

You are requested to attend a meeting of the Council to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 6 October 2009 at 18:30.

Agenda

- 1 To receive the Minutes of the Meetings of the Council held on 14 July 2009 and 11 August 2009 (attached).
- 2 To report any apologies for absence.
- 3 To receive any communications.
- 4 To receive petitions from Local Government electors under Standing Order 17.
- 5 To receive questions from Local Government electors under Standing Order 18.
- 6 Formal apology by Councillor Philip Stone following a determination earlier in the year by the Council's Standards Committee.
- 7 Declaration of Interests. To receive declarations of personal and prejudicial interests in accordance with the Code of Conduct. The usual declarations made at meetings of Full Council are set out in the attachment.
- 8 Building a Resilient Taunton Deane. A presentation by Chrissie Godfrey and Paul Birch of Taunton Transition Town following the Member and staff Climate Change workshops held over the past couple of months. The presentation is scheduled to last no longer than 15 minutes.
- 9 Changes to the Constitution. Report of the Legal and Democratic Services Manager (attached).
- 10 Community Governance Review - Cotford St Luke. Report of the Legal and Democratic Services Manager (attached).
- 11 Part I - To deal with written questions to and receive the following recommendations from the Executive:-
 - (i) Councillor Slattery - Recommendation relating to the purchase of further recycling bins in connection with the implementation of the Sort It Plus recycling collections (attached);

(ii) Councillor Mrs Wilson - Recommendation regarding the adoption of a Non-Domestic Rates - Section 49 Hardship Relief Policy (attached);

(iii) Councillor Mrs Wilson - Recommendation relating to the adoption of a Full or Partial Flexible Retirement Policy (attached);

12 Part II - To receive reports from the following Members of the Executive:-

- (i) Councillor Ross Henley - Leader of the Executive;
- (ii) Councillor Simon Coles - Planning and Transportation;
- (iii) Councillor Fran Smith - Economic Development and the Arts;
- (iv) Councillor Richard Lees - Sports, Parks and Leisure;
- (v) Councillor Tim Slattery - Environmental Services;
- (vi) Councillor Hazel Prior-Sankey - Housing Services;
- (vii) Councillor Nicola Wilson - Resources;
- (viii) Councillor Alan Wedderkopp - Community Leadership;
- (ix) Councillor Alan Paul - Communications.

Tonya Meers
Legal and Democratic Services Manager

03 December 2009

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



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

Council Members:-

Councillor P Watson
Councillor T Slattery
Councillor P Stone
Councillor D Wedderkopp
Councillor M Whitmarsh - Party Leader
Councillor J Williams
Councillor A Beaven
Councillor R Bowrah, BEM - Mayor
Councillor D Durdan
Councillor K Hayward
Councillor N Cavill
Councillor I Morrell
Councillor H Prior-Sankey
Councillor F Smith
Councillor N Stuart-Thorn
Councillor A Wedderkopp
Councillor N Wilson
Councillor J Allgrove
Councillor S Coles
Councillor C Hill
Councillor P Smith
Councillor J O'Brien
Councillor S Brooks
Councillor G Copley
Councillor J Court-Stenning
Councillor P Critchard
Councillor H Farbahi
Councillor C Herbert
Councillor J Horsley - Deputy Mayor
Councillor L James
Councillor S Lees
Councillor T McMahon
Councillor V Stock-Williams
Councillor J Thorne
Councillor M Floyd
Councillor K Durdan
Councillor B Denington
Councillor M Edwards
Councillor E Gaines
Councillor A Govier
Councillor C Guerrier
Councillor T Hall
Councillor A Paul
Councillor R Henley - Leader of the Council
Councillor M Hill
Councillor E Waymouth
Councillor D House
Councillor N Court
Councillor R Lees

Councillor J Lewin-Harris
Councillor J Meikle MBE
Councillor M Mullins
Councillor D Webber
Councillor T Murphy
Councillor C Bishop

Taunton Deane Borough Council

At a meeting of Taunton Deane Borough Council held in the John Meikle Room, The Deane House, Belvedere Road, Taunton on 14 July 2009 at 6.30 pm.

Present The Deputy Mayor (Councillor Horsley) (In the Chair)
Councillors Mrs Allgrove, Beaven, Bishop, Cavill, Coles, Mrs Copley, Mrs Court-Stenning, Critchard, Denington, D Durdan, Ms Durdan, Farbahi, Mrs Floyd, Gaines, Govier, Guerrier, Hall, Hayward, Henley, Ms Herbert, House, Miss James, R Lees, Mrs Lees, Mrs Lewin-Harris, McMahon, Meikle, Morrell, Mullins, Murphy, O'Brien, Prior-Sankey, Slattery, Mrs Smith, P Smith, Mrs Stock-Williams, Stuart-Thorn, Thorne, Watson, Mrs Weymouth, Ms Webber, A Wedderkopp, D Wedderkopp, Mrs Whitmarsh, Williams, Mrs Wilson and Woolley.

Also present : Mrs Anne Elder, Chairman of the Standards Committee

1. Minutes

The minutes of the Annual Meeting of Taunton Deane Borough Council held on 13 May 2009, copies having been sent to each Member, were signed by the Deputy Mayor.

2. Apologies

The Mayor (Councillor Bowrah) and Councillors Brooks, Edwards, C Hill, Mrs Hill, Paul and Stone.

3. Communications

(a) Councillor Mrs Whitmarsh reported that she had recently visited Victoria, Vancouver Island, British Columbia. Acting as an "ambassador", she had met the Mayor, Mr Dean Fortin and had handed over a letter containing greetings from Taunton Deane's Mayor, Councillor Bob Bowrah and a Taunton Deane plaque.

Mayor Fortin had responded in kind and had also sent a number of small mementos of Vancouver Island for the Mayor.

(b) The Deputy Mayor reminded Members of the dates of the Climate Change Workshops that had been arranged over the next couple of months. He hoped as many Councillors as possible would take the opportunity to attend one of these very informative sessions.

4. Receipt of Petition

Councillor Govier handed in a petition containing several hundred signatures in support of the provision of a Wellington Northern Relief Road.

The Deputy Mayor assured Councillor Govier that the petition would be forwarded to the appropriate Executive Councillor/officer.

5. Public Question Time

- (a) Mr Roger House referred to the uncertainty over the future of the Saturday Produce and Stall Market off Priory Bridge Road/Canal Road, Taunton following the decision by the market organiser to step down.

He had previously asked the Council to consider the use of the space outside The Deane House as an alternative venue for the produce and stall market and asked again whether consultation with traders in Station Road could be undertaken on this possible solution.

During the last 18 months, the Town Centre Manager and the Council had promoted all markets that had taken place within the town centre except the Saturday Market. He added that the number of traders had now reduced to the point where they could all fit into the space outside The Deane House.

Such a small community market would continue to highlight the important features of the Station Road Area without being a threat to the main town centre.

Mr House handed in a petition of over 100 signatures from concerned customers who valued the market and its traders and wished to see it continue within the same area of Taunton.

In response, Councillor Mrs Smith stated that planning permission would be required to change the use of the area in front of The Deane House. It would be for a new operator or the traders to decide whether to make an application. Such action would also result in consultations being undertaken with both local traders and residents.

- (b) Mr Greg Garner asked the following questions in relation to the Housing Revenue Account:-

- What did you believe was the minimum financial level that the working balance should be maintained at?
- What measures would you undertake to ensure that the minimum balance was maintained or exceeded?
- What was the current working balance?

Councillor Prior-Sankey promised Mr Garner a full written answer to his questions.

- (c) Mrs Dorothea Bradley asked the Council to embrace the “rural city” concept outlined in Professor Hepworth’s report titled “Envisioning the Future of the

Taunton Economy". She fully supported the report and felt the Council needed to act as quickly as possible.

Councillor Mrs Smith thanked Mrs Bradley for her support and, subject to receiving a full copy of her statement/question, would respond to her appropriately.

6. **Declarations of Interest**

- (a) Councillors Henley, McMahon, Paul, Prior-Sankey, Mrs Waymouth and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillors Mullins and Slattery declared personal interests as Members of the Somerset Waste Board. Councillor Slattery also declared a personal interest as an employee of Sedgemoor District Council. Councillor Coles declared a personal interest as a Director of Southwest One. Councillor Miss James declared a personal interest as an employee of Viridor. Councillors Mrs Court-Stenning and Mrs Smith declared personal interests as employees of Somerset County Council. Councillors Henley and Mrs Wilson declared personal interests as employees of Job Centre Plus.

The Strategic Finance Officer, Ms M Hammond declared a prejudicial interest and left the meeting during the discussion of Minute No. 9.

- (b) Formal Apology by Councillor Stone – An investigation had recently been undertaken by the Council's Standards Committee into a complaint made against Councillor Stone who had not withdrawn from a meeting of Full Council last year despite declaring a prejudicial interest. Part of the sanction imposed on Councillor Stone was a requirement to attend the next scheduled meeting of Full Council to apologise to Members for his actions. Councillor Stone was however not in attendance at the meeting having submitted his apologies beforehand.

The Chairman of the Standards Committee, Mrs Anne Elder, felt that Councillor Stone's absence appeared to demonstrate complete contempt for the Standards Committee's findings. She added that the complaint made against Councillor Stone was a serious matter for which he could have been suspended.

Mrs Elder hoped the Council would back its Standards Committee by authorising a suitably worded letter to be sent to Councillor Stone by the Monitoring Officer, Mrs Meers. This was agreed.

7. **Envisioning the Future of the Taunton Economy**

The Deputy Mayor introduced Professor Mark Hepworth of the company Geoeconomics to the meeting.

Professor Hepworth had been commissioned to develop a fresh and challenging vision for Taunton's economy based on a stakeholder consultation exercise undertaken during March 2009.

He considered that Taunton's Growth Challenge from now until 2026 could be summarised as follows:-

- **Growth Point** status meant becoming 30% bigger by 2026 – new homes and new jobs;
- **Recession** meant 'one step back, two steps forward' – jobs and businesses needed replacing (turning point in 2010); and
- **High Skill Business** had to grow 60% faster than the rest of the economy – for workplace earnings to catch up with the South West average (200% for Great Britain).

There was a real need –

- to grow;
- for economic diversity;
- to look outwards; and
- for leadership.

His recommended vision for Taunton was:-

By 2026 Taunton would be one of Europe's most successful and sustainable towns with a dynamic knowledge economy and a high quality of life.

Professor Hepworth stated that key opportunities had been identified for certain areas of Taunton's economy. These needed to be addressed in a concerted, connected and strategic way by engaging the energy, commitment, resources and ingenuity of the private, public and third sectors – and the community itself:-

- **Creativity and Culture:** A dedicated organising infrastructure for connecting and promoting Creative Taunton; on-going, stable funding for creative projects; growing creative industries; space for creativity and culture.
- **Digital and Green:** Southwest One and the IBM Partnership; a dynamic 'green economy' town; a telework strategy for public employers.
- **Health and Education:** A physical central place for higher education in Taunton; building 'knowledge communities' – green, creative and health innovation; retaining and attracting talent.
- **Production and Construction:** Modern industrial estates; a green building programme; engaging with employers; a buy local programme.

The public sector drivers behind Taunton's economy would be weak for at least a decade in Professor Hepworth's view. He therefore recommended a bottom-up approach to economic development with 'knowledge communities'

delivering the technological, organisational and social innovations needed to make Taunton a green, healthy and creative town.

Governance appeared to be Taunton's 'Achilles Heel' – the most vulnerable aspect of economic development. It therefore needed strengthening by establishing:-

- (1) **New strategic alliances between the private and public sectors** which gave Taunton's economic development strategy a strong business flavour and helped to network Taunton with other towns and cities in the United Kingdom, Europe and the rest of the world;
- (2) **New commitments with Taunton's communities** which encouraged public engagement in economic development and gave the Council a mandate to make big decisions – for example on employment land issues;
- (3) **New corporate governance in the Council**, with economic development becoming a strategic level function which mobilised commitment, knowledge and resources both internally and externally.

Taunton's economic development strategy had to be underpinned by evidence which was relevant, timely and carefully researched. This was essential for monitoring and evaluation purposes as well as for engaging and motivating 'knowledge communities' – the building blocks for a more innovative and mobilised Taunton.

After a brief question and answer session, The Deputy Mayor thanked Professor Hepworth for his very interesting presentation and he left the meeting.

8. **Comprehensive Area Assessment for Somerset**

The Deputy Mayor introduced Mr Tony Johnson, Somerset County Council's Corporate Performance Manager, who gave Members a presentation on the Comprehensive Area Assessment (CAA).

The focus for CAA was demonstrating how well Councils and local partners worked together in partnership to deliver better outcomes and improve the quality of life for local people.

There were two types of assessment for CAA:-

- (1) Area Assessment for Somerset – an assessment as to how well public services were addressing the issues that mattered most in the area, as expressed in the Local Area Agreement (LAA) and Sustainable Community Strategy. The Inspectors from the Audit Commission would also assess whether the issues that mattered most were likely to improve. This assessment would evolve over time and would concentrate on what had changed year on year; and
- (2) Organisational Assessment for Taunton Deane Borough Council – this was scored on Managing Performance and Use of Resources. The

scores for these would be combined into an overall score for the Council.

The key questions the CAA would expect Taunton Deane to answer were:-

- How well did local priorities express community needs and aspirations?
- How well were the identified outcomes and improvements being delivered? and
- What were the prospects for future improvement?

Mr Johnson stated that the Audit Commission would assess how well the Council was dealing with the key area challenges affecting Somerset. Evidence would be gathered from many sources including continuing engagement with Taunton Deane and its partners and information from the website.

Taunton Deane's contribution to improving LAA outcomes across the County would be reflected in the Council's Organisational Assessment. Progress in achieving local outcomes would be assessed alongside the Council's resources in doing so.

He reported that Taunton Deane's Managing Performance inspection by the Audit Commission would take place on 21-22 July 2009. Work with the Auditors on the Somerset Area Assessment would occur on a continuing basis.

Mr Johnson concluded his presentation by reporting that the Organisational Assessment and CAA results would be announced on 19 November 2009. There would be no overall "star" rating but the Council's Organisational Assessment would be scored between 1 and 4, whilst the CAA results would comprise a narrative with either 'green' or 'red' flags.

The Deputy Mayor thanked Mr Johnson for his presentation, the contents of which would be noted.

9. Interim arrangements for Section 151 Finance Officer

Submitted report concerning proposed interim arrangements for filling the Section 151 Finance Officer post, to cover maternity leave by the present post-holder, Ms Shirlene Adam.

It was proposed that Ms Maggie Hammond, who was the Council's Strategic Finance Officer should be appointed as the interim Section 151 Officer until further notice.

Resolved that the appointment of Ms Maggie Hammond, Strategic Finance Officer, as interim Section 151 Officer be approved.

10. Recommendation to Council from the Executive

Pioneer Somerset – Moving Forward

Proposals for programme management arrangements for the Pioneer Somerset Programme and the associated resource requirements had recently been considered by the Executive.

Pioneer Somerset was a programme of work designed to radically transform and enhance the system of two tier local government across the County. It had a number of aims, principally to achieve annual revenue savings arising from enhanced two tier working of £20,000,000 by 2012/2013.

Over the past few months, a number of meetings had been held to agree how best the Pioneer Somerset Programme could be moved forward.

One of the main conclusions reached was that additional dedicated staff capacity would be a necessity to achieve this and the Pioneer Somerset Board had therefore agreed to the appointment of the following:-

- a dedicated independent Chief Executive for the Programme;
- a dedicated Programme Manager; and
- additional dedicated professional and administrative support necessary to support the above appointments.

The full year estimated cost of these appointments was £350,000 and it was proposed that the costs should be proportioned across the six Councils as invest to save bids. The apportionment to Taunton Deane was £13,400.

It was expected that funding beyond 2009/2010 for the remainder of the programme would come from savings made by the programme.

On the motion of Councillor Henley, it was

Resolved that an allocation of £13,400 from reserves to cover Taunton Deane's part of the Pioneer Somerset project management costs be approved on the basis of invest to save.

11. Reports of the Leader of the Council and Executive Councillors

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

(i) Leader of the Council (Councillor Henley)

Councillor Henley's report covered the following topics:-

- Pioneer Somerset;
- Core Council Review;
- The Brewhouse Theatre;

- Free Swimming;
- Budget Priorities.

(ii) **Economic Development and the Arts (Councillor Mrs Smith)**

The report from Councillor Mrs Smith covered:-

- Envisioning the Future of the Taunton Economy;
- Employment and Skills;
- Recession Support for Businesses and Communities;
- Arts and Culture;
- Somerset Tourism Partnership;
- Taunton Tourist Information Centre (TTIC);
- Rural Development.

(iii) **Sports, Parks and Leisure (Councillor R Lees)**

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

- Community Leisure;
- Parks;
- Play;
- Tone Leisure (Taunton Deane) Limited Activities;
- Facility News.

(iv) **Environmental Services (Councillor Slattery)**

The Report from Councillor Slattery drew attention to developments in the following areas:-

- Environmental Health;
- Food Safety and Health and Safety;
- Environmental Protection;
- Environmental Health Support Team.

(v) **Housing Services (Councillor Prior-Sankey)**

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

- Another New Housing Minister;
- Negative Subsidy Task and Finish;
- Tenant Services Authority;
- Special Executive and Full Council – 11 August 2009;
- Choice Based Letting;
- Free Event for Private Sector Landlords.

(vi) **Resources (Councillor Mrs Wilson)**

The report from Councillor Mrs Wilson provided information on the following areas within her portfolio:-

- Southwest One Human Resources Service for Taunton Deane Borough Council;
- SAP Implementation;
- Revenues and Benefits;
- Performance and Client Team;
- Southwest One Transformation Projects;
- Corporate Performance;
- Customer Contact Highlights;
- Democratic Services.

(vii) **Community Leadership (Councillor A Wedderkopp)**

Councillor A Wedderkopp presented the Community Leadership report which focused on the following areas within that portfolio:-

- Pioneer Somerset;
- Taunton Deane Local Strategic Partnership;
- Community Partnerships;
- Community Safety Agenda;
- Equalities and Diversity Agenda
- Healthy Living (Cutting Carbon and Congestion).

(viii) **Communications (Councillor Paul)**

Councillor Paul's report covered the following topics:-

- Pioneer Somerset;
- Newsletters;
- Press Releases;
- The Weekly Bulletin.

(ix) **Planning Policy and Transportation (Councillor Coles)**

Councillor Coles submitted his report, which drew attention to the following:-

- Regional Spatial Strategy;
- Local Development Scheme;
- Design Leadership Training Day;
- New Building Conservation Officer;
- New Local Nature Reserves;
- Southwest One;
- Congratulations.

(Councillors Mrs Floyd, Mrs Stock-Williams and Govier left the meeting at 7.55 pm, 8.15 pm and 9.10 pm respectively.)

(The meeting ended at 9.28 pm.)

Taunton Deane Borough Council

At a meeting of Taunton Deane Borough Council held in the John Meikle Room, The Deane House, Belvedere Road, Taunton on 30 April 2009 at 7.17 pm.

Present The Mayor (Councillor Bowrah)
Councillors Mrs Allgrove, Beaven, Bishop, Brooks, Coles, Critchard, Denington, D Durdan, Farbahi, Mrs Floyd, Gaines, Guerrier, Hayward, Henley, Miss James, R Lees, Mrs Lees, McMahon, Meikle, Morrell, Mullins, Murphy, O'Brien, Paul, Prior-Sankey, Mrs Smith, P Smith, Mrs Stock-Williams, Stuart-Thorn, Watson, Ms Webber, A Wedderkopp, D Wedderkopp, Mrs Whitmarsh and Mrs Wilson.

1. Apologies

The Deputy Mayor (Councillor Horsley) and Councillors Cavill, Ms Durdan, Edwards, Govier, Ms Herbert, C Hill, House, Mrs Lewin-Harris, Slattery, Stone, Thorne, Mrs Waymouth, Williams and Woolley.

2. Communications

The Mayor announced that Mr Charles Crowley, The Mayor of Taunton, Massachusetts, USA had paid a two day unofficial visit to Taunton Deane on 7 and 8 August 2009. He had been able visit a number of venues in the area including the Flower Show and had greatly appreciated the welcome afforded to him.

Councillor Meikle reminded Councillors of the Brewhouse Young Company's production of "Romeo and Juliet" which was being staged at the theatre on Thursday, 20 August 2009. He hoped as many Councillors as possible would attend this performance.

3. Declarations of Interest

Councillors Brooks, Henley, McMahon, Paul, Prior-Sankey and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillors Mullins declared a personal interest as a Member of the Somerset Waste Board. Councillor Coles declared a personal interest as a Director of Southwest One. Councillor Miss James declared a personal interest as an employee of Viridor. Councillor Mrs Smith declared a personal interest as an employee of Somerset County Council. Councillor Morrell declared a personal interest as the owner of leasehold properties. Councillors Brooks and Stuart-Thorn declared personal interests as Council tenants.

4. Rent Increase Decrease

The Executive had given detailed consideration as to whether to reduce the rent increase of 6.2% for Council tenants which was agreed by Full Council earlier in the year, to a local average of 2.95%.

Shortly after the Council had set its budget, the Government made a surprise announcement which sought to enable Councils to reduce their rent to a national average of 3.1%.

