

You are requested to attend a meeting of the Executive to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 16 November 2011 at 18:15.

Agenda

- 1 Apologies.
- 2 Minutes of the meeting of the Executive held on 12 October 2011 (attached).
- 3 Public Question Time.
- 4 Declaration of Interests
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 5 Land at Creedwell Orchard Housing Estate, Milverton, Taunton. Report of the Principal Estates Surveyor, South West One Property and Facilities Management (attached). See also agenda item No. 12.
Reporting Officer: Adrian Priest
- 6 Development of "Maggies" Cancer Charity provision using a small part of Galmington Playing Field, Taunton. Report of the Strategic Director (attached).
Reporting Officer: Joy Wishlade
- 7 Review of Town Centre Management activities in Taunton and request for a financial contribution towards Taunton Town Centre Business Improvement District administration costs during 2011/2012. Report of the Economic Development Specialist (attached).
Reporting Officer: David Evans
- 8 Request from the Taunton Town Centre Company Ltd. (TTCC) for support to plans to develop a second term Business Improvement District (BID) proposal leading to a renewal ballot. Report of the Economic Development Specialist (attached).
Reporting Officer: David Evans
- 9 Proposal for exemption to Contract Standing Order 13 for the procurement of development, construction and related services from the partner panel set up by the Homes and Community Agency. Report of the Strategic Director (attached).
Reporting Officer: Joy Wishlade

- 10 Theme 5 of Core Council Review (CCR) - Corporate Management Team (CMT), Project Taunton (PT), Economic Development, Growth, and Legal and Democratic Services. Joint report of the Chief Executive and the Retained HR Manager (attached). See also agenda item No. 13.

Reporting Officers: Penny James
Martin Griffin

- 11 Executive Forward Plan - details of forthcoming items to be considered by the Executive and the opportunity for Members to suggest further items (attached)

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

- 12 Creedwell Orchard, Milverton, Taunton - Confidential Appendix B (attached). See also agenda item No. 5.

Paragraph 3 - Information relating to financial or business affairs.

- 13 Theme 5 of Core Council Review - Confidential Appendix (attached). See also agenda item No. 10.

Paragraphs 1 and 3 - Information relating to any individuals and information relating to financial or business affairs.

Tonya Meers
Legal and Democratic Services Manager

12 January 2012

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

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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 Democratic Services on 01823 356382 or email d.durham@tauntondeane.gov.uk

Executive Members:-

Councillor J Warmington	(Community Leadership)
Councillor J Williams - Leader of the Council	(Leader of the Council)
Councillor V Stock-Williams	(Portfolio Holder - Corporate Resources)
Councillor N Cavill	(Portfolio Holder - Economic Development, Asset Management, Arts and Tourism)
Councillor K Hayward	(Portfolio Holder - Environmental Services)
Councillor J Adkins	(Portfolio Holder - Housing Services)
Councillor M Edwards	(Portfolio Holder - Planning and Transportation/Communications)
Councillor C Herbert	(Portfolio Holder - Sports, Parks and Leisure)

Executive – 12 October 2011

Present: Councillor Williams (Chairman)
Councillors Mrs Adkins, Cavill, Hayward, Mrs Herbert, Mrs Stock-Williams and Mrs Warmington

Officers: Penny James (Chief Executive), Shirlene Adam (Strategic Director), Kevin Toller (Strategic Director), Joy Wishlade (Strategic Director), Tim Burton (Growth and Development Manager), Stephen Boland (Housing Services Lead), Lesley Webb-Crookes (Housing Enabling Lead), Alison North (Performance and Client Lead), Suzie Rea (Housing Regeneration Officer), John Lewis (Parking and Civil Contingencies Manager), David Evans (Economic Development Specialist), Matt Parr (Economic Development Project Officer) and Richard Bryant (Democratic Services Manager)

Also present: Councillors A Govier, Henley, Morrell, Prior-Sankey and T Slattery.
Ms Cathy Osborn, Savills (L & P) Limited

(The meeting commenced at 6.15 pm.)

85. Apology

Councillor Edwards.

86. Minutes

The minutes of the meeting of the Executive held on 14 September 2011, copies of which had been circulated, were taken as read and were signed.

87. Public Question Time

(a) Mr Aldred asked the following questions in relation to the proposed redevelopment of Halcon North, Taunton:-

- (1) We were told at the beginning of the project nearly two years ago that no-one would be disadvantaged by the project. Did the Council still believe this to be the case?
- (2) Why had the housing stock in Halcon North been allowed to fall into such disrepair?
- (3) Who had been monitoring the standard of the housing stock in Halcon North and who was accountable?
- (4) Were the families affected still going to have to bid for a new house?
- (5) How was the project directly helping the families being moved out of the area? (Was it not simply moving the issues elsewhere instead of directly helping them where they were now?)
- (6) Why had there been a lack of communication with one of the stakeholders of this project, namely the Head of Halcon School?
- (7) When would the homes in Halcon North start to be emptied?
- (8) Was this project to help the demographics of a particular political party, knowing that there would now be private housing in Halcon North once the project was finished?
- (9) Could someone confirm if there was going to be a further meeting about the project at All Saints Church Hall tomorrow afternoon?

In response the Growth and Development Manager, Tim Burton, confirmed that it was still the Council's aim not to disadvantage anyone who currently lived in Halcon North. The quality of the existing housing stock was not the reason for the proposed project. There were far wider aspirations which were set out in the report which was due to be considered by the Executive. Mr Burton also stated that it was the Housing Service who was responsible for monitoring housing standards in the area. He disputed that the Council was moving problems elsewhere. He wanted to create a situation where people wanted to return or come to Halcon to live. It would be for the Executive to decide whether the project should move onto the next stage of the process aimed at regenerating the area.

The Housing Enabling Lead, Lesley Webb-Crookes, added that a new policy that had just been introduced in connection with 'Homefinder Somerset' had, once again, created the facility to direct match. The Council would endeavour to match as many people as possible with their requests. She went on to express concern about the Head of Halcon School not being kept informed of developments and would investigate what had happened. A total of over 300 letters had been sent out recently, including one to the school, which provided information of a further meeting which had been arranged for tomorrow afternoon at the Church Hall.

Councillor Williams reported that none of the political groups were seeking any advantage from the proposed redevelopment of Halcon North. In fact, the project had enjoyed cross party support since its inception.

Councillor Jean Adkins, Housing Services Portfolio Holder, confirmed that all Council-owner properties met the Decent Homes standard except the small number of dwellings where the existing tenants had refused access for improvement works to be carried out. She also confirmed that there was no intention to disadvantage anyone. Moving expenses would be met and tenants who wished to move back to the area would be provided with similar facilities to what they had currently. Mrs Adkins concluded by saying that Halcon North comprised mostly two-bedroomed properties in large plots. As such, it was an area that should be sensibly redeveloped.

(b) Councillor Henley asked the following questions:-

- (1) With regard to the newly imposed restrictions on the availability of confidential papers to Councillors, could the Leader of the Council provide a date or a timescale as to when the restrictions would be lifted?
- (2) An update on the public toilets at Rockwell Green, Wellington had been provided to the Executive some months ago but nothing tangible had occurred leading to their re-opening. Could Councillor Hayward provide a further update concerning the Council's future intentions for these toilets?
- (3) When the application for a secure unit at Westpark, Chelston was considered by the Planning Committee, permission had been granted on the basis that arrangements with the Police over security were to be agreed within three months. This period had long since elapsed and the arrangements had not yet been sorted out. Should the application be referred back to the Committee?

In reply Councillor Williams confirmed that he had no wish to see the restrictions on confidential papers being held in place for any longer than necessary.

Councillor Hayward reported that he would seek information from the Highways and Cleansing Manager, Chris Hall, about the Rockwell Green toilets and would inform Councillor Henley accordingly.

Councillor Cavill stated that discussions with the Police were continuing in respect of the secure unit at Westpark and good progress had been made in resolving the issue.

88. Declaration of Interests

Councillor Prior-Sankey declared a personal interest as her husband was a member of Halcon Baptist Church. Councillor T Slattery declared a personal interest as an employee of Sedgemoor District Council who worked within the Somerset West Private Sector Housing Partnership which covered areas in Taunton, including Halcon.

89. Halcon North, Taunton Regeneration Project

Considered report previously circulated, concerning proposals to redevelop the Halcon North area of Taunton which comprised 7.25 hectares of housing land and approximately 220 dwellings.

This part of Halcon featured in the top 5% of most deprived wards in the country. Although, much good work had been done over many years by a range of agencies, the deprivation indices showed no sign of improvement.

Housing was deemed to be a significant contributing factor, not simply because of its fabric, but also due to a high proportion of dwellings having only two bedrooms, which resulted in overcrowding that in turn led to other social problems.

The rationale for this Project was that to make a real difference in the area required a physical shift in the type of place it was. Halcon should become a place that residents were proud of and wanted to be associated with.

To achieve these wider aspirations, it was acknowledged that a multi-agency approach and the involvement of the local community would be required.

The Housing Enabling Lead had continued to keep residents engaged and informed and support for the project had been sought from key stakeholders, such as the Head Teacher of Halcon Primary School, the local Police Beat Sergeant, the Somerset Youth Service and Somerset College, all of whom were very supportive of the project and its aspirations.

Since the last report to the Executive (Minute No 6/2011 refers), the Project Team had further developed the Project Brief and the Outline Business Case.

Noted that the Project Brief defined the project scope and its vision, set out the Outline Business Case and the Project Management and governance arrangements. The Outline Business Case set out the strategic case for redevelopment, which aligned with all four of the Council's Corporate Aims. The project could also make a significant

contribution to delivery of the aims of the Priority Areas Strategy.

The Delivery Options Analysis had concluded that delivery by a developer for the market housing, in partnership with a Registered Provider for the affordable housing, was the preferred mechanism and that this should be through vacant transfer.

Advice from the Housing Quality Network had been sought in assessing delivery mechanisms and from Savills in developing a Development Appraisal to demonstrate whether a viable scheme could be delivered, and if so, what that might look like in terms of mix and tenure.

Reported that the Development Appraisal explored financial viability by considering the various elements including:-

- The number and type of new homes to be built on the site;
- The tenure mix to be provided;
- Build costs;
- Sales values; and
- Future rental income.

The appraisal had calculated a gross development value of the various different types of home, and then deducted development costs (construction, professional fees, financing and profit) to produce a scheme surplus or deficit. In order for the scheme to have a neutral impact on Council finances, the surplus needed to be sufficient to fund the costs of buying back properties previously sold under the Right to Buy and the decanting costs of moving tenants to enable the development. It would also need to fund the cost of developing any units which the Council wished to retain.

Different scenarios had been run in order to determine the scheme which produced the best financial viability, while addressing as many of the project objectives as possible.

The initial appraisal assumed a total of 400 homes being built on the site, with 300 of these affordable. However, this appraisal indicated a scheme loss. The main reasons for the loss were:-

- (1) The high proportion of affordable units meant that there was insufficient cross subsidy from private sales;
- (2) High Section 106 Agreement costs assumed to be payable on all 400 units; and
- (3) Suppressed sales values to reflect the current housing market.

Whilst it was felt that the scheme addressed project objectives in terms of new affordable units and addressing levels of overcrowding, it did not meet project objectives for financial viability and deliverability. Therefore sensitivities were run to consider the impact of:-

- Increasing the proportion of private sales to increase cross subsidy;

- Homes and Communities Agency (HCA) grant received based on discussions the Council had held with the HCA; and
- Section 106 payments only made in respect of additional homes with no education related contribution on any flats.

Two revised tenure mixes had subsequently been modelled. Both included 50% affordable housing (200 units). Within the affordable housing one mix assumed the Council retained 50 units and one 30 units.

Noted that whilst this produced equivalent numbers of affordable housing to that already on the site, the replacement affordable housing would be a mix of general needs rent, affordable rent, and low cost home ownership which was different to the current mix of 100% general needs rent.

Reported that there was a risk that a large number of sales would flood the local housing market and reduce sales values. This risk could be managed by staggering sales possibly over eight years, reflecting the rate of sales that had been achieved on other local developments.

Local registered providers had identified grant funding for around 100 units. These would need to be delivered within HCA timescales (four years) which would mean the Council would need to take decisions promptly about proceeding with the scheme.

The revised development appraisal had shown that it was possible to produce a broadly viable scheme by reducing the percentage of affordable units on the scheme to 50%. At this level the scheme produced a surplus which would be larger if fewer retained units were required.

The appraisal assumed that the scheme delivery would be developer led, in order to deliver the private sales element, with the majority of the affordable housing provided in partnership with a Registered Provider, with the balance retained by the Council.

Submitted in detail the impact the proposed project would have on the Housing Revenue Account (HRA) and the impact of new build on HRA borrowing

Further reported that the Council would need to fund project costs to deliver the scheme including:-

- Commercial advisors to assist with procurement of a developer partner and negotiation of development agreement;
- Legal advisors to draw up the legal contract (development agreement) between the Council and the developer/Registered Provider;
- Urban design input to produce an outline masterplan to be used to procure a partner; and
- Additional surveys (geotechnical, environmental, services).

It was estimated that the total project costs of between £245,000 and £320,000 could be spread over several financial years. This would represent less than 1% of total scheme costs.

An indicative project plan was also submitted for the attention of the Executive. There were a number of steps required before work could start on site which was likely to be at least 12 months following any Council decision to proceed.

The proposed regeneration project had benefitted from cross-party support, as well as from a wide range of stakeholders and a significant proportion of the local community since its inception.

Whilst one regeneration project was not going to solve all of Halcon's problems, there was a strongly held consensus that physical regeneration of this part of the estate could act as a catalyst for wider social and economic change. It would also deliver additional housing and provide a wider range of tenure which should result in a more mixed and diverse community.

However, the need for redevelopment to be financially viable in what were difficult economic circumstances, meant that any proposal would deliver the additional dwellings as market housing and of the remainder there needed to be a mix of affordable tenures, with only a maximum of 50 of those being returned to the Council.

Reported that the Tenant Services Management Board had considered these issues at its meeting on 19 September 2011. Whilst they continued to support the proposal, serious concern was raised about the small number of properties that would be returned to the Council's stock.

The above factors therefore needed to be carefully considered in making a decision whether to proceed to the next stage of the project or not.

The options available to the Council appeared to be:-

- (1) Accept that the wider benefits of regeneration outweighed any concerns around mix and tenure and proceed to the next stage and procurement of a developer;
- (2) Remove the requirement to return any properties to the Housing Revenue Account which would improve viability and, therefore, increase the overall proportion of affordable housing within the scheme;
- (3) Move away from current proposals and explore options for a smaller scale redevelopment; or
- (4) No longer consider full regeneration and look at retrofit options funded through the HRA to address the overcrowding issues.

These options were considered by the Community Scrutiny Committee at a meeting held at All Saints Church Hall, Roman Road, Taunton on 3 October 2011. A large number of local residents had been in attendance.

Following a wide ranging discussion, a proposal to follow option (3) was not supported. Members subsequently resolved to support option (1) with the proviso that a minimum of 50 dwellings be returned to the Council.

During the discussion of this item, the Executive was informed that if option (1) was to be accepted, the costs involved would be in the region of £100,000. It was noted that £35,000 from the previous stage remained unspent.

It was also felt that Option (1) should be pursued but with a view to 50 dwellings or more being returned to the Council.

Resolved that:-

- (i) Option (1) (to accept that the wider benefits of regeneration outweighed any concerns around mix and tenure and proceed to the next stage and procurement of a developer) be supported with a view to 50 dwellings or more being returned to the Council;
- (ii) Full Council be recommended to approve a supplementary estimate from the Housing Revenue Account Reserves of £65,000 to fund the next stage of this project; and
- (iii) Detailed project management arrangements be presented and monitored by the Change Programme Members Steering Group.

90. Installation of Solar PV on Council Housing Stock

Considered report previously circulated, which sought approval to enter into a procurement exercise for the installation of Solar PV on appropriate homes owned by the Council.

Feed in Tariffs (FIT) had become available in Great Britain from the 1 April 2010. The overall aim of the scheme was to encourage the deployment of additional small scale low carbon electricity generation. The scheme offered a minimum payment for all electricity exported to the National Grid. These payments were in addition to the fuel bill savings made by using the electricity generated on site.

The primary financial benefits were:-

1. The Generation Tariff – the set rate paid by the energy supplier for each unit (KWh) of electricity generated – The Energy Savings Trust (EST) estimated this benefit to be valued at approx £700 per annum for a typical 2KWp installation.
2. The Export Tariff - a payment of 3p/KWh received from the energy supplier for each unit exported back to the National Grid. The EST estimated an income of around £25 per annum for a typical 2KWh installation.
3. Energy Bill Savings – The typical benefit to tenants/residents, dependant on their consumption profile, was expected to be between £90 and £120 per year.

Taunton Deane had recognised the potential benefits of installing Solar PV to its properties and had already identified 720 suitable properties that met the criteria for maximising the benefit of Solar PV installation - namely a south/south-west facing and a recently refurbished roof.

The generation tariff for PV retrofit was currently 41.3p per KWh produced.

The current FIT only applied to properties with Solar PV fully installed prior to the 31 March 2012. For the period between 1 April 2012 and 31 March 2013 the tariff applicable to new installations would fall to 39.6p per KWh. Once an installation had joined the scheme the FIT was fixed for 25 years.

The Council's own estimation of the effect of this known reduction in the FIT would have on the income to the PV Provider was given in the table below:-

	Electricity generated per kW installation	Av. size of array	Number of houses	Generation tariff. p/KWh	Tariff fixed for x years	TOTAL	Loss in %
Installations completed before 31/03/12	950	2	720	0.413	25	£14.125m	
Installations completed after 31/03/12	950	2	720	0.396	25	£13.544m	
Loss if installations start from April 2012						£581K	4%

The reduction in the income received by the Solar PV provider was expected to be around 4%. However given the falling costs of PV equipment and increased competition among installers similar returns might still be possible against the reduced FIT.

What is not known is the effect on the FIT from April 2012 of the Government's current review of the scheme. The Comprehensive Spending Review had stipulated the need to make 10% savings to the scheme in 2014.

Reported that the Council had been approached by a national PV provider with a specific lease based "rent a roof" proposal.

The offer was based on a single upfront payment per property in return for the rights to the FIT tariff. The payment increased with the size of the installation/property but based on a typical 2.07KWp installation the offer presented a payment of £330 per property. This represented a one off up front payment to the Council of approximately £238,000 for the 720 identified properties. This would increase to £288,000 for 2.11KWp installations and £324,000 for 2.3KWp installations

The contract period for this was 25 years. The income receivable under the FIT by the Solar PV was expected to be in the region of £14,000,000 over this period. Therefore the upfront payment represented approximately 1.75% - 2.25% of the projected FIT income received by the provider.

At this point the Strategic Procurement Service was approached to advise on the relative value for money of the offer received and the procurement implications for accepting the offer or any similar proposal. Full details of the response received were set out in the report.

It was clear from this that the potential income from the implementation of a rent-a-roof type scheme was much greater than the initial proposal received by the Council. Under the current FIT levels the target share of the FIT should be in the region of 10-12 % rather than the 1.75 - 2% initially offered.

It was recognised that given the planned reduction in the level of the FIT from 1 April 2012, and the unknown consequences of the comprehensive spend review that Taunton Deane would need to act quickly to give a realistic opportunity of maximising PV installations in the available timescale.

A licence based approach to a rent-a-roof type scheme was considered more suitable for the reasons set out in the report.

The complexities of implementing such a project, the related legal support, and the general resource requirements that would be regarded to deliver could easily erode the benefits of any scheme that delivered a low % return.

Notwithstanding the increasing market activity and timescale pressure, it was crucial that the Council did not expose itself to unnecessary risk or sign up to deals which did not offer best value.

To take advantage of the current FIT rates, it was important to move very quickly. Many PV providers were saying that they needed to be mobilised by the end of October 2011.

There was insufficient time to run a full OJEU (Official Journal of the European Union) compliant procurement and achieve any significant numbers of installations before the end of March 2012. There were, however, two approaches to the procurement that could be adopted by the Council which were set out below. In either case the timescales were very challenging, and there were no guarantees that all 720 properties could be installed by the end of March 2012.

- A Taunton Deane competitive procurement exercise in isolation. If the authority carried out its own procurement the risk of a challenge from not complying with the full requirements of the EU procurement regulations would remain. This would be partially mitigated by ensuring an openly advertised tender through a media such as "Inside Housing" and ensuring that the procurement was, in all other respects, managed as if it were OJEU procurement.

- A mini competition through the Yorkshire Purchasing Organisation (YPO) framework which offered an OJEU compliant solution. The use of the YPO framework would remove the risk of challenge but could limit the size of response due to the available capacity of the contractors.

Either way the authority should aim, as far as possible, to specify what it wished to achieve rather than invite offers and to try to evaluate the variations in proposal that might otherwise be received

Whichever route was chosen there were two potential ways in which it could be approached. In both cases legal assistance would be required to support the development of the Tender and Contract documents and in the evaluation of the proposals received:-

- a. The first would be to treat this as an accelerated competitive dialogue process under which Taunton Deane would send out a base PV licence (or a lease if it was considered more appropriate) and to then require providers to provide a mark up which would be assessed alongside other scoring criteria.
- b. The second would be to simply list "non-negotiable" elements of the proposals and ask bidders to bid based on those assumptions.

On the basis of the above analysis it was considered that if the Council wished to install Solar PV on appropriate homes which it owned, the following route was most appropriate - subject to a satisfactory assessment that there would be enough interest from contractors, to carry out a mini procurement process using the YPO framework based on a "rent a roof" style scheme operated through licence rather than lease.

Further reported that PV systems would have positive financial benefits to tenants, as they would be able to use the electricity generated. However, the amount that a tenant benefitted would be dependant on the amount of the free electricity they could use as any surplus would be exported to the National Grid.

It was also important to appreciate that tenants would not receive 100% of their electricity requirements free of charge.

The possibility of the value of the free electricity being generated being spread across all tenants had been explored and there was no means currently in which this could be done. The beneficiaries of the free electricity therefore would be the tenants of the particular property. If though the income from the project was reinvested in other renewable energy schemes, more and more tenants would benefit.

The proposal had been considered by the Tenant Services Management Board (TSMB) on 19 September 2011 who were very supportive although it was strongly recommended that the income from the Solar PV was ring-fenced within the Housing Revenue Account to work in relation to renewable energy and dealing with fuel poverty.

The Community Scrutiny Committee had also discussed the issue at its meeting on 11 October 2011. The proposal had also been supported by Members of the Committee.

Resolved that subject to a satisfactory assessment that there would be enough interest from contractors, approval be given to carry out a mini procurement process for the installation of Solar PV on suitable Council owned homes, using the Yorkshire Purchasing Organisation framework based on a “rent a roof” style scheme operated through licence rather than lease.

91. Installation of a medium sized Solar PV array on a Taunton Deane corporate building or site

Considered report previously circulated, concerning a proposal to install a Solar PV array on the roof of the Station Road Swimming Pool, Taunton.

In April 2010, the Government introduced the Feed in Tariffs (FIT) scheme to incentivise small scale electricity generation, for example through Solar PV installations. The FIT scheme guaranteed a minimum payment for all electricity generated from Solar PV over 25 years regardless as to whether this energy was fed back into the National Grid or used on-site.

