

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 12 April 2011 at 18:30.

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## **Agenda**

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

- 1 To receive the Minutes of the meeting of the Council held on 22 February 2011 (attached).
- 2 To report any apologies for absence.
- 3 To receive any communications.
- 4 Declaration of Interests  
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct. The usual declarations made at meetings of Full Council are set out in the attachment.
- 5 To receive questions from Taunton Deane Electors under Standing Order 15.
- 6 To receive any petitions or deputations from Taunton Deane Electors under Standing Orders 16 and 17.
- 7 Update of Part 3 of the Constitution. Report of the Legal and Democratic Services Manager and Councillor Bryan Denington (Chairman of the Constitutional Sub-Committee) (attached).
- 8 Part I - To deal with written questions to, and receive the following recommendations from, the Executive:-  
  
Councillor Williams  
  
Recommendations arising from Financial and Performance Monitoring - Quarter 3 2010/2011.
- 9 Part II - To receive reports from the following Members of the Executive:-
  - (a) Councillor John Williams - Leader of the Council;
  - (b) Councillor Ken Hayward - Environmental Services and Climate Change;
  - (c) Councillor Catherine Herbert - Sports, Parks and Leisure;
  - (d) Councillor Jean Adkins - Housing Services;

- (e) Councillor Terry Hall - Corporate Resources;
- (f) Councillor Mark Edwards - Planning and Transportation;
- (g) Councillor Joanna Lewin-Harris - Communications and Community Development;
- (h) Councillor Norman Cavill - Economic Development, Asset Management, Arts and Tourism.

Tonya Meers  
Legal and Democratic Services Manager

18 August 2011

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

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

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

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

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

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

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

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

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please telephone us on 01823 356356 or e-mail us at: [enquiries@tauntondeane.gov.uk](mailto:enquiries@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](mailto:d.durham@tauntondeane.gov.uk)**

## **Council Members:-**

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

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

## **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 22 February 2011 at 6.30 pm.

**Present**      The Mayor (Councillor Horsley)  
The Deputy Mayor (Councillor Brooks)  
Councillors Mrs Adkins, Mrs Allgrove, Beaven, Bishop, Bowrah, Cavill, Coles, Mrs Copley, Critchard, Denington, D Durdan, Ms Durdan, Edwards, Farbahi, Mrs Floyd, Gaines, Govier, Guerrier, Hall, Hayward, Henley, Mrs Herbert, C Hill, Mrs Hill, House, Miss James, R Lees, Mrs Lees, Mrs Lewin-Harris, McMahon, Meikle, Morrell, Mullins, Murphy, Paul, Prior-Sankey, Mrs Smith, P Smith, Mrs Stock-Williams, Stuart-Thorn, Swaine, 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. Reflection**

The meeting was opened with a reflection offered by Mrs Sheila Harvey, a member of the Society of Friends.

### **2. Minutes**

The minutes of the meeting of Taunton Deane Borough Council held on 2 February 2011, copies having been sent to each Member, were signed by the Mayor.

### **3. Apologies**

Councillors Mrs Messenger, O'Brien and Slattery.

### **4. Communications**

The Mayor reminded Councillors of two forthcoming events:-

- 19 March 2011 – The Mayor's Charity Concert, featuring the Taunton Deane and Truro Male Voice Choirs; and
- 26 March 2011 – A Charity Gala Concert and Dinner at Taunton School, Staplegrove Road, Taunton.

### **5. Declarations of Interest**

Councillors Govier, Mrs Waymouth and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Prior-Sankey declared personal interests both as a Member of Somerset County Council and as the tenant of a Council-owned garage. Councillor Brooks declared personal interests both as a Member of Somerset County Council and as a

tenant of a Council-owned property. Councillor Henley declared personal interests both as a Member of the Somerset County Council and as an employee of Job Centre Plus. Councillor McMahon declared personal interests both as a Member of the Somerset County Council and as a Director of Southwest One. Councillor Miss James declared a personal interest as an employee of Viridor. Councillors Mrs Adkins and Mrs Hill declared personal interests as employees of Somerset County Council. Councillor Mrs Smith declared personal interests both as an employee of Somerset County Council and because her son-in-law was a Police Community Support Officer (PCSO). Councillor P Smith also declared a personal interest because his son-in-law was a PCSO. Councillors Hayward and Mrs Whitmarsh declared personal interests as the Council's representatives on the Somerset Waste Board. Councillor Mrs Wilson declared a personal interest as an employee of Job Centre Plus. Councillor Watson declared a personal interest as the alternate Director of Southwest One. Councillor R Lees declared a prejudicial interest as someone who was in receipt of taxi tokens. He stated that he would leave the room if there was any discussion on this matter. Councillor Mullins declared a personal interest as EDF Energy at Hinkley Point was his employer. Councillor Murphy declared personal and prejudicial interests as his company dealt with Southwest One and Council contracts. He left the room on three occasions whilst matters relating to Disabled Facilities Grants were discussed

## 6. Public Question Time

- (a) Mr Chris Mann addressed the Council as its Members were, in his view, part of a service management structure that was cutting services to its most vulnerable citizens whilst keeping seven Chief Executives and seven senior management teams in a small rural county.

The Council appeared to have allowed management and debt to expand to consume all available funds. Why was this? What caused the outlook or calibre of Councillors to change? Did the availability of expenses attract a different type? Why were Councillors now so liberal with taxpayer's money? There was such a stark contrast with the private sector where mergers and flattening of structures were the norm. Why was the Council not directing this?

You did not re-engineer services to unitary management in 2007 and I think that Taunton Deane was left with what is now an extravagant management structure.

Most unanswered questions are on the complex and risky Southwest One which I think is completely unnecessary additional management and was wisely rejected by your four sister councils. However, it blocks any further moves towards unitary management.

It is inadequate to say that Southwest One is costing no more than Taunton Deane's 2007 costs. It displays a complete lack of understanding of how business has changed. During the remaining 80 months of the contract, Mr Mann believed IBM would be paid about

£100m in profits and the Council would also still have to pay for the additional very expensive Client Services Team.

With zero democratic enterprise on management costs, was it accepted that normal business reform could not be voted upon for another 80 months and that the Leader and Executive method had been compromised by the 3000 page contract with IBM?

Councillors were still regulators of a monopoly service and collectively had the authority. You must surely prove that the Leader and Executive method can work by holding your Executive to account on so many still unanswered questions:-

- Why had local residents not seen the much trumpeted Southwest One review by the County Audit Chairman?
- If residents could not see this report on the spending of your share of £400m of public money, would Taunton Deane's Scrutiny Committee produce a public review of the costs and benefits that included the costs of your expensive Client Services Team?
- How could residents be assured that procurement was not more expensive through Southwest One? and
- How could residents be assured that proposed service cuts would not be claimed as 'gainshare' payments to IBM as identified in the Audit Commission's report on Southwest One?

In response, Councillor Williams made the following points:-

- (i) Taunton Deane was actively seeking to work in partnership with other Authorities to drive down costs and improve service delivery. Southwest One, the Southwest Audit Partnership, Tone Leisure and the Somerset Waste Partnership were prime examples of this. Additionally, Taunton Deane was in the process of undertaking a restructure through its Core Council Review. This had involved a significant 'flattening' of the management structure and a number of posts being made redundant. The net effect of this restructure had been to deliver significant savings and to make the Council's structure fit for purpose for the current economic climate.
- (ii) The other districts all signed-up to the original framework agreement for Southwest One and consequently did, initially at least, express an interest. Southwest One did not block the move to a Unitary Council or the districts voluntarily choosing to work together. Ultimately the move to a Unitary Council is the decision of Central Government and would override the Southwest One contract.
- (iii) Our payment to Southwest One is significantly less than the cost of running the services in 2007. This is because we receive the benefit of the cumulative 2.5% year-on-year reduction in the unitary charge. Yes, the environment in which services were provided and consequently the requirements on the services changes. However,

the contract reflects this and provides mechanisms for us to performance manage these changes.

- (iv) Taunton Deane would certainly not pay IBM £100m in profits, as that was way more than our contract was worth. We would actually pay less as the contract progressed as we received the year-on-year 2.5% cumulative reduction in the unitary charge. Over the lifetime of the contract this would realise savings for Taunton Deane of approximately £5.7m. The cost and staffing of our Client Team is small in comparison to the extent and cost of the Southwest One contract which it manages.
- (v) The 'Southwest One Performance Management and Benefits Realisation Report' published in 2010, was produced by the Audit Commission for Somerset County Council and its findings and recommendations were consequently County Council orientated.
- (vi) It was difficult to see how the Southwest One contract compromised the Leader and Executive method of political governance.
- (vii) The question relating to the Southwest One Review by the County Audit Chairman needed to be directed at the County Council.
- (viii) It would be a matter for Taunton Deane's Scrutiny Committee if it was felt the cost of the Client Team warranted review.
- (ix) All Procurement activity was undertaken in accordance with EU procurement legislation to ensure competitiveness and fairness. The Southwest One Procurement Team worked closely with Council officers in order to ensure that not only was the best price received but that solutions met our needs. The gainshare mechanism that was built into the contract provided an additional incentive for Southwest One to maximise savings.
- (x) The contract with Southwest One provided specific provisions to govern the circumstances in which gainshare payments became payable to Southwest One. None of the budget savings outlined in the Council's proposed budget would be subject to gainshare payments.

Councillor Williams confirmed that a full written response would also be sent to Mr Mann.

- (b) Mr Paul Partington referred to a consultation on the proposed diversion of a public footpath at Oake Manor Golf Club, Oake.

There were notices on the course which warned that golf balls left both the driving range and the golf course at Oake Manor.

Mr Partington stated that on other golf courses he was familiar with, netting had often been erected to prevent golf balls leaving the course and reaching either nearby roads or public footpaths. He could not therefore understand why, in relation to the latest proposal to divert a footpath, the Golf Club was not going to take preventative measures such as the provision of netting.

He therefore asked:-

- (i) What risk assessments had been carried out by Taunton Deane Borough Council to be satisfied that any proposed diversions to a public right of way were safe for the public? If there were risk assessments, were those risk assessments carried out by a trained person?
- (ii) Was Taunton Deane prepared to promote a footpath diversion onto a route where no precautions were going to be taken to prevent passers-by being hit by golf balls driven into areas out of sight of those driving the golf balls and from where walkers could not see the golfers?

Councillor Edwards promised Mr Partington that his questions would be addressed and that a written response would be sent to him in due course.

- (c) Mr Peter Wren made reference to a meeting held on 26 May 2010 between the Leader of the Council and the Managing Director of Persimmon Homes. The outcome of this meeting was that Persimmons agreed to complete all the highway works at Bishops Hull before commencing development on site, provided that the S106 Agreement was signed by all parties that day and the planning permission issued.

Following the approval of the reserved matters on 30 November 2010, construction work on the development site commenced on 14 December 2010 and was currently continuing. However, as work on the highways near the Bishops Hull Crossroads did not actually commence until 4 January 2011, progress on the development site was in total contravention of both the Section 106 Agreement and the planning permission.

Whilst it was appreciated that Breach of Condition Notices had now been served on the developer, any penalties ultimately imposed by the Court would be like "petty cash" to a national house builder like Persimmons.

What decisive action would now be taken by Full Council against Persimmon Homes for blatantly and knowingly ignoring the agreement reached last May, together with the total disregard of some 21 planning conditions that had been carefully thought out and approved by the Local Planning Authority? Further, what will the Council do to rectify this corporate failing?

In reply, Councillor Edwards stated that the Breach of Condition action that had been taken demonstrated the Council's resolve to ensure the development was constructed in accordance with what had previously been agreed. He also confirmed that a full written response would shortly be sent to Mr Wren.

- (d) Mrs Carol Wren asked who was responsible for checking that the correct signage was put in place by the developer on Monday, 14 February 2011 before work started on the very busy A38/Bishops Hull Crossroads?

Although all was corrected on the following day, there was a lengthy period during the 14 February where traffic from the A38 was turning into Bishops Hull Road against vehicles travelling south onto the A38.

This threat to public safety was witnessed by one of Taunton Deane's Strategic Directors, Kevin Toller. If correct safety procedures had been undertaken by Highways, the dangerous situations which did occur would have been avoided. It was not good enough to be told "but all was OK on the 15 February"!

Where was the Local Planning Authority's and Highways' duty of care?

Councillor Edwards stated that this issue was clearly a matter for Somerset County Highways and he would arrange a written response to the points Mrs Wren had raised.

- (e) Mr Andrew Gottlieb referred to the question he had asked at the previous meeting of Full Council on 14 December 2010, concerning the gifting of Crematorium land at the Bishops Hull Crossroads for the betterment of the developer. He had not yet seen a full response to this question either from Councillor Williams or Kevin Toller and wondered when a reply would be forthcoming?

Councillor Williams thought a reply had already been sent but would liaise with Kevin Toller over this matter.

- (f) Mrs Gottlieb referred to the new development to the west of Bishops Hull Road. She asked why the Planning Committee had agreed to a house being constructed so close to the road?

In her view, the Committee should have undertaken a site visit before the decision to grant planning permission was made.

Councillor Edwards responded that ultimately it was for the Planning Committee to take the decision to grant or refuse planning permission. Its decisions could not be reviewed by Full Council. He confirmed that a written response would be sent to Mrs Gottlieb.

- (g) Mrs Robertshaw made reference to the recent decision by the Planning Committee to grant permission for a Solar Field, comprising

photovoltaic panels, on land at Sandhill Park, near Bishops Lydeard.

She wondered how permission could have been granted based on incorrect data and vague reports and felt that the decision had been rushed through with no proper consideration.

Her specific concerns were:-

- Who would be responsible for the removal of the photovoltaic panels when the planning permission expired?
- How could local residents be assured that the landowner would bring the field back into agricultural use once the photovoltaic panels had been removed? and
- Why was it necessary for the Solar Field to be surrounded by a security fence, particularly in an Area of Outstanding Natural Beauty?

In response, the Mayor confirmed that decisions taken by the Planning Committee were not subject to review by Full Council. Judicial Review of the decision was a possibility but it would be for those who were against the development to take this further.

Councillor Edwards confirmed that he had made a note of Mrs Robertshaw's specific questions and would send her a written response in due course.

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

### **(a) Proposals to increase Summons and Liability Costs for Council Tax and Business Rate Defaulters**

The Executive had previously considered a proposal to increase the current level of reasonable costs levied for issuing Summonses and Liability Orders in connection with the non-payment of Council Tax and Business Rates. The Council was permitted to add such costs to outstanding debts if recovery was assisted through the Magistrates' Court.

The last time an increase in these costs occurred was in April 2006 when the current costs of £40 for a Summons and £5 for a Liability Order were set.

A recent exercise had shown that the actual cost of issuing Summonses and Liability Orders was now in excess of £73 and it was therefore accepted that the charges should be increased.

On the motion of Councillor Hall it was

**Resolved** that:-

- (1) The costs for Summonses and Liability Orders for non-payment of Council Tax and Business Rates be increased to £63.50 (from £40) and £10 (from

£5) respectively with effect from 1 April 2011; and

- (2) These costs be reviewed annually along with the other Fees and Charges.

**(b) General Fund Earmarked Reserves**

Following the completion of a further thorough review of the reserve accounts, reserves totalling £126,743.85 relating to Planning compensation, the Smokefree Scheme and three Waste budgets had been identified as no longer being required.

When this matter was considered recently by the Executive, it was proposed that only a proportion of the surplus reserves should be returned to the General Fund Reserve, with the sum of £60,000 being used as a Revenue Contribution towards Capital Outlay (RCCO) to fund the replacement of thirteen Pay and Display machines in the Council's Car Parks.

It was necessary to bring the machine replacement forward from the 2011/2012 financial year, as the Government had announced that new coinage, which could not be used in connection with the older machines, was to be released from April 2011 – although in recent days it appeared likely that the new coinage was not now going to be put into circulation until later in the year.

On the motion of Councillor Williams it was

**Resolved** that:-

- (a) £66,743.85 of surplus earmarked reserves be transferred to the General Fund Reserve in the 2010/2011 financial year; and
- (b) The funding of a Revenue Contribution towards Capital Outlay of £60,000 in 2010/2011, to pay for thirteen new Pay and Display machines, be agreed.

**(c) General Fund Revenue Estimates 2011/2012**

The Executive had previously considered its final 2011/2012 budget proposals which had been prepared in the face of unprecedented financial challenges and uncertainty. It contained details on:-

- (i) the General Fund Revenue Budget proposals for 2011/2012, including the proposed Council Tax increase and the Prudential Indicators; and
- (ii) draft figures on the predicted financial position of the Council for the following four years.

The Corporate Scrutiny Committee had also considered the draft budget proposals at its meeting on 27 January 2010.

The Council Tax calculation and formal tax setting resolution was to be considered separately. The proposed budget for Taunton Deane contained a proposed Council Tax Freeze for 2011/2012 which would mean that the Band D Council Tax would remain at £135.19.

It was a requirement for the Council to prepare not only budgets for the following financial year but to also provide indicative figures into future years. The Medium Term Financial Plan (MTFP) provided an indication of the expected budget gap going forward into 2012/2013 and beyond and a summary of this position was reflected in the following table:-

	2011/12 £m	2012/13 £m	2013/14 £m	2014/15 £m	2015/16 £m
Net Expenditure	11.578	12.237	14.092	14.876	15.609
<i>Financed By:</i>					
External Government Support	5.981	5.310	4.783	4.310	4.416
Council Tax Freeze Grant	0.136	0.136	0.136	0.136	0
Council Tax	<b>5.461</b>	<b>5.598</b>	<b>5.738</b>	<b>5.881</b>	<b>6.028</b>
<b>Predicted Budget Gap</b>	<b>0</b>	<b>1.193</b>	<b>3.435</b>	<b>4.549</b>	<b>5.165</b>

These figures included the following assumptions relating to funding:-

- Government Grant would be reduced by the following rates: 2011/2012 by 13.2%; 2012/2013 by 11.2%; 2013/2014 by 10%; and 2014/2015 by 10%. A 2.5% increase had been assumed for 2015/2016;
- The Council Tax Freeze Grant relating to 2011/2012 would be receivable for four years; and
- Council Tax would increase by 2.5% each year from 2012/2013.

The Proposed Budget for 2011/2012 would maintain reserves well above the acceptable minimum reserves position of £1,250,000 or £1,000,000 if funds were allocated to 'invest to save' initiatives, but the MTFP indicated that the Council would face significant financial pressures in the medium term as shown in the following table:-

#### General Reserves Forecast

	2011/12 £m	2012/13 £m	2013/14 £m	2014/15 £m	2015/16 £m
Estimated Balance B/F	2.163	2.261	1.061	-2.421	-7.017
Transfers – Previous Years commitments	0.301	0.040	0	0	0
RCCO in 2011/12	-0.049	0	0	0	0
Deane Helpline	-0.154				

2011/12					
Predicted Budget Gap	0	-1.193	-3.435	-4.549	-5.165
<b>Estimated Balance C/F</b>	<b>2.261</b>	<b>1.108</b>	<b>-2.327</b>	<b>-6.876</b>	<b>-12.041</b>

The estimated expenses chargeable to the non-parished area of Taunton in 2010/2011 amounted to £46,820, which represented a 0% increase in the special expenses per Band D equivalent of £2.92 per property per year in the Unparished Area.