The Government had indicated that it would fund the reduction in the rent increase by increasing the Council's subsidy. In practice this meant the Council would pay less in Negative Subsidy.

The average rent for a Taunton Deane Tenant had been set at £63.96, but this would reduce to £62.10 if the rental increase was reduced.

There would be no significant impact on service or investment because the loss in income would be compensated through the subsidy determination. However, there would be additional IT and administrative costs, estimated at £15,000, which would slightly reduce the Housing Revenue Account Working Balance.

On the motion of Councillor Prior-Sankey, it was

Resolved that the rent increase agreed by Full Council on 17 February 2009, be reduced to a local average of 2.95%.

5. **Tenant Empowerment in Taunton Deane**

The Executive had also given detailed consideration to proposals to increase tenant empowerment in Taunton Deane.

During the past year, a small group of tenants had examined the opportunities available for tenants to have more say in the way in which their homes were managed. Following a series of meetings, a report had been prepared titled "Tenant empowerment in Taunton Deane : Next steps".

This Report provided an opportunity for the Council to make a significant difference by taking Tenant involvement to a level not seen before in Taunton Deane. It suggested the creation of a Tenant Service Management Board of ten tenant representatives and two Councillors, one from each of the main parties. The Board would be non-political and charged with the responsibility for ensuring the best possible standards of service delivery to tenants.

The Board would also have a key role in self-assessment of the landlord service against the new standards and regulatory framework being developed by the Tenant Services Authority.

To progress the work involved in the creation of a Tenant Services Management Board, it would be necessary to employ a specialist officer on a temporary basis.

On the motion of Councillor Prior-Sankey it was

Resolved that a supplementary estimate of £20,000 from the Housing Revenue Reserves be approved to enable the appointment of a temporary consultant Tenant Empowerment Officer.

(The meeting ended at 7.28 pm.)

Usual Declarations of Interest by Councillors

Full Council

- **Members of Somerset County Council – Councillors Brooks, Govier, Henley, McMahon, Paul, Prior-Sankey, Mrs Waymouth, D Wedderkopp**
- **Employees of Somerset County Council – Councillors Mrs Hill and Mrs Smith**
- **Director of Southwest One – Councillor Coles**
- **Employee of Viridor – Councillor Miss James**
- **Members of Somerset Waste Board – Councillors Mullins and Slattery**
- **Employee of Sedgemoor District Council – Councillor Slattery**

Council Meeting – 6 October 2009

Changes to the Constitution

Report of the Legal and Democratic Services Manager

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

Executive Summary

This report details the changes to the Constitution that are required to update the Standards Committee's terms of reference following the implementation of the Standards Committee (Further Provisions) (England) Regulations 2009. In addition some minor amendments have been made to the Standing Orders and these are required to be approved.

1. Purpose of the Report

- 1.1 Full Council is required to approve the changes as set out in this report in order for the Constitution to be updated.

2. Background

- 2.1 Every local authority is required to have a Constitution and that Constitution should be kept up to date with all relevant information on how the Council operates and gives details of its political and management structures.
- 2.2 The above regulations came into force on the 15 June 2009 and amongst other things amended the way in which dispensations were granted. As such it was felt by the Standards Committee that some minor changes needed to be made to the way in which these dispensations were granted in order to make the process as flexible as possible.
- 2.3 In addition, upon further consideration of the Standing Orders it was felt that more flexibility was required on the timing for Members to submit motions to Full Council and that more clarity was required as to what Members could do at a meeting when they had a prejudicial interest. The Council's Standing Orders have therefore been amended to reflect this.

3. Recommendation

- 3.1 Full Council is recommended to approve the changes to the Council's Constitution as set out in Appendices A and B attached to this report.

Contact: Legal and Democratic Services Manager, Tonya Meers
Tel: 01823 356391 email: t.meers@tauntondeane.gov.uk

Appendix A

Article 8 The Standards Committee

8.1 Standards Committee

The Council will establish a Standards Committee.

8.2 Constitution

(a) Membership

The Standards Committee will be composed of at least:

- (i) one member from each of the political groups who are then represented on the Council [currently there are three such Groups];
- (ii) seven people who are not councillors or officers of the Council or of any County, District or Unitary Council or of any Parish Council within Taunton Deane (these are referred to as "Independent Members");
- (iii) (subject to the same exceptions as (ii) above) three members of a Parish Council from within Taunton Deane who shall represent the interests of all such Parish Councils (the Parish Members);
- (iv) Members of the Standards Committee will hold office from one Annual Meeting until the next - at which point their appointments shall be either renewed or terminated at Annual Council.

(b) Independent Members

Independent Members (see 8.2(a)(ii) above):-

- (i) shall be selected in accordance with the statutory rules prescribed under The Standards Committee (England) Regulations 2008 ;

- (ii) will be entitled to vote at all meetings of the Committee or on any sub-committees to which they have been appointed by the Standards Committee.

(c) **Parish Members**

A Parish Member must be present at any meeting of the Standards Committee when matters relating to Parish Councils or their members are being considered.

(d) **Chairing the Committee**

The Committee shall be chaired by an Independent Member.

(e) **Substitutes**

No substitute members shall be permitted to either the main Committee or to any sub-committee unless there is a conflict of interest that affects all elected members on the Committee that cannot be overcome in any other way.

(f) **Sub-committees**

The Standards Committee shall, in accordance with the Standards Committee (England) Regulations 2008, appoint sub-committees to assess complaints received against members where allegations are made that a member has failed to comply with the code of conduct; where this happens the following limits will apply:-

- (i) the quorum (that is, minimum size at which business may be transacted) shall be 3;
- (ii) All sub-committees shall be chaired by an Independent Member;
- (iii) All sub-committees shall include at least one elected member;
- (iv) where a Parish Councillor is the subject of a complaint then a Parish Member (unless s/he is the subject of that investigation) shall be appointed to that sub-committee.

(g) The Standards Committee may appoint a sub-committee to determine any application for a dispensation should time be of the

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essence in the application (however there must be compliance with the statutory time limits on notification of meetings).

(h) Any sub-committee set up to determine dispensations shall adhere to the limits as set out in (f) above.

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8.3 Role and Function

The Standards Committee will have the following roles and functions in relation to the Borough Council and Parish Councils within Taunton Deane.

- (a) promoting and maintaining high standards of conduct by councillors and co-opted members;
- (b) assisting the councillors and co-opted members to observe the Members' Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) monitoring the operation of the Members' Code of Conduct;
- (e) advising, training or arranging to train councillors and any co-opted members on matters relating to the Members' Code of Conduct;
- (f) granting dispensations to councillors and any co-opted members from requirements relating to interests set out in the Members' Code of Conduct or delegating such power to a sub-committee, who will be authorised to determine such dispensations based on principles agreed by the Committee;
- (g) assessing complaints made against members of the Borough Council and Parish Councils within the Taunton Deane Borough in relation to breaches of the code of conduct;
- (h) conducting consideration hearings following receipt of reports from the Monitoring Officer into a member's alleged misconduct.
- (i) conducting hearings on reports as to alleged contraventions of the Members' Code, and deciding upon appropriate sanctions.

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Appendix B

PROCEDURE RULES FOR FULL COUNCIL (STANDING ORDERS)

STANDING ORDERS (updated 2009)

C O N T E N T S

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Those marked * apply to Council and to the Committees

PART I – MEETINGS OF THE COUNCIL

ORDER OF BUSINESS

1. At meetings of the Council, the order of business shall be as follows:-
 - (1) To elect a councillor to preside if the Mayor and Deputy Mayor are absent;
 - (2) To transact any business required by statute to be done before any other business;
 - (3) To receive the minutes of the preceding meeting and, if agreed, to order that they be signed as a correct record;
 - (4) To receive any communications;
 - (5) To deal with questions from Taunton Deane electors under Standing Order 15;
 - (6) To receive petitions or deputations from Taunton Deane electors under Standing Orders 16 & 17;
 - (7) To transact any business adjourned from previous meetings;
 - (8) To consider Motions received under Standing Order 4;
 - (9) To consider reports from Executive Councillors;
 - (10) To consider any reports submitted by the Overview & Scrutiny Committees, Standards Committee or from an Officer;
 - (11) To deal with questions asked under Standing Order 14(2);
 - (12) To transact any other business which the Mayor is prepared to certify as of such urgency that it must be disposed of at this meeting.

VARIATION OF ORDER OF BUSINESS *

2. The Mayor may, with the consent of the Council, vary the order of business.

MINUTES *

3. (a) At the next ordinary meeting, the Mayor shall, with the Council's assent, sign the minutes of the business transacted at the previous meeting as a correct record.
- (b) The only discussion allowed upon the Minutes shall be as to their accuracy, and any objection upon that ground shall be made by motion. A question may be put to the Mayor as to the accuracy of the Minutes.

NOTICES OF MOTION

4. (1) If a councillor wishes to move a motion at a meeting of the Council then notice in writing shall be given to the Legal and Democratic Services of its terms and the name of a Councillor who has agreed to second it. Such notices shall be dated, numbered as received and available for the inspection of councillors.
- (2) Twelve calendar days notice is needed in order to have a Notice of Motion included in the Summons. This means that written notice must be delivered to the Democratic Services Manager's office by 12 noon on the Monday week prior to the day on which the Council Meeting is to be held.
- (3) The motion shall relate to the work of the Council or the interests of people living in the Borough.
- (4) A motion shall not be taken if its proposer is not present, unless another councillor has been asked to propose it and the Council so agree.
- (5) Such motions shall be taken before the reports of the Executive Councillors have been presented
- (6) A motion or amendment to rescind a decision within 6 months of it being approved should be made in accordance with Standing Order 23 of this Constitution

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MOTIONS DURING A DEBATE *

5. (1) A Councillor may at the conclusion of a speech of another Councillor, move without comment one of the following motions: -
 - (a) to amend the motion;
 - (b) to postpone consideration of the motion;
 - (c) to adjourn the meeting;

- (d) to adjourn the debate;
- (e) to proceed to the next item of business;
- (f) that the question be now put;
- (g) to request a recorded vote; see standing order 18(2)
- (h) that Councillor _____ be not further heard;
- (h) that Councillor _____ do leave the meeting;
- (i) that the (identified) recommendation be referred back for further consideration;
- (j) that the press and public be excluded;
- (k) to suspend any one or more Standing Orders during all or part of the meeting;
- (l) to refer a petition which has been presented to a meeting of the Council to a Committee for consideration;

5(2) If the motion is seconded then (subject to the proviso set out in (c) below) the Mayor shall proceed as follows:-

- (a) the motion shall be put to the vote forthwith and without discussion;
- (b) then - subject only to the right of reply of the councillor who either presented the report or who proposed the original motion - the motion shall be immediately acted upon;
- (c) The Mayor shall have the discretion not to accept such a motion when of the opinion that the matter before the meeting has not yet been sufficiently discussed.

5(3) In the consideration of applications for development under the Town and Country Planning Act 1990 (as amended), where a motion to grant or refuse permission is lost, and there is no amendment, then the direct negative of that motion will be the minuted resolution of Development Control Committee. The reasons for refusal, or conditions in the case of an approval, will be those referred to at the meeting or recommended in the officer's report to the committee.

AMENDMENTS *

6. (1) An amendment shall be either –
- (a) to leave out words;
 - (b) to leave out words and insert or add others; or

- (c) to insert or add words;
but shall not have the effect of introducing a significantly different proposal or of negating the motion
- (2) Before moving an amendment a Councillor shall ensure that there is likely to be a seconder for that amendment.
- (3) When an amendment has been moved and seconded no further amendments shall be moved until the first amendment has been voted upon.
- (4) If an amendment is carried, it shall be incorporated into the motion which shall become the substantive motion upon which further amendments may be moved. If an amendment is voted down, further amendments may then be moved on the motion.
- (5) With the agreement of any seconder and with the assent of the Council, given without comment, a councillor proposing a motion or amendment may:-
 - (a) Withdraw that proposal, or
 - (b) Alter its wording, or
 - (c) Accept an amendment
- (6) If there is to be an amendment to the proposed budget then it must be received by the Democratic Services Manager by 12 noon the day before the Council meeting.

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POINTS OF ORDER OR PERSONAL EXPLANATION

- 7. A councillor may rise on a point of order or in personal explanation and shall be allowed by the Mayor to be heard forthwith.
 - (1) A point of order shall relate only to an alleged breach of a specified Standing Order or statutory provision and the councillor raising it shall immediately identify how it has been broken.
 - (2) A personal explanation shall be confined solely to a brief explanation of how a speech in the current debate by that councillor appears to have been factually misunderstood. It shall not be used to introduce new material.

PART I REPORTS OF EXECUTIVE COUNCILLORS

8. (1) An Executive Councillor shall submit a report to each Full Council meeting. The report shall be in two parts.
- (2) Part I shall contain recommendations and Part II shall contain reports as to current and future business for the information of and comment from the Council.
- (3) Each recommendation shall be proposed separately by the Executive Councillor, or, in his/her absence, by the Leader of the Executive; it shall not need to be seconded before being discussed.
- (4) The normal rules of debate will apply to the recommendations contained in Part I

PART II OF EXECUTIVE COUNCILLORS' REPORTS

9. (1) When Part II of an Executive Councillor's report is being considered, Councillors may, upon items referred to in that report :-
 - (a) submit written questions to be received by the Democratic Services Manager by 4pm 2 working days before the Council meeting;
 - (b) Responses will be given to these questions and 1 further supplementary question will be allowed related to the question arising from the answer to seek further clarification;
 - (c) Verbal questions will be allowed which may be answered verbally or in writing within 5 working days.
- (2) Part II items are for information, discussion and comment only and no motion shall be put to the meeting as to any such item - other than those closure motions described in Standing Order 5.
- (3) A councillor may not speak on Part II of a report if a recommendation relating to that same item has already appeared in Part I of a report submitted at that meeting.
- (4) The Executive Councillor may introduce Part II of his report and update the Council on developments that have taken place since the report was dispatched.

PROPOSERS AND SECONDEES

10. (1) If the mover of a motion or of an amendment sits down without speaking to it, the right to speak shall be lost but the mover of a motion shall retain the right of reply.

- (2) The seconder of a motion or of an amendment may declare that s/he is reserving the right to speak:-
 - (a) until later in the debate; or
 - (b) until it appears to the Mayor that - at that point - there are no more speakers to be called and before the mover of the motion exercises the right of reply.

RIGHTS TO SPEAK DURING DEBATES

11. A Councillor who has spoken once on any motion, amendment or on an Executive Councillor's report may not speak again. The exceptions to this rule are that a councillor who has already thus spoken may also:

- (1) speak once to an amendment moved by another member;
- (2) move a subsequent amendment; if a councillor wishes to exercise this right, then s/he shall immediately make the purpose of this second speech clear to the Mayor
- (3) exercise a right of reply under Standing Order 12, or,
- (4) make a point of order or personal explanation.

RIGHTS OF REPLY

12. (1) (a) The mover of a motion shall have a right of reply to any debate on that motion.
- (b) The member of the Executive presenting a report shall have a right of reply to any discussion upon that report.

In both cases this right shall be in addition to that councillor's speech introducing the motion or the report.

- (2) The mover of a motion shall also have a right of reply to any debate:-
 - (a) on any amendment to that motion,
 - (b) on a reference back to the Executive of that recommendation, and
 - (c) immediately before the following closure motions are put to the vote:-

- (i) to postpone consideration of the motion,
 - (ii) to adjourn the debate
 - (iii) that the question be now put.
- (3) The Executive Councillor presenting a report shall also have a right of reply to the following closure motions immediately before they are put to the vote:-
- (a) that the Council proceed to the next business;
 - (b) to adjourn the debate; or
 - (c) that the question be now put.
- (4) A Councillor who has moved a motion or introduced a report shall only have the further rights to speak which are defined in this Standing Order but shall not otherwise speak during that debate.
- (5) A Councillor exercising a right of reply shall not introduce new factual material.
- (6) The mover of an amendment or of any of the procedural motions referred to in Standing Order 5 shall not have a right of reply.

SPEECHES

13. (1) (a) A Councillor shall not speak on a motion or amendment or on an Executive Councillor's report for longer than three minutes.
- (b) The exceptions to this rule shall be that:-
- (i) the mover of a recommendation (or of a motion of which notice has been given in accordance with Standing Order No.4) may speak for not more than ten minutes when moving such recommendation or motion, and
 - (ii) a Councillor exercising a right of reply may speak for 5 minutes
- (2) A Councillor shall normally stand when speaking and shall address the Mayor. When the Mayor rises all Councillors shall be silent. No-one else shall speak until the Chair has been resumed.

QUESTIONS FROM COUNCILLORS

- 14** (1) At a Full Council meeting any Councillor, upon giving 5 working days written notice to the Democratic Services Manager, may ask the Mayor a question on a matter which concerns the Council's functions, powers, duties and which affects the borough.
- (2) Any Councillor, upon giving 2 working days written notice to the Democratic Services Manager, may ask the Leader of the Council, a portfolio holder, chairman of a committee or another member who has been appointed to an outside body, a question which concerns the Executive's or committee's functions, powers and duties or the work of the outside body and which affects the borough.
- (3) The Leader, Portfolio Holder, or Committee Chair may direct the question to be answered by the Chairman of the appointed sub-committee which has been delegated the subject matter of the question.
- (4) The member asking the question may ask a supplementary question related to the question or arising from the answer to seek further clarification.
- (5) Questions are to be asked and answered without further discussion by other members present. The Leader of the Council or a committee chairman to whom the question has been addressed may ask another member or officer to answer it if they are of the opinion that a discussion is required or they may refer it to another relevant meeting of the Executive or Committee.

PUBLIC QUESTION TIME *

- 15.** (1) Subject to paragraph (10) of this Standing Order, questions from Taunton Deane electors shall be taken in accordance with the procedure in this Standing Order at the beginning of each meeting.
- (2) The period allowed for questions and answers shall not exceed 15 minutes except with the consent of the Mayor; each individual questioner shall be restricted to speaking for a total of four minutes.
- (3) Questions shall be directed to the Mayor, who may request the appropriate member or officer to reply.

- (4) Every question shall relate to matters over which the Council has powers or duties and which particularly affect the Borough and shall be put and answered without discussion.
- (5) However, if a question relates to a ward-based issue, the Mayor shall invite a contribution from one councillor representing that ward before calling for the formal reply.
- (6) Questions shall not be disallowed merely because advance notice in writing has not been given. Such questions may not be answered immediately but later in writing. However it is always preferred that questions are put in writing in order to assist members and officers to be able give answers at the meeting.
- (7) An answer may take the form of:-
 - (a) an immediate oral answer; or
 - (b) a written answer where the necessary information is not readily available.
- (8) Subject to the time limit in paragraph (2) above, and to the discretion of the Mayor, the questioner shall be permitted to ask one supplementary question relating to the issue raised.
- (9) Any question shall be disallowed which the Mayor believes to be scurrilous, offensive, improper, repetitious, capricious, irrelevant or otherwise objectionable.
- (10) The procedure for taking questions or statements from members of the public at meetings of the Planning Committee shall follow such pattern as agreed from time to time by that Committee to best take account of its needs for public involvement.

PRESENTATION OF PETITIONS *

- 16** (1) (a) A "Formal Petition" is one which its promoters wish to appear on the agenda of the next appropriate Scrutiny Committee for discussion and for recommendation on to the Executive - or to the relevant Executive Councillor – for decision. For such petitions the formal procedure set out in this Standing Order should be followed.

(b) An “Informal Petition” is one where its promoters wish the feelings of a significant number of the local community to be drawn to the attention of the Council before a decision is made on a particular matter. Where such an informal petition is received:-

(i) The decision-maker shall be informed of the terms and level of support for such a petition when any report is submitted recommending that a course of action should be adopted.

(ii) The promoter of the petition shall be notified of any public meeting at which the issue is to be discussed or decided and shall subsequently be notified of the Council’s decision.

(c) The choice of which route to follow shall be at the discretion of the petition’s promoter.

(2) A Formal Petition may be presented at any meeting of the Council (or of its Executive or any Committee) by any Taunton Deane elector, if the Democratic Services Manager, at least 12 calendar days before the meeting, shall:-

(a) have received notice in writing of the intention to submit the petition and of its content, and

(b) have been shown the petition;

provided that the Mayor may, because of special circumstances, give approval to a lesser period of notice.

(3) Subject to the Democratic Services Manager being satisfied that the formal petition complies with this Standing Order, its content and the number of its signatories shall be described on the agenda for the meeting.

(4) The Mayor shall invite the promoter to present the formal petition. In so doing, the promoter may speak in its support for not more than 4 minutes – or such longer period as the Mayor shall decide.

(5) If the formal petition is presented to a meeting of the Full Council, the Chair of the relevant Scrutiny Committee shall, with the assent of the Council (given without discussion), accept it for consideration

at the next meeting of that Committee; the promoter shall be invited to attend that meeting.