The current rate for feeding electricity back into the National Grid was £0.031/ KWh, whilst if used on-site it was worth the commercial rate of the electricity that it replaced.

The Government had recently significantly reduced the FIT rates for Solar PV installations above 50kW to discourage large scale installations.

Since the introduction of the FITs, the Government had urged Local Authorities to grasp the opportunity and create income from renewable energy generation. In order to support this it had lifted the ban on the sale of surplus electricity to the National Grid by Councils.

An initial quote for a roof-mounted installation of Solar PV panels on Station Road Swimming Pool was received from Rainbow Renewables Limited in March 2011. The company modelled different installation layouts for the roof resulting in three options - 32kW, 36kW or 69kW. Out of the options, the medium sized installation would deliver the highest rate of return on investment as shown in the following table:-

Table.1: Return on medium sized Solar PV installation (36kW)	
Total power output	36.00kW
Total installed costs (ex. VAT)	£100,000
Estimated annual energy performance (kWh)	32,200
FIT rate – Generation	£0.329
FIT rate – Export	£0.031
Estimated annual income from FIT (Generation)	£10,594
Estimated annual income from FIT (Export)	£998
TOTAL	£11,592
Annual return on investment	11.59%
Payback Period (Years)	8.6

Total earnings over 25 years	£289,800
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The carbon reduction from the installation would be about 19 tonnes of CO2 per year.

Various other sites had been considered as potentially feasible but for various reasons all had been discounted except the site occupied by the Deane DLO Nursery.

An installation there would be ground-mounted and wired to provide electricity to the buildings on-site. Rainbow Renewables quoted that for a £100,000 investment they could deliver an installation of about 40kW.

Full details of the Project Specification were submitted including the proposed size of the installation, the funding arrangements and an assessment of the location for the installation. With regard to the funding of the project, it was intended to use the funding that had been earmarked for the 'Boiler Replacement' scheme at The Deane House together with funding from the 'Climate Change' budget.

The advantages and disadvantages of both the Station Road Swimming Pool site and the Nursery site were set out in detail. On the basis of this assessment, the conclusion had been reached that the Swimming Pool site was preferable.

The crucial date for the project was the 31 March 2012 by when the installation must have been completed and registered in order to maximise the benefits from the FIT payments. After this date, the FIT rate paid per kWh would drop from £0.329 to £0.301.

The suggested timeframe of the project was as follows:-

Table 2: Timeframe for project	
Completion dates:	
15 September 2011	Structural survey
15 September 2011	Other assessments
12 October 2011	Executive decision to proceed
End October 2011	Full building condition survey (if needed)
January 2012	Tendering process
February 2012	Planning Permission (if needed)
March 2012	Installation
March 2012	Registration

Reported that the FITs for an installation would be paid for 25 years. If within that time the swimming pool was sold, the installation could be added to the value of the building.

If however a decision was taken to redevelop the pool it would need to be assessed whether it was viable to re-install the installation at a different location.

Also reported that it needed to be recognised that there were parts of the installation which could potentially fail during the 25 year period, which meant the Council would need to set aside an appropriate proportion of the annual income to cover these potential costs.

One further risk was if the installation was not completed and registered by 31 March 2012. The cumulative financial loss over the 25 year period because of the reduction in FIT rates from 1 April 2012 would be in the region of £22,500.

Resolved that:-

- (i) A virement of £55,000 to transfer the budget from The Deane House 'Boiler Replacement' scheme to a new 'Solar PV Installation' budget within the 2011/2012 General Fund Capital Programme be approved;
- (ii) A virement of £45,000 from the 'Climate Change' Budget to the 'Revenue Contributions to Capital (RCCO)' budget, in order to fund an increase in the 'Solar PV Installation' capital budget to £100,000 in total be approved; and
- (iii) The installation of Solar PV panels on the main roof of the Station Road Swimming Pool, Taunton be also approved.

92. Taunton Car Parking Strategy 2011-2021

Considered report previously circulated, concerning the Taunton Car Parking Strategy which had last been reviewed by the Executive in June 2008 (Minute No 168/2008 refers). That report had looked at both the availability of spaces and the future impact on Taunton Deane's revenue funding.

Three years later, some of the car park closures had occurred and there was a clearer understanding of when other closures might occur. The second County Council Park and Ride facility, at Taunton Gateway (near Junction 25), had also opened.

The current update of the Car Parking Strategy, a copy of which had been circulated to Members, dealt with the numbers of spaces predicted as needed to meet demand within Taunton over the next 10 year period – subject to regular review and updating during that period. The document considered a wide range of options to mitigate the shortfall in spaces and to improve car park efficiency. Certain options were linked together to provide three 'packages' by which more spaces could be made available as well as recommending some car parks remaining open in the medium term.

The financial implications for the preferred option in the Strategy were detailed in the report. However, it was clear that the economic downturn and the opening of the latest Park and Ride were also having a significant impact on the revenue generated from pay and display.

This was something that had to be considered as a corporate issue, and it was possible that some of the recommendations in the June 2008 report (investment of capital income to produce returns) would be taken forward. This would be considered as part of the Budget Review programme.

The Medium Term Financial Plan (MTFP) had already identified the potential loss of income from the redevelopment of the retail centre in the town centre. The viability of this scheme was still marginal and the developer would need to take all the income from the parking provision to make it work.

However, the discussions on the terms for any agreement were still to be had and the Council would want to ensure that as the economic situation improved and schemes became more profitable, that some return would be available for Taunton Deane.

For the purposes of the MTFP a loss of £900,000 had been identified, which was the worst case scenario based on closure of the two multi-storey car parks with no replacement funding stream.

All of the options for better space and traffic management identified in the Strategy had financial implications. Some options were inter-related and the overall impact would depend on decisions made by and reactions and changes in behaviour, by motorists.

This item had been considered by the Corporate Scrutiny Committee on 22 September 2011. Members had welcomed the review, felt the document was very thorough and reaffirmed the existing Strategy of maintaining town centre spaces primarily for shoppers and visitors whilst encouraging commuters and long term parkers to use Park and Ride sites or other peripheral car parks.

The Committee had been broadly supportive of Package 2, although some concerns were expressed on Sunday charging. Other issues specifically mentioned were future demand for spaces, disabled parking provision and charges, RingGo, motor cycle and bicycle parking, electric vehicles and the impact of public transport.

Resolved that:-

- (i) The Taunton Car Parking Strategy 2011-2021 be agreed;
- (ii) A phased implementation of Package 2 as the best range of options to achieve the aims, including:-
 - restricting some car parks to short-stay only;
 - adjusting disabled parking length of stay;
 - encouraging use of Park and Ride;
 - adjusting the charging scheme and reviewing payment methods;
 - charging on Sundays;
 - increasing fees on long stay; and
 - providing better information to users,be also agreed; and
- (iii) Further work and consultation, as appropriate, on the above be undertaken prior to implementation and in particular:-
 - car park usage, travel habits and modelling of the impact of travel planning;
 - the costs of alternative space provision as part of a phased approach to retail redevelopment; and
 - usage by Blue Badge holders.

93. Review of Floodlighting

Considered report previously circulated, concerning the future of the Council's floodlighting installations.

Floodlighting was originally installed by the Council between 1986 and 1993 to illuminate some of Taunton Deane's churches, monuments and other architectural features. Many of the installations were situated on private property, illuminating third party structures.

During the past few months, Deane DLO's Building Supervisor [Electrical] had arranged for the inspection of all 114 fittings at the 43 sites listed in the un-metered supply inventory and the carrying out of minor upgrade work to ensure their immediate safety. From those inspections, a schedule of works required to enhance the safety of or to bring the installations up to a reasonable standard had been produced.

Reported that research which referred back to the installation of the floodlights implied that no formal legal agreements had been entered between the Council and any of the third party property owners. However, the items had been installed on the unwritten understanding that, should it be in the Council's interest at the appropriate time, the assets would transfer to the third parties at no cost.

The Council maintained a budget for the repair and maintenance of the assets. This budget currently stood at £9,750 and in previous years had been spent on both energy consumption costs and repairs. It was anticipated that energy costs would rise even further in the coming years.

Further reported that there were four options as to what to do with the floodlighting in the future:-

Option 1: Do nothing: Continue existing programme of ad hoc repairs

Although the inspections carried out over the summer had shown no immediate concern over the safety of the installations, deterioration was such that without a planned schedule of maintenance and repair, this could pose a potential Health and Safety risk to the public. That, plus the ad hoc management arrangement, the environmental impact of the lights and the anticipated increase in costs had forced a fundamental review of the floodlighting policy, and implied that doing nothing was not a viable option.

Option 2: Disconnect electricity supply to all fittings, but leave fittings in situ.

Western Power Distribution had stated that in order for the sites to be removed from the un-metered supply inventory, a physical disconnection had to be made, leaving fittings in place in a safe condition.

If the site owners wished to reinstate the lights or remove the fittings, they could do so at their own expense.

The average cost per site to disconnect the electricity supply safely was £400. With 43 sites, the total estimated cost was £17,200.

Although this would be a one-off cost to the Council, there would be an annual budgetary saving during future years of £9,750 per annum.

Option 3: Offer lights to third party owners, and remove or refurbish the Council owned installations

If the Council was to transfer ownership and control of the lights and fittings to third party landowners, Western Power Distribution's Un-metered Supplies Unit had confirmed that it would be willing to set up agreements with individual churches and property owners. This would involve each site entering into an 'Un-metered connection agreement', but would mean a proportion of the properties could remain floodlit.

It was accepted that the lighting units would need to be refurbished before they were handed over. There would be a one off cost of £15,445 for the refurbishment of those on third party properties with a further £3,200 if all lights on Council properties were to be retained.

Although this option would reduce the Council's ongoing costs, it would still require revenue funding (for electricity, repair and a rolling programme of six yearly inspections) for those lights which remained in Taunton Deane's ownership (approximately £2,500 per annum).

The third party owners would be invited to consider taking on the management and funding of the floodlighting and given a reasonable period of time to respond to the Council before action was taken at the end of the current financial year. Should the third party owners not wish to take on the installation, it would be safely removed as set out in Option 2.

Option 4: Upgrade all electrical equipment and fittings and continue to light all premises.

Based on the inspection programme carried out during the summer, work to upgrade the electrical systems and replace damaged fittings at all 43 sites would involve a one-off cost of around £18,645 (maximum) plus ongoing costs at the current level of a minimum of £9,750 per year, plus an annual sum of £500 to pay for a rolling programme of six yearly inspections.

Reported that the Corporate Scrutiny Committee had discussed this issue back in February 2011. Although consideration of the above options was based on slightly different estimates of the costs of repairs, the same principles still stood.

At the time, the Committee recognised that 'doing nothing' was not an option. Furthermore they requested that, should Option 3 be adopted, the third parties be given adequate notice to consider taking on the installations. Members also raised concerns over the impact of the lighting on the environment, referring specifically to the Dark Skies Initiative, which lobbied against light pollution of the night skies.

The Committee resolved that the Executive should be recommended to offer floodlights to third party owners, incorporating a notice period and that all Council owned installations should be removed.

Resolved that:-

- (i) Option 3 be agreed, offering those floodlighting installations on third party land to the owner of that land before the end of the current financial year;
- (ii) the Executive Councillor for Economic Development, Asset Management, Arts and Tourism be given authority to ascertain which of those floodlights on Council-owned property should remain in operation; and
- (iii) the one-off costs of £18,645 for refurbishing the lighting units be funded from unallocated Local Authority Business Growth Incentive (LABGI) resources.

94. Proposal to adopt a Client-based approach to delivering Construction Skills in Taunton Deane

Submitted report previously circulated, on a proposal to work with other Somerset local authorities and ConstructionSkills to adopt a Client-Based Approach (CBA), to deliver employment, apprenticeships and training through their major construction projects.

Such projects were increasingly recognised as an opportunity to deliver recruitment, training and other social benefits, including improving the local skills base. Many Local Authorities and other public sector bodies were already using charters, voluntary agreements and contract clauses to achieve this, tying developers and construction companies into delivery of a minimum number of skills and employment opportunities.

ConstructionSkills was the Sector Skills Council and Industry Training Board for the Construction industry. The Client-Based Approach (CBA) provided a toolkit to deliver employment, apprenticeships and training for public sector clients through their construction projects. It included all of the necessary components to deliver opportunities on any new-build or repair and maintenance contract, including 16 benchmarks that had been 'employer approved'.

Somerset Local Authorities already had some experience of negotiating education, employment and skills outcomes for local people through the Project Taunton and Building Schools for the Future contracts. The CBA would build on Project Taunton's 'Taunton Protocol' by putting firm, measurable outputs into construction contracts.

The scheme would initially apply to all projects of £1,000,000 upwards under the control of the Council.

In Taunton Deane there were a number of significant infrastructure projects for which the Local Authority (the Council or Somerset County Council) would be the client. These included the Taunton Northern Inner Distributor Road (NIDR), Taunton Town Centre redevelopments, and Superfast Broadband delivery. Each project would have a dedicated Employment and Skills Plan, submitted by contractors, with 16 KPI's and associated benchmark targets. The NIDR and Superfast Broadband contracts alone could generate a minimum of 15 apprentices, 30 local jobs, 20-30 NVQ's and multiple links to local schools for work placements and curriculum activities.

The Corporate Scrutiny Committee had considered this item at its meeting on 6 September 2011 and had supported the proposal.

Resolved that the Client-Based Approach be adopted to ensure delivery of employment and skills opportunities in all major construction projects in which it had a controlling influence, and authorised officers to progress an application for National Skills Academy status.

95. Executive Forward Plan

Submitted for information the Forward Plan of the Executive over the next few months.

Resolved that the Forward Plan be noted.

(The meeting ended at 8.03 pm.)

Taunton Deane Borough Council

Executive – 16 November 2011

Land at Creedwell Orchard Housing Estate, Milverton, Taunton

Report of the Principal Estates Surveyor, Southwest One Property and Facilities Management

(This matter is the responsibility of Executive Councillor Jean Adkins).

Executive Summary

The purpose of this report is to give Members the opportunity to discuss and to consider the sale of a small area of land forming part of Creedwell Orchard Housing Estate, Milverton to enable an access to be provided to a residential development on an adjoining 9.5 acre site with an extant planning permission for 80 dwellings. The report sets out some background on the history relating to the development site and the financial implications for the Council (contained in a Confidential Appendix to the report) together with officer recommendations.

1 Background

- 1.1 The area of land extending to approximately 9.5 acres, as shown edged in bold on the attached plan (Appendix A), is owned by S Notaro Ltd, property developers and it has the benefit of an extant planning consent for 80 dwellings (further referred to as “the development site” in this report).
- 1.2 In December 1975 the Borough Council granted conditional outline planning permission for residential development on the development site owned by S Notaro Ltd with an application for the reserved matters being approved in August 1979. In June/July 1981 works were undertaken on site to lawfully implement the planning permission that had been obtained for the 80 dwellings. These works comprised the excavation of foundation trenches for one of the plots that were subsequently backfilled for health and safety reasons but this does not alter the fact that the planning permission has been implemented and remains extant. Under this planning consent there are no requirements to make contributions towards affordable housing.
- 1.3 Bach Homes, which then had an option to purchase the development site, applied to the Council in November 2006 for a Certificate of Lawful Existing Use or Development (CLEUD) in respect of the planning consents that had previously been granted. The application was submitted on the basis the planning permission was validly implemented and therefore remained extant. In the balance of probability it was proven that the foundation trenches had been dug which in turn amounted to a material operation comprised in the development. Accordingly, in May 2007 the Borough Council granted a Certificate of Lawfulness for the proposed construction of 80 dwellings.

- 1.4 Originally it was proposed to access the development site at points A and B as shown on Appendix A. The land required for access at point A, the extent of which is shown cross hatched on the plan, is owned by the Borough Council and that land required for access at point B is now owned by a third party. However, it is now evident that the development site need only be accessed at point A, subject to redesigning the service road layout to the satisfaction of the Highway Authority.
- 1.5 Following the issue of the Certificate of Lawfulness for the development site, Bach Homes, which then had a development option on the land, made formal approaches to the Council to request to purchase or acquire an option to purchase the Council's land to enable an access to be created at point A. In February 2008 a member steer was given to the then Asset Holdings Manager to commencing negotiations with Bach Homes with a view to provisionally agree terms and conditions for the sale or Option Agreement to purchase the Council's land.
- 1.6 The Council's land, which extends to approximately 364 sq m (0.09 acres), is situated on the Creedwell Orchard Housing Estate and it has been used for a number of years to site three private garages owned by local residents. Each garage site is subject to an annual licence with each agreement being determinable by the Council upon giving three months' notice to expire on the last day of any calendar month.
- 1.7 Following negotiations with Bach Homes, terms and conditions were provisionally agreed by the Asset Holdings Manager for an Option to purchase the Council's land to provide access to the development site at Point A. Work then started on preparing a report accordingly to the Executive for its meeting in May 2008 but this was not completed as the Milverton Parish Council requested that the Certificate of Lawfulness was revoked by the Council. No further discussions took place with Bach Homes whilst this request was considered which subsequently became subject of a Judicial Review as the Council remained of the view that the Certificate of Lawfulness was valid. The Council successfully defended itself in this action and the Judicial Review was formally withdrawn in February 2011.
- 1.8 Following the withdrawal of the Judicial Review, S Notaro Ltd, through its agent Steve Rosier, made a new approach to the Council to see whether it would be prepared to recommence negotiations for the sale of the land required for access, as soon as possible.

2 Current Situation

- 2.1 After much further discussion and consultation with members of the Executive it has been agreed that negotiations with S Notaro Ltd should re commence for the sale of the land to provide access at Point A on Appendix A with Southwest One provisionally agreeing the final terms and conditions.
- 2.2 It has been provisionally agreed with S Notaro Ltd that the level of consideration the Council is likely to obtain from the sale of its land is set out in Confidential

Appendix B (paragraph 1). This has been agreed on the proviso that the requirements contained in the Section 52 Highway Agreement relating to the extant planning consent can be varied to provide that only a single point of access to the development site is required without the need to carry out any road widening works in Creedwell Orchard. The land is held by the Housing Revenue Account and by formally resolving to reinvest the capital receipt from its sale in to affordable housing, the Council should be able to retain 100% of the proceeds of sale. The terms and conditions of sale will ensure that the Council will receive a share of further value that might be obtained through the intensification of the use of its land providing the access to the development site and beyond. It is further provided that S Notaro Ltd will replace the garages currently situated on the Council's land and transfer the buildings and land back to the Council. The present licensees will be given first option to use and occupy the garages on new agreements.

2.3 Final details of the development scheme, including density and any Section 106 affordable housing provisions are determined through the planning application process, in which the Parish Council and local residents have the opportunity to make representations.

2.4 As an alternative to selling the Council's land to provide access to the development site, which will clearly produce the highest value, the land could be suitable for development with one or two dwellings, subject to obtaining planning permission. The level of capital receipt that might be obtained under these circumstances is illustrated in Confidential Appendix B (paragraph 2). Furthermore, Milverton Parish Council has also expressed an interest in acquiring the Council's land for use as a play/amenity area and details of the formal offer that it has made to the Borough Council for its consideration are also included on Appendix B. However, if the Council were minded to sell the land as a small development site in isolation or to the Parish Council at this level of price, the opportunity to obtain a very substantial capital receipt for reinvestment in to affordable housing would be lost.

3. Finance Comments

3.1 Proceeding with the disposal of the land to S Notaro Ltd could provide the Borough Council with a very significant capital receipt for reinvestment in to affordable housing.

4. Legal Comments

4.1 The Council is obliged to obtain best value from the sale of any property assets in accordance with Section 123 of the Local Government Act 1972, except in instances where it is exercising its statutory powers under the Local Government Act 2000 in the promotion or improvement of the economic, social or environmental well being of the area.

5. Links to Corporate Aims

5.1 The disposal of this site will assist in fulfilling the Council's Corporate Aim of Affordable Housing.

6. Environmental and Community Safety Implications

- 6.1 The planning process will ensure that there is no adverse affect to wildlife and the surrounding built environment. Similarly, issues such as potential flooding and traffic management will also be addressed through this process.

7. Equalities Impact

- 7.1 Any development will be subject to Building Regulations and this will address issues such as Disability Discrimination Act compliance.

8. Risk Management

- 8.1 There are not considered to be any significant health or financial risks, with the purchaser being responsible for undertaking all site investigations and applying for any planning permissions that may be necessary for the proposed use of the Council's land and in respect of the development site. It is, however, recognised that abortive costs may be incurred in the event of an agreed sale, subject to contract, not completing.

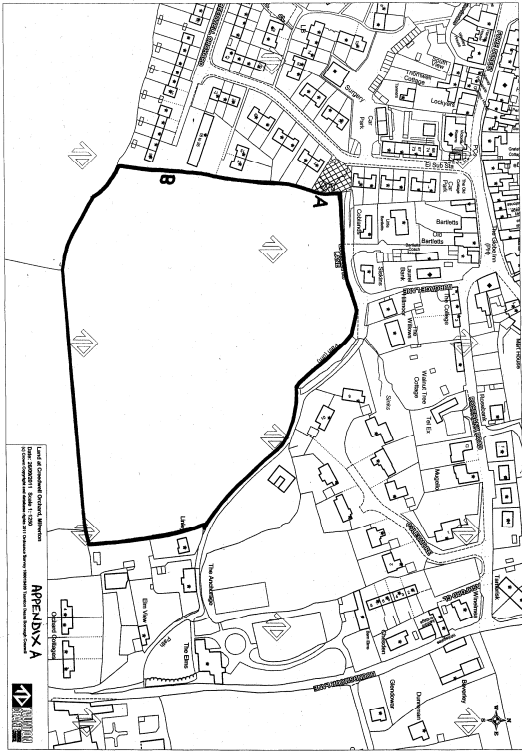
9. Partnership Implications

- 9.1 None

10 Recommendation

- 10.1 Members of the Executive are recommended to give approval to the following actions:-
- (a) Selling the freehold interest in the land shown cross hatched on the attached plan to S Notaro Ltd to enable an access to be created to serve the development site shown edged in bold as shown on Appendix A, on terms and conditions agreed by Southwest One.
 - (b) That the proceeds of sale are directly re-invested in to affordable Housing.
 - (c) Rejecting the offer made by the Milverton Parish Council to purchase the Council's land.

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Taunton Deane Borough Council

Executive – 16 November 2011

Development of “Maggie’s” Cancer Charity provision using a small part of Galmington Playing Field, Taunton

Report of the Strategic Director

(This matter is the responsibility of Executive Councillor Herbert)

1. Executive Summary

The Council has been approached by the Chief Executive of Musgrove Park Hospital about a potential development for a well respected national charity named “Maggie’s” which builds and operates psycho-social support centres for people with cancer and their families, friends and carers. This would sit well alongside Musgrove’s current cancer provisions. To enable this development would mean encroaching on to a very small part of the Galmington Playing field. This report outlines the issues and opportunities and requests the Executive to approve the principle of selling a small part of this land of the purpose of this development.