As part of the Prudential Code for Capital Finance there was a requirement for Full Council to approve the indicators as set out in the report to the Executive. These were important as they detailed the expected borrowing requirement for both the General Fund and the Housing Revenue Account. They also set the operational boundaries for both the borrowing and investment levels and interest rate exposures for the Council.

The Council's Section 151 Officer had a duty to comment, as part of the budget setting process on the robustness of the budget and the adequacy of reserves. In her response, Shirlene Adam had stated that she believed the Council's reserves to be adequate and the budget estimates used in preparing the 2011/2012 budget to be as robust as possible.

Moved by Councillor Henley, seconded by Councillor A Wedderkopp that the budget be amended by restoring the proposed cut of £29,500 to Police Community Support Officer funding. The cost to be met from reserves.

The amendment was put and was lost.

On the motion of Councillor Williams it was

**Resolved** that:-

- (a) The budget for General Fund services for 2011/2012 as outlined in the report to Full Council be agreed;
- (b) The transfer for any potential underspend in 2010/2011 back to General Fund Reserves be approved;
- (c) The proposed 2011/2012 budget, being Authority expenditure of £11,370,060 and Special Expenses of £46,820 be agreed in accordance with the Local Government Act 1992;
- (d) The projected General Fund Reserve balance of £2,260,000 in 2011/2012 be noted;
- (e) The forecast budget position within the Medium Term Financial Plan be noted; and
- (f) The Prudential Indicators for 2011/2012, as set out in the appendix to

these minutes, be agreed.

**(d) Capital Programme Budget Estimates 2011/2012**

Consideration had been given to the proposed General Fund (GF) and Housing Revenue Account (HRA) Capital Programmes for the period 2011/2012 to 2015/2016.

Full Council had approved a Capital Programme for 2010/2011 General Fund schemes totalling £2,852,000 in February 2010. Slippage from the previous year and supplementary budget approvals during the year had increased the Capital Programme to £6,689,000.

An additional supplementary estimate of £60,000 was required in the current year to fund the cost of replacing thirteen payment machines in the car parks to enable new coinage to be accepted. This scheme had been brought forward as the coinage was due to be introduced from April 2011 – although in recent days it appeared likely that the new coinage was not now going to be put into circulation until later in the year.

The loss of a significant amount of Government funding for General Fund Housing Capital had been confirmed. £462,000 of Housing Capital Grant had been cut in full and £620,000 of Supported Borrowing had also been cut.

As a result, the predicted funding gap of £123,000 had increased to £1,205,000. This had made it necessary to review and revise the proposed Capital Programme for 2011/2012.

The proposed General Fund Capital Programme for 2011/2012 now totalled £1,421,000. This assumed nil slippage from 2010/2011, although it was thought that the majority of costs of the Crematorium Mercury Abatement project would slip into 2011/2012.

The Council had approved a Capital Programme for 2010/2011 HRA Schemes totalling £4,560,000 in February 2010. Slippage from the previous year had increased the estimated programme expenditure in 2010/2011 to £6,058,000.

The proposed HRA Capital Programme for 2011/2012 totalled £4,299,000 and assumed nil slippage.

The Corporate Scrutiny Committee had considered the draft programme and the Housing Tenants Forum had also considered the draft Housing Capital Programme.

On the motion of Councillor Williams it was

**Resolved** that:-

- (1) Both the General Fund Capital Programme and Housing Revenue Account Capital Programme for 2011/2012 be agreed; and
- (2) The supplementary estimate required in 2010/2011 for the replacement of the car park payment machines be also approved.

**(e) Council Tax Setting 2011/2012**

The Council was required to make an annual determination, which set its gross expenditure and gross income (including the Housing Revenue Account and balances brought forward), with the difference as its budget requirement. The estimated expenses chargeable to the non-parished area of Taunton in 2011/2012 amounted to £46,820 and this formed part of the total net expenditure of the Council. Details of the Parish Precepts levied and the appropriate Council Tax at Band D had also been received.

The Council's budget requirement was £11,872,520 including draft Parish Precepts and non-parished Special Expenses. This amount was then reduced by the amount notified in respect of Taunton Deane's Revenue Support Grant (RSG) amounting to £1,412,330 and the Non Domestic Rates Distribution (NDR) from the national pool, amounting to £4,569,120.

The net amount, having taken the collection fund position into account, of £5,962,870 was used to calculate the Council Tax at Band D, reflecting the Parish Precepts by dividing it by the total of the Council Tax Base as approved by the Executive in January 2011.

The Council Tax for the Borough (excluding Parish Precepts and Special Expenses for the non-parished area) was £135.19, which was unchanged from the 2010/2011 Council Tax. The total Council Tax, including the Somerset County Council, Police and Fire Authorities' precepts was £1402.29.

On the motion of Councillor Williams it was

**Resolved that:-**

- (1) It be noted that at its meeting on 19 January 2011 the Executive calculated the following amounts for the year 2011/2012 in accordance with the regulations made under Section 33(5) of the Local Government Finance Act 1992 (as amended):-

- (i) 40,390.64 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax Base for the year.

(ii)

Ash Priors	78.84	Neroche	251.93
Ashbrittle	97.37	North Curry	748.27

Bathealton	88.08	Norton Fitzwarren	820.30
Bishops Hull	1,075.48	Nynehead	157.34
Bishops Lydeard / Cothelstone	1,116.85	Oake	333.62
Bradford on Tone	290.50	Otterford	170.04
Burrowbridge	205.44	Pitminster	458.91
Cheddon Fitzpaine	639.63	Ruishton/Thornfalcon	614.50
Chipstable	128.01	Sampford Arundel	132.51
Churchstanton	335.61	Staplegrove	713.43
Combe Florey	121.40	Stawley	130.08
Comeytrowe	2,092.08	Stoke St Gregory	389.61
Corfe	132.48	Stoke St Mary	204.23
Cotford St Luke	800.55	Taunton	16,033.53
Creech St Michael	946.10	Trull	1,029.79
Durston	59.57	Wellington	4,683.53
Fitzhead	123.27	Wellington (Without)	302.74
Halse	141.39	West Bagborough	168.06
Hatch Beauchamp	260.51	West Buckland	444.62
Kingston St Mary	452.76	West Hatch	141.96
Langford Budville	236.73	West Monkton	1,116.84
Lydeard St Lawrence/ Tolland	204.07	Wiveliscombe	1,119.67
Milverton	598.41		

being the amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items related.

- (iii) That the following amounts be calculated by the Council for the year 2010/2011 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-

(a) £77,375,400 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) of the Act.  
(Gross Expenditure including amount required for working balance).

(b) £65,502,880 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.  
(Gross Income including reserves to be used to meet Gross Expenditure).

(c) £11,872,520 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council in accordance with Section 32(4) of the Act, as its budget requirement for the year.

(d) £5,909,650 being the aggregate of the sums which the Council estimates would be payable for the year into its General Fund in respect of redistributed Non-Domestic Rates, Revenue Support Grant, additional grant or SSA reduction grant (increased by the amount of the sums which the Council estimates would be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (*Council Tax Surplus*) and increased by the amount of any sum which the Council estimates would be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Community Charge) directions under Section 98(4) of the Local Government Finance Act 1988 made on 7 February 1994 (*Community Charge Surplus*).

(e) £147.63 
$$\frac{(c) - (d)}{(i) \text{ above}} = \frac{11,872,520 - 5,909,650}{40,390.64}$$

being the amount calculated at (c) above less the amount at (d) above, all divided by the amount at (i) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year. (*Average Council Tax at Band D for Borough including Parish Precepts and Special Expenses*).

(f) £502,465 being the aggregate amount of all special items referred to in Section 34(1) of the Act. (*Parish Precepts and Special Expenses*).

(g) £135.19 
$$\frac{(e) - (f)}{(i) \text{ above}} = 147.63 - \frac{502,465}{40,390.64}$$

being the amount at (e) above less the result given by dividing the amount at (f) above by the amount at (i) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for

dwelling in those parts of its area to which no special items relate. (*Council Tax at Band D for Borough Excluding Parish Precepts and Special Expenses*).

(h)

Ash Priors	135.19	Neroche	151.07
Ashbrittle	153.68	North Curry	157.24
Bathealton	140.87	Norton Fitzwarren	165.83
Bishops Hull	155.65	Nynehead	160.61
Bishops Lydeard / Cothelstone	157.74	Oake	149.43
Bradford on Tone	154.12	Otterford	135.19
Burrowbridge	154.66	Pitminster	155.41
Cheddon Fitzpaine	146.13	Ruishton/Thornfalcon	154.72
Chipstable	149.64	Sampford Arundel	169.90
Churchstanton	156.79	Staplegrove	149.21
Combe Florey	151.66	Stawley	153.64
Comeytrowe	147.14	Stoke St Gregory	151.87
Corfe	154.06	Stoke St Mary	149.92
Cotford St Luke	153.93	Taunton	138.11
Creech St Michael	159.64	Trull	148.79
Durston	145.26	Wellington	154.99
Fitzhead	159.49	Wellington (Without)	151.87
Halse	147.57	West Bagborough	147.09
Hatch Beauchamp	152.46	West Buckland	153.18
Kingston St Mary	148.44	West Hatch	151.60
Langford Budville	152.09	West Monkton	163.48
Lydeard St Lawrence / Tolland	152.34	Wiveliscombe	153.95
Milverton	154.41		

being the amounts given by adding to the amount at (g) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (iii) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate. (*Council Taxes at Band D for Borough, Parish and Special Expenses*).

(i) See overleaf

being the amounts given by multiplying the

amounts at (h) above by the number which, in proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which is that proportion applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands. (Council Tax for Individual Parishes and the Borough)

(a)

2011/12 by Parish by Band

Shaded figures represent indicative data only

Valuation Band	A	B	C	D	E	F	G	H
Ash Priors	90.13	105.15	120.17	135.19	165.23	195.27	225.32	270.38
Ashbrittle	96.97	113.14	129.30	145.46	177.78	210.11	242.43	290.92
Bathealton	93.91	109.56	125.21	140.87	172.17	203.47	234.78	281.73
Bishops Hull	103.76	121.06	138.35	155.65	190.23	224.82	259.41	311.29
Bishops Lydeard/Cothelstone	105.16	122.69	140.21	157.74	192.79	227.85	262.90	315.48
Bradford on Tone	102.75	119.87	137.00	154.12	188.37	222.62	256.87	308.25
Burrowbridge	103.11	120.29	137.48	154.66	189.03	223.40	257.77	309.32
Cheddon Fitzpaine	97.42	113.66	129.90	146.13	178.61	211.08	243.56	292.27
Chipstable	99.76	116.39	133.02	149.64	182.90	216.15	249.40	299.28
Churchstanton	104.53	121.95	139.37	156.79	191.64	226.48	261.32	313.58
Combe Florey	101.11	117.96	134.81	151.66	185.37	219.07	252.77	303.33
Comeytrowe	98.09	114.44	130.79	147.14	179.84	212.54	245.23	294.28
Corfe	102.71	119.83	136.94	154.06	188.30	222.53	256.77	308.12
Cotford St Luke	102.62	119.72	136.82	153.93	188.13	222.34	256.55	307.85
Creech St Michael	106.43	124.17	141.90	159.64	195.12	230.60	266.07	319.29
Durston	96.84	112.98	129.12	145.26	177.54	209.82	242.10	290.52

Fitzhead	106.32	124.04	141.77	159.49	194.93	230.37	265.81	318.97
Halse	98.38	114.77	131.17	147.57	180.36	213.15	245.95	295.13
Hatch Beauchamp	101.64	118.58	135.52	152.46	186.34	220.23	254.11	304.93
Kingston St Mary	98.96	115.45	131.95	148.44	181.43	214.42	247.40	296.88
Langford Budville	101.39	118.29	135.19	152.09	185.88	219.68	253.48	304.17
Lydeard St Lawrence/Tolland	101.56	118.49	135.41	152.34	186.19	220.05	253.90	304.68
Milverton	102.94	120.09	137.25	154.41	188.72	223.03	257.35	308.82
Neroche	100.71	117.50	134.28	151.07	184.64	218.21	251.78	302.13
North Curry	104.83	122.30	139.77	157.24	192.18	227.13	262.07	314.48
Norton Fitzwarren	110.55	128.98	147.40	165.83	202.68	239.53	276.38	331.65
Nynehead	107.08	124.92	142.77	160.61	196.30	232.00	267.69	321.23
Oake	99.62	116.22	132.82	149.43	182.63	215.84	249.05	298.86
Otterford	90.13	105.15	120.17	135.19	165.23	195.27	225.32	270.38
Pitminster	103.61	120.87	138.14	155.41	189.95	224.48	259.02	310.82
Ruishton/Thornfalcon	103.15	120.34	137.53	154.72	189.10	223.48	257.86	309.44
Sampford Arundel	113.27	132.15	151.03	169.90	207.66	245.42	283.17	339.81
Staplegrove	99.47	116.05	132.63	149.21	182.36	215.52	248.68	298.41
Stawley	102.43	119.50	136.57	153.64	187.78	221.92	256.07	307.28

Stoke St Gregory	101.25	118.12	135.00	151.87	185.62	219.37	253.12	303.75
Stoke St Mary	99.95	116.60	133.26	149.92	183.23	216.55	249.86	299.84
Taunton	92.07	107.42	122.76	138.11	168.80	199.49	230.18	276.22
Trull	99.19	115.72	132.25	148.79	181.85	214.91	247.98	297.57
Wellington	103.33	120.55	137.77	154.99	189.43	223.87	258.32	309.98
Wellington Without	101.25	118.12	135.00	151.87	185.62	219.37	253.12	303.74
West Bagborough	98.06	114.40	130.75	147.09	179.78	212.46	245.15	294.18
West Buckland	102.12	119.14	136.16	153.18	187.22	221.26	255.30	306.37
West Hatch	101.07	117.91	134.76	151.60	185.29	218.98	252.67	303.21
West Monkton	108.99	127.15	145.32	163.48	199.81	236.14	272.47	326.97
Wiveliscombe	102.63	119.74	136.84	153.95	188.16	222.37	256.58	307.89

Being the amounts given by multiplying the amounts at (h) above by the number which, in proportion set out in Section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which is that proportion applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands (Council Tax for individual Parishes and the Borough)

**(b)**

That it be noted that for the year 2011/2012 the Somerset County Council, the Avon and Somerset Police Authority and the Somerset and Devon Fire and Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwelling shown below.

Since this table was presented to the Executive the Fire and Police Authorities have both confirmed that their band D precept is as previously advised and the same as last year (2010/2011). As spreadsheet calculations for each tax band can differ from the billing system by one or two pence, the final precept demand by parish and band have been verified by the Revenue and Benefits system. The figures shown are those that will appear on the Council Tax demands.

Somerset County Council	684.87	799.01	913.16	1,027.30	1,255.59	1,483.88	1,712.17	2,054.60
Avon & Somerset Police Authority	112.02	130.69	149.36	168.03	205.37	242.71	280.05	336.06
Devon & Somerset Fire & Rescue Authority	47.85	55.82	63.80	71.77	87.72	103.67	119.62	143.54

Valuation Band	A	B	C	D	E	F	G	H
Ash Priors	934.87	1,090.67	1,246.49	1,402.29	1,713.91	2,025.53	2,337.16	2,804.58
Ashbrittle	941.72	1,098.66	1,255.62	1,412.56	1,726.46	2,040.36	2,354.28	2,825.12
Bathealton	938.66	1,095.09	1,251.54	1,407.97	1,720.85	2,033.73	2,346.63	2,815.94
Bishops Hull	948.51	1,106.58	1,264.68	1,422.75	1,738.92	2,055.08	2,371.26	2,845.50
Bishops Lydeard/Cothelstone	949.90	1,108.21	1,266.53	1,424.84	1,741.47	2,058.10	2,374.74	2,849.68
Bradford on Tone	947.49	1,105.39	1,263.32	1,421.22	1,737.05	2,052.87	2,368.71	2,842.44
Burrowbridge	947.85	1,105.81	1,263.80	1,421.76	1,737.71	2,053.65	2,369.61	2,843.52
Cheddon Fitzpaine	942.16	1,099.18	1,256.21	1,413.23	1,727.28	2,041.33	2,355.39	2,826.46
Chipstable	944.50	1,101.91	1,259.33	1,416.74	1,731.57	2,046.40	2,361.24	2,833.48
Churchstanton	949.27	1,107.47	1,265.69	1,423.89	1,740.31	2,056.73	2,373.16	2,847.78
Combe Florey	945.85	1,103.48	1,261.13	1,418.76	1,734.04	2,049.32	2,364.61	2,837.52
Comeytrowe	942.84	1,099.96	1,257.11	1,414.24	1,728.52	2,042.79	2,357.08	2,828.48
Corfe	947.45	1,105.35	1,263.26	1,421.16	1,736.97	2,052.79	2,368.61	2,842.32
Cotford St Luke	947.36	1,105.25	1,263.15	1,421.03	1,736.81	2,052.60	2,368.39	2,842.06
Creech St Michael	951.17	1,109.69	1,268.22	1,426.74	1,743.79	2,060.85	2,377.91	2,853.48
Durston	941.58	1,098.50	1,255.44	1,412.36	1,726.22	2,040.08	2,353.94	2,824.72
Fitzhead	951.07	1,109.57	1,268.09	1,426.59	1,743.61	2,060.63	2,377.66	2,853.18

Halse	943.12	1,100.30	1,257.49	1,414.67	1,729.04	2,043.41	2,357.79	2,829.34
Hatch Beauchamp	946.38	1,104.10	1,261.84	1,419.56	1,735.02	2,050.48	2,365.94	2,839.12
Kingston St Mary	943.70	1,100.98	1,258.27	1,415.54	1,730.10	2,044.67	2,359.24	2,831.08
Langford Budville	946.14	1,103.81	1,261.51	1,419.19	1,734.57	2,049.94	2,365.33	2,838.38
Lydeard St Lawrence/Tolland	946.30	1,104.01	1,261.73	1,419.44	1,734.87	2,050.30	2,365.74	2,838.88
Milverton	947.68	1,105.62	1,263.57	1,421.51	1,737.40	2,053.29	2,369.19	2,843.02
Neroche	945.46	1,103.02	1,260.61	1,418.17	1,733.32	2,048.47	2,363.63	2,836.34
North Curry	949.57	1,107.82	1,266.09	1,424.34	1,740.86	2,057.38	2,373.91	2,848.68
Norton Fitzwarren	955.30	1,114.50	1,273.73	1,432.93	1,751.36	2,069.79	2,388.23	2,865.86
Nynehead	951.82	1,110.44	1,269.09	1,427.71	1,744.98	2,062.25	2,379.53	2,855.42
Oake	944.36	1,101.75	1,259.15	1,416.53	1,731.31	2,046.10	2,360.89	2,833.06
Otterford	934.87	1,090.67	1,246.49	1,402.29	1,713.91	2,025.53	2,337.16	2,804.58
Pitminster	948.35	1,106.40	1,264.46	1,422.51	1,738.62	2,054.74	2,370.86	2,845.02
Ruishton/Thornfalcon	947.89	1,105.86	1,263.85	1,421.82	1,737.78	2,053.74	2,369.71	2,843.64
Sampford Arundel	958.01	1,117.67	1,277.34	1,437.00	1,756.33	2,075.67	2,395.01	2,874.00
Staplegrove	944.22	1,101.57	1,258.95	1,416.31	1,731.05	2,045.78	2,360.53	2,832.62
Stawley	947.17	1,105.02	1,262.89	1,420.74	1,736.46	2,052.18	2,367.91	2,841.48
Stoke St Gregory	945.99	1,103.64	1,261.32	1,418.97	1,734.30	2,049.62	2,364.96	2,837.94
Stoke St Mary	944.69	1,102.13	1,259.58	1,417.02	1,731.91	2,046.81	2,361.71	2,834.04
Taunton	936.82	1,092.94	1,249.09	1,405.21	1,717.48	2,029.75	2,342.03	2,810.42
Trull	943.94	1,101.25	1,258.58	1,415.89	1,730.53	2,045.17	2,359.83	2,831.78
Wellington	948.07	1,106.07	1,264.09	1,422.09	1,738.11	2,054.13	2,370.16	2,844.18
Wellington Without	945.99	1,103.64	1,261.32	1,418.97	1,734.30	2,049.62	2,364.96	2,837.94
West Bagborough	942.80	1,099.93	1,257.07	1,414.19	1,728.45	2,042.72	2,356.99	2,828.38
West Buckland	946.86	1,104.66	1,262.48	1,420.28	1,735.90	2,051.52	2,367.14	2,840.56
West Hatch	945.81	1,103.43	1,261.08	1,418.70	1,733.97	2,049.23	2,364.51	2,837.40
West Monkton	953.73	1,112.67	1,271.64	1,430.58	1,748.49	2,066.39	2,384.31	2,861.16
Wiveliscombe	947.38	1,105.26	1,263.17	1,421.05	1,736.84	2,052.63	2,368.43	2,842.10

**(f) Halcon North Regeneration Project**

Over the past twelve months, Councillors had become involved in proposals to regenerate the Halcon North area of Taunton which featured in the top 10 per cent of the most deprived wards in the country.