- (6) Where a formal petition is presented first to a Scrutiny Committee or to the Executive (after the necessary notice has been given under paragraph 2 above), the meeting shall decide whether:-
 - (a) to consider it immediately; or,
 - (b) to defer consideration to the next meeting; or,
 - (c) refer it to a Committee for its advice or for it to deal with.
- (7) An Informal Petition may be presented without notice at any meeting but shall not be acted upon unless it relates to an item of business already on the meeting's agenda for which proper notice has already been given.
- (8) For the purposes of this Standing Order, "petitions" shall mean requests consisting of a significant number of signatures of Taunton Deane electors relating to matters over which the Council (or that Committee) has powers or duties or which particularly affect the Borough or its residents.

DEPUTATIONS *

- 17.(1) Any Taunton Deane elector may ask that a deputation should be received by a meeting which has powers or duties relating to the matter of concern to that deputation.

Such a request shall be made by written notice to the Democratic Services Manager at least 3 working days before the meeting to which it relates unless the Mayor has, because of special circumstances, given approval to a lesser period of notice.

- (2) The person making the request shall indicate in the notice:-
 - (a) the matter to which the request relates;
 - (b) the number and the names and the addresses of those making up the deputation, and
 - (c) the name of the leader who will speak for them

- (3) On being called by the Mayor the leader of the deputation may speak for not more than 4 minutes about the matter described in the notice given.
- (4) For a further period of 5 minutes, councillors may ask questions of the deputation, which questions shall be asked and answered without discussion.
- (5) Having heard from the deputation, the Mayor (or councillor chairing the meeting) may either:-
 - (a) give an immediate oral response to their request, or
 - (b) ask that an immediate oral response be given to the deputation by the Leader (or other Executive Councillor who is present) or by an officer; or,
 - (c) call for a report to be considered at the next meeting of that – or the relevant Committee unless the request relates to business which is already on the Committee's agenda.
 - (d) ask that a written answer be given to the deputation where the necessary information is not readily available.

VOTING *

- 18** (1) All motions and amendments, unless the law otherwise requires, shall be decided by affirmation or by a show of hands, as the Mayor shall choose.
- (2) If before the Mayor calls for the vote, either,
- (a) the mover and seconder of the motion - or of the amendment, or,
 - (b) any councillor supported by the votes of at least a quarter of the councillors present,
- request that a Recorded Vote be taken, then votes shall be publicly declared, and recorded in the minutes.
- (3) In addition to the option under SO 18 (2), any member may require - immediately after a vote is taken - that the manner in which that

member's vote was cast (for, against or abstaining) shall be recorded in the minutes.

- (4) Where a vote is taken upon the choice of more than two candidates for an appointment and there is not an absolute majority in favour of one candidate, the candidates receiving the least number of votes shall be excluded and a further vote taken, the procedure being continued until there is an absolute majority in favour of one candidate.
- (5) (a) in the case of an equality of votes, the Mayor shall have a second or casting vote.

(b) The Mayor shall have unfettered discretion as to its use for against the proposition.

OFFENSIVE OR DISORDERLY CONDUCT *

19. (1) If at a meeting a councillor uses an expression which another councillor believes is offensive and the latter draws the attention of the Mayor to it, the Mayor may request the councillor to withdraw the expression.
- (2) If at a meeting the Mayor believes a councillor to be guilty of persistently disregarding the ruling of the Chair by behaving improperly or offensively, or by deliberately obstructing business, the Mayor or any other councillor may move "that Councillor_____ be not further heard" and the motion, if seconded, shall be put to the vote and voted on without discussion.
- (3) If a councillor continues to behave improperly after such a motion has been carried, the Mayor may either:-
 - (a) move "that Councillor_____ do leave the meeting", or
 - (b) adjourn the meeting for a specified period;if seconded the motion shall be put and voted on without discussion,

- (4) If a councillor does not leave the meeting after a resolution to that effect, the Legal and Democratic Services Manager shall arrange for the removal of the councillor and shall take such measures as may be necessary to prevent the councillor from re-entering the meeting.
- (5) In the event of any significant disturbance which makes the due and orderly dispatch of business impossible, the Mayor, in addition to the exercise of any other power, may, without the need for the Council's approval, adjourn the meeting for such period as s/he thinks necessary.

DISTURBANCE BY MEMBERS OF THE PUBLIC *

- 20 (a) If a member of the public interrupts the proceedings at a meeting, the Mayor shall request that there be no further interruptions. If the interruptions continue the Mayor shall order the removal of the person interrupting from the room.
- (b) If there should be general disturbance in any part of the room open to the public the Mayor may order that part to be cleared.

INTERESTS OF MEMBERS AND OFFICERS *

- 21. (1) Where at a meeting any matter is being considered in which a councillor then present has a "*prejudicial interest*" as defined by the Council's adopted Code of Conduct, that councillor shall be entitled to make representations, answer questions or give evidence provided that members of the public also have the same right. The Councillor must then leave the meeting immediately thereafter unless:-
 - (a) a dispensation has been granted by the Council's Standards Committee in exercise of its powers under the Local Government Act; or,
 - (b) the item merely forms part of minutes submitted and is dealt with as "for information" only.

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- (2) Where a Councillor present at such a meeting has a “*personal interest*” (as defined in the adopted Code) which is not a “*prejudicial interest*” then the Councillor shall immediately draw the attention of the meeting to that personal interest.
- (3) (a) Any officer of the Council present at a meeting when an item involving a disclosable interest is under consideration shall draw the attention of the meeting to that interest.
- (b) A “disclosable interest” is an interest which, if the officer were a Member of the Council, would need to be declared under the Council’s adopted Code of Conduct as a *prejudicial interest*.
- (c) No such duty shall arise regarding an item which merely relates to the general terms and conditions of employment of all staff employed by the Council.

EXCLUSION OF PRESS AND PUBLIC *

- 22(1)** Press representatives and public shall withdraw from a meeting if an exclusion resolution (under the Local Government (Access to Information) Act 1985) is passed. [*see Part 4B of the Constitution*]
- (2) Even where an item or report has been marked either “Exempt” or “Confidential”, it is for the meeting itself to decide whether – taking the wider public interest into account - the item (or part of it) should nevertheless be considered in the presence of the press and public.
- (3) If an issue should arise during a debate as to the appointment, promotion, dismissal, salary, conditions of service or conduct of any identifiable employee of the Council, the councillor chairing the meeting shall move the exclusion resolution (due to the likelihood that exempt information about a particular employee would be disclosed to the public).

The motion shall be immediately approved or rejected before the issue is further considered.

- (4) When an exclusion resolution is passed those permitted to remain include all those who are members of the Council, the officers or consultants serving that meeting and those specifically invited by the meeting to remain for reasons set out in the minutes.

RESCINDMENT & VARIATION OF RESOLUTIONS *

- 23.** (1) A resolution passed within the previous six months shall not be rescinded or varied unless either:-
- (a) there has been a significant change of circumstances (noted in the minutes of the meeting) since the previous resolution was passed and is agreed by 50% of the members, or
 - (b) by resolution of the Full Council on a motion of which notice has been given under Standing Order 4 signed by not less than 12 members.
- (2) Where it is intended that such an item should appear on the agenda for a meeting, the agenda item shall say that this “6 month rule” applies.
- (3) This Standing Order shall not apply in the case of a planning or licensing application.
- (4) Every such notice of motion shall specify the resolution to be rescinded or varied

RULING OF THE MAYOR *

- 24.** The ruling of the Mayor on any question under these Standing Orders, on a point of order, or, on the admissibility of a personal explanation shall be final and shall not be open to discussion.

QUORUM *

- 25** No business shall be transacted at a meeting unless at least the indicated number of its members is present:-

Meeting	Quorum
Full Council	14
Planning Committee	5
The Executive	3
The Overview & Scrutiny Committees	4
Any other Member body	$\frac{1}{4}$ of its members, or 2 (whichever is the greater)

AGENDA AND ATTENDANCE AT MEETINGS

- 26.** (1) A councillor has the right to receive agenda and papers for all meetings of the Council, the Executive, the Overview & Scrutiny Committees and the Planning Committee and to attend and speak at all such meetings – whether the councillor is a member of the body or not.
- (2) This right to be treated as a participating member of these bodies shall not extend to their sub-groups which have been convened to act
- (a) in a quasi-judicial role on the Council's behalf in relation to such matters as staff disciplinary appeals, licensing hearings, or to deal with staff appointments or other specifically identified matters, or
- (b) as Task and Finish scrutiny panel
- (3) With those bodies listed in (2) above:-
- (a) The right to attend shall be the same as for members of the public
- (b) The right to contribute to the discussion shall be at the discretion of the councillor chairing that meeting.
- (4) In order to avoid any doubt:-
- (a) The rights under paragraph (1) shall also extend to Exempt items of business.

(b) Councillors attending a meeting by virtue of this Standing Order shall not have a right to vote nor shall their attendance rank as an “approved duty” under the Members Allowances Scheme.

SUMMONING OF MEETINGS

- 27.** Those listed below may request the Legal and Democratic Services Manager to call a Full Council meeting in addition to ordinary meetings:-
- (a) The Council (by resolution),
 - (b) The Mayor,
 - (c) The “Designated Officers” [see *Constitution - Article 12*],
 - (d) Any five members of the Council - if they have signed a requisition presented to the Mayor and the Mayor has either refused to, or has failed to call, such a meeting within seven days of presenting their requisition.
 - (e) The notice convening such a requisitioned meeting shall state the names of those councillors requesting it and the business which they wish to have dealt with

TIME LIMITS FOR ALL MEETINGS*

- 28.** (1) A meeting of full council or other committees including Overview and Scrutiny committees shall not exceed three hours in duration except in accordance with 30 below.
- (2) If the business of the meeting has not been completed within that time the Mayor or Chairman will interrupt the debate to announce the time and call for a vote to be taken immediately on the item under discussion.
- (3) No member will be able to address the meeting after the Mayor’s or Chairman’s interruption on any item appearing on the agenda.
- (4) Any items remaining on the agenda, which have not been considered, will be adjourned to the next scheduled meeting or a date to be fixed before the meeting adjourns.
- (5) Any suspension of time for adjournments during the meeting shall not count towards the 3 hour time limit.

SUSPENSION OF COUNCIL PROCEDURE RULES*

29. (1) A motion to suspend a particular procedural rule shall state the particular purpose and require a majority of at least half the total number of members appointed to that Council Meeting or Committee.

(2) on occasions that rule 29(1) (guillotine) is being waived, the duration of the suspension shall not exceed 30 minutes and shall, if seconded, be put to the vote without discussion.

(3) Rule 29(1) can only be suspended once per meeting. However the Mayor, Chairman of Planning Committee or Chairman of the Licensing Committee may decide otherwise in respect of the meeting they are chairing. This will generally only occur in exceptional circumstances.

(4) Rules 21 and 25 cannot be suspended. But section 5 still applies

APPLICATION OF STANDING ORDERS *

30. These Standing Orders shall apply to meetings of the Full Council. Those Standing Orders marked “**”, shall also apply to meetings of all Regulatory Committees, the Overview and Scrutiny Committees (subject to the necessary changes in wording).

Council Meeting – 6 October 2009

Community Governance Review - Cotford St Luke

Report of the Legal and Democratic Services Manager

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

1. Purpose of Report

- 1.1 To advise Members of the outcome of the Community Governance Review and to recommend that an Order be made for the creation of a new Parish Council for Cotford St Luke.

2. Background

- 2.1 The village of Cotford St Luke falls within the Parish of Bishops Lydeard and Cothelstone and we have received a petition, signed by 256 electors of Cotford St Luke, calling upon the Council under statutory powers, to create a new Parish Council for Cotford St Luke. This petition satisfied the statutory requirement to undertake a formal Community Governance Review.
- 2.2 As part of a Boundary Review in 2005, Taunton Deane proposed formal warding of the Parish of Bishops Lydeard and Cothelstone to create a new parish ward encompassing Cotford St Luke in order to facilitate the eventual creation of a separate Parish Council.
- 2.3 This was accepted by the Boundary Committee for England who made the appropriate Order, namely The Borough of Taunton Deane (Electoral Changes) Order 2007. It is anticipated that the new civil parish would be coterminous with the boundaries of the existing Cotford St Luke Ward.

3. Community Governance Review

- 3.1 Following receipt of the petition a formal Community Governance Review was carried out in order to satisfy ourselves, as required by law, that the electors of Cotford St Luke would be best served, in terms of effective and convenient local government, by the creation of a new Parish Council for Cotford St Luke.
- 3.2 Consultation took place with the following:-

Somerset County Council, including the appropriate Division Member;
Bishops Lydeard and Cothelstone Parish Council;
Cotford St Luke Community Association;
Taunton Deane Ward Members; and
Somerset Association of Local Councils.
- 3.3 In addition a Notice was placed in the Somerset County Gazette inviting comments.

4. **Outcome of Consultation**

- 4.1 As anticipated there was overwhelming support for the proposal and no adverse comments were received from any interested party. In addition the Community Scrutiny Committee also gave the proposal their support on the 18 August 2009.

5. **Recommendation**

- 5.1 That Full Council be **recommended** to approve the appropriate Order under statutory powers, for the creation of a new Parish Council for Cotford St Luke to coincide with elections planned for May 2011. The boundaries of the parish to be coterminous with the existing Cotford St Luke Ward of Bishops Lydeard and Cothelstone Parish Council and to be known as Cotford St Luke Parish Council.

Contact: Legal and Democratic Services Manager, Tonya Meers
Tel: 01823 356391 email: t.meers@tauntondeane.gov.uk

Taunton Deane Borough Council

Council Meeting – 6 October 2009

Part I

To deal with written questions to and receive recommendations to the Council from the Executive.

(i) Councillor Slattery

Implementation of Sort It Plus Recycling Collections

At its meeting on 15 July 2009, the Executive made a number of decisions relating to the extension of the recycling service in Taunton Deane to enable the kerbside collection of plastic and cardboard.

The purchase of extra recycling bins in connection with this extended service would be necessary at an estimated capital cost of £163,400.

Somerset County Council was in receipt of Waste Infrastructure Grant and had agreed, as a Member of the Somerset Waste Partnership, to assist the District Councils in the purchase of the additional bins by offering 75% of the cost.

This meant the cost to Taunton Deane would be reduced to £40,900.

It is **recommended** that an increase to the capital programme of £40,900 for the estimated shortfall in capital funding needed to purchase additional recycling bins be approved, to be funded from uncommitted Waste Services Reserves.

(ii) Councillor Mrs Wilson

(a) Non-Domestic Rates – Section 49 Hardship Relief Policy

At its last meeting, the Executive agreed to support a proposal to introduce a procedure which would give the Council discretion to reduce or remit the payment of rates under Section 49 of The Local Government Finance Act 1988.

As a billing authority, Taunton Deane had to be satisfied that the ratepayer would suffer hardship if it did not agree to reduce the payment of rates. Additionally it had to be reasonable for the Council to do so, having regard to the interest of its Council Tax payers.

Central Government had provided guidance to help billing authorities decide whether to grant relief. From this it was clear that the reduction or remission of rates on grounds of hardship should be the exception rather than the rule.

75% of the cost of any reduction or remittance of rates could be offset against the Council's payment into the National Non-Domestic Rate pool. The other 25% would be borne locally by Council Tax payers and met from the authority's General Fund.

Historically the Council had received very few applications for hardship from ratepayers. However, it was expected the number of hardship applications would rise significantly as the economic downturn started to bite.

The recommended policy for the Revenues and Benefits service to deal with applications in a proper and consistent way is attached at Appendix 1.

It is **recommended** that the proposed policy for considering applications for Section 49 Reductions (as set out in the Appendix) be formally adopted.

(b) Full or Partial Flexible Retirement Policy

The Executive has also recently considered proposals to introduce a new policy for full or partial retirement to meet the requirements under the Local Government Pension Scheme (LGPS).

Since 2006, Her Majesty's Revenues and Customs had allowed pension schemes to facilitate flexible retirement. As a result, flexible retirement provisions had been written into the LGPS.

This flexibility had been introduced to assist Local Government in managing the impacts of the ageing population which would see a greatly increased retired population being dependant on a reduced active workforce. This would be achieved by creating conditions where gradual or phased retirement would be possible and would allow for paid work during retirement without financial penalty.

There were a number of discretions within the LGPS which allowed for a scheme member who had attained the age of 55 (or in certain circumstances 50) to draw all or part of their retirement benefits (both pension and lump sum) even though they had not retired providing that:-

- the employer consented, and
- there had been a reduction in hours or a reduction in grade.

Taunton Deane was undergoing significant changes to meet both the financial and service delivery pressures that needed to be faced. In undertaking restructuring it was important that the Council had a range of options that could be used to satisfy these pressures.

The ability to provide full or partial flexible retirement would allow the Council to work with staff to provide an alternative to 'cliff edge' retirements which could see the retention of key skills at the same time as securing cost reductions. This would facilitate succession planning and business continuity.

The proposed policy, which is set out in Appendix 2 attached, requires the proving of a business case which is based on the need for the proposals to demonstrate a saving over a three year period although the requirements of the service and other non financial benefits have also to be taken into account.

If the payment of benefits occurs before age 65 the benefits would be reduced in accordance with guidance issued by the Government Actuary. The Council would have the power, on

compassionate grounds, to waive any actuarial reduction that the employee might incur and this provision has been included within the proposed policy.

Consultations had taken place with the Taunton Deane UNISON Branch who were supportive of the proposals.

It is therefore **recommended** that the proposed policy on Full or Partial Flexible Retirement (as set out in the Appendix) is formally adopted.

Appendix 1

Non-Domestic Rates – Section 49 Hardship Relief Policy

The Recommended Procedure

- 1.1. All applications for Hardship relief must be made in writing using a prepared forms designed by Revenues and Benefits service to ensure that all the information which is considered important to the decision making process is captured.
- 1.2. All applications must be accompanied by a copy of the last two years audited accounts, a projected income and cash flow for the next 12 months and any other information in support of the application.
- 1.3. The process detailed below should ensure that proper and consistent consideration is given to all applications, the financial implications are considered and members have the final say in deciding on, and financing, any awards.
- 1.4. Applications will initially be received within the Revenues and Benefits unit where they will be examined for completeness.
- 1.5. Where the application is not complete the Revenues and Benefits unit will contact the ratepayer to seek any missing information or seek clarification where it is necessary. The application will not be considered further until it is complete.
- 1.6. The Revenues and Benefits unit will consider each complete application on its merits and the Head of Revenues and Benefits Service make a written recommendation to the Section 151 Officer whether to reject the application or whether to make an award.
- 1.7. In making either recommendation, the Head of Revenues and Benefits Service will consider the following
 - The goods or services provided by the applicant and the closeness of alternative suppliers;
 - Whether the goods or services are mostly provided to customers within the Borough;
 - Any social benefits provided by the applicant;
 - Local employment provided by the applicant;
 - The causes of the hardship;
 - The applicant's attempts to mitigate the hardship;

- The impact of Rates as a % of overall business expenses;
 - Whether the business is viable; and
 - Whether it is in the interests of the Council Tax payers within the Borough to provide the 25% cost of any hardship relief awarded.
- 1.8. Where a recommendation to reject the application is made adequate reasons should be put forward.
- 1.9. Where a recommendation to approve the application is made, the recommendation should detail
- The period to be covered by the award
 - The social benefit to the Council Tax payers in the award being made
 - The amount of the award
 - The sum to be met by the general fund and the Non-Domestic rating pool respectively.
- 1.10. The authority to **decline** applications for hardship relief should be delegated to the Section 151 Officer.
- 1.11. Where the Section 151 Officer decides there is sufficient merit in awarding hardship relief a recommendation will be made to the Executive. The Executive should have the delegated power to decline or award hardship relief following referral of an application by the Section 151 Officer. **Where it supports the recommendation, The Executive will also need to the make the necessary budget arrangements to meet the commitment.**

Appendix 2

Full or Partial Flexible Retirement Policy

1. Employees aged 55 (aged 50 up to 31 March 2010) who are members of the Local Government Pension Scheme are able to request payment of early retirement benefits whilst remaining in the Council's employment on reduced hours or a lower grade.
2. This right does not apply to employees who are in receipt of a redundancy payment and early pension benefits or who have taken early retirement in the interests of the efficiency of the service.
3. As a guide, a business case for flexible retirement where any reduction is minimal (e.g. less than 20% either in terms of reduced hours or lower grade) may be difficult to objectively justify.
4. Requests for flexible working may be instigated by employees who meet the criteria set out in 1 above at anytime but will only be able to make one request in any 12 month period.
5. An employee should, in the first instance, approach their line manager with a request for reduced hours, more flexible working patterns by putting their request in writing.
6. The line manager will notify the HR Advisory Team and a meeting will be arranged within 21 days to discuss the request from the employee.
7. At this point the HR Advisory Team will request an estimate of early retirement benefits from the Pension Section of Somerset County Council which will be provided to the employee and be used to complete the Flexible Retirement Approval Request Form.
8. The meeting between the employee, line manager and a member of the HR Advisory Team will discuss the request and business case and will only be referred for approval if it is operationally viable.
9. If the request is referred for approval this will be considered by the relevant Theme Manager/Service Unit Manager and the HR Manager.
10. It should be noted that employees who are retiring in this way before their normal retirement age will suffer an actuarial reduction in their benefits to reflect early payment. In exceptional compassionate circumstances the Council has the right to waive this actuarial reduction.