2. The Proposal

2.1 Maggie’s is a national charity founded by Maggie Keswick Jencks, a writer and landscape designer, who was diagnosed with breast cancer and developed a vision for a cancer caring centre that could make the experience of diagnosis and treatment easier to bear during her last 18 months of life. The president of the charity is HRH Duchess of Cornwall and patrons include Sarah Brown and Jon Snow. The architecture of their buildings is exceptional and they aim to be things of beauty in their own right. They have won many RTPI awards. The introduction in their brochure says “Maggies unique centres are located on hospital grounds to provide the very best complement to medical care. Our effective combination of practical, emotional and psychological support is available to anyone affected by any type of cancer for as long as they need it”

2.2 The philosophy of Maggie’s is:

- Maggie’s unique psychosocial support transforms the way people live with cancer;

- Maggie's inspirational architecture has a direct impact on people's well being;
- Maggie's enables people to become active participants in their treatment, which improves the quality of their lives; and
- Maggie's Centres are community beacons and give anyone affected by cancer a place to turn to.

2.3 Maggie's want to provide a centre in the south West and their preferred location is Taunton. They prefer to build in the grounds of Cancer Centres, because this ensures the greatest capture of people with cancer. Musgrove Park Hospital has looked at their site and come to the conclusion that the most appropriate location would involve encroaching on to a small part of Galmington Playing Field. It is only a corner of the field that is required and they would provide some area around the building such as a sensory garden which would be open to the public in mitigation. It is likely that further mitigation on improved facilities such as play equipment or improved sports facilities would also be required.

2.4 Aerial photographs showing the approximate footprint of the development is found at Appendix A and B. The exact amount of land required will only be known when the detailed plans are drawn up – which will not be done unless there is an in principle agreement to sell an area of land here.

3. The legal position re sale of land at Galmington Playing Field

3.1 There are two restrictions affecting the land at Galmington Playing Field which means that the Council is not free to sell all or part of the land without taking some preliminary steps.

1. There is a restrictive covenant on the land which requires the land to be used only for recreational purposes. To remove this would require someone who currently has the benefit of the covenant (ie a descendant of the original vendor) to consent. A consideration would normally be paid. In 2002 such a descendant was found living locally so this might be an option.

Alternatively an application could be made to the Lands Tribunal for the covenant to be lifted. This would incur the legal costs of making such an application and could take up to a year to get a decision.

2. In addition the land is subject to a Charitable Trust and the Council as Trustee can only sell on the terms set out in the Charities Act. This requires the Council to comply with various requirements and to be satisfied that it is obtaining the best terms possible for the sale. If not, the consent of the Charity Commissioners would be needed.

3.3 Both of the restrictions can be overcome, but it means that the period prior to sale is likely to be considerably longer than for a normal transaction.

The monies arising from any sale would have to be used for the original purpose of the charity, the provision of recreational facilities, and it may well be that such provision would need to be elsewhere on the Galmington Playing Field if only part of the field were to be sold.

4. Parking and Access

- 4.1 One of the key issues for the community around the Musgrove site is parking on the local streets. The development should not cause significant deterioration to the current position. A transport strategy and travel plan will be required as part of the development process and will form part of the planning application. The number of staff will be in the region of 5 – 6 fte so will not greatly add to the number currently employed on the site. Therefore, whilst the concerns of the local residents are well understood, this development on its own, is not likely to have a significant negative impact on the current position and as above, will be picked up in detail through the planning process.

5. Community Scrutiny

- 5.1 This matter was discussed at Community Scrutiny on 11 October 2011. The Committee supported the principle of selling the land for this development but were very concerned about the implications for on street parking for local residents and the impact that this development might have on that. The Scrutiny Committee therefore agreed to the principle of selling off a small part of the Galmington Playing Field to Maggie's Cancer Charity and recommended that the Executive proceed with the next steps towards a sale, with the proviso that careful consideration should be given to local parking issues and providing access to the new centre exclusively through the hospital grounds.

6. Finance Comments

- 6.1 The legal work will be picked up in house, however should external fees be required (for example if we have to make an application to the Lands Tribunal) then we would expect the purchaser to cover these.
- 6.2 The monies arising from any sale would have to be used for the original purpose of the charity, the provision of recreational facilities elsewhere on the Galmington Playing Field.

7. Legal Comments

As in Paragraph 3.

8. Links to Corporate Aims

This links to the Corporate Aim Regeneration (Economic Development)

9. Environmental Implications

A small area of green space would be used for this development.

10. Community Safety Implications

No issues identified.

11. Equalities Impact

No equality issues identified.

12. Risk Management

- 12.1 There is a risk around getting the approvals required to move forward with the sale of this land which is likely to make the process longer than in normal transactions. However, the opinion at the moment is that these restrictions can be overcome.

13. Partnership Implications

- 13.1 Musgrove Park Hospital is an important partner for the Borough Council and a key part of the economic make up of Taunton and the borough. Maggie's centres work alongside other partners including:-

- The clinical nurse specialists and clinical teams
- Local hospices
- Other independent cancer support organisations
- Site specific support groups
- Support groups
- Other district general hospitals in the area
- Local authorities
- Cancer networks
- The Department of Health

14. Recommendations

- 13.1 That Members of the Executive consider this request from Musgrove Park Hospital and Maggie's Cancer Charity and:-

(1) agree the principle of selling a small part of the Galmington Playing Field to Maggie's for this development; and

(2) Request Maggie's and Musgrove Park Hospital to give careful

consideration at the design stage to the potential impact on local parking issues and the provision of access to the new centre through the hospital grounds.

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Taunton Deane Borough Council

Executive – 16 November 2011

Review of Town Centre Management activities in Taunton and request for a financial contribution towards Taunton Town Centre Company BID Administration costs during 2011/2012

Report of the Economic Development Specialist

(This matter is the responsibility of Executive Councillor Norman Cavill)

1. Executive Summary

- 1.1 This Report seeks a contribution of £20,000 from the Borough Council towards the administration of the Business Improvement District (BID) programme, delivered by the Taunton Town Centre Company (TTCC).
- 1.2 Over the past year TTCC has been active in delivering an extensive programme of events, improvements and initiatives aimed at attracting people into the town centre, enhancing the quality of their stay in the town, and as a result, increasing the income of town centre businesses. The Taunton Town Centre Company will be represented at the meeting to present a verbal summary of activities delivered during the past year.

2. Background

- 2.1 TTCC activities fall into two separate categories; namely, BID related services, which are funded through the BID levy, and non-BID, town centre management activities.
- 2.2 Taunton Business Improvement District (BID) is a five year programme of investment by local business rate payers to bring enhanced service improvements in support of retail, commerce and public areas across the town centre.
- 2.3 The BID was developed by TTCC (the BID body) in close partnership with Taunton Deane Borough Council (the billing authority) and SWERDA (the former regional development agency).
- 2.4 The five year programme of investment commenced on the 1 October 2007 and will conclude on the 30 September 2012, prior to which it is anticipated that a second term ballot will be held amongst town centre businesses to obtain their

approval to continue the BID for a second term. A separate report on this agenda refers.

- 2.5 During the current term the BID will invest over £1 million in service enhancements funded by the levy paying business community. In the first four years of the programme, this investment has been enhanced through additional funding contributions from the private sector, Avon and Somerset Constabulary and the Council.
- 2.6 The Council has supported the BID programme through funding and officer time during the first four BID operational years. In 2009, the Council reaffirmed this commitment for the remaining BID term, to be reviewed annually against the BID business plan. The council contributed £30,000 for each of the first two years from the Local Authority Business Growth Incentive (LABGI) fund in support of the BID. A further £20,000 per annum in years three and four. The annual contribution from the Council was envisaged at the inception of the BID as detailed within the BID Business Plan.
- 2.7 That annual contribution made by TDBC is intended to support TTCC in meeting the administrative costs of the BID, ensuring the levy collected is directed towards actual service delivery.
- 2.8 In addition to its BID related activities TTCC carries out town centre management services, partly funded by the Council. In 2010/11 the Council contributed £42,600 to TTCC; this sum has reduced in recent years in line with budget pressures. That contribution attracts a further £100,000 from external sources (including private sector sponsorship of events), and enables a broad programme of activity to take place (appendix 1.). A similar level of contribution is included in the Council's budget to contribute during the current financial year.
- 2.9 The Corporate Scrutiny Committee considered this item at its meeting on 27 October and resolved to recommend the Executive to agree the requested contribution to the Taunton Town Centre Company from LABGI reserves.

3. Current Situation

- 3.1 To date aggregate receipts for the BID levy total approximately £900,000; a reduction of £80,000 on business plan projections. A further £40,000 remains available for collection. However, there has been a significant reduction in the total number of businesses trading, largely attributable to recession. Due to this reduction in the total number of businesses trading within the BID area there has been a small but significant reduction in levy income when compared to the BID Business Plan agreed in 2007.
- 3.2 The Council is responsible for collecting the BID Levy, and for debt recovery under the Business Improvement District Regulations (2004). Where necessary

court action is taken to recover the outstanding debt. In planning for year five of the BID it is estimated by the Council's collection team that the value of total recoverable receipts will drop by £50,000 in 2011/12.

4. Taunton Town Centre Company Proposal

- 4.1 The reduction in business numbers and subsequent reduction in levy resulted in adjustments to service delivery in year four. TTCC embarked on an internal restructure during 2009/10 and made further cost savings in 2010/11 to limit the impact on service delivery. Further adjustments will be required in year five to keep expenditure in line with income derived from the levy.
- 4.2 In order to protect service delivery under the BID, the Council is asked to review the BID business plan for decision each year prior to commencement of the BID operating year on 1st October.
- 4.3 During the current year the company has an ambitious programme of events and activities planned, including provision of the town's Christmas Festival and seasonal lighting display. TTCC will also be supporting celebrations for the Olympic Torch Relay and the Queens Diamond Jubilee. The BID provides for an award winning BID Police Team and programme of street cleaning and graffiti removal in support of the county town. Support is given to the specialist and independent retail offering within the town including management support, signage project and marketing initiative, SHOP TAUNTON. A further edition of the new retail shopping guide publication is to be produced and an online shopping & services directory will be maintained.
- 4.4 The Company has asked the Council to contribute £20,000 towards the administration of the BID during the current financial year. That contribution will cover TTCC's financial year, October 2011 to September 2012.

5. Conclusions

- 5.1 Establishing a vibrant town centre within Taunton is critical to supporting the work of the Council's Economic Development services and is a key component of the local Economic Strategy; supporting the work of Project Taunton in regenerating Taunton and encouraging inward investment
- 5.2 TTCC has delivered an extensive range of services and activities in the town centre over the past year, supported by the Council through its Town Centre Management contribution, and through its contribution towards the administration of the BID programme.
- 5.3 The BID programme continues to prove successful in harnessing the collective contribution of businesses operating within the designated BID area. Over £1 million of funding will be collected from businesses over the five-year term.

5.4 The difficult economic climate and reduction in the number of businesses trading in the town has reduced the total annual sum collected under the BID levy.

6. Finance Comments

6.1 The Council is being requested to make a contribution of £20,000 to the Town Centre Company during the current financial year. Should the Executive be supportive of the request it is Officers view that that contribution should be made from the Council's LABGI reserves. That budget currently amounts to £423,000.

6.2 Members should note that this payment would reduce the available LABGI Reserves currently earmarked to seed-fund future economic development initiatives identified within the Economic Development Delivery programme.

7. Legal Comments

7.1 There are no direct legal implications arising from this report.

8. Links to Corporate Aims

8.1 This proposal links to the Regeneration Aim of the Corporate Strategy.

9. Environmental and Community Safety Implications

9.1 The services of the Town Centre Company impact directly upon the quality of the environment and the safety of the town centre. Providing increased policing in support of the daytime and evening economies and street cleaning services over and above the local authority provision.

10. Equalities Impact

10.1 No equalities implications at this stage.

11. Risk Management

11.1 A reduction in funding by the Council will have a direct impact on the capacity of the TTCC to deliver the full extent of BID services and other town centre management activities.

12. Partnership Implications

12.1 The Council works in close partnership with TTCC, being represented by Members on the Company Management Board and at meetings of Company Members. Officer representation is additionally made on the BID Steering Group and other operational groups.

13 Recommendation

- 13.1 That the Executive supports a contribution of £20,000 from LABGI reserves to the Taunton Town Centre Company to maintain the administration of the Taunton Business Improvement District.

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Appendix 1

1. BID Budget 1 Oct 2011 to 30 Sep 2012

BID Budget Year 5 Projection - October 2011 to 30 September 2012		
Income	Year 4 Estimate	Year 5 Projection
BID Levy	196,000	195,000
Police		
DLO		
Owner/Occupier		
TDBC	20,000	20,000
Advertising & Sponsorship	29,300	20,000
Other	2,738	
Total Income	248,038	235,000
Expenditure		
Safe and Sound		
Police Team	55,000	55,000
Looks Good Feels Good		
Street Cleaning	30,500	30,500
Taunton in Bloom	500	500
Trade Waste Recycling		
Graffiti Removal	600	600
Shop-front grants	2,400	2,400
Shout About It		
Christmas lights	25,300	23,000
Lamp-post banners	100	500
Events	36,500	50,000
Website		
PR and advertising	14,500	23,000
Signing	6,000	5,000
Admin	76,500	76,500
Contingency		32,000
Total Expenditure	247,900	299,000
Surplus/deficit	138	
Surplus brought forward	64,000	64,138
Surplus carried forward	64,138	138

Appendix 2

Business Improvement District Trading Summary October 2007 to September 2011

	Business Plan	Estimated Outturn
Income		
Levy at 1% of RV	980000	860000
SWERDA	30000	30000
TDBC Project Support	40000	20000
TDBC Administration Support	80000	80000
Sponsorship & Events	80000	90000
Total income	1210000	1080000
Expenditure		
Admin	190000	192500
Levy Collection	40000	40000
Safe & Sound	320000	256000
Shout about it	440000	401000
Looks Good - feels good	200000	152000
Contingency	20000	20000
Total Expenditure	1210000	1061500
Surplus/deficit	0	18500

Notes

SWERDA funding contribution in year 1 only

In kind contribution from Avon & Somerset Constabulary up to £80K p.a. joint funds BID police team

Levy income reduced due to business attrition rate

BID requires to achieve small operating surplus to meet development and/or wind up costs at end of current BID term

Taunton Deane Borough Council

Executive - 16 November 2011

Request from the Taunton Town Centre Company Ltd. (TTCC) for support to plans to develop a second term Business Improvement District (BID) proposal leading to a renewal ballot

Report of the Economic Development Specialist

(This matter is the responsibility of Executive Councillor Norman Cavill)

1. Executive Summary

- 1.1 This Report seeks the involvement of the Council, providing information, guidance and support to Taunton Town Centre Company (TTCC) in its intention to develop new Business Plan proposals to continue with the Business Improvement District (BID) for a second term.
- 1.2 On receiving the BID Submission the Council will be asked to hold a ballot of all payers of non-domestic rate within the proposed BID area on behalf of TTCC.
- 1.3 The Council (the billing authority) is being asked to support the development of a new BID Submission, including a request for information to allow TTCC to complete the task. The Council is also being asked to meet the cost of holding a ballot under the Business Improvement District Regulations (England) 2004.
- 1.4 The report also sets out the financial implications on the Council should the second BID proceed, and requests a financial contribution towards the administration of the programme.

2. Background

- 2.1 Taunton Business Improvement District (BID) is a five year programme of investment by local business rate payers to bring enhanced service improvements in support of retail, commerce and public areas across the town centre.
- 2.2 Taunton Town Centre Company (TTCC) first proposed a BID for Taunton town centre in 2007. The five year programme was accepted by the business community through a local referendum in the form of a postal ballot held by the Council on behalf of TTCC in July of that year.
- 2.3 Prior to the referendum, TTCC requested information of the Council in order that

a formal BID Submission could be made. The BID Submission is a formal suite of documents required, triggering the ballot process.

- 2.4 The Council (the billing authority) supported TTCC (the BID body), providing such information as was required in support of the BID Submission and in making formal arrangements to hold a ballot.
- 2.5 The five year programme of investment commenced on the 1st October 2007 and will conclude on the 30 September 2012, prior to which it is anticipated that a second term ballot will be held amongst the affected businesses to obtain a mandate to continue the BID for a second term.
- 2.6 During the current term the BID will invest over £1 million in service enhancements in the town centre funded by the levy paying business community.

3. Current Situation

- 3.1 TTCC (the BID body) intends to propose a renewal ballot to be held in the Spring of 2012. TTCC is giving notice that it intends to develop a new BID proposal (the BID Submission) to be lodged with the Council early in 2012. The BID Submission will accompany a formal request to instruct a local referendum in the form of a secret ballot.
- 3.2 TTCC has embarked on a consultation with the business community to determine the appetite for a second term BID and to establish the priority services to be delivered under the BID during a second five year term. That consultation will form the basis of a new business plan proposal for a second term BID.
- 3.4 TTCC provided a briefing in August 2011, inviting all Elected Members of the Council to attend. The briefing was held to give Members the opportunity to hear of TTCC's plans and to discuss the proposals with the Chair of TTCC, other private sector board members, and the Town Centre Manager.
- 3.5 Once developed, the BID proposal will form the basis of the formal BID Submission to be made to the Council early in 2012. Through this report TTCC is asking the Council for supporting information under the Business Improvement District Regulations (England) 2004. See Appendix 1.
- 3.6 The Company proposes to write to the Council later this year with a formal notice and request for the Council to hold a referendum among the business community in the form of a secret ballot. An outline timetable for the BID Submission and Ballot is attached at Appendix 2. On receiving the BID Submission it will be incumbent on the Council to make onward arrangements and to instruct the ballot.

3.7 This item was considered by the Corporate Scrutiny Committee at its meeting on 27 October 2011. The Committee recommended the Executive to support the Taunton Town Centre Company in the development of a new BID submission.

4. Finance Comments

4.1 The request by TTCC will involve the deployment of officer time to provide the specific information requested in support of the BID Submission (Appendix 1.).

4.2 As the ballot holder, the Council must meet the costs of the ballot in full including officer time, stationery, postages and so on. Under the BID regulations, the cost of a successful ballot cannot be recharged by the billing authority to the BID body. It is estimated that this will cost the Council in the order of £5000. It is proposed that that sum be taken from the LABGI Reserves. At the beginning of the current financial year that budget was £423,000, of which £97,500 has been earmarked for other Economic Development projects with the remainder earmarked for other corporate regeneration priorities.

4.3 As the collecting authority, the Council will be responsible for collecting the BID levy in each year of the BID term. The Council may charge the BID body reasonable collection costs. The current charge made by the Council for collection is £9600 p.a, which was agreed at the start of the programme. Negotiations will need to be held between the Council's Revenue's Team, South West One, and the Town Centre Company, but it is anticipated that that charge will be increased to average around £15,000 per annum for officer time plus an up front charge of £20,000 for the purchase of an enhanced BID software system from CIVICA to help with the Billing and Recovery of BID levies.

4.4 The Council would be liable for payment of the BID levy for any Council properties attracting non-domestic rates (hereditament) within the proposed BID area and where the Council is the responsible party for the payment of non-domestic rate. That payment is currently £4,500 per annum.

4.5 In previous years the Council has also contributed £20,000 per year towards administration costs, so that businesses' contributions can be better focussed on project delivery. A separate item on this agenda refers. That contribution has been discretionary. It is anticipated that a financial contribution will be sought from the Council to benefit the next BID programme. The BID Company is aware of the financial difficulties facing the Council, and that any future requests for discretionary funding towards BID administration will be considered as growth items, for consideration by the Council as part of its annual budget setting process.

5. Legal Comments

- 5.1 It is incumbent on the Council to meet its responsibilities under the Business Improvement District Regulations (England) 2004. The Localism Bill and the proposals to localize Business Rates, both of which are currently under consideration by the Government both make reference to BIDs as a mechanism to support the localism agenda and encourage business growth.

6. Links to Corporate Aims

- 6.1 This proposal links to the Regeneration Aim of the Corporate Strategy.

7. Environmental and Community Safety Implications

- 7.1 The current BID services managed by TTCC impact directly upon the quality of the environment and the safety of the town centre. The current BID provides increased policing in support of the daytime and evening economies. Public convenience and street cleaning services over and above the local authority provision.

8. Equalities Impact

- 8.1 No direct equalities implications at this stage.

9. Risk Management

- 9.1 Should the TTCC proposals for a second term BID fail at referendum there is presently no other funding mechanism to take up the range of services currently offered by the BID.

10. Partnership Implications

- 10.1 The Council works in close partnership with TTCC, being represented by Council Members on the Company Management Board and at meetings of TTCC Company Members. Officer representation is additionally made on the BID Steering Group and other operational groups.

11. Recommendations

- 11.1 That Executive resolves to supports the Taunton Town Centre Company in the development of a new BID Submission, and that:
1. the Council anticipates the future request to instruct the ballot holder to hold a ballot on behalf of TTCC and allocates £5,000 from the LABGI budget to pay for the costs associated with the ballot.

2. the Council makes future provision for the collection of the annual levy and any liability for payment of the levy for its own hereditaments within the BID area under a second BID term.
3. that the Council considers, as part of its annual budget setting process, making a contribution to the Taunton Town Centre Company for the administration of the BID programme.

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APPENDICES:

Appendix 1 – Information and Support

Taunton Town Centre Company is seeking the following information and support of Taunton Deane Borough Council under the Business Improvement District Regulations (England) 2004.

- A list of hereditaments within the proposed BID area
- A statement of existing baseline services provided by the Council within the proposed BID area
- Support in developing the BID operating agreement to exist between TTCC and the Council for the duration of the BID term
- Administration of the BID Referendum in the form of a secret ballot among all levy payers within the proposed BID area
- Provision for the billing, collection and administration of the BID levy funds including establishment of the BID Revenue Account

Appendix 2.

Time Table for Renewal Ballot

Item	Date	Notes
Notice of BID Submission	21 October 2012	12 weeks notice to Secy. of State of intention to make formal BID Submission
BID Submission	13 January 2012	From TTCC
Notice of Ballot	10 February 2012	At least 42 days clear of ballot day
Ballot papers issued	24 February 2012	At least 28 days clear of ballot day
Ballot Day	30 March 2012	Day of ballot

Taunton Deane Borough Council

Executive – 16 November 2011

Proposal for exemption to Contract Standing Order 13 for the procurement of development, construction and related services from the partner panel set up by the Homes and Community Agency

Report of Strategic Director (Joy Wishlade)

(This matter is the responsibility of Executive Councillor Norman Cavill)

1. BACKGROUND

- 1.1 In 2005 Full Council endorsement was given to the use of the South West Regional Development Agency's (SWERDA) consultant's list by Project Taunton for the reasons given below in Section 3. This agreement ran for a 3 year period when a further report was brought to Full Council in December 2009 for a further period to run up until 2012. SWERDA will cease to exist in March 2012. However the Homes and Communities Agency (HCA) has a similar list of contractors who have been through the European Procurement process and are available for Local Authorities to use. This report requests permission to do so.
- 1.2 Given the size of the contracts handled by Project Taunton some of the commissions issued are in excess of TDBC Standing Orders threshold 2 (when full tender procedures apply) and threshold 3 (when EU procurement rules apply).
- 1.3 It was proposed and agreed by Full Council that the consultants were drawn from the framework agreements already held by SWRDA and that this be considered as being compliant with Contract Standing Orders. The same request is now made of the HCA Partner Panel for a period of 3 years from the time of this decision until December 2014. The HCA Partner Panel has been procured to act as a "one stop shop" to enable procurement of development management services, physical development and constructions and is available for use by Local Authorities.

2. CONTRACT STANDING ORDERS

- 2.3 Ordinarily, all contracts that fall under paragraph 13 (c) and (d) in the Contract Standing Orders must comply with the process laid down. However for contracts under 13 c there is an exemption at paragraph 14 (e) which reads as follows:-

"14 (e) the contract to be entered into is to be dealt with in a prescribed manner under agency arrangements entered into by the Council with another authority"

Unfortunately this exemption does not cover 13 (d) the Committee are therefore requested to recommend to the Executive for this exemption to be extended to cover 13 (d) as the HCA will already have carried out this stage.

3. ADVANTAGES

- 3.1.1 The request to use this exemption has been made because of the advantages that this will bring.
- 3.2 The HCA has already complied with EU Regulations and therefore we do not have to consider an OJEU notice at any time thus saving the necessary officer and lead-time to advertise plus associated costs in tendering. It will also allow us to commission work during this project as and when it is required without repeating this exercise. We can therefore demonstrate that the procurement has gone through a suitable process for both Standing Orders under 13 and European law. Usual timescales to procure works through an OJEU process are between 6 – 12 months,
- 3.3 HCA's framework agreement is for 3 years (2010 – 2013 with an option to extend by a year. The rates tendered through the HCA selection process represent the maximum rates that businesses on the panel can apply. This will provide known maximum costs for budgeting purposes and will protect the partnership from inflationary pressures in later years. Clearly any final tender process will potentially drive costs down from the maximum.
- 3.4 The HCA Panel has been procured through a two stage fully OJEU compliant process. Following publication of the OJEU notice, initial Pre Qualification Questionnaires (PQQs) were received and marked to establish the capabilities of prospective delivery partners. Shortlisted firms were then invited to tender for the second stage when a case study and detailed questions related to Schedule of Services were asked.
- 3.5 The attraction of entering into a framework agreement for 3 years should have given businesses maximum incentive to offer suitable rates for their engagement given that this is a larger and longer opportunity.
- 3.6 In deciding to proceed with an exception by use of an agency with other authorities we are obliged to consider the achievement of best value in our procurement. The advantages are as listed above. A large number of organisations in the public sector have taken advantage of similar arrangements.

4. DISADVANTAGES

- 4.1 The only possible disadvantage would be that we could be seen to be limiting our external consultancy to those on the framework. However, this agreement does not limit the Council to the framework agreement. We can choose to go through the full procurement process ourselves and we can use the South West One procurement as outlined in Para 5.

5. SOUTH WEST ONE PROCUREMENT PROCEDURES

- 5.1 South West One set up new procurement procedures in 2009. The requirements of Project Taunton were discussed with them and they were supportive of Project Taunton continuing to use the SWRDA framework contracts and added these to the relevant category plans so that the South West One procurement routes could be utilised. South West One have been informed of this as a similar approach. Consultants outside the HCA framework will also be on these category plans so Project Taunton will be able to use these if, for any reason, the HCA list is not satisfactory.

6. RECOMMENDATION

The Executive is requested to recommend to Full Council the approval of the exemption to Standing Orders as described above and to approve the use of the HCA framework as outlined above under exemption 14 (e), this exemption to cover the 3 year period (2011 - 2014).

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Taunton Deane Borough Council

Executive – 16 November 2011

Theme 5 of Core Council Review (CCR) - Corporate Management Team (CMT), Project Taunton (PT), Economic Development, Growth, and Legal and Democratic Services.

Report of: Penny James, Chief Executive and
Martin Griffin, Retained HR Manager

(This matter is the responsibility of Leader/Executive Councillor John R Williams.)

1. Executive Summary

Theme 5 (CMT, Legal and Democratic and Personal Assistants) is the remaining part of the Core Council Review (CCR) that needs to be completed. Members agreed to more closely align Theme 5 to the Budget Priorities Review project and, as a consequence, this report contains a proposal to deliver savings for budget setting in 2012/13, and, a direction of travel for the period covered by the budget review.

This report focuses on the role and function of the Chief Executive (CEO), Strategic Directors (SD), Theme Managers (TM) Personal Assistants (PA), and the administrative/support functions of the Legal and Democratic Service. Links are made also to Project Taunton (PT), Economic Development (ED), Growth and Development (G&D) and the administrative/support functions of Theme 1 Strategy and Corporate and Performance & Client.

Importantly, this report needs to be read in conjunction with the previous reports to Corporate Scrutiny on the 21 July 2011 and 22 September 2011, which set out the current arrangements and options in some detail.

Feedback on this report and from meetings with the political Groups informed the initial proposals. These have also been developed through the formal consultation with Unison and staff.

This report contains the final proposals and any staff still potentially affected by the final proposals remain at risk of redundancy.

The key changes to the final proposals are:-

- The reinstatement of the Theme Manager-Growth and Development post
- The inclusion of an Apprentice post to principally support the Growth and Regeneration team
- Remodelling the use of reserves to fund the Theme Manager-Growth

and Development post without impacting on the overall level of savings.

- Firming up proposals for how the Growth and Regeneration team will work to take on board feedback from public and private sector partners.

This report sets out the indicative savings of £360,000 in 2012/13 and estimated restructuring costs of at least £158,000 accruing from the proposals. These costs will need to be met directly from reserves to ensure a full year one saving is made

2. Background

- 2.1 The current structures (and detailed information) for all of the service areas within the scope of this report were set out in the report to Corporate Scrutiny of the 21 July 2011 and 22 September 2011.
- 2.2 In terms of history, CMT was last reviewed by Members in 2008. At this point, CMT was reduced by one Director (Jeremy Thornberry). The role of Head of Service was replaced primarily as a result of the CCR – which immediately followed the CMT review – by Theme Managers.
- 2.3 The current CMT and high level structure of the Council is reproduced at *Appendix 1*.
- 2.4 In our view, it has been essential to maintain corporate capacity whilst the organisation has continued to manage its high level ambitions, good quality services and our change programme. The latter has been significant and has involved the CCR, the DLO review and the creation of Southwest One.
- 2.5 It is recognised that the Council's financial position dictates a need to further rationalise expenditure on staffing capacity. The CCR and the previous CMT review reduced expenditure on capacity across the organisation on average by approximately 10%. It is our intention to not only meet this target, but also to recognise the potential for the Council's expenditure to have to reduce by approximately 40% over the term of this Council.
- 2.6 We are, therefore, suggesting to members, proposals that generate a saving for the 2012/13 Budget, and a Direction of Travel to meet the requirements of the Budget Review Project for the next 3 to 4 years.
- 2.7 A timetable to achieve the immediate 2012/13 Budget requirement is set out in *Appendix 2*.

3. The Context

- 3.1 Corporate Scrutiny on the 18 August 2011 recommended as part of the High Level Principles that the current Corporate Priorities should be maintained. This will require the continued resourcing of a comprehensive Growth and Regeneration delivery capacity in particular. The Executive also approved the High Level Principles at its meeting of the 14 September 2011.

- 3.2 The Council have also agreed to retain the DLO and implement a comprehensive investment and savings plan that will deliver significant savings to the Council. The Council has also removed the acting Theme Manager post from the DLO. This therefore requires our proposal to consider how we resource capacity at a senior level to lead and drive the internal transformation forward.
- 3.3 We need to continue to have the capacity and skills/experience to continue to:-
- 3.4 Plan for, deliver and secure external funding for growth – physical, social and economic
- 3.5 Focus on securing and supporting our existing businesses, and encourage and support further inward investment
- 3.6 Address levels of inequality in our communities, both social and economic
- 3.7 Support the delivery of affordable housing, through new innovative ways as public funding becomes increasingly squeezed.
- 3.8 Focus on the “Green Agenda”, both in terms of our own performance as a business, and in terms of the community and the promotion of the Deane as a place for green business and industry to flourish.
- 3.9 Have capacity to appropriately support, develop and adequately manage our external partnerships and contracts.
- 3.10 Ensure DLO Internal Transformation is a success, and delivers the level of savings and quality promised.
- 3.11 React to the Localism and Open Public Services White Paper. There will be increased challenge to the direct provision of services by the Council. We will need to consider service delegation to Parish and Town Councils, community groups, the voluntary sector and the private sector.
- 3.12 Manage the increased pace of service transformation in response to unprecedented reductions in funding and future central government policy developments.
- 3.13 In addition to these areas over which the Council has a degree of choice, there are some areas of work that must be maintained. These primarily relate to the proper governance and safe stewardship of the organisation.

Some examples are:-

- Financial propriety
- Risk management and Health & Safety
- Corporate Governance
- Standards and Ethics
- Delivering statutory services to an ‘adequate’ level

3.14 The Council also has three statutory roles that it must maintain, which are:

- Head of Paid Service – currently the CEO/Penny James
- Section 151 Officer – currently SD/Shirlene Adam
- The Monitoring Officer – currently a TM/Tonya Meers

3.15 Members will need to decide where they want these roles to sit, and this report goes on to give some proposals.

3.16 The capacity and cost of CMT has been benchmarked against Sedgemoor District Council who is within our Audit Commission family group.

3.17 The base data is reproduced at *Appendix 3*.

3.18 In summary, when taking out the costs attributed to managing our Housing Service and Buildings DLO the capacity of the CMT at this Council is approximately 70% of SDC and the General Fund cost of the CMT at this Council is approximately 60% of the cost of SDC's CMT.

3.19 It is clear that the current CMT represents very good value when compared to SDC. Members need to take this into account when considering cuts to our own capacity.

4. The options for the Chief Executive

4.1 The previous report to Corporate Scrutiny on the 21 July 2011 sets out the three options that were considered by Corporate Scrutiny and informally by all of the Group Leaders and their Groups.

4.2 These options broadly are:-

- Replace the CEO post with a Managing Director
- Share the role of CEO with another Authority
- Status Quo

5. The proposal for the Chief Executive

5.1 Three Groups have a strong preference for retaining a dedicated CEO post for the purpose of this review. One of the Groups preferred to retain four posts at CEO/Director level without expressing a strong preference as to how these roles were arranged structurally.

5.2 No further comment was received from the formal consultation.

5.3 The Retained HR Manager is therefore proposing the status quo option and their will be no impact on the current post holder from the review.

6. The options for the role of Strategic Director

6.1 The previous report to Corporate Scrutiny on the 21 July 2011 sets out the three options that were considered by Corporate Scrutiny and informally by all of the Group Leaders and their Groups.

6.2 These options are broadly:-

- Reduce the number of Strategic Directors
- Refocus the roles on specific business areas such as Corporate, Services and Growth
- Status Quo.

7. The proposals for the role of Strategic Director

7.1 The Groups are all agreed that the number of Directors needs to reduce by one.

7.2 The previous reports to Corporate Scrutiny sought view on options that ranged from the Directors being fully strategic to the Directors being fully linked to specific functions of the Council. Feedback was mixed – but – a strong need was expressed for the Directors to retain some flexibility in their work roles.

7.3 No further comment was received from the formal consultation, except an overall concern that a reduction in capacity could affect the pace of corporate priorities delivery and time available to support staff when needed.

7.4 The CEO and Retained HR Manager are therefore proposing that the Council have three Directors as set out below:-

- Strategic Director – Corporate
- Strategic Director – Growth and Regeneration
- Strategic Director - Services

A consequence of this proposal is that one of the existing Strategic Directors is redundant with a last day of service of 31 March 2012. The saving to the Council from this post will be £94,000 and the redundancy cost will be £103,000. These costs will use the residual uncommitted CCR Reserve balance of £20,000 with the balance to be split 75:25 across the General Fund and HRA. The payback is just over a year.

7.5 The Groups, the CEO and the Retained HR Manager are agreed that the Section 151 role should continue to be held by a Director.

7.6 The Section 151 role must be held by a qualified accountant.

7.7 One of the Strategic Directors has also formally requested to reduce their hours by 2/5ths. The CEO has (in consultation with the Group Leaders) accepted this request. The saving to the Council from this proposal will be £38,000 split 75:25 across the General Fund and the HRA. There are no costs.

- 7.8 The SD – Growth and Regeneration post will be funded for 3 years from historic reserves. These are the HPDG and LABGI reserves and residual Project Taunton funding. The funding of this post from reserves will give a fixed term saving in the revenue budget of £102,000 per year for three years split 75:25 across the General Fund and HRA.
- 7.9 In total this proposal reduces capacity and costs from four Strategic Directors to 2.6 Directors.
- 7.10 The SD – Services will also spend 2 days per week at the DLO to ensure continued visible leadership of the approved transformation programme.
- 7.11 The CEO will need to agree with the Group Leaders how the reduced Director capacity is best deployed to deliver the Council's priorities and services from the 1 April 2012.
- 7.12 To support this, it will also be important for the retained Directors (and other Members of CMT) to look at their ways of working and these will have some impact on Members especially around visibility and attendance at evening meetings. The ideas that have been discussed by the current team and some initial thoughts are set out in *Appendix 4*.
- 7.13 The review of the Corporate Strategy starting with a report to Corporate Scrutiny in November will need to take account of the reduced corporate capacity available to lead and drive delivery of the corporate priorities.
- 7.14 Overall this proposal will save £175,000 to the General Fund and £59,000 to the HRA, a total of £234,000. The potential one off restructuring cost is £103,000.

8. The options for the role of the Theme Manager

- 8.1 The previous report to Corporate Scrutiny on the 21 July 2011 sets out the three broad options that were considered by Corporate Scrutiny and informally by all of the Group Leaders and their Groups.
- 8.2 These options are broadly:-
- Reduce the number of Theme Managers
 - Refocus the roles to map onto the retained Director roles
 - Status Quo.

9. The proposals for the Theme Manager role

- 9.1 The Groups are agreed that for year one purposes – if a significant change is made at CEO and/or Director level - then care should be made not to destabilise the operational management of the organisation by significantly changing the current arrangements at TM level. They are also agreed that this is an area of the organisation that could be revisited as part of the Budget

Review Project when the Council is clearer on the priority and affordability of each individual service line.

- 9.2 The original reports proposed that the TM roles are not changed at this stage with the exception of the Growth and Development Theme Manager post. However, the formal consultation had one overwhelming message – that the Council needs to retain a senior planning resource to deliver its growth ambitions. This has come from Unison and from a wide range of staff and, on reflection from senior Members across the political spectrum. We therefore, recommend that this post is retained in the new structure. Further reference is made to this in the revised final proposals for growth delivery in Section 11.2.
- 9.3 The previous reports to Corporate Scrutiny gave some options for the Monitoring Officer (MO) role. The Groups had no strong feeling as to where this role sat within the organisation and were broadly content with the current structural arrangements.
- 9.4 The CEO therefore proposes that the Monitoring Officer role is retained as an integral part of the Theme Manager - Legal and Democratic Services post.
- 9.5 The CEO also proposes that the TM – Legal and Democratic Services take on the responsibility for Freedom of Information requests, Ombudsman complaints, and, general Information Management functions. These functions sit comfortably with the MO and Legal Services.
- 9.6 The CEO further proposes that the TM– Legal and Democratic Services report directly to the CEO post. This would ensure that both the S.151 and MO report to the CEO in the future.
- 10. Project Taunton Delivery Team and broader 'Growth' delivery – the original proposals to Corporate Scrutiny.**
- 10.1 The previous reports to Corporate Scrutiny set out the current position and various options with respect to the Project Taunton delivery team. These were considered by Corporate Scrutiny and informally by all of the Group Leaders and their Groups. They have now also been formally consulted on.
- 10.2 It is important to remember that currently the Project Taunton team is wholly funded by some residual Project Taunton partnership money and Growth Points and as such represents no direct cost to the General Fund of the Council. If a Project Taunton team – or the functions they currently deliver – are important to the Council then we will have to take on the funding going forward from 2012/13.
- 10.3 Having said that there is likely to be a carry forward Project Taunton budget from 2011/12 into 2012/13 and funding to be drawn down as the Firepool development begins to unfold.
- 10.4 The Groups are agreed that this proposal should look at the future of Project Taunton together with all of the growth, regeneration and economic development functions of the Council as a whole.

- 10.5 The Groups are agreed that as the Council will be the dominate funder of the function going forward that the Project Taunton function should be bought 'in-house' and the posts going forward all be Council 'owned' posts.
- 10.6 The Groups also felt strongly that any new arrangement of the functions mentioned in paragraph 10.5 above should cover the whole Borough and not just Taunton. Having said that they were concerned about diluting the Project Taunton brand and priority focus on Taunton as the primary growth and regeneration locality.
- 10.7 They were also agreed that historic reserves can be used to fund some of the posts required going forward for a 3 year period to minimise any on going revenue impact on the General fund and the size of the projected budget gaps shown in the MTFP to 2015/16.
- 10.8 The Groups agreed with the CEO that these growth and regeneration functions (and the posts involved) should be revisited in 2-3 years time from 2012/13 as the Council's requirements in this area develop and change over time.
- 10.9 It was proposed that a new Growth and Regeneration team be created. The team would also become the Council's 'shop window' for inward investment purposes.
- 10.10 It was proposed that the new team would also act as the Council's Property Client.
- 10.11 It was proposed that the new team would also take the lead in marketing Taunton and Taunton Deane.
- 10.12 It was proposed that the new team provides a function for the entire Deane. It is recognised that within this the regeneration of Taunton town centre and the urban extension of Monkton Heathfield will remain priority projects.
- 10.13 It was also suggested that the Council may also need to consider if it wants to separately 'brand' the Growth and Regeneration team. It may not want to lose some of the advantages that have accrued from the Project Taunton team currently being separately branded.
- 10.14 It was proposed that the post of Strategic Director – Growth and Regeneration manage the Growth and Regeneration team directly.
- 10.15 It was proposed that the team includes a post of Commercial Manager who will primarily focus on the major regeneration projects in Taunton and lead on commercial and property negotiations.
- 10.16 The Commercial Manager post is a new post to the Council.
- 10.17 It was proposed that the team includes a post of Growth and Regeneration Manager who would primarily focus on the delivery of wider regeneration, infrastructure and growth including schemes within Project Taunton.

- 10.18 It was proposed that all of the other Leads currently reporting to the Growth and Development Theme Manager report to the Strategic Director – Growth and Development pending further review as part of the Budget Review Programme.
- 10.19 It was proposed that the Economic Development team report directly to an Economic Development Manager post that will also sit within the Growth and Regeneration team. It was proposed that the currently vacant Lead role in the economic development team is deleted and 50% of the cost is retained to enable the team some freedom to consider how they may best structure in the future – and – 50% is returned as a saving to the General Fund. This represents a saving of £20,750.
- 10.20 The current workload associated with the Project Taunton Project Co-ordinator post and Project Taunton Office Manager post has reduced and the remaining elements can be subsumed within the Business Unit – Growth and Development as part of these proposals. The saving to the Growth Point fund from this proposal will be £59,000 and the potential redundancy costs are £55,000. These costs will be met from Growth Point funds.

11. Revised final proposals for Project Taunton and broader ‘Growth’ delivery

- 11.1 The proposals for the Growth and Regeneration have been the main focus of formal consultation responses. The principal concerns have been:-
- The proposal to delete the Theme Manager-Growth and Development post.
 - The proposal to bring Project Taunton ‘in house’
 - The proposal to add functions to the existing Project Taunton Team

Theme Manager-Growth and Development

- 11.2 As mentioned in paragraph 9.2 we now propose and recommend the reinstatement of the Theme Manager-Growth and Development Manager post. Members can see the strength of feeling about the value of this post from the summary of the consultation responses at *Appendix 8* from staff and from Unison’s consultation response which can be seen as an Appendix to the confidential report that accompanies this main report. This revised proposal is also supported by senior Members and the Member Change Steering Group.
- 11.3 I propose to retain the original suggestion that the Economic Development Specialist become the Economic Development Manager and that this post takes on the responsibility for the Economic Development Team, and that the whole sits within the Growth and Regeneration Team rather than with the Theme Manager-Growth and Development.
- 11.4 This will ensure that all of the Economic development/Regeneration functions remain integrated in the new Growth and Regeneration team, The new team will need to continue to work closely with the forward planners. The proposal

also frees up some capacity for the TM-Growth and Development to focus on the following key functions:-

- Advisor to Director and Growth and Regeneration Team on all planning matters
- To lead negotiations on key sites to ensure alignment with Council's growth agenda
- Ultimate responsibility for decisions on all major applications (as defined by legislation) to ensure that planning policy and its implementation are not in conflict, and that the Council provides a seamless planning service
- To co-ordinate strategies for urban extensions
- To co-ordinate response to major planning appeals
- To ensure that legislative changes and emerging government guidance are incorporated into the decision-making process
- To oversee strategic development of the Development Management, Landscape and Heritage Services
- To respond to complaints where a professional planning judgement is required
- To ensure that a single co-ordinated Growth and Development response is provided to all planning enquiries

11.5 The Theme Manager-Growth and Development will remain responsible long term for the following functions:-

- Development Management
- Conservation and Landscape
- Planning Enforcement

11.6 Once the structure has consolidated, I would propose that the Strategic Director-Growth and Regeneration reviews (with the relevant Portfolio holder, Shadow Portfolio holders, staff and Unison) the long-term responsibility for:-

- Building Control (which may fit better with Community Services?)
- Affordable Housing (which may fit better with the Growth and Regeneration Team?)

11.7 With the reinstatement of the Theme Manager-Growth and Development, the proposed post of Growth and Regeneration Manager can now focus more on regeneration and the proposed post title should reflect this, namely 'Regeneration Manager'.

11.8 The Strategic Director-Growth and Regeneration, Theme Manager-Growth and Development and Business Support Lead-Growth and Development have considered the best location for the Business Support function. On balance, I agree and, therefore, propose that this function remains line-managed by the Theme Manager-Growth and Development. The bulk of work will still be for planning, even with the proposal for this team to support the Growth and Regeneration Team. The Business Support Lead will join Growth and Regeneration team meetings to ensure/support requirements are known and planned in.

11.9 The Strategic Director-Growth and Regeneration will manage the Theme Manager-Growth and Development; Commercial Manager; Regeneration Manager; and Economic Development Manager; ensuring they develop and operate as 'one' team.

Project Taunton Team

11.9 Members can see at *Appendices 9 and 10* respectively the concerns of the Chair of the Project Taunton Advisory Board, and of key strategic delivery partners (in both the public and private sectors) to the proposal set out in the previous reports to Corporate Scrutiny.

11.10 The major concerns are:-

- The loss of 'independence' (real and perceived) if the team comes 'in-house'
- The potential for the team to get 'stifled' by Council bureaucracy.
- Reluctance of the private sector to 'do business' with the Council
- Loss of strong brand
- Loss of focus and/or dilution of effort from adding in new duties to the current Project Taunton team

11.11 I have spent a considerable amount of time with partners and staff involved to look for a solution that achieves Members' aims and addresses important partner concerns – whilst avoiding the pitfalls of a mediocre compromise where performance and delivery are diminished. As a consequence, I suggest the following approach:-

- The wider Growth and Regeneration Team works across the Borough, and its functions are as follows:-
 - The regeneration of Taunton Town Centre (and for this purpose, the Project Taunton brand and focus are retained)
 - The development and engagement of local businesses
 - Inward investment
 - Retained property client (limited to provision of expertise and advice, not management of Southwest One).
 - Advocacy for business across the Council
 - Employment and Skills
 - TIC/Tourism/Town Centre Management
 - Culture
 - Marketing of Taunton and Taunton Deane
- The Theme Manager-Growth and Development will take the lead (with input and advice from the Growth and Regeneration team) on:-
 - Delivery of employment land
 - Delivery of wider housing growth
- The Growth and Regeneration team will 'hot desk' between Deane House (to ensure appropriate integration into Corporate Management

Teams, and the wider Council) and with a new upgraded facility at The Auction Room, which will be used to 'do business' with the private sector and developers.

- 11.12 The Project Taunton Advisory Board should be retained and focus predominately on the regeneration of Taunton - and - also consider and take account of the wider growth and regeneration agenda for Taunton. This will negate the need for a second wider Growth Board body. Its membership should be reviewed to reflect the need to increase private sector engagement.
- 11.13 The final proposals for support of the Growth and Regeneration team remain as originally suggested in paragraph 10.20 above.

Apprentices

- 11.14 Thought has been given to the creation of an Apprentice post to support the newly formed Growth and Regeneration team. The post holder would have the opportunity to work across the whole Growth and Development 'Directorate'. This post would help to mitigate the impact of the rationalisation of existing support posts and would align with the Council's approach to introducing Apprentices to the Council as part of the DLO transformation programme.
- 11.15 All apprentices are paid the same amount in the first year, which is set by government and currently stands at £2.60 per hour. Employers can voluntarily pay more than this should they wish to.
- 11.16 The subsequent years costs are dependent on age as the apprentice moves onto the national minimum wage for their age bracket.
- 11.17 Should an apprentice be over the age of 19 when they join the host college the employer also has to pay a contribution to the cost of training, this goes to the training provider. In the first year we would pay £5000 for a candidate under 19 and £5900 for a candidate over 19. In the second year we would pay £9500 for a candidate under 18 – 20 and £12400 for a candidate 21 and over. I am proposing that £18,300 be set aside from the year one General Fund saving to fund the maximum costs of an Apprentice for a 2 year period.
- 11.18 The proposed final structure for the Growth and Regeneration 'Directorate' is reproduced at *Appendix 5*.

12. The options for Legal and Democratic and support functions.

- 12.1 The previous reports to Corporate Scrutiny set out a number of options that were considered by Corporate Scrutiny and informally by all of the Group Leaders and their Groups.
- 12.2 The formal consultation supported the creation of a Corporate Support Unit, and expressed some concerns, which need to be managed, from staff who will use the service and from one member of staff who may form part of the new service. These concerns will be taken on by the Theme Manager-Legal and Democratic Services, as they work towards creating a proposal for the

new unit. I therefore do not intend to recommend any changes to the original proposals to Corporate Scrutiny.

- 12.3 The Theme Manager-Legal and Democratic Services post has already been dealt with in para.9.5.
- 12.4 The Council is currently part of the Somerset wide shared Legal Services project (with the exception of SCC). The intention is to deliver a model akin to that of the South West Audit partnership which is capable over time of growing through other authorities joining. This project needs leadership and drive. It is proposed that the Legal and Democratic Manager and/or the Legal Services Manager are tasked with the delivery of the partnership before the latter post holder retires. Thought also needs to be given now to succession planning in terms of the latter post holder.
- 12.5 The Legal service is meant to receive a ½ FTE administrative support from posts within Democratic Services. In reality this does not happen and as a consequence the service effectively has no or very limited support (except from a historic relationship with the Post and Print Room). This is not an efficient use of qualified Legal officer's time and as such this issue also needs to be taken care of.
- 12.6 Democratic Services are not resilient enough as witnessed by the issues that impacted on Members over the summer period. It will also – within the Council's current structure - become isolated as a service if the shared legal service comes to fruition. The demands on Democratic services have also changed over time and a further conversation is needed with all Members and other service users to determine what the priority requirements of the service now are.
- 12.7 The role of Electoral Services Manager post and Parish Liaison post are also currently part of Democratic Services.
- 12.8 The performance management requirements around the elections function has also recently increased in demand due to additional Electoral Commission reporting requirements. Other changes are also proposed around registration that will increase demands.
- 12.9 The Civic Officers post provides support to the Mayoralty and to the Theme Manager – Legal and Democratic.
- 12.10 The three PA posts provide support to the Leader of the Council, the CEO, the Directors, and, to various projects and initiatives that the current Directors are leading.
- 12.11 The two administrative posts – one within Strategy and Corporate and one within Performance and Client are both dedicated solely to these areas.
- 12.12 Essentially, Theme 5 (CMT and Legal and Democratic) does not have a single support unit unlike all of the other Themes in the Council where a successful Business Support unit has been set up. These units exist for Growth and Development, Community Services and now for the DLO.

- 12.13 It is proposed that all of the posts within Democratic Services, the PA's and the two administrative posts within Theme 1 be part of a proposal to form a wider Corporate Support team for Theme 5 and Theme 1 and the Leader of the Council.
- 12.14 It is proposed that the Theme Manager – Legal and Democratic Manager be tasked with the creation of the Corporate Support Unit and that she brings forward further reports to ensure that the Unit goes live on the 1 April 2012. This will effectively mean that this review will run to the same timetable as proposed for budget setting for 2012/13.
- 12.15 The terms of reference for this review are detailed at *Appendix 6*.
- 12.16 It is proposed that a budget saving of at least £50,000 be made from creating the new Unit and that this saving be taken now as a consequence of this report.

13. Finance Comments

- 13.1 The potential total savings in 2012/13 (Year 1) should all of these proposals be accepted by Members is £360,000 split across the General Fund and HRA (£301,000 and £59,000 respectively). The related costs would be an estimated £103,000 from Taunton Deane Borough Council reserves and estimated £55,000 from Growth Point reserves. Any potential restructuring costs related to the creation of the Corporate Support Unit are currently unknown.
- 13.2 The savings to the annual revenue budgets for the various proposals in this report are summarised as follows. The figures include assumed inflation in line with MTFP assumptions.

	2012/13 £000	2013/14 £000	2014/15 £000	GF	HRA
Revenue Budget Savings					
Director post deleted (1.0 FTE)	94	96	98	75%	25%
Director post reduced (0.4 FTE)	38	39	40	75%	25%
Economic Development Lead (0.5 FTE)	21	22	23	100%	0%
Director funded from earmarked reserves	102	105	107	75%	25%
Theme Manager Funded from Reserves (Year 1 only)	73	0	0	100%	0%
Corporate Business Unit Savings Target	50	50	50	100%	0%
	<u>378</u>	<u>312</u>	<u>318</u>		
Apprentice Costs (Provision for 2 year costs)	-18	0	0	100%	0%
	<u>360</u>	<u>312</u>	<u>318</u>		
<i>Revenue Account Summary Analysis:</i>					
General Fund	301	252	256		
HRA	59	60	62		
Total	<u>360</u>	<u>312</u>	<u>318</u>		

13.3 The estimated redundancy costs, which would be incurred in 2011/12 requiring Supplementary Budget to be funded from reserves, are summarised as follows. Earmarked reserves include TDBC and Growth Point funds.

	2011/12 Costs £000	Met from GF Reserves £000	Met from HRA Reserves £000	Met from Earmarked Reserves £000
Restructuring Costs				
Director redundancy costs	103	62	21	20
Project Taunton staff redundancy costs	55	0	0	55
Corporate Business Support redundancy costs	tbc	tbc	tbc	tbc

13.4 The structure proposals for Growth and Regeneration include the use of earmarked reserves to fund staff costs during the next three years, as summarised below. The table includes related overhead and operating costs to illustrate the full amount of £830,000 to be funded from reserves for the three year period. Future reviews would need to determine alternative funding arrangements for any continuation costs beyond this.

	2012/13 Estimate £000	2013/14 Estimate £000	2014/15 Estimate £000	3-Yr Total Estimate £000
Estimated Growth & Regeneration Costs to be funded from Earmarked Reserves				
Growth & Regeneration Director	102	105	107	314
Growth & Regeneration Manager	75	77	79	231
Commercial Manager	61	64	0	125
Theme Manager Growth & Development	73	0	0	73
Total staff costs to be met from reserves	311	246	186	743
Overheads and other operating costs	29	29	29	87
	340	275	215	830

13.5 The above costs are planned to be funded from a combination growth and regeneration targeted reserves including Growth Point, HPDG, LABGI, and other Regeneration Reserves. This would leave currently uncommitted balances of £59,000 for HPDG Capital and £77,000 in LABGI.

13.6 The final level of savings and costs will depend on the elements of this proposal that go forward to Full Council in December.

14. Legal Comments

14.1 This report focuses on a range of options. The proposal delivers the Councils statutory functions. At this stage, there are no comments from Legal.

15. Links to Corporate Aims

15.1 This report assumes that the current Corporate Aims will remain broadly valid for the life of this Council. All of the posts referred to in this report have strong links to the delivery of the Corporate Aims.

16. Environmental and Community Safety Implications

16.1 This report assumes that the Council will continue to focus on Climate Change and Community Safety to broadly the same degree as it does now. These functions are supported by some of the posts falling within the scope of this report.

17. Equalities Impact

7.1 Under the Public Sector Equality Duty, there is a requirement to carry out an analysis of the effects on equality of existing and new policies and practices. This includes the effect on employees as well as the community.

7.2 An Equality Analysis has been carried out.

18. Risk Management

18.1 A risk register will be developed for this review as part of the broader Budget Review Programme.

18.2 The final proposals reported to the Executive set out any risks associated with them.

19. Partnership Implications

A number of posts and functions within the scope of this review work in – or - are delivered in partnership. The final proposals reported to the Executive will clearly set out any partnership implications associated with them.

20. Consultation to date

20.1 Consultation to date has been informal and formal.

20.2 The CEO met informally with the Executive and the Shadow Executive in an extended Liberal Democrat meeting that also included the Labour Group Leader, The CMT staff and the Unison Branch Secretary before drafting the previous report to Corporate Scrutiny on the 21st July.

20.3 Subsequently she presented some thoughts on how the review could be taken forward to the Conservative and Liberal Democrat Groups, to 2 of the Labour Group and 1 of the Independent Group and to the Group Leaders as a whole.

20.4 Unison sent comments on both of the previous reports to Corporate Scrutiny and these have been taken on board in drafting the final proposals. The formal Unison response to the final proposals is included in the confidential report that accompanies this main report.

20.5 Staff affected by the original proposals have also formally responded to the consultation. Their comments are summarised in *Appendix 8*. A full copy of the comments and the individual responses is available to Members on request.

21. Independent Advice to Members

Members may wish to take some advice on this and future reports from an individual/organisation independent from the CEO and Retained HR Manager.

22. Conclusion

- 22.1 The proposals in this report sets out a way forward to achieve a saving in year one of circa ££360,000 (including one-off saving £55k - £73k Theme Manager costs met from reserves (less £18,300 in year one to fund the total maximum cost of an Apprentice for 2 years) if the proposals are accepted in full. The proposal achieves and goes beyond the initial Core Council Review target of a 10% saving for CMT. The total cost of CMT (CEO, Directors, Theme Managers and PA's) is currently circa £1.1 million.
- 22.2 The number of Directors is being reduced from 4 to 2.6. The number of 'dedicated' Project Taunton posts is reduced from 4 to 2 mitigating the size of the new cost to the Council of the replacement Growth and Regeneration team. The proposed creation of the Corporate Support Unit will save at least £50,000 and ½ a Leads post has been saved within Economic Development.
- 22.3 A new post of Apprentice to support the Growth and Regeneration Team is proposed. This will cost c.£6K pa in Year One, and c.£12K pa in Year Two.
- 22.4 The overall proposed new Corporate Management Team structure is reproduced at *Appendix 7*.
- 22.5 New or substantially changed posts will need to be job evaluated. Some of these posts have direct comparators so the potential costs are known, for example in setting up any Support Unit. Some posts will be wholly new to the organisation and will need to be formally costed. Some posts are gaining enhanced or new responsibilities. The cost of these potential re-gradings will need to be met from existing resources.
- 22.6 The proposed 'direction of travel' for the purposes of the Budget Review project is to review the Growth and Regeneration Director post and the Growth and Regeneration team, the number and role of Theme Managers and the number and role of Business / Support Units across the Council in 2-3 years time from the implementation of the year one proposals.

23. Recommendations

- 23.1 The Executive are asked to recommend to Full Council that, from 1 April 2012:-
- 23.2 The number of Strategic Director posts be reduced from 4 to 2.6 with the allocation of £103,000 from reserves (£62,000 General fund, £21,000 HRA, £20,000 CCR Earmarked Reserve) in 2011/12 to fund the associated costs
- 23.3 The creation on the establishment of the post of 'Commercial Manager' for a fixed 2-year period funded from historic reserves

- 23.4 The change of the establishment post of 'Project Taunton Regeneration Manager' to 'Regeneration Manager' funded for 3 years from historic reserves.
- 23.5 The change of the establishment post of 'Economic Development Specialist' to 'Economic Development Manager'.
- 23.6 The deletion of 0.5 FTE vacant Economic Development Lead
- 23.7 The creation of an Apprentice post for the Growth and Regeneration Team for a two year period funded from the year one General Fund saving.
- 23.8 Minor changes to reporting arrangements as set out in the Report
- 23.9 The creation of a Corporate Business Support Unit delivering a minimum saving of £50,000 to the Council
- 23.10 The deletion of the Project Taunton Officer and Project Taunton Office Manager posts from the establishment
- 23.11 The allocation of £55,000 from historic 'growth' reserves to fund the one-off costs of creating the Growth and Regeneration proposals, set out in this report.

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E-mail address)	m.griffin@tauntondeane.gov.uk

Key to Appendices

<u>Appendix No.</u>	<u>Title</u>
1.	Current high level structure of the Council
2.	Timetable for the Review
3.	Benchmarking
4.	Ways of working
5.	Proposed Growth and Regeneration Directorate Structure
6.	Terms of Reference for Corporate Support Team
7.	Proposed CMT structure
8.	Summary of the key points from the staff consultation
9.	Consultation response from Chair of Taunton Advisory Board
10.	Notes of Consultation meeting between TDBC CEO and key private and public sector partners

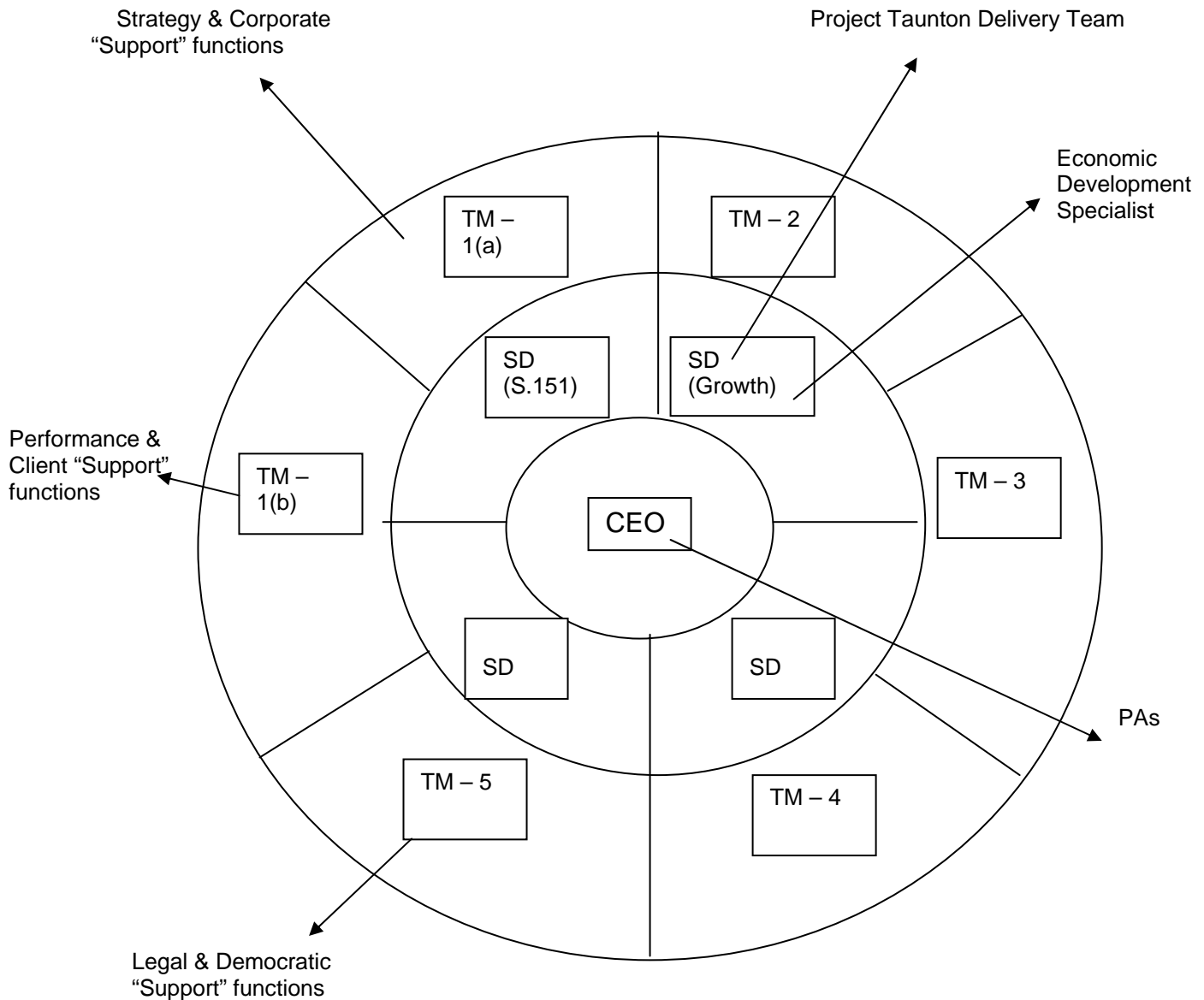
Appendix 1 - Current structures

This Appendix shows the “family tree” for CMT.

It also shows the current high level structure for all of the Themes, and the Personal Assistants’ link into CMT.

This diagram has also been annotated with the names of current postholders. Whilst this report is about posts and not people, it was suggested at the Member Change Steering Group that it would help new Members in particular understand the current structure.

Summary Diagram to Illustrate the Scope of the CMT/Theme 5 Review



Key

CEO = Chief Executive (Penny James)

SD = Strategic Directors (Shirlene Adam, Brendan Cleere, Kevin Toller, Joy Wishlade)

TM = Theme Manager

TM – 1(a) – Strategy & Corporate Manager (Simon Lewis)

TM – 1(b) – Performance & Client Manager (Richard Sealy)

TM – 2 – Growth & Development Manager (Tim Burton)

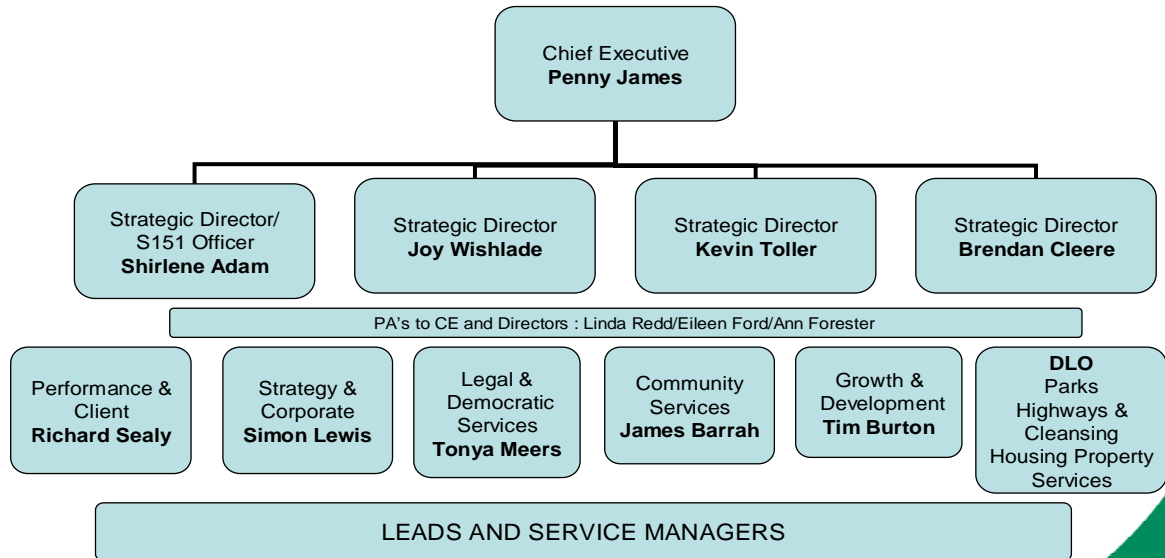
TM – 3 – Direct Labour Organisation (Brian Gibbs – Acting)

TM – 4 – Community Services Manager (James Barrah)

TM – 5 – Legal & Democratic Services Manager (Tonya Meers)

PA's = Personal Assistants to Leader, CEO and Strategic Directors

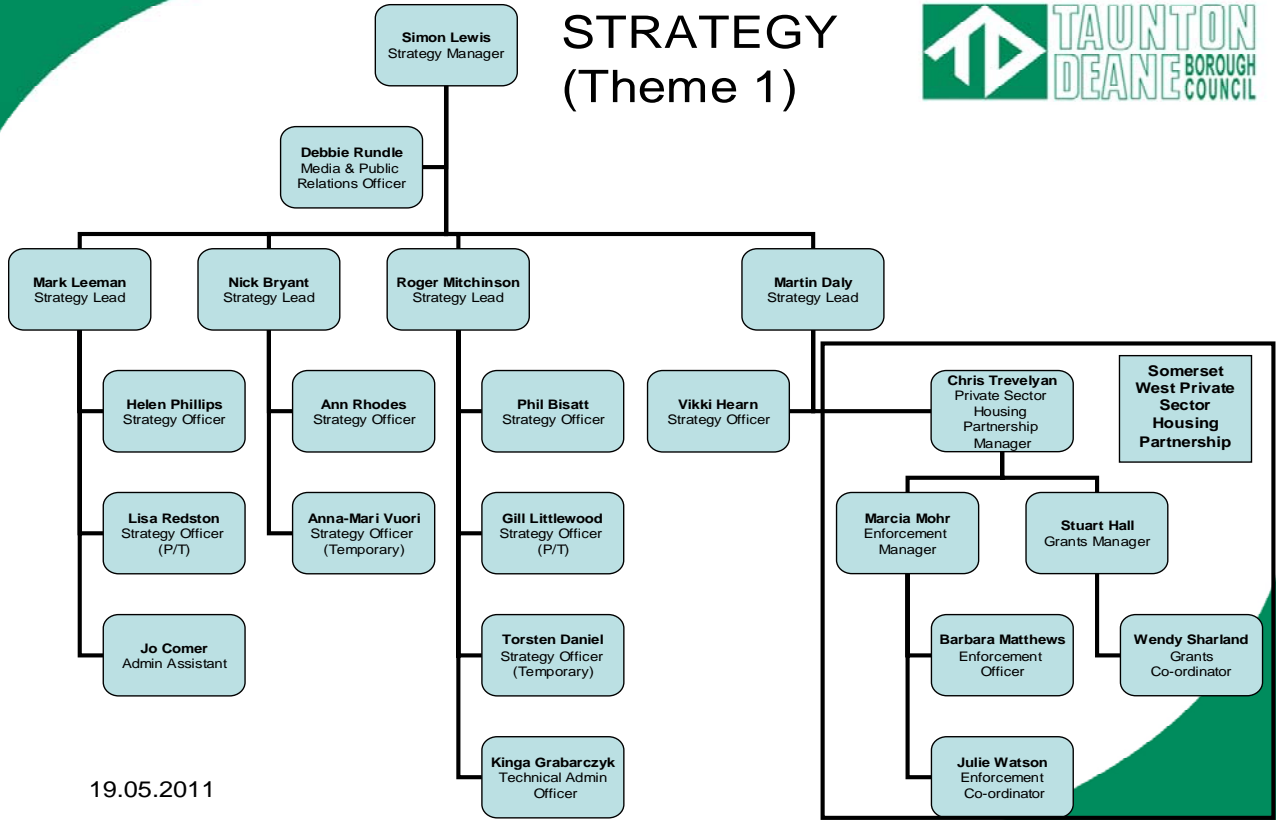
CORPORATE MANAGEMENT



19.05.2011



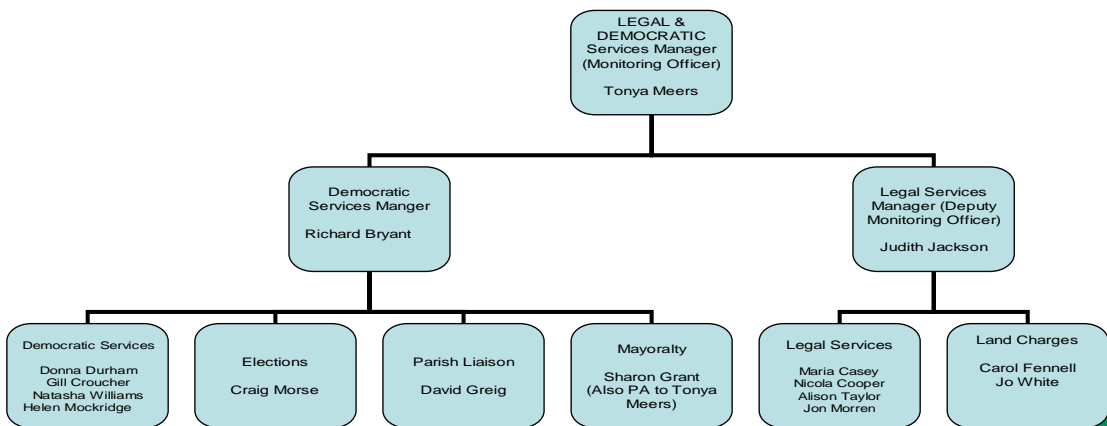
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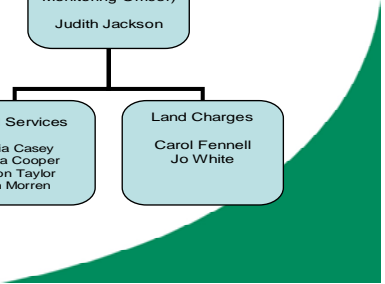
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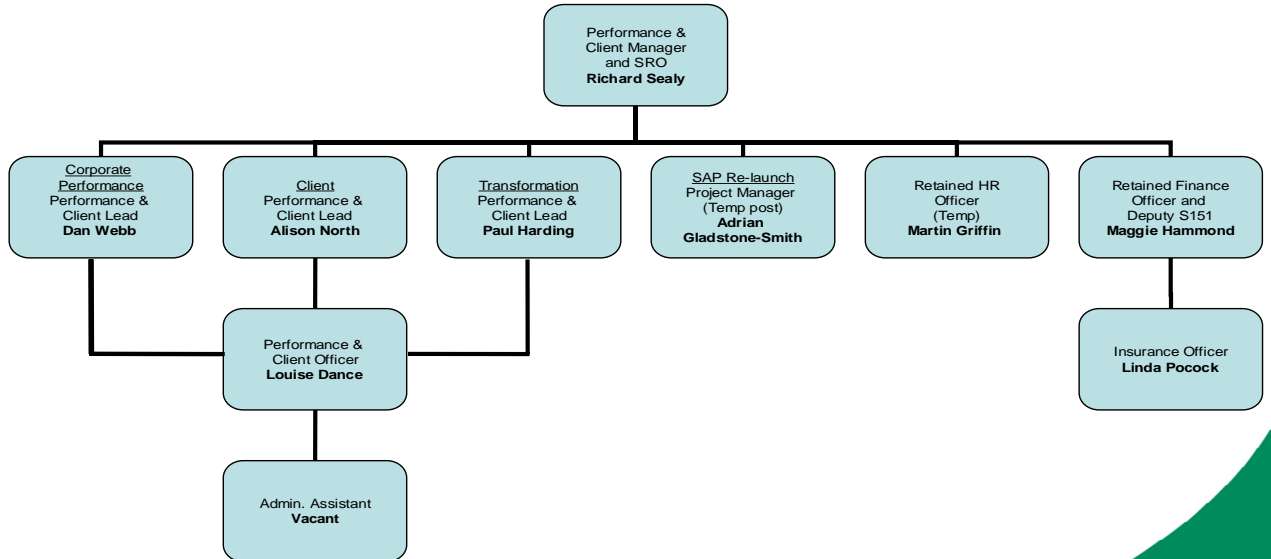
LEGAL & DEMOCRATIC (Theme 1)



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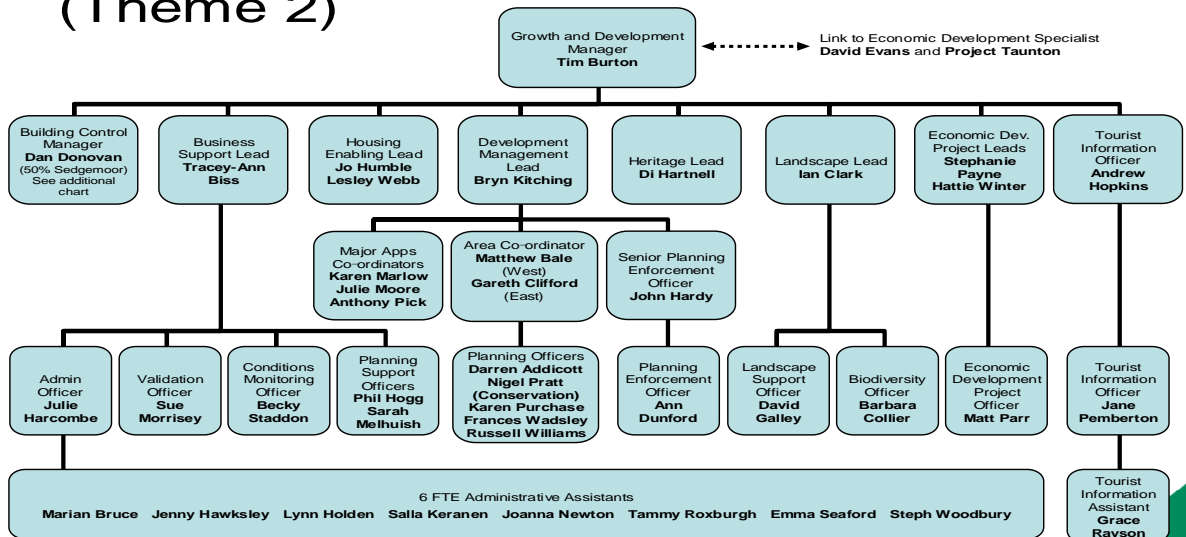


PERFORMANCE & CLIENT (Theme 1)



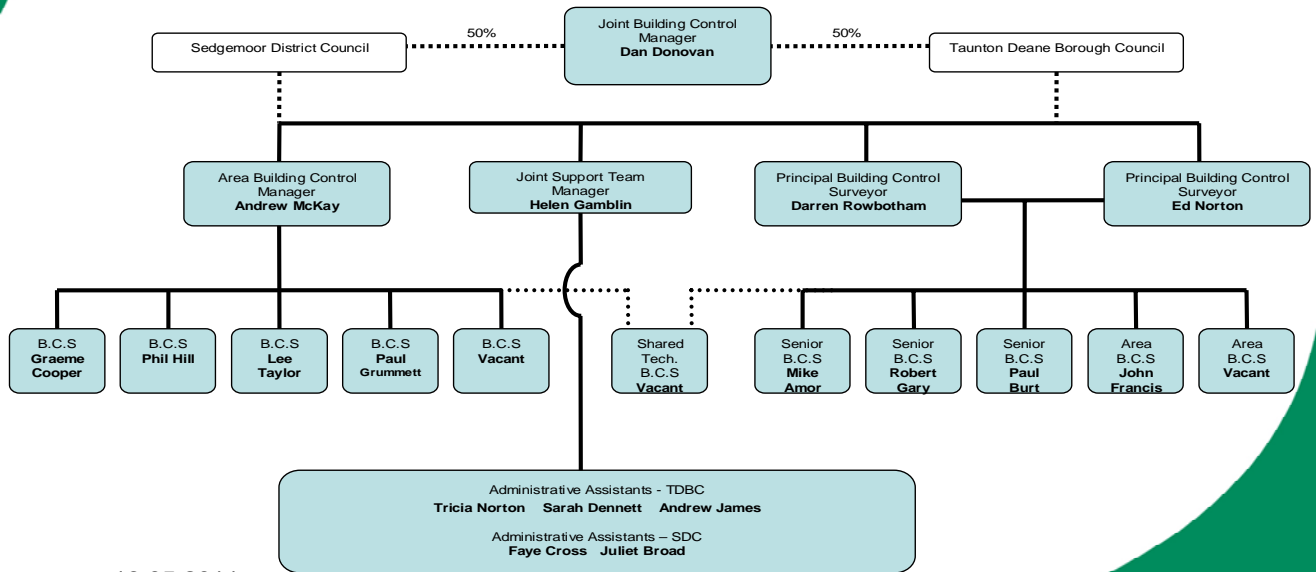
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GROWTH & DEVELOPMENT (Theme 2)



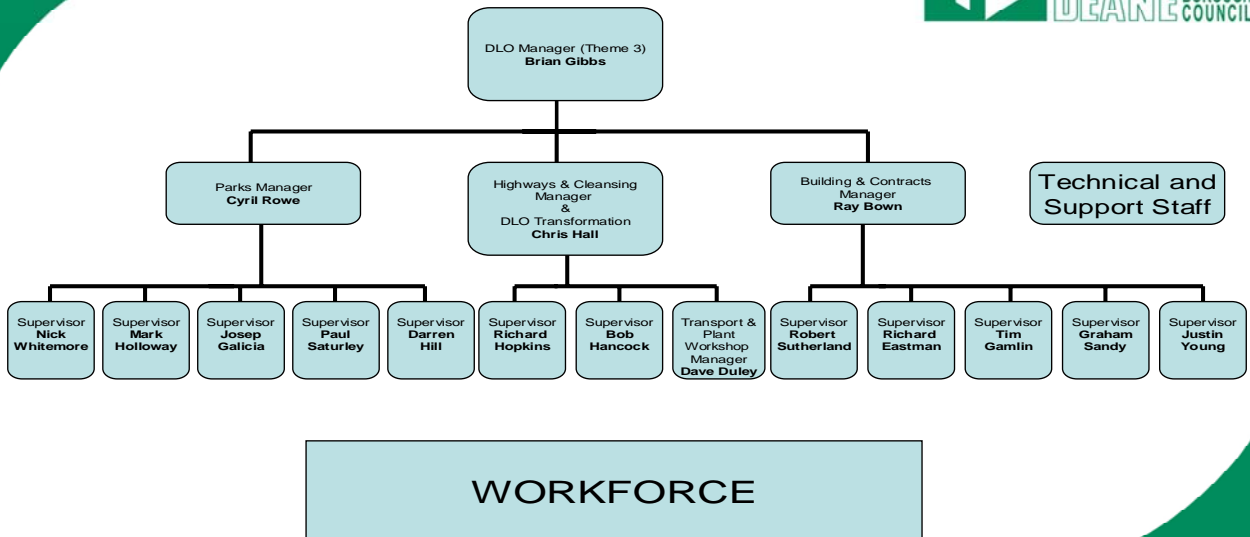
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(GROWTH & DEVELOPMENT) BUILDING CONTROL – (Theme 2)



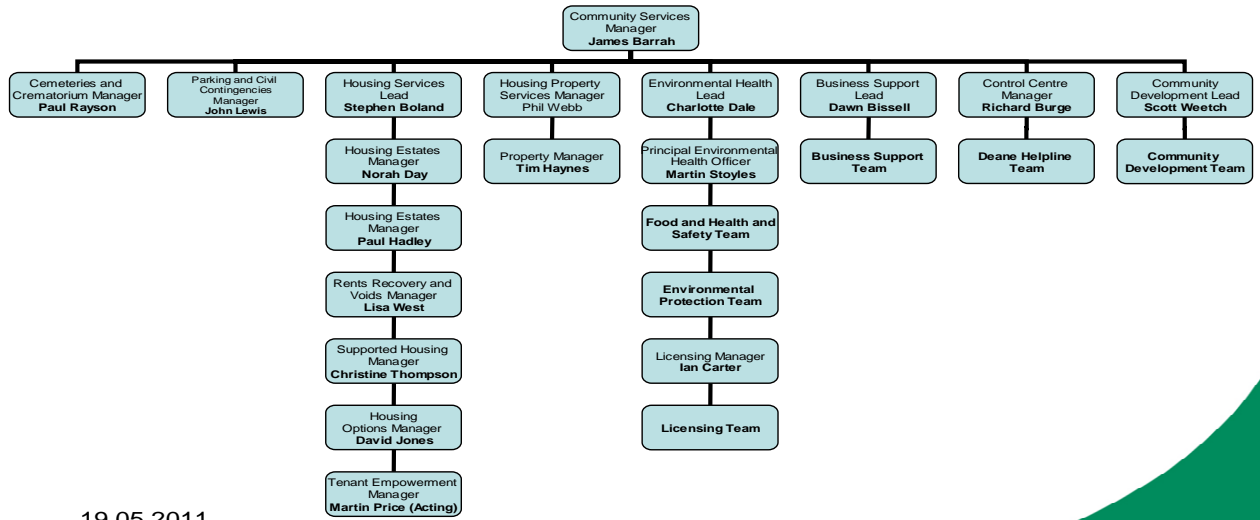
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DLO – (Theme 3)



19.05.2011

COMMUNITY SERVICES (Theme 4)



19.05.2011

Appendix 2

Timetable to Achieve Immediate 2012/13 Budget Requirement

ACTION	TIMELINE	COMMENTS
	MAY	
Discuss with new Leader	Late May	
Discuss with Opposition Leader	Late May	
	JUNE	
Discuss informally with Executive	6 June	
Discuss informally with Shadow Executive	27 June	
Discuss timetable with UCF	Done	
	JULY/AUG/SEPT	
Draft options to MSG – verbal update	6 July	
Draft options to Group Leaders – verbal update	By 12 July	
Draft report to Corporate Scrutiny on high-level principles/options	12 July	
Corporate Scrutiny Agenda Setting	12 July	
Corporate Scrutiny Papers published	13 July	
Update Special UCF (CCR Theme 5 one item)	18 July	
CORPORATE SCRUTINY MEETING	21 July	
	SEPTEMBER	
Refresh options following Scrutiny	From 21 July to 2 September	
Period for further informal discussion/consultation	22 July to 2 September	
Refreshed options to EAS for informal discussion	5 September	
Job Descriptions, Person Specs, ring-fencing, costings all done, plus support plan and recruitment information	By 5 September	
UCF confidential briefing on final draft proposals	6 September	
'At Risk' meetings	8/9 September	
Refreshed options to Shadow Cabinet/Labour/Independents for informal discussion	by 12 Sep latest	
Special MSG to consider final proposals	by 12 Sep latest	
Final Report to Corporate Scrutiny ready	12 September	
Corporate Scrutiny Agenda Setting	13 September	
Corporate Scrutiny papers/final proposals published	14 September	
Formal Consultation opens on final proposals	14 September	
MSG consider final proposals	21 September	
CORPORATE SCRUTINY MEETING – FINAL PROPOSALS	22 September	
	OCTOBER	
EAS considers consultation responses received to date	3 October	
UCF considers consultation responses received to date	4 October	

ACTION	TIMELINE	COMMENTS
MSG considers consultation responses received to date	5 October	
Formal consultation ends	12 October	
Update UCF and MSG by email of final consultation responses	By 12 October	
Update Group Leaders, Executive and Shadow Executive on final consultation responses by email	12 October	
	NOVEMBER	
MSG consider final report to Executive	2 November	
UCF consider final report to Executive	8 November	
Final proposal to Executive Agenda Setting	7 November	
FINAL PROPOSAL TO EXECUTIVE	16 November	
Final proposal to Special Full Council	22 November	
	DECEMBER →	
Implementation	December onwards	

Appendix 3 - Benchmarking

	SDC		TDBC	
Post	Number of posts	Salary at top of scale	Number of posts	Salary at top of scale
CEO	1	£110k	1	£100k
Directors	3	£84k	4	£71k
TM/GM	7	£63k	5	£55k

Additional Notes:

- SDC has no housing service or housing DLO.
- SDC do not have an evening meetings culture.

Overall Comparison:

- TDBC has 70% capacity of SDC.
- TDBC is almost 60% cheaper than SDC.

Appendix 4 – Ways of Working

This proposal reduces Director capacity from 4 to 2.6.

This will impact on the volume of work that can be managed and delivered and on our ways of working. Set out below are some initial thoughts which will be built on with the help of Members and the 'new' CMT.

Reduced availability and visibility

Support for the Council's evening meetings will need to be carefully allocated and managed.

The Chief Executive Officer and Directors will plan to have one of the team available each evening to support evening meetings. This will mean Directors taking each others reports on occasion and will rely more on Members using the contact officer system for detailed queries.

Response times

CMT will continue to respond to reactive work as quickly as possible. There will need to be greater care given to prioritising responses to urgent issues and being clear with Members, staff and the public on response times so as to clearly manage expectations.

Prioritising projects

CMT will have core work which it must manage in a timely way to ensure the smooth running of the Council.

Additional projects taken on as a consequence of Members' decisions will need to be clearly prioritised within the available capacity. The CEO and Group Leaders will be key in agreeing priorities and ensuring sufficient time and resource is allowed to deliver projects/work streams well. This dialogue will need to be on-going to allow for any mid-year adjustments should new projects or substantive reactive work appear after the annual work-plan has been agreed.

Portfolio Holders (and Shadows) will need to assist in the shaping of Director and Theme Manager work-plans and in their review.

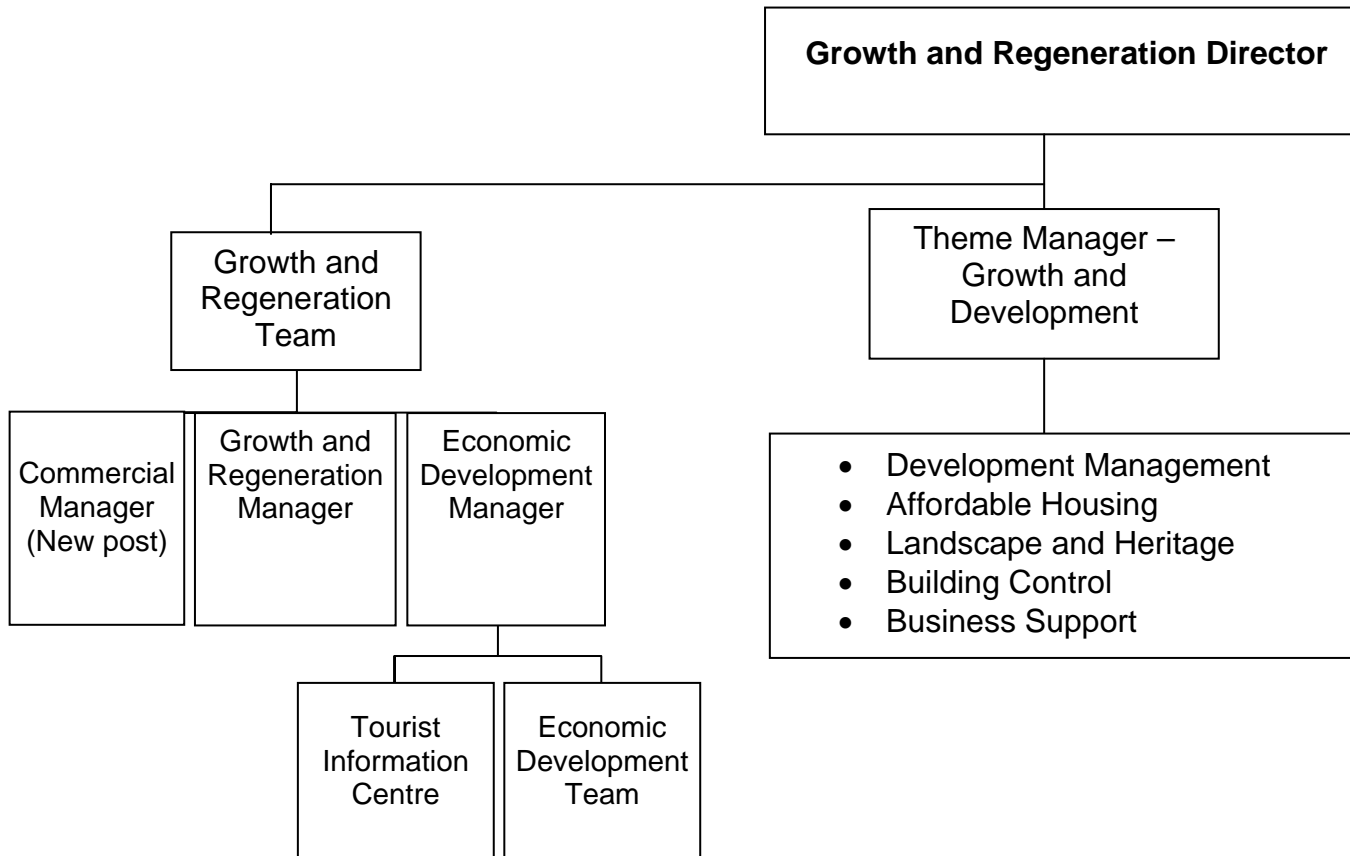
Line Management

A clearer line of accountability of Theme Managers to Directors/CEO is proposed.

Shirlene Adam will continue as the Deputy CEO.

The relevant Theme Manager will deputise for 'their' Director in their absence. Appendix 8 shows the relevant relationships of Directors to Theme Managers.

Appendix 5 - Proposed Growth and Regeneration Directorate



Appendix 6 – Terms of Reference for Corporate Support Team

This report proposes the creation of a Corporate Support team to provide support to CMT, Legal and Democratic Services and Theme 1 (Strategy and Corporate, and Performance and Client).

The report recommends a review is carried out by the Theme Manager – Legal and Democratic with the aim of the new team going live from 1 April 2012.

The following posts will be part of the review:

- Democratic Services Manager;
- Democratic Services Officers;
- Civic Officer;
- Personal Assistants;
- Administrative Officer – Strategy and Corporate;
- Administrative Officer – Performance and Client;
- Elections Manager;
- Parish Liaison Manager.

The review is tasked with achieving a minimum saving of £50,000 per annum. This saving will already have been taken if the proposal to form a Corporate Support team in this report is accepted.

Review Terms of Reference

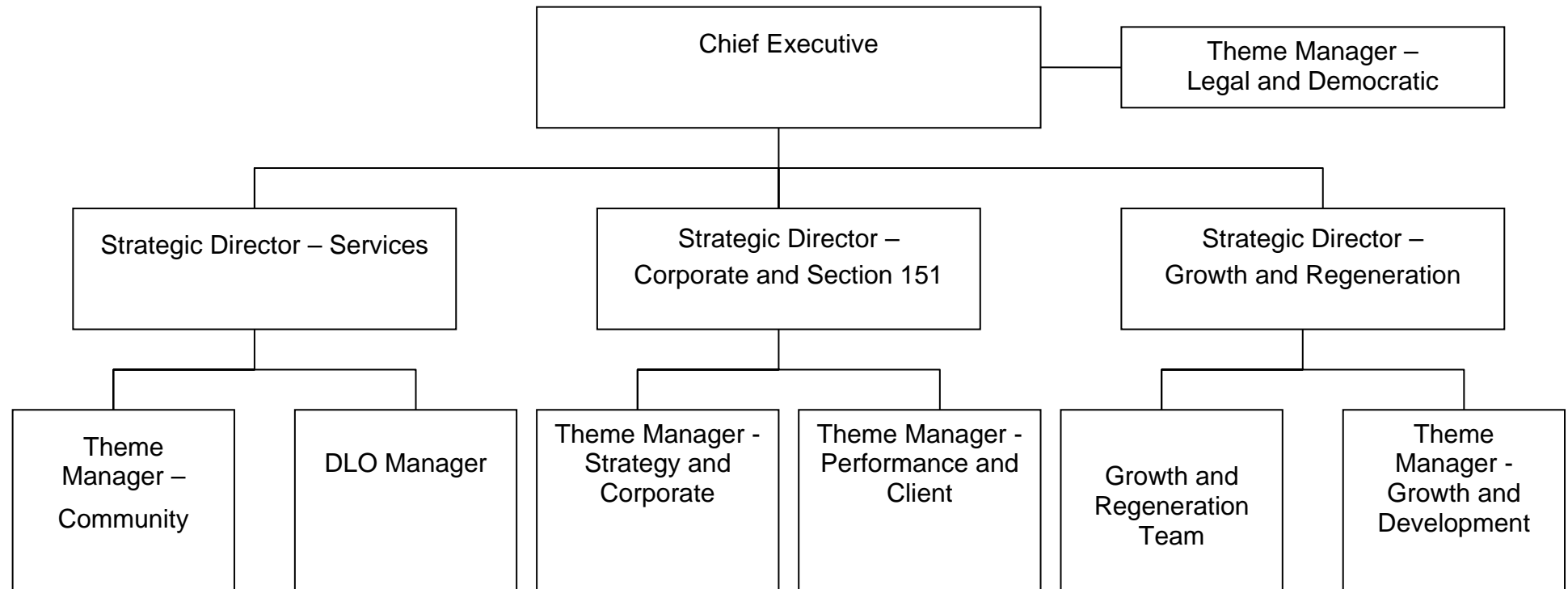
The new team will be required to:

- Deliver a service that is resilient, flexible and responsive;
- Deliver different ways of working to ensure that stakeholders' needs are met within resource capacity;
- Deliver a service that meets the need of the key stakeholders, namely, the Leader of the Council, CEO, Directors, Theme 1 Managers and Councillors as a whole.

The review will need to:

- Include consultation with all of the key stakeholders;
- Consider different ways of working;
- Consider the 'fit' with the Council's other Business Support Units to identify any potential synergies and overlaps;
- Be signed off by Full Council on 13 December 2011 at the latest to allow for implementation and 'go live' on 1 April 2012.

Appendix 7 - Proposed Corporate Management Structure



Appendix 8

Summary of the key points from staff consultation

Below is a summary of the key points made by staff. A full copy of the comments and the CEO's response is available to Members on request. The document is 65 pages long and repeats many of the points made below.

- 1.1 The overwhelming concern came from the proposal to delete the Theme Manager-Growth and Development post, on the basis that:-
 - With its ambitious growth agenda, the Council needs a senior planner
 - The proposed 'span of control' of the Strategic Director-Growth and Regeneration is too wide with 9 direct reports
 - The Theme Manager provides an important co-ordination role across his Theme and between Themes, especially with Theme 1 and planning strategy
- 1.2 Broadly, the proposal to bring a Growth and Regeneration team together was supported.
- 1.3 Comments were made about some of the services in Growth and Development that may sit better elsewhere in the Council's structure ie: Building Control and Affordable Housing.
- 1.4 Broadly, the proposal to give responsibility for the 'Asset Management' function to the Growth and Regeneration team was supported. There were some concerns around role clarity and the danger of duplicating the work of the Performance and Client team and Southwest One.
- 1.5 There was some concern as to what happens after Year 3 with posts funded from Reserves.
- 1.6 There was some concern about the capacity of the Business Unit – Growth and Development – to absorb the support function for the proposed Growth and Regeneration team.
- 1.7 There was some concern about the capacity of Strategic Directors going forward to deliver all of the Corporate Priorities and to adequately support staff across the organisation.
- 1.8 There was some concern on the inclusion of Growth and Development in this Review.
- 1.9 There was some concern of the use of Reserves to 'mitigate' the impact of the Review on Theme 5.
- 1.10 There was some concern on the loss of dedicated support to various units and individuals as a consequence of the creation of the Business Support Unit.

Appendix 9

Consultation response from Chair of Taunton Advisory Board

Project Taunton, the next phase.

This paper follows a meeting to discuss options for the future of Project Taunton in the context of a major cost reduction and reorganisation exercise within TDBC.

The meeting was held on Wednesday 21 September. Those present were Penny James, Joy Wishlade, Ian Franklin, Mark Green and John Clothier. Penny James had circulated to those present the background document to be reviewed by the scrutiny committee of TDBC on 22 September 2011.

Project Taunton (Taunton Vision) was set up in 2005. Its purpose was to lead the regeneration of Taunton through partnership working. It was funded equally by SWRDA, SCC and TDBC. The other key, but non-contributing partner was the Environment Agency (EA). The project Taunton Advisory Board was set up as the forum in which the strategic direction could be reviewed and agreed between the partners. The implementation of the strategy was handled by the Project Taunton Team and working groups drawn from staff employed by the partners. The Board had no legal status.

At the heart of the Vision for Taunton, was the opportunity to bring to life derelict or poorly used land along the river frontage, a large proportion of which was owned by TDBC. To bring this about, four major tasks had to be completed.

- The quantification and mitigation of flood risk.
- The improvement of transport links within the town.
- The improvement of the public realm along or close to the river frontage.
- The attraction of private sector businesses to provide good quality jobs, dwellings, retail and leisure facilities.

Other major tasks included the improvement of town centre retail, particularly in the High Street area and the provision of adequate parking as some of the existing surface parking was developed.

The first three major tasks will have been completed by 2013. If the fourth fails, then the effort and above all public money which has gone into delivering the first three will have been substantially wasted.

Project Taunton delivery

The delivery team have created a brand with substantial credibility in both the public and private sectors. This has been achieved by a small team with a can-do approach operating out of an office not associated with TDBC. The fact that the team is publicly funded and works within TDBC's operating practices is not apparent to those with whom it needs to do business. The Advisory Board has added credibility to this perception as well as its main purpose of providing strategic input into the process itself.

The funding from the original partners was replaced by “Growth Points” funding. This will run out some time in the next two years depending on how TDBC has interpreted the terms on which Growth Point funding was provided both in respect of capital and revenue.

The decision then really rests with Taunton Deane as to whether it wishes to continue with Project Taunton and if so, in what shape and with what level of funding.

There is clearly a difficulty with perception. This relates to a wish expressed by some to bring PT back “in house”. For others this would imply instant suffocation. Let us start from the premise that PT is a vehicle designed to deliver TDBC’s strategic objectives for Taunton Town Centre and then ask ourselves whether this has been successful to date? If the answer is yes, why would we want to change it? Has the need to get the job finished ever been greater? The “in house” movement would need to demonstrate that a more effective delivery mechanism could be devised.

At our meeting PJ made it very clear that she thought Project Taunton should continue and that we should find a way of preserving the values and functions of the brand, but within the constraints of the squeeze on council spending.

I think we all agreed that the remaining tasks should be accomplished within three years. I now feel increasingly strongly that the original focus should remain. In other words the mission shouldn’t be confused with the implementation of the wider TDBC master plan. If the PT model was thought to be appropriate for other purposes, then a new body with a new mission could be set up at some time in the future.

Competition for every job, every square metre of space is intense. Our task is to invigorate the PT team for the final sprint. The three-year time limit focuses everyone’s minds. If the team is given other tasks in response to day-to-day political pressures, it could reasonably excuse failure in delivering the original objectives.

So, what is the ideal requirement for the best chance of success?

- A dedicated small team
- A separate fascia
- Maximum shared back office support to keep down costs.
- Protection from day-to-day meddling, with strict accountability.
- A small (8-10 member) Advisory Board with strong employer and private sector bias).
- No mission creep. A three-year time limit.

Here is the problem! Your specification adds in the following.

- Asset management.
- Marketing Taunton and the Borough as a whole.
- Working across the whole Borough.

Clearly the PT team have skills which are relevant to the above activities and it might be expedient to use them. However, the first step is to ensure the objectives are agreed before designing the organisation to serve them best. I think it would be possible to organise the Growth and Regeneration group in such a way as to reconcile the dilemma set out above.

Appendix 10

Notes of Consultation Meeting between TDBC CEO and key private and public sector partners (20 October 2011 – The Auction House, Taunton)

ATTENDEES

David ALLWRIGHT (NHS)
Paul BLYTH (Kirkstones)
John CLOTHIER (Chairman, PTB)
Francis CORNISH (TTCCo)
Dave CROWSON (Environment Agency)
Nick ENGERT (TBF)
Ian GUY (St Modwen)
Pete DAVIES (St Modwen)
Tim JONES (Chairman LEP)
Richard LLOYD (Summerfields)
Robert MILES (Brewhouse)
Nigel PEARCE (Pearce Practice)
Stephen WALFORD (Strategy/Road Safety SCC)
Graham WARD (Taunton Cultural Consortium)

1. The Project Taunton Team should remain 'independent' from the Council. The benefits of being "light footed", sharp, and able to say and do things that may be difficult for a Council, were important. The PT Team and brand are now very well recognised and respected. The Team could be "stifled" by the bureaucracy of the Council; inward Investors/Business could be more reluctant to do business with the Council than with PT.
2. The Team should retain a tight focus on the PT schemes, albeit that other services may be 'wrapped around' them to either (a) utilise their broader skills and/or (b) better manage the potential for overlaps, duplication and gaps in effort by other members of the Council's wider team, especially Economic Development which, in particular, needs to align better with PT.
3. The Taunton Advisory Board and Growth Board should effectively 'merge' to have one single strategic body that has PT at its heart, but also take on a wide strategic view of the growth agenda in Taunton Deane, Somerset, and the region, including forging appropriate links with the LEP.
4. The public sector had 'delivered' in terms of flood mitigation, strategic infrastructure and public realm. The challenge is now for the 'private sector' to work with the Council in bringing investment and new businesses into Taunton and the Deane. This challenge should be the key focus for the TAB going forward, and should be reflected in its membership.
5. The private sector could also add value in coming together and marketing/promoting Taunton and Taunton Deane.

PENNY JAMES
CHIEF EXECUTIVE

07/12/2011, Report:Housing Revenue Account 30 year Business Plan

Reporting Officers:Stephen Boland

07/12/2011, Report:Quarter 2 Performance Report

Reporting Officers:Dan Webb

07/12/2011, Report:2012/2013 Budget Gap Update and Budget Savings Plan

Reporting Officers:Simon Lewis

07/12/2011, Report:Voluntary and Community Sector Grant Fund Review

Reporting Officers:Lisa Redston

07/12/2011, Report:Council Tax Base 2012/2013

Reporting Officers:Paul Fitzgerald

07/12/2011, Report:Fees and Charges 2012/2013

Reporting Officers:Maggie Hammond

07/12/2011, Report:Capital Strategy

Reporting Officers:Maggie Hammond

07/12/2011, Report:Review of Earmarked Reserves

Reporting Officers:Maggie Hammond

07/12/2011, Report:Refresh of the Corporate Strategy

Reporting Officers:Penny James

07/12/2011, Report:Reuse of the public conveniences in Goodland Gardens, Taunton

Reporting Officers:John Sumner

09/02/2012, Report:Proposed Passivhaus Development

Reporting Officers:Lesley Webb

09/02/2012, Report:Housing Revenue 30 year Business Plan

Reporting Officers:Stephen Boland

09/02/2012, Report:Capital Programme 2012/2013 to 2016/2017

Reporting Officers:Paul Fitzgerald

09/02/2012, Report:General Fund Revenue Estimates 2012/2013

Reporting Officers:Paul Fitzgerald

09/02/2012, Report:Housing Revenue Account Estimates 2012/2013

Reporting Officers:Paul Fitzgerald

09/02/2012, Report:Council Tax Setting 2012/2013

Reporting Officers:Paul Fitzgerald

09/02/2012, Report:Disposal of Land to Registered Providers Task and Finish Review

Reporting Officers:Richard Bryant

09/02/2012, Report:Theme 5 Restructure - Legal and Democratic Services

Reporting Officers:Tonya Meers

09/02/2012, Report:Housing and Community Development Restructure Proposals

Reporting Officers:James Barra

09/02/2012, Report:Taunton Town Centre Business Improvement District Ballot

Reporting Officers:David Evans

14/03/2012, Report:Quarter 3 Performance Report

Reporting Officers:Dan Webb

14/03/2012, Report:Potential Development Site, Taunton

Reporting Officers:John Sumner

14/03/2012, Report:Treasury Management Strategy Statement

Reporting Officers:Maggie Hammond

14/03/2012, Report:Affordable Rent Policy

Reporting Officers:Martin Daly

11/04/2012, Report:Confidential Item

Reporting Officers:James Barra

11/04/2012, Report:Corporate Strategy 2012-2016

Reporting Officers:Mark Leeman

Executive – 16 November 2011

Present: Councillor Williams (Chairman)
Councillors Mrs Adkins, Cavill, Hayward, Mrs Herbert and Mrs Stock-Williams

Officers: Penny James (Chief Executive), Shirlene Adam (Strategic Director), Joy Wishlade (Strategic Director), Adrian Priest (Principal Estates Surveyor, Southwest One Property and Facilities Management), Tim Child (Freehold Property Team Leader (Estates), Southwest One Property and Facilities Management), David Evans (Economic Development Specialist), Martin Griffin (Retained HR Manager) and Richard Bryant (Democratic Services Manager)

Also present: Councillors Bishop, Coles, Gaines, Henley, Morrell, Ross, A Wedderkopp and Wren
Francis Cornish (Chairman of the Taunton Town Centre Company), Graham Love (Taunton Town Centre Manager) and Mrs Anne Elder (Chairman of the Standards Committee)

(The meeting commenced at 6.15 pm.)

96. Apology

Councillor Edwards.

97. Minutes

The minutes of the meeting of the Executive held on 12 October 2011, copies of which had been circulated, were taken as read and were signed.

98. Public Question Time

- (a) Councillor Henley reported that the paving slabs in Bath Place, Taunton looked as if they were going to be replaced by “blacktop” (tarmacadam). He asked whether any consultation with Taunton Deane had occurred prior to work commencing in Bath Place and what this Council’s response had been? He also asked if any financial contribution had been sought by the County Council in connection with the replacement of the slabs?

The Chairman stated that he would seek answers to the questions asked and would let Councillor Henley have a written response in due course.

- (b) Councillor A Wedderkopp asked the following two questions:-

- (1) He was aware that the electricity company EDF were looking to relocate its office of 2,500 people from London. Had any contact been made with EDF by the Council in respect of this matter?
- (2) What recent lobbying of the Police had occurred to try and move things forward in respect of Montpellier Estates’ development for a secure unit at Westpark, Chelston, Wellington?

With regard to the first question, the Chairman confirmed that there had, and would continue to be, regular contact with EDF in respect of the availability of office space in Taunton in connection with the forthcoming Hinkley Point C project. The reported relocation of the company's offices would also now be pursued.

As to Councillor Wedderkopp's second question, Councillor Cavill reported that the Police had now provided the information sought from them which had enabled the Section 106 Agreement to be submitted and signed by the parties. This should result in the development proceeding.

99. Declaration of Interest

Councillor Wren declared personal and prejudicial interests as an employee of Milverton Parish Council in connection with the next item relating to Creedwell Orchard, Milverton. He was aware that he could remain in the room to hear the presentation of the report, after which he could address the Executive. He would then leave the meeting.

100. Land at Creedwell Orchard Housing Estate, Milverton, Taunton

Considered report previously circulated, concerning the proposed sale of a small area of land forming part of the Creedwell Orchard Housing Estate, Milverton to enable an access to be provided to a residential development on an adjoining site.

The adjoining land of approximately 9.5 acres, was owned by the property developers S Notaro Limited and it had the benefit of an extant planning consent for 72 dwellings.

The Council had granted conditional outline planning permission in December 1975 for residential development on the Notaro land with an application for reserved matters being approved in August 1979.

In June/July 1981 works were undertaken on site to lawfully implement the planning permission. These works comprised the excavation of foundation trenches for one of the plots that were subsequently backfilled for health and safety reasons.

In November 2006 an application for a Certificate of Lawful Existing Use or Development in respect of the planning consents that had previously been granted was submitted by Bach Homes who, at the time, had an option to purchase the development site. The application had been submitted on the basis the planning permission was validly implemented and therefore remained extant.

In the balance of probability it had been proven that the foundation trenches had been dug which in turn amounted to a material operation comprised in the development. Accordingly, in May 2007 Taunton Deane granted a Certificate of Lawfulness for the proposed residential development.

Originally it had been proposed to access the development site from the two points detailed in the report. However, it was now evident that the development site needed only to be accessed from land owned by Taunton Deane, subject to redesigning the service road layout to the satisfaction of the County Highway Authority.

Following the issue of the Certificate of Lawfulness for the development site, Bach Homes made formal approaches to the Council to request to purchase or acquire an option to purchase the Council's land to enable an access to be created.

The Council's land, which extended to approximately 364 sq m (0.09 acres), was situated on the Creedwell Orchard Housing Estate and had been used for a number of years to site three private garages owned by local residents.

Following negotiations with Bach Homes, terms and conditions were provisionally agreed by the Asset Holdings Manager for an Option to purchase the Council's land to provide the required access.

Although work began on preparing a report on the outcome of these negotiations to the Executive for its meeting in May 2008, this was not completed as the Milverton Parish Council formally requested that the Certificate of Lawfulness was revoked by the Council.

No further discussions took place with Bach Homes whilst this request was considered which subsequently became the subject of a Judicial Review as the Council remained of the view that the Certificate of Lawfulness was valid. The Council successfully defended itself in this action and the Judicial Review was formally withdrawn in February 2011.

Following the withdrawal of the Judicial Review, the company S Notaro Limited made a new approach to the Council as to the availability of the access land and, as a result, terms including the level of consideration had been provisionally agreed.

The development company had been informed that the requirements contained in the Section 52 Highway Agreement relating to the extant planning consent could be varied to provide that only a single point of access to the development site was required without the need to carry out any road widening works in Creedwell Orchard.

The land was held by the Housing Revenue Account and by formally resolving to reinvest the capital receipt from its sale into affordable housing, the Council would be able to retain 100% of the proceeds of sale.

The terms and conditions of sale would ensure that the Council would receive a share of further value that might be obtained through the intensification of the use of its land providing the access to the development site and beyond. It was further provided that S Notaro Limited would be required to replace the garages currently situated on the Council's land and transfer the buildings and land back to the Council. The present licensees would be given first option to use and occupy the garages on new agreements.

Final details of the development scheme, including density and any Section 106 Agreement affordable housing provisions would be determined through the planning application process, in which the Parish Council and local residents would have the opportunity to make representations.

As an alternative to selling the Council's land to provide access to the development

site, which would clearly produce the highest value, the land needed for access to the proposed development site could be suitable for development with one or two dwellings, subject to obtaining planning permission. The level of capital receipt that might be obtained under these circumstances was submitted for the information of the Executive.

Furthermore, Milverton Parish Council had also expressed an interest in acquiring the Council's land for use as a play/amenity area and details of the formal offer that it had made to the Council for its consideration were also submitted.

However, if the Council was minded to sell the land as a small development site in isolation or to the Parish Council at this level of price, the opportunity to obtain a very substantial capital receipt for reinvestment in to affordable housing would be lost.

Further reported that this issue had been considered by the Community Scrutiny Committee at its meeting on 8 November 2011. Although broadly supportive of the proposal to sell the land required to provide the access, Members were concerned about the transparency of the terms of the deal and recommended that the District Valuer's advice was sought.

Before the Executive considered the contents of the report, representations were received from Councillor Gwilym Wren, Jenny Hoyle, County Councillor Tony McMahon, Canon Ian Ainsworth-Smith, Gill Lumby, Lindsay Fortune, Michael Reynolds, Chris Mann and Rhodri Powell. One of the points made concerned the Critchel Down Rules which it was thought could apply to this particular case.

During the discussion of the item, Members discussed the sale of the land and whether the Council should await the receipt of a detailed planning application before any further action was taken. A proposal to defer a decision was defeated.

Resolved that:-

- (1) The sale of the freehold interest in the land shown cross-hatched on the plan (accompanying the report) to S Notaro Limited to enable access to be created to serve the development site outlined in bold on the same plan, on the terms and conditions agreed by Southwest One, be agreed;
- (2) The proceeds of the sale be directly re-invested into affordable housing;
- (3) The offer made by the Milverton Parish Council to purchase the Council's land (cross-hatched on the plan) be rejected;
- (4) The District Valuer be appointed to advise on terms and conditions relating to the proposed sale of the land to ensure the Council was obtaining best value; and
- (5) No sale of the land be proceeded with until clarification as to whether the Critchel Down Rules should be applied had been obtained.

101. Development of "Maggie's" Cancer Charity provision using a small part of Galmington Playing Field, Taunton

Considered report previously circulated, concerning the potential development of a psycho-social support centre for people with cancer and their families, friends and carers at Musgrove Park Hospital, Taunton.

Maggie's was a national charity founded by Maggie Keswick Jencks, a writer and landscape designer who, following a diagnosis of breast cancer, developed a vision for a cancer caring centre that could make the experience of diagnosis and treatment easier to bear. Maggie's unique centres were located on hospital grounds to provide the very best complement to medical care

Maggie's wanted to provide a centre in the South West and their preferred location was Taunton. Musgrove Park Hospital had looked at its site and had come to the conclusion that the most appropriate location would involve encroaching onto a small part of the Galmington Playing Field.

Although only a corner of the field would be required, the charity would provide some area around the building such as a sensory garden which would be open to the public in mitigation. It was likely that further mitigation on improved facilities such as play equipment or improved sports facilities would also be required.

Reported that there were two restrictions affecting the land at Galmington Playing Field which meant the Council was not free to sell all or part of the land without taking some preliminary steps:-

1. There was a restrictive covenant on the land which required it to be used only for recreational purposes. To remove this would require someone who currently had the benefit of the covenant (a descendant of the original vendor) to consent. A consideration would normally be paid.

Alternatively an application could be made to the Lands Tribunal for the covenant to be lifted. This would incur the legal costs of making such an application and could take up to a year to get a decision.

2. In addition the land was subject to a Charitable Trust and the Council as Trustee could only sell on the terms set out in the Charities Act. This required the Council to comply with various requirements and to be satisfied that it was obtaining the best terms possible for the sale. If not, the consent of the Charity Commissioners would be needed.

Whilst both of these restrictions could be overcome, it did mean that the period prior to sale was likely to be considerably longer than for a normal transaction.

Noted that the proceeds arising from any sale would have to be used for the original purpose of the charity - the provision of recreational facilities. It was likely that such provision would need to be elsewhere on the Galmington Playing Field if only part of the field were to be sold.

Further reported that one of the key issues for the community around the Musgrove Park Hospital site was parking on the local streets. The development should not cause significant deterioration to the current position.

A transport strategy and travel plan would be required as part of the development process and would form part of the planning application. The number of staff employed would not greatly add to the number currently working at the hospital. Therefore, whilst the concerns of the local residents were well understood, this development on its own was not likely to have a significant negative impact on the current position.

This matter was discussed at the Community Scrutiny Committee meeting on 11 October 2011 when the principle of selling the playing field land was supported for this proposed development with the proviso that careful consideration be given to local parking issues and providing access to the new centre exclusively through the hospital grounds.

Resolved that:-

- (1) The principle of selling a small part of the Galmington Playing Field to Maggie's Cancer Charity for the development of a new psycho-social support centre at Musgrove Park Hospital, Taunton be agreed; and
- (2) Maggie's and Musgrove Park Hospital be requested to give careful consideration at the design stage to the potential impact on local parking issues and the provision of access to the new centre through the hospital grounds.

102. Review of Town Centre Management activities in Taunton and a request for a financial contribution towards Taunton Town Centre Company Business Improvement District Administration costs during 2011/2012

Considered report previously circulated, concerning a further request for a contribution towards the administration of the Business Improvement District (BID) programme, delivered by the Taunton Town Centre Company (TTCC).

TTCC had been active over the last year in delivering an extensive programme of events, improvements and initiatives aimed at attracting people into the town centre, enhancing their stay and increasing the income of town centre businesses.

The five year BID programme had commenced on 1 October 2007 and would conclude on 30 September 2012, unless a second term ballot approved its continuation.

During its current term the BID would invest over £1 million in service enhancements funded by the levy paying business community. In the first four years of the programme, this investment had been enhanced through additional funding contributions from the private sector, Avon and Somerset Constabulary and the Council.

Noted that an annual contribution from the Council had been envisaged at the inception of the BID to support TTCC in meeting the administrative costs of the BID, ensuring the levy collected was directed towards actual service delivery.

To date aggregate receipts for the BID levy totalled approximately £900,000; a reduction of £80,000 on business plan projections. A further £40,000 remained

available for collection. However, there had been a significant reduction in the total number of businesses trading, largely attributable to recession. Due to this reduction in the total number of businesses trading within the BID area there has been a small but significant reduction in levy income when compared to the BID Business Plan agreed in 2007.

The reduction in business numbers and levy had resulted in adjustments to service delivery in year four and further adjustments would be required in year five to keep expenditure in line with the income derived from the levy.

In order to protect service delivery under the BID, the Council had been requested to review the BID Business Plan for decision each year prior to commencement of the BID operating year on 1st October.

During the current year the company had an ambitious programme of events and activities planned, including provision of the town's Christmas Festival and seasonal lighting display. TTCC would also be supporting celebrations for the Olympic Torch Relay and the Queen's Diamond Jubilee.

The BID provided for an award winning BID Police Team and a programme of street cleaning and graffiti removal in support of the county town. Support was given to the specialist and independent retail offering within the town including management support, signage project and the marketing initiative, "SHOP TAUNTON".

The Company had therefore asked the Council to contribute £20,000 towards the administration of the BID during the current financial year. That contribution would cover TTCC's financial year between October 2011 and September 2012.

The Corporate Scrutiny Committee had considered this item at its meeting on 27 October 2011 and had resolved to recommend the Executive to agree the requested contribution to the Taunton Town Centre Company from Local Authority Business Growth Incentives (LABGI) reserves.

Resolved that a contribution of £20,000 from Local Authority Business Growth Incentives reserves be provided to the Taunton Town Centre Company to maintain the administration of the Taunton Business Improvement District.

103. Request from the Taunton Town Centre Company Limited for support to plans to develop a second term Business Improvement District proposal leading to a renewal ballot

Considered report previously circulated, which sought the involvement of the Council with the Taunton Town Centre Company's (TTCC) intention to develop new Business Plan proposals to continue with the Business Improvement District (BID) for a second term.

Taunton BID was a five year programme of investment by local business rate payers to bring enhanced service improvements in support of retail, commerce and public areas across the town centre.

The TTCC had first proposed a BID for Taunton Town Centre in 2007. The five year programme had been accepted by the business community through a local referendum. At the time Taunton Deane had fully assisted TTCC towards the making of a formal BID Submission and in making formal arrangements to hold the ballot.

The current five year programme of investment had commenced on the 1 October 2007 and would conclude on the 30 September 2012, prior to which it was anticipated that a second term ballot would be held amongst the town businesses probably in the Spring to obtain a mandate to continue the BID for a second term.

The TTCC therefore intended to develop a new BID proposal (the BID Submission) to be lodged with the Council early in 2012. It had also embarked on a consultation with the business community to determine the appetite for a second term BID and to establish the priority services to be delivered under the BID during a second five year term. This consultation would form the basis of a new business plan proposal for a second term BID.

A formal notice and request for a further referendum to be held among the business community in the form of a secret ballot would be submitted to the Council in due course. On receiving the BID Submission it would be incumbent on the Council to make onward arrangements and to instruct the ballot.

This item was considered by the Corporate Scrutiny Committee at its meeting on 27 October 2011. The Committee recommended the Executive to support the Taunton Town Centre Company in the development of a new BID submission.

Resolved that:-

- (1) The development of a new Business Improvement District (BID) Submission by the Taunton Town Centre Company (TTCC) be supported;
- (2) The future request for the Council to hold a ballot on behalf of TTCC be anticipated and that £5,000 be allocated from the Local Authority Business Growth Incentives budget to pay for the costs associated with the ballot;
- (3) Future provision for the collection of the annual levy and any liability for payment of the levy for its own hereditaments within the BID area under a second BID term be made by the Council; and
- (4) The possibility of making a contribution to the TTCC for the administration of the BID programme be considered by the Council as part of its annual budget setting process.

104. Proposal for Exemption to Contract Standing Order 13 for the Procurement of Development, Construction and related services from the Partner Panel set up by the Homes and Community Agency

Considered report previously circulated, concerning a proposal for a further exemption to Contract Standing Order 13 relating to Contracts above Threshold 3.

The Council had previously endorsed the use of the South West Regional

Development Agency's (SWERDA) consultant's list by Project Taunton. However SWERDA would cease to exist in March 2012. The Homes and Communities Agency (HCA) had a similar list of contractors who had been through the European Procurement process and were available for Local Authorities to use.

It was proposed to make use of the HCA's list for a period of three years ending in December 2014.

Due to the size of the contracts handled by Project Taunton, some of the commissions were in excess of the Council's Standing Orders Threshold 2 and Threshold 3.

Usually all contracts that fell under paragraphs 13(c) and (d) in the Contract Standing Orders had to comply with the process laid down. However, for contracts under 13(c), there was an exemption in paragraph 14(e) as follows:-

"14(e) - the contract to be entered into is to be dealt with in a prescribed manner under agency arrangements entered into by the Council with another authority."

Unfortunately, this exemption did not also cover 13(d), which related to contracts above Threshold 3 in the Contract Standing Orders. A further exemption for such contracts was now requested.

The advantages of using this exemption, included the following:-

- The HCA had already complied with EU Regulations;
- The HCA's framework agreement was for three years with an option to extend by a year. The rates tendered represented the maximum rates that businesses on the panel could apply;
- The HCA Panel had been procured through a fully OJEU compliant process; and
- The attraction of a three year framework agreement should give businesses an incentive to offer suitable rates.

The only disadvantage reported was that the Council could be seen to be limiting its external consultancy to those on the framework. However, the Council could choose to go through the full procurement process if it so wished.

Resolved that Full Council be recommended to approve:-

- (1) The exemption to the Council's Standing Orders at paragraph 14(e) being extended to cover paragraph 13(d); and
- (2) The use of the Homes and Communities Agency Framework under exemption 14(e) to cover the three year period, 2011 – 2014.

(The Democratic Services Manager, Richard Bryant, declared a prejudicial interest in the

following item and stated that he would leave the meeting if there was any discussion concerning the proposals relating to the Democratic Services Unit.)

105. Theme 5 of Core Council Review (CCR) - Corporate Management Team (CMT), Project Taunton (PT), Economic Development, Growth, and Legal and Democratic Services

Considered report previously circulated, concerning Theme 5 (CMT, Legal and Democratic and the Personal Assistants) which was the remaining part of the Core Council Review (CCR) that needed to be completed.

CMT had last been reviewed by Members in 2008 when it had been reduced in size by one Director. Since then, it had been considered essential to maintain corporate capacity whilst the organisation had continued to manage its high level ambitions, good quality services and our change programme. The latter had been significant and had involved the CCR, the Deane DLO review and the creation of Southwest One.

It was however recognised that the Council's financial position dictated a need to further rationalise expenditure on staffing capacity to not only generate a saving for the 2012/2013 Budget, but to provide a Direction of Travel to meet the requirements of the Budget Review Project for the next three to four years.

Both Scrutiny and the Executive had previously agreed that the current Corporate Priorities should be maintained. This would require the continued resourcing of a comprehensive Growth and Regeneration delivery capacity in particular.

The Council had also agreed to retain Deane DLO and implement a comprehensive investment and savings plan that would deliver significant savings to the Council.

Taunton Deane therefore needed to continue to have the capacity and skills/experience to continue to:-

- Plan for, deliver and secure external funding for growth – physical, social and economic;
- Focus on securing and supporting our existing businesses and encourage and support further inward investment;
- Address levels of inequality in our communities, both social and economic;
- Support the delivery of affordable housing, through new innovative ways as public funding became increasingly squeezed;
- Focus on the “Green Agenda”, both in terms of our own performance as a business, and in terms of the community and the promotion of Taunton Deane as a place for green business and industry to flourish;
- Have capacity to appropriately support, develop and adequately manage our external partnerships and contracts;
- Ensure the Deane DLO transformation was a success and delivered the level of savings and quality promised;
- React to the Localism and Open Public Services White Paper; and
- Manage the increased pace of service transformation in response to unprecedented reductions in funding and future central Government policy developments.

In addition to these areas over which the Council had a degree of choice, there were some areas of work that had to be maintained. These related to the proper governance and safe stewardship of the organisation and included Financial Propriety, Risk Management and Health and Safety, Corporate Governance, Standards and Ethics and delivering statutory services to an 'adequate' level.

The Council also has three statutory roles that it had to maintain, which were:-

- Head of Paid Service – currently the Chief Executive (CEO)/Penny James;
- Section 151 Officer – currently Strategic Director/Shirlene Adam; and
- The Monitoring Officer – currently a Theme Manager/Tonya Meers.

Earlier in the year, the following options were considered by both the Corporate Scrutiny Committee and by the Political Groups:-

- To replace the CEO post with a Managing Director;
- To share the role of CEO with another Authority; or
- Maintain the status quo.

Three Groups had expressed a strong preference for retaining a dedicated CEO post for the purpose of this review and no further comment had been received from the formal consultation.

Accordingly it was proposed that the status quo option should be accepted with no impact on the current post holder from the review.

The following three options in respect of the Strategic Directors had also been considered by Corporate Scrutiny and the Political Groups:-

- To reduce the number of Strategic Directors;
- To refocus the roles on specific business areas such as Corporate, Services and Growth; or
- Maintain the status quo.

The Groups were all agreed that the number of Directors needed to be reduced by one. It was proposed that the Council should therefore have three Directors as set out below:-

- (1) Strategic Director – Corporate;
- (2) Strategic Director – Growth and Regeneration; and
- (3) Strategic Director – Services.

A consequence of this proposal was that one of the existing Strategic Directors would become redundant with a last day of service of 31 March 2012.

It was further agreed that the Section 151 Officer role should continue to be held by a Director who was a qualified accountant.

Reported that one of the Strategic Directors had also formally requested to reduce their hours by 2/5ths. The CEO had (in consultation with the Group Leaders) accepted

this request. The saving to the Council from this proposal would be £38,000 split 75:25 across the General Fund and the Housing Revenue Account (HRA).

Noted that the Strategic Director - Growth and Regeneration post would be funded for three years from historic reserves to give a fixed term saving in the Revenue Budget of £102,000 per year for three years split 75:25 across the General Fund and HRA.

In total this proposal reduced capacity and costs from four Strategic Directors to 2.6 Directors.

The Strategic Director – Services would also spend two days per week at Deane DLO to ensure continued visible leadership of the approved transformation programme.

Overall the proposals for the Strategic Directors would save £175,000 to the General Fund and £59,000 to the HRA, a total of £234,000. The potential one off restructuring cost would be £103,000.

Further reported that the previous report to the Corporate Scrutiny Committee set out the three broad options that were considered by Corporate Scrutiny and informally by all of the Group Leaders and their Groups in relation to the Theme Managers.

These options were broadly:-

- To reduce the number of Theme Managers;
- To refocus the roles to map onto the retained Director roles; or
- Maintain the status quo.

The Groups were agreed that for year one purposes – if a significant change was made at CEO and/or Director level - then care should be made not to destabilise the operational management of the organisation by significantly changing the current arrangements at Theme Manager level.

The original reports proposed that the Theme Manager roles should not be changed at this stage with the exception of the Growth and Development Theme Manager post.

However, the formal consultation had one overwhelming message – that the Council needed to retain a senior planning resource to deliver its growth ambitions. This had come from Unison and from a wide range of staff and from senior Members across the political spectrum. It was therefore, recommended that this post be retained in the new structure.

Options for the Monitoring Officer role had also been considered. The Groups had no strong feeling as to where this role sat within the organisation and were broadly content with the current structural arrangements. It was therefore suggested that the Monitoring Officer role was retained as an integral part of the Theme Manager - Legal and Democratic Services post.

The previous reports to Corporate Scrutiny set out the current position and various options with respect to the Project Taunton Delivery Team. These were considered by

Corporate Scrutiny and informally by all of the Group Leaders and their Groups. They had now also been formally consulted upon.

It was important to remember that the Project Taunton Team was wholly funded by some residual Project Taunton partnership money and Growth Points and as such represented no direct cost to the General Fund of the Council. However, if a Project Taunton Team was important to the Council then the funding for this would have to be taken on going forward from 2012/2013.

The Groups were agreed that this proposal should look at the future of Project Taunton together with all of the growth, regeneration and economic development functions of the Council as a whole, as well as the function being brought “in house” with the posts going forward being Council ‘owned’ posts.

It was also agreed that historic reserves could be used to fund some of the posts required going forward for a three year period to minimise any continuing revenue impact on the General Fund and the size of the projected budget gaps shown in the Medium Term Financial Plan to 2015/2016.

It was proposed that a new Growth and Regeneration Team should be created to:-

- become the Council’s ‘shop window’ for inward investment purposes;
- act as the Council’s Property Client;
- take the lead in marketing Taunton and Taunton Deane; and
- provide a function for the entire district. It was recognised that within this the regeneration of Taunton Town Centre and the urban extension of Monkton Heathfield would remain priority projects.

The team would be directly managed by the post of Strategic Director – Growth and Regeneration and would comprise posts of Commercial Manager, for a fixed two year period, who would focus on the major regeneration projects in Taunton and lead on commercial and property negotiations and a Regeneration Manager who would focus on the delivery of wider regeneration, infrastructure and growth including schemes within Project Taunton. This latter post would replace the existing ‘Project Taunton Regeneration Manager’ on the establishment and would be funded for three years from historic reserves.

Further proposed that the Economic Development Team should report directly to an Economic Development Manager post that would also sit within the Growth and Regeneration Team. The current vacant Lead role in the Economic Development Team would be deleted with 50% of the cost retained to allow for more restructuring and 50% being returned to the General Fund.

Noted that the current workload associated with the Project Taunton Project Co-ordinator post and Project Taunton Office Manager post had reduced to the extent that both posts could be deleted from the establishment. The remaining elements of the posts could be subsumed within the Business Unit – Growth and Development as part of these proposals. Details of the anticipated redundancy costs and saving to the Growth Point fund were submitted.

Further reported that the proposals for the Growth and Regeneration Team had been the main focus of formal consultation responses. The principal concerns were:-

- The proposal to delete the Theme Manager-Growth and Development Post;
- The proposal to bring Project Taunton 'in house'; and
- The proposal to add functions to the existing Project Taunton Team.

As mentioned above, it was now proposed and recommended that the Theme Manager - Growth and Development Manager post should be reinstated.

In addition, it was also proposed to retain the original suggestion that the Economic Development Specialist should become the Economic Development Manager and that this post took on the responsibility for the Economic Development Team within the Growth and Development Team.

This would ensure that all of the Economic Development/Regeneration functions remained integrated in the new Growth and Regeneration Team. The proposal also freed up some capacity for the Theme Manager - Growth and Development to focus on the key functions set out in the report and would enable this post to remain responsible long term for:-

- Development Management;
- Conservation and Landscape; and
- Planning Enforcement.

It was felt that the Business Support function should remain line-managed by the Theme Manager - Growth and Development. Even though the bulk of work would still be for planning, the Business Support Lead would liaise with the Growth and Regeneration Team to ensure support requirements were known and planned in.

The Strategic Director - Growth and Regeneration would manage the Theme Manager - Growth and Development, Commercial Manager, Regeneration Manager, and Economic Development Manager to ensure they developed and operated as 'one' team.

Submitted for the information of Members the concerns of the Chairman of the Project Taunton Advisory Board and of key strategic delivery partners (in both the public and private sectors) as to the proposals set out in the report concerning the bringing of Project Taunton 'in house'.

As a consequence, the following future approach was suggested:-

- The wider Growth and Regeneration Team should work across Taunton Deane, with its functions as follows:-
 - The regeneration of Taunton Town Centre (and for this purpose, the Project Taunton brand and focus be retained);
 - The development and engagement of local businesses;
 - Inward investment;

- Retained property client (limited to provision of expertise and advice, not management of Southwest One);
 - Advocacy for business across the Council;
 - Employment and Skills;
 - TIC/Tourism/Town Centre Management;
 - Culture; and
 - Marketing of Taunton and Taunton Deane.
- The Theme Manager - Growth and Development would take the lead (with input and advice from the Growth and Regeneration Team) on:-
 - Delivery of employment land; and
 - Delivery of wider housing growth.
 - The Growth and Regeneration Team would 'hot desk' between The Deane House (to ensure appropriate integration into Corporate Management Teams, and the wider Council) and with a new upgraded facility at The Auction Room, which would be used to 'do business' with the private sector and developers.

It was also suggested that the Project Taunton Advisory Board should be retained and focus predominately on the regeneration of Taunton and consider and take account of the wider growth and regeneration agenda for Taunton.

Thought had been given to the creation of an Apprentice post to support the newly formed Growth and Regeneration Team. The new post holder would have the opportunity to work across the whole Growth and Development 'Directorate'. This post would help to mitigate the impact of the rationalisation of existing support posts and would align with the Council's approach to introducing Apprentices to the Council as part of the Deane DLO transformation programme.

Further reported that the previous reports to the Corporate Scrutiny Committee set out a number of options that were considered by the Committee and informally by all of the Group Leaders and their Groups. One of these options was for the proposed creation of a Corporate Support Unit.

Essentially, Theme 5 (CMT and Legal and Democratic) did not have a single support unit unlike all of the other Themes in the Council where a successful Business Support unit has been set up.

It was proposed that all of the posts within Democratic Services, the Personal Assistants and the two administrative posts within Theme 1 be part of a proposal to form a wider Corporate Support Team for Theme 5 and Theme 1 and the Leader of the Council.

It was proposed that the Theme Manager – Legal and Democratic Manager be tasked with the creation of the Corporate Support Unit with a budget saving of at least £50,000 and that a further report was brought forward to ensure that the Unit became live on the 1 April 2012.

The above proposals set out a way forward to achieve a saving in year one of approximately £360,000 (including a one-off saving of £55,000 - £73,000 Theme

Manager costs met from reserves (less £18,300 in year one to fund the total maximum cost of an Apprentice for two years)) if the proposals were accepted in full. The proposal achieved and went beyond the initial Core Council Review target of a 10% saving for CMT.

Submitted details of the consultations that had been undertaken with Members, staff and Unison.

Resolved that Full Council be recommended to agree that:-

- (a) The number of Strategic Director posts be reduced from four to 2.6 with the allocation of £103,000 from reserves (£62,000 General fund, £21,000 HRA, £20,000 CCR Earmarked Reserve) in 2011/2012 to fund the associated costs;
- (b) The creation on the establishment of the post of 'Commercial Manager' for a fixed two year period funded from historic reserves;
- (c) The change of the establishment post of 'Project Taunton Regeneration Manager' to 'Regeneration Manager' funded for three years from historic reserves;
- (d) The change of the establishment post of 'Economic Development Specialist' to 'Economic Development Manager';
- (e) The deletion of 0.5 FTE vacant Economic Development Lead;
- (f) The creation of an Apprentice post for the Growth and Regeneration Team for a two year period funded from the year one General Fund saving;
- (g) Minor changes to reporting arrangements as set out in the report;
- (h) The creation of a Corporate Business Support Unit delivering a minimum saving of £50,000 to the Council;
- (i) The deletion of the Project Taunton Officer and Project Taunton Office Manager posts from the establishment; and
- (j) The allocation of £55,000 from historic 'growth' reserves to fund the one-off costs of creating the Growth and Regeneration proposals, set out in the report.

106. Executive Forward Plan

Submitted for information the Forward Plan of the Executive over the next few months.

Resolved that the Forward Plan be noted.

(The meeting ended at 8.48 pm.)