to identify the best option for both Councils and any interested parties.
- 3.4 The project, if approved will start in early March 2013 and will aim to produce the Strategic Business Case for approval in October 2013. Should this be approved, then the implementation of joint management could be in place for April 2014, with the implementation of service delivery options, including shared services in place for April 2015.

### **Project Outline**

- 3.5 This section outlines the staging and phasing of the project. The project will be managed using the principles of PRINCE2 standards and associated controls (including risk management).
- 3.6 The project will consist of a number of stages as follows:

<b>Stage 0</b>	Mandate To Proceed With Project
March 13	MEMBER DECISION TO PROCEED
<b>Stage 1</b>	Preparation of Project Initiation Document Project Governance Put In Place Protocols for Joint Working Developed Research / Best Practice
<b>Stage 2</b>	Preparation of Strategic Business Case Setting Out: <ul style="list-style-type: none"> <li>• Detailed Joint Management Proposals</li> <li>• High Level Joint Service Arrangements (all services)</li> </ul>
Oct 13	MEMBER DECISION TO PROCEED
<b>Stage 3</b>	Implementation of Joint Management
April 14	Ongoing Development of Detailed Business Case For Joint Services
<b>Stage 4</b>	Business Case For Joint Services
Oct 14	MEMBER DECISION TO PROCEED
<b>Stage 5</b>	Implementation of Joint Services
Apr 15	

- 3.7 The timing above ensures alignment with budget setting, and for Taunton Deane, the finalising of the Corporate Business Plan.

## **4. PROJECT GOVERNANCE**

- 4.1 Each Council will need to take key decisions as this project progresses, and this will involve Scrutiny, Executive, and Full Council. It may be appropriate, at key stages of the project, to hold Joint Member Briefings.
- 4.2 To further support this Project, and recognising its importance to the future of both organisations, it is proposed to create a Joint Members Advisory Panel (consisting of 4 Members from each Council). This group will work closely with the project team and ensure democratic involvement in the project direction (in addition to the existing arrangements in both Councils to brief Members). Draft Terms of Reference is included at Appendix 1
- 4.3 The Project Board will initially consist of the two Chief Executives, the 3 TDBC Directors, and 3 WSC Corporate Directors / Managers. In addition to the core membership, a senior representative from SCC and SDC will be invited to attend. The LGA and CLG will be offered updates following each of the Project Board meetings. The core membership may change should other partners wish to formally engage in the Project. The role of the Project Board is to provide leadership on the project and to ensure it is delivering against objectives. Draft Terms of Reference is included at Appendix 2.
- 4.4 The Business Development Director from Somerset County Council, reps from Sedgemoor, the Exmoor National Park Authority (ENPA), the Local Government Association (LGA), and Government (CLG) will all be kept in the loop and may attend the Project Board meetings as appropriate.
- 4.5 The Project will engage with many existing Member and Officer and Union forums to ensure they are briefed at key stages (eg Group Leader Meetings, Leads Meetings, Unison Meetings). Details will be developed as part of the Communications Workstream.
- 4.6 In addition to the above, the Chief Executives will ensure that regular updates are provided at the Somerset CEO and Somerset Leaders meetings.

**5. PROJECT RESOURCING**

- 5.1 The Project will require resourcing appropriately. Members may choose to backfill any gaps created by this, or simply to decide that this Project is now a key priority and accept that other pieces of work will take longer to progress or will no longer be a priority and will not be delivered.
- 5.2 The Project will need the support in the following areas. Detailed Workstream Plans will be developed as part of the Project Initiation Document (next stage of the project). To provide a flavour of the likely resource requirement the following table gives some headlines against each Workstream.

5.3

<b>PROJECT ROLE</b>	<b>WHO?</b>	<b>IMPACT</b>
Project Manager	Shirlene Adam, TDBC	<ul style="list-style-type: none"> <li>• Full-Time Secondment</li> </ul>

		(but continuing s151 role for TDBC)
Project Lead WSC	Kim Batchelor, WSC	<ul style="list-style-type: none"> <li>• 3 Days Per Week</li> </ul>
Project Lead TDBC	To Be Confirmed	<ul style="list-style-type: none"> <li>• 3 Days Per Week (Existing Workload To Be Reallocated / Slowed Down)</li> </ul>
Finance	Finance Managers + Additional SCC Support	<ul style="list-style-type: none"> <li>• 2 Days Per Week From SCC to support finance work (funded by SCC).</li> <li>• TDBC Will Need Additional Time From SW1 Finance Team - Approx £10k</li> </ul>
HR	Martin Griffin For Both Councils	<ul style="list-style-type: none"> <li>• This will become a priority project and external support procured when necessary.</li> </ul>
Communications / PR	Debbie Rundle for Both Councils	<ul style="list-style-type: none"> <li>• This will become a priority project.</li> </ul>
Legal	Monitoring Officers	<ul style="list-style-type: none"> <li>• This will become a priority project and external support procured when necessary.</li> </ul>
Admin / Project Office	To Be Confirmed	<ul style="list-style-type: none"> <li>• 3 Days Per Week From existing support teams at TDBC (backfill to be funded by WSC).</li> </ul>

5.3 There will be a need to resource specific packages of external advice at key points in the project (HR / Legal). These new additional joint costs are at to ensure the safe delivery of the Strategic Business Case in October 2013. We estimate £25k will be needed to get the project to that stage (to be shared between authorities – TDBC’s share being £20k and WSC’s share £5k).

5.4 Should this project be approved, both Councils will approach CLG and LGA requesting transitional grant funding to support the additional costs incurred by this project. Should this approach be unsuccessful then the additional costs will be shared between the Councils on an 80:20 (TDBC : WSDC) basis. The Joint Member Advisory Panel will monitor the project budget. This investment supports the projects aim of unlocking ongoing savings for both organisations.

## 6. CRITICAL SUCCESS FACTORS

6.1 This project will require the following to succeed:-

- A clear and shared vision (aims and objectives) agreed by Members

- Strong political and managerial leadership to support the significant levels of change required.
- Continued focus on this project as a priority for both organisations to ensure this is progressed with pace.
- Continued focus on benefits realisation.
- Investment of Officer and Member time, and potential future investment to unlock fundamental change.

## **7. REQUEST TO PROCEED / NEXT STEPS**

- 7.1 The next steps would be as set out in the table in section 3.7 of this mandate. There is a significant amount of work to be progressed swiftly to develop the project PID and associated joint working protocols (all to be signed off by the Joint Members Advisory Panel).
- 7.2 Members are requested to consider whether to support this project.

## JOINT MANAGEMENT & SERVICES PROJECT

### JOINT MEMBERS ADVISORY PANEL – TERMS OF REFERENCE

#### Who Attends

TDBC : PFH, & Shadow PFH + 2 Elected Members

WSDC : PFH, & Shadow PFH + 2 Elected Members

Project Team : Project Manager, Project Leads x 2, Project Admin

Due to the sensitive and confidential nature of the discussions at the meetings, **no substitutes** will be required if Councillors are unable to attend meetings.

#### Chairing Arrangements

The Chair will be the PFH for either Council, depending on the host venue.

#### Role of Advisory Panel

- Provides policy direction and advice to the project.
- Reviews Project process and approves any exceptions to the approved scope of the project.
- Ensures the process is properly aligned at all stages to the strategic outcomes required.
- Supports key communication processes across all key stakeholders.
- Ensures democratic engagement and accountability throughout the Project.

#### Frequency of Meetings

Meetings will be held monthly on ..... at ..... Dates for 2013 are listed below

March TDBC	Xx
April WSDC	Xx
May TDBC	Xx
June WSDC	Xx
July TDBC	Xx
August WSDC	Xx
September TDBC	Xx
October WSDC	Xx
November TDBC	Xx
December WSDC	Xx

## APPENDIX 2

### JOINT MANAGEMENT & SERVICES PROJECT

#### JOINT PROJECT BOARD – TERMS OF REFERENCE

##### Who Attends

TDBC : CEO, & 3 Directors

WSDC : CEO & 3 Senior Managers

Project Team : Project Manager, Project Leads x 2, Project Admin

Other Attendees : Sedgemoor Rep, SCC Rep, LGA and CLG.

Due to the sensitive and confidential nature of the discussions at the meetings, **no substitutes** will be required if Officers are unable to attend meetings.

##### Chairing Arrangements

The Chair will be the CEO for either Council, depending on the host venue.

##### Role of Project Board

- Owns the strategic vision for the project
- Provides clear leadership and direction during the course of the project.
- Provides policy direction and advice to the project (alongside the Joint Members Advisory Panel).
- Secures the investment required to set up and run the project and fund the transition activities required.
- Receives regular reports on project progress
- Takes key project decisions and makes recommendations to Councils.

##### Frequency of Meetings

Meetings will be held monthly on ..... at ..... Dates for 2013 are listed below

March TDBC	Xx
April WSDC	Xx
May TDBC	Xx
June WSDC	Xx
July TDBC	Xx
August WSDC	Xx
September TDBC	Xx
October WSDC	Xx
November TDBC	Xx
December WSDC	Xx



# Taunton Deane Borough Council

## Council Meeting – 4 March 2013

To receive the following recommendations to the Council from the Executive.

### **(i) Councillor John Williams**

#### **Corporate Business Plan 2013/2014 to 2015/2016**

At its last meeting, the Executive considered the development of a three year Corporate Business Plan to replace the Council's Corporate Strategy. A copy of the draft Business Plan is attached to these recommendations.

The Business Plan has been developed after detailed consultation work with Councillors and all political groups and following an external peer review by the Local Government Association (LGA).

The 'Where do we want to be in the future' section of the Business Plan describes the Council's Vision and three Corporate Aims together with the strategic actions required over the next three years to deliver these aims. The actions are deliberately high level and will be interpreted into more detailed and specific work programmes. Many of the actions have been designed to address the issues identified as a result of the LGA's peer review.

The new Vision and three Corporate Aims, are as follows:-

Vision: Taunton Deane is known nationally as a quality place that is growing and developing sustainably, with a vibrant economic, social and cultural environment.

Aim 1: Quality sustainable growth and development;

Aim 2: A vibrant economic environment; and

Aim 3: A vibrant social, cultural and leisure environment.

The Corporate Business Plan also includes a 'Transformed Council' section which details three further objectives required to make the Council fit for purpose, address funding pressures and set a long term balanced, sustainable budget. These objectives therefore underpin the Council's ability to achieve the Corporate Aims.

The three objectives under this section are:-

- Achieving financial sustainability;
- Transforming services; and
- Transforming the way we worked.

There are particular areas of work in this section that are seen as early priorities to progress in the next financial year as a matter of urgency. These projects will be

further scoped and costed and brought back for Member consideration in the Spring with a request for funding. These four projects are:-

**Asset Management** – Commissioning a specific piece of work to review how Taunton Deane can use assets more commercially including disposal of poor performing assets and identification of invest to save opportunities.

**Accommodation and Customer Access** – Commissioning a project to make recommendations on meeting the Council's future accommodation needs, including the future of The Deane House. This work will need to consider customer access and increasing financial pressures.

**Streamlined, modern services** – Commissioning work to introduce business process re-engineering reviews to a programme of Council services. These reviews should lead to services becoming more customer focussed, streamlined and efficient and should deliver financial savings. The commission should include training to officers in the organisation to allow it to build the skills to roll this out widely across other services.

**Marketing and Promotion** – Commissioning some work to help develop and deliver a clear marketing strategy for Taunton Deane that defines Taunton's niche and unique selling point.

There is another action within the Business Plan that needs to be progressed as a matter of urgency and is identified as the most critical recommendation from the LGA Peer Review.

This relates to **Service Prioritisation and savings targets** which needs to be approved in early 2013/2014. It is intended to invite the LGA to facilitate a workshop with Members in early 2013 to agree a profile of services with associated budgets that collectively are affordable for the Council in its medium-term financial plan.

This will need to meet the aspirations of Councillors in terms of their service priorities but by necessity will involve a considerable cut in spending in service areas to be affordable over the business plan period. Once a costed service profile has been agreed, this will be reviewed annually and adjusted to take account of the success of other initiatives, such as those listed above.

In the circumstances, it is **recommended** that:-

- (a) The Vision, Corporate Aims and the eleven objectives of the draft Business Plan be endorsed;
- (b) The commitment to prioritise and fund the four projects set out above be approved in principle, on the understanding that further detail will be brought back to Scrutiny and the Executive with full scoping and costs;
- (c) It be agreed that work should proceed in developing a detailed delivery plan to map out how this Business Plan will be delivered. This will be shared with Scrutiny and the Executive; and
- (d) It be also agreed that work should proceed to organise the proposed Local Government Association's facilitated Councillor workshops to develop a

costed service profile that will describe how a medium-term balanced budget will be achieved. The final version will need to be approved by Full Council.

# **TDBC Corporate Business Plan – Contents**

(Version 08/1/13)

## **ANNEX 1**

### **Index**

### **Page**

Foreword	2
Purpose of Corporate Business Plan	2
Taunton Deane Borough at a glance	3
The Council at a glance	4
National direction for Local Government	5

Our Vision for Taunton Deane	6
Where are we now?	7
Where do we want to be in the future?	9
- Quality sustainable Growth and Development	9
- A vibrant economic environment	11
- A vibrant social, cultural and leisure environment	12
- A transformed Council	14
How are we going to get there?	18

Equalities	18
Making sure it happens: Managing performance and risk	19
Finance and capacity	20
How can we afford it? Balancing the budget	23

### **Appendices**

Appendix A: Community and Partnerships	26
Appendix B: Government policy direction for Local Government	27
Appendix C: High Level Principles	30
Appendix D: Equalities	31
Appendix E: Managing Performance and Risk	33
Appendix F: Workforce Plan	35
Appendix G: Illustrative modelling of future budgets to close gap	43

## **Foreword**

Welcome to our Corporate Business Plan 2013 to 2016.

*To be written*

Recent Past

Plans for future

Still hold longer term growth ambitions but shift focus in the interim

Challenging financial context the Council is working in and future funding gap

LGA inspection

New Focus

Signed: Leader of the Council & Chief Executive

## **Purpose of Corporate Business Plan:**

The Corporate Business Plan is intended for our staff, councillors, residents and partner organisations.

It sets out our overall vision and aims for the area and how we will deliver these. It also describes our approach to the internal transformation needed to ensure the Council is sustainable, affordable and fit for purpose during a period of greater demand for services but lesser resource to deliver them.

The Corporate Business Plan will form the basis for future budget setting and service delivery.

## **Taunton Deane Borough – At a Glance**

The following section provides the local context of Taunton Deane including issues and challenges particular to the borough. These issues have been considered when setting the future direction within this Business Plan.

### **Geography**

The borough of Taunton Deane is mainly rural with a Population of 110,000, largely concentrated in the County town of Taunton and in Wellington. The borough covers 462 sq km of outstanding landscape, extending from the Somerset Levels along the River Tone, with the Quantock hills to the north and the Blackdown hills to the South.

The main centres of population are Taunton (66,000) and Wellington (13,000). The borough also has major rural centres at Wiveliscombe and Bishops Lydeard and a number of minor rural centres and smaller villages.

**Demographics:** The age profile of Taunton Deane shows an under-representation in 20-39 year olds compared to the England average but a much higher proportion of over 65s which is expected to increase by a further 69% to 2030. There is also expected to be a big increase in the number of over 90's during the same time period

**Health:** When compared nationally, we enjoy good standards of health in Taunton Deane, although our average life expectancy is slightly lower than the other Districts. Deprivation is a key factor to health and average life expectancy varies by 10 years (75 to 85) between the most deprived and least deprived wards, with significant differences in prevalence of circulatory diseases, lung cancer and liver disease.

**Deprivation:** We have one neighbourhood in the most deprived 5% in the country and a further three in the most deprived 10% in the country. Although issues of deprivation are experienced across the Deane, these are concentrated in North Taunton, Taunton East and parts of Wellington.

**Economy** – residents are well qualified compared to elsewhere in Somerset and nationally. Employment rates are high, although long-term unemployment of young people is high and worsening. Growth areas are currently in private education and health sectors. 39% of the workforce are in the public sector.

**Businesses** – Two thirds of businesses employ fewer than 5 people. In recent years, the number of business 'births' has decreased whilst business 'deaths' has increased. Since 2009, business deaths outnumber births.

**Housing** – Average weekly earnings are lower than County and national average, whereas house prices are high meaning that affordability is an issue. 10.7% of households are on our housing register – the highest proportion in Somerset. We currently have nearly 3,500 households on the housing register.

Private Sector Housing – This accounts for around 85% of stock, although an estimated 41% do not meet the Decent Homes Standard and 25% of occupants live in fuel poverty.

Homelessness – We are seeing an increase in the number of people for whom we have an accepted duty of homelessness.

Growth: – we are an identified area for accommodating growth previously through being a Principle Urban Area and then a National Growth Point. Our Core Strategy was found 'sound' and has employment-led plans for 17,000 new homes and 11,900 new jobs by 2028. The main area of growth is Monkton Heathfield and we have a major town centre regeneration programme including a strategic employment site at Firepool and plans to improve Taunton's retail offer. As with other parts of the country, we have struggled recently in our regeneration ambitions due to the challenging economy.

Hinkley C: - The proposed expansion of Hinkley Point nuclear power station is expected to impact on housing with an influx of workers. This will create an opportunity to attract workers and affiliated businesses to locate in Taunton Deane and spend within the local economy. However it will also create an upward pressure on rent levels and a reduction in available supply. This is expected to be exacerbated by the Welfare Reform plans and result in increased homelessness applications and pressure on benefits. We are working with EDF to find solutions to mitigate this.