- 11.** If the request is not referred for approval this will be confirmed to the employee in writing to the employee within 14 days of the meeting. The employee would have the right of appeal against this decision which should be made in writing to the Retained HR Manager within 10 days of receipt of the reason for refusal of the request or refusal to waive the actuarial reduction on compassionate grounds where the request is approved.
- 12.** Appeals will be heard by a Strategic Director advised by the Retained HR Manager.

Council Meeting – 6 October 2009

Report of Councillor Ross Henley – Leader of the Council

1. Pioneer Somerset

- 1.1 I attended the latest meeting of the Pioneer Somerset Board last week. I would like to thank Kevin Toller and Penny James for working so hard behind the scenes to try and draw up proposals for a new way forward for Pioneer in light of the decision of the new Conservative administration to withdraw from the already agreed Pioneer management structure which had been signed up to by all six councils.
- 1.2 Frankly, it has been very frustrating waiting to get clarity from the County Council for its considered opinions on Pioneer. The new administration came into office on 5 June 2009 and yet the decision to withdraw from the Pioneer Somerset management structure was only made on Monday, 28 September.
- 1.3 We have waited for months to have official confirmation from the County Council of its intention to withdraw from the agreed position of all Somerset Councils and frankly the failure of either the Leader or Deputy Leader to turn up to regular Pioneer Somerset meetings is disappointing and does not indicate the necessary political leadership required to take this initiative forward in partnership.
- 1.4 This all means that we will not now be making a commitment of £13,500 to this body. That being said, walking away, to me, is not an option. I applaud the work of Kevin, Penny and others to try and rescue the situation. The easy decision would be to walk away but I will not support that. The next meeting is in November and I have strongly urged that the time to really sit down and discuss specific major savings ideas is long overdue and we must move away from the longstanding debate on management structures.
- 1.5 One idea I did float at a Group Leaders Meeting, as a possible way of saving money and showing the way forward by partnership working, is by way of us sharing a Chief Executive with another authority. I feel that someone has to make a move and try and start to float these ideas. This is happening all across the country at present as Councils see the writing on the wall and realise that things cannot remain as they are. Sadly, I was met with total opposition from the leading opposition Group.

- 1.6 That in effect means that for the time being the idea is dead as without cross party support in a no overall control situation it is not going to happen. It is not an option any more to just oppose these sort of ideas because without radical action we will not get anywhere near where we need to be in the next few years.

2. **Core Council Review**

- 2.1 Themes 2 and 4 have reported to the Corporate Scrutiny Board last week and I would like to thank the Theme Managers, CMT and the PAs for working so hard to bring forward these proposals and dealing with the very difficult tasks which are necessary as part of this process. These proposals are now working their way through the Scrutiny and Executive process and will reach a conclusion next month.

3. **DLO Review**

- 3.1 This is a very important piece of work. I totally support the new approach to this in that all options are being evaluated and tested before coming back to scrutiny. This way will ensure that all the necessary information will be available when scrutiny decides which option it wishes to recommend to the Executive.
- 3.2 At this stage none of us can say which of the options will emerge but by the time we do decide we must ensure that we have all the answers to the very detailed questions this initiative is posing and I am confident that the new approach will deliver the required information.

4. **Rent Increase/Decrease**

- 4.1 I would like to thank all staff involved with work that has gone into the above. I fully support the Government initiative on this but frankly the timing was unfortunate after many Councils including our own had already set rent levels for this financial year.
- 4.2 It was good to see cross-party support for this decision at the Special Full Council which took place on this matter but not so good to see the Conservative Group making very negative comments in the press about the decision we took just one day after they had voted with us to support it.

5. **Visit of Lord Coe to Taunton**

- 5.1 It was a pleasure to represent the Council alongside Joy Wishlade at the recent visit of Lord Coe to Taunton. He was visiting Taunton to meet elite young sportsmen and sportswomen in Somerset who have real aspirations of representing Team GB at the London Olympics in three

years time. Some people are concerned about this country holding the Olympic Games but I feel it is a once in a lifetime opportunity for this country. You cannot fault Lord Coe for his drive and enthusiasm for the Olympic Games and it would be great to see Taunton Deane athletes on the team.

6. Council Report

- 6.1 You will have seen in the Corporate Scrutiny Committee budget papers the report which states that currently the budget gap stands at around £1,200,000. The administration has detailed plans for closing this budget gap and this will become clear in the next few weeks. Closing the gap gets harder each year but I am confident that the preliminary works prepared by the Executive and CMT will stand us in good stead in the budget round this year.

7. Climate Change

- 7.1 Many of you will have enjoyed the Climate Change Workshops arranged by the Transition Taunton Group who gave us more sessions than originally planned. My apologies for not being able to attend this event but I am looking forward to attending the session arranged by Kevin Toller at Wellsprings for the Green Policy Champions Group. I have booked myself onto this session and thank Kevin for organising this event. With climate change in mind, I have advised CMT that I want this Council to sign up to the "10:10 Initiative".

8. Standards

- 8.1 I have met with Anne Elder, Chairman of the Standards Committee and assured her of the strong commitment of this Council towards standards and ethics. This is such an important part of what we do and I get very frustrated when people rubbish this agenda. It is our own responsibility both personally and corporately to uphold high standards of behaviour at all times

Councillor Ross Henley

Council Meeting – 6 October 2009

Report of Councillor Simon Coles – Planning and Transportation

1. Regional Spatial Strategy

- 1.1 On the 25 September 2009 the Government announced that it intends to carry out a new sustainability appraisal of the proposed changes to the Regional Spatial Strategy for the South West of England.
- 1.2 In the light of the High Court's judgement on challenges to the Regional Spatial Strategy for the East of England, the Government wishes to be satisfied that the Sustainability Appraisal for the South West tested reasonable alternatives to Areas of Search for strategic housing, business and other development proposed in the Strategy.
- 1.3 It has therefore decided to carry out a new Sustainability Appraisal, to ensure that alternatives to its proposals are properly tested.
- 1.4 It expects this new Appraisal to be completed early in the New Year.
- 1.5 In the light of the Appraisal's findings the Government will then decide what action to take to progress the Strategy to provide the clarity and certainty about the future framework for growth in the region which all partners are keen to see.

2. Local Development Framework (LDF) Core Strategy and Site Allocations

- 2.1 The statutory Public Consultation under Regulation 25 on the LDF Core Strategy and Site Allocations is planned for January and February 2010.

3. Extensions to the time limits for implementing existing planning permissions and minor amendments

- 3.1 New provisions came into effect on 1 October 2009 which allows planning permissions which are about to lapse to be kept alive via a simplified application procedure.
- 3.2 The consultation on this suggested that it would apply to major applications only, but the Government has widened the power to cover all planning permissions and listed building consents which are extant from on 1 October onwards. The proposed fees are £500 for major developments, £50 for householder developments and £170 for other sizes of development

- 3.3 Members will recall that we withdrew our minor amendment scheme due to case law which suggested that such procedures were unlawful.
- 3.4 The Government is therefore introducing a new power to enable us to consider “non material amendments” to existing planning permissions, although this does not apply to listed building or conservation area consents. The process being introduced will not be as straightforward as that we previously operated, but will prevent the need to go through the full planning process for relatively minor variations to schemes.

4. Amendments to Parish Delegation Scheme

- 4.1 Following the Executive decision in June 2009 to revise the delegation scheme that enables eight Town/Parish Councils to determine minor planning applications, Burrowbridge and Ruishton and Thornfalcon Parish Councils have chosen to withdraw from the scheme.

5. Longrun Meadows

- 5.1 An application for the change of use of approximately 27 hectares of land to a country park stretching from French Weir to Bishops Hull has been submitted.
- 5.2 This includes the creation of a network of pathways and cycle routes creating access to and from Somerset College, Castle School and Silk Mills Park and Ride, three bridges across the River Tone, general amenity parkland for informal recreation, bird and animal hides and areas/structures for picnicking, teaching and meeting. The working title for this is Longrun Meadows.

6. Pyrland Hall Farm

- 6.1 Pre-application discussions and a public consultation meeting have taken place for a proposed affordable housing exception development at Pyrland Hall Farm, Taunton.
- 6.2 The site is immediately to the north of Ladymead School and there are a number of planning issues that need to be balanced including landscape impact, bat foraging/feeding areas, highway access, existing underground infrastructure on the site and the provision of affordable homes.

Councillor Simon Coles

Council Meeting – 6 October 2009

Report of Councillor Francesca Smith - Economic Development and the Arts

Part 1

- 1.1 I attended a draft presentation with Councillor Richard Lees of the Longrun Farm, Bishops Hull proposals for landscaping with the Swan Paul Architect and Karen Hughes. There are some very exciting ideas that should come to fruition subject to funding being obtained.
- 1.2 I met with Rachel Davies the Principal of Somerset College to discuss Economic Development in Taunton and working with the College: how this can be developed, and also to understand the College's perspective and how it wants to develop within the town.
- 1.3 I have regular updates with the Project Taunton team and attend the Steering Group and Advisory Board meetings. I met with local businessmen, Councillors and officers to look at the High Street and the work that is required to develop and generate more businesses and shops into the area and how Taunton Deane can work with the stakeholders to develop this.
- 1.4 As most of you are aware we are extremely fortunate to have the advice and experience of Professor Mark Hepworth and his team in helping us develop the Economic Strategy for Taunton Deane and I have met with him several times to discuss how we inform and develop this strategy and I look forward to being able to present a draft of this at the next Full Council in December.
- 1.5 Robert Maguire was in Taunton on Friday, 25 September 2009 to meet with the Forward Plan officers and also met with Councillor Coles and myself. Robert is a specialist in planning and regeneration and has worked on the Canary Wharf development in London and also Stoke and Sheffield redevelopments.
- 1.6 I attended the Town Centre Company meeting on 25 September 2009 and this is an important forum for local Businesses and the Council to inform and be informed of the town centres priorities. A presentation was given by Project Taunton and also by Graham Love the Town Centre Manager on its ideas for the future.

Part 2

2. Economic Development Delivery Strategy

- 2.1 Work has commenced with Professor Hepworth to prepare a new Economic Development Strategy (EDS) with a robust delivery plan. The delivery plan will be comprised of projects that help Taunton to realise its 2026 vision: *To become one of Europe's most successful and sustainable towns with a dynamic knowledge economy and a high quality of life.*

- 2.2 The Steering Group monitoring this work includes Viridor, EDF, IBM, Institute of Directors, Somerset College and representatives from smaller businesses and social enterprises.
- 2.3 The “Green Knowledge Economy” will be the framework for developing projects, programmes and partnerships and through September and October 2009 there will be a series of workshops and interviews with representatives from strategic stakeholders, the public sector, local businesses and community groups from across Taunton Deane to identify projects for inclusion in the delivery plan. These will form the basis of the new economic development strategy that will be presented in draft to Full Council on 8 December 2009.
- 2.4 Early discussions have identified the desire and funding to create a “Green Technologies Research Institute” in Taunton, which will achieve our aspiration to have postgraduate level research activity in Somerset.
- 2.5 In partnership with IBM, a Smarter Transportation workshop has been organised for October 2009 that will consider the use of ICT and other technologies, including Cloud technologies and next generation broadband. Together with infrastructure planning and business operations to reduce peak time travel journeys and improve efficiency and effectiveness of businesses and public sector organisations, this will result in a programme of action points that will feed into the EDS.

3. Employment and Skills

3.1 Business Matters

- 3.1.1 A new brand “Business Matters” and programme of activity has been developed to address the concerns of the business community that Taunton Deane was not a ‘business friendly’ location. In partnership with Business Link and Exchange House, a series of seminars are being held during October to address the identified needs of local businesses. Full details are available on the Taunton Deane website through the Economic Development home page.
- 3.1.2 To compliment this work a database of local businesses is being developed within an Excel format that can be transferred to a CRM system in the future and a relationship management activity including communication strategy will be considered within the EDS.
- 3.1.3 Significant businesses and employers have already been engaged and contributed to the Envisioning and EDS processes.

3.2 Employment and Skills Board

- 3.2.1 A new Taunton Deane Employment and Skills (E&S) Board has been constituted as a sub-group of the Local Strategic Partnership (LSP) reporting to the Economic Leaders Group (ELG). The E&S Board will drive current employment and skills opportunities, and identify future skills requirements to meet demand for

employment within a 'Green Knowledge Economy'; promoting the transition from blue to 'green collar' employment that will feed into the Government target of creating 400,000 new green jobs.

3.2.2 Project Taunton will continue to lead on establishing a Construction Skills Academy on the Firepool site and report on progress to the new Board.

3.3 Enterprise Solutions Hub

3.3.1 Early discussions with Plymouth University to establish an 'Enterprise Solutions Hub' in partnership with Somerset College are progressing with a target launch of the new service in November 2009.

3.3.2 The 'Hub' will be targeted at retaining management and technical competencies within Taunton Deane in response to white collar redundancies and graduate unemployment and provide training and work placement opportunities that will add greater competence to local businesses and help them drive forward their growth plans to create new employment opportunities.

3.4 Enterprise Gateways

3.4.1 Plans to establish 'Enterprise Gateways' in North Taunton, East Taunton and Wellington are progressing and it is anticipated that the first Gateway will open in East Taunton before Christmas.

3.4.2 These Gateways will provide the 'community hub' from which to promote employment and training opportunities created by Project Taunton and Growth Point construction activity and, in the first instance, a job club activity to assist local people find employment or re-skilling opportunities during the economic downturn.

4. Inward Investment

4.1 Two initial investment enquiries are now being actively supported and managed by Economic Development:-

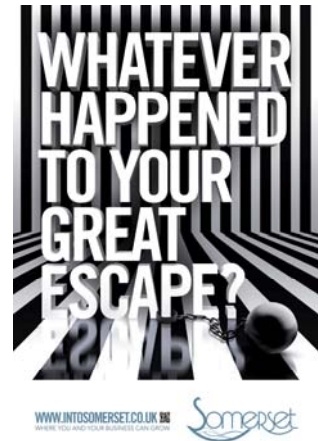
- An enquiry from an investor to establish a biomass processing plant, utilising 'clean technologies' that will produce 80 million litres of biofuel per annum, creating employment for 45 people. Two sites are under consideration and a further meeting with the Managing Director will take place early October 2009.
- An initial enquiry to 'long list' a site in Taunton Deane to establish a distribution centre by a major ethical and sustainably aware company that could create employment for between 600 – 800 people. A decision on the final selection of the site is not expected for 9 – 12 months.

4.2 Into Somerset

4.2.1 I am very sorry to report the very sad and sudden death of the Chairman of Into Somerset, Honor Chapman.

4.2.2 Into Somerset has incorporated the latest mobile phone barcode technology into a railway poster advertising campaign to get instant responses at mainline and branchline stations in and around London to encourage entrepreneurs to relocate to Somerset 'where work life is better by a country mile'.

4.2.3 The posters, which are running for at least two weeks from 21 September 2009, includes Quick Response technology, allowing mobile phone users to instantly access Into Somerset's website at www.intosomerset.co.uk to download further information.



5. Tourism

5.1 Somerset Tourism Partnership (STP)

5.1.1 The STP continues to work county wide to support the visitor economy, tourism businesses and market the county as an attractive destination for days out, short breaks and holidays.

5.1.2 A review of the partnership activity is underway evaluating what has been achieved since April 2006 and planning for future activity and delivery.

5.1.3 Current activity includes the production of the 2010 Somerset Jewel of the South West Brochure, launch of a Somerset Cider Lovers Guide and promotions on Heart 102.6 FM to promote Taunton Deane and Somerset to local residents.

5.2 Taunton Tourist Information Centre (TIC)

5.2.1 The TIC is busy this autumn acting as the Box Office for events including the Chinese State Circus, Big Gig Weekend and Taunton Sinfonetta.. The centre is also busy promoting the 10 Parishes Festival, Somerset Arts Week and the Quartz Festival.

5.2.2 The Travel Centre continues to grow from strength to strength working with local and national partners including Berry's, Bakers Dolphin and National Express. The centre is able to source and book great value days out and breaks away by coach and ferry.

5.2.3 The TIC is under a period of review with part of this work looking at the feasibility of relocation to the Brewhouse premises.

5.2.4 The TIC will be hosting the Cards for Good Causes Charity Christmas Card Shop from early October until mid December.

6. Arts and Culture

6.1 Empty shop units in the heart of Taunton are being transformed into mini art galleries to cheer up the town and provide artists with their own show space.

- 6.2 Shop Art Showcase, a joint initiative organised by Taunton Deane Borough Council and Taunton Town Centre Company with local artists and commercial agents, was launched on 18 September 2009 as part of Somerset Art Weeks. The old 'Art' shop and the unit behind Wave Games in the Old Market Centre are displaying eye catching 3D works by the Kingston Studios Art Group members, Richard Holt and Andru Fijalowski until Sunday, 4 October. Martin Joiner is also screening a video digital instillation on Thursday to Sunday evenings at No.5 East Reach entitled 'People watching the people-watchers', thanks to Cluff Commercial.
- 6.3 It is intended that this initiative will continue with other artists and units taking part in future months.
- 6.4 Both the 10 Parishes Festival and Somerset Art Weeks have provided a wide programme of events and exhibitions this September increasing visitor numbers during the shoulder season. Over 450 artists are showcasing their work at more than 90 venues across Somerset as part of Somerset Art Week, which focuses on group collaborations this year.
- 6.5 Street Jam, the summer programme of circus skills events in Halcon and Priorswood with Fuse Performance have proved a success, with over 180 young people taking part in events in East and North Taunton. Twenty four young people volunteered their time contributing to the street dance workshops, parcour and circus activities, and we are now developing a programme for the winter months which includes a 'Halcon's Got Talent' show and a street arts troupe for outdoor celebratory events in Taunton.

7. Project Taunton

7.1 Firepool

- 7.1.1 The delivery team are working well with St Modwen and positive progress is being made. Plans are being finalised to take forward on-site demolition in mid-October and investment in infrastructure and a detailed marketing strategy are being discussed.
- 7.1.2 "The Auctioneers building" is going to be refurbished and retained in the medium term as a marketing centre. Work is due to start in October.

7.2 Cultural Quarter

7.2.1 Cricket Club

- 7.2.1a The Pegasus development and new stand is now complete.
- 7.2.1b Somerset Square is due to be completed at the end of October.
- 7.2.1c The construction of the SCCC Club Hub is complete. Work to convert the pavilion to a 600 seater conference facility should start in September 2009 with completion at the end of March 2010.

7.2.2 Brewhouse Theatre

- 7.2.2a The delivery team have commissioned an architectural feasibility study for the incremental extension and conversion of the Brewhouse building and this work is well progressed. The architects have given a presentation to the Coordination Group meeting and a presentation to the Trustees will be arranged.
- 7.2.2b Phase two of Somerset Square, which is the area to the front of the Brewhouse, will be on site at the beginning of October and the contract should be complete by 15 November 2009 (Christmas Light switch-on).
- 7.2.2c A structural survey of the Brewhouse building has been undertaken to ensure that the costs and liabilities associated with the building are properly understood.

7.2.3 Coal Orchard

- 7.2.3a The delivery team hope to be in a position to start preparing a brief later this year/early next year.

7.3 Museum

- 7.3.1 The main contractor is on site for the refurbishment of the Museum and reopening is planned for April 2011

7.4 Castle Green and Goodland Gardens:

- 7.4.1 The planning application was submitted in May and now includes the demolition of two of the Castle Hotel garages, the wall surrounding the car park and its replacement with a lower and more appropriate wall and the resurfacing of the car park. These works will be paid for by the Castle Hotel.
- 7.4.2 Work is likely to start on site early 2010, although the reduction in Growth Points funding might require a rethink of the specification and possibly phasing.

7.5 Tangier

- 7.5.1 Midas have now met Taunton Deane and discussions are ongoing, including with the Homes and Communities Agency to see if this might qualify as one of their 'stalled schemes' for which funding might be available.
- 7.5.2 Early meetings with Musgrove Park Hospital and Somerset College have indicated a possible interest in a mini campus in this part of Taunton.
- 7.5.3 The Third Way road and bridge is ready to start on site at any time but is being delayed by an individual objection.

7.6 Bus station

- 7.6.1 The delivery team are commencing discussions with Somerset County Council and First Group regarding the possibility of developing this site which will include

the provision of a smaller scale bus station, without any long term bus or car parking on site, together with other uses at higher levels if appropriate.

7.7 Retail

7.7.1 EPF have started their £3.5m refurbishment of The Old Market Centre and this is due to be complete at the end of October 2009.

7.8 Longrun Farm, Bishops Hull

6.8.1 Swan Paul has been instructed to prepare plans for the landscaping of the land at Longrun Farm, part of which should fulfil the planning obligations. Good progress is being made with this work. A stakeholder information meeting has been arranged at the Genesis Centre on 27 October 2009.

7.9 Community

7.9.1 The third Young Taunton newsletter will be circulated to schools and libraries during the second half of the autumn term.

7.9.2 A public information event will be arranged at Firepool when the refurbishment of the Auction House is complete.

7.10 PR and Marketing

7.10.1 Project Taunton's website V2 is due to go live very soon. In its new form, the website will have a more dynamic interface; secure sections for project documents and larger, more exciting images.

7.10.2 An electronic newsletter is due at the end of September 2009.

7.10.3 Media activity: Somerset Square, Firepool demolition, Longrun Meadows

7.11 Funding

7.11.1 Taunton Deane is facing a 45% cut in Growth Point capital allocation for the 2010/2011 financial year although the revenue element appears to be safe at forecast levels.