The Council's aspiration was to redevelop the area to make Halcon a place that residents were proud of, but it was understood that a multi-agency approach was going to be required to achieve this.

It had become clear that strong governance and project management arrangements needed to be put in place, as well as the development of a full business case in order to explore all potential delivery options and risks.

The two key strands currently being finalised were the Business Plan and the procurement process. With regard to the latter, work had begun towards tendering for consultants to work with the Council on the overall project. The engagement of consultants did however require funding to be allocated.

On the motion of Councillor Mrs Adkins it was

**Resolved** that a sum of up to £50,000 from the Housing Revenue Account be allocated to meet the cost of consultancy fees required to progress the Halcon North Regeneration Project.

**(g) Housing Revenue Account Estimates 2011/2012**

Consideration had been given to the proposed Housing Revenue Account (HRA) estimates for the 2011/2012 Financial Year which showed a working balance of £1,467,520. It also included details of the proposed increase in Average Weekly Rent for the year where a 6.87% (£4.41) increase had been recommended.

The Dwelling Rents formed the major element of income for the HRA. Each ½% rent increase was equivalent to approximately £100,000. If the average rent was set lower than the current proposal, the loss of income would have to be met by reducing expenditure.

The budget for non-dwelling rents and charges for services and facilities was based on a 4.6% increase.

The Negative Subsidy for 2011/2012 was based on the Final

Determination figures and represented payments to Central Government under the subsidy system. For Medium Term Financial Plan purposes, it had been assumed that the HRA would move to a 'self financing' model from 2012/2013 and therefore no subsidy would be payable. It had also been assumed that the Council would take on a debt of £86,000,000 from the Government as the estimated cost of the move to self-financing.

Based on the budget contained within the report, the expected deficit for 2011/2012 was forecast to be in the region of £175,000. This was after making a revenue contribution to capital of £361,000.

Both the Corporate Scrutiny Committee and the Tenants Forum had considered the 2011/2012 draft budget.

On the motion of Councillor Mrs Adkins it was

**Resolved** that:-

- (1) The Average Weekly Rent increase of 6.87% be approved; and
- (2) The Housing Revenue Account budget for 2011/2012 be agreed.

## 8. **Reports of the Leader of the Council and Executive Councillors**

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

### (i) **Leader of the Council (Councillor Williams)**

Councillor Williams's report covered the following topics:-

- Notable Events;
- Core Strategy;
- Hinkley Point;
- Superfast Broadband;
- Regeneration of Taunton;
- The Council Budget 2011/2012.

### (ii) **Sports, Parks and Leisure (Councillor Mrs Herbert)**

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

- Parks;

- Community Leisure and Play;
- Tone (Taunton Deane) Limited Activities;
- Environmental Issues.

(iii) **Housing Services (Councillor Mrs Adkins)**

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

- Housing Property Services Review;
- Affordable Housing;
- Regeneration of Halcon, Taunton;
- Estates Team and Anti-social Behaviour;
- Somerset West Private Sector Housing Partnership;
- Consultation : A fairer future for social housing;
- Self-Financing
- A Housing, Health Care and Support Strategy for older people in Somerset;
- Tenants' Forum.

(iv) **Corporate Resources (Councillor Hall)**

The report from Councillor Hall provided information on the following areas within his portfolio:-

- Revenues and Benefits;
- Southwest One;
- Legal and Democratic Services;
- Performance and Client Team.

(v) **Planning and Transportation (Councillor Edwards)**

The report from Councillor Edwards provided information on the following areas within his portfolio:-

- Core Strategy;
- Maidenbrook, Taunton Appeal;
- Consultation on the overhaul of Planning Application Fees;
- Review of the Planning process;
- Firepool, Taunton.

(vi) **Community Leadership and Communications (Councillor Mrs Lewin-Harris)**

Councillor Mrs Lewin-Harris presented the Community Leadership

and Communications report which focused on the following areas within that portfolio:-

- Taunton Deane Partnership;
- Crime and Disorder Reduction Partnership;
- Health White Paper;
- Communications;
- Community Hub at St Augustine's, Taunton.

(vii) **Economic Development, Asset Management, Arts and Tourism (Councillor Cavill)**

The report from Councillor Cavill covered:-

- Keeping Members informed;
- Stimulating Business Growth and Investment;
- Ensuring a Skilled and Entrepreneurial Workforce;
- Creating an Attractive Business Environment.

(viii) **Environmental Services (Councillor Hayward)**

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

- Environmental Health Teams;
- Street Cleansing;
- Crematorium;
- Climate Change / Carbon Management;
- Waste Management.

(Councillors Murphy, McMahon, Cavill, Govier, Coles, Bowrah, Critchard, Mrs Copley, Mrs Hill and D Wedderkopp left the meeting at 8.16 pm, 8.20 pm, 8.24 pm, 8.25 pm, 8.35 pm, 8.55 pm, 8.57 pm, 8.58 pm, 9.05 pm and 9.28 pm respectively. Councillors D Durdan and Miss Durdan both left the meeting at 9.04 pm. Councillors Gaines, Mrs Whitmarsh and Mrs Waymouth all left the meeting at 9.09 pm.)

(The meeting ended at 9.35 pm.)

# Appendix

## PRUDENTIAL INDICATORS

PRUDENTIAL INDICATOR	2009/10	2010/11	2011/12	2012/13	2013/14
	£'000	£'000	£'000	£'000	£'000
	<b>outturn</b>	<b>estimate</b>	<b>estimate</b>	<b>estimate</b>	<b>estimate</b>
<b>Capital Expenditure</b>					
General Fund	£4,562	£6,689	£1,421	£1,910	£1,875
HRA	£5,142	£6,231	£4,300	£4,399	£4,020
TOTAL	£9,704	£12,920	£5,721	£6,309	£5,895
<b>Ratio of financing costs to net revenue stream</b>					
General Fund	0.14%	1.08%	1.32%	1.70%	1.75%
HRA	1.89%	1.81%	2.28%	2.17%	2.07%
<b>Net borrowing projection</b>					
brought forward 1 April	£9,900	£7,786	£11,710	£11,710	£12,753
Carried forward 31 March	£7,786	£11,710	£11,710	£12,753	£14,103
in year borrowing requirement	<b>-£2,114</b>	£3,924	£0	£1,043	£1,350
<b>Capital Financing Requirement as at 31 March</b>					
General Fund	£8,586	£12,260	£12,015	£12,796	£13,864
HRA	£14,451	£14,451	£14,451	£14,451	£14,451
TOTAL	£23,037	£26,711	£26,466	£27,247	£28,315
<b>Incremental impact of capital investment decisions</b>	<b>£ p</b>	<b>£ p</b>	<b>£ p</b>	<b>£ p</b>	<b>£ p</b>
Increase in council tax (band D)	1.54	2.90	-0.84	0.00	0.16
<b>Authorised limit for external debt -</b>					
TOTAL	£40m	£40m	£40m	£40m	£40m
<b>Operational boundary for external debt -</b>					
TOTAL	£30m	£30m	£30m	£30m	£30m
<b>Upper limit for fixed interest rate exposure</b>					
Net interest re fixed rate borrowing/ investments	100%	100%	100%	100%	100%
<b>Upper limit for variable rate exposure</b>					
Net interest re variable rate borrowing/ investments	50%	50%	50%	50%	50%
<b>Maturity Structure of Fixed Rate Borrowing</b> (Upper and lower limits)					
under 12 months	0% to 50%	0% to 50%	0% to 50%	0% to 50%	0% to 50%
12 months and within 24 months	0% to 50%	0% to 50%	0% to 50%	0% to 50%	0% to 50%
24 months and within 5 years	0% to 50%	0% to 50%	0% to 50%	0% to 50%	0% to 50%
5 years and within 10 years	0% to 50%	0% to 50%	0% to 50%	0% to 50%	0% to 50%
10 years and above	20% to 100%	20% to 100%	20% to 100%	20% to 100%	20% to 100%
<b>Upper limit for total principal sums invested for over 364 days</b> (per maturity date)					
	£2m or 20%	£2m or 20%	£2m or 20%	£2m or 20%	£2m or 20%



## **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 Adkins, Mrs Hill, Mrs Smith and Stone**
- **Employee of Viridor – Councillor Miss James**
- **Employee of Sedgemoor District Council – Councillor Slattery**
- **Employees of Job Centre Plus – Councillors Henley and Mrs Wilson**
- **Somerset Waste Board representatives – Councillors Hayward and Mrs Whitmarsh**
- **Director of Southwest One – Councillor McMahon**
- **Alternate Director of Southwest One – Councillor Watson**

# Taunton Deane Borough Council

## Full Council – 12 April 2011

### Update of Part 3 of the Constitution

#### Report of the Legal and Democratic Services Manager and Councillor Bryan Denington (Chairman of the Constitutional Sub-Committee)

(This matter is the responsibility of the Leader of the Council)

#### 1. Executive summary

To approve the changes to Part 3 of the Constitution relating to Planning Enforcement delegations.
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#### 2. Background

- 2.1 It has been noted that following a report to the Planning Committee on the 25 February 2009 the changes to the Planning Delegation Scheme relating to Planning Enforcement has not been updated in the Constitution.
- 2.2 Therefore the relevant amendments have now been made to Part 3 of the Constitution to reflect the changes made at the Planning Committee.
- 2.3 The proposed changes are set out in Appendix 1 of this report and the relevant committee report and minutes are attached at Appendix 2.
- 2.4 These changes have been approved by the Constitutional Sub-Committee and the Corporate Governance Committee.

#### 3. Finance comments

- 3.1 There are no financial implications in this report.

#### 4. Legal comments

- 4.1 The Council is required to keep an up to date Constitution in order to ensure that its decision making processes and procedures are lawful.

#### 5. Links to Corporate Aims

- 5.1 There are no specific links to the Corporate Aims.

#### 6. Environmental and Community Safety implications

- 6.1 There are no implications for the environment or community safety.

## **7. Equalities impact**

7.1 An impact assessment is not required in respect of this report.

## **8. Risk management**

8.1 If the Constitution is not kept up to date it can affect the lawfulness of decision making which is a serious risk to the Authority.

## **9. Recommendation**

9.1 Members are recommended to approve the changes detailed in Appendix 1 to this report.

### **Contact**

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**PART THREE -**

**RESPONSIBILITY  
FOR  
FUNCTIONS**

## Part 3 Responsibility for Functions

### 1.0 Scheme of Delegations

- 1.1 Legally a local authority depends upon a series of statutes which in some cases give it a power (that is, a discretion,) to do something - or - in others - a duty to carry out that function or service. Each power or duty is often made subject to various limits as to just how it is to be exercised.
- 1.2 Because of this statutory foundation for the work of local councils, it is important that we are always specific as to which statute we are using to achieve our purposes. Unless we make that clear, then it is difficult if not impossible for the community to hold us to account.
- 1.3 Apart from this “what and how”, we also need to say - for transparency and accountability purposes - “who” it is within the Council - that has the power to do something. This means that we must produce a “Delegation Scheme” describing these formal responsibilities.

### 2.0 Who?

- 2.1 To help understand what follows, there are a number of levels of decision-making under our Constitution. Each of these is reflected by the tables which follow later in this section.
- 2.2 First is Full Council itself. Full Council retains a range of higher level decisions - many relating to our overall strategies - or to the setting of our annual budget and of Council Tax. Some of these functions can legally only be undertaken at this highest level. With others, it has been this Council’s own choice to do so.
- 2.3 Next is the Executive. The law requires that the great majority of the Council’s decision-making must only be carried out by or through the Executive - either meeting together – or, in some cases, on an individual basis. The Act prevents other councillors making such decisions.
- 2.4 Individual Executive Councillors also have decision-making powers delegated to them.
- 2.5 Next comes a group of “regulatory” functions. Broadly, these are roles where the Council has the task of controlling the activities of individuals - often on an application-by-application basis. To deal with these detailed controls, parliament decided that special committees should be retained - outside the Executive. In our case this means we have, for instance, a Planning Committee and a Licensing Committee made up of elected members and which meet in public so as to hear the various opinions expressed about individual cases before them.

- 2.6 The Corporate Governance Committee has certain limited decision-making powers delegated to it by the Council. These powers are described later in Section 4 Appendix 1 Part J
- 2.7 Finally are the officers. The great bulk of day-to-day operational decision-making is delegated by the Council, or the Executive, or the Planning and Licensing Committees to our professional staff. They need these powers so as to enable them to provide the services of the Council in the most economic, efficient and effective way.

### **3.0 What?**

- 3.1 Attached are a number of tables setting out the broad areas of our statutory powers and the activities and functions we are involved in.
- 3.2 Section 1 is a list of those matters which remain either with the Full Council itself for decision or which are within its control - because the law either requires or permits it. The section also shows to whom these powers have been delegated (if at all) - whether to a committee or to an officer.
- 3.3 Section 2 sets out those powers and duties which the law excludes from Executive decision-making - such as planning, licensing and staffing issues. These are listed as delegated to a committee or to an officer with any limits on those delegations also included.
- 3.4 Section 3 lists those powers and duties which are ones which only the Executive can deal with - itself - or through the officers or area or joint committees. This covers the great majority of our powers and duties - with most operational decision-making continuing to be delegated to the Officers.
- 3.5 This part also lists these functions across a series of Portfolios. These reflect the current responsibilities of each of the current members of the Executive for the setting of the overall direction for these services. The extent of these Portfolios can be varied at the discretion of the Leader. The electronic version of this Constitution will describe the current positions.
- 3.6 Section 4 describes the delegation arrangements to the Officers and the individual Executive Councillors. As with our current Delegation Scheme, most of the operational decision-making under these powers and duties is delegated on to the officers.
- 3.7 Section 4 Appendix I Part A sets out the current decisions delegated by the Planning Committee to the Growth and Development Manager or in his absence the Development Management Lead or the Building Control Manager
- 3.8 Section 4 Appendix I Part B describes the similar delegations made by the Licensing Committee to the Community Services Manager or in his absence the Licensing Manager.
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- 3.9 Section 4 Appendix I Parts C&D set out similar delegations made by the Committee to the Community Services Manager and in his absence the Environmental Health Lead .
- 3.9.1 Section 4 Appendix I Part E sets out similar delegations made by the Council
- 3.11 Section 4 Appendix I Parts F G H and I describe powers that are only exercisable by Full Council.
- 3.12 Section 4 Appendix I Part J sets out the powers and duties of the Corporate Governance Committee.
- 3.13.1 Section 4 Appendix I Part K sets out the Proper Officers in respect of various Public Health Acts and Regulations.

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### **TRANSITIONAL ARRANGEMENTS TO TAKE EFFECT FROM 5<sup>TH</sup> MAY 2011**

New Executive arrangements will take effect on the third day following the election i.e. on the 8<sup>th</sup> May 2011. However the new Leader will not be appointed until the Annual Council meeting on the 19<sup>th</sup> May. The leader and Executive Councillors remain in office until the new ruling party takes control at that Annual Council meeting.

## Section 1 The Powers of Full Council

- 4.0 The functions statutorily reserved to the Council are set out below in Column 1. Column 2 shows who else is involved - either as having full statutory powers delegated to them or as being the source of a recommendation to full Council.
- 4.1 Where a power is shown as delegated to an officer then that officer shall also have the power to re-delegate that power to another officer of the authority or to refer or remit it to another regulatory body of the Council for it to decide.
- 4.2 Where a regulatory power is shown as delegated to an officer, that power shall include the authority to enforce those regulatory powers using all the formal powers available to the Council under the relevant legislation.
- 4.3 Where a reference to a statutory power is made, then that reference shall include any secondary legislation and to any subsequent consolidating, amending or substituting legislation.