## **The Council – At a Glance**

Staffing – We employ 568 TDBC staff in total

Councillors – We have 56 councillors with a Conservative administration but no overall control (28 Cons; 23 Lib Dems; 3 Lab; 2 Ind)

Directly provided services - Housing; Environmental Health, Planning, Street Cleansing; Parks and Open Spaces; Economic Development and Project Taunton.

Housing Service - Housing is a significant part of the Council's business with a stock of around 6,000 dwellings, 1,500 garages, shops, meeting halls and land, with an annual capital programme of £5.5m to improve and maintain stock. We have a 30 year self-financing Housing Revenue Account (HRA) business plan as well as General Fund Housing responsibilities such as Housing Options, Private Sector Housing and Enabling.

Direct Labour Organisation (DLO) - We have a large in-house DLO which focuses on street cleansing, building maintenance (especially on our housing stock); grounds maintenance (parks and open spaces); and highways maintenance.

Partnerships - We have a number of established partnerships

- **South West One** which runs services such as: Revenues and Benefits, Customer Services, Finance, HR, Property, Procurement; Design and Print. We have 131 TDBC staff seconded into this organisation.
- **Somerset Waste Partnership** - Waste collection and recycling
- **Tone Leisure** – Charitable Trust managing sports centres, swimming pools and other leisure facilities and providing health development and active lifestyles work in the borough.
- **Somerset County Council (SCC)** - we work closely with SCC and have recently contracted our parking services responsibilities to them. Close partnership working with SCC is vital for work such as Health and Wellbeing, Troubled Families, Customer Access, Deprivation and Planning. It is especially important in realising our growth ambitions with reliance on SCC to support and deliver infrastructure needed to underpin growth, such as improvements to the A358.
- There are a range of other important partnerships, such as the Somerset West Private Sector Housing Partnership; Building Control; South West Audit Partnership

The Taunton Deane Partnership (TDP). The TDP is the strategic partnership for the area that addresses key community issues that require a multi-agency approach. It includes representation from TDBC, the County Council, Police, Fire & Rescue Service, Health and the Voluntary and Community Sector, as well as education and the private sector.

It has an agreed focus of work for 2012/13 of:

- Delivery of Priority Areas Strategy
- Delivery of the Troubled Families agenda for Taunton Deane
- Local Health and Wellbeing focus

Further information on how we will work in partnership in the future with our range of partners is shown at **Appendix A**.

## **National Direction for Local Government**

The Government has made considerable policy changes to the way local government should work. These include Big Society and Localism; Open Public Services; Community Leadership; Community Right to Challenge; plus a raft of other changes from the Localism Act.

There have also been significant changes to local government financing which include substantial funding cuts and the introduction of new incentives for Councils to encourage housing and business growth into their areas. Alongside this has been the introduction of Welfare Reform. These changes introduce opportunities as well as considerable threats, uncertainty and risks. The Council has been considering these in setting and preparing our Business Plan.

Further details of these policy and financing changes are detailed in **Appendix B**. The Financial position is further explained in the 'Finance and capacity' section.



## Our Vision for Taunton Deane

### ***“A quality place”***

Taunton Deane is known nationally and locally as a quality place that is growing and developing sustainably, with a vibrant economic, social and cultural environment.

Taunton Deane Borough Council recognises the vital role it must play in achieving this vision, and will provide quality services and prioritise resources to enable and facilitate this. This business plan will outline our key strategic priorities. The following business principles and core values underpin and support our vision.

#### **Our key ‘business principles’**

**Quality Services** – ensuring the delivery of accessible, quality services that provide good value for money (either as direct providers or through partnership)

**Customer Driven** – we will put the needs of our customers at the heart of all that we do

**A dynamic organisation** – innovative, forward-looking and focussed on results

**Environmentally Responsible** – we will minimise the environmental impact from our operations

#### **Our Core Values**

We have developed a set of four Core Values with staff and Councillors. These reflect our fundamental beliefs as an organisation and guide how we deal with our staff, customers and partners. These are:

**Integrity** – we will be honest, do what is right and stick to it

**Fairness** – we will consistently treat everyone as an equal, respecting their individual needs and abilities

**Respect** – we will always show respect for everyone

**Trust** – we will show trust and confidence in our staff and customers

#### **High Level Principles**

In September 2011, the Council agreed a set of High Level Principles to apply to future ways of working. These covered our approach to Commerciality, Fees and Charges, Capital, Devolving responsibility and other areas. These are shown in **Appendix C**.

## Where are we now?

To help with our business planning process we took part in a corporate 'Peer Challenge' exercise in September 2012. This was an external 'health-check' undertaken by the Local Government Association (LGA) and the feedback has informed this business plan and our improvement and learning. Some of the key messages from this review are included in the following information.

### The good news...

Both the area and the council already enjoy many strengths and qualities that put us in an excellent position to achieve our vision and corporate priorities.

### A summary of our key strengths

As an area	As a Council
<ul style="list-style-type: none"> <li>• High quality public realm (e.g. Castle Green)</li> <li>• Good levels of affordable housing are being delivered</li> <li>• A very clean &amp; attractive environment and a great place to live and work</li> <li>• The county town of Taunton is a great strategic location for businesses enjoying geographical advantages</li> <li>• Culture &amp; heritage</li> <li>• A strong independent retail sector and 'local brands'</li> </ul>	<ul style="list-style-type: none"> <li>• A well regarded council with good officer &amp; Member relationships and well regarded by partners</li> <li>• A positive culture, supportive style of working and good staff morale</li> <li>• A good track record of substantial financial savings and income generation over the past 3 years (£5m)</li> <li>• An ambitious council</li> <li>• Open to new ways of delivering services and partnership-working</li> <li>• Successful internal transformation of the DLO, with significant financial savings</li> <li>• HRA Housing – 30 year business plan with financial 'headroom' to enable investment</li> <li>• A strong cross party political commitment to growth</li> <li>• External Audit results are generally positive with unqualified accounts and Value for Money assessments</li> </ul>

### The not such good news!

We recognise there are key areas and issues that we must improve

### A summary of areas for improvement

The area	The Council
<ul style="list-style-type: none"> <li>• Marketing of the borough and commercial engagement at a regional and national level could be strengthened – it is challenging for a smaller council to gain a higher profile nationally</li> <li>• National economic recession has led to fragility in the economic base of Taunton / struggling businesses</li> <li>• Areas of severe deprivation (within Taunton and rural areas)</li> </ul>	<ul style="list-style-type: none"> <li>• The council's current ambitions currently outstrip revenue &amp; capital resources</li> <li>• Partnership-working is not as well developed and co-ordinated as it could be (eg engagement with the business community, &amp; other public-sector bodies)</li> <li>• Decision-making process is too protracted, and Scrutiny function needs strengthening</li> <li>• Slow progress in developing &amp; implementing an Asset Management Plan</li> <li>• A more commercial mindset needs to be developed across the council</li> </ul>

## Opportunities and threats

A summary of the key opportunities and threats that may impact on the achievement of our vision and objectives is shown below.

Our priorities and action plans will be designed to exploit these opportunities and deal with the threats.

**Opportunities** - these could have a positive impact on our objectives

The area	The Council
<ul style="list-style-type: none"> <li>• Stronger links between the council's priorities on targeting Deprivation and promoting Growth (eg skills training, increased employment levels &amp; additional income for the local economy)</li> <li>• A clear strategy for delivering more high quality public realm</li> <li>• Hinkley Point - strong demand for high quality housing in Taunton, and other economic &amp; social opportunities (eg for local businesses)</li> <li>• SCC are working in partnership to bring in superfast broadband to rural areas of Somerset including Taunton Deane. They are also working with the LEP to improve transport links on the strategic road network</li> <li>• Businesses are able to make a greater contribution to promoting growth by targeted marketing of the borough and commercial engagement at a regional &amp; national level</li> <li>• Taunton can exploit its strategic location and define its niche &amp; unique selling point to promote inward business investment</li> </ul>	<ul style="list-style-type: none"> <li>• Review Customer Access to redefine the way we interact with customers</li> <li>• Better management and rationalisation of council assets (eg council offices)</li> <li>• More modern &amp; efficient ways of working (including 'lean' processes)</li> <li>• Explore new income generation opportunities and embed a more commercial mindset &amp; awareness (benefitting from the learning of the DLO &amp; Housing business experience)</li> <li>• TDBC and Southwest One are committed to promoting partnership development - an important opportunity for TDBC &amp; partners to ensure success for the contract</li> <li>• Exploring new &amp; innovative ways of supporting leadership development, staff skills &amp; competency</li> <li>• Consider 'invest to save' opportunities to obtain service efficiencies, transformation &amp; improvements</li> <li>• Streamline the decision-making process and strengthen the Scrutiny function to enable the council to make difficult decisions</li> <li>• HRA Business Plan has £16m financial 'headroom' to invest in housing</li> </ul>

**Threats** - these could have a negative impact on our objectives

The area	The Council
<ul style="list-style-type: none"> <li>• Delivery of growth expectations (planned development within Core Strategy) is not guaranteed</li> <li>• Anticipated funding shortfall of over £30m for infrastructure to deliver the growth programme</li> <li>• Non delivery of flood protection schemes</li> <li>• Hinkley Point – threat of increased housing demand &amp; pressure on affordable housing</li> </ul>	<ul style="list-style-type: none"> <li>• The council is facing a serious imminent funding gap (£2.1m by 2015/16) requiring a reduction of its net budget of nearly 25%</li> <li>• The future sustainability of local government in Somerset, with current funding pressures affecting each Council</li> </ul>

## Where do we want to be in the future?

### **Our Vision: ‘A quality place’**

Taunton Deane is known nationally and locally as a quality place that is growing and developing sustainably, with a vibrant economic, social and cultural environment.

To achieve our vision of ‘a Quality Place’, we have broken this down into three corporate aims.

- Quality sustainable growth and development
- A vibrant economic environment
- A vibrant social, cultural and leisure environment

These corporate aims have a number of objectives listed beneath them and a high-level strategic action plan that shows how we will achieve them over the next three years:

<b>Quality sustainable Growth &amp; Development:</b>	
Obj 1	Facilitate a significant increase in the number, quality and range of available houses within the Borough, including the highest achievable proportion of affordable housing
Obj 2	Delivering the infrastructure necessary to bring forward development opportunities

### **Strategic Action Plan: Quality and Sustainable growth and Development**

<b>What? (the key activities &amp; projects)</b>	<b>When?</b>	<b>Why? (Output &amp; outcomes)</b>
<b>Quality housing growth</b> <ul style="list-style-type: none"> <li>• Work with the development industry to maximise land supply in sustainable locations</li> <li>• Facilitate delivery of the sustainable urban extensions by close working with the development industry</li> <li>• Support for communities in the delivery of neighbourhood planning</li> <li>• Adoption of the Site Allocations Document</li> </ul>	Annual review 2013 onwards  2012 onwards 2014/15	<ul style="list-style-type: none"> <li>• Maintenance of a five year land supply in sustainable locations across the Borough</li> <li>• Houses being built, Transport / road infrastructure agreed. Employment land being marketed and developed.</li> <li>• Appropriate assistance is provided to communities to allow them to deliver Neighbourhood Plans</li> <li>• Identify sites for a range of housing including Executive housing for which demand is expected to increase</li> </ul>
<b>Affordable housing &amp; HRA Social Housing Development</b> <ul style="list-style-type: none"> <li>• Use Social Housing Development Fund to build new homes for social rent (target 20)</li> <li>• Produce on-going programme of new development to deliver regular stream of new properties to the HRA each year</li> </ul>	July 2014  On-going	Provision of new social housing managed by the Council  Increased social housing provision

<ul style="list-style-type: none"> <li>• Explore methods by which HRA resources can be maximised to increase investment in new homes</li> <li>• Strategically manage all HRA assets to fully utilise opportunities for new development</li> <li>• Delivery through the Affordable Housing Development Partnership (TDBC &amp; Housing Associations)</li> <li>• Ensure sufficient supply of affordable and suitable private- rented sector housing to meet demand</li> </ul>		<p>Maximum value for money for tenants</p> <p>Increase supply of social housing</p> <p>Annual plan of affordable housing delivery targets reached.</p> <p>Improved conditions of housing stock to ensure affordable decent living conditions for vulnerable households (e.g. thermal efficiency; appropriate adaptations). Initiate projects to tackle empty homes and continue incentives for landlords to let suitable properties in Taunton Deane</p>
<p><b>Firepool</b></p> <ul style="list-style-type: none"> <li>• Delivery of infrastructure</li> <li>• Re-focus existing master-plan</li> </ul>	<p>2014</p> <p>2015</p> <p>2014/15</p>	<p>Northern Inner Distribution Road (NIDR) completed providing access to the whole site.</p> <p>Boulevard delivered.</p> <p>Next phase of development takes place</p>
<p><b>Flood alleviation solutions</b></p> <ul style="list-style-type: none"> <li>• Plan for implementation of agreed solution approved by the Council</li> </ul>	<p>2013</p> <p>Beyond 2014</p>	<p>Plan designed and approved by the Environment Agency.</p> <p>Funding sources investigated and delivery timescale agreed</p>
<p><b>Public realm improvements</b></p> <ul style="list-style-type: none"> <li>• Implement a programme of events</li> </ul>	<p>2013</p>	<p>Co-ordinated annual events plan in public spaces developed with the Taunton Town Centre Company, other cultural partners and the business community to maximise the potential of new and existing public spaces.</p>
<p><b>Community Infrastructure Levy (CIL)</b></p> <ul style="list-style-type: none"> <li>• Implement the CIL process</li> </ul>	<p>2013</p>	<p>An effective and robust CIL process. Maximise income.</p> <p>Ensure key infrastructure is funded and delivered.</p>

<b>A vibrant economic environment</b>	
Obj 3	Improving the perception of Taunton as a regional centre of economic growth and a place to do business – attracting new businesses whilst supporting existing ones
Obj 4	Increasing the economic activity within the Borough including the number and value of jobs

**Strategic Action Plan: A vibrant economic environment**

<b>What? (the key activities &amp; projects)</b>	<b>When?</b>	<b>Why? (Output &amp; outcomes)</b>
<b>Marketing &amp; promotion of Taunton</b> <ul style="list-style-type: none"> <li>Develop and deliver a clear marketing strategy that defines Taunton’s niche and ‘unique selling point’</li> <li>Maximise the conversion rate of new business enquiries into actual investment</li> </ul>	2013	Marketing and delivery plan to include attracting inward investment and visitors.
<b>Taunton town centre retail</b> <ul style="list-style-type: none"> <li>Understand the changing retail market in Taunton and plan accordingly</li> </ul>	2013	To develop a strategy to meet the retail demand in Taunton and to allocate sites accordingly.
<b>Stimulate inward business investment and growth</b> <ul style="list-style-type: none"> <li>Invest resources to enhance our approach to national &amp; regional marketing to attract inward investment</li> <li>Ensuring sufficient employment land is available in locations attractive to businesses</li> <li>Develop relationship and profile with the Local Enterprise Partnership (LEP) and its key stakeholders</li> </ul>	2012  2013 2013  2013	Deliver a new inward investment web site.  Identify the location of a strategic employment site within the Site Allocations Planning document. Work with Developers to bring forward employment land at Monkton Heathfield.  Achieve Enterprise Area status from the LEP
<b>Local business development &amp; support</b> <ul style="list-style-type: none"> <li>Review of business requirements within the Borough</li> <li>Annual plan of targeted support for local business approved.</li> <li>Annual programme of events intended to stimulate networking and local sourcing opportunities</li> </ul>	2013	Better understand of the requirements of local businesses from the Council Provide better targeted support  Programme of events tailored to provide required support for businesses

<b>A vibrant social, cultural and leisure environment</b>	
We will have a real sense of community in our areas of deprivation and strong partnerships that deliver projects that benefit the community and improve their quality of life.	
Taunton Deane will be highly regarded for its clean, attractive and vibrant street scene with a strong leisure and cultural emphasis.	
Obj 5	Working with partners to encourage strong, informed and active communities
Obj 6	Working with partners to improve the lives of our most vulnerable households
Obj 7	Facilitating and supporting cultural and leisure opportunities
Obj 8	Maintaining clean streets, good quality parks, open spaces and leisure and cultural facilities

### Strategic Action Plan: A vibrant social, cultural and leisure environment

What? (the key activities & projects)	When?	Why? (Output & outcomes)
<p><b>Work with Taunton Deane Partnership (TDP) to deliver key priorities for the area:</b></p> <ul style="list-style-type: none"> <li>• Priority Areas Strategy &amp; action plan</li> <li>• Health &amp; Wellbeing strategy</li> <li>• Troubled Families project</li> </ul>	<p>Ongoing Ongoing Ongoing</p>	<p>Deliver the objectives and outcomes of the Priority Areas Strategy to:</p> <ul style="list-style-type: none"> <li>- encourage strong, informed and active communities</li> <li>- improve access to services, information and advice</li> <li>- improve the lives of our most vulnerable households</li> <li>- improve the look and feel of the local area</li> </ul> <p>Reduce Health inequalities in Taunton Deane and address agreed health issues such as Active Lifestyles and dealing with Dementia.</p> <p>Work with 182 families over 3 years to improve levels of worklessness, anti-social behaviour and school attendance</p> <p>Improved coordination of public sector working with vulnerable families in Taunton Deane, resulting in reduced cost</p>
<p><b>Leisure &amp; cultural development</b></p> <ul style="list-style-type: none"> <li>• Build a new swimming pool</li> <li>• Prioritise leisure and cultural provision and support accordingly</li> <li>• Support cultural development through the Taunton Cultural Consortium</li> <li>• Brewhouse development monitored and supported</li> <li>• Co-ordinated Events plan agreed and approved on annual basis</li> </ul>	<p>Summer 2015 Ongoing Ongoing Ongoing 2013</p>	<p>A new Swimming Pool</p> <p>Through partnership working, Taunton is well provided for with leisure and cultural provision and attracts inward investment</p> <p>Maintain the Brewhouse Theatre and support its extension and enhancement</p> <p>The borough will have a reputation for high quality venues and as an easy place to organise events on public open spaces</p>

<p><b>Street Scene</b></p> <ul style="list-style-type: none"> <li>• Prioritise and re-focus the programme of work</li> </ul>	<p>2013</p>	<ul style="list-style-type: none"> <li>• The Street cleansing programme supports Business Plan priorities including the needs of businesses, not only in the town centres but also on adjoining public realm spaces that promote the area as a whole, making it a better place to invest, work and rest.</li> <li>• Public toilet provision and maintenance will also be altered to ensure that the night time economy, including any evening events, is better supported.</li> </ul>
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## A transformed Council

To enable the Council to successfully deliver the priorities described above, we recognise we have to be more proactive and radical with service and council transformation, and reinvent ourselves in the face of huge financial pressures. We will respond to the looming funding gap through a combination of planned efficiencies, service cuts and service transformation, whilst continuing to provide quality services.