7.11.2 The current budgeting assumes that there are no further Growth Point funds beyond 2010/2011. This will restrict activities and revenue funding for the Project Taunton Delivery Team will run out in March 2011.

7.11.3 Through the Living Places partnership, Transformation Funding has been secured to enable informal heritage learning in an empty town centre shop during the period when the Museum is closed.

8. Employment Land

- 8.1 Three small sites have been identified that provide the possibility for an early release of employment land:
 - 8.1.1 Walford Cross – around 2ha of Greenfield land that is of interest to both the Biofuel processing plant and the green technologies Research Institute
 - 8.1.2 Crown Land – around 2 ha of Crown owned land for mixed-use development including an element of employment (retail with small office usage above, and small light industrial units)
 - 8.1.3 Frobisher Way – discussions have commenced to assess the viability of working with a third party to develop a number of small light industrial units on the Council owned site of 0.3ha to make available freehold units to the market to meet an identified demand. A paper will be brought to Members at an appropriate time where it is expected that it will be recommended that gains from the sale of these units will be ring-fenced for further economic development activity.

9. Asset Management

- 9.1 A management and monitoring process to progress the development of an Asset Management Plan (AMP) has been agreed with Southwest One, with a target to bring a draft AMP to Members by early 2011.

10. LARC (Local Action for Rural Communities)

- 10.1 There are no changes to the programme at the moment. All three LARC projects are now open for funding bids from Community and Business groups.

Councillor Fran Smith

Council Meeting – 6 October 2009

Report of Councillor Richard Lees – Sports, Parks and Leisure

1. Community Leisure

- 1.1 The Vivary Park summer season of free bandstand concerts ran successfully from June – September with 11 bandstand concerts.
- 1.2 The Chinese State Circus has made a welcome return visit to Vivary Park.
- 1.3 Capital grant aid has been awarded under the Parish Play Area Grant Scheme to Corfe Parish Council for the redevelopment of the children's play area at the Queen's Acre Playing Field.
- 1.4 Capital grant aid applications are being processed, for voluntary village halls and community centres and sports clubs.

2. Sport

- 2.1 The opening ceremony for the new sports pavilions at Hamilton Gault and Galmington Playing Fields has been carried out.

3. Play

- 3.1 Longrun Meadows Development
 - 3.1.1 A steering group of stakeholders has been meeting to discuss ideas for the setting out of this area of land for future public recreation. Although acquired to provide compensation for flooding issues in the town centre, the 26 hectare site has great potential for recreation subject to the creation of new bridges to link it to the town (the only access currently is at the rear of Castle School).
 - 3.1.2 A Stage1 application to Natural England's Access to Nature grant fund is being developed which would provide site based Rangers and a range of activities for schools, the community to learn about and develop the site and its wildlife.
- 3.2 Playbuilder
 - 3.2.1 Consultation will start shortly on the designs for the new play provision for 8-13 year olds at Hamilton Gault park and Lyngford Park. The designs reflect the consultation done to date with children and the community over the last month. Playbuilder is money received from the

Government Department for Children, Schools and Families via Somerset County Council and this will be the second of 3 years' of funding from this source.

3.2.2 The Playbuilder money will be matched with any other available funds such as Section 106 funds for play local to the two sites that have been received. The third Playbuilder site this year is at Oake which is currently out to tender.

3.3 Vivary Park

3.3.1 Public consultation on designs for extending the play area at the rear of Vivary Park has now finished and the plans will be amended and tenders invited for building the site. It will complement the existing play space within the confines of the model train track and include water and sand play.

3.4 Strategy Development

3.4.1 A number of new or updated strategies will be available for consultation shortly. These will complement those published last year on Play and Community Halls and will support the development of the Local Development Framework to ensure that adequate leisure provision is made for the future in Taunton Deane.

3.4.2 The Allotments Task and Finish Group has met three times recently and will publish a draft strategy for consultation in October 2009. Its work has taken forward the research and consultation undertaken in the last couple of years.

3.4.3 The Playing Pitches Strategy is also about to be published in draft for consultation.

3.4.4 The Open Spaces Strategy Vision session was held recently and will set the direction for our new strategy.

4. Parks

4.1 South West in Bloom Competition

4.1.1 Taunton again gained the Tesco Cup in the large towns category, as well as Silver Gilt. Wellington gained Silver Gilt in the small towns category, just missing out to Truro in the title race for the Portman Cup. All the plants used were nurtured in the Council's state-of-the-art nursery in Stoke Road for the first time.

4.1.2 Last year Taunton not only won the Tesco Cup, but took national honours as well by winning the Britain in Bloom title for large towns. Competition rules mean that Taunton will not be in the nationals this year.

4.1.3 Taunton and Wellington in Bloom involve huge commitment for the community and this was reflected in the category honours board: the award for the best horticultural display went to Taunton Police Station while Neighbourhood awards – all Merit – went to Victoria Park Action Group, St George's Primary School and Kingston Road Allotments.

4.1.4 In Wellington Neighbourhood Award winners were: Wellington Action Group and Swains Lane, both deemed outstanding while the Basins Woodland gained a Merit. Fantastic results all round.

4.2 French Weir

4.2.1 Thanks to our staff and the Friends of French Weir a fun day was held on the 16 August 2009. It was really good to see many families and especially the children having so much fun in the park and by the river bank.

4.3 Victoria Park

4.3.1 Thanks go to Councillors Williams and Herbert for obtaining a granite slab which was installed in the park on the 11 September 2009 to allow young people to skateboard – on a very small scale – but nevertheless, it certainly is being used and a welcome addition to the park.

4.4 Green Flags

4.4.1 The green flags in Vivary, Victoria and Wellington Parks were raised by the Mayor recently. Thanks to all concerned for again ensuring these parks gained this award for another year

4.5 Wellington Rugby Club

4.5.1 I was delighted to attend on the 6 September 2009, the official opening of the Wellington Rugby Club stand and associated facilities which we were able to provide a grant for. This really was impressive, and I was extremely pleased that the Mayor was able to attend too.

5. Tone Leisure (Taunton Deane) Limited Activities

Play Development

5.1 Play Days

5.1.1 Tone Leisure have co-ordinated seven play days since the beginning of July 2009. On 12 July they held the Giant Play Day at Wellsprings Leisure Centre, which was funded by Somerset Play Forum. The afternoon was very well attended with over 400 children and parents attending. Despite a very stormy start to the day, the afternoon was dry and children took part in a large number of activities including archery, trampolining, skateboarding, fire lighting, and a variety of arts

and crafts. Tone Leisure received a lot of very positive feedback for the day.

5.1.2 Over the summer holidays Tone Leisure have held sessions at Bishops Hull, Galmington Playing Fields, Hudson Way - Staplegrove, Milverton, Ruishton and at Hatch Beauchamp. The Play Days have been particularly successful in encouraging children and young people to play in their local communities and gives them lots of new ideas to use their play spaces. The children took part in a variety of activities, including fire lighting, cooking, woodland crafts, clay modelling, sports (football and cricket) and played lots of games. These sessions were supported by the Big Lottery Fund. It is good to see such activities being provided for young people within our community, and there will be two more sessions during the October half term.

Young People

5.2 Energize

5.2.1 Energize held its Summer Activity Days on 23 July and 27 August 2009 in Vivary Park. Hundreds of young people attended the afternoon between 12 Noon and 5 pm. The FREE attractions included an Inflatable Pole Joust and Bouncy Castle, Circus Skills, Drum Workshops, Climbing Wall, Youth Projects, Street Dance, Music, Displays, HM Coastguard, Creation Station Arts, Tone Leisure's Dance Mats, Mini Tennis and Tri Golf, Orienteering, Volleyball, Football and Cricket.

5.2.2 Local youth organisations attended, such as the Scouts, Trailblazers and the County Youth Workers, who provided information on activities and services in the town. The park was busy all afternoon and all the young people and their families agreed it had been a fun-packed event. Energize partners include Taunton Deane Borough Council, Avon and Somerset Police, Taunton Deane Local Service Youth Team, Tone Leisure and Taunton Retailers Against Crime.

6. Facility News

6.1 Wellsprings Leisure Centre

Junior Activities

6.1.1 Wellsprings hosted a successful Summer Camp with a good level of interest from customers. The programme, that was based around a different theme each week, included activities such as trampolining, archery, fencing, gymnastics and dance. Children were also given the opportunity to tell staff what activities they wanted to do during the October half-term. Total number of children on this Giant summer camp was 875 children.

- 6.1.2 The new Autumn term has seen a few changes to the junior activities programme as, unfortunately, Wellsprings has lost its Ballet Instructor. Though this has shown a slight impact, Tone Leisure are still searching for a new instructor and there are many new and exciting activities in the pipeline to ensure that Wellsprings continues to grow.
- 6.1.3 As an addition to Tone Leisure's extremely popular toddler activity programme they will be introducing "Balanceability", which is an innovative programme designed to teach children as young as 2 years old the skills required to ride a bicycle without stabilisers. They are also working to re-introduce a new football skills course in the new term. Due to popular demand an extra Active Tots session will be starting on Monday mornings, which allows parents to use the facilities while their child is looked after in a fun and interactive play session (over 2 years only)
- 6.1.4 Wellsprings are working towards enhancing its teenage programme at present. A teen version of their well liked Boxercise course started in September, along with a new session of Teen Gym on Saturday mornings and Open Day for people to try out activities and find out more.

6.2 St. James Street Baths

- 6.2.1 St. James Street Swimming Baths Summer Programme 2009 for learn to swim lessons was a great success. Over 200 swimmers learnt to swim this summer on the crash courses. Children learnt a variety of aquatic skills over five lessons, each gaining a certificate and badge as recognition of their achievements.
- 6.2.2 Tone Leisure has been working closely with the ASA (Amateur Swimming Association) to launch free swimming lessons. The ASA, in partnership with Sport England, are offering pots of money to swimming lesson providers for senior citizens and young people.
- 6.2.3 St. James Street was able to access this funding through our work with the Somerset Black Development Agency. The ASA's criteria for free swimming lessons enabled St. James Street to provide 6 hours of lessons for up to 12 children during the summer holidays. Both children and parents enjoyed the lessons, with many of the children booking onto main stream lessons on Tone Leisure's Swimskool programme.
- 6.2.4 Tone Leisure is continuing to work with the ASA to access more funding to provide more free swimming lessons across all its wet facilities.

6.3 Blackbrook Pavilion

- 6.3.1 Through May, June, July and August the Blackbrook Pavilion continued to meet sales targets. Innovative marketing, keen membership offers and a team of staff 'switched on to sales opportunities' have achieved this. Membership is currently 1,588, up from 1,543 at the end of March.
- 6.3.2 At a time of year when it would have been anticipated a drop in membership Tone Leisure have been delighted to see this increase. These figures justify the building, equipment and programme developments implemented in Autumn 2008 and have been achieved in less than favourable economic conditions.
- 6.3.3 Gym usage is 15,466 for the current financial year, up 45% for the same period last year, which shows the hard work and dedication put in by the staff of Tone Leisure.
- 6.3.4 The Group Exercise programme has consistently maintained high attendance figures through the summer. Year to date attendance is 7,146, up 22% on last year.
- 6.3.5 The increase in membership and participation enables Blackbrook Pavilion to rightly claim that Tone Leisure are giving the opportunity for 'More People, to be More Active, More Often'.
- 6.3.6 At the beginning of September Tone Leisure launched 'Teen Fitness'. This programme is for 11-16 year olds. It includes 3 gym sessions and two combat classes per week. It is hoped this will give an opportunity for teenagers to use the facilities at the same time as other family members. It is also in line with the National Agenda tackling obesity and increasing physical activity for young people. Instructors have promoted 'Teen Fitness' in conjunction with the Youth Service at the 'Energize' events held in Vivary Park at the end of July and August.

6.4 Tennis Centre

- 6.4.1 I am delighted to say that, Taunton Ladies Team came fifth in the Aegon Team Tennis National Finals. This prestigious event was contested by eight teams. Team Captain Natalie Ayton writes:-
- “Having qualified through the South West Regional League and then winning a play-off match against Rayne’s Park London, Taunton Ladies Tennis Team went to Bournemouth on the 4-6 September 2009 to compete in the National Finals on the clay courts at West Hants Tennis Club. The finals consisted of the top eight men’s and ladies’ clubs in England and Wales.”
- 6.4.2 A truly superb result, and I felt it only right that I should include that comment in this report.

6.5 Wellington Sports Centre

Health and Fitness

- 6.5.1 Health and Fitness is growing stronger and stronger each month. With a Fitness Membership target for August of 45, Wellington has embraced the new fitness product and sold an amazing 70 memberships.
- 6.5.2 Casual usage is the main focus to ensure all members are being swiped through and the membership system confirms the numbers that are expected. Classes continue to grow, with the main focus on the New Body Attack programme and Body Combat.
- 6.5.3 The most exciting news for August was the success Tone Leisure had in achieving funding from the Big Lottery to develop the long awaited Junior Fitness area up in the old bar area. The development background work has already started and Tone Leisure aim to complete an update for Councillors to review their progress and inform of their plans.

6.6 Free Swimming

- 6.6.1 Free swimming has gone from strength to strength over the summer holidays, with over 950 visits from both the seniors and under 16 year olds during August. Part of the free swimming initiative allows the centre to apply for funding to run an additional three courses of free swimming lessons for the junior market. Wellington has identified three such courses that will be rolled out this Autumn.
- 6.6.2 All in all, a very satisfying summer, with grants being allocated, success in various ways, and improvements in our facilities all round.

Councillor Richard Lees

Council Meeting – 6 October 2009

Report of Councillor Tim Slattery – Environmental Services

1. Management/General

1.1 Benchmarking

1.1.1 In August we hosted a benchmarking exercise of Environmental Health (EH) units within our Family Group.

1.1.2 Eight Authorities responded to questionnaires, from a total possible of 18. The results have now been collated and show that Taunton Deane is well placed among its peers in terms of staffing levels, services provided and value.

1.2 Restructure

1.2.1 Changes to the management of EH have taken place as a result of the appointment of James Barraah, Chief EHO, to one of the Theme Manager's posts.

1.2.2 Two members of staff have been appointed to management positions and two existing managers have taken on new responsibilities. The changes are temporary, pending implementation of the Core Council Review.

1.3 Core Council Review

1.3.1 The Core Council Review proposals for Theme 4 have now been published, and the indications point to a challenging future for the Unit.

1.3.2 We now embark on a full month of consultation, during which time contributions from all staff will be welcomed, before the proposals are finalised for Members to consider.

2. Food Safety/Health and Safety Team

2.1 Economic Problems

2.1.1 Business operators continue to face difficulties due to the economic climate. This has led to an increased number of cases where shortcuts in standards of food safety and health and safety have been taken. As a result, higher than usual numbers of enforcement actions have had to be considered. Four such actions, involving potential Prosecutions or Cautions are currently being reviewed.

2.1.2 This places an additional burden on Team members, who continue to support businesses with advice on compliance with the law, wherever possible.

2.2 Health and Safety Partnership Action Day

2.2.1 Taunton Deane hosted a Partnership Action Day on the 22 September 2009. I welcomed the delegates at the start of a very successful event, attended by around 50 officers from the Somerset Authorities.

2.2.2 Speakers included representatives from the Health and Safety Executive, Torbay District Council, Cheltenham District Council and 'Workwell Dorset'.

2.2.3 The day provided good opportunities to be updated on current issues affecting Health and Safety enforcement, and to share ideas about best practice and consistency in Service delivery.

3. Environmental Health Support Team

3.1. Website

3.1.1. Team members have completed the detailed revision of all the Environmental Health web pages in preparation for use by Customer Services when the CRM software goes live. This was a major undertaking over many weeks to meet external deadlines.

4. Environmental Protection Team

4.1 Air Quality

4.1.1 The "Air Quality Detailed Assessment" for Nitrogen Oxides and Particulates has been submitted to the Department for Environment Food and Rural Affairs (Defra) for approval.

4.1.2 The assessment recommends that the existing Air Quality Management Area in East Reach should be extended into the town centre. If Defra approves the report, the Team will consult with Members and the public on a number of options. These Consultations are likely to begin in the New Year.

4.2 Fly Tipping

4.2.1 A Taunton man was ordered to pay costs and compensation totalling £203 by Taunton Magistrates' Court after admitting a charge of fly tipping.

4.2.2 He was given a conditional discharge and was told it was a serious offence. The offence involved the illegal dumping of a number of plastic bags of rubbish in a hedgerow.

4.2.3 In another case, the Team is proceeding with prosecution of the landlord of a local public house, after Officers traced the source of two large quantities of fly tipped waste to the nearby licensed premises.

4.3 Welfare Funerals

4.3.1 The team has now taken responsibility for Welfare Funerals from Legal Services and since August two such funerals have been arranged. In addition to the funeral arrangements, the work involves dealing with the estate and contacting relatives of the deceased, where possible, in order to try to recover costs. This can be a time consuming process.

4.4 Major Entertainment Events

4.4.1 Officers monitored noise levels at the two major events held during the summer, these being Jools Holland in Vivary Park and Buddhafields at Culmhead, to ensure that licensing conditions were being met.

4.4.2 As a result, Officers are now confident that Buddhafields, which has become an annual event, can operate without causing noise nuisance to neighbouring residential properties.

4.4.3 Water samples were from the supply system set up at Buddhafields to ensure that the people attending the festival had a safe supply of drinking water.

5. Licensing Team

5.1 Compliance Inspections

5.1.1. Adjustments to the Team's routine workload have enabled a limited compliance inspection programme to be started again.

5.1.2 The programme, which is non statutory, had been suspended due to the recruitment freeze which has led to staff capacity problems. The programme will concentrate on visits to the higher risk premises, where Conditions relating to safety or the prevention of nuisance have been imposed.

5.2 Taxi Handbook

5.2.1 The Team has now published its book, the full title of which is Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook.

5.2.2 At just under 60 pages, it informs all those providing taxi or private hire car services exactly what is required, how to obtain the necessary operating Licences, details of relevant legislation, and Council policy.

5.2.3 The Handbook has been welcomed by the trade. It is sent out to all new Licence applicants and is available on the Council's website.

6. Waste Management Board

6.1 SORT IT PLUS

6.1.1 The Somerset Waste Board has re-affirmed that Service Package 5 as the best option should be adopted. This has been done in the interest of efficiency, service performance and increased value for money in what is a high-profile and volatile public service.

6.1.2 The wider effects of the recession heralded by the credit crunch provided other significant changes in the operating environment. Despite the fact that all partner Councils have had to tighten their belts, the SORT IT PLUS trials, have been an undoubted success and has proved that district wide recycling rates can be boosted to levels approaching 60% with strong customer satisfaction.

6.1.3 I am please also to share the excellent news that Somerset Waste Board topped the County league tables for performance and innovative governance.

Councillor Tim Slattery

Council Meeting – 6 October 2009

Report of Councillor Hazel Prior Sankey – Housing Services

1. Housing Inspection Visit

- 1.1 The Audit Commission requested and were provided with a large quantity of information prior to their visit to Taunton Deane during the week commencing 28 September 2009. The Housing Service has welcomed their involvement as a “critical friend” to provide constructive support and challenge, particularly in those areas identified as potential weaknesses.
- 1.2 The desired outcomes of the visit are:-
 - to give a common understanding of current performance and identify further areas for improvement;
 - help the Council to identify opportunities to deliver its housing services in a more customer-focussed and cost-effective way; and
 - provide the Council and its tenants with an independent and impartial report that can be used to inform the Council and its partners’ improvement plans

2. Councils Build Again

- 2.1 Housing Minister John Healey has recently announced that 47 Councils will receive £127 million to build 2,021 homes. The successful councils have had to match the Government funding.
- 2.2 Whilst this has been described in the trade magazine *Inside Housing* as the “first large-scale council house building programme for 20 years”, in reality it is a welcome but so far modest rebirth of council new-build.
- 2.3 In the coming months Taunton Deane Borough Council will celebrate achieving the Government’s Decent Homes’ standard and the time will be right to seriously consider whether there is the potential for adding new properties to our stock.

3. Housing Subsidy Reform

- 3.1 The Negative Subsidy Task and Finish group reconvened on 14 September 2009 to consider the Government’s proposals on the reform of the Housing Subsidy System. As a Council in “negative subsidy”, this

- year contributing approximately £5.4 million to the central pot, a successful resolution of this issue is clearly of the utmost importance to us.
- 3.2 Whilst we welcome the Government's intention that this unfair and discredited system should be abolished, it is sad that the proposed solution involves a redistribution of the national housing debt of £18 billion.
 - 3.3 Tenants will wonder why they are expected to take on a portion of debt which was incurred decades ago in other areas of the country.
 - 3.4 Redistribution of our tenants' rent payments, it seems, is to be replaced by the redistribution of debt. Officers are conducting further work to try to quantify just how big the burden of debt Taunton Deane Borough Council might have to take on under the proposals and will bring a report to the Community Scrutiny Committee so that our response to the proposal may be fully debated.
4. **What Recession?**
- 4.1 Although a majority of social housing tenants are living on very meagre incomes, they are apparently not so poor that they cannot afford to pay Housing Association Chief Executives quite breathtaking salaries. I commented last year on this issue, but since then Housing Association Chief Executive pay has increased by an average of 7%.
 - 4.2 The highest paid Chief Executive is that of Anchor Trust, whose salary was £391,000 in 2008/2009. The top ten earners on the list have enjoyed a 91% average pay rise since 2001.
 - 4.3 The Chair of the Tenants and Residents' Organisations of England (TAROE) is quoted as saying, "It is totally outrageous that tenants' money is being used to make the fat cats grow fatter".
5. **Rents Go Down!**
- 5.1 As Members are aware, the rent decrease operates from 5 October 2009. This has been a very demanding and complex administrative task and I would like to express my appreciation of the hard work put in by staff, especially those who had to work during the weekend of 3 and 4 October.
 - 5.2 This is good news for tenants in very difficult economic times.

Councillor Hazel Prior-Sankey

Council Meeting – 6 October 2009

Report of Councillor Nicola Wilson – Corporate Resources

1. Southwest One HR Service

- 1.1 The following is a brief summary of the key activities the team are engaged in at the present time:-
- 1.2 The team have been busy working on a number of investigations and personal cases.
- 1.3 The HR Manager has been working with the SAP team on the next release phases of the SAP system; this includes e-recruitment and the Criminal Records Bureau checking process. The team have also been involved in work to rectify problems with part-time annual leave allocations in SAP.
- 1.4 The HR Manager has supported the Taunton Town Centre Manager through a restructuring process of the Taunton Town Centre Company resulting in one redundancy.
- 1.5 The team have been supporting the Retained HR Manager with a review of all employee benefits.

2. Core Council Review

- 2.1 The HR Advisory team have been continuing to support the Retained HR Manager and CMT with the Core Council Review.
- 2.2 Tim Hazell, HR Officer has joined the team as full time support for the Review. Recent activity includes producing an establishment list, preparing letters and supporting managers with individual and group meetings.

3. Revenues and Benefits

- 3.1 With the economic downturn affecting nearly every part of our community, the team have seen our Housing and Council Tax Benefits caseload increase by 7.2% in the last 12 months. However, they have been able to maintain good turnaround times, averaging 20.41 calendar days in

- processing new claims and 10.18 days for customers who have changes in their circumstances.
- 3.2 Council Tax Collection rates at 31 August 2009 were 0.66% down in terms of meeting our annual target of 98.5% but it is inevitable that recovering debt is extremely challenging when so many people are struggling to meet their financial obligations.
 - 3.3 The team are offering support to employers who, due to the recession, are making redundancies. They are visiting workplaces offering support and advice to employees about claiming Housing and Council Tax Benefit.
 - 3.4 The Revenues and Benefits Service is particularly busy at present. The annual billing process for the Business Improvement District Levy is scheduled for the last week of September 2009. During the first week of October the team will be recalculating rebates for all Council tenants due to the rent reduction applied to accounts from April 2009. October will also see a mass recalculation of benefits due to the new disregard rules on Child Benefit. Running parallel to these activities are the on-going surveys into customer satisfaction as well as the Audit Commission's annual subsidy inspection.
 - 3.5 The national roll out of the "In and Out of Work" initiative takes place during the end of 2009 and early 2010 following successful pilots. This project will, commence both at Taunton Deane and South Somerset on the 30 September 2009 and will allow for a more streamlined and prompt service for working age customers claiming Jobseekers Allowance and Income Support where they need further help in claiming Housing Benefit, Council Tax Benefit and Tax Credits.
 - 3.6 The team will lose Paul Harding as Principal Revenues Officer as he moves to a new career within the Performance and Client team. While this is a wonderful opportunity for Paul, after over 20 years in the service, his experience will be sorely missed by everyone in Revenues and Benefits.

4. Update on progress with Investors on People Action Plan

A summary of the latest position is as follows:-

- 4.1 **Coverage and consistency of PREDS reviews**
All managers have produced plans showing their plans completing PRED review meetings during the next few weeks. The need for these reviews at this time will be reinforced shortly and follows the Core Council Review report.
- 4.2 **People Management Framework**
Training sessions for senior managers have been held (7 and 24 September 2009). This introduces a new competency framework for

managers and reinforces the need to hold regular one-to-one meetings and team meetings.

4.3 Team Meetings

Managers have sent schedules of future meeting dates. A system is to be set up to enable a central diary of all team meetings to be held by CMT.

4.4 Investors in People Working Group

This is taking shape although volunteers from some areas of the council are still needed.

4.5 Management Development

Work is progressing in the Corporate and Strategy theme with the assessment of managers in key management skills to enable development areas to be identified.

4.6 Mentoring

Leads have been matched with Theme Managers and the mentor meetings will start in November following training.

4.7 Training Plans and budgets

Training plans received from most areas and budget allocations now being considered based on those plans.

4.8 Skills Audit

A date is being fixed for Somerset College to conduct a skills audit with managers in the Corporate and Strategy Theme to provide information and possible funding and support for appropriate training.

Work is to commence on developing theme working initially in the Corporate and strategy Theme but also extending to the whole Council in time

Training in application and interview skills for people involved in the next phase of the Core Council Review is being planned and organised.

5. Customer Contact Highlights July – September 2009

5.1 SouthWest One Customer Contact continues to develop and improve the service to Taunton Deane customers. Additional CSAs (Customer Service Advisors) have been recruited to assist with testing and training requirements for the new Customer Relationship Management (SAP CRM) system which is now due to be introduced towards the end of 2009.

5.2 These temporary staff will remain with us until the end of the year by which time it is expected CSAs will be fully familiar with the system. SAP CRM will enable the team to deliver more to the community from the first point of contact and will assist service areas to concentrate on the core job. The main testing phases for SAP are now complete and we are about to enter

User Acceptance Testing (UAT), awareness training and system specific training over the next two months.

- 5.3 The delay in the plans to implement SAP CRM have meant that we are still unable to fully merge the Taunton Deane team with the Somerset County Council team and provide a full multifunctional service as planned but it is hoped that we will start to see this happen once SAP CRM is fully embedded in the service. Discussions continue with our telephony provider MacFarlane to ensure that the new software we are using is fit for purpose and enables us to develop the service.
- 5.4 Service delivery continues to be excellent and we have seen a decrease in the number of calls into the service year on year as customers have their issues dealt with professionally and without delay.

Statistical Information:-

MONTH	July	Aug	Sep Up to 24.09
CALLS OFFERED	14677	12773	11792
ABANDONED % [Target less than 5%]	3.7	3.3	2.7
G.O.S.% [Target 80%]	84.57	87.76	89.16
% ANSWERED AT 1ST P.O.C.	91.9	93.4	96.9

- 5.5 A total of 10,701 people have been helped at The Deane House Main and Planning Receptions and 2,899 people visited Wellington Community Office. We have dealt with 843 Web and Email enquiries during this time.
- 5.6 Automated customer survey tools for customers within the Somerset County Council Environment Department continue to be trialled with discussions taking place on how we can deliver the same service for Taunton Deane. In addition, work has begun to investigate other initiatives to improve service to customers (e.g., feasibility of providing an automated 24hour payment line). Once these initiatives are fully identified and researched they will be presented to the Taunton Deane Client Team for further discussion.
- 5.7 **Future Activities**
- Complete trial of automated customer satisfaction survey and determine way forward;
 - Participate in UAT phase for SAP CRM;
 - Train all staff in SAP CRM; and
 - Implement SAP CRM – Date to be determined.

6. Performance and Client Team

- 6.1 The team has continued to be heavily involved in working with Southwest One and the Core Council to resolve the issues resulting from the implementation of the SAP Back Office system in April.
- 6.2 Much progress has been made in this regard. The technical problems relating to making payments to suppliers, issuing invoices and posting payments to accounts have now been largely fixed. Issues remain however around our ability to accurately monitor budgets, which are now being addressed as a priority.
- 6.3 The next key stage with SAP is to build staff confidence and expertise in using the system. With this in mind we are currently in the process of identifying outstanding training needs. Visits will also be made to every team over the next three weeks by senior staff within Taunton Deane and Southwest One to explain to them the importance of their now using the system. These sessions will also offer them the opportunity to ask questions or express any concerns they have about the system.
- 6.4 The remaining elements of the SAP system are scheduled to go-live in November (Customer Relationship Management and the new website) and January (Health and Safety, Learning Solution, e-recruitment and expenses). Key lessons have been learnt by both Taunton Deane and Southwest One from the first phase of SAP. This has resulted in an improved testing and training programme for phase 2, which is currently underway.
- 6.5 On the Corporate Performance side of things the team have identified the steps required to improve the Corporate Performance Framework. These new processes have been agreed by the Executive and work has started to improve the new regime. The intention is to have the new mechanism fully implemented by April 2010.
- 6.6 A Corporate Action Plan is being agreed with the Corporate Governance Committee which will detail and group all the corporate improvements identified in Audit reports and from our own processes.
- 6.7 With regard to the Comprehensive Area Assessment, the Auditors have undertaken their work in respect of the Use of Resources and Managing Performance assessments. These will both determine our organisational score, which together with the Area Assessment will be publicly available on 10 December 2009. Members will be aware that the Organisational Assessment is now a much harder test and it would be unrealistic to expect the authority to be a 'top performer'.

Councillor Nicola Wilson

Council Meeting – 6 October 2009

Report of Councillor Alan Wedderkopp – Community Leadership

1. Somerset Crime and Disorder Reduction Partnership (CDRP)

- 1.1 The Somerset West Crime and Disorder Reduction Partnership met at the end of June and discussed the possibility of moving towards a formally merged partnership. It was felt that the timing was not right at this stage with uncertainty over whether a larger, county wide group, might be created. It was agreed to continue to work in an informally merged manner at this stage.
- 1.2 Delivery plans for priority areas were outlined as well as discussion on how spending will be allocated. In Taunton Deane, investment is in several areas, including the Energize project for young people and CCTV.
- 1.3 The Paintball project has unfortunately not run this summer, but discussions are underway with current and previous partners, as well as a new partner so that the project will run in an enhanced way from April 2010.

2. Local Strategic Partnership (LSP)

- 2.1 Penny James was elected Chairman of the LSP at its recent meeting on 8 September 2009. Penny's nomination was unopposed. Penny's Vice-Chairman will be Andrew Hinchcliffe from the Children and Young People (CYP) service at Somerset County Council.
- 2.2 The LSP is reshaping its Action Plan (the delivery plan for the Sustainable Community Strategy) to bring it in line with the Local Area Agreement. A revised Action Plan will be ready during early 2010. This will use current performance data to help highlight areas of strength and weakness. Areas of weakness will be the focus of direct action through the establishment of working groups that will be charged with coordinating partner activity and driving outcomes.
- 2.3 The LSP has a small amount of money that it can invest in helping to deliver priority outcomes for the local community. For this financial year (2009/2010) the LSP will be using its money to help tackle both urban deprivation and rural issues. A draft Investment Plan is in preparation. This will be submitted to the Somerset Strategic Partnership in November 2009, in order to release match-funding from the County Council.
- 2.4 Community Partnerships were established during 2008 and are meetings that allow the local community to meet a range of public sector partners in order to discuss and address local concerns. They are important in order to involve the public with local service delivery. Community Partnerships were suspended during early 2009, whilst a review was undertaken to establish how

they can become more effective at engaging the general public. It is now likely that they will be resurrected to link in to local PACT meetings (Partnerships and Communities Together) that have been organised and championed by the Police. Discussions continue between the Police, the Borough Council and other partners in order to resolve issues such as the number, location and frequency of such meetings. It is hoped that these matters will be resolved by the end of the year.

3. Wessex Water

3.1 From the Chairman of Wessex Water (WW) Customer Liaison Panel (CLP) Lesley Bennett:-

“WW’s CLP is made up of members independently nominated from Local Authorities in the Wessex Water Area. It also has representatives from Chambers of Commerce, the CAB’s, NFU and CLA and the Voluntary Sector.

Extract of letter to OFWAT:-

“--- I have asked our members for their views on the Draft Determination and have consolidated their responses into this letter in formal response from the Wessex Water CLP.

We recognise that OFWAT is keen to keep water bills as low as possible for the benefit of customers. However, as customers, we recognise that water has not only an economic, but also a social and environmental impact on our lives. While water is significantly more important in our lives than any of the other utilities, its daily use is also at the lowest cost.

We understand that a small shift in prices represents a large movement of money and is, rightly, rigorously monitored by OFWAT. But a small change in our water bills does not have a major significance in our lives. For this reason we query the need to move the annual bills up and down over the next five years, we would prefer stable prices with consistent improvements in service and improved social and environmental impacts.

The Panel has always agreed that it supports metering on change of occupancy together with the growth of smart metering and the opportunity that gives to create fairer tariffs. We know that metering makes people more conscious of their water use and therefore makes better use of the water available; we also know that smart meters and innovative tariffs will allow those who can afford it to use more water without the rest of us having to subsidise excessive use. We are disappointed that OFWAT is not supporting these proposals.

The CLP has always asked WW to make every effort to reduce its use of Carbon. We have encouraged the company to explore initiatives to develop renewable energy both through the use of its processes but also through the use of its land. While the CLP has urged the company to adopt higher targets it seems OFWAT wants to reduce these ambitions. This seems to us to be out of touch with what customers want.

Finally we are concerned that the Price Determination suggests cut backs in the amount of money to be spent on capital maintenance. Being a largely rural area there are huge networks of pipes and we are told that at the current rate of maintenance water pipes are supposed to last 230 years and the sewerage network 500 years. This cannot be realistic and suggests that serviceability will be jeopardised if maintenance is not improved.”

4. The Civic Society and the “Living Streets” Agenda.

- 4.1 Living Streets, celebrating its 80th birthday this year, is the national charity that stands up for pedestrians. With our supporters we work to create safe, attractive and enjoyable streets, where people want to walk.
- 4.2 We have been the national voice for pedestrians throughout our 80 year history. In the early years, our campaigning led to the introduction of the driving test, pedestrian crossings and 30mph speed limits. Since then our ambition has grown. Today we influence decision makers nationally and locally, run successful projects to encourage people to walk, and provide specialist consultancy services to help reduce congestion and carbon emissions, improve public health, and make sure every community can enjoy vibrant streets and public spaces.
- 4.3 Living Streets’ Fitter for Walking campaign is part of a portfolio of projects being delivered by a Consortium of the leading walking, cycling and health organisations and funded through the Big Lottery Fund's Wellbeing Programme. The Programme provides funding to support the development of healthier lifestyles and to improve well-being. It is delivering a portfolio of projects that will enable two million people nationwide to become more physically active by walking or cycling as part of their daily lives by 2012.

Councillor Alan Wedderkopp

Council Meeting – 6 October 2009

Report of Councillor Alan Paul - Communications

1. Weekly Bulletin

- 1.1 Many thanks go to the officers and Members who have contributed stories, reports, awareness raising articles and even cartoons to widen the appeal and interest in this publication.
- 1.2 I have asked managers of Taunton Deane services and some of our partner organisations to think 'Weekly Bulletin' when they are preparing information about innovations in their service area or simply about things that we do for the public which do not have a high enough profile. In this way, I hope we can make Councillors, officers and interested members of the public more ware of what is happening at Taunton Deane without generating too much extra work.
- 1.3 I hope that if we can make the 'Weekly Bulletin' of more general interest, it could be made available to a wider public either electronically or by paper copies.

2. Green Initiatives

- 2.1 We hope to co-ordinate a raft of 'Green' initiatives into a major awareness raising drive, through the Deane Dispatch and any other means we can develop. These include :-

Fuel Poverty and Warm Streets

We need to build on the Service Level Agreement already in place between the Council and the Centre for Sustainable Energy to disseminate more widely information on the correct steps to take to conserve energy, reduce costs and combat fuel poverty. There is plenty of information on grants, leaflets are being made widely available, but we do not currently reach sufficiently into deprived areas and the rural areas where fuel poverty is most prevalent. The answers are there if we can encourage people to ask the questions.

Volunteers from the **Transition Town** movement are involved in this process and we need to work with them to communicate wider awareness of how individual choices in life-style can affect global issues like Climate Change.

As we work on the future of Taunton Deane as a medium for the **Green Knowledge Economy**, with the impetus of Professor Mark Hepworth's report, it is clear that communication and marketing are essential for success. This has to be a long-term development, but we have to start communicating the vision now.

3. Public Relations

- 3.1 Two issues generated considerable media interest over the summer – High Court proceedings in relation to Oxen Lane, North Curry, and the funding of The Brewhouse.
- 3.2 Thanks to invaluable help provided by other Officers and Members, we were able to meet all the deadlines and requests.
- 3.3 The summer saw publicity about seasonal activities, including Britain in Bloom, Tourism, Taunton Flower Show and leisure activities. The media were particularly interested in the visit by the Mayor of Taunton, Massachusetts, Charles Crowley.
- 3.4 He kindly gave interviews to a number of radio stations and spent time talking to the media at Taunton Flower Show when he visited along with the Mayor and Mayoress of Taunton Deane.
- 3.5 Deane Dispatch continues to appear monthly in the Somerset County Gazette – recent editions included a feature on a community resource centre, the roll-out of Sort It Plus plastic bottle and cardboard collections and some facts and figures about the Council and its services.
- 3.6 Future themes will include the promotion of energy advice, some of the community work being carried out in East Taunton and the emerging Core Strategy.
- 3.7 Internally, the second issue of “Footprint”, the newsletter giving information on what the Council is doing to reduce its carbon footprint, is due to be published shortly while work is also under way on the second issue of the newsletter “Involve”, based around the Local Development Framework.

Councillor Alan Paul

Taunton Deane Borough Council

At a meeting of Taunton Deane Borough Council held in the John Meikle Room, The Deane House, Belvedere Road, Taunton on 6 October 2009 at 6.30 pm.

Present The Mayor (Councillor Bowrah)
The Deputy Mayor (Councillor Horsley)
Councillors Mrs Allgrove, Beaven, Brooks, Cavill, Coles, Mrs Copley, Mrs Court-Stenning, Critchard, Denington, Ms Durdan, Farbahi, Mrs Floyd, Govier, Guerrier, Hall, Hayward, Henley, Ms Herbert, C Hill, Mrs Hill, House, Miss James, R Lees, Mrs Lees, Mrs Lewin-Harris, McMahon, Meikle, Morrell, Mullins, Murphy, Paul, Prior-Sankey, Slattery, Mrs Smith, P Smith, Mrs Stock-Williams, Stone, Thorne, Watson, Mrs Waymouth, Ms Webber, A Wedderkopp, D Wedderkopp, Mrs Whitmarsh, Williams and Mrs Wilson.

Also present : Mrs Anne Elder, Chairman of the Standards Committee

1. Chief Superintendent Sandy Padgett

The Mayor announced the sad death of Chief Superintendent Sandy Padgett of Avon and Somerset Constabulary.

Members stood in silence in her memory.

2. Minutes

The minutes of the meetings of Taunton Deane Borough Council held on 14 July 2009 and 11 August 2009, copies having been sent to each Member, were signed by the Mayor.

3. Apologies

Councillors Bishop, D Durdan, Edwards, Gaines, O'Brien and Stuart-Thorn.

4. Communications

The Mayor made reference to the visit he had made earlier in the year to Taunton's Twin Town in France, Lisieux, where the Civic Party had been warmly welcomed by their hosts.

In his view twinning was beneficial not only on the cultural side but for the economy of Taunton Deane – with many visitors from both France and Germany making visits to our area.

He informed Members that he was President of both the Civic Twinning Link and the Friends of Lisieux. He had recently met with both organisations in an attempt to encourage a merger between the two, due to a decline in

membership of the Civic Link and a need to sort out future funding arrangements for twinning activities.

The Mayor concluded by asking Councillors to support the current twinning links in as many ways as possible. Regrettably very few of the Council's Members had been involved this year.

5. **Formal Apology by Councillor Stone**

Councillor Stone apologised to the Council for breaching the Code of Conduct last year when he decided not to withdraw from a meeting of Full Council despite declaring a prejudicial interest. He took the opportunity to explain to the Councillors present why he had decided to take the action he had.

6. **Declarations of Interest**

Councillors Brooks, Govier, Henley, McMahon, Paul, Prior-Sankey, Mrs Waymouth and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillors Mullins and Slattery declared personal interests as Members of the Somerset Waste Board. Councillor Slattery also declared a personal interest as an employee of Sedgemoor District Council. Councillor Coles declared a personal interest as a Director of Southwest One. Councillor Miss James declared a personal interest as an employee of Viridor. Councillors Mrs Court-Stenning, Mrs Hill, Mrs Smith and Stone declared personal interests as employees of Somerset County Council. Councillors Henley and Mrs Wilson declared personal interests as employees of Job Centre Plus.

7. **Building a Resilient Taunton Deane**

The Mayor introduced Chrissie Godfrey and Paul Birch of Taunton Transition Town to the meeting.

Ms Godfrey and Mr Birch had facilitated the "Climate Change" workshops that had taken place over the past couple of months which had been open to both Members and officers across the Council.

A total of 375 people had attended the workshops and, as a result, a document had been published titled "Towards a Resilient Taunton Deane – 375 voices : one story" which had been circulated to all Councillors.

The document had focussed on the comments and ideas that had been expressed at the workshops and from this feedback an attempt had been made to picture Taunton Deane in the year 2026. A detailed resume of many of the issues raised was provided.

Ms Godfrey and Mr Birch reported that the workshops had proved to be very inspiring for the Transition Town movement and they had both felt very privileged to have been involved.

The Mayor thanked Ms Godfrey and Mr Birch for their very interesting presentation and they both left the meeting.

8. **Changes to the Constitution**

Submitted report which detailed a number of further proposed changes to the Constitution that were required to update the Standards Committee's terms of reference following the implementation of new regulations. In addition some minor amendments had been made to the Council's Standing Orders and these were also required to be approved.

Every local authority was required to have a Constitution which contained relevant information on how the Council operated and gave details of its political and management structures. It was required to be updated as changes to such structures were introduced.

The Standards Committee (Further Provisions) (England) Regulations 2009 came into force on the 15 June 2009 and amongst other things amended the way in which dispensations were granted. As such it was felt by the Standards Committee that some minor changes needed to be made to the way in which these dispensations were granted in order to make the process as flexible as possible.

In addition, upon further consideration of the Standing Orders it had been felt that more flexibility was required on the timing for Members to submit motions to Full Council and that more clarity was required as to what Members could do at a meeting when they had a prejudicial interest. The Council's Standing Orders had therefore been amended to reflect this.

The changes had been considered and approved by both the Constitutional Sub-Committee and the Corporate Governance Committee.

Resolved that the proposed changes to the Constitution as set out in the Appendices A and B to these minutes be approved.

9. **Community Governance Review – Cotford St. Luke**

Submitted report, previously circulated, of the outcome of the recent Community Governance Review that had been undertaken in connection with the creation of a new Parish Council for Cotford St Luke. Currently the village of Cotford St Luke fell within the Parish of Bishops Lydeard and Cothelstone.

A petition, signed by 256 electors of Cotford St Luke, had been received calling upon Taunton Deane to create a new Parish Council under statutory powers.

As part of a Boundary Review in 2005, Taunton Deane had proposed formal warding of the Parish of Bishops Lydeard and Cothelstone to create a new parish ward encompassing Cotford St Luke in order to facilitate the eventual creation of a separate Parish Council.

This had been accepted by the Boundary Commission for England who had made the appropriate Order.

Following receipt of the petition a formal Community Governance Review had been carried out in order to establish that the electors of Cotford St Luke would be best served by the creation of a new Parish Council.

Extensive consultation had taken place and, as anticipated, there was overwhelming support for the proposal and no adverse comments had been received from any interested party. In addition, the Community Scrutiny Committee had also given the proposal its support .

Resolved that the appropriate Order under statutory powers, for the creation of a new Parish Council for Cotford St Luke to coincide with elections planned for May 2011 be agreed. The boundaries of the parish to be coterminous with the existing Cotford St Luke Ward of Bishops Lydeard and Cothelstone Parish Council and to be known as Cotford St Luke Parish Council.

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

(a) **Implementation of Sort It Plus Recycling Collections**

The Executive had previously made a number of decisions relating to the extension of the recycling service in Taunton Deane to enable the kerbside collection of plastic and cardboard.

The purchase of extra recycling bins in connection with this extended service would be necessary at an estimated capital cost of £163,400.

Somerset County Council was in receipt of Waste Infrastructure Grant and had agreed, as a Member of the Somerset Waste Partnership, to assist the District Councils in the purchase of the additional bins by offering 75% of the cost.

This meant the cost to Taunton Deane would be reduced to £40,900.

On the motion of Councillor Slattery, it was

Resolved that an increase to the capital programme of £40,900 for the estimated shortfall in capital funding needed to purchase additional recycling bins be approved, to be funded from uncommitted Waste Services Reserves.

(b) **Non-Domestic Rates – Section 49 Hardship Relief Policy**

The Executive had agreed to support a proposal to introduce a procedure which would give the Council discretion to reduce or remit the payment of rates under Section 49 of The Local Government Finance Act 1988.

As a billing authority, Taunton Deane had to be satisfied that the ratepayer would suffer hardship if it did not agree to reduce the payment of rates. Additionally it had to be reasonable for the Council to do so, having regard to the interest of its Council Tax payers.

Central Government had provided guidance to help billing authorities decide whether to grant relief. From this it was clear that the reduction or remission of rates on grounds of hardship should be the exception rather than the rule.

75% of the cost of any reduction or remittance of rates could be offset against the Council's payment into the National Non-Domestic Rate pool. The other 25% would be borne locally by Council Tax payers and met from the authority's General Fund.

Historically the Council had received very few applications for hardship relief from ratepayers. However, it was expected the number of hardship applications would rise significantly as the economic downturn started to bite.

On the motion of Councillor Mrs Wilson

Resolved that the proposed policy for considering applications for Section 49 Reductions (as set out in the attached Appendix 1) be formally adopted.

(3) Full or Partial Flexible Retirement Policy

The Executive had considered proposals to introduce a new policy for full or partial retirement to meet the requirements under the Local Government Pension Scheme (LGPS).

Since 2006, Her Majesty's Revenues and Customs had allowed pension schemes to facilitate flexible retirement. As a result, flexible retirement provisions had been written into the LGPS.

This flexibility had been introduced to assist Local Government in managing the impacts of the ageing population which would see a greatly increased retired population being dependant on a reduced active workforce.

There were a number of discretions within the LGPS which allowed for a scheme member who had attained the age of 55 (or in certain circumstances 50) to draw all or part of their retirement benefits (both pension and lump sum) even though they had not retired providing that the employer consented and there had been a reduction in hours or a reduction in grade.

Taunton Deane was undergoing significant changes to meet both the financial and service delivery pressures that needed to be faced. In undertaking restructuring it was important that the Council had a range of options that could be used to satisfy these pressures.

The ability to provide full or partial flexible retirement would allow the Council to work with staff to provide an alternative to 'cliff edge' retirements which could see the retention of key skills at the same time as securing cost reductions.

If the payment of benefits occurred before age 65 the benefits would be reduced in accordance with guidance issued by the Government Actuary. The Council would however have the power, on compassionate grounds, to waive any actuarial reduction that the employee might incur.

On the motion of Councillor Mrs Wilson

Resolved that the proposed policy on Full or Partial Flexible Retirement (as set out in the Appendix 2) be formally adopted.

11. **Reports of the Leader of the Council and Executive Councillors**

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

(i) **Leader of the Council (Councillor Henley)**

Councillor Henley's report covered the following topics:-

- Pioneer Somerset;
- Core Council Review;
- DLO Review;
- Rent Increase/Decrease;
- Visit of Lord Coe to Taunton;
- Council Report;
- Climate Change;
- Standards.

(ii) **Planning Policy and Transportation (Councillor Coles)**

Councillor Coles submitted his report, which drew attention to the following:-

- Regional Spatial Strategy;
- Local Development Framework (LDF) Core Strategy and Site Allocations;
- Extensions to the time limits for implementing existing planning permissions and minor amendments
- Amendments to Parish Delegation Scheme;
- Longrun Meadows, Bishops Hull;
- Pyrland Hall Farm, Taunton.

(iii) **Economic Development and the Arts (Councillor Mrs Smith)**

The report from Councillor Mrs Smith covered:-

- Economic Development Delivery Strategy;
- Employment and skills;
- Inward investment;
- Tourism;
- Arts and culture;
- Project Taunton;
- Employment land;
- Asset Management;
- Local Action for Rural Communities (LARC).

(iv) **Sports, Parks and Leisure (Councillor R Lees)**

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

- Community Leisure;
- Sport;
- Play;
- Parks;
- Tone Leisure (Taunton Deane) Limited Activities;
- Facility News.

(v) **Environmental Services (Councillor Slattery)**

The Report from Councillor Slattery drew attention to developments in the following areas:-

- Management/General;
- Food Safety/Health and Safety Team;
- Environmental Health Support Team;
- Environmental Protection Team;
- LicensingTeam;
- Waste Management Board.

(vi) **Housing Services (Councillor Prior-Sankey)**

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

- Housing Inspection visit;
- Councils build again;
- Housing Subsidy reform;
- What recession?
- Rents go down!

(vii) **Resources (Councillor Mrs Wilson)**

The report from Councillor Mrs Wilson provided information on the following areas within her portfolio:-

- Southwest One Human Resources Service;
- Core Council Review;
- Revenues and Benefits;
- Update on progress with Investors in People Action Plan;
- Customer Contact highlights;
- Performance and Client Team;

(viii) **Community Leadership (Councillor A Wedderkopp)**

Councillor A Wedderkopp presented the Community Leadership report which focused on the following areas within that portfolio:-

- Somerset Crime and Disorder Reduction Partnership (CDRP);
- Local Strategic Partnership;
- Wessex Water;
- The Civic Society and the “Living Streets” Agenda.

(ix) **Communications (Councillor Paul)**

Councillor Paul’s report covered the following topics:-

- The Weekly Bulletin;
- Green initiatives;
- Public Relations.

(Councillors Ms Herbert, Stone, Miss James, Govier and Mullins left the meeting at 7.05 pm, 8.10 pm, 8.14 pm, 8.15 pm and 8.25 pm respectively.)

(The meeting ended at 8.37 pm.)

Appendix A

Article 8 The Standards Committee

8.1 Standards Committee

The Council will establish a Standards Committee.

8.2 Constitution

(a) Membership

The Standards Committee will be composed of at least:

- (i) one member from each of the political groups who are then represented on the Council [currently there are three such Groups];
- (ii) seven people who are not councillors or officers of the Council or of any County, District or Unitary Council or of any Parish Council within Taunton Deane (these are referred to as “Independent Members”);
- (iii) (subject to the same exceptions as (ii) above) three members of a Parish Council from within Taunton Deane who shall represent the interests of all such Parish Councils (the Parish Members);
- (iv) Members of the Standards Committee will hold office from one Annual Meeting until the next - at which point their appointments shall be either renewed or terminated at Annual Council.

(b) Independent Members

Independent Members (see 8.2(a)(ii) above):-

- (i) shall be selected in accordance with the statutory rules prescribed under The Standards Committee (England) Regulations 2008 ;
- (ii) will be entitled to vote at all meetings of the Committee or on any sub-committees to which they have been appointed by the Standards Committee.

(c) Parish Members

A Parish Member must be present at any meeting of the Standards Committee when matters relating to Parish Councils or their members are being considered.

(d) **Chairing the Committee**

The Committee shall be chaired by an Independent Member.

(e) **Substitutes**

No substitute members shall be permitted to either the main Committee or to any sub-committee unless there is a conflict of interest that affects all elected members on the Committee that cannot be overcome in any other way.

(f) **Sub-committees**

The Standards Committee shall, in accordance with the Standards Committee (England) Regulations 2008, appoint sub-committees to assess complaints received against members where allegations are made that a member has failed to comply with the code of conduct; where this happens the following limits will apply:-

- (i) the quorum (that is, minimum size at which business may be transacted) shall be 3;
- (ii) All sub-committees shall be chaired by an Independent Member;
- (iii) All sub-committees shall include at least one elected member;
- (iv) where a Parish Councillor is the subject of a complaint then a Parish Member (unless s/he is the subject of that investigation) shall be appointed to that sub-committee.

(g) The Standards Committee may appoint a sub-committee to determine any application for a dispensation should time be of the essence in the application (however there must be compliance with the statutory time limits on notification of meetings).

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(h) Any sub-committee set up to determine dispensations shall adhere to the limits as set out in (f) above.

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8.3 Role and Function

The Standards Committee will have the following roles and functions in relation to the Borough Council and Parish Councils within Taunton Deane.

- (a) promoting and maintaining high standards of conduct by councillors and co-opted members;
- (b) assisting the councillors and co-opted members to observe the Members' Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) monitoring the operation of the Members' Code of Conduct;
- (e) advising, training or arranging to train councillors and any co-opted members on matters relating to the Members' Code of Conduct;
- (f) granting dispensations to councillors and any co-opted members from requirements relating to interests set out in the Members' Code of Conduct or delegating such power to a sub-committee, who will be authorised to determine such dispensations based on principles agreed by the Committee;
- (g) assessing complaints made against members of the Borough Council and Parish Councils within the Taunton Deane Borough in relation to breaches of the code of conduct;
- (h) conducting consideration hearings following receipt of reports from the Monitoring Officer into a member's alleged misconduct.
- (i) conducting hearings on reports as to alleged contraventions of the Members' Code, and deciding upon appropriate sanctions.

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Appendix B

PROCEDURE RULES FOR FULL COUNCIL (STANDING ORDERS)

STANDING ORDERS (updated 2009)

C O N T E N T S

Page

1	Order of Business
2 *	Variation of Order of Business
3 *	Discussion on Minutes
4	Notices of Motion
5 *	Motions during a Debate (including closure motions)
6 *	Amendments
7	Points of Order or Personal Explanations
8	Part I Reports of Executive Councillors
9	Part II Reports of Executive Councillors
10	Proposers and Seconders
11	Rights to Speak during Debates
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14	Questions from Councillors
15	Public Question Time
16*	Presentation of Petitions

17*	Deputations
18*	Voting
19*	Offensive or Disorderly Conduct
20*	Disturbance by Members of the Public
21*	Interests of Members and Officers
22*	Exclusion of Press or Public
23*	Rescindment and Variation of Resolutions
24* Ruling of the Mayor
25*	Quorum
26	Agenda & Attendance at Meetings
27	Summoning of Meetings
28*	Time Limits for all Meetings
29*	Suspension of Council Procedure Rules
30*	Application of Standing Orders

Those marked * apply to Council and to the Committees

PART I – MEETINGS OF THE COUNCIL

ORDER OF BUSINESS

1. At meetings of the Council, the order of business shall be as follows:-
 - (1) To elect a councillor to preside if the Mayor and Deputy Mayor are absent;
 - (2) To transact any business required by statute to be done before any other business;
 - (3) To receive the minutes of the preceding meeting and, if agreed, to order that they be signed as a correct record;
 - (4) To receive any communications;
 - (5) To deal with questions from Taunton Deane electors under Standing Order 15;
 - (6) To receive petitions or deputations from Taunton Deane electors under Standing Orders 16 & 17;
 - (7) To transact any business adjourned from previous meetings;
 - (8) To consider Motions received under Standing Order 4;
 - (9) To consider reports from Executive Councillors;
 - (10) To consider any reports submitted by the Overview & Scrutiny Committees, Standards Committee or from an Officer;
 - (11) To deal with questions asked under Standing Order 14(2);
 - (12) To transact any other business which the Mayor is prepared to certify as of such urgency that it must be disposed of at this meeting.

VARIATION OF ORDER OF BUSINESS *

2. The Mayor may, with the consent of the Council, vary the order of business.

MINUTES *

3. (a) At the next ordinary meeting, the Mayor shall, with the Council's assent, sign the minutes of the business transacted at the previous meeting as a correct record.

- (b) The only discussion allowed upon the Minutes shall be as to their accuracy, and any objection upon that ground shall be made by motion. A question may be put to the Mayor as to the accuracy of the Minutes.

NOTICES OF MOTION

4. (1) If a councillor wishes to move a motion at a meeting of the Council then notice in writing shall be given to the Legal and Democratic Services of its terms and the name of a Councillor who has agreed to second it. Such notices shall be dated, numbered as received and available for the inspection of councillors.
- (2) Twelve calendar days notice is needed in order to have a Notice of Motion included in the Summons. This means that written notice must be delivered to the Democratic Services Manager's office by 12 noon on the Monday week prior to the day on which the Council Meeting is to be held.
- (3) The motion shall relate to the work of the Council or the interests of people living in the Borough.
- (4) A motion shall not be taken if its proposer is not present, unless another councillor has been asked to propose it and the Council so agree.
- (5) Such motions shall be taken before the reports of the Executive Councillors have been presented
- (6) A motion or amendment to rescind a decision within 6 months of it being approved should be made in accordance with Standing Order 23 of this Constitution

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MOTIONS DURING A DEBATE *

5. (1) A Councillor may at the conclusion of a speech of another Councillor, move without comment one of the following motions: -
- (a) to amend the motion;
 - (b) to postpone consideration of the motion;
 - (c) to adjourn the meeting;
 - (d) to adjourn the debate;
 - (e) to proceed to the next item of business;
 - (f) that the question be now put;
 - (g) to request a recorded vote; see standing order 18(2)
 - (h) that Councillor _____ be not further heard;
 - (h) that Councillor _____ do leave the meeting;
 - (i) that the (identified) recommendation be referred back for further consideration;
 - (j) that the press and public be excluded;
 - (k) to suspend any one or more Standing Orders during all or part of the meeting;

- (l) to refer a petition which has been presented to a meeting of the Council to a Committee for consideration;

5(2) If the motion is seconded then (subject to the proviso set out in (c) below) the Mayor shall proceed as follows:-

- (a) the motion shall be put to the vote forthwith and without discussion;
- (b) then - subject only to the right of reply of the councillor who either presented the report or who proposed the original motion - the motion shall be immediately acted upon;
- (c) The Mayor shall have the discretion not to accept such a motion when of the opinion that the matter before the meeting has not yet been sufficiently discussed.

5(3) In the consideration of applications for development under the Town and Country Planning Act 1990 (as amended), where a motion to grant or refuse permission is lost, and there is no amendment, then the direct negative of that motion will be the minuted resolution of Development Control Committee. The reasons for refusal, or conditions in the case of an approval, will be those referred to at the meeting or recommended in the officer's report to the committee.

AMENDMENTS *

6. (1) An amendment shall be either –
- (a) to leave out words;
 - (b) to leave out words and insert or add others; or
 - (c) to insert or add words;
- but shall not have the effect of introducing a significantly different proposal or of negating the motion
- (2) Before moving an amendment a Councillor shall ensure that there is likely to be a seconder for that amendment.
 - (3) When an amendment has been moved and seconded no further amendments shall be moved until the first amendment has been voted upon.
 - (4) If an amendment is carried, it shall be incorporated into the motion which shall become the substantive motion upon which further amendments may be moved. If an amendment is voted down, further amendments may then be moved on the motion.

(5) With the agreement of any seconder and with the assent of the Council, given without comment, a councillor proposing a motion or amendment may:-

- (a) Withdraw that proposal, or
- (b) Alter its wording, or
- (c) Accept an amendment

(6) If there is to be an amendment to the proposed budget then it must be received by the Democratic Services Manager by 12 noon the day before the Council meeting.

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POINTS OF ORDER OR PERSONAL EXPLANATION

7. A councillor may rise on a point of order or in personal explanation and shall be allowed by the Mayor to be heard forthwith.
- (1) A point of order shall relate only to an alleged breach of a specified Standing Order or statutory provision and the councillor raising it shall immediately identify how it has been broken.
 - (2) A personal explanation shall be confined solely to a brief explanation of how a speech in the current debate by that councillor appears to have been factually misunderstood. It shall not be used to introduce new material.

PART I REPORTS OF EXECUTIVE COUNCILLORS

8. (1) An Executive Councillor shall submit a report to each Full Council meeting. The report shall be in two parts.
- (2) Part I shall contain recommendations and Part II shall contain reports as to current and future business for the information of and comment from the Council.
- (3) Each recommendation shall be proposed separately by the Executive Councillor, or, in his/her absence, by the Leader of the Executive; it shall not need to be seconded before being discussed.
- (4) The normal rules of debate will apply to the recommendations contained in Part I

PART II OF EXECUTIVE COUNCILLORS' REPORTS

9. (1) When Part II of an Executive Councillor's report is being considered, Councillors may, upon items referred to in that report :-
- (a) submit written questions to be received by the Democratic Services Manager by 4pm 2 working days before the Council meeting;

- (b) Responses will be given to these questions and 1 further supplementary question will be allowed related to the question arising from the answer to seek further clarification;
 - (c) Verbal questions will be allowed which may be answered verbally or in writing within 5 working days.
-
- (2) Part II items are for information, discussion and comment only and no motion shall be put to the meeting as to any such item - other than those closure motions described in Standing Order 5.
 - (3) A councillor may not speak on Part II of a report if a recommendation relating to that same item has already appeared in Part I of a report submitted at that meeting.
 - (4) The Executive Councillor may introduce Part II of his report and update the Council on developments that have taken place since the report was dispatched.

PROPOSERS AND SECONDEES

- 10.
 - (1) If the mover of a motion or of an amendment sits down without speaking to it, the right to speak shall be lost but the mover of a motion shall retain the right of reply.
 - (2) The seconder of a motion or of an amendment may declare that s/he is reserving the right to speak:-
 - (a) until later in the debate; or
 - (b) until it appears to the Mayor that - at that point - there are no more speakers to be called and before the mover of the motion exercises the right of reply.

RIGHTS TO SPEAK DURING DEBATES

- 11. A Councillor who has spoken once on any motion, amendment or on an Executive Councillor's report may not speak again. The exceptions to this rule are that a councillor who has already thus spoken may also:
 - (1) speak once to an amendment moved by another member;
 - (2) move a subsequent amendment; if a councillor wishes to exercise this right, then s/he shall immediately make the purpose of this second speech clear to the Mayor
 - (3) exercise a right of reply under Standing Order 12, or,
 - (4) make a point of order or personal explanation.

RIGHTS OF REPLY

- 12. (1) (a) The mover of a motion shall have a right of reply to any debate on that motion.

(b) The member of the Executive presenting a report shall have a right of reply to any discussion upon that report.

In both cases this right shall be in addition to that councillor's speech introducing the motion or the report.

- (2) The mover of a motion shall also have a right of reply to any debate:-
 - (a) on any amendment to that motion,
 - (b) on a reference back to the Executive of that recommendation, and
 - (c) immediately before the following closure motions are put to the vote:-
 - (i) to postpone consideration of the motion,
 - (ii) to adjourn the debate
 - (iii) that the question be now put.
- (3) The Executive Councillor presenting a report shall also have a right of reply to the following closure motions immediately before they are put to the vote:-
 - (a) that the Council proceed to the next business;
 - (b) to adjourn the debate; or
 - (c) that the question be now put.
- (4) A Councillor who has moved a motion or introduced a report shall only have the further rights to speak which are defined in this Standing Order but shall not otherwise speak during that debate.
- (5) A Councillor exercising a right of reply shall not introduce new factual material.
- (6) The mover of an amendment or of any of the procedural motions referred to in Standing Order 5 shall not have a right of reply.

SPEECHES

13. (1) (a) A Councillor shall not speak on a motion or amendment or on an Executive Councillor's report for longer than three minutes.
 - (b) The exceptions to this rule shall be that:-
 - (i) the mover of a recommendation (or of a motion of which notice has been given in accordance with Standing Order No.4) may speak for not more than ten minutes when moving such recommendation or motion, and
 - (ii) a Councillor exercising a right of reply may speak for 5 minutes
- (2) A Councillor shall normally stand when speaking and shall address the Mayor. When the Mayor rises all Councillors shall be silent. No-one else shall speak until the Chair has been resumed.

QUESTIONS FROM COUNCILLORS

- 14** (1) At a Full Council meeting any Councillor, upon giving 5 working days written notice to the Democratic Services Manager, may ask the Mayor a question on a matter which concerns the Council's functions, powers, duties and which affects the borough.
- (2) Any Councillor, upon giving 2 working days written notice to the Democratic Services Manager, may ask the Leader of the Council, a portfolio holder, chairman of a committee or another member who has been appointed to an outside body, a question which concerns the Executive's or committee's functions, powers and duties or the work of the outside body and which affects the borough.
- (3) The Leader, Portfolio Holder, or Committee Chair may direct the question to be answered by the Chairman of the appointed sub-committee which has been delegated the subject matter of the question.
- (4) The member asking the question may ask a supplementary question related to the question or arising from the answer to seek further clarification.
- (5) Questions are to be asked and answered without further discussion by other members present. The Leader of the Council or a committee chairman to whom the question has been addressed may ask another member or officer to answer it if they are of the opinion that a discussion is required or they may refer it to another relevant meeting of the Executive or Committee.

PUBLIC QUESTION TIME *

- 15.** (1) Subject to paragraph (10) of this Standing Order, questions from Taunton Deane electors shall be taken in accordance with the procedure in this Standing Order at the beginning of each meeting.
- (2) The period allowed for questions and answers shall not exceed 15 minutes except with the consent of the Mayor; each individual questioner shall be restricted to speaking for a total of four minutes.
- (3) Questions shall be directed to the Mayor, who may request the appropriate member or officer to reply.
- (4) Every question shall relate to matters over which the Council has powers or duties and which particularly affect the Borough and shall be put and answered without discussion.
- (5) However, if a question relates to a ward-based issue, the Mayor shall invite a contribution from one councillor representing that ward before calling for the formal reply.

- (6) Questions shall not be disallowed merely because advance notice in writing has not been given. Such questions may not be answered immediately but later in writing. However it is always preferred that questions are put in writing in order to assist members and officers to be able give answers at the meeting.
- (7) An answer may take the form of:-
 - (a) an immediate oral answer; or
 - (b) a written answer where the necessary information is not readily available.
- (8) Subject to the time limit in paragraph (2) above, and to the discretion of the Mayor, the questioner shall be permitted to ask one supplementary question relating to the issue raised.
- (9) Any question shall be disallowed which the Mayor believes to be scurrilous, offensive, improper, repetitious, capricious, irrelevant or otherwise objectionable.
- (10) The procedure for taking questions or statements from members of the public at meetings of the Planning Committee shall follow such pattern as agreed from time to time by that Committee to best take account of its needs for public involvement.

PRESENTATION OF PETITIONS *

- 16 (1)
 - (a) A "Formal Petition" is one which its promoters wish to appear on the agenda of the next appropriate Scrutiny Committee for discussion and for recommendation on to the Executive - or to the relevant Executive Councillor – for decision. For such petitions the formal procedure set out in this Standing Order should be followed.
 - (b) An "Informal Petition" is one where its promoters wish the feelings of a significant number of the local community to be drawn to the attention of the Council before a decision is made on a particular matter. Where such an informal petition is received:-
 - (i) The decision-maker shall be informed of the terms and level of support for such a petition when any report is submitted recommending that a course of action should be adopted.
 - (ii) The promoter of the petition shall be notified of any public meeting at which the issue is to be discussed or decided and shall subsequently be notified of the Council's decision.
 - (c) The choice of which route to follow shall be at the discretion of the petition's promoter.

(2) A Formal Petition may be presented at any meeting of the Council (or of its Executive or any Committee) by any Taunton Deane elector, if the Democratic Services Manager, at least 12 calendar days before the meeting, shall:-

- (a) have received notice in writing of the intention to submit the petition and of its content, and
- (b) have been shown the petition;

provided that the Mayor may, because of special circumstances, give approval to a lesser period of notice.

- (3) Subject to the Democratic Services Manager being satisfied that the formal petition complies with this Standing Order, its content and the number of its signatories shall be described on the agenda for the meeting.
- (4) The Mayor shall invite the promoter to present the formal petition. In so doing, the promoter may speak in its support for not more than 4 minutes – or such longer period as the Mayor shall decide.
- (5) If the formal petition is presented to a meeting of the Full Council, the Chair of the relevant Scrutiny Committee shall, with the assent of the Council (given without discussion), accept it for consideration at the next meeting of that Committee; the promoter shall be invited to attend that meeting.
- (6) Where a formal petition is presented first to a Scrutiny Committee or to the Executive (after the necessary notice has been given under paragraph 2 above), the meeting shall decide whether:-
- (a) to consider it immediately; or,
 - (b) to defer consideration to the next meeting; or,
 - (c) refer it to a Committee for its advice or for it to deal with.
- (7) An Informal Petition may be presented without notice at any meeting but shall not be acted upon unless it relates to an item of business already on the meeting's agenda for which proper notice has already been given.
- (8) For the purposes of this Standing Order, "petitions" shall mean requests consisting of a significant number of signatures of Taunton Deane electors relating to matters over which the Council (or that Committee) has powers or duties or which particularly affect the Borough or its residents.

DEPUTATIONS *

- 17. (1)** Any Taunton Deane elector may ask that a deputation should be received by a meeting which has powers or duties relating to the matter of concern to that deputation.

Such a request shall be made by written notice to the Democratic Services Manager at least 3 working days before the meeting to which it relates unless the Mayor has, because of special circumstances, given approval to a lesser period of notice.

- (2) The person making the request shall indicate in the notice:-
 - (a) the matter to which the request relates;
 - (b) the number and the names and the addresses of those making up the deputation, and
 - (c) the name of the leader who will speak for them
- (3) On being called by the Mayor the leader of the deputation may speak for not more than 4 minutes about the matter described in the notice given.
- (4) For a further period of 5 minutes, councillors may ask questions of the deputation, which questions shall be asked and answered without discussion.
- (5) Having heard from the deputation, the Mayor (or councillor chairing the meeting) may either:-
 - (a) give an immediate oral response to their request, or
 - (b) ask that an immediate oral response be given to the deputation by the Leader (or other Executive Councillor who is present) or by an officer; or,
 - (c) call for a report to be considered at the next meeting of that – or the relevant Committee unless the request relates to business which is already on the Committee's agenda.
 - (d) ask that a written answer be given to the deputation where the necessary information is not readily available.

VOTING *

- 18** (1) All motions and amendments, unless the law otherwise requires, shall be decided by affirmation or by a show of hands, as the Mayor shall choose.
- (2) If before the Mayor calls for the vote, either,
 - (a) the mover and seconder of the motion - or of the amendment, or,
 - (b) any councillor supported by the votes of at least a quarter of the councillors present,

request that a Recorded Vote be taken, then votes shall be publicly declared, and recorded in the minutes.

- (3) In addition to the option under SO 18 (2), any member may require - immediately after a vote is taken - that the manner in which that member's vote was cast (for, against or abstaining) shall be recorded in the minutes.
- (4) Where a vote is taken upon the choice of more than two candidates for an appointment and there is not an absolute majority in favour of one candidate, the candidates receiving the least number of votes shall be excluded and a further vote taken, the procedure being continued until there is an absolute majority in favour of one candidate.
- (5) (a) in the case of an equality of votes, the Mayor shall have a second or casting vote.
 (b) The Mayor shall have unfettered discretion as to its use for against the proposition.

OFFENSIVE OR DISORDERLY CONDUCT *

19. (1) If at a meeting a councillor uses an expression which another councillor believes is offensive and the latter draws the attention of the Mayor to it, the Mayor may request the councillor to withdraw the expression.
- (2) If at a meeting the Mayor believes a councillor to be guilty of persistently disregarding the ruling of the Chair by behaving improperly or offensively, or by deliberately obstructing business, the Mayor or any other councillor may move "that Councillor_____ be not further heard" and the motion, if seconded, shall be put to the vote and voted on without discussion.
- (3) If a councillor continues to behave improperly after such a motion has been carried, the Mayor may either:-
 - (a) move "that Councillor_____ do leave the meeting", or
 - (b) adjourn the meeting for a specified period;
 if seconded the motion shall be put and voted on without discussion,
- (4) If a councillor does not leave the meeting after a resolution to that effect, the Legal and Democratic Services Manager shall arrange for the removal of the councillor and shall take such measures as may be necessary to prevent the councillor from re-entering the meeting.
- (5) In the event of any significant disturbance which makes the due and orderly dispatch of business impossible, the Mayor, in addition to the exercise of any other power, may, without the need for the Council's approval, adjourn the meeting for such period as s/he thinks necessary.

DISTURBANCE BY MEMBERS OF THE PUBLIC *

- 20 (a) If a member of the public interrupts the proceedings at a meeting, the Mayor shall request that there be no further interruptions. If the interruptions continue the Mayor shall order the removal of the person interrupting from the room.
- (b) If there should be general disturbance in any part of the room open to the public the Mayor may order that part to be cleared.

INTERESTS OF MEMBERS AND OFFICERS *

21. (1) Where at a meeting any matter is being considered in which a councillor then present has a “*prejudicial interest*” as defined by the Council’s adopted Code of Conduct, that councillor shall be entitled to make representations, answer questions or give evidence provided that members of the public also have the same right. The Councillor must then leave the meeting immediately thereafter unless:-

(a) a dispensation has been granted by the Council’s Standards Committee in exercise of its powers under the Local Government Act; or,

(b) the item merely forms part of minutes submitted and is dealt with as “for information” only.

(2) Where a Councillor present at such a meeting has a “*personal interest*” (as defined in the adopted Code) which is not a “*prejudicial interest*” then the Councillor shall immediately draw the attention of the meeting to that personal interest.

(3) (a) Any officer of the Council present at a meeting when an item involving a disclosable interest is under consideration shall draw the attention of the meeting to that interest.

(b) A “disclosable interest” is an interest which, if the officer were a Member of the Council, would need to be declared under the Council’s adopted Code of Conduct as a *prejudicial interest*.

(c) No such duty shall arise regarding an item which merely relates to the general terms and conditions of employment of all staff employed by the Council.

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EXCLUSION OF PRESS AND PUBLIC *

22(1) Press representatives and public shall withdraw from a meeting if an exclusion resolution (under the Local Government (Access to Information) Act 1985) is passed. [see Part 4B of the Constitution]

(2) Even where an item or report has been marked either “Exempt” or “Confidential”, it is for the meeting itself to decide whether – taking the

wider public interest into account - the item (or part of it) should nevertheless be considered in the presence of the press and public.

- (3) If an issue should arise during a debate as to the appointment, promotion, dismissal, salary, conditions of service or conduct of any identifiable employee of the Council, the councillor chairing the meeting shall move the exclusion resolution (due to the likelihood that exempt information about a particular employee would be disclosed to the public).

The motion shall be immediately approved or rejected before the issue is further considered.

- (4) When an exclusion resolution is passed those permitted to remain include all those who are members of the Council, the officers or consultants serving that meeting and those specifically invited by the meeting to remain for reasons set out in the minutes.

RESCINDMENT & VARIATION OF RESOLUTIONS *

23. (1) A resolution passed within the previous six months shall not be rescinded or varied unless either:-
 - (a) there has been a significant change of circumstances (noted in the minutes of the meeting) since the previous resolution was passed and is agreed by 50% of the members, or
 - (b) by resolution of the Full Council on a motion of which notice has been given under Standing Order 4 signed by not less than 12 members.
- (2) Where it is intended that such an item should appear on the agenda for a meeting, the agenda item shall say that this "6 month rule" applies.
- (3) This Standing Order shall not apply in the case of a planning or licensing application.
- (4) Every such notice of motion shall specify the resolution to be rescinded or varied

RULING OF THE MAYOR *

24. The ruling of the Mayor on any question under these Standing Orders, on a point of order, or, on the admissibility of a personal explanation shall be final and shall not be open to discussion.

QUORUM *

- 25 No business shall be transacted at a meeting unless at least the indicated number of its members is present:-

Meeting	Quorum
Full Council	14
Planning Committee	5
The Executive	3
The Overview & Scrutiny Committees	4
Any other Member body	¼ of its members, or 2 (whichever is the greater)

AGENDA AND ATTENDANCE AT MEETINGS

- 26.** (1) A councillor has the right to receive agenda and papers for all meetings of the Council, the Executive, the Overview & Scrutiny Committees and the Planning Committee and to attend and speak at all such meetings – whether the councillor is a member of the body or not.
- (2) This right to be treated as a participating member of these bodies shall not extend to their sub-groups which have been convened to act
- (a) in a quasi-judicial role on the Council's behalf in relation to such matters as staff disciplinary appeals, licensing hearings, or to deal with staff appointments or other specifically identified matters, or
- (b) as Task and Finish scrutiny panel
- (3) With those bodies listed in (2) above:-
- (a) The right to attend shall be the same as for members of the public
- (b) The right to contribute to the discussion shall be at the discretion of the councillor chairing that meeting.
- (4) In order to avoid any doubt:-
- (a) The rights under paragraph (1) shall also extend to Exempt items of business.
- (b) Councillors attending a meeting by virtue of this Standing Order shall not have a right to vote nor shall their attendance rank as an “approved duty” under the Members Allowances Scheme.

SUMMONING OF MEETINGS

- 27.** Those listed below may request the Legal and Democratic Services Manager to call a Full Council meeting in addition to ordinary meetings:-
- (a) The Council (by resolution),
- (b) The Mayor,

- (c) The "Designated Officers" [see *Constitution - Article 12*],
- (d) Any five members of the Council - if they have signed a requisition presented to the Mayor and the Mayor has either refused to, or has failed to call, such a meeting within seven days of presenting their requisition.
- (e) The notice convening such a requisitioned meeting shall state the names of those councillors requesting it and the business which they wish to have dealt with

TIME LIMITS FOR ALL MEETINGS*

- 28.** (1) A meeting of full council or other committees including Overview and Scrutiny committees shall not exceed three hours in duration except in accordance with 30 below.
- (2) If the business of the meeting has not been completed within that time the Mayor or Chairman will interrupt the debate to announce the time and call for a vote to be taken immediately on the item under discussion.
- (3) No member will be able to address the meeting after the Mayor's or Chairman's interruption on any item appearing on the agenda.
- (4) Any items remaining on the agenda, which have not been considered, will be adjourned to the next scheduled meeting or a date to be fixed before the meeting adjourns.
- (5) Any suspension of time for adjournments during the meeting shall not count towards the 3 hour time limit.

SUSPENSION OF COUNCIL PROCEDURE RULES*

- 29.** (1) A motion to suspend a particular procedural rule shall state the particular purpose and require a majority of at least half the total number of members appointed to that Council Meeting or Committee.
- (2) on occasions that rule 29(1) (guillotine) is being waived, the duration of the suspension shall not exceed 30 minutes and shall, if seconded, be put to the vote without discussion.
- (3) Rule 29(1) can only be suspended once per meeting. However the Mayor, Chairman of Planning Committee or Chairman of the Licensing Committee may decide otherwise in respect of the meeting they are chairing. This will generally only occur in exceptional circumstances.
- (4) Rules 21 and 25 cannot be suspended. But section 5 still applies

APPLICATION OF STANDING ORDERS *

- 30.** These Standing Orders shall apply to meetings of the Full Council. Those Standing Orders marked "**", shall also apply to meetings of all Regulatory Committees, the Overview and Scrutiny Committees (subject to the necessary changes in wording).

Appendix 1

Non-Domestic Rates – Section 49 Hardship Relief Policy

The Recommended Procedure

- 1.1. All applications for Hardship relief must be made in writing using a prepared forms designed by Revenues and Benefits service to ensure that all the information which is considered important to the decision making process is captured.
- 1.2. All applications must be accompanied by a copy of the last two years audited accounts, a projected income and cash flow for the next 12 months and any other information in support of the application.
- 1.3. The process detailed below should ensure that proper and consistent consideration is given to all applications, the financial implications are considered and members have the final say in deciding on, and financing, any awards.
- 1.4. Applications will initially be received within the Revenues and Benefits unit where they will be examined for completeness.
- 1.5. Where the application is not complete the Revenues and Benefits unit will contact the ratepayer to seek any missing information or seek clarification where it is necessary. The application will not be considered further until it is complete.
- 1.6. The Revenues and Benefits unit will consider each complete application on its merits and the Head of Revenues and Benefits Service make a written recommendation to the Section 151 Officer whether to reject the application or whether to make an award.
- 1.7. In making either recommendation, the Head of Revenues and Benefits Service will consider the following
 - The goods or services provided by the applicant and the closeness of alternative suppliers;
 - Whether the goods or services are mostly provided to customers within the Borough;
 - Any social benefits provided by the applicant;
 - Local employment provided by the applicant;
 - The causes of the hardship;
 - The applicant's attempts to mitigate the hardship;
 - The impact of Rates as a % of overall business expenses;
 - Whether the business is viable; and

- Whether it is in the interests of the Council Tax payers within the Borough to provide the 25% cost of any hardship relief awarded.
- 1.8. Where a recommendation to reject the application is made adequate reasons should be put forward.
- 1.9. Where a recommendation to approve the application is made, the recommendation should detail
- The period to be covered by the award
 - The social benefit to the Council Tax payers in the award being made
 - The amount of the award
 - The sum to be met by the general fund and the Non-Domestic rating pool respectively.
- 1.10. The authority to **decline** applications for hardship relief should be delegated to the Section 151 Officer.
- 1.11. Where the Section 151 Officer decides there is sufficient merit in awarding hardship relief a recommendation will be made to the Executive. The Executive should have the delegated power to decline or award hardship relief following referral of an application by the Section 151 Officer. **Where it supports the recommendation, The Executive will also need to make the necessary budget arrangements to meet the commitment.**

Appendix 2

Full or Partial Flexible Retirement Policy

1. Employees aged 55 (aged 50 up to 31 March 2010) who are members of the Local Government Pension Scheme are able to request payment of early retirement benefits whilst remaining in the Council's employment on reduced hours or a lower grade.
2. This right does not apply to employees who are in receipt of a redundancy payment and early pension benefits or who have taken early retirement in the interests of the efficiency of the service.
3. As a guide, a business case for flexible retirement where any reduction is minimal (e.g. less than 20% either in terms of reduced hours or lower grade) may be difficult to objectively justify.
4. Requests for flexible working may be instigated by employees who meet the criteria set out in 1 above at anytime but will only be able to make one request in any 12 month period.
5. An employee should, in the first instance, approach their line manager with a request for reduced hours, more flexible working patterns by putting their request in writing.
6. The line manager will notify the HR Advisory Team and a meeting will be arranged within 21 days to discuss the request from the employee.
7. At this point the HR Advisory Team will request an estimate of early retirement benefits from the Pension Section of Somerset County Council which will be provided to the employee and be used to complete the Flexible Retirement Approval Request Form.
8. The meeting between the employee, line manager and a member of the HR Advisory Team will discuss the request and business case and will only be referred for approval if it is operationally viable.
9. If the request is referred for approval this will be considered by the relevant Theme Manager/Service Unit Manager and the HR Manager.
10. It should be noted that employees who are retiring in this way before their normal retirement age will suffer an actuarial reduction in their benefits to reflect early payment. In exceptional compassionate circumstances the Council has the right to waive this actuarial reduction.
11. If the request is not referred for approval this will be confirmed to the employee in writing to the employee within 14 days of the meeting. The

employee would have the right of appeal against this decision which should be made in writing to the Retained HR Manager within 10 days of receipt of the reason for refusal of the request or refusal to waive the actuarial reduction on compassionate grounds where the request is approved.

- 12.** Appeals will be heard by a Strategic Director advised by the Retained HR Manager.