	Function	If delegated - then to whom?
1	To set the " <i>Policy Framework</i> " and the " <i>Budget</i> " within which the Executive must operate. [Both these terms are defined below.]	Council - on the recommendation of the Executive or of the Scrutiny Committees.
2	In a limited range of cases - to make decisions about the discharge of an "executive function". This applies <u>only</u> to those cases where the decision-maker is considering an issue - which is not only:- (a) covered by the Policy Framework or the Budget, but also - (b) where the decision-maker is inclined to make it in a manner which:- <ul style="list-style-type: none"> <li>• would be contrary to that Framework, or</li> <li>• would be contrary to/or not wholly in accordance with the Budget.</li> </ul>	Council - on the recommendation of the Executive, an Executive Councillor or of the Scrutiny Committees.
3	To exercise - through delegated powers - those "regulatory functions" (these are listed in detail at Appendix 1) which must not be within the remit of the Executive:- (a) Development Control; Building Control. <b>Appendix 1 – Part A</b> (b) Licensing and Registration <b>Appendix 1- Part B</b>	Planning Committee; Growth & Development Manager, Development Management Lead, Building Control Manager, Solicitor to the Council.  The Licensing Committee; Community Services Manager, the Licensing Manager and the Environmental Health Lead Officer  Community Services Manager or

	Function	If delegated - then to whom?
	<p>(c) Food Safety <b>Appendix 1 - Part C</b></p> <p>(d) Health and Safety at Work (this relates only to those functions which the Council exercises <u>other than</u> as employer) <b>Appendix 1 - Part D</b></p> <p>(e) Electoral services <b>Appendix 1 - Part E</b></p> <p>(f) Corporate Governance <b>Appendix 1 – Part J</b></p>	<p>Environmental Health Lead</p> <p>Community Services Manager.</p> <p>Electoral Registration Officer and Returning Officer.</p> <p>Monitoring Officer and S151 Officer</p>
	<p>(g) Staffing matters (other than those dealt with in Part 4H of the Constitution - the Standing Orders as to Employment of Officers).</p> <p>(h) Ceremonial and Miscellaneous matters <b>Appendix 1 – Part G</b></p>	<p>Head of Paid Service; the Strategic Directors; Head of HR, the relevant Unit Managers and the Staffing Panel.</p> <p>Council on the recommendation of the Corporate Governance Committee</p>
4	To agree and/or to make significant changes to the terms of reference of the Planning Committee, the Overview and Scrutiny Committees	Council - on the recommendation of the Overview & Scrutiny Committees or the Planning Committee.
5	To decide on the number of seats to be allocated to each Party Group (or to independent councillors) in accordance with the “proportionality” rules in the Local Government and Housing Act 1989.	Council - on the recommendation of the Monitoring Officer.
6	To agree the arrangements for the appointment of the Head of Paid Service.and to note the Appointment Panel’s decision	Council - on the recommendation of the relevant Appointments Panel set up for that purpose.
7	To agree the arrangements for the appointment of the Monitoring Officer and the Section 151 Officer and to note the Appointment Panels’ decisions.	Council - on the recommendation of the Head of Paid Service.
8	To confirm the dismissal of the Head of Paid Service, the Monitoring Officer or the Section 151 Officer.	Council - at the recommendation of the relevant Disciplinary Panel set up for that purpose and the recommendation of an appointed Independent Person (as referred to in paragraph 6 of the Officer Employment Procedure (Rule 8 - Part 4-H4).
9	To appoint the Leader of the Executive.	Council - on the recommendation of the controlling political group or groups of the Council.
10	To decide on the number of Executive Portfolios which the Leader may allocate.	Council - on the recommendation of the Leader.
11	To remove the Leader or other members of the Executive.	Council - in accordance with the procedure in Article 7.

	<b>Function</b>	<b>If delegated - then to whom?</b>
12	To adopt the Constitution and to agree any major changes to it.	Council - on the recommendation of the Corporate Governance Committee
13	To approve any application to the Secretary of State in respect of a Housing Land Transfer.	Council - on the recommendation of the Executive.
14	To appoint and dismiss representatives to those outside bodies whose role is <u>not</u> closely linked to an Executive function.	The Legal and Democratic Services Manager - acting on the advice of the relevant Scrutiny Committee.
15	To adopt/modify a Members' Allowances Scheme.	Council - on the recommendation of a Panel of external members.
16	To change the name of the area, to confer the title of Honorary Alderman or the Freedom of the Borough.	Council - on the recommendation of the Leader of the Council
17	To make, amend, revoke, re-enact or adopt bylaws and to promote or oppose the making of local legislation.	Council - on the recommendation of one of the Overview & Scrutiny Committees whose role covers the services affected.
18	To adopt any plan or strategy (whether statutory or non-statutory) which the Council has decided should be undertaken by itself rather than by the Executive.	Council - on the recommendation one of the Scrutiny Committees using the "call-in" mechanism in Part 4E of the Constitution.
19	To deal with any other matters which, by law, must be reserved to Council.	Council on the recommendation of the Monitoring Officer

## **4.2 The Council's Policy Framework**

This is defined in Article 4 of the Constitution. It consists of a series of important plans and strategies which form the basis for many of its services. Each is a substantial document in itself which is regularly reviewed and updated. They are not therefore included in this Constitution but current copies are always available at the Deane House.

## **4.3 The Budget**

Includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax Base, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its Capital Expenditure.

**4.4** Whilst decisions on the framing of the Budget itself are ones for the full Council, many of the operational issues relating to monitoring and to virement are delegated to either the Executive, to Executive Councillors or to the Officers - subject always to the approval of the Section 151 Officer.

## Section 2 Regulatory Powers of the Council

5.0 In order to carry out the Council's "regulatory powers" the following committees be constituted:-

- Planning Committee
- Licensing Committee - from whom individual Licensing Panels are appointed to deal with individual applications
- Staffing Panel - pool of members from whom individual Panels/Sub Committees are drawn as and when necessary in relation to appointment and disciplinary matters
- Corporate Governance Committee

5.1 The powers and duties of these committees are set out in Appendix 1.

## Section 3 Executive Powers

6.0 The majority of the decision-making of the Council relates to areas which are defined as “Executive matters” within the law and can therefore only be dealt with via the Executive. This means that:-

- (a) those members who are not “Executive Councillors” cannot make those decisions; [the exception to this general rule is in (f) below];
- (b) Full Council itself cannot make Executive decisions either;
- (c) nor can the Overview & Scrutiny Committees;
- (d) the Executive meeting as a body can do so;
- (e) so too can individual Executive Councillors - unless the Council has identified a particular power as one which should only be taken by the Executive acting together;
- (f) area committees can be given delegated powers to take both “Executive” and “non-Executive” decisions - if the Council wants them to;
- (g) the great majority of operation decision-making within policy and the budget is the responsibility of the officers - through this Delegation Scheme - subject to the limitations included here;
- (h) the need for both transparency and accountability require that decision-making of this type under the Act must be carefully controlled and recorded and that all councillors together with the press and public have full access to those decisions - not only at the time - but also before and after - they are made;
- (i) certain types of decisions - “key decisions” have even greater levels of safeguards placed upon them and require (for instance) consultation with the Council’s Review side before being progressed.

6.1 This Delegation Scheme has therefore been based on the following features:-

- (a) most day to day operational decision-making powers are delegated to the Council’s officers;
- (b) the role of the Executive - meeting as a body - has been designed to avoid such operational decisions coming to it unless they are key decisions or are otherwise of real significance across the Council’s services;
- (c) the Executive’s major role will be in defining and reviewing the Council’s strategies and significant policies and in advising the Council on these matters and as to the Budget;

- (d) where decisions can be made at a lower level, then the Executive will ensure that this Scheme is designed, implemented and modified so as to achieve that purpose;
- (e) before accepting an item for the Executive's agenda, the relevant Executive Councillor, together with the Legal and Democratic Services Manager, will satisfy themselves that the issue could not be otherwise properly dealt with under delegated powers;
- (f) where a matter arises - which involves a range of detailed issues - but is of such significance that it must nevertheless be taken to the Executive - then the Executive Councillor responsible for that service must assess whether the matter is of such urgency that it would not be practicable for the advice to be first obtained from:-
  - (i) the Overview & Scrutiny Committees; or
  - (ii) an officer; or
  - (iii) a committee of the Executive itself.
- (g) so as to make sure that its strategic role is clearly identified and maintained, reports to the Executive will be written in such a form that ensures that:-
  - (i) unnecessary detail is excluded,
  - (ii) policy factors are clearly identified and analysed,
  - (iii) impact upon our Corporate Priorities is identified,
  - (iv) all necessary consultation as to its content has taken place, and
  - (v) the issues for decision by the Executive are justified as ones which could not reasonably be taken elsewhere.

## Section 4 Delegations to Executive Councillors and Officers

### 7.1 Principle 1

The overriding principle upon which the Council's Delegation Scheme is founded is:-

All the Council's statutory powers and duties in relation to the functions and activities (listed in the following table) are delegated to the Executive and from there (as shown) to the Corporate Management Team. Those listed include all such incidental and ancillary powers as are needed in order to carry out those functions together with all statutory powers delegated to the Executive by another Local Authority by virtue of an agreement under the Local Government Acts.

**7.2** The consequent powers to make all operational decisions as to the Council's services are delegated to the Head of Paid Service, to the S.151 Officer and the Monitoring Officer (these are referred to as the "statutory officers"), together with the Strategic Directors and the Theme Managers ( the "Corporate Management Team"), so long as the decision:-

- (a) falls within the Council's Policy Framework; and
- (b) is otherwise within our approved policies; and
- (c) complies with the law, Financial Regulations, Standing Orders, Contract Standing Orders and the other controls within this Constitution; and
- (d) is wholly in accordance with the budget for the current and following year, and
- (e) has not been disapproved by any of the "statutory officers"; and
- (f) has not been the subject of a request from the responsible Executive Councillor for the decision to be remitted to the Executive.

### 7.3 Principle 2

Even where a statutory power has been delegated, the delegatee still retains a discretion as to how the decision is to be taken. Either:-

- (a) to deal with it him/herself;
- (b) to "remit" the decision - "upwards" (that is - in order to seek endorsement of a proposed decision) - in the case of "executive matters" to the Executive, or in the case of a non-executive matter to the Council or to the Planning Committee or to an Overview & Scrutiny Committee ;
- (c) to further delegate that power;
- (d) to consult others before exercising the power;

(e) to take the decision jointly with other Executive Councillors or officers.

#### **7.4 Principle 3**

It is expected that, within these delegations, the officers will keep Executive Councillors fully briefed as to the services for which they are responsible and that they will consult with the relevant Executive Councillor on issues where either believe that this is needed. Built upon this foundation, It is anticipated that this will mean that a number of otherwise delegated decisions will, in practice, be taken either by - or in consultation with - the Executive Councillor where s/he believes the matter to be one of particular sensitivity or corporate significance.

#### **7.5 Principle 4**

So as to avoid any misunderstandings as to the exercise of these powers, each member of the Corporate Management Team will agree with the appropriate Executive Councillor a general approach towards the working arrangements they intend to adopt between them as to:-

- (a) service briefing;
- (b) decision-making;
- (c) consultation with the Executive Councillor;
- (d) the scope for joint decisions;
- (e) the way those decisions will be formally recorded.

#### **7.6 Principle 5**

Any further general delegation of specific statutory powers by Corporate Management Team to an officer under Principle 2 shall be made in writing and shall record its extent and any limitations on the exercise of those powers.

A copy of any such delegation shall be provided to the Monitoring Officer who - as "proper officer" - when so required has the duty to formally certify the existence and validity of those statutory powers - in any legal proceedings - or to sign formal agreements on the Council's behalf giving effect to those decisions.

**7.7** Within these principles the following table lists the range of functions for which all the Council's statutory powers and duties are delegated to the Executive and thence to the Corporate Management Team. The

table shows the current services portfolios, each of which is held by an Executive Councillor as responsible for the overall policy direction for that service. The table also shows the “lead officer” who is primarily responsible for the delivery of that service. Any limits upon the delegations to the officers (other than those listed above) are shown here.

(Note: both the extent of the portfolio held by an Executive Councillor and the identity of the “lead officer” are subject to change at the discretion of the Leader and the Chief Executive respectively. The electronic version of this Constitution will show the position as is then current).

FUNCTION	LEAD OFFICER
<b><i>Leader of the Executive</i></b>	
Chairmanship of the Executive	CHIEF EXECUTIVE (CE)
Advice to Council on overall strategy and core policies	CE
Overall financial corporate management of the Council	Section151 OFFICER (S151) and CE
Budget development and proposals to Council	S151 and CE
Budget monitoring	S151
Review of virement and spending limits	S151
Audit of the Council’s financial affairs	CE
Allocation, reallocation and variation, of portfolios to Executive Councillors	CE
Liaison with the Chairs of the Overview & Scrutiny Committees as to programme of policy development and review	CE
The Executive’s four months advance programme	CE
Allocating issues not falling within a portfolio to other Members of the Executive	CE
Duties in relation to urgent decisions and the call-in mechanism	CE/MONITORING OFFICER (MO)
Emergency planning	CE
Constitutional issues	CE/MO
<b><i>Communications and Community Leadership</i></b>	
Community leadership	Strategic Director (SD)
Area Working	SD
Parish liaison	SD
Support for community groups	SD
Voluntary welfare grants	SD

FUNCTION	LEAD OFFICER
Crime reduction	SD
Social inclusion	SD
Equal opportunities	SD
Youth	SD
Environmental awareness and strategy	SD
Sustainability	SD
Communications	SD
Public relations	SD
<b><i>Economic Development and the Arts</i></b>	
Economic development	SD
Rural affairs	SD
Tourism	SD
Livestock marketing facility	SD
Taunton Town Centre Company	SD
Wellington Economic Partnership	SD
Shopmobility	SD
Street trading controls	SD
Management of corporate property portfolio	SD
Arts development	SD
<b><i>Environmental Services</i></b>	
Waste collection and recycling	SD
Health promotion	SD
Land drainage and flood prevention	SD
Waterways	SD
Pest control	SD
Conveniences	SD
Dog wardens	SD
Street sweeping	SD
Environmental Health – policy	SD
Health and Safety - policy	SD
Food Control – policy	SD
Licensing – policy	SD
Cemeteries and Crematorium	SD
<b><i>Housing Services</i></b>	
Housing Strategy	SD

FUNCTION	LEAD OFFICER	
Rent rebates/allowances	SD	
Homelessness	SD	
Property Services	SD	
Housing Management	SD	
Elderly Services	SD	
Lettings and Advice	SD	
Housing Act advances	SD	
Improvement grants	SD	
Housing Standards	SD	
Deane DLO	SD	
<b><i>Corporate Resources</i></b>		
Deane House Central Support Services	SD	
Mayoral support	SD	
Civic functions	SD	
Democratic Services	SD/MO	
Land Charges	SD	
E-Government	SD	
Freedom of information	SD/MO	
Electoral registration	SD/RETURNING (RO)	OFFICER
Corporate personnel issues	SD	
Information technology	SD	
Council tax and benefits	SD	
<b><i>Sports Parks and Leisure</i></b>		
Parks and playing fields	SD	
Council's leisure facilities	SD	
Allotments	SD	
Leisure grants	SD	
Sports development	SD	
Leisure link with Tone Leisure	SD	
<b><i>Planning and Transportation</i></b>		
Local/regional planning	SD	
Countryside	SD	
Development Control – policy	SD	
Building Control – policy	SD	
Transport strategy	SD	

FUNCTION	LEAD OFFICER
Town centre strategy	SD
On and off-street parking - strategy (including DPE and residents' parking)	SD
Community transport	SD
Concessionary travel	SD
Car park operations	SD
CCTV operations	SD

## APPENDIX 1

### POWERS AND DUTIES OF REGULATORY COMMITTEES

#### Planning Committee

Whilst planning policy is an “Executive function”, the process for dealing with individual planning applications (and other development control activities) is “non-Executive”.

In Taunton Deane, these functions have been delegated to a Planning Committee and to the Council’s Development Control Manager.

The current extent of delegation of functions to the Committee and then to the officers is set out below. As these are subject to change, the up to date list of such delegations is to be found on the e-version of this Constitution on the Council’s website

#### **Part A - Regulatory Powers of Planning/Growth and Development Manager**

#### Exceptions to the Officer Delegations

All proposals should be determined under delegated powers other than where one of the six criteria set out below are met.

- Criterion 1: In the opinion of the Growth & Development Manager (or Chair of the Planning Committee) the application is considered to be a significant, controversial or sensitive nature.
- Criterion 2: The application is from an elected member or member of staff (or partner thereof) and is recommended for approval.
- Criterion 3: The application is accompanied by an Environment Statement (EIA).

Criterion 4: The application is a significant departure and is recommended for approval.

Criterion 5: Where there are conflicting views (giving clear planning reasons) from a Town/Parish Council, Parish Meeting or Ward Member as well as from four or more individuals.

Criterion 6: Applications will be delegated to the Growth & Development Manager to refuse if S106 agreements are not signed within 8, 13 or 16 week timescales.

Criterion 7: Discharge of the Council's duty under s91(2) of the Building Act 1984 (enforcement of Building Regulations) in its area shall be delegated to the Building Control Manager.

Criterion 8: That all prosecutions for breach of planning control should be authorised by the planning committee except in cases of expediency where the Authority is delegated to the Chair of Planning Committee and the Growth & Development Manager or Development Management Lead.

Criterion 9: Delegation to officers of all enforcement matters relating to householder development other than prosecution in respect of non-compliance with an enforcement notice.

In addition, any application which is not referred to Committee, but where conflicting representations have been received, is referred to the Chair/Vice Chair of the Planning Committee before a decision is made.

### **Licensing Committee**

Unless otherwise indicated, the following powers are delegated to the Community Services Manager and in his absence the Licensing Manager.

<b>Part B – Regulatory Powers of Licensing and Registration Functions</b>	
1. Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960
2. Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936
3. Power to license hackney carriages and private hire vehicles.	(a) as to hackney carriages, the Town Police Clauses Act 1847, as extended by section 171 of the Public Health Act 1875 , and section 15 of the Transport Act 1985 ; and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
4. Power to license drivers of hackney carriages and private hire vehicles.	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
5. Power to license operators of hackney carriages and private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
6. Power to license inter-track betting schemes.	Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963 as saved for certain purposes by article 3(3)(e) of the Gambling Act order
7. Power to grant permits in respect of premises with amusement machines.	Schedule 9 to the Gaming Act 1968 [as saved for certain purposes by article 4(2)(l) and (m) of the Gambling Act Order]..
8. Power to register societies wishing to promote lotteries.	Schedule 1 to the Lotteries and Amusements Act 1976[as saved for certain purposes by article 5(2)(a) and (3) of the Gambling Act Order]. .

9.	Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976[as saved for certain purposes by article 5(2)(d) and (5) of the Gambling Act Order]. .
10.	Power to license premises selling or supplying alcohol; providing regulated entertainment; selling hot food or drinks between 11pm and 5am.	Licensing Act 2003
11.	Power to issue Personal licences.	Licensing Act 2003.
12.	Power to license sex shops and sex cinemas and Sexual Entertainment Licences.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.
13.	Power to license performances of hypnotism.	The Hypnotism Act 1952
14.	Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis.	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.
15.	Power to license pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907
16.	Power to license market and street trading.	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982
17.	Power to license dealers in game and the killing and selling of game.	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831; sections 2 to 16 of the Game Licensing Act 1860, section 4 of the Customs and Inland Revenue Act 1883, sections 12(3) and 27 of the Local Government Act 1874, and section 213 of the Local Government Act 1972.
18.	Power to register premises for the preparation of food.	Section 19 of the Food Safety Act 1990.
19.	Power to license motor vehicle salvage operators	Motor Salvage Operators Regulations 2002
20.	Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999.

21.	Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951; section 1 of the Animal Boarding Establishments Act 1963; the Riding Establishments Acts 1964 and 1970 and 1970; section 1 of the Breeding of Dogs Act 1973 and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.
22.	Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulation) Act 1925.
23.	Power to license zoos.	Section 1 of the Zoo Licensing Act 1981
24.	Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976
25.	Power to license knackers' yards.	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999
26.	Power to license persons to collect for charitable and other causes.	Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 and section 2 of the House to House Collections Act 1939
27.	Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993

### **Part C - Regulatory Powers of Community Services Manager**

1.	Power to approve meat product premises.	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994
2.	Power to approve premises for the production of minced meat or meat preparations.	Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995
3.	Power to approve dairy establishments.	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995
4.	Power to approve egg product establishments.	Regulation 5 of the Egg Products Regulations 1993
5.	Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods.	Schedule 1A to the Food Safety (General Food Hygiene) Regulations 1995

6. Duty to keep register of food business premises.	Regulation 5 of the Food Premises (Registration) Regulations 1991.
7. Power to register food business premises.	Regulation 9 of the Food Premises (Registration) Regulations 1991.
8. Power to enforce offences relating to the display of no-smoking signs.,	Section 6(5) of the Health Act 2006
9. Power to enforce offences relating to smoking in smoke free places.	Section 7(4) of the Health Act 2006
10. Power to enforce offences of failing to prevent smoking in smoke-free places	Section 8(4) of the Health Act 2006
Power to transfer enforcement functions to another enforcement authority	Smoke-free (Premises and Enforcement) Regulations 2006 (S.I. 2006/3368)
<b>Part D - Functions relating to Health and Safety at Work</b>	
Functions under any of the "relevant statutory provisions" within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the Authority's capacity as an employer.	Part I of the Health and Safety at Work etc. Act 1974

**Part E - Regulatory Powers of Electoral Registration Officer/Returning Officer**

<b>Functions relating to Elections</b>	
1. Duty to appoint an Electoral Registration Officer.	Section 8(2) of the Representation of the People Act 1983

2.	Power to assign officers in relation to requisitions of the Registration Officer.	Section 52(4) of the Representation of the People Act 1983.
3.	Functions in relation to parishes and parish councils.	Part II of the Local Government and Rating Act 1997 and subordinate legislation under that Part.
4.	Power to dissolve small parish councils.	Section 10 of the Local Government Act 1972.
5.	Power to make orders for grouping parishes, dissolving groups and separating parishes from groups.	Section 11 of the Local Government Act 1972.
6.	Duty to appoint returning officer for local government elections.	Section 35 of the Representation of the People Act 1983.
7.	Duty to provide assistance at European Parliamentary elections.	Paragraph 4(3) and (4) of Schedule 1 to the European Parliamentary Elections Act 1978
8.	Duty to divide constituency into polling districts.	Section 18 of the Representation of the People Act 1983.
9.	Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.
10.	Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983.
11.	Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.
12.	Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.
13.	Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.
14.	Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.
15.	Power to make temporary appointments to parish councils.	Section 91 of the Local Government Act 1972.

16. Power to determine fees and conditions for supply of copies of, or extracts from, elections documents.	Rule 48(3) of the Local Elections (Principal Areas) Rules 1986 and rule 48(3) of the Local Elections (Parishes and Communities) Rules 1986
17. Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000

**Parts F G H I - Powers exercisable only by full Council:-**

<b>Part F - Functions relating to name and status of areas and individuals</b>	
1. Power to change the name of a district.	Section 74 of the Local Government Act 1972.
2. Power to change the name of a parish.	Section 75 of the Local Government Act 1972.
3. Power to confer title of Honorary Alderman or to admit to be an Honorary Freeman.	Section 249 of the Local Government Act 1972.
4. Power to petition for a charter to confer Borough status.	Section 245 of the Local Government Act 1972.

<b>Part G - Miscellaneous functions</b>	
1. Duty to approve authority's Statement of Accounts,	The Accounts and Audit Regulations 1996
2. Power to make standing orders.	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972
3. Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.
4. Power to take decisions about matters such as the creation of parishes and their electoral arrangements	Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007

**Part H - Power to make, amend, revoke or re-enact byelaws**

Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978

**Part I - Power to promote local Bills.**

Section 239 of the Local Government Act 1972.

### **Part J – Powers and Duties of Corporate Governance Committee**

Review and challenge the action plans arising from the Audit Commission's annual management letter.

Oversee the Council's use of risk management

Monitor and review the Council's internal and external audit functions

Review and approve the Statement of Accounts

Monitor and review the Council's systems of internal control

### **Part I – Proper Officers under the Public Health Acts**

Dr K Kumaran, Consultant in Communicable Disease Control, Dorset and Somerset Health Protection Unit;

Dr Mark Salter, Consultant in Communicable Disease Control, Dorset and Somerset Health Protection Unit;

Dr Sue Bennett, Consultant in Communicable Disease Control, and Director, Dorset and Somerset Health Protection Unit;

Dr Faiza Khan, Acting Consultant in Communicable Disease Control, Dorset and Somerset Health Protection Unit

Legislation	Part, Section or Regulations	Effect
Public Health (Control of Disease) Act 1984	Parts II and III	Notifications and control powers for Communicable Diseases
Public Health (Infectious Diseases) Regulations 1988	Regulations 6,8,9,10 Schedules 3 and 4	Additional powers to the above
Public Health Act 1936	Sections 84 and 85	Cleansing of filthy or verminous articles, persons or clothing
Public Health Act 1961	Section 37	Disinfestation of verminous articles offered for sale

Dr Caroline Gamlin, Joint Director of Public Health, NHS Somerset and Somerset County Council; and Dr Ulrike Harrower, Consultant in Public Health, Somerset Primary Care Trust

Legislation	Part, Section or Regulations	Effect
Public Health (Control of Disease) Act 1984	Parts II and III	Notification and control powers for Communicable Diseases

Public Health (Infectious Diseases) Regulations 1988	Regulations Schedules 3 and 4	6,8,9,10	Additional powers to the above
National Assistance Act 1948 as amended by the National Assistance (Amendment) Act 1951	Section 47		Removal of persons to suitable accommodation in certain circumstances
Public Health Act 1936	Sections 84 and 85		Cleansing of filthy or verminous articles, persons or clothing
Public Health Act 1961	Section 37		Disinfestation of verminous articles offered for sale.

All of the doctors named above for the purposes of section 35 of the Public Health (Control of Disease) Act 1984

## Appendix 2

### Amendment to delegated powers in respect of Planning Enforcement matters and arrangements for Ward Members to address the Planning Committee

#### REPORT OF THE DEVELOPMENT MANAGER

(Cllr Coles is the Executive Member responsible for these issues)

##### **EXECUTIVE SUMMARY:**

Previous changes to delegated powers in respect of planning applications have successfully reduced the length of Planning Committee agendas enabling Members to have more time to concentrate on the most significant proposals. It is now felt that a similar approach should be taken in respect of enforcement matters. In addition it is proposed that a time limit be placed upon Ward Members addressing the Committee.

#### **1.0 DELEGATION AND PLANNING ENFORCEMENT**

- 1.1 Changes to delegated powers have meant that householder and other minor applications are now generally dealt with at officer level, freeing up more Committee time for Members to concentrate on the most significant and strategic applications. This approach accords with latest government guidance on Development Management and the aim of meeting the target of 90% of applications being determined by officers.
- 1.2 However, there remains a discrepancy with enforcement matters where all enforcement notices have to be authorised by the Planning Committee.
- 1.3 It is therefore proposed that in future delegated powers be extended to include the taking of enforcement action in respect of all unauthorised development within the curtilage of a dwelling.
- 1.4 Whilst this should further reduce the number of comparatively minor issues being referred to Members, if an enforcement notice is not complied with Members would still be responsible for deciding whether prosecution action should be taken or not.

## **2.0 WARD MEMBERS SPEAKING AT PLANNING COMMITTEE**

- 2.1 Concern has been expressed in terms of the lack of any restriction over the time that Ward Members are allowed to address the Planning Committee. This is in contrast with applicants, agents, Parish Councils and the general public who are restricted to a maximum of three minutes each.
- 2.2 There clearly needs to be a balance here between the need to ensure that the business of the Planning Committee is carried out in an efficient manner, whilst at the same time allowing adequate time for Ward Members to express concerns that they consider to be of particular importance.
- 2.3 It is therefore proposed that Ward Members are allowed a longer period than others making representations, but that this is restricted to a maximum of five minutes per Ward Member per item in future.

## **3.0 RECOMMENDATION**

- 3.1 Members are recommended to support the two changes to Planning Committee procedures.
  - 1) Delegation to officers of all enforcement matters relating to householder development other than prosecution in respect of non-compliance with an enforcement notice.
  - 2) Ward Members be restricted to a maximum of five minutes each when addressing the Planning Committee.

**Contact:** **Tim Burton**  
**Development Manager**  
[t.burton@tauntondeane.gov.uk](mailto:t.burton@tauntondeane.gov.uk)

## **Extract from the Minutes of the Planning Committee held on 25 February 2009**

### **22. Amendment to delegated powers in respect of Planning Enforcement matters and arrangements for Ward Members to address the Planning Committee**

Reported that changes to the scheme of delegations in respect of planning applications had successfully reduced the length of the agendas considered by the Planning Committee. This had enabled Members to have more time to concentrate on the most significant proposals.

It was proposed that delegated powers be extended to include the taking of enforcement action in respect of all unauthorised development within the curtilage of a dwelling.

However, if an enforcement notice was not complied with, Members would still be responsible for deciding if prosecution action should be authorised.

It was also reported that concern had been expressed at the lack of any restriction over the time allowed for Ward Members to address the Planning Committee.

It was proposed that Ward Members should be restricted to a maximum of five minutes per item in future.

#### **Resolved that:-**

1. Enforcement matters relating to householder development other than prosecution in respect of non-compliance with an enforcement notice be delegated to officers; and
2. Ward Members be restricted to a maximum of five minutes each when addressing the Planning Committee.

# Taunton Deane Borough Council

## Council Meeting – 12 April 2011

### Part I

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

### Councillor Williams

#### Financial and Performance Monitoring – Quarter 3 2010/2011

On 16 March 2011, the Executive considered a report which provided an update on the financial position and performance of the Council to the end of Quarter 3 of the 2010/2011 financial year.

As a result of this consideration, there are two matters where financial adjustments are required to be approved by Full Council.

The 2011/2012 General Fund Budget, approved at the last meeting, included savings plans that have resulted in the redundancy of three staff, with the expectation that any associated redundancy costs will be met from General Reserves.

The Executive agreed that a recommendation should be made to Full Council to ensure the requisite approval was in place for a Supplementary Budget allocation in 2010/2011. This did not alter any budget decisions, but would ensure that budget approval regulations are adhered to.

The financial information provided in the report also included a variance in spending between capital and revenue maintenance within the Housing Revenue Account (HRA).

Given the amounts involved, the Executive agreed to recommend that £400,000 from the Revenue Maintenance Budget should be transferred to the 'revenue contributions to capital' budget within the HRA. It was also agreed that a further recommendation is made to ensure the requisite approval was in place for a Supplementary Budget allocation in the 2010/2011 HRA Capital Programme, to reflect the increased capital maintenance spend (to maintain the Decent Homes Standard).

It is therefore **recommended** that:-

- (i) a supplementary budget in the 2010/2011 General Fund Revenue Budget of £28,000 for redundancy costs, to be funded from General Reserves;
- (ii) a budget transfer ("virement") of £400,000 from Housing Revenue Account Maintenance to Housing Revenue Account Revenue Contributions to Capital; and

(iii) a supplementary budget of £400,000 in the 2010/2011 Housing Revenue Account Capital Programme for Decent Homes Maintenance, to be funded by Revenue Contributions from the Housing Revenue Account budget,

all be approved.

# **Council Meeting – 12 April 2011**

## **Report of Councillor John Williams – Leader of the Council**

### **1. Progress of the Third Way Road, Taunton**

- 1.1 I was delighted to be present when the river bridge for the inner relief road was positioned and what an incredible feat of engineering this was. The bridge weighed circa 270 tonnes and the gross weight of the crane was around 1,100 tonnes having been assembled on site after arriving on 17 lorries!
- 1.2 Not sure what was happening “under the water” but on the surface it was a faultless operation, a credit to all involved in the very difficult and complex positioning of the massive structure. Apparently there was only 65mm of tolerance at each end and the structure was guided into its final position by four men on ropes at each corner. It fitted perfectly and was all over in under one hour.
- 1.3 Construction of a second bridge over the Mill Stream is presently under way and on present progress the road opening is likely to be late May or early June 2011. This will bring much needed relief from traffic congestion to Corporation Street and reduce traffic in North Street which has to be of great benefit to shoppers.
- 1.4 Works are under way on improving the Wood Street/Bridge Street junction and upgrading the traffic lights at the end of Staplegrove Road which is being done in readiness for the opening of the Third Way to facilitate the flow of traffic.
- 1.5 The opening of the Third Way will open up the whole of Tangier as a potential town centre site for employment and residential development.

### **2. Northern Inner Distributor Road (NIDR)**

- 2.1 In my February report to Full Council I reported the excellent news of the award of Government funding for the NIDR and that it would be available as of April 2012 when Somerset County Council intended to commence work on the scheme.
- 2.2 Since then I have been discussing with the Leader of the County Council the possibility of an earlier start date bearing in mind the critical nature of this work in respect of freeing up a major strategic employment site. I am delighted to report that agreement has been reached in principle with a potential commencement on site of December 2010, possibly five months earlier than anticipated.
- 2.3 This is subject to receiving suitable tenders for the work and implementation not being subject to a public inquiry. If this occurred it could extend the lead in period. Also, of course, initial funding being made available for the works until Government grants are forthcoming. I am delighted to report that the Leader of

the County Council has assured me that short term funding of the works will not be a problem as he recognises the value and strategic importance of this site with its potential for creating around 4,000 jobs.

### **3. Firepool Site, Taunton**

- 3.1 Great news that St Modwens have now received detailed planning consent for the Viridor development of the Priory Bridge Road Car Park Site. I understand they hope to commence construction work during May 2011 which has to be good for our local economy.
- 3.2 This will obviously mean the loss of around 200 car parking spaces but adequate capacity for normal use remains. We are working closely with Somerset County Cricket Club to open up additional parking space on the old livestock market site to help with peak demand during major cricket matches. It is also worth noting that the Cricket Club have reached agreement with the Park and Ride bus operators for a service direct to the cricket ground which has to be great news for easing traffic congestion in Taunton.
- 3.3 St Modwens and Project Taunton are in serious discussion with further potential occupiers of employment property on the site following the signing up of Viridor. I do believe that now we have our first occupier of the site, a major nationally recognised company, this will be the much needed catalyst for other occupiers to follow and with the NIDR now secure the whole site is available for development.
- 3.4 Dredging works of the river bed in the vicinity of the old canal lock has been carried out and it is now possible to gain direct access through the lock from the canal to the river which is navigable through the town to French Weir

### **4. Superfast Broadband**

- 4.1 The planning process is under way for installation across Taunton and implementation should commence very shortly. I will update on progress at the meeting.
- 4.2 Since our last Full Council meeting I have received details of the County Council proposals to enable the whole of Somerset. These are commendable and excellent plans. It is of course subject to securing Government funding from an £800 million pot set aside for this purpose but I am sure we have a very good case and with the support of all Somerset MP's the signs are good for success.
- 4.3 The basic timetable is bid submission during this month, confirmation of success or otherwise May 2011, commence implementation early 2012 and completion across the whole of Somerset by 2015.
- 4.4 The County Council are keeping us fully updated and we are certainly offering our full support for this bold and imaginative scheme that will do so much for our rural areas. Particularly for existing businesses and for inward investment from

new business.

## **5. Car Parking Provision and Town Centre Business**

- 5.1 The monthly car parking usage by numbers has shown a worrying decline over the past two months. This is something we must be aware of to ensure our actions do not worsen the situation and we must provide all support possible. The general consensus seems to be that national economic belt tightening and the very high cost of fuel is causing shoppers to think twice before jumping in their cars.
- 5.2 Locally it appears that our “empty shop” rate is well below the national average and that footfall, although reduced, has not been hit as badly as is occurring nationally. Long may this last and as noted above we must work to maintain a successful Town Centre Company and initiatives that enhance the visitor experience to Taunton.
- 5.3 I believe this is where our plans for the regeneration of our shopping centre, upgrading and enhancement of the High Street and redevelopment of the Castle Green, our historic town centre, are all important initiatives to enhance the retail offer and visitor experience necessary to combat the decline.
- 5.4 Part of this visitor attraction will undoubtedly be ease of access and adequate parking. We fully recognise this and despite the recent reductions in some car parks there has been an increase in parking provision for Taunton. A net increase 1227 spaces have been added through construction of the park and ride. This has the double benefit of providing for commuters out of town so freeing up valuable town centre spaces and reducing congestion during the peak hours AM and PM when most commuters will be travelling. We are all aware of how a relatively small reduction can reduce levels of congestion quite dramatically and here I quote the improvement caused by the school holidays.

## **6. Longrun Meadow, Taunton.....and other Green matters**

- 6.1 The Green Cathedral made of living Willow is now under construction and is scheduled for completion during the first week of May this year (weather permitting). This is a truly remarkable structure and I am advised the first of its kind in the UK. I am however advised that other Green structures exist but to the best of our knowledge none comprise of Willow construction. This is a fitting material for a structure in Somerset where the Willow has been a valuable natural resource for centuries past. Once matured I believe this will be of great interest to many from far and wide.
- 6.2 The Mayor and I were kindly invited to the launch of a range of electric bicycles at Reaction Electrics’ premises in Priory Bridge Road, Taunton. The wide range of bicycles and electric scooters was very interesting but more to the point, is their potential for protecting and preserving our environment with zero carbon emissions when in use. We were allowed to try the electric bicycles and, I

believe I can speak for the Mayor to say, we were both equally impressed by the ease of use and the performance. Mayor and Leader racing around the large, fortunately empty, car park on bicycles, the mind boggles!

- 7.1 However, I am delighted to see that Taunton has such a leading edge business that must form part of the vital Green Energy sector that is recognised as an important part of Taunton Deane's future economic development
- 7.2 The next major step in providing for electric vehicles generally is the provision of public charging points which I am committed to see provided. I am proud to announce that the first four posts have just gone live at the Blackbrook Park and Ride site and we are now seeking suitable locations for "in town" provision. We will not be able to support or encourage the budding electric vehicle provision unless we make it easy to recharge in public places. We propose being a trend setter in the South West.

## **8. Working with Partners**

- 8.1 I was very sorry to hear the news that Richard Gould, Chief Executive of Somerset County Cricket Club has moved to pastures new to take up leadership of the all important Oval Cricket Ground in Surrey. He will be a sad loss for Taunton but I wish him well and I am delighted to have had the opportunity to work with Richard and to witness the great things he has done for Somerset Cricket.
- 8.2 I am sure all will agree with me our loss can only be Surrey's gain and I believe we should write as a Council with our best wishes for the future and our sincere thanks for all that he has done for Taunton in his six years here. I would welcome Council's full support for this. We have had an excellent working relationship over the years and I look forward to this continuing when a successor is appointed.

**And finally.....**this is the very last Full Council meeting before the end of the quadrennium when all the seats across Taunton Deane are subject to re-election. I am aware that some Members are standing down and no doubt some others will not make it through the election process but can I take this opportunity of sincerely thanking all Councillors for their hard work and commitment. I believe that as a Council we are a "can do" organisation and that is because of the great relationship between Councillors and officers for which I thank all concerned. I am proud to have been involved leading such a great team which I believe has achieved much and good luck to you all whatever your future post 5 May.

Councillor John Williams

# **Council Meeting – 12 April 2011**

## **Report of Councillor Ken Hayward – Environmental Services**

### **1. Environmental Health Teams**

#### **Food Safety**

- 1.1 Taunton Deane food hygiene ratings are now live on the Food Standards Agency website. To have a look follow the link:-

<http://ratings.food.gov.uk/>

- 1.2 Well done to all involved and in particular Martin Stoyles, Claire Holman and Sarah Khan. The migration from Somerset Food Scores to the National Food Hygiene Rating Scheme proved to involve a considerable amount of work, which is still in progress. Somerset is now one of the few counties that as early adopters is fully live with the scheme.

### **2. Crematorium**

- 2.1 The Wesley System, including music, web casting, waiting room information screens, chapel screen presentations and DVD service was installed and up and running on 1 April 2011, as planned.

- 2.2 A service held on the first day included a hymn with the Wesley system organ and choir. The minister conducting the service was delighted at this facility as the small congregation were further encouraged to participate with the backing of the choir.

- 2.3 Over forty tracks not held on the system were requested in the first couple of days and successfully downloaded to the system.

- 2.4 On 4 April 2011 there was a request for a live web cast, a screen presentation and extensive use of the music system. Although it is “early days” the web casting facility has been requested a number of times and looks as though it will prove to be very popular.

- 2.5 Crematorium staff, funeral directors and members of the public are able to access the music held on the system via the following link:-

<http://www.wesleymusic.co.uk/>

### **3. Climate Change / Carbon Management**

- 3.1 A quote has been obtained for putting solar PV panels on the roof of the Station Road Swimming Pool. The preferred option would require an investment of

£100,000 which in return would generate an annual income of about £10,600 over 25 years. This means total earnings of £265,000, an annual return rate on investment of 10.59%. Payback would be achieved after 9.5 years. On a yearly basis, the option would produce 4.7% of the total electricity used in The Deane House from a renewable source. Please note, any further decisions on this proposal are subject to the current review of Taunton Deane's assets that will run until June 2011. Also, the potential need for replacing the roof of the swimming pool will need to be factored in. The Council and Tone are looking for renewable options for the other sites used by Tone as well.

- 3.2 Our Green Champions prepared and ran a series of events for Council staff as its contribution to the national Climate Change Week (21–25 March 2011). The events were about promoting cycling, teleconferencing and smarter driving as ways to reduce emissions from business travel. There was a good response from staff particularly to the cycling competition, which was organised in conjunction with Tone who borrowed exercise bikes for free. The 'smarter driving' sessions took place in the new Club Car which had the dual purpose of getting more staff to know the car and showing them how to drive more fuel efficiently.
- 3.3 Work on producing the 2011/2012 Carbon Management Plan has started. An initial idea-gathering exercise took place with the officers and Members of the Carbon Management Steering Group. A draft plan has been assembled from this and currently further discussion about the details and priorities of the Plan takes place. It is anticipated for the Plan to be produced by the end of April.
- 3.4 Yearly consumption figures for 2010/2011 are due imminently. This will tell us what percentage carbon saving was achieved over the course of 2010/2011 compared to 2009/2010. These figures will be published as part of the Carbon Management Plan.

## **4. Waste Management**

- 4.1 As you will all know, the Somerset Waste Board met on Friday, 25 March 2011 to consider the future of Household Waste Recycling Centres (HWRCs) in Somerset and extending the existing contract for waste collection with May Gurney.
- 4.2 The future of the HWRCs has been given extensive and in-depth consideration by all Partners over the last few months. Faced with the need to balance the budget by making savings of £314,000 it seemed that the proposed closure of Middlezoy, Coleford, Crewkerne and Dulverton was the only option.
- 4.3 One alternative to closure was the possibility of charging householders to use the facilities. The idea came from the community consultation events that the Waste Partnership held in the affected areas. We were initially told that this was not legally possible, but Councillor Mary Whitmarsh and I were among those pushing for officers to think outside the box and find a way. That way was found. By designating them as "community recycling centres", they could be operated outside of the relevant requirements of the Environment Act, and the public could

be charged each time they visited. There were some risks involved in this solution, and each of the partners had to be prepared to “underwrite” the potential risk of there being a legal challenge to this solution, or that the charging regime did not cover costs. In either scenario, the Board would act quickly to shut down the sites pending a solution being found. In addition, the Board was presented with the final proposal on the revised opening hours for all sites.

- 4.4 There was a lot of debate at the meeting on the proposed levels of charging, and also much concern expressed around the proposed opening hours – in particular the closure of all sites from 1pm on a Sunday, and more generally on the impact this might have on fly tipping. However it became evident that there could be no amendment to the proposed opening hours. Viridor staff were having to effectively take a pay cut (loss of overtime) and to expect them to work a full day every Saturday and Sunday, was deemed unreasonable.
- 4.5 After much debate, an amended proposal to keep the sites open, with a charge of £2 per visit, together with a clause allowing more flexibility should local Parishes or community groups wish to offer full or partial funding support in the future, was unanimously agreed. The Board also agreed to accept the proposed opening hours without amendment.
- 4.6 Whilst there may be an issue with increased fly tipping, I share the belief that this will only be short-term as the public get used to the new hours.
- 4.7 I also believe that the current practice of taking waste to the HWRC in the private car, joining the queue at the facility and then driving home again is not carbon efficient. There is a positive side to the measures that we have had to take, and that is that it should force the Partnership to look for further innovative ways to improve upon the services it provides. As one of the Taunton Deane Representatives on the SWP Board, I shall be continually pushing for this to happen.

### **The Contract Extension**

- 4.8 The Board discussed this in depth at previous meetings – in connection with the Business Plan for 2011/2012. The current contract arrangements require us to apply an inflationary increase to the contract price each year – based on the Retail Price Index (RPI). This, based on current levels of inflation, would cost all the District Councils in Somerset a fortune. We had to find a way of amending this.
- 4.9 Steve Read has done some hard negotiating with May Gurney (our contractor for collecting waste) so that the inflationary index to be used would be changed to a more affordable measure. It would be based on a basket of indicators instead of RPI. This would save the Districts collectively approximately £500,000 per annum – and so made real financial sense. In return for this change, May Gurney has said they want an early agreement to extend the contract. The original contract is for seven years, with the option to extend for another seven, then another seven. This potential long term deal is fairly typical in the waste collection sector. We are currently in year four of the first seven year chunk of

the contract and this proposal would mean we would commit now to extend the contract to the end of the second seven year chunk.

4.10 The Board asked for an independent review of this “deal” – to gain assurance that this was a sensible solution before finally agreeing the contract extension. The report duly presented to the Board clearly showed that “the proposed extension makes commercial sense” and that “extending the contract on broadly the terms proposed does represent the best opportunity to obtain best value for the partner authorities”. The Board unanimously agreed to support the contract extension and asked the Managing Director to finalise the negotiations to make this happen.

4.11 And finally..... the Board thanked those Councillors who would not be standing at the forthcoming elections (including our own Councillor Mary Whitmarsh) for their hard work in supporting the Waste Board. Mary was ‘in it from the start’, and I would like to add my own personal thanks to Mary for her support over the last twelve months, and wish her all the very best for the future.

Councillor Ken Hayward

# **Council Meeting - 12 April 2011**

## **Report of Councillor Mrs Catherine Herbert – Sport, Parks and Leisure**

### **1. Parks**

- 1.1 The Parks Teams have been working to make sure all our parks are in tip-top condition ready for the spring and the increase in visitors.
- 1.2 Bedding plants are being tended in the Nursery in preparation for the summer season, and the Nursery Team are investigating the potential of growing on new plants to create new income streams in the future.
- 1.3 Holly Close Allotments was lucky enough to get some money from the Unparished Area Fund to put up fencing and this has now been installed and the new and enthusiastic Allotment Committee are starting their hard work to get the site up and running.
- 1.4 In the same vicinity, working with Councillor Hazel Prior-Sankey, we have also arranged for the relocation of a bench and some refurbishment works to be carried out on the benches on the popular embankment walk.

### **2. Community Leisure and Play**

- 2.1 Cotford St Luke and Taunton Green Play Areas have been officially opened by the Mayor. Greenway Recreation Ground is on site and we have also received the news that Creechbarrow Road's landlord issues are now resolved and this project is now out to tender. We are still optimistic for a summer completion for this greatly wanted playground.
- 2.2 The water play area in Vivary Park has proven very popular and it was unfortunate that the water pump broke after only a short time. The team immediately contacted the supplier and a replacement pump was installed within 10 days and the children are again enjoying the water play.
- 2.3 We are also working up proposals to update the play area at Wellington Recreation Ground, and in early discussions with a skate group in Wellington hoping to refurbish the skate park.
- 2.4 I was lucky enough to attend a meeting hosted at Somerset College by the London Organising Committee for the Olympic Games (LOCOG). The day was a chance to meet with other Authorities in the South West and hear LOCOG's hopes for how the whole country can be part of the Olympic experience.
- 2.5 The event gave a taste of what might be available for towns to 'Olympic' their streets and the enthusiasm was palpable in all attendees, although of course there was concern about how much things would cost! There will be lots for us to consider as 2012 draws near.

### **3. Tone Leisure (Taunton Deane) Limited Activities**

#### **Community, Sports and Health Development**

- 3.1 Tone continues to work hard to develop a number of community outreach programmes:

#### **Sport Development**

- 3.2 Taunton Deane Foot Anstey Aquathlon

3.2.1 Over 170 athletes turned up to show their grit and determination as they battled it out in the 7th Taunton Deane Foot Anstey Aquathlon on Sunday, 27 February 2011 at Wellington Sports Centre.

3.2.2 Sponsored by south west law firm Foot Anstey and organised by Somerset RC Tri Club and Tone Leisure, the competition caters for all levels of fitness and stamina with competitors able to enter either the short or longer distance race.

#### **Health Development**

- 3.3 Older People

3.3.1 Three Flexercise training days have been run since June 2010 resulting in approximately 150 Flexercise participations each month.

3.3.2 Ten Active Living Centres (ALCs) in Taunton Deane are participating in the 6 week physical activity programme. There are approximately 15 participations per centre, per session. ALCs include: Parmin Close, Temple Methodist Church, United Reformed Church, Wiveliscombe, Staplegrove, Rockwell Green, Oake, WHERE Northfield Centre, Frank Bond Centre and St. Michael's Centre.

- 3.4 Active Somerset

3.4.1 Tone Leisure received funding for 12 more Active Somerset classes which started before 31 March 2011 for 12 weeks. Funding helps with the venue hire for 12 weeks and instructor fees for 12 weeks.

3.4.2 Classes include: tots/parents sports skills, beginners tennis, improvers tennis and match play, line dancing, Activate, boot camp, Tone Leisure running club (based at Wellsprings Leisure Centre), ladies running club (based at Wellington Sports Centre), multi-exercise sessions, step to health and beginners triathlon training.

- 3.5 Weight Management Programme

3.5.1 Currently Tone is halfway through the 12 week weight management programme at the Feel Good Factory, Blackbrook Pavilion. Working in

partnership with Slimming World, at the midway point of the trial 6 out of the 11 participants had cumulatively lost a total of 111½ inches.

### 3.6 Activity to Promote Positive Mental Health and Wellbeing in Adults

3.6.1 Tone has been working in partnership with Somerset Partnership NHS Foundation Trust to establish bespoke activity sessions for clients to be more active and improve their mental health and wellbeing.

3.6.2 The sessions that are being held in Wellington are for middle and older-aged adults, whilst those in Taunton are for young adults. The activities, which have been funded by the Active Somerset initiative, include circuit training, walking, trampolining, archery, boxercise and hot cycling.

### 3.7 Walking for Health

3.7.1 Nine individuals undertook the one day Volunteer Walk Leader Training held in Wellington in March. Some of the volunteers have joined the team in Taunton and others are making plans to volunteer on a forthcoming scheme for Wellington. Tone's Health Development Officer provides a support function to a team of 20 volunteer Walk Leaders.

## **Facility News**

### 3.8 Taunton Pool

3.8.1 Taunton Pool has seen a busy New Year period, with the weekends and school holidays being particularly busy.

3.8.2 Every couple of months Tone has swim challenges and the one for February was a group challenge to swim the length of the River Thames (215 miles) in the 28 days of the month. This proved popular with over 20 customers taking part and one completing 50 miles in the month. Their next challenge will be to swim the length of the Grand Canyon.

3.8.3 Tone Leisure and Taunton Deane Borough Council are currently seeking quotations for a new lift and lockers at the Station Road Pool.

### 3.9 Wellington Sports Centre

3.9.1 During February the Centre held a successful Roller Disco event with over 100 skaters for the family session and 60 skaters for the adults only session. This again was a very successful event bringing lots of new faces to the site.

3.9.2 The young persons' Z3 project witnessed 730 visits in February after a great birthday promotion in January, targeting those users who had not been to the site over the past 8 weeks. The team are currently working closely with local schools to secure regular daytime bookings for the facility.

3.9.3 The roof is currently being repaired and maintenance planned for a new Calcium Hypochloride pool system will be installed in the next few weeks.

### 3.10 Free Swimming Underspend

3.10.1 Taunton Deane Borough Council orders have now been placed for the new Sea Scooters and Aqua Bubbles for both Taunton Pool and Wellington Sports Centre. All of the proposed swim initiative projects will commence after the Easter holidays.

### 3.11 Wellsprings Leisure Centre

3.11.1 Junior Activities - Wellsprings has secured £7,000 of external funding to enhance the children's holiday activity programme. The funding will be predominantly used to support 'inclusive' play opportunities, as well as staff training and equipment.

3.11.2 Events - In February there was some cockney rhyme at Wellsprings when Chas & Dave brought their tour to Taunton. It was surprising how far people were travelling to see the performance - tickets being sold to people in Liverpool and Leicester.

3.11.3 The regular bookings for the National Association of Majorettes England and SW Schools Gymnastics have held competitions at Wellsprings as well as an IDTA Dance Competition.

3.11.4 Forthcoming events include the British Sugar Craft Guild Annual Exhibition, two dog shows and an Antiques Fair. The stars of Strictly Come Dancing will be returning in May.

Councillor Catherine Herbert

# **Council Meeting – 12 April 2011**

## **Report of Councillor Mrs Jean Adkins – Housing Services**

### **1. Somerset Strategic Housing Project**

- 1.1 This externally funded project is designed to improve the quality of strategic (non-landlord) housing services in Somerset (housing advice, homelessness, strategy, private housing work) and to achieve efficiencies in these services.
- 1.2 This approach will allow the Districts to decide the extent to which they are able to commit to shared services in any of these areas, based on their local requirements and circumstances. The project is also exploring the most sustainable and cost-effective ways of delivering housing services across Somerset, which maximise the benefits of scale whilst delivering good quality local services.
- 1.3 The four priority “themes” underlying this project are:-
  - Strategy Development;
  - Performance Management and Value for Money;
  - Access and Customer Care; and
  - Diversity and Social Inclusion.
- 1.4 Good progress is being made in the “start up” phase – which includes Youth Housing, Financial Inclusion, Vision and Skills. For example, On Vision, the project will develop a clear shared vision for strategic housing that contributes to wider community objectives; On Skills, the aim is to make the most effective use of staff resources to enhance existing capacity by mapping existing staff skills; On Financial Inclusion, the work will ensure that everyone in Somerset has access to, and information on, a wide range of appropriate financial products and services, and it will provide practical solutions to enable people to manage their money better.

### **2. Youth Housing Strategy**

- 2.1 The aim of this project is to provide a co-ordinated, consistent, cross-County approach to ensure homelessness and youth housing provision for young people is prioritised and implemented. This will be achieved through a new Youth Housing Strategy, to drive forward this agenda in Somerset – and an action plan to target greatest needs.

- 2.2 To date, youth housing services have been mapped, assessment of needs has almost been completed and benchmarking is under way. This project forms part of the Somerset Strategic Housing Project.

### **3. Private Sector Housing Partnership**

- 3.1 A major challenge has been posed to the work of the Private Sector Housing Partnership given the Government's abolition of private sector renewal funding. In the current financial year we received £462,000 to support work in private sector housing on energy efficiency, empty homes, bringing homes up to a minimum standard, dealing with disrepair, and improving health and safety standards. Next year there is nothing in the capital budget for this work.
- 3.2 This is very challenging. According to the October 2009 Building Research Establishment (BRE) Housing Stock projections, an estimated 15,413 private sector homes (41% of total) fail the basic decent homes standard in Taunton Deane.
- 3.3 To respond to this challenge the Private Sector Housing Partnership will be concentrating predominantly on existing high priority need groups and statutory interventions.
- 3.4 Nevertheless, the Department of Communities and Local Government (DCLG) has given local authorities a clear message that private sector renewal has to be funded differently in future. As a consequence of this, the Partnership will continue to encourage home owners and landlords to take up improvement loans through the Wessex Reinvestment Trust, and it will bring forward its tentative plans for the Partnership to become self-financing.

### **4. Anti-Social Behaviour Update**

- 4.1 I am pleased to report that the tenant of the "crack house" in Leycroft Grove, Taunton has voluntarily surrendered the tenancy of the property thereby avoiding the need for the Council to take legal action.
- 4.2 There were 23 reported incidents of anti-social behaviour during March 2011, four of which have been finalised.
- 4.3 This number is up on the previous month but, hopefully, this is due to the very visible presence of our two new members of the Estates Team.

### **5. Tenants' Forum**

- 5.1 Following the recent resignation of the previous Chairman, Ken Marshall, I am pleased to report that the Vice-Chairman, Malcolm Andrews, has stepped up to become Acting Chairman of the Tenants' Forum.

Councillor Jean Adkins

# **Council Meeting – 12 April 2011**

## **Report of Councillor Terry Hall - Corporate Resources**

### **1. Revenues and Benefits**

- 1.1 At the time of writing this report the outturn results for 2010/2011 have not yet been received. I hope to be able to be able to give the results at the meeting.

### **2. Southwest One (SW One)**

#### **Procurement Savings Progress**

- 2.1 SW One procurement savings of Council's spending signed off by Taunton Deane is still behind target at £809,000 although has improved since my last report when it stood at £556,000.
- 2.2 Members may recall SW One are required to save £10,000,000 over the 10 years of the contract. Early savings were required to repay the cost of the Transformation Projects (see below).
- 2.3 It is beginning to look that the target of £10,000,000 is unlikely to be achieved in the original timescale.
- 2.4 Spend analysis software is being tested to produce detailed spend analysis reports which are expected imminently.
- 2.5 Savings resulting from combining purchasing of printers for Somerset County Council (SCC), Avon and Somerset Police (ASP) and Taunton Deane are expected to produce extra valuable savings as is a review of vehicle supply.
- 2.6 Significant savings amounting to £2,500,000 over next five years are anticipated to flow from the current examination of Deane DLO and Housing Property Services expenditure.
- 2.7 Workshops will be held for local Small and Medium Enterprises to assist them in how to supply SW One.

#### **Transformation Projects**

- 2.8 The SW One partnership was created to deliver five key Transformation Projects in addition to the operational back-office services element to the contract. These projects are SAP, Back Office and Customer Relationship Management systems, People Excellence Model, Locality based service delivery and procurement transformation.

- 2.9 The funding for these projects is generated from the savings being delivered through the procurement transformation project.
- 2.10 Because the savings have not materialised at the speed expected, it will be necessary to reschedule some repayments of internal borrowing. The Executive's agenda for the meeting scheduled on 13 April 2011 provides details of the proposals.

### **3. Legal and Democratic Services**

#### **Legal and Democratic Services Partnership**

- 3.1 I reported to last Council that discussions were in progress with the other Somerset Councils to establish a Legal and Democratic Services Partnership on similar lines to the SW Audit Partnership.
- 3.2 The decision whether to proceed has now been deferred until after the elections as some discussion needs to be had about the County Council's involvement.

#### **Localism Bill**

- 3.3 A response to the Localism Bill was given before the 10 March 2011 deadline following agreement by the Corporate Governance Committee. The response was in line with the comments previously made by the Council's Standards Committee.

#### **Creedwell Orchard, Milverton**

- 3.4 Councillor Thorne requested that this matter be placed on the Corporate Scrutiny Committee's agenda. However, due to the number of items already scheduled for the March agenda, the Chairman felt that a briefing note to Members would be more appropriate at this stage.
- 3.5 In addition it was also thought that this matter could be politically sensitive and that it was inappropriate to deal with it before the forthcoming Local Elections. Once the briefing note has gone out, if Members still wish the matter to come before Scrutiny it can be put on the forward plan.

#### **Bishops Hull**

- 3.6 Kevin Toller is leading a steering group and is the main point of contact between the residents and developer in trying to resolve the issues coming out of this development.
- 3.7 Many of those issues have also involved Legal and Democratic Services and a great deal of time is currently being spent on this. Kevin has I believe now resolved many of the issues with this development and things have now settled down....I hope.

## **Budget Review Project**

- 3.8 Members will be aware we endorsed a four year strategy in order to deal with the budget gaps that will be coming on the horizon over the next few years.
- 3.9 Work is currently underway by officers to look at a project in order to consider ways of dealing with these gaps. Tonya Meers will be leading on the “Internal Communication with Stakeholders Work Stream” and this will be a very critical part of the project.
- 3.10 In addition to that, Tonya is feeding into various other work streams in her role as Solicitor to the Council. This project is taking up a lot of time as envisaged but is making progress. Members will also be involved in this project as it progresses.

## **4. Performance and Client Team**

### **Government Connect**

- 4.1 We have recently passed the CoCo (Code of Connection) Audit but have a number of enhancements we need to implement by next year. Laptops are being rolled out with encryption. Members will receive new replacement laptops after the election.
- 4.2 SCC is in discussion with SW One regarding the effect on SW One of the reductions in County spending. SCC has provided details of their proposed renegotiation and we have agreed a structure for Taunton Deane and ASP to monitor progress. This is an area of significant concern as the impact and outcome are unknown.
- 4.3 The re-launch of SAP is nearly complete and is anticipated to finish in April 2011. The team is working to implement the remaining elements of SAP and get the entire system and supporting processes to acceptable Business as Usual standards.
- 4.4 The team is heavily involved in the Budget Review Project and is working closely with the Strategic Procurement Service and services to promote procurement related change across the organization.

Councillor Terry Hall

# **Council Meeting – 12 April 2011**

## **Report of Councillor Mark Edwards - Planning and Transportation**

The last month has seen the Third Way Bridge finally lifted into place and Councillor John Williams has covered this momentous occasion in his report but I wanted to add that I do not think any of us will quite realise the true impact of this road until it opens.

Then in addition there is also the Northern Inner Distributor Road which is due to start soon and again Councillor Williams has included this in his report.

These two investments in our infrastructure are key to Taunton's future and will open up enormous potential for the whole area. Carefully considered investment in time and infrastructure to help today, but with one eye clearly on the future.

### **1. Core Strategy**

- 1.1 The Core Strategy has been written in draft and continues to be refined ready for 'Regulation 27' publication in June 2011. The Strategy Unit gave a Members Briefing in late February to explain the content, evidence and rationale behind the Core Strategy. The briefing was very well attended by Councillors and also prospective candidates for the elections in May.
- 1.2 The Strategy Unit has also presented at the Taunton Business Forum to give an overview of the Core Strategy and more specifically on the planned provision of employment land and business growth in Taunton Deane. Again this was well attended and generated useful debate.
- 1.3 The team continues to work closely with Development Management and Project Taunton to produce a Supplementary Planning Document (SPD) for Taunton High Street.

### **2. Maidenbrook Appeal**

- 1.1 Officers from the Strategy Unit and Development Management recently represented the Council at a public inquiry into an appeal by a developer against the Council's refusal to grant planning permission for a public house and residential development for 233 properties at Maidenbrook, Taunton.
- 1.2 The grounds for refusal were that the site is unsustainable, undermines

future planned growth and removes a valuable green wedge between Taunton and Monkton Heathfield.

- 1.3 We await the Inspectors decision, which had not been received at the time of writing this report, and I will update verbally at Full Council by which time we expect to have had a decision.

### **3. Enforcement**

- 3.1 As part of the first phase of the Planning Service review, the need for more consistency in enforcement investigations has been identified as an issue for improvement.
- 3.2 Changes to the Enforcement Policy are being proposed aimed at an early planning assessment to ensure that our limited resources are focused on those cases, which are ultimately likely to result in enforcement action.
- 3.3 Deadlines for submission of retrospective planning applications are also being introduced to make sure that decisions as to whether to take enforcement action are not unduly delayed.
- 3.4 I would add that this is one important part of the wider review which is taking place and is not absolute and as part of this I am taking into account concerns from major developments which are being built in Taunton presently.
- 3.5 I want to make sure the system is fit for purpose and where we have issues which have occurred that these are learnt from. I will make sure that Members are informed as this progresses.
- 3.6 There is a great deal that needs to be done to make sure the Planning Service is ready to deliver if we want to see the growth required for Taunton to have the future we are all planning.

### **4. Firepool, Taunton**

- 4.1 Reserved matters consent has just been granted for the first phase of the Firepool development at Priory Bridge Road Car Park. 2711 square metres of office space will be provided in a six storey building at the front corner of the site. Construction will begin shortly with the completed offices being occupied by Viridor in 2012.
- 4.2 It is expected that the public realm works, which gained planning consent last year, will be put in at the same time. Development Management Officers have a good working relationship with St Modwen with monthly meetings taking place to discuss current applications and potential future developments.

- 4.3 This is a good example of how large schemes can be delivered without unnecessary planning delays and should be considered as another lesson for the wider review.

## **5. Landscape Team**

- 5.1 The Landscape Team has continued to provide expert advice on landscape and wildlife issues in respect of planning applications and has attended planning inquiries where required. They continue to process Tree Preservation Order (TPO) applications and serve new Orders when necessary. The team has also provided advice to West Somerset District Council on processing TPO applications on a commission basis.
- 5.2 The team has been successful in attracting £10,000 grant funding to improve access and signage at Otterhead Lake Local Nature Reserve and has prepared a bid for Higher Level Stewardship at Ash Common. If successful, the grant bid will be worth £30,000 over the next 10 years. £8,500 has been grant aided by the Environment Agency to the establishment of a Community Woodland at Westford, Wellington.
- 5.3 The first year's New Burdens (Protected Habitats and Species Grant) payment of £16,800, provided by the Department of Environment, Food and Rural Affairs, has now been used in connection with protecting European protected species within Taunton Deane and this has provided valuable information particularly with regard to bats.
- 5.4 The Grant is distributed to all Local Planning Authorities with a European protected species or habitats and to date, with the second year's grant taken into account, the Council has received £33,670 towards this work.

## **6. Slinky Bus**

- 6.1 The Council has invested in about 900 more hours for the Slinky Bus covering the peak morning period to boost the availability of community transport.
- 6.2 The Slinky Bus is available for anyone who cannot access public transport, where public transport is not available and for people without access to suitable transport for their journey. This means that a wide range of the community can use the service such as employees, parents and toddlers, students and retired members of the public.
- 6.3 The bus also has wheelchair access and the free concessionary bus passes can be used to cover fares.

- 6.4 The extra hours are being bought as Taunton Deane Borough Council is ending its discretionary taxi voucher scheme from April when changes in the law mean the scheme cannot continue to be run by this authority.

Councillor Mark Edwards

# **Council Meeting – 12 April 2011**

## **Report of Councillor Joanna Lewin-Harris – Community Leadership and Communications**

### **1. Taunton Deane Partnership**

1.1 The focus at the March meeting of the Partnership was an update on progress on the three priorities for 2011/2012:-

- Priority Areas: working collectively to improve urban and rural areas of high need;
- Promoting Taunton Deane: celebrating achievements and raising the sense of pride through public events and good communications; and
- Planning cycles: improving value for money and effectiveness by aligning planning and budget cycles.

1.2 Priority Areas: A comprehensive consultation exercise is being carried out in North and East Taunton, with the aim of completing 200 one-to-one interviews with residents and community groups. Taunton Deane's Community Development Team along with Estates Officers, Children's Centre staff, Police Community Support Officers and schools are working to complete the questionnaires. The information gathered will be used to develop an Action Plan for the areas, due to be published towards the end of this year.

1.3 Promoting Taunton Deane: Sue Parker from Somerset College is taking the lead on this priority and is arranging a workshop to scope the project to be held during the Partnership Board meeting on 10 May 2011.

1.4 Planning cycles: Work is ongoing, led by Andrew Hinchcliffe of Somerset County Council.

1.5 Out of Hours Telephony: There is interest from a number of public sector partners in working together to deliver a more efficient and cost effective out-of-hours telephony service. Discussions are at a very early stage.

### **2. Crime and Disorder Reduction Partnership (CDRP)**

2.1 The merger of the East and West Somerset CDRP's went ahead as from 1 April 2011. This group will become the CDRP for Somerset and will be known as the Community Safety Partnership. This merger was agreed by Full Council in October 2010. The County Council plus the five districts will be members along with the Police, Police Authority, Fire Service, NHS Somerset, Probation, Exmoor National Park, the Drugs and Alcohol team and the Youth Offending Team. The elected member representative for Taunton Deane will be the relevant portfolio holder. There will also be a senior officer representative.

### **3. Health White Paper**

- 3.1 The Government's recently published Health White Paper "Healthy Lives, Healthy People" proposes transferring local health improvement functions to local authorities. A new body - Public Health England – will be responsible for setting the overall outcomes framework for public health and national resilience against health threats such as flu pandemics. Directors of Public Health will be employed by upper tier/unitary local authorities and jointly appointed by Public Health England. There will be Statutory Health and Wellbeing Boards for upper tier/unitary Councils. There is no statutory requirement for District Councils to be represented on these Boards.
- 3.2 Taunton Deane's response to the Health White Paper was submitted last week, having previously been circulated to the Executive, Shadow Executive and Group Leaders.
- 3.3 Our response flags up all the areas where the work of Taunton Deane impacts on public health: housing, planning, leisure, street scene, environmental health, community safety, licensing, emergency planning, benefits, grants, work on priority areas. In fact, almost all of the Council's activities have an affect on public health.
- 3.3 The White Paper focuses on County and Unitary Authorities with very little mention of District Councils or recognition of the impact of the work of District Councils on public health. Our response draws attention to the need for all Districts to have a place on the Health and Wellbeing Boards and for those Boards to take the wider determinants of public health into account.
- 3.4 Our response also points out the importance of pooled resources or place based budgets and targeting areas of greatest need.
- 3.5 The full response is available from Mark Leeman in the Strategy Unit and on the website.

### **4. Communications**

- 4.1 Press releases: press releases this cycle have covered the £1.65 million Homes and Communities Agency funding for new homes at Ruskin Close, the Mayor's Gala Concert, extra funding for the Slinky Bus service, street party applications, information on applying to become and District or Parish Councillor, encouraging people to get on the Electoral Roll and applying for postal or proxy votes,

### **5. And finally .....**

- 5.1 As I am sure you are all now aware, after 14 years on this Council, I have decided not to stand for re-election again. I am conscious this shows a lack of staying power compared to the eleven or so Members who have already served for 20 years or more! However, there are other things I want to do and I felt the time was right for me. I particularly want to publicly thank officers for their support, help and

advice. Working with them has been very rewarding and I have learnt a lot from them.

- 5.2 I am struck by the pace of change we have seen over the past 14 years and it is clear that further big changes and challenges lie ahead. I wish every success to those elected on 5 May 2011.

Councillor Joanna Lewin-Harris

# **Council Meeting – 12 April 2011**

## **Report of Councillor Cavill - Economic Development, Asset Management, Arts and Tourism**

### **1. Keeping Members informed**

#### **1.1 Economic Development Delivery Plan**

**The team has now finalised and printed its Delivery Plan for 2011 and 2012.**

In addition to those previously circulated, a presentation has now been given to the Town Centre Company.

The Delivery Plan sets out how the Council will support the economy, with activities falling into three themes:

- Stimulating Business Growth and Investment;
- Ensuring a Skilled and Entrepreneurial workforce; and
- Creating an attractive business environment.

### **2. Theme 1 - Stimulating Business Growth and Investment**

#### **2.1 Business Liaison**

The team has started a proactive programme of visits to local businesses, investors and their agents, with the aim of assisting businesses to realise their growth and investment plans. The team intends to visit 100 businesses per year.

Organisations recently visited and currently being supported include:-

- Summerfield Developments
- Mr Miles Tea Shop, Taunton
- Mercedes Dealership, Taunton
- Asda Stores, Taunton
- Somerset College
- Swallowfield, Wellington
- Deane DLO and Taunton Deane Nursery
- GSI Exotech, Taunton

#### **2.2 Regional Growth Fund Bid**

During January the team worked closely with Forward Space Limited, the owner of the Collar Factory (aka Barnicotts) on the submission of a bid to the new Regional Growth Fund (RGF). The bid, which proposes the refurbishment of the

property to create an incubation and business centre, was the only bid forthcoming to the RGF from Somerset. Forward Space anticipates hearing the decision on its bid in mid-April.

A second round of bids will be opened by Government in mid-April, and officers will liaise with businesses to encourage appropriate bids to the programme from Taunton Deane.

### **2.3 Rural Post Offices**

Hattie Winter is continuing to work with Councillor Bishop to lend support to Oake Post Office.

The team is also working with Councillor Morrell on a community project to reinstate the Post Office at Bishops Hull by contributing reply paid envelopes to a mail out to the village.

The team is also looking at the wider issue of rural Post Office closures, and coordinating the support available to those businesses.

### **2.4 DLO Nursery**

The team is lending its support to the DLO Nursery in its aim to generate more commercial income streams. A Personal Business Advisor from Business Link has been introduced to work with the Nursery team to produce a Business and Marketing plan over the next couple of months.

### **2.5 Shop Front Grants for Wellington and Wiveliscombe**

Retailers in both Wellington and Wiveliscombe took advantage of the above scheme, which expired at the end of 2010/2011, and which was designed to make both towns even more attractive places to shop.

The shop front enhancement scheme has enabled new and existing retail businesses to refurbish or re-instate traditional shop fronts or replace unsympathetic shop fronts improving the look of the town for both residents and visitors while encouraging economic development. The scheme has now closed, but the successful businesses have been awarded grants of up to £500, or 50% - whichever is the lower figure - for the cost of eligible works to enhance their shop fronts.

### **2.6 Support for Rural Business Projects**

A small grant fund is available from the Council for rural projects and innovative Renewable Energy projects.

The Wellington Chamber of Commerce has been awarded £500 to create a map of traders in the town, and the 10 Parishes Festival has received £1000 towards web site and literature production.

The Economic Development Team is currently assisting a new wood recycling business that is looking for premises to establish a community interest company and aims to offer skills and training opportunities to local unemployed people as well as establishing a trading arm.

The team is also supporting a community-owned renewable energy company that is aiming to deploy a number of low carbon technologies across Wiveliscombe – this project is progressing well with significant interest from Somerset County Council and the Children’s Society to install solar panels on the roof of the Wiveliscombe Children’s Centre.

### **3. Theme 2 - Ensuring a Skilled and Entrepreneurial workforce**

#### **3.1 Halcon Regeneration Project**

The team plays an active role in the Halcon Regeneration Project, particularly the generation of employment and training opportunities for residents. Officers are currently organising a Business Forum for local businesses to consider the opportunities for Apprenticeships and local work placements and co-ordinating this Somerset College.

#### **3.2 Redundancy Support**

Recently Somerset Caravans at Walford Cross has announced that they will be making significant redundancies. The Economic Development Team has responded proactively, offering support alongside Job Centre Plus where requested.

#### **3.3 Job Clubs for long term unemployed people**

The team continues to work with Job Centre Plus to encourage Job Centre Advisors to start referring their job seekers to the Job Clubs. Both Job Clubs (Halcon and Wellington) continue to make good progress, and the team will re-negotiate the Service Level Agreements for 2011/2012 with a view to setting up further provision in Priorswood.

The Council has recently funded new computer equipment for the Priorswood Link Centre to further support job seekers.

#### **3.4 Fredericks Somerset**

The team is currently liaising with the Fredericks Foundation to support the extension of Fredericks Somerset, offering loans to people to start up or enhance their business.

The opportunity to start a business has particular relevance during the current climate of redundancies and business closures and provides a route out of deprivation and benefit dependency for many people. A report proposing support was considered by the Corporate Scrutiny Committee in February, and will be followed by a report to the Executive at its meeting on 13 April 2011.

#### **4. Theme 3 - Creating an Attractive Business Environment**

##### **Heart of the South West Local Enterprise Partnership (LEP)**

Since November work has been underway to design a LEP covering Somerset, Devon, Plymouth and Torbay.

A proposal was submitted to the Government in mid-March, which has since received Ministerial endorsement. Work will commence immediately by the Steering Group to progress the LEP.

Through the Economic Development Team the Council has actively sought to input to the design of the LEP and will continue to try to ensure that this Council's voice is heard.

I would like to particularly thank David Evans for the great work he has done with other Districts, which has meant that the Districts of both Somerset and Devon now have a voice in this proposal.

##### **4.2 Taunton Cultural Partnership**

Members will be aware that the Brewhouse Theatre has had its public sector funding reduced by Somerset County Council in the forthcoming year, and that the Theatre has been unsuccessful in securing funding from the Arts Council England (ACE) under its National Portfolio funding stream. Members and officers are liaising closely with the Brewhouse's Chief Executive to consider how those decisions will impact upon the Theatre's Business Plan.

However, three other organisations have been successful and received a small amount of ACE funding: Take Art!, Somerset Film, and SPaeda.

##### **Hinkley Point Nuclear Proposal**

EDF Energy intends submitting its proposal for the development of the Hinkley B Nuclear New Build in June 2011, so the opportunity for local communities to

understand the likely implications of the development, and to secure measures to mitigate the negative effects of the development from EDF is closing.

EDF issued a revised consultation document in February for local areas to comment on its assessment of the likely impact of the development and the mitigating measures proposed. The Economic Development Team responded on behalf of the Council expressing concern that whilst EDF's studies indicate that Taunton Deane will be significantly affected by the development (e.g. Taunton will be one of the most highly densely populated areas by Hinkley related employees), the studies to date do not adequately assess the detailed impact of the development or propose sufficient mitigating compensation. Copies of the Council's submission have been circulated to Members.

The Economic Development Team is engaging with the Somerset Chamber of Commerce (on behalf of EDF Energy) to encourage local businesses to sign up to the Hinkley Supply Portal. Officers are discussing events in Taunton Deane to raise awareness of the Portal.

### **Taunton Academy Community Hub**

Matt Parr has continued to work with the Taunton Academy, to offer a redundant Art Building to voluntary and community organisations in Taunton. Working with the Strategy Team, four groups have been identified, space has been allocated and a hire agreement completed. A deadline of Easter has been proposed for the completion of the hire agreement.

### **Into Somerset**

Having obtained commitments from all of the constituent local authorities in Somerset to continue involvement in Into Somerset for a further year (2011/2012), the Board is currently producing a Business Plan to cover that period and the ensuing 3 years. By focusing on external marketing and working closer with the District Councils on fulfillment of investment enquiries the partnership is well positioned to attract investment to the County. It is also important that the partnership becomes less dependent upon local authority funding by better engaging the business community and attracting private sector funding.

## **5. Tourist Information Centre (TIC)**

Taunton Deane will continue to fund the TIC which is very positive news in the current climate. As one of the few remaining TICs in Somerset there is great potential for partnership working. Currently, an on-line ticketing service is being considered which will enable the TIC to provide e-tickets; and discussions are taking place as to how the TIC might assist in promoting the new Museum.

## **6. Asset Management**

### **Mount Street Nursery**

The sale is progressing well, although the types of affordable housing and numbers, as well as their location, need to be further defined. The developer is keen to progress and has everything needed in relation to surveys and investigations on the site. It is hoped to exchange contracts by the end of April 2011. Legal Services has received a draft contract from McCarthy which is receiving attention.

### **Frobisher Way**

Completion of this sale is being delayed. Further meetings are taking place with a likely purchaser.

### **TYCC site**

This is presently subject to a call-in and will be dealt with at the next appropriate Scrutiny meeting.

Councillor Norman Cavill

## **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 12 April 2011 at 6.30 pm.

**Present**      The Mayor (Councillor Horsley)  
                  The Deputy Mayor (Councillor Brooks)  
                  Councillors Mrs Adkins, Mrs Allgrove, Beaven, Bowrah, Cavill, Coles,  
                  Mrs Copley, Critchard, Denington, D Durdan, Ms Durdan, Edwards,  
                  Farbahi, Mrs Floyd, Gaines, Govier, Guerrier, Hall, Hayward, Henley,  
                  Mrs Herbert, C Hill, Mrs Hill, House, Miss James, R Lees,  
                  Mrs Lewin-Harris, McMahon, Meikle, Mrs Messenger, Morrell, Mullins,  
                  O'Brien, Paul, Slattery, Mrs Smith, Mrs Stock-Williams, Stuart-Thorn,  
                  Swaine, 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. Reflection**

The meeting was opened with a reflection offered by Mr Martin Wall, a member of the Society of Friends.

### **2. Minutes**

The minutes of the meeting of Taunton Deane Borough Council held on 22 February 2011, copies having been sent to each Member, were signed by the Mayor.

### **3. Apologies**

Councillors Bishop, Mrs Lees, Murphy and Prior-Sankey.

### **4. Communications**

The Mayor referred to the forthcoming Borough Council Elections. He paid tribute to Councillors Mrs Lewin-Harris, McMahon, Murphy, O'Brien, Paul and Mrs Whitmarsh who had all indicated that they would not be seeking re-election.

### **5. Presentation – “Along the Wild Edge”**

The Mayor introduced Mr Gavin Saunders, Project Manager of the Neroche Landscape Partnership Scheme who gave Members a brief presentation about the recent launch of a book titled “Along the Wild Edge – A journey through the northern Blackdown Hills”.

Mr Saunders explained that the Neroche Landscape Partnership Scheme was funded by a number of Councils in both Devon and Somerset (including Taunton Deane) together with organisations such as Natural England, The

National Trust and the Blackdown Hills AONB (Area of Outstanding Natural Beauty). Its primary aim was to conserve, celebrate and make full use of the heritage of the Blackdown Hills protected landscape.

Over the past four years various projects had been implemented on the Blackdowns including the creation of the 13 mile Hare Path Trail and the provision of training to over 40 teachers who had become "Forestry Leaders".

One of the Scheme's latest projects was the production of a book about the northern Blackdown Hills. This had involved the work of over 40 contributors and with a grant from the Heritage Lottery Fund the book had been printed and was now available to residents within the area covered free of charge.

Councillor Williams confirmed that Taunton Deane's contribution over the years had amounted to £75,000 which, together with other financial assistance, had resulted in over £2,000,000 being drawn in from various sources such as the Lottery Fund to support the Neroche Scheme.

The Mayor thanked Mr Saunders for his interesting presentation.

## **6. Declarations of Interest**

Councillors Brooks, Govier, Paul, Prior-Sankey, Mrs Waymouth and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Henley declared personal interests both as a Member of the Somerset County Council and as an employee of Job Centre Plus. Councillor McMahon declared personal interests both as a Member of the Somerset County Council and as a Director of Southwest One. Councillor Miss James declared a personal interest as an employee of Viridor. Councillor Slattery declared a personal interest as an employee of Sedgemoor District Council. Councillors Mrs Adkins, Mrs Hill and Mrs Smith declared personal interests as employees of Somerset County Council. Councillors Hayward and Mrs Whitmarsh declared personal interests as the Council's representatives on the Somerset Waste Board. Councillor Mrs Wilson declared a personal interest as an employee of Job Centre Plus. Councillor Watson declared a personal interest as the alternate Director of Southwest One. Councillor Mullins declared a personal interest as EDF Energy at Hinkley Point was his employer.

## **7. Update of Part 3 of the Constitution**

Considered report previously circulated, concerning proposed changes to Part 3 of the Constitution relating to Planning Enforcement delegations.

It had recently come to the Monitoring Officer's attention that following a report to the Planning Committee on the 25 February 2009, the changes to the Planning Delegation Scheme relating to Planning Enforcement had not been updated in the Constitution.

The relevant amendments had now been made to Part 3 of the Constitution to reflect the changes made at the Planning Committee and these were reported.

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

**Resolved** that the changes detailed in Appendix 1 to these minutes, be approved.

## 8. **Recommendations to Council from the Executive**

### **Financial and Performance Monitoring – Quarter 3 2010/2011**

The Executive had recently considered a report which provided an update on the financial position and performance of the Council to the end of Quarter 3 of the 2010/2011 financial year.

As a result, there were two matters where financial adjustments were required to be approved by Full Council.

The 2011/2012 General Fund Budget, approved at the last meeting, included savings plans that had resulted in the redundancy of three staff, with the expectation that any associated redundancy costs would be met from General Reserves.

It was therefore agreed that an approval should be sought for a Supplementary Budget allocation in 2010/2011.

The financial information provided in the report also included a variance in spending between capital and revenue maintenance within the Housing Revenue Account (HRA).

Given the amounts involved, the Executive agreed that £400,000 from the Revenue Maintenance Budget should be transferred to the 'revenue contributions to capital' budget within the HRA. It was also agreed that an approval was also put in place for a Supplementary Budget allocation in the 2010/2011 HRA Capital Programme to reflect the increased capital maintenance spend (to maintain the Decent Homes Standard).

On the motion of Councillor Williams, it was

**Resolved** that:-

- (i) a supplementary budget in the 2010/2011 General Fund Revenue Budget of £28,000 for redundancy costs, to be funded from General Reserves;
- (ii) a budget transfer ("virement") of £400,000 from Housing Revenue Account Maintenance to Housing Revenue Account Revenue Contributions to Capital; and

- (iii) a supplementary budget of £400,000 in the 2010/2011 Housing Revenue Account Capital Programme for Decent Homes Maintenance, to be funded by Revenue Contributions from the Housing Revenue Account budget,

all be approved.

**9. Business requiring to be dealt with as a matter of urgency**

The Mayor certified that he was prepared to allow the following item to be considered by Members as a decision was required before the next scheduled meeting of Full Council.

**10. Council Tax Setting Recommendations**

Reported that Full Council had agreed the detailed tax setting recommendations at its meeting on 22 February 2011. Unfortunately, an error had been made on the figures for one of the Parish Councils – Ashbrittle.

The figures presented were based on a Parish Precept of £1,000, when in fact Ashbrittle had requested a precept of £1,800. The Council Tax bills had been issued to residents in this parish based on the lower, incorrect Parish Precept figure.

The following table showed the impact of this error on the Band D taxpayer:-

	<b>Band D Tax Position (Figures Presented to Full Council Feb 2011) £</b>	<b>Band D Tax Position (Correct Figures) £</b>
Ashbrittle Precept	10.27	18.49
Parish Precept + TDBC	145.46	153.68
Parish Precept + TDBC + SCC / Police / Fire	1412.56	1420.78

Although the annual difference was only £8.22 on the annual Band D Council Tax bill, this error had impacted on some of the recommendations approved at the February meeting. Specifically, the recommendations relating to this Council's budget requirement level and the detailed tax levels for Ashbrittle Parish needed to be updated.

If the recommendations were approved, the actions detailed below would be taken following the meeting:-

- amended Council Tax bills would be issued to the residents of Ashbrittle with a letter of apology from the Council for this error;

- the correct level of Parish Precept would be paid to Ashbrittle, and
- the Councils amended "Budget Requirement" would be shared with the Government and Audit Commission.

The Section 151 Officer, Mrs Shirlene Adam, reported her regret that this error had occurred and offered her sincere apologies to all Councillors. A letter would also be written to the Parish Council offering apologies for the error that had been made.

The recommendations regarding tax setting, were long and technical, but followed the format agreed by the Local Government Association and the Government.

Consequently, the entire set of recommendations presented to Full Council at its last meeting was reproduced below with the necessary amendments flagged.

**Resolved** that the following amendments to the Council Tax Setting report recommendations considered at the February 2011 meeting be approved:-

- (1) No Changes Required (Tax Base Information)
- (2)
  - (a) £77,376,200 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) of the Act.  
*(Gross Expenditure including amount required for working balance)*
  - (b) £65,502,880 (no change) being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.  
*(Gross Income including reserves to be used to meet Gross Expenditure)*
  - (c) £11,873,320 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council in accordance with Section 32(4) of the Act, as its budget requirement for the year.

(d) £5,909,650 (no change) being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant, additional grant or SSA reduction grant (increased by the amount of the sums which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (*Council Tax Surplus*) and increased by the amount of any sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Community Charge) directions under Sec. 98(4) of the Local Government Finance Act 1988 made on 7 February 1994 (*Community Charge Surplus*)

(e) £147.65 
$$\frac{(c) - (d)}{9.2.1(1)} = \frac{11,873,320 - 5,909,650}{40,390.64}$$

being the amount calculated at (c) above less the amount at (d) above, all divided by the amount at 15.2.1(1) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.

*(Average Council Tax at Band D for Borough Including Parish Precepts and Special Expenses)*

(f) £503,265 being the aggregate amount of all special items referred to in Section 34(1) of the Act. *(Parish Precepts and Special Expenses).*

(g) £135.19 (no change) 
$$(e) - \frac{(f)}{15.2.1(1)} = 147.65 - \frac{503,265}{40,390.64}$$

being the amount at (e) above less the result given by dividing the amount at (f) above by the amount at 15.2.1(1) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate.

*(Council Tax at Band D for Borough Excluding Parish Precepts and Special Expenses)*

(h) Ash Priors	No Change	Neroche	No Change
Ashbrittle	<b>153.68</b>	North Curry	No Change
Bathealton	No Change	Norton Fitzwarren	No Change
Bishops Hull	No Change	Nynehead	No Change
Bishops Lydeard / Cothelstone	No Change	Oake	No Change

Bradford on Tone	No Change	Otterford	No Change
Burrowbridge	No Change	Pitminster	No Change
Cheddon Fitzpaine	No Change	Ruishton/Thornfalcon	No Change
Chipstable	No Change	Sampford Arundel	No Change
Churchstanton	No Change	Staplegrove	No Change
Combe Florey	No Change	Stawley	No Change
Comeytrowe	No Change	Stoke St Gregory	No Change
Corfe	No Change	Stoke St Mary	No Change
Cotford St Luke	No Change	Taunton	No Change
Creech St Michael	No Change	Trull	No Change
Durstun	No Change	Wellington	No Change
Fitzhead	No Change	Wellington (Without)	No Change
Halse	No Change	West Bagborough	No Change
Hatch Beauchamp	No Change	West Buckland	No Change
Kingston St Mary	No Change	West Hatch	No Change
Langford Budville	No Change	West Monkton	No Change
Lydeard St Lawrence / Tolland	No Change	Wiveliscombe	No Change
Milverton	No Change		

being the amounts given by adding to the amount at (g) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 15.2.1(2) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate. *(Council Taxes at Band D for Borough, Parish and Special Expenses)*

(i) See table overleaf

being the amounts given by multiplying the amounts at (h) above by the number which, in proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which is that proportion applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands. (Council Tax for Individual Parishes and the Borough)

The detailed tax levels agreed at Full Council in February 2011 are correct, for all Parishes apart from Ashbrittle. The amended tax levels are set out below.

**(a) 2011/12 by Parish by Band**

Valuation Band	A	B	C	D	E	F	G	H
Ashbrittle	102.45	119.53	136.60	153.68	187.83	221.98	256.13	307.35

Being the amounts given by multiplying the amounts at (h) above by the number which, in proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which is that proportion applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands (Council Tax for Individual Parishes and the Borough).

**(b)**

That it be noted that for the year 2011/12 the Somerset County Council, the Avon and Somerset Police Authority and the Somerset and Devon Fire & Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwelling shown below.

Somerset County Council	684.87	799.01	913.16	1,027.30	1,255.59	1,483.88	1,712.17	2,054.60
Avon & Somerset Police Authority	112.02	130.69	149.36	168.03	205.37	242.71	280.05	336.06
Devon & Somerset Fire & Rescue Authority	47.85	55.82	63.80	71.77	87.72	103.67	119.62	143.54

Valuation Band	A	B	C	D	E	F	G	H
Ashbrittle	947.20	1,105.05	1,262.93	1,420.78	1,736.51	2,052.24	2,367.98	2,841.56

## 8. **Reports of the Leader of the Council and Executive Councillors**

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

### (i) **Leader of the Council (Councillor Williams)**

Councillor Williams's report covered the following topics:-

- Progress of the Third Way Road, Taunton;
- Northern Inner Distributor Road;
- Firepool Site, Taunton;
- Superfast Broadband;
- Car Parking Provision and Town Centre Business;
- Longrun Meadow, Taunton.....and other Green matters;
- Working with Partners.

With regard to the last topic, Members agreed that it would be appropriate for a letter to be sent by the Mayor, on behalf of the Council, to Richard Gould the former Chief Executive of Somerset County Cricket Club to wish him well in his new role and to thank him for all he had done for Taunton over the past six years.

### (ii) **Environmental Services (Councillor Hayward)**

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

- Environmental Health Teams;
- Crematorium;
- Climate Change / Carbon Management;
- Waste Management.

### (iii) **Sports, Parks and Leisure (Councillor Mrs Herbert)**

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

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

### (iv) **Housing Services (Councillor Mrs Adkins)**

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

- Somerset Strategic Housing Project;
- Youth Housing Strategy;

- Private Sector Housing Partnership;
- Anti-Social Behaviour Update;
- Tenants' Forum.

(v) **Corporate Resources (Councillor Hall)**

The report from Councillor Hall provided information on the following areas within his portfolio:-

- Revenues and Benefits;
- Southwest One;
- Legal and Democratic Services;
- Performance and Client Team.

(vi) **Planning and Transportation (Councillor Edwards)**

The report from Councillor Edwards provided information on the following areas within his portfolio:-

- Core Strategy;
- Maidenbrook, Taunton Appeal;
- Enforcement;
- Firepool, Taunton;
- Landscape Team;
- Slinky Bus.

(vii) **Community Leadership and Communications (Councillor Mrs Lewin-Harris)**

Councillor Mrs Lewin-Harris presented the Community Leadership and Communications report which focused on the following areas within that portfolio:-

- Taunton Deane Partnership;
- Crime and Disorder Reduction Partnership;
- Health White Paper;
- Communications.

(viii) **Economic Development, Asset Management, Arts and Tourism (Councillor Cavill)**

The report from Councillor Cavill covered:-

- Keeping Members informed;
- Stimulating Business Growth and Investment;
- Ensuring a Skilled and Entrepreneurial Workforce;
- Creating an Attractive Business Environment;
- Tourist Information Centre;
- Asset Management.

(Councillors Paul, Govier, Mrs Smith and Mrs Hill left the meeting at 7.05 pm, 7.24 pm, 7.25 pm and 7.30 pm respectively. Councillors Mrs Messenger and Swaine both left the meeting at 7.47 pm.)

(The meeting ended at 8.09 pm.)

# Appendix 1

## Powers and Duties of Regulatory Committees

### Planning Committee

Whilst planning policy is an “Executive function”, the process for dealing with individual planning applications (and other development control activities) is “non-Executive”.

In Taunton Deane, these functions have been delegated to a Planning Committee and to the Council’s Development Control Manager.

The current extent of delegation of functions to the Committee and then to the officers is set out below. As these are subject to change, the up to date list of such delegations is to be found on the e-version of this Constitution on the Council’s website

### **Part A - Regulatory Powers of Planning/Growth and Development Manager**

#### Exceptions to the Officer Delegations

All proposals should be determined under delegated powers other than where one of the six criteria set out below are met.

Criterion 1: In the opinion of the Growth & Development Manager (or Chair of the Planning Committee) the application is considered to be a significant, controversial or sensitive nature.

Criterion 2: The application is from an elected member or member of staff (or partner thereof) and is recommended for approval.

Criterion 3: The application is accompanied by an Environment Statement (EIA).

Criterion 4: The application is a significant departure and is recommended for approval.

Criterion 5: Where there are conflicting views (giving clear planning reasons) from a Town/Parish Council, Parish Meeting or Ward Member as well as from four or more individuals.

Criterion 6: Applications will be delegated to the Growth & Development Manager to refuse if S106 agreements are not signed within 8, 13 or 16 week timescales.

Criterion 7: Discharge of the Council’s duty under s91(2) of the Building Act 1984

(enforcement of Building Regulations) in its area shall be delegated to the Building Control Manager.

**Criterion 8: That all prosecutions for breach of planning control should be authorised by the Planning Committee except in cases of expediency where the Authority is delegated to the Chair of Planning Committee and the Growth and Development Manager or Development Management Lead.**

**Criterion 9: Delegation to officers of all enforcement matters relating to householder development other than prosecution in respect of non-compliance with an enforcement notice.**

In addition, any application which is not referred to Committee, but where conflicting representations have been received, is referred to the Chair/Vice Chair of the Planning Committee before a decision is made.

### **Licensing Committee**

Unless otherwise indicated, the following powers are delegated to the Community Services Manager and in his absence the Licensing Manager.

<b>Part B – Regulatory Powers of Licensing and Registration Functions</b>	
1. Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960
2. Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936
3. Power to license hackney carriages and private hire vehicles.	(a) as to hackney carriages, the Town Police Clauses Act 1847, as extended by section 171 of the Public Health Act 1875 , and section 15 of the Transport Act 1985 ; and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
4. Power to license drivers of hackney carriages and private hire vehicles.	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.

5.	Power to license operators of hackney carriages and private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
6.	Power to license inter-track betting schemes.	Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963 as saved for certain purposes by article 3(3)(e) of the Gambling Act order
7.	Power to grant permits in respect of premises with amusement machines.	Schedule 9 to the Gaming Act 1968 [as saved for certain purposes by article 4(2)(l) and (m) of the Gambling Act Order]..
8.	Power to register societies wishing to promote lotteries.	Schedule 1 to the Lotteries and Amusements Act 1976[as saved for certain purposes by article 5(2)(a) and (3) of the Gambling Act Order]. .
9.	Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976[as saved for certain purposes by article 5(2)(d) and (5) of the Gambling Act Order]. .
10.	Power to license premises selling or supplying alcohol; providing regulated entertainment; selling hot food or drinks between 11pm and 5am.	Licensing Act 2003
11.	Power to issue Personal licences.	Licensing Act 2003.
12.	Power to license sex shops and sex cinemas and Sexual Entertainment Licences.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.
13.	Power to license performances of hypnotism.	The Hypnotism Act 1