To achieve our vision of 'a Quality Place', we have broken this down into three further objectives for the next three years each having a high-level strategic action plan to show how we will deliver them.

Obj 9	<p><b>Achieving financial sustainability</b></p> <p>Looking at new ways of balancing the budget to address our serious financial challenges. We will ensure this business plan works closely with our Medium-Term Financial Plan (3-5 year) aligning council priorities with the resources to deliver these.</p>
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### Strategic Action Plan: Achieving financial sustainability

What? (the key activities)	When?	Why? (Output & outcomes)
<p><b>Medium-Term Financial Plan (MTFP)</b></p> <ul style="list-style-type: none"> <li>Update the MTFP regularly to reflect the latest high-level financial forecasts for the Council</li> <li>Refresh MTFP following Member prioritisation review and other changes – report to Corporate Scrutiny</li> </ul>	<p>Feb 2013 On-going</p> <p>Summer 2013 and ongoing</p>	<ul style="list-style-type: none"> <li>To ensure Members continue to be briefed on the financial forecasts for the Council – across all funds. This will support effective decision-making (for reshaping the organisation)</li> <li>To ensure the financial plans are continually updated to reflect the latest information on Government funding, and financial policy changes being implemented (e.g. localisation of business rates)</li> </ul>
<p><b>Council Tax Reduction Scheme</b></p> <p>The Council will safely implement a new Council Tax Reduction Scheme – starting on 1<sup>st</sup> April 2013</p>	<p>April 13</p>	<p>To implement a new local scheme that meets the Council's aspirations to support the community but within the reduced funding available from Government – thereby protecting the Council's overall financial exposure and risk.</p>
<p><b>Localisation of Business Rates</b></p> <p>Undertake financial modelling and risk assessments to determine impact on MTFP and develop appropriate monitoring arrangements</p>	<p>April 13</p>	<ul style="list-style-type: none"> <li>To make sure the Council's financial plans adequately reflect the changing world of local government finance.</li> <li>To ensure the Council is prepared for the changes ahead and any system or resourcing changes are actioned.</li> </ul>
<p><b>Business Rates Pooling in Somerset</b></p> <p>Consider business case and associated governance for Business Rates pooling in Somerset, and make recommendations</p>	<p>Feb 13</p>	<ul style="list-style-type: none"> <li>To ensure the Council doesn't miss any opportunity for growth in Business Rates to be kept locally</li> </ul>

<p>accordingly. To ensure the financial plans reflect the “most likely” position resulting from pooling in Somerset.</p>		
<p><b>Welfare Reform</b> To ensure the Council is fully prepared for the forthcoming changes in the Welfare Reform agenda.</p>	Ongoing	<ul style="list-style-type: none"> <li>• To support the community through the significant changes ahead</li> <li>• To support the staff through the significant period of change – in terms of service delivery and roles.</li> <li>• To ensure all Council services are sighted on the changes ahead and make adequate plans for their services.</li> </ul>
<p><b>Financial Strategy</b> The existing Financial Strategy will need to be completely refreshed to reflect the emerging Business Plan priorities and aspirations. The document will develop once the Council has clarity on priorities and areas for disinvestment. It will reflect:-</p> <ul style="list-style-type: none"> <li>• plans for savings programmes</li> <li>• transformation programmes</li> <li>• policies on level of Reserves</li> <li>• policies on Earmarked Reserves</li> <li>• latest Govt funding arrangements</li> <li>• predicted impact of Welfare Reform on our services and community.</li> <li>• any approved IT Strategy</li> <li>• any approved Asset Management Plans aspirations and priorities</li> <li>• any approved Workforce Development Plan</li> <li>• any approved IDP and associated CIL funding forecasts agreed with the Council and Partners</li> </ul> <p>The document will set specific targets to show how the Council will achieve a sustainable budget over the coming 3 years (2014/15 to 2016/17).</p>	July 13	<ul style="list-style-type: none"> <li>• To ensure the Council has a clear financial strategy to resolve the current forecast budget gaps.</li> <li>• To ensure the Councillors have a clear programme of change and transformation to support the aspirations and priorities of the Business Plan</li> </ul>
<p><b>Asset Management</b> Commission specialist work to review our approach to asset management and explore ‘Invest to save’ opportunities. Implement recommendations from review.</p>	April 2013	<p>To ensure maximum return from council assets. Service efficiencies and improvements obtained. Significant savings made to help address the council’s funding gap.</p>
<p><b>Strategic procurement</b> Engage with the SW1 Strategic Procurement Service (SPS) to identify opportunities for savings through procurement</p>	Ongoing	Achieve agreed procurement savings targets

Obj 10	<p><b>Transforming services</b></p> <p>We are open to new ways of delivering services and recognise we need a radical re-think and review of all Council services. This means: what we do, who does it, how we do it and to what standard, what we should do less of or stop doing altogether</p>
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### Strategic Action Plan: Transforming services

What? (the key activities)	When?	Why? (Output & outcomes)
<p><b>Service Reviews</b></p> <ul style="list-style-type: none"> <li>To design a programme of service reviews across the organisation to streamline services and reduce inefficiencies, whilst ensuring they remain customer-focussed</li> <li>Implement a programme and monitor progress building savings into the MTFP</li> </ul>	<p>April 2013</p> <p>March 16</p>	<ul style="list-style-type: none"> <li>To ensure we are driving out any inefficiencies – thereby reducing cost.</li> <li>To challenge why we do things</li> <li>To ensure the customer is always considered as part of service design</li> </ul>
<p><b>Prioritisation of services &amp; clarification of aspirations</b></p> <ul style="list-style-type: none"> <li>Agree a profile of services with associated budgets that collectively are affordable</li> </ul>	<p>April 2013</p>	<p>This will need to meet the aspirations of councillors in terms of their service priorities but by necessity will involve a considerable cut in spending in some service areas to be affordable over the business plan period.</p>
<p><b>Accommodation and Customer Access</b></p> <p>Commission a project to make recommendations on meeting the Council's future accommodation needs, including the future of Deane House. This work will need to consider customer access &amp; increasing financial pressures.</p>	<p>Commence April 2013</p>	<p>Improved Customer Access and use of Deane House and other officer based buildings</p>
<p><b>Direct Labour Organisation (DLO) transformation</b></p> <p>Continue the agreed transformation plan for the DLO, and consider the potential relocation of the Council's depot</p>	<p>On-going</p> <p>summer 13</p>	<p>Monitoring of planned milestones and successful delivery of transformation programme outcomes.</p> <p>Decision made on depot relocation</p>

Obj 11	<p><b>Transforming the way we work</b></p> <p>Although we have a good track record of internal transformation (eg recently with the DLO &amp; Housing services), we recognise that we need to learn from this and do more to transform other service areas</p>
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### Strategic Action Plan: Transforming the way we work

What? (the key activities)	When?	Why? (Output & outcomes)
<p><b>Developing Our Commercial Approach</b></p> <ul style="list-style-type: none"> <li>Developing Financial Awareness skills, and a focus on Value for Money (VFM) throughout the organisation to ensure Managers understand their service costs and income (and the sensitivities)</li> </ul>	<p>Dec 13</p>	<p>To ensure managers make decisions that are financially sound.</p> <p>To ensure that "finance" and "vfm" has a higher profile in the organisation.</p>

<ul style="list-style-type: none"> <li>Identify best practice in other organisations and bring forward learning &amp; good practice initiatives to TDBC services.</li> <li>Research income generation powers and opportunities progressed by other local authorities.</li> </ul>	<p>May 13</p> <p>May 13</p>	<p>To make sure we are up to date with new initiatives and can learn new ways of bringing a commercial approach to local authority services.</p> <p>To ensure TDBC is aware of all opportunities for charging for services so as to maximise income.</p>
<p><b>Partnership management</b></p> <ul style="list-style-type: none"> <li>Strengthen and exploit existing partnership relationships (SCC, Health, Education, business community, other public sector bodies, parishes &amp; town councils)</li> <li>Review resourcing requirement to provide effective skilled “retained” client functions for core corporate services. Make recommendations to Members re requirement and funding</li> </ul> <ul style="list-style-type: none"> <li>Continue to develop partnership working with SW1</li> </ul>	<p>Feb 13</p>	<p>Better delivery of the objectives of this business plan through closer partnership working</p> <p>To ensure we have the necessary resource level and skills to:-</p> <ul style="list-style-type: none"> <li>effectively manage our partnership relationships; and</li> <li>provide strategic direction to those services delivered by Partners;</li> <li>provide effective performance management and challenge to Partners on service delivery.</li> </ul> <p>Ensure the success of the contract</p>
<p><b>Learning &amp; development</b></p> <ul style="list-style-type: none"> <li>leadership &amp; staff development will focus on skills to enable effective service transformation (eg ‘lean processes’, project management, coaching, partnership working)</li> <li>Implement Workforce Plan</li> <li>Exploit transferable learning opportunities (internal services &amp; external partners)</li> <li>Develop robust Councillor appraisals</li> </ul>	<p>Dec 2013</p>	<p>More efficient, customer-focussed and commercially aware staff.</p> <p>The right people, with the right skills in the right place at the right time.</p> <p>Work with Councillors to agree a programme of development (linked with the work on the Member Charter).</p>
<p><b>A performance-focussed culture</b></p> <ul style="list-style-type: none"> <li>Effective performance &amp; risk management processes</li> <li>Understand the ‘Value for Money’ profile of council services and develop benchmarking</li> </ul>	<p>On-going</p> <p>2013/14</p>	<p>Effective Performance &amp; Risk Management leadership (Managerial &amp; Political) and systems are developed and consistently applied throughout the organisation (Strategic, Programme / Projects, &amp; Operational), enabling informed decisions (ie in allocating resources), service improvements, and ensuring good governance &amp; internal control.</p>
<p><b>Effective scrutiny and decision-making</b></p> <ul style="list-style-type: none"> <li>Review current structure and arrangements for decision-making</li> <li>Provide greater focus and support for Scrutiny</li> </ul>	<p>Apr 2014</p>	<ul style="list-style-type: none"> <li>Streamline council decision-making</li> <li>A more informed policy steer, with better and sharper decision-making</li> </ul>

## How are we going to get there?

### 'A quality place'

To ensure that our vision for 'a quality place' is achieved, we have already developed some key strategies around growth and regeneration, these are:

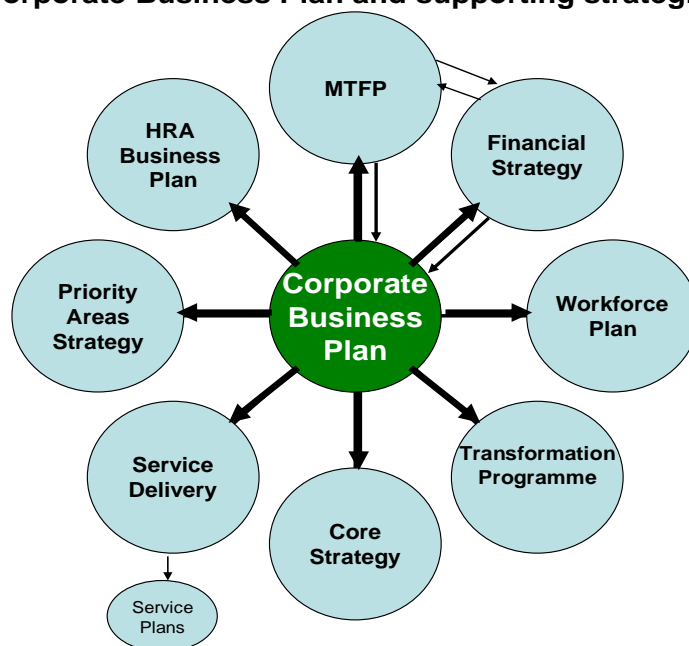
- Core Strategy
- Growth strategic delivery plan (2012 – 2015)
- Priority Areas Strategy

### A transformed council

The key documents to help us steer the transformation of council services, the way we work and achieve financial sustainability are:

- Corporate change programme (major projects)
- Workforce Plan (Appendix F)
- Medium-term financial plan (5 years)
- Asset management Plan
- Southwest One five-year plan
- ICT Strategy
- Housing (HRA) Business Plan
- Service Plans

### TDBC Corporate Business Plan and supporting strategies / plans



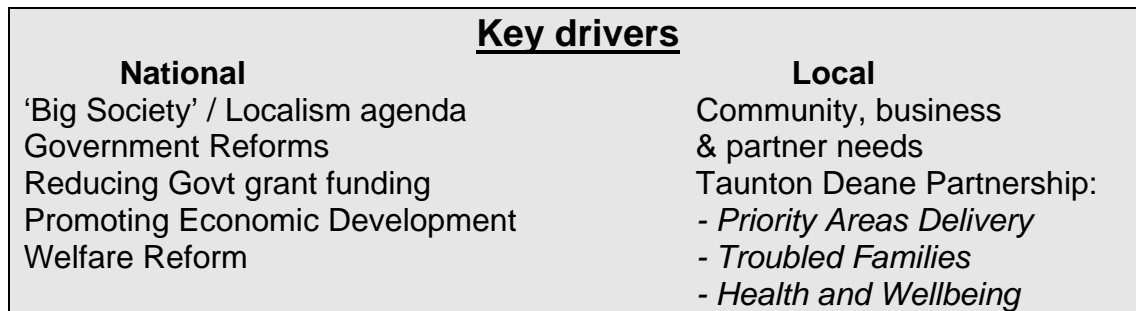
## Equalities

We are committed to the promotion of equality and diversity in our communities. An Equalities Impact Assessment for this Business Plan is published on the TDBC website. The Business Plan has been developed at a strategic level – delivery plans will be subsequently developed through service and project planning which will include more detailed Equality Impact Assessments, which will also be published on the website. Further details of our approach to equalities are shown at **Appendix D**.

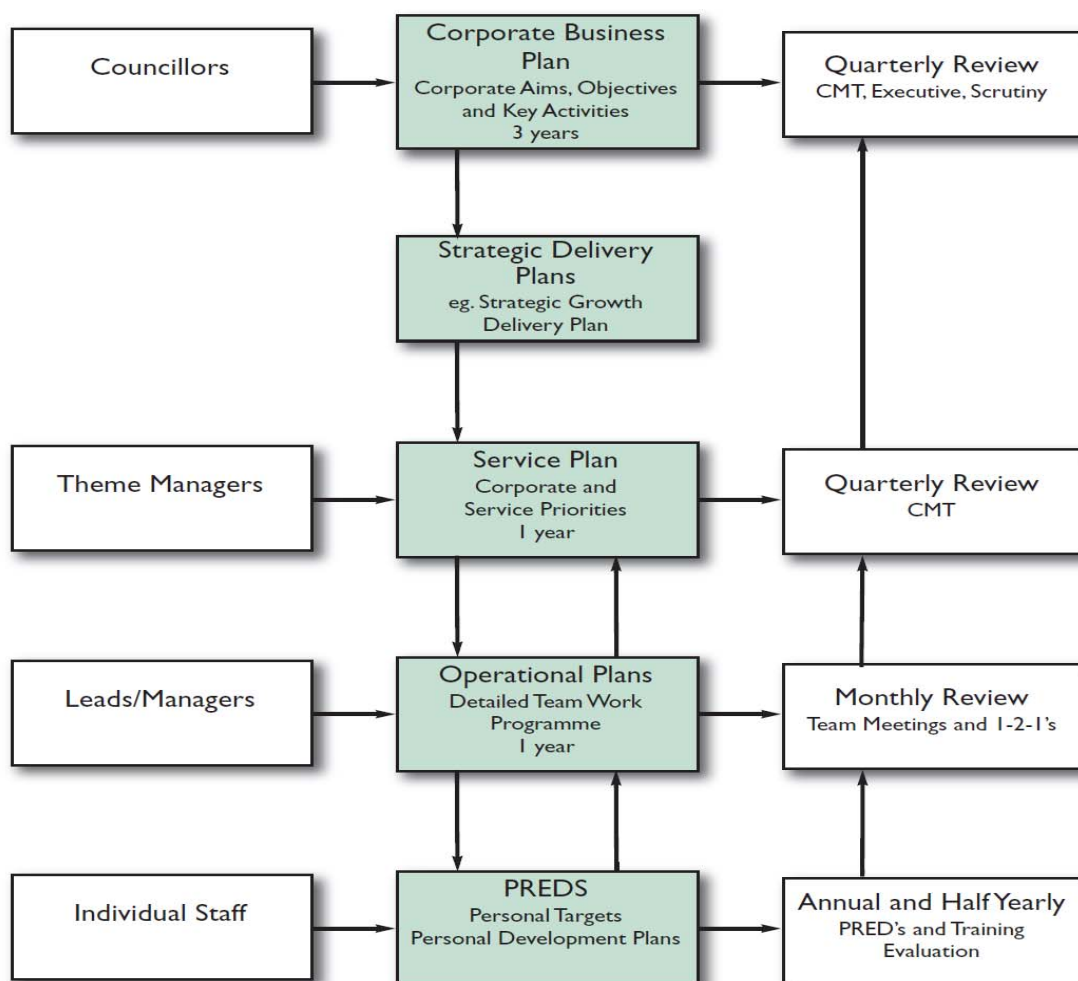
## Making sure it happens - managing performance and risk

The Council has robust performance and risk management arrangements in place to ensure the objectives in the Business Plan are delivered and that delivery is properly monitored by Councillors through the appropriate committees.

The Performance Management Framework is shown in the 'Golden Thread' diagram below



## The Golden Thread



A more comprehensive overview of the Councils Performance and Risk Management arrangements are shown at **Appendix E**.

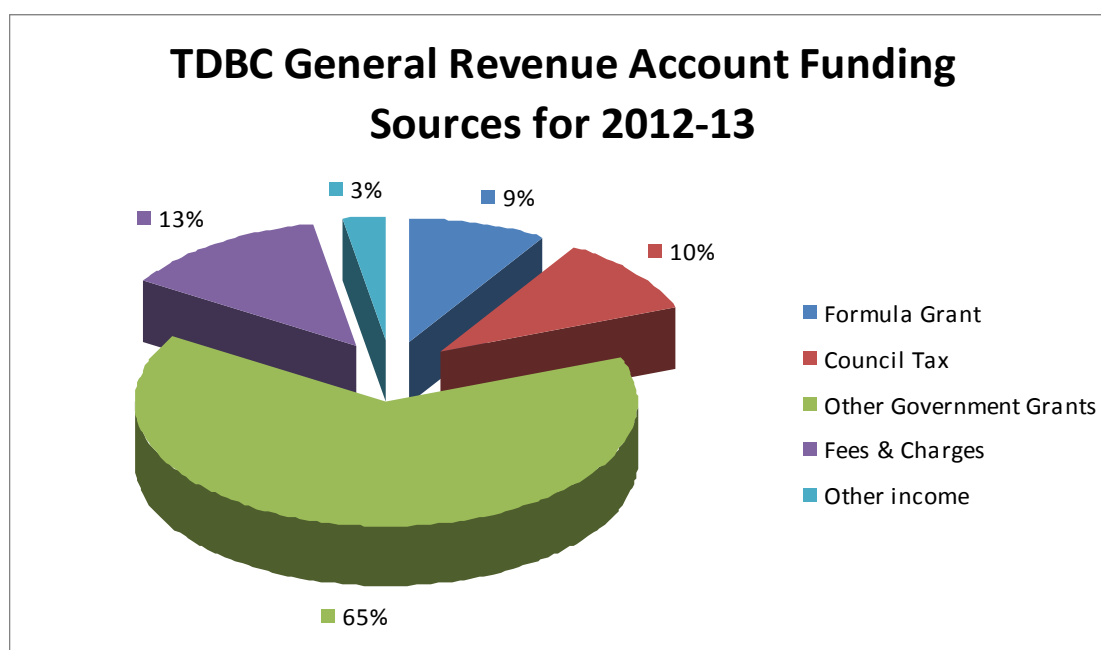
## Finance and Capacity

The Council's finances are grouped under General Fund services and also, as a local authority landlord, under Housing Revenue Account (HRA) services. General Fund services are funded through fees, charges, specific and general government grants, and council tax. The HRA is a ring-fenced account which is funded mainly by Rent income from local authority housing tenants.

### General Fund

#### *Income – Where does the money come from?*

The Council's General Fund currently has an annual income of **£59.7m** which comes from a range of sources shown in the following chart.



*Formula Grant* - A general funding allocation from government based on need

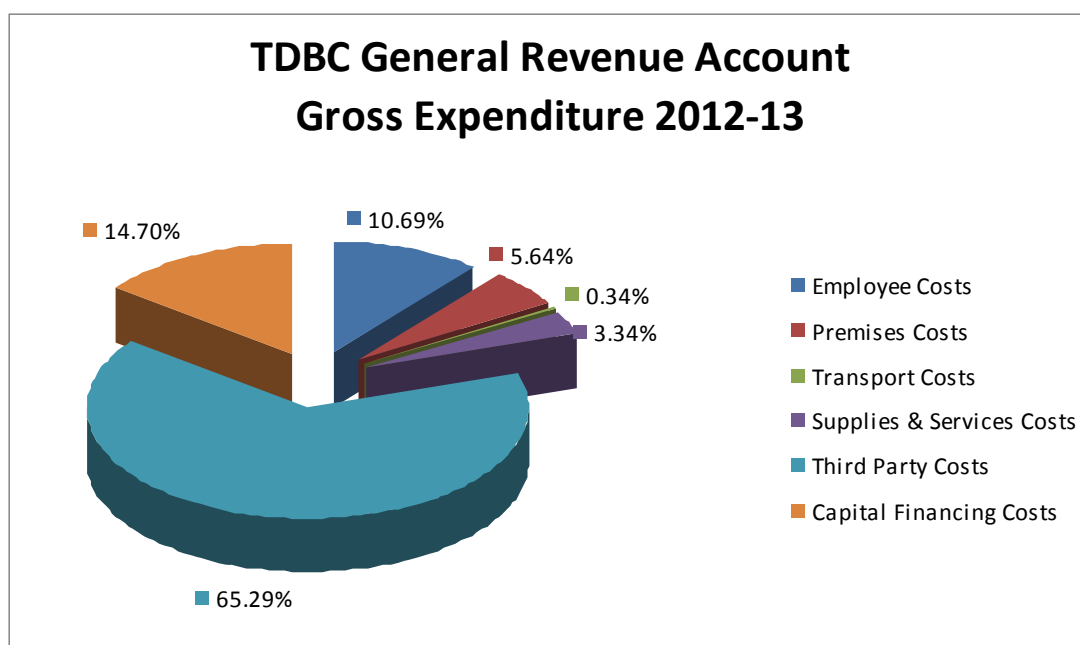
*Council Tax* - Provides around 10% of the Council's funding. TDBC's Council tax charges have been in the lowest quartile compared to all English Districts for the last 5 years (2012/13 = £136 based on average 'Band D' tax bill)

*Other Government Grants* - Government subsidy towards Housing Benefits and Council Tax Benefits comprises the vast majority of the 'other government grants' segment above. Other grants and contributions include New Homes Bonus, Supporting People Funding, Council Tax Freeze Grant and other smaller grants

*Fees & Charges* -The Council generates income through charging for specific services such as car parking, planning, building control, cemeteries and crematorium and garden waste recycling. Some fees are set centrally and some locally.

## Expenditure – How is the money spent?

The Council's gross total expenditure in General Fund services is **£59.7m** of which **£13.9m** is net expenditure. This is broken down across the following main areas:



By far the largest area of spend is Benefits paid to local claimants, which is mainly funded by Government subsidy. This accounts for the vast majority of the third party cost segment in the above chart.

The key areas of expenditure (over £1m) on services are:

- Waste collection and recycling - £2.9m
- Regulatory Services (housing standards, pollution reduction; food safety, public conveniences etc) - £2m
- Recreation and Sport (swimming pools and sport centres; outdoor sports and recreation; Sports Development etc) - £1.7m
- Housing Advice, Enabling and Strategy - £1.3m
- Housing Benefits Administration - £1.2m

Other key areas of spend include Corporate and Democratic costs (general costs of running the council); Open Spaces; Economic Development and Regeneration and Street Cleansing.

### **The Medium Term Financial Plan**

The Council prepares a rolling 5-Year Medium Term Financial Plan (MTFP) to project the financial position of the Council, taking into account expenditure, income, inflation and funding forecasts, investment plans, and financial risks. The following table provides a summary of the Council's latest MTFP position as at September 2012, which shows an increasing budget gap based on current services levels and currently identified spending pressures.



	2013/14 £k	2014/15 £k	2015/16 £k	2016/17 £k	2017/18 £k
TDBC Forecast Net Expenditure	11,428	11,843	12,523	12,986	13,400
Forecast Formula Grant	4,917	4,439	4,301	4,301	4,301
Forecast Council Tax	5,740	5,913	6,091	6,275	6,464
Forecast Resources Available	10,657	10,352	10,392	10,576	10,765
Predicted Budget Gap – Cumulative	771	1,491	2,131	2,410	2,635

Since the 2010 Spending Review the financial position of the Council has changed drastically. The government has moved to address the national debt position by reducing funding for public services. The wider implications of the economic climate are also having an impact on demand for services. There are also significant changes to the way local councils are funded, with core funding streams moving to a basis that places a strong emphasis on housing and business growth rather than the current method based on an assessment of need.

The 2010 Spending Review resulted in proposed 28% funding cuts (nationally) to local government over a four year period. In reality, for this Council, general grant funding has been reduced by almost 25% (£1.6m) in the first two years since the Spending Review, and we are currently preparing for a further 20% (£1m) cut over the next two years up to 2014/15. It is uncertain what will happen with funding levels over the longer term but it is generally acknowledged that there is a strong possibility that cuts may continue beyond 2014/15.

Local circumstances indicate there will be additional pressures to budgets through decreasing income (from car parks, building control, licensing, benefits administration, and other areas); increased demand on services (such as benefits) and inflation.

Our MTFP forecast predicts that by the end of the three-year business plan period, the Council will have a budget funding gap of £2.1m per year if it continues to operate at its existing level. This gap will rise to £3.4m by 2020/21 if no action is taken to balance the budget.

### **The workforce plan**

The workforce plan describes how our workforce can anticipate and respond to the demands of the community and the transformation of the Council. It is critical to the success of organisational and cultural change.

The plan take account of the way the authority will develop over the next three years, the changing needs of our communities and the financial pressures the Council will continue to face.

It considers the workforce skills and knowledge we require, our approach to people management and how we will bridge identified skills gaps.

The Workforce Plan can be seen at **Appendix F**.

## How can we afford it? Balancing the Budget

The Council faces a real challenge to produce a balanced budget and address the £2.1m projected funding gap over the next three years. A major piece of work that must closely follow this Business Plan is for Councillors to undertake a service prioritisation and financial profiling exercise that explicitly describes which services will be future priorities and which won't. This will need to include significantly reduced service budgets that collectively accounts for the £2.1m gap, thus giving the Council a balanced budget in the medium term. A budget profiling workshop facilitated by the LGA will be organised for early 2013.

An initial financial modelling of services has been undertaken, using ranking of service priorities taken from responses to a Councillor questionnaire in July 2012. This has provided a rudimentary model that shows how service cuts could look in the future if none of the other measures in this section were addressed and if Councillors were unable to develop a more refined prioritisation model. The financial model is attached as **Appendix G**.

Other measures to deliver a sustainable Council and to help deliver the £2.1m budget gap described above, includes:

*Reducing Costs and increasing income* – The Business Plan has prioritised streamlining services and reducing costs in its 'Transformed Council' section. These include reviewing our asset base and asset management; investing in business process re-engineering; and reviewing Customer Access. It plans to increase income through encouraging its services to become more commercially-minded and seek better income opportunities.

*Council Tax* - The Council has the option to provide local taxpayers' with a choice to increase tax above a minimum defined by the Secretary of State (the higher of 2% or £5 per Band D household in 2013/14) via a Referendum. Council tax income is currently £5.6m (around 10% of the Council's total income for General Fund services). Each 1% increase generates additional income of around £56k per year.

*Government Grant* - funding for services will be strongly linked to growth (Business Rates, New Homes Bonus), therefore agreeing priorities that support growth should help to maintain and potentially increase funding.

*Community Infrastructure Levy (CIL)* – this will generate funding to invest in local infrastructure and has the potential to develop into a key funding stream. We have identified around £50m of infrastructure required to deliver planned growth in the Taunton Deane Core Strategy. CIL will partly cover this however there will be a sizeable gap between funding available and cost of infrastructure required. This shortfall will place pressure on identifying other funding sources, such as New Homes Bonus to help bridge the gap.

*Fees & Charges* – A High Level Principle agreed by Council was that Fees & Charges keep pace with inflation. This income can be volatile and therefore the Council will need to ensure prudent estimates of demand and income are used for financial planning and budgeting.

*New Homes Bonus* – currently £392k per year of New Homes Bonus grant is included in the annual budget to maintain services. Total income is currently £1m per year (2012/13), and has the potential to increase to £2m-£3m per year if the current housing growth trend continues in Taunton Deane. As this funding resource grows it will become increasingly important for the Council.

*Business Rates* – Funding from Business Rates is changing from April 2013. We are uncertain what the level of funding will be, however the assumption within the current MTFP is that the baseline level of funding will reduce as the Government achieves its national Treasury targets. The Council's funding will be directly linked to business growth in future. Business decline is a real financial risk that could see funding reduce.

### **Reserves**

The Council has general reserves of £3.1m (September 2012). The minimum agreed reserve balance is currently £1.25m, although the S151 Officer plans to review this minimum balance during 2012/13 in light of the increased financial risks faced by the Council under the localism agenda with a likely increase recommended. The Council still has the opportunity to use 'surplus' reserves to fund 'invest to save' initiatives or to fund one-off key strategic projects that help deliver the business plan.

### **Capital Investment**

The council does not have unallocated capital reserves and government investment in this area is expected to be low. Money to invest in new capital projects will mainly come from capital receipts or borrowing. Borrowing should only take place after a business case has been drawn up and agreed with any ongoing revenue implications fully recognised.

### **Housing Revenue Account (HRA)**

2012/13 is the first year of operation for the Housing Revenue Account (HRA) under the new 'Self Financing' regime introduced under the Localism agenda. The council prepared very well for this change and in February 2012 approved a new **HRA Business Plan** 2012-2042. As a 30-Year plan, this provides a long term perspective on the Housing Service and its priorities.

The HRA is a 'ring-fenced' account that will operate as a 'business' in its own right. All expenditure on HRA services will be funded through income generated within the service – largely from rents on council owned dwellings.

The HRA Business Plan will be subject to an annual review, and contains the following strategic objectives

- Securing a long term future for our housing service
- Tackling deprivation and sustainable community development
- Investing in our housing stock, regeneration and affordable housing
- Climate change

It is important to ensure the Corporate Business Plan and HRA Business Plan priorities are complementary and are interlinked where relevant.

Recent enhancements of the Right to Buy system gives the Council the option to retain a greater proportion of Right to Buy receipts, with an obligation to invest in new affordable housing. The Council will need to consider the impact of such funding streams when deciding its investment priorities.

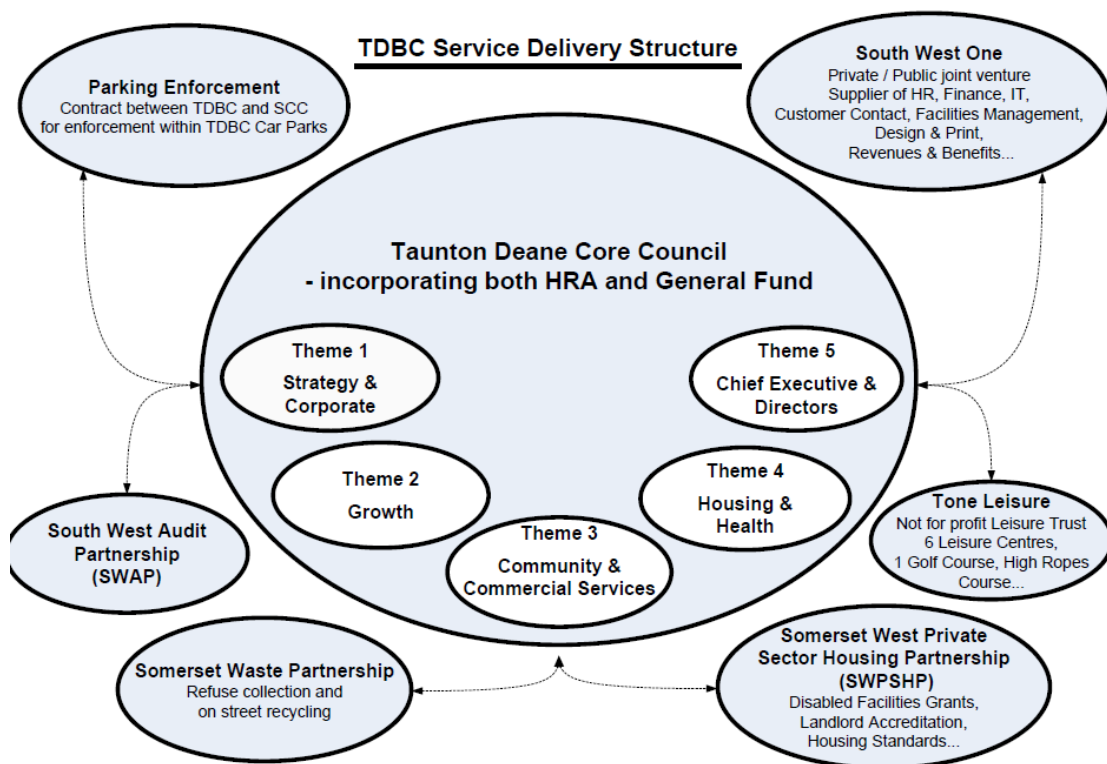
## Appendix A: Community and Partnerships

The Council recognises that working in partnership is critical for its future success in meeting the aims of this business plan. Our future working with partnerships will encourage

Community Leadership – we plan to continue to work closely with partners through the Taunton Deane Partnership to take forward work on the Priority Areas Strategy, Troubled Families and Health and Wellbeing.

Service Delivery - We will continue to work with Southwest One to provide back office and support services to 2017, although we need to begin now to plan beyond this period.

We will also continue with other successful service partnerships, some of which are shown in the following diagram of cliented partnerships:



Service Sharing - We will be open to opportunities to share services with suitable partners such as neighbouring local authorities

Open Communication - We will seek the views and input from our partners on our Corporate Business Plan and in future annual reviews.

## **Appendix B: Government Policy direction for Local Government**

The following overview of policy direction from Central Government describe the 'local government landscape' and the responsibilities that we are expected to embrace in our future working:

**Big Society and Localism:** Empower local people and communities and devolve power down from central government to local government and beyond. Encourage voluntary work and support the voluntary and community sector.

*The Council has good links with the parish councils through its parish liaison officer and does not believe there is sufficient appetite from the local communities or parish councils to run services and this is often due to funding, capacity and expertise. However it strongly supports the voluntary and community sector and has a track-record of funding and supporting it.*

**Open Public Services:** To adopt an 'open commissioning ethos'. "actively encouraging new providers, of all sizes and from all sectors, to deliver public services". "We want, where possible, to give people direct control over neighbourhood services directly to communities, or by giving neighbourhood groups democratic control over them" (Open Public Services White Paper)

*The Council does not believe there is sufficient appetite within neighbourhoods and local communities to pursue this as a policy*

**Community Leadership:** Provide community leadership, working with partners, the voluntary and community sector, private sector and communities to jointly tackle the real issues that affect them.

*The Council has a strong track-record of providing community leadership through its work with the Taunton Deane Partnership and its focus on deprivation through its Priority Areas Strategy. Other good examples include Tone Leisure's work on Healthy Lifestyles; as well as our approach to climate change, affordable housing, broadband and other community priorities. Health and Wellbeing is becoming increasingly important and the Council will lead on this locally, in close liaison with the Health and Wellbeing Board.*

**Community Right to Challenge:** Duty to consider expressions of interest from voluntary and community organisations and parish councils to bid to run council services.

*This is a legislative requirement and we will respond to any expressions of interest as required.*

**Supporting Businesses and Local Economy:** The government has made it clear that local government has an important role to play in supporting local businesses and encouraging growth and this is reflected in a range of legislative changes such as the NPPF, business rate retention, the introduction of LEPs, discretionary business rate relief and other measures.

*Economic Development has been flagged as a priority for the business plan and we want to embrace and support local businesses and for Taunton Deane to be seen as 'open for business'. The Council has recently adopted a Growth Strategic Delivery Plan that has five objectives around attracting businesses, increasing economic activity, increasing supply of housing, delivering infrastructure and developing cultural and leisure facilities to attract inward investment. We are also actively engaging with the LEP and continue to seek opportunities for regional growth funding for Taunton Deane.*

Welfare Reform: Includes the introduction of Universal Credit; caps on housing benefit; localised council tax benefit (with a 10% reduction in overall budget); Replacement of disability living allowance with personal independence payment; an increase to the minimum age (35) for individuals able to claim housing benefit; and a cap on benefits where under-occupation occurs.

These introduce an increased risk to the council through:

- potential increased demand for services e.g. housing advice, homelessness, benefits, etc
- less income through reduced demand for chargeable discretionary services
- increased debt risk and potential reduction in income collection rates

*We are currently consulting on changes to our Council Tax Benefit scheme and will monitor changes in demand for services resulting from Welfare Reform. We will respond accordingly.*

### **Changes in Financial Policy**

In addition to the Spending Review, there is a lot of change underway that will

- impact on how local councils are funded in future
- influence demand on services
- increase financial and other risks

### *Business Rates Retention Scheme*

Under the Government's Local Government Resource Review the way councils are funded is changing, with the introduction of a new Business Rates Retention scheme from April 2013. This means that local council's will be able to retain a proportion of additional business rates generated through local business growth, but also means the council would receive less funding if business growth stands still or declines. This change will place a strong incentive for local councils to encourage business growth to protect and potentially increase funding levels. The national economic picture indicates that business growth is very low nationally and the 'local context' section showed that business deaths currently outnumber births. Therefore this risk of further funding reductions during this Business Plan period remains high.

### *Council Tax Reduction Scheme*

The current scheme of Council Tax Benefits, which is fully-funded by central government, is to be replaced with a local scheme from April 2013. The national funding for council tax is being cut by 10%, and in future this council will receive a fixed grant which means this Council, together with other Somerset authorities, will be at risk if the cost of the local scheme exceeds the grant provided.

### *New Homes Bonus*

This grant has been described as “a powerful fiscal incentive for local authorities delivering new housing” (Government Housing Strategy). The amount of grant available will be determined by the number of new houses plus empty homes brought back into use in the Borough. Growth in affordable housing brings additional financial benefit as part of the grant. Enabling housing growth, including growth in affordable housing, will therefore be a key driver in funding growth through this mechanism.

### *Community Infrastructure Levy (CIL)*

The Council is currently consulting on a Preliminary Draft Charging Schedule which sets out the rates at which CIL will apply and the types of development which will be liable to pay it. The requirement to invest in local infrastructure and the amount of funding generated through CIL, will be fundamentally linked to growth. The amount of funding will therefore be variable and the timing and amounts will be uncertain. Financial plans will need to take into account this risk.



## **Appendix C: High Level Principles**

In September 2011, the Council agreed a set of High Level Principles to apply to future working. These were:

Corporate Priorities – The four existing corporate priorities were still considered relevant and should remain a focus for the Council.

Staff Terms and Conditions – The Council should remain within national terms and conditions and only review those that fall outside of this

Staff Benefits – This identified certain staff benefits which could be reviewed and those which should not be and it prioritised transport related benefits as the initial starting point for review.

Devolving Responsibility – It identified that work was required to understand whether any appetite existed for parish councils to run services, before this agenda would be progressed

Increasing Commerciality – The Council should operate on a more commercial basis and explore setting up a trading company in the longer term

Fees and Charges – Fees and charges should always be increased to match inflation, except under exceptional circumstances. Higher charges should be set where benchmarking shows this is reasonable although we should avoid being the highest chargers in the region.

Capital Strategy – The Council should be clear on its spending priorities and aim to set aside a proportion of capital to invest in capital schemes that provide a revenue return.

## **Appendix D: Equalities**

The Equality Act 2010 seeks to ensure that people are not discriminated against because of certain characteristics. These are known as 'protected characteristics' and there are nine in total. They are:

- Age - Disability - Sex - Gender reassignment - Marriage and civil partnership	- Pregnancy and maternity - Race - Religion or Belief - Sexual Orientation
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The Act imposes both a General Duty and two Specific Duties on the Authority.

### **The General Duty**

The General Duty has three strands which are to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
2. Advance equality of opportunity between people who share a protected characteristic and those who do not
3. Foster good relations between people who share a protected characteristic and those who do not

### **The Specific Duties**

There are two requirements under the Specific Duties:

1. Publish Information - Sufficient information to demonstrate compliance with the equality duty across its functions, including
  - Workforce data
  - Evidence of Equality Impact Analysis
  - Details of data and evidence used considering Equality issues
  - Details of engagement undertaken while considering Equality issues
2. Prepare and publish equality objectives. Our published objectives are:

#### **Objective 1: Councillors will fully consider the equality implications of all decisions that they make.**

- a) Ensure that 100% of reports that go to the Council Executive have accompanying Equality Impact Assessments.
- b) Provide equality and diversity awareness training to 100% Councillors on Scrutiny Panels, Planning Committees and Executive
- c) Make sure that 95% of all councillors have received equality and diversity awareness training.

**Objective 2: Information about the protected characteristics of our service users should be used in the planning and delivery of services.**

a) Service areas will publish profiles every two years which describe the protected characteristics of their service users in order to inform service delivery.

**Objective 3: Actions are taken to identify and to reduce or remove any inequalities faced by employees.**

a) Ensure 100% of employees are contacted annually to ensure their employee equalities monitoring data is up to date

b) Where cases of bullying and harassment arise, we undertake to consult with staff and trade unions to identify and treat the causes.

## **Appendix E: Managing Performance and Risk**

### **Performance Management**

The Corporate Business Plan provides the overall framework and direction for the Council, and is very important for translating the priorities of the community into objectives for delivery by the Council and its partners.

In addition to the strategic priorities outlined in this Business Plan, each council service (or 'Theme') also has its own plan setting out key objectives, ie the focus of work with performance targets and how progress is measured against them.

To ensure that we make progress in achieving our objectives (strategic, programme/projects, and operational), the Corporate Business Plan and Theme/Service Plans are monitored as follows:

### ***Corporate Performance 'Scorecard'***

(published quarterly on the TDBC website)

This is reviewed each quarter by the Corporate Management Team – it allows us to monitor whether we are on track / on budget, and to take corrective action where areas of under-performance are identified.

It is then reported to Councillors (through the Corporate Scrutiny Committee, to the Executive).

NB - The 'scorecard' includes all the key objectives, targets & measures, and includes the following areas of the Council's business:

- Strategic priorities (eg 'Growth & Development')
- Service Delivery
- Managing Finances
- 'Results' Change Programme / Key projects
- Key partnerships (ie Southwest One, Somerset Waste partnership, Tone Leisure)
- Corporate 'health' (eg People/HR issues; Corporate Governance)

### ***Theme/Service Plans & Scorecards***

These are 'living' documents that are monitored & reviewed, updated & amended throughout the year by Theme Managers and the Corporate Management Team. They are also used to inform Councillors (ie Portfolio Holders / Shadow Portfolio Holders) and Staff of progress against service objectives & targets.

### ***Staff (individual & team) objectives***

All employees are set individual (& team) objectives which links their individual contribution to service delivery aims and the Council's strategic priorities. The Personal Review & Employee Development ('PRED') process is used to monitor progress of employee objectives & development.

### **Risk Management**

We live in an ever changing world and to cope we all manage risk – both in our personal lives and in the business (& public sector) environment. To successfully achieve our goals, we need to accept that risk exists, be realistic, and plan to build the future for Taunton Deane that we desire, rather than

simply hoping that success will occur. We also recognise that if we are to achieve our goals – we cannot try to avoid risk completely.

Our aim is to improve internal control and support better decision-making through a good understanding of risks and the overall risk exposure that exists at a particular time.

Effective risk management helps us manage the business and achieve the objectives outlined in this Business Plan. TDBC has adopted a risk management policy & strategy which describes a systematic application of principles, approach and processes that enable us to identify and assess risks, and then plan and implement responses to those risks.

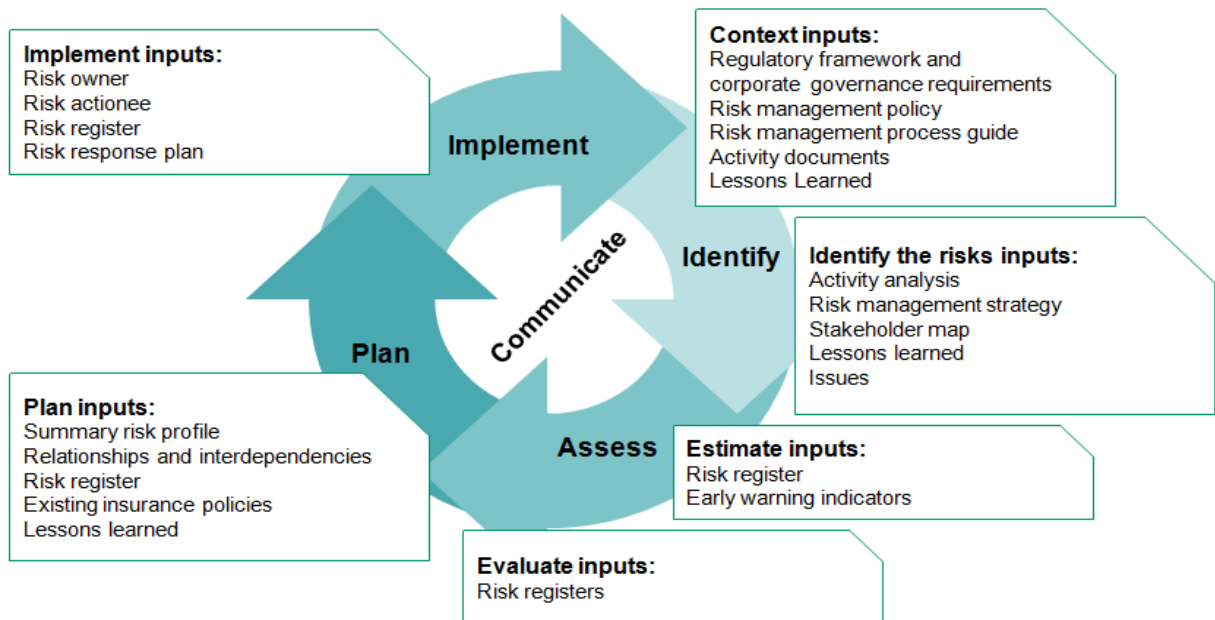
Risk Registers are in place at all levels of the organisation - Strategic, Programme/Project, and Operational. The Corporate Management Team & Theme/Service/Project Managers review these risk registers regularly and the highest risk areas are targeted and escalated for management action at the appropriate level.

The Corporate Governance Committee receives 6-monthly reports on the progress of risk management within the Council.

Diagram summarising the risk management process:

**The management of risk process steps**

The output of each process step provides most of the inputs to the next process step. The output of the implement step is a Risk progress report.





**Taunton Deane Borough Council**

**Workforce Plan 2013/15**

# Contents

1. Introduction: What is workforce planning? Why are we doing it?
2. Taunton Deane Profile
3. TDBC – Our Direction and the Future
4. What are the challenges for workforce planning?
5. Addressing the challenges

## **Foreword**

Welcome to our Workforce Development Plan for 2013/15.

This plan predominantly applies to the core council workforce not our secondees in SW One. However, as we approach the second half of the 10 year agreement and as some national initiatives will impact on both core council and SW1, these have been reflected in this Plan.

SW One will have their own workforce plan which combines the whole workforce in that organisation and will be based on their business strategy and current and future workforce needs

To meet the changing needs and demands the people we employ are key to the success of this authority and its partners. We need to ensure that we have “the right people, with the right skills in the right place at the right time” and this plan seeks to address and provide action to ensure that we do this.

### **1. Introduction:**

#### **What is Workforce Planning? Why are we doing it?**

Taunton Deane Borough Council's service delivery like any other organisation's is provided through the people it employs. It is vital that we consider our most important asset in our business planning and this plan seeks to provide a framework to address this.

By making people management integral to our strategic thinking we can ensure that we have a workforce that can deliver our changing service needs and it is vital for workforce planning to be truly effective that the Council provides clarity on its priorities and the level of services that it wishes to deliver..

#### **The workforce plan will consider:**

- The way the authority will develop over the next three years as a result of government policy drivers, efficiency savings and in response to the kind of Council we want to be and the needs of our community.
- The workforce skills and knowledge we will need to respond effectively to the challenges we face.
- Our current workforce, its makeup, knowledge and current state of health and wellbeing.
- How we will prioritise the people management actions to bridge the identified skills gaps that we have.

It can be seen that this plan cannot exist in isolation; it must become integral to the process of our organisational development. In particular how our workforce can lead and respond to the demands of our



community. This plan must be a fluid document that can respond to changing priorities, as it is critical to the success of organisational and cultural change.

**We will continue to develop the plan as circumstances demand and in response to the Council's changing agenda which will mean monitoring the plan and updating an annual programme of actions.**

## 2. Taunton Deane Profile

The Business Plan sets out the local context of Taunton Deane in the 'Taunton Deane Borough – At a Glance' section and therefore this has not been replicated in the Workforce Plan.

In addition to this Workforce Plans often contain significant amounts of statistical data on which decisions have been made. Although this plan uses such data it has not been replicated within the plan itself.

In Workforce Planning decision making we will use:

- the Taunton Deane BC Equalities Information Part 1 – A Profile of Taunton Deane;
- the Quarterly Economic Bulletin;
- ONS data;
- regular staff surveys (eg stress, Travel Plan and Staff Attitudes)
- feedback from initiatives such as 'Peer Review', customer satisfaction surveys and feedback, Audit Reports, Investors in People Standard etc; and from April 2013
- the new Quarterly Staffing Report developed by SW1.

This approach will ensure we are using data consistently within the organisation and not directing additional resources to data collection where this is already undertaken.

### **Organisational Structure**

In 2008 the Council commenced a thorough review of the 'core council' which saw the implementation of Thematic Working to support the priorities of the Council.

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

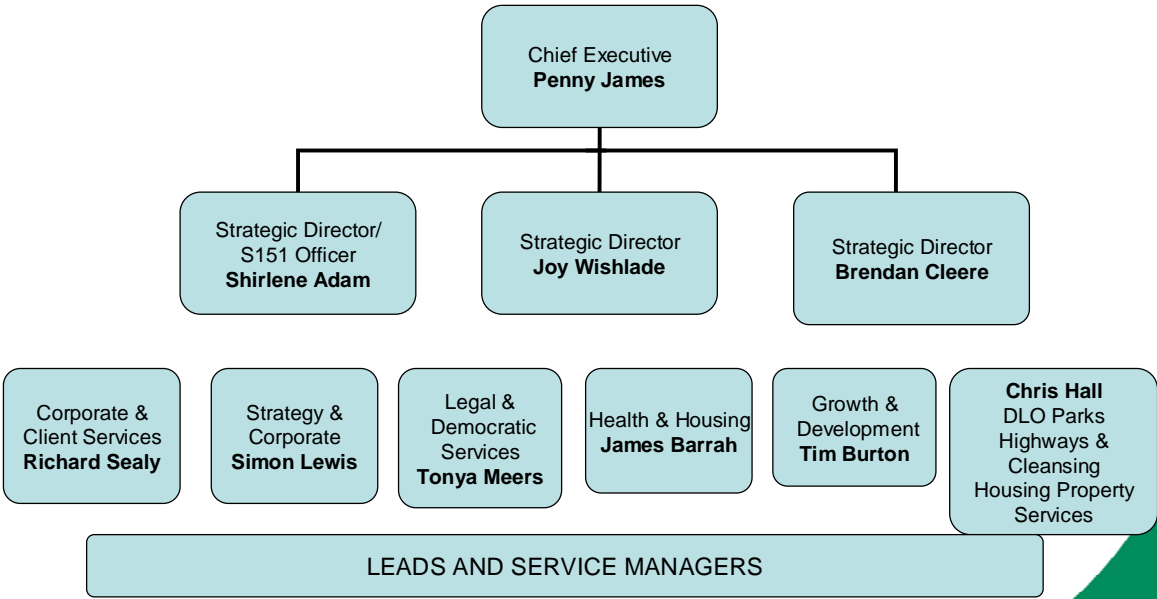
- Be fit for purpose, delivering our vision, widened roles and new ways of working
- Deliver substantial efficiency savings for 2009/10 and beyond.

Proposals for new ways of working and a new structure for the Core Council were approved by Full Council on 17<sup>th</sup> February 2009 and subsequent reports which concluded with a review of the Corporate Management Team in 2012.

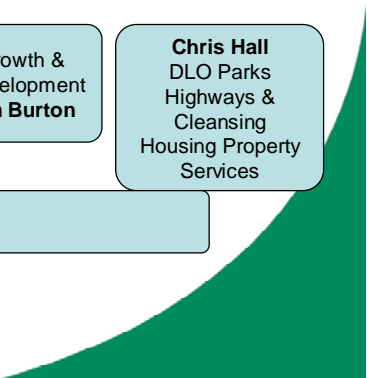
A diagram of the overall Core Council structure is set out below.



# CORPORATE MANAGEMENT



11.1.2011



### 3. TDBC – Our Direction and the Future

To be successful the workforce plan must be able to meet the needs of our known objectives and the changing requirements placed upon local government. The public spending cuts and other initiatives affecting Local government as articulated in the Business Plan will affect the way our services are delivered, however we will still require a workforce that can be recruited, developed and retained to meet and anticipate the changes to come.

This plan is now an integral part of the Business Plan because it is the Council's principle policy document. It establishes the Council's ambitions and the main outcomes it wants to achieve. It also provides an important lead for service planning, resource allocation and budget setting. It also provides the full context in which the Council will operate.

#### 4. What are the Challenges for Workforce Planning?

- Preparing for further cost savings through job reduction and employee costs reduction in a planned way using the current data to assess possible impact; developing redeployment in the organisation as an acceptable option and by undertaking a skills audit;
- Ensuring that the action above is done in support of the Transforming Services actions as set out in the Business Plan;
- Developing capacity in a lean organisation through
  - flexible working,
  - skills training including 'multi-skilling' in the DLO,
  - leadership development,
  - a resourced Business Process Re-engineering, Lean Methodology approach.
  - Re-invigorating Project Management through training and an appropriate methodology;,,
- Developing capacity and providing efficiencies (both financial and non financial) in partnership with West Somerset Council and other organisations;
- Ensuring that any devolvement of responsibilities to parish councils, that may be developed, is consistent with the Business Plan and Workforce Plan
- Developing and retaining talent – in an increasingly threatened, insecure and reward reduced job environment and ensuring that this talent is directed to priority areas. Using coaching to support both management and staff development which can also be used to develop keys areas such as commerciality,
- Managing and planning for an aging workforce ensuring that the organisation uses flexible retirement in an appropriate way and ensures that succession planning is developed;
- Addressing some of the equality imbalances in the workforce and ensuring that appropriate monitoring data is in place; Improving the understanding of managers and staff on their equalities obligations for the organisation and under legislation
- Continuing to reduce absence levels whilst maintaining staff morale and wellbeing – continued action on staff survey results and development of the Employee Assistance Programme to support staff and managers
- Maintaining high level leadership skills in a rapidly moving environment experiencing a radical change to how it provides services either independently or in partnership;
- Developing the PRED processes to support staff in meeting the aims of the organisation and their development whilst supporting managers to address poor performance issues and succession planning issues where these exist;
- Developing processes for knowledge transfer and learning to enable the organisation to benefit (eg commercialism, business support, Business Process Re-engineering, procurement etc)
- Reviewing HR Policies, Communications and Staff Engagement to ensure they are effective and aligned to the Business Plan

and that all managers and employees are clear on the standards of behaviour that the Council expects

- Maintaining focus on Investor in People actions to ensure that processes are aligned to the Business Plan and support employees/managers. Prior to reassessment undertaking a review of the appropriateness of liP against other customer focussed standards;
- Addressing the options for the end of the ten year SW1 contract to ensure that the organisation is appropriately structured to deliver services;
- Managing the impact of legislative changes such as the Localism Act (eg Right to Challenge) and the Welfare Reform Act;

## 5. Addressing the Challenges

To be developed as the business plan develops to ensure that all actions are linked to priorities of the Council

An integrated approach will also need to be taken with Member Services Development to ensure that the leadership of the Council and community deliverables are aligned. We need to ensure that we are fostering and growing community leadership.

An action plan detailing the key initiatives to support the challenges identified in this report will be needed – possibly referring to other plans and strategies to avoid duplication and encourage simplicity and integration. It is a continuous process under review as the internal and external agenda develops.

**“the right people, with the right skills, in the right place, at the right time”**

**Appendix G: Illustrative Modelling of future service budgets required to close Budget Gap if no other measures are undertaken.**

	2012/13 Budget £k	2013/14 Estimate £k	2014/15 Estimate £k	2015/16 Estimate £k	3-Year Movement	
					£k	%
Economic Development	428	428	428	428	0	0.0%
Waste and Recycling	2,945	2,945	2,945	2,945	0	0.0%
Housing Standards	829	829	829	829	0	0.0%
Housing Benefits Admin	451	451	451	451	0	0.0%
Planning Policy	383	383	383	383	0	0.0%
Housing Advice	730	730	730	730	0	0.0%
Food Safety	384	384	384	384	0	0.0%
Homelessness	330	330	330	330	0	0.0%
Open Spaces	865	824	786	752	-114	-13.1%
Housing Enabling	385	367	350	335	-51	-13.1%
Development Management	671	639	609	583	-88	-13.1%
Street Cleansing	680	648	618	591	-89	-13.1%
Corporate & Democratic Core	1,423	1,356	1,292	1,236	-187	-13.1%
Housing Strategy	117	112	107	102	-15	-13.1%
Project Taunton	396	377	360	344	-52	-13.1%
Landscape	295	281	268	257	-39	-13.1%
Tone Leisure	758	722	688	659	-100	-13.1%
Health & Safety (Regulatory)	58	55	53	51	-8	-13.1%
Outdoor Sports & Recreation	334	318	303	290	-44	-13.1%
Heritage	283	270	257	246	-37	-13.1%
Tourism & TIC	166	158	150	144	-22	-13.1%
Licensing	23	22	21	20	-3	-13.1%
Private Sector Housing	31	30	28	27	-4	-13.1%
Public Conveniences	281	255	231	210	-71	-25.3%
Sports Development	598	543	492	447	-151	-25.3%
Pollution Reduction	330	299	271	246	-83	-25.3%
Dog Wardens	80	73	66	60	-20	-25.3%
Pest Control	41	38	34	31	-10	-25.3%
Highways & Transport Services	103	93	85	77	-26	-25.3%
Community Safety	223	203	184	167	-57	-25.3%
Community Development	95	86	78	71	-24	-25.3%
Arts & Public Entertainment	172	156	142	128	-44	-25.3%
Building Control	155	141	127	116	-39	-25.3%
Land Charges	19	17	15	14	-5	-25.3%
Shopmobility	77	70	63	57	-19	-25.3%
Voluntary & Community Sector Grants	200	182	165	149	-51	-25.3%
Climate Change	64	58	53	48	-16	-25.3%
Flood Defence	265	241	218	198	-67	-25.3%
Revenues Services	831	755	684	621	-211	-25.3%
Benefits	-136	-142	-148	-153	-17	-12.1%
Parking Services	-2,364	-2,467	-2,564	-2,651	-287	-12.1%
Cemeteries & Crematorium	-598	-624	-649	-671	-73	-12.1%
Allotments	-0	-0	-0	-0	-0	-12.1%
Investment Properties	-59	-62	-64	-67	-7	-12.1%
Non Distributed Costs	141	141	141	141	0	0.0%
<b>Total Service Costs</b>	<b>13,486</b>	<b>12,715</b>	<b>11,995</b>	<b>11,355</b>	<b>-2,131</b>	<b>-15.8%</b>
Budget Gap - Annual		771	720	640		
Budget Gap - Cumulative		771	1,491	2,131		

## **(b) Treasury Management Strategy Statement and Investment Strategy**

At its last meeting, the Executive considered a report which detailed the Treasury Management and Investment Strategies for the 2013/2014 financial year.

The Council's debt is currently £94,999,000 which includes the Housing Revenue Account self-financing debt of £85,200,000. Short-term interest rates are currently at 0.5% and this rate is expected to be at this level for the next financial year.

The Strategy has the preservation of capital as the most important factor in investing taxpayer's money. Although borrowing rates are currently low the cost of carry had to be considered before taking on any further debt.

The purpose of the Treasury Management Strategy Statement and investment Strategy (TMSS) is to approve:-

- The Treasury Management Strategy for 2013/2014 (Borrowing and Debt Rescheduling);
- The use of Specified and Non-Specified Investments; and
- The Prudential Indicators for 2013/2014, 2014/2015 and 2015/2016.

The Treasury Management service was an important part of the overall financial management of the Council's affairs.

The bank base rate had fallen to 0.5% in March 2009 and has remained at that level ever since. The Council's Financial Advisors, Arlingclose, have suggested that the interest rates are likely to remain low for even longer, until at least 2016, given the extension of austerity measures announced in the Chancellor's Autumn Statement.

During 2012/2013, the ratings agencies downgraded several sovereign ratings and individual institutions. The Council has responded by listening to, and following, advice from Arlingclose.

The TMSS has been written in continuing challenging and uncertain economic times.

The current economic outlook has several key treasury management implications:-

- Investment returns are likely to remain relatively low during 2013/2014;
- Borrowing interest rates are currently attractive, but might remain low for some time; and
- The timing of any borrowing will need to be monitored carefully. There will remain a cost of carry – any borrowing undertaken that results in an increase in investments will incur a revenue loss between borrowing costs and investment returns.

As a result, the Strategy looked to reduce exposure to risk and volatility by:-

- (1) Considering security, liquidity and yield, in that order;
- (2) Considering alternative assessments of credit strength;
- (3) Spreading investments over a range of approved counterparties; and
- (4) Only investing for longer periods to gain higher rates of return where there were acceptable levels of counterparty risk.

The historically low interest rate situation has led to significant reductions in investment income in the past years which impacted directly on the Council's budget.

The Council's General Fund Capital Financing Requirement (CFR) for 2013/2014 is £7,688,000 which is currently funded through internal borrowing. The Council is able to borrow funds in excess of the current CFR up to the projected level in 2015/2016 of £7,086,000.

It is **recommended** that:-

- (1) The Treasury Management Strategy Statement and Investment Strategy be approved; and
- (2) The Prudential Indicators, set out in Appendix B of the Treasury Management Strategy Statement and Investment Strategy – a copy of which is attached to this recommendation - be also approved.



## Appendix B

### Prudential Indicators revisions to 2012/13 and 2013/14 – 2015/16

#### 1. Background:

There is a requirement under the Local Government Act 2003 for local authorities to have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities (the "CIPFA Prudential Code") when setting and reviewing their Prudential Indicators.

#### 2. Gross Debt and the Capital Financing Requirement:

This is a key indicator of prudence. In order to ensure that over the medium term debt will only be for a capital purpose, the local Council should ensure that debt does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years.

If in any of these years there is a reduction in the capital financing requirement, this reduction is ignored in estimating the cumulative increase in the capital financing requirement which is used for comparison with **gross** external debt.

The s.151 officer reports that the Council had no difficulty meeting this requirement in 2012/13, nor are there any difficulties envisaged for future years. This view takes into account current commitments, existing plans and the proposals in the approved budget.

#### 3. Estimates of Capital Expenditure:

3.1 This indicator is set to ensure that the level of proposed capital expenditure remains within sustainable limits and, in particular, to consider the impact on Council Tax and in the case of the HRA, housing rent levels.

<b>Capital Expenditure</b>	<b>2012/13 Approved</b>	<b>2012/13 Revised</b>	<b>2013/14 Estimate</b>	<b>2014/15 Estimate</b>	<b>2015/16 Estimate</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Non-HRA	1,794	6,948	<b>3,553</b>	1,264	1,010
HRA	5,500	5,500	<b>14,805</b>	12,498	7,659
<b>Total</b>	<b>7,294</b>	<b>12,448</b>	<b>18,358</b>	<b>13,762</b>	<b>8,669</b>

3.2 Capital expenditure will be financed or funded as follows:

<b>Capital Financing</b>	<b>2012/13 Approved</b>	<b>2012/13 Revised</b>	<b>2013/14 Estimate</b>	<b>2014/15 Estimate</b>	<b>2015/16 Estimate</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Capital Receipts	445	993	<b>1,229</b>	735	171
Government Grants	480	2,777	<b>787</b>	300	310
Revenue Contributions	6,369	7,103	<b>9,342</b>	8,660	8,188
Unsupported borrowing	0	1,575	<b>7,000</b>	4,067	0
<b>Total Financing and Funding</b>	<b>7,294</b>	<b>12,448</b>	<b>18,358</b>	<b>13,762</b>	<b>8,669</b>

Table 1 shows that the capital expenditure plans of the Council cannot be funded entirely from sources other than external borrowing.

#### **4. Ratio of Financing Costs to Net Revenue Stream:**

4.1 This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs. This ratio can be negative for Councils in a net investment position. The definition of financing costs is set out in the Prudential Code.

4.2 The ratio is based on costs net of investment income.

<b>Ratio of Financing Costs to Net Revenue Stream</b>	<b>2012/13 Approved</b>	<b>2012/13 Revised</b>	<b>2013/14 Estimate</b>	<b>2014/15 Estimate</b>	<b>2015/16 Estimate</b>
	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>
Non-HRA	0.82	(2.62)	<b>(2.52)</b>	(2.66)	(2.77)
HRA	17.05	12.06	<b>12.03</b>	11.32	10.41
<b>Total</b>	<b>17.87</b>	<b>9.44</b>	<b>9.51</b>	<b>8.66</b>	<b>7.64</b>

#### **5. Capital Financing Requirement:**

5.1 The Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose. The calculation of the CFR is taken from the amounts held in the Balance Sheet relating to capital expenditure and financing.

<b>Capital Financing Requirement</b>	<b>2012/13 Approved £'000</b>	<b>2012/13 Revised £'000</b>	<b>2013/14 Estimate £'000</b>	<b>2014/15 Estimate £'000</b>	<b>2015/16 Estimate £'000</b>
Non-HRA	9,181	6,967	<b>7,688</b>	7,381	7,086
HRA	99,649	97,425	<b>102,232</b>	104,799	102,599
<b>Total CFR</b>	<b>108,830</b>	<b>104,392</b>	<b>109,920</b>	<b>112,180</b>	<b>109,685</b>

## 6. Incremental Impact of Capital Investment Decisions:

6.1 This is an indicator of affordability that shows the impact of capital investment decisions on Council Tax and Housing Rent levels. The incremental impact is calculated by comparing the total revenue budget requirement of the current approved capital programme with an equivalent calculation of the revenue budget requirement arising from the proposed capital programme.

<b>Incremental Impact of Capital Investment Decisions</b>	<b>2012/13 Approved £</b>	<b>2013/14 Estimate £</b>	<b>2014/15 Estimate £</b>	<b>2015/16 Estimate £</b>
Increase in Band D Council Tax	3.96	<b>1.33</b>	(0.57)	(0.83)
Increase in Average Weekly Housing Rents	0.00	<b>0.78</b>	0.56	0.04

## 7. Authorised Limit and Operational Boundary for External Debt:

7.1 The Council has an integrated treasury management strategy and manages its treasury position in accordance with its approved strategy and practice. Overall borrowing will therefore arise as a consequence of all the financial transactions of the Council and not just those arising from capital spending reflected in the CFR.

7.2 The **Authorised Limit** sets the maximum level of external debt on a gross basis (i.e. excluding investments) for the Council. It is measured on a daily basis against all external debt items on the Balance Sheet (i.e. long and short term borrowing, overdrawn bank balances and long term liabilities). This Prudential Indicator separately identifies borrowing from other long term liabilities such as finance leases. It is consistent with the Council's existing commitments, its proposals for capital expenditure and financing and its approved treasury management policy statement and practices.

7.3 The Authorised Limit is the statutory limit determined under Section 3(1) of the Local Government Act 2003 (referred to in the legislation as the Affordable Limit).

7.4 The Operational Boundary has been set on the estimate of the most likely, i.e. prudent but not worst case scenario with sufficient headroom over and above this to allow for unusual cash movements.

7.5 The Operational Boundary links directly to the Council's estimates of the CFR and estimates of other cashflow requirements. This indicator is based on the same estimates as the Authorised Limit reflecting the most likely, prudent but not worst case scenario but without the additional headroom included within the Authorised Limit.

	<b>2012/13</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
	<b>Approved £'000</b>	<b>Revised £'000</b>	<b>Estimate £'000</b>	<b>Estimate £'000</b>	<b>Estimate £'000</b>
Authorised Limit for External Debt	139,200	139,200	<b>166,920</b>	166,247	159,685
Operational Boundary for External Debt	103,020	103,020	<b>146,920</b>	146,247	139,685

7.6 The HRA has a debt cap of £115.8m which is a figure set by Central Government.

## **8. Adoption of the CIPFA Treasury Management Code:**

8.1 This indicator demonstrates that the Council has adopted the principles of best practice.

<b>Adoption of the CIPFA Code of Practice in Treasury Management</b>
The Council approved the adoption of the CIPFA Treasury Management Code at its Executive meeting on 14 January 2004

*The Council has incorporated the changes from the revised CIPFA Code of Practice into its treasury policies, procedures and practices.*

## **9. Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate Exposure:**

9.1 These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. This Council calculates these limits on (*select as appropriate*) net principal outstanding sums, (i.e. fixed rate debt net of fixed rate investments / net interest paid (i.e. interest paid on fixed rate debt net of interest received on fixed rate investments))

9.2 The upper limit for variable rate exposure has been set to ensure that the Council is not exposed to interest rate rises which could adversely impact on the revenue budget. The limit allows for the use of variable rate debt to offset exposure to changes in short-term rates on investments

<b>Interest Rate Exposures</b>	<b>Existing level or Benchmark level at 31/03/12 %</b>	<b>2012/13 Approved %</b>	<b>2012/13 Revised %</b>	<b>2013/14 Estimate %</b>	<b>2014/15 Estimate %</b>	<b>2015/16 Estimate %</b>
<b>Fixed</b>						
Interest payable on fixed rate borrowing /Principal sums outstanding on fixed rate borrowing	94.69	100	100	100	100	100
<b>Less:</b> Interest receivable on fixed rate investments/ Principal sums outstanding on fixed rate investments	(55.56)	(100)	(100)	(100)	(100)	(100)
<b>Upper Limit for Fixed Interest Rate Exposure</b>	<b>39.13</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Variable</b>						
Interest payable on variable rate borrowing/Principal sums outstanding on variable rate borrowing	5.31	50	50	50	50	50
<b>Less:</b> Interest receivable on variable rate investments/ Principal sums outstanding on variable rate investments	(44.44)	(100)	(100)	(100)	(100)	(100)
<b>Upper Limit for Variable Interest Rate Exposure</b>	<b>(39.13)</b>	<b>(50)</b>	<b>(50)</b>	<b>(50)</b>	<b>(50)</b>	<b>(50)</b>

9.3 The limits above provide the necessary flexibility within which decisions will be made for drawing down new loans on a fixed or variable rate basis; the decisions will ultimately be determined by expectations of anticipated interest rate movements as set out in the Council's treasury management strategy.

## 10. Maturity Structure of Fixed Rate borrowing:

10.1 This indicator highlights the existence of any large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates and is designed to protect against excessive exposures to interest rate changes in any one period, in particular in the course of the next ten years.

10.2 It is calculated as the amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate. The maturity of borrowing is determined by reference to the earliest date on which the lender can require payment.

10.3 LOBOs are classified as maturing on the next call date i.e. the earliest date that the lender can require repayment.

<b>Maturity structure of fixed rate borrowing</b>	<b>Existing level %</b>	<b>Lower Limit for 2013/14 %</b>	<b>Upper Limit for 2014/15 %</b>
under 12 months	0.89	0	50
12 months and within 24	0	0	50
24 months and within 5	5.22	0	50
5 years and within 10 years	21.11	0	50
10 years and within 20	72.78	0	100
20 years and within 30		0	100
30 years and within 40		0	100
40 years and within 50		0	100
50 years and above		0	100

## **11. Credit Risk:**

11.1 The Council considers security, liquidity and yield, in that order, when making investment decisions.

11.2 Credit ratings remain an important element of assessing credit risk, but they are not a sole feature in the Council's assessment of counterparty credit risk.

11.3 The Council also considers alternative assessments of credit strength, and information on corporate developments of and market sentiment towards counterparties. The following key tools are used to assess credit risk:

- Published credit ratings of the financial institution (minimum A- or equivalent) and its sovereign (minimum AA+ or equivalent for non-UK sovereigns);
- Sovereign support mechanisms;
- Credit default swaps (where quoted);
- Share prices (where available);
- Economic fundamentals, such as a country's net debt as a percentage of its GDP);
- Corporate developments, news, articles, markets sentiment and momentum;
- Subjective overlay.

11.4 The only indicators with prescriptive values remain to be credit ratings. Other indicators of creditworthiness are considered in relative rather than absolute terms.

## **12. Upper Limit for total principal sums invested over 364 days:**

12.1 The purpose of this limit is to contain exposure to the possibility of loss that may arise as a result of the Council having to seek early repayment of the sums invested.

<b>Upper Limit for total principal</b>	<b>2012/13</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>

<b>sums invested over 364 days</b>	<b>Approved</b>	<b>Revised</b>	<b>Estimate</b>	<b>Estimate</b>	<b>Estimate</b>
	£3.5m	£3.5m	£3.5m	£3.5m	£3.5m

## **(ii) Councillor Jean Adkins**

### **Halcon North Regeneration, Taunton – Creechbarrow Road Project**

The Executive has recently given consideration to a proposal to re-development an area of land at Creechbarrow Road, Taunton.

For several years, the Council has been considering the Halcon North area in terms of what action could be taken to tackle the high levels of deprivation in the area and to provide a greater level of support to this community. The previous regeneration project comprised the demolition of approximately 200 Council dwellings and a mixed tenure development, with significantly increased density.

However towards the end of last year, it was accepted that smaller scale regeneration would be more preferable to local residents.

At the outset of the previous project, a competitive process was undertaken to appoint partners to work alongside the Council on the Halcon North project, and Knightstone Housing Association (KHA) were subsequently appointed. KHA had appointed Boon Brown Architects to assist them with this task. As a result, both parties had built up a considerable knowledge of the area.

KHA had been awarded, Homes and Communities Agency (HCA) subsidy funding for 30 Affordable Rented Homes (80% of Market rent). The investment in these new homes would be in the region of £4,000,000. Despite the larger project for the area not progressing, the allocated HCA funding remained and this has created an opportunity to consider a smaller regeneration project.

Key features of the HCA funding are:-

- It was allocated to the Halcon area. However, KHA could request for it to be transferred to any other site in Somerset, if it appears that the HCA funding is not going to be spent within the prescribed timetable;
- The new housing to which it relates has to be completed and the money spent by the end of March 2015;
- The timescale available to achieve construction and therefore HCA spend in this timescale is very challenging. Consequently KHA require a decision on this matter as soon as possible;
- The HCA wish to see developments to which the funding relates, on site by September 2013; and
- For a scheme to progress, it is proposed that the land will be transferred with vacant possession to KHA for £1.

Attention is now focussed on a scheme on Creechbarrow Road, which was one of the four streets in the original project.

The scheme will involve all current residents being found alternative accommodation. All the current flats will then be demolished. One end of the site will be transferred to KHA upon which 30 affordable rented houses will be constructed. The remainder of the site will remain in Taunton Deane ownership, on which 57 new homes for Social



rent will be built. In addition, the scheme will see the creation of a central green/play area and a Community Hub building.

Whilst the project is housing driven, it is also designed to help tackle the deprivation in the area. In total, there is the potential for 87 new homes which represents a significant increase on the current situation in terms of better quality affordable housing and a potential investment of over £11,000,000 in this area.

The play/communal area will provide a new central focus and help integration of the new and the existing properties and provide a quality open space. The Community Hub building could house a multi-agency team working in the Ward and provide facilities for the community that would seek to address the serious issues of deprivation in the locality.

Although the increase in homes is significant, the potential increase in bed numbers is huge with 339 bed spaces likely with the new development compared with the 172 spaces which currently existed.

The new Housing Revenue Account (HRA) 30 Year Business Plan includes priorities in relation to the provision of more affordable housing, investment and support to vulnerable communities and sustainable development.

The HRA also has available to it additional borrowing headroom of £16,000,000. With the availability of very low interest rates and resources available in the Business Plan to fund such borrowing, the current climate and context are right to consider a scheme such as the one proposed.

The existing flats on the Creechbarrow Road site were constructed in 1975/1976. Whilst they vary in condition, there are no significant issues of disrepair. The tenants of these properties comprise a broad age range and varied family compositions.

The KHA outline development of 30 dwellings is likely to consist of 9 x 1 Bed Flats; 8 x 2 Bed Flats; 2 x 2 Bed Houses; 8 x 3 Bed Houses; and 3 x 4 Bed Houses.

For regeneration projects it is usual for the Council to underwrite 50% of the “at risk” costs - the costs incurred in a scheme design prior to planning consent being obtained. In this case 50% of the at risk costs for the KHA portion of the site would be £32,000 if planning permission is not granted.

The outline of the Taunton Deane part of the development is likely to consist of 19 x 1 Bed Flats; 19 x 2 Bed Flats; 4 x 2 Bed Houses; 9 x 3 Bed Houses; 4 x 4 Bed Houses; 1 X 5 Bed House; and 1 x 6 Bed House.

In addition at the end of Moorland Road, where two semi-detached houses are currently situated, there will be an additional eight, 2 bedroom flats, with a Community Hub building on the ground floor.

The scheme could be further enhanced by additional new housing frontage being provided on the opposite side of this end of Moorland Road. The proposal therefore includes three additional family homes on the site of Nos 2 and 4 Moorland Road.

The “at risk” costs for the Taunton Deane portion of the site are estimated to be £120,000. The estimated project costs for 57 new dwellings and the Community Hub building is £7,667,000.

Savills Consultancy, who have been engaged to provide initial views on the Taunton Deane part of the development, feel that the benefits of having more homes (57), including large family houses and the Community Hub, available in place of the 42 smaller flats and four houses justifies the slight additional net costs and the loss of net income from existing units.

The consultation discussions with the residents of Creechbarrow Road included the following key points:-

- The Creechbarrow Road site is to be redeveloped;
- The existing dwellings will be replaced by a mixture of flats for the elderly, general needs flats and family homes;
- Taunton Deane and a Housing Association will be involved in the development;
- Taunton Deane will increase slightly the number of Council properties;
- Residents will be able to return to the area once development has finished if they wish to; and
- Assistance and support will be provided to residents throughout the process.

The responses from the residents are as follows:-

Response to Proposed Creechbarrow Redevelopment			
Yes	No	Undecided	Unresponsive
22 (including 5 leaseholders)	10	2	8

During the consultation exercise residents provided a large amount of feedback on the proposed scheme. Responses had also been received from leaseholders, the Ward Councillors, the Halcon Multi-Agency Group, Avon and Somerset Police, Halcon Primary School/Somerset County Council, ASDA, Lidl, Somerset Care (Lavender Court), the Tenant Services Management Board and the Halcon North Residents’ Association.

Although the site will ultimately be in two parts in terms of ownership, in terms of development it will be desirable from a practical point of view to redevelop it as one.

There are four key requirements to consider for the scheme to progress:-

**Development Agent** – The Council did not have all the necessary skills, capacity and experience to undertake this project. A third party organisation to undertake development services on Taunton Deane’s behalf is therefore required. A quote has been received from KHA to undertake this work which will enable them to project manage the whole site on behalf of both parties. Although the fee quoted is at a level where a procurement exercise would normally be required, it is recommended that Contract Procedure Rules should be waived to allow KHA to be appointed as Development Agents.

**Architect** – Boon Brown Architects have already been working on various schemes in this area with KHA. From a planning perspective there is an urgency to submit a planning application for the KHA part of the site to ensure the HCA funding is not lost. However, in order for this application to be considered in time, it is felt advisable to submit an application for the whole site using one architect. In order to achieve this, the Council will need to waive Contract Procedure Rules to enable Boon Brown to continue to act on the Council's behalf as the fee for this service will exceed procurement thresholds that will usually require an open procurement process.

**Employers Agent** – No agent has been appointed for either party in relation to the scheme. However, one will need to be appointed as soon as possible. KHA have undertaken a procurement exercise to pre-select on a framework agreement five firms who could undertake the role of Employers Agent. Under normal circumstances, the level of fee for this service would again exceed the relevant services aspect of Contract Procedure Rules. However, it is proposed to waive Contract Procedure Rules and undertake a mini competition from the KHA framework and appoint a joint Employers Agent.

**Contractor** – The estimated costs of building contractor works are likely to exceed EU procurement thresholds. In order for the Council to undertake EU compliant procurement, the Council is proposing to access framework agreements established by the HCA which have been designed with Local Authority housing projects specifically in mind. It is proposed that Taunton Deane and KHA will jointly procure contractors for the project from a framework agreement set up and managed by the HCA.

As far as financing of the project is concerned, a range of recommendations are set out below. However, as a proportion of the costs will be incurred in the current financial year, the sum of £200,000 needed to be added to the 2012/2013 Capital Budget to be funded from HRA reserves.

In the circumstances, Full Council is **recommended**:-

(a) In relation to the proposed Knightstone Housing Association portion of the site:-

- (1) To agree the transfer the southern part of the Creechbarrow Road site, Taunton to Knightstone Housing Association for £1, in order to enable the development of 30 new affordable homes;
- (2) To approve the decant of the tenants currently occupying the southern end of the site (current property Nos 2-20) and transfer these properties with vacant possession to Knightstone Housing Association;
- (3) To accept to underwrite 50% of Knightstone Housing Association's "at risk costs" of approximately £32,000, to be funded by existing Housing Revenue Account resources if required.

(b) In relation to the proposed Taunton Deane portion of the site:-

- (4) Subject to satisfactory detailed scheme appraisal, to approve the redevelopment of the Taunton Deane portion of the site and for that purpose

to:-

- Progress the actions necessary to achieve vacant possession of the current properties including decanting, buy back of former right to buy properties or agreement of exchange of alternate property, the decommissioning of properties and securing the site;
  - Progress the detailed design and site evaluation; and
  - Preparation of a planning application;
- (5) To approve in principle borrowing of £7,700,000 to fund the scheme within the Housing Revenue Account and identify any additional funding for the Community Hub and play aspects of the development;
- (6) To agree to commit Taunton Deane to “at risk” costs of approximately £120,000, to be funded by Housing Revenue Account resources;
- (7) To waive Contract Procedure Rules and:-
- Appoint Knightstone Housing Association as Development Agents to act on behalf of the Council in relation to this project;
  - Appoint Boon Brown Architects to continue to act on the Council’s behalf in relation to this scheme; and
  - Undertake a joint mini competition amongst the five Employers Agent firms on the Knightstone Housing Association framework and appoint, as appropriate, one company to act on the Council’s behalf in relation to this scheme;
- (c) In relation to the project as whole:-
- (8) To approve a supplementary estimate from the Housing Revenue Account reserves of £200,000, which would be added to the 2012/2013 capital budget, as a proportion of the costs would be incurred in the current financial year.

### **(iii) Councillor Vivienne Stock-Williams**

#### **Localism Act 2011 – Pay Policy Statement**

The Localism Act 2011 has made it a requirement for all Local Authorities to prepare a Pay Policy Statement each year for approval by Members.

The first Statement was prepared last year following consideration by Scrutiny and the Executive. However, due to the fact that the document is largely unchanged, a decision to refer the 2013/2014 Statement directly to Full Council was reported through the Weekly Bulletin on 21 February 2013.

The Statement has to include policies on which remuneration of its Chief Officers and its lowest paid employees (and the relationship between them) are based.

The Statement is also required to:-

- Set out arrangements for the remuneration of Chief Officers on appointment;
- Set out arrangements for payments on termination of employment for Chief Officers even if covered by other approved policies;
- Set out arrangements for the re-employment of Chief Officers; and
- Be published on the Council's website.

Taunton Deane's latest Pay Policy Statement is attached to this recommendation as an Appendix.

It is **recommended** that the Pay Policy Statement for 2013/2014 be approved.

## Taunton Deane Borough Council

### Pay Policy Statement – 2013/2014

The Pay Policy Statement for Taunton Deane Borough Council will apply to the following posts which collectively will be referred to as 'chief officers' for the purpose of this statement and for this statement only:

- Chief Executive Officer (Head of Paid Service)
- Strategic Director posts including the role of Section 151 Officer
- Theme Managers including the role of Monitoring Officer
- A person for whom the head of the authority's paid service is directly responsible.
- A deputy chief officer who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to one or more of the statutory or non-statutory chief officers.

*Note: A person whose duties are solely secretarial or clerical or are otherwise in the nature of support services shall not be regarded as a non-statutory chief officer or a deputy chief officer.*

#### **1) The Level and Remuneration for each Chief Officer**

Details of the level and remuneration for the identified chief officer posts is set out in Appendix A.

Salary information is also published on the Council's website to comply with the Accounts and Audit (Amendment) Regulations 2011 and the Code of Practice on Data Transparency 2011. It should be noted that there are different reporting dates and standards for this information.

#### **2) Remuneration of Chief Officers on Appointment**

- a) Chief Executive, Strategic Directors, Theme Managers, Regeneration Manager and Commercial Manager Posts

The Leader of the Council will, after taking independent pay advice from South West Councils or similar, recommend the remuneration package on appointment to the above posts to Full Council prior to advertisement of the vacancy. The remuneration package will therefore be subject to the approval of Full Council.

b) All other chief officer posts

The salary for all other posts covered by this Pay Policy Statement will be set within the job evaluation scheme operated by the Council. All other elements of remuneration will follow either the National Joint Committee for Local Government Services' (NJC) National Agreement on Pay and Conditions or local policy approved by the Council.

**3) Increases and additions to remuneration for each chief officer**

a) Chief Executive and Strategic Director Posts

The Leader of the Council may recommend to Full Council within the remuneration package prior to appointment how salary progression and any annual pay reviews will be administered or calculated. Any further changes to the remuneration package will be subject to Full Council approval.

Any annual pay award for the Chief Executive will follow the JNC for Chief Executives national pay award.

Any annual pay award for Strategic Director posts will follow the JNC for Chief Officers national pay award.

b) Theme Managers, Regeneration Manager and Commercial Manager

The Leader of the Council may recommend to Full Council within the remuneration package prior to appointment how salary progression and any annual pay reviews will be administered or calculated. Any further changes to the remuneration package will be subject to Full Council approval.

Any annual pay award for these posts will follow the NJC for Local Authority Services national pay award.

c) All other Chief Officer posts

The salary for all other posts covered by this Pay Policy Statement will be set within the Single Status Salary Scheme previously approved by Full Council. Any annual pay award increases will follow the NJC for Local Authority Services pay settlement. Any other increases or additions outside the approved Single Status Salary scheme and not specifically allowed for in this Statement will be subject to approval by Full Council.

#### **4) Use of Performance Related Pay for Chief Officers**

No performance related pay scheme is currently operated for chief officers. Should any performance related pay schemes for chief officers be implemented they will be subject to approval in advance by Full Council.

#### **5) Use of Bonuses for Chief Officers**

Bonuses are not currently paid to chief officers. Bonuses to chief officers will only be paid if approved in advance by Full Council.

#### **6) Use of Honoraria**

The policy on the use of Honoraria is set out in the Council's Tartan Book (TDBC local terms and conditions of employment) and may be applied to any post.

#### **7) Use of Market Supplements**

Currently no market supplements are paid to chief officers. Approval must be obtained from Full Council before an award of a market supplement payment can be made to any chief officer post other than those covered by the approved Job Evaluation Scheme.

#### **8) Payment of chief officers on their ceasing to hold office under or be employed by the authority**

Any termination payments to chief officers on ceasing office will comply with the Redundancy and Severance Pay Policy current at that time which will have been approved by Full Council. No additional termination payments will be made without the approval of the Executive, this will include any Compromise Agreement settlements, which may be subject to a confidentiality clause. The current Taunton Deane Compensation Policy is attached in Appendix B.

#### **9) Remuneration of chief officers who return to Local Authority employment**



Where the chief officer:

**a) was a previously employed chief officer who left with a severance payment and applies to comeback as a chief officer.**

Executive approval would be required to authorise re-employment within the authority of a previously employed chief officer who had left with a severance payment and is seeking re-employment within the severance payment payback period.

**b) was previously employed by the same authority and has comeback as a chief officer under a contract for services.**

The Executive will be required to approve any award of a 'contract for services' to a chief officer who has previously been employed by the authority.

**c) are in receipt of a Local Government Pension Scheme Pension**

If an employee receiving a pension from the Local Government Pension scheme becomes re-employed then their pension could be affected. If their pension plus the earnings from their new job is higher than the final pay their pension was calculated on, then their pension will be affected. For every pound that their earnings plus pension exceed previous pay, then their pension will reduce by a pound. This abatement will last for as long as the person exceeds their limit (so either when the new job ends or they reduce their hours so their earnings drop down below the acceptable level).

An abatement is not applied where the member's pension is less than £3000 per annum.

## **10) Employer Pension Discretions**

All posts are eligible to be in the Local Government Pension Scheme and employers contributions for 2013/14 are 18.4%. The employer pension discretions will be subject of approval by Full Council. The Pensions Discretions adopted by the authority are attached in Appendix D.

## **11) Publication of and access to information relating to remuneration of chief officers**

The remuneration of employees earning over a salary of £58200 per annum (the minimum level required by the Code of Practice on Data Transparency 2011) will be published on the Taunton Deane Borough Council website.

## **12) Lowest paid staff**

The Council's lowest paid staff are defined as those on the lowest job evaluated grade within the authorities pay structure. Other than posts identified as chief officers within this Statement and recognised apprentices all posts within the Council have been subject to Job Evaluation to assess the value of job content and then, subject to that value, have been placed in the agreed Taunton Deane Borough Council pay scales (TDBC Grades A to L).

At present there are no posts evaluated within Grade A and therefore under the agreed pay structure the minimum starting salary for any staff member covered by the scheme will be the first incremental point of Grade B which is a full time equivalent salary of £12787.

Nationally the lowest pay point is National Spinal Column Point 4 (£12145).

## **13) Relationship between lowest pay and chief officer pay**

The principle of using 'pay multiples' to track and review salary relationships has been, through the Review of Fair Pay in the Public Sector 2011 and the CLG's guidance on transparency, recommended as a way forward for local authorities.

The current multiplier between the lowest paid employee and highest paid chief officer is 8.66:1.

The current multiplier between the mean FTE salary and highest paid chief officer is 4.1:1.

Should either the multiplier between the annual salary paid to a full time employee on the lowest spine point and the annual salary paid to the highest paid chief officer be greater than 1:10 or the multiplier between the mean FTE salary and highest paid chief officer be greater than 1:5 then this will be reported by the Leader of the Council to Full Council for consideration.

## **14) Payments for Elections**

Additional payments are made by Central Government to officers carrying out additional duties at elections. These payments will only be received when elections take place and will vary on the responsibility undertaken. Chief Officers to whom these payments are made are identified above.

## **15) Notes**

- i) All salary references are for full time equivalent salaries and pay multipliers are all calculated using FTE salaries without additional payments being included.
- ii) The statement excludes any posts seconded into Southwest One.

## Appendix A

### The Level and Remuneration for each Chief Officer

Post	Statutory Role	Terms and Conditions and JE Status	Salary	Salary Progression	Bonus or Performance related pay	Other Benefits	Pension Enhancement in Year
Chief Executive	Head of Paid Service	JNC Chief Executives – Out of JE	£90,708 - £100,786	Annual Increment subject to satisfactory performance.	No	Lease Car  Payment of Professional Subscription  Election Payments – Returning Officer  Payments relating to LGPS Employer Contributions	No
Strategic Director	Section 151 Officer	JNC Chief Officers – Out of JE	£64,251 - £71,391	Annual Increment subject to satisfactory performance.	No	Honorarium Payment for S151 Role  Lease Car  Payment of Professional Subscription  Payments relating to LGPS Employer	No

						Contributions	
Strategic Director		JNC Chief Officers – Out of JE	£64,251 - £71,391	Annual Increment subject to satisfactory performance.	No	Cash Alternative to Lease Car  Payment of Professional Subscription  Payments relating to LGPS Employer Contributions	No
Strategic Director		JNC Chief Officers – Out of JE	£64,251 - £71,391	Annual Increment subject to satisfactory performance.	No	Lease Car  Payment of Professional Subscription  Payments relating to LGPS Employer Contributions	No
Legal and Democratic Manager	Monitoring Officer	NJC Local Authority Services – Out of JE	Below £58,200	Spot Salary	No	Payment of Professional Subscription  Payments relating to LGPS Employer Contributions	No
Strategy Manager		NJC Local Authority Services – Out of JE	Below £58,200	Annual Increment subject to satisfactory performance.	No	Payment of Professional Subscription  Payments relating to LGPS	No

						Employer Contributions	
Corporate and Client Services Manager		NJC Local Authority Services – Out of JE	Below £58,200	Annual Increment subject to satisfactory performance.	No	Lease Car  Payment of Professional Subscription  Payments relating to LGPS Employer Contributions	No
Growth and Development Manager		NJC Local Authority Services – Out of JE	Below £58,200	Annual Increment subject to satisfactory performance.	No	Lease Car  Payment of Professional Subscription  Payments relating to LGPS Employer Contributions	No
Housing and Health Manager		NJC Local Authority Services – Out of JE	Below £58,200	Annual Increment subject to satisfactory performance.	No	Payment of Professional Subscription  Payments relating to LGPS Employer Contributions	No
Regeneration Delivery Manager x 2		NJC Local Authority Services – Out of JE	Below £58,200	Annual Increment subject to satisfactory performance.	No	Lease Car  Payment of Professional Subscription	No

						Payments relating to LGPS Employer Contributions	
Economic Development Manager		NJC Local Authority Services - In JE	Below £58200	Annual Increment subject to satisfactory performance.	No	Payment of Professional Subscription  Payments relating to LGPS Employer Contributions	No
Communities and Commercial Services Manager		NJC Local Authority Services - In JE	Below £58200	Annual Increment subject to satisfactory performance.	No	Payment of Professional Subscription  Essential Car User  Payments relating to LGPS Employer Contributions	No
Corporate Support Lead – Theme 1		NJC Local Authority Services - In JE	Below £58200	Annual Increment subject to satisfactory performance.	No	Lease Car  Payment of Professional Subscription  Election Payments  Payments relating to LGPS Employer Contributions	No

Electoral Services Manager		NJC Local Authority Services - In JE	Below £58200	Annual Increment subject to satisfactory performance.	No	Payment of Professional Subscription  Election Payments – Deputy Returning Officer  Payments relating to LGPS Employer Contributions	No
Legal Services Manager		NJC Local Authority Services - In JE	Below £58200	Annual Increment subject to satisfactory performance.	No	Payment of Professional Subscription  Payments relating to LGPS Employer Contributions	No
Parish Liaison Officer		NJC Local Authority Services - In JE	Below £58200	Annual Increment subject to satisfactory performance.	No	Election Payments  Payments relating to LGPS Employer Contributions	No



## Taunton Deane BC - Compensation Policy

## Appendix B

1. The following policy on Compensation Payments applies to redundancies and early retirements on the grounds of efficiency of the service, which take effect after 31<sup>st</sup> March 2007.
2. The calculation of redundancy payments is on the basis of actual salary.
3. The Council exercises discretion under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006, to make compensatory payments to employees being made redundant based on a multiplier of three times the number of weeks an employee would be entitled to under the statutory redundancy formula, inclusive of any statutory redundancy payment, up to a maximum of 90 weeks' pay.
4. The Council requires that the full cost of any redundancies is recovered within a period not exceeding five years or by the normal retirement age, whichever is sooner.
5. Employees who are eligible to be paid a compensation payment on being made redundant, and who are members of the Local Government Pension Scheme, are given the option of converting their compensation payment (excluding the statutory redundancy payment) into augmented pensionable service. Augmentation is not an option where the compensation payment (excluding the statutory redundancy payment) purchases more pensionable service than the maximum allowable at age 65.

6. *No compensation payments are made to employees who are allowed to retire early on the grounds of interests of efficiency of the service, following a voluntary request from the employee.*
7. Where early retirements in the interests of efficiency of the service are management instigated, the Council awards a lump sum compensation payment, which is based on the enhanced compensatory element (excluding the statutory redundancy payment) awarded on redundancy.  
(For example: 2 x Stat Red = Interests of efficiency)
8. Employees who are eligible to be paid a compensation payment on early retirement in the interests of efficiency of the service and who are members of the Local Government Pension Scheme, are given the option of converting their compensation payment into augmented pensionable service. Augmentation is not an option where the compensation payment purchases more pensionable service than the maximum allowable at age 65.

## APPENDIX C

### Taunton Deane Borough Council – Job Evaluated and Locally Determined Pay Scales

April 2012

#### Job Evaluated Pay Scales

Grade	SCP				
<b>A</b>	<b>4</b> £12,145	<b>5</b> £12,312	<b>6</b> £12,489	<b>N/A</b>	<b>N/A</b>
<b>B</b>	<b>7</b> £12,787	<b>8</b> £13,189	<b>9</b> £13,589	<b>10</b> £13,874	<b>11</b> £14,733
<b>C</b>	<b>12</b> £15,039	<b>13</b> £15,444	<b>14</b> £15,725	<b>15</b> £16,054	<b>16</b> £16,440
<b>D</b>	<b>17</b> £16,830	<b>18</b> £17,161	<b>19</b> £17,802	<b>20</b> £18,453	<b>21</b> £19,126
<b>E</b>	<b>22</b> £19,621	<b>23</b> £20,198	<b>24</b> £20,858	<b>25</b> £21,519	<b>26</b> £22,221
<b>F</b>	<b>27</b> £22,958	<b>28</b> £23,708	<b>29</b> £24,646	<b>30</b> £25,472	<b>31</b> £26,276
<b>G</b>	<b>32</b> £27,052	<b>33</b> £27,849	<b>34</b> £28,636	<b>35</b> £29,236	<b>36</b> £30,011
<b>H</b>	<b>37</b> £30,851	<b>38</b> £31,754	<b>39</b> £32,800	<b>40</b> £33,661	<b>41</b> £34,549
<b>I</b>	<b>42</b> £35,430	<b>43</b> £36,313	<b>44</b> £37,206	<b>45</b> £38,042	<b>46</b> £38,961
<b>J</b>	<b>47</b> £39,855	<b>48</b> £40,741	<b>49</b> £41,616	<b>50</b> £42,510	<b>51</b> £43,377
<b>K</b>	<b>52</b> £44,262	<b>53</b> £45,138	<b>54</b> £46,023	<b>55</b> £46,704	<b>56</b> £47,388
<b>L</b>	<b>57</b> £48,066	<b>58</b> £48,747	<b>59</b> £49,428	<b>60</b> £50,109	<b>61</b> £50,790

#### Locally Determine Pay Scales

Chief Executive

£90,708 to £100,786

Strategic Directors

£64,251 to £71,391

Theme Managers

£50,797 to £55,029 with Monitoring Officer on 'spot salary' of £56,679

**WRITTEN STATEMENT ON LOCAL GOVERNMENT PENSION SCHEME  
EMPLOYERS DISCRETIONS AND KEY PENSIONS POLICY**

**TAUNTON DEANE BOROUGH COUNCIL**

**JANUARY 2013**

**LGPS (Administration) Regulations 2008**

**Regulation B12**

It is not the policy of the Council to augment active member's service.

**Regulation B13**

It is not the policy of the Council to grant additional pension service to an active member.

**Regulation B18 (1)**

The Council will allow benefits to be paid to a member of staff if they reduce their hours/grade (known as flexible retirement) and this is set out in the Flexible Retirement Policy.

**Regulation B18 (3)**

With regard to flexible retirement the Council retains the right to waive the actuarial reduction of benefits.

**Regulation B30 (2)**

The Council will allow individual employees the option to request early payment of benefits after age 55 which will be considered on a case by case basis following the production of a business case. In these cases no additional compensation will be awarded.

**Regulation 30 (5)**

With regard to the early payment of benefits after age 55 the Council retains the right to waive the actuarial reduction of benefits on exceptional compassionate grounds.

**Regulation B30A (3)**

The Council will allow the option to request an application for reinstatement of a suspended tier 3 ill health pension on or after age 55 and before age 60

which will be considered on a case-by-case including the production of evidential support.

### **Regulation B30A (5)**

With regard to an application for reinstatement of a suspended tier 3 ill health pension on or after age 55 and before age 60 made under B30A (3) the Council retains the right to waive the actuarial reduction of benefits on exceptional compassionate grounds.

### **Local Government Pension Scheme Regulations 1997 (as amended) in relation to active councillor members and pre 1.4.08 scheme leavers.**

#### **Regulation 31 (2)**

The Council will allow a post 31/3/98/pre 1/4/08 leaver or from a councillor member the option to request early payment of benefits after on or after age 55 and before age 60 which will be considered on a case-by-case basis following the production of a business case. In these cases no additional compensation will be awarded.

#### **Regulation 31 (5)**

With regard to the early payment of benefits made in accordance with Regulation 31 (2) the Council retains the right to waive the actuarial reduction of benefits on exceptional compassionate grounds.

#### **Regulation 31 (7A)**

The Council will allow councillor optants out and pre 1/4/08 employee optants out the option to request payment of benefits at normal retirement date and these will be considered on a case-by-case basis following the production of a business case.

### **LGPS Admin Regulations**

#### **Regulations A16**

It is not Council policy to extend the 12 month limit on transfer of previous pension rights into the LGPS.

#### **Regulation B3**

It is not the Council policy to determine employee contribution rates as changes occur during the financial year.

#### **Regulation A22 (2)**

It is not Council policy to extend the 30 day period members of staff have to opt to repay contributions due after absence (in relation to strike action etc)

## **The Local Government (Early Termination of Employment) Discretionary Compensation Regulations 2006**

As set out in the Redundancy Policy the Council do not limit redundancy payments to the statutory maximum weekly pay threshold and instead use actual weekly pay of the employee.

The Council does not offer a minimum payment with regard to redundancy. Benefits are calculated using actual weekly pay and the statutory number of weeks as calculated against continuous local government service (and service covered by the Modification Order).

The Council provides up to 60 weeks compensation, in addition to any redundancy payment as set out in both the Compensation Policy.

Where additional compensation is paid the employee has the option to augment pension benefits by using all of the additional compensation unless specific criteria are met.

# Taunton Deane Borough Council

## Council Meeting – 4 March 2013

### Appointment of Civic Marshall

Since December 2005 the post of Civic Marshall has been efficiently carried out by Councillor Mrs Jean Allgrove.

Councillor Mrs Allgrove now wishes to relinquish this role and it is necessary to appoint a successor.

Councillor Mrs Marcia Hill has indicated that she is willing to undertake the duties of Civic Marshall.

It is therefore **recommended** that:-

- (1) Councillor Mrs Marcia Hill be appointed as Civic Marshall; and
- (2) Councillor Mrs Allgrove be thanked for carrying out the duties over the past seven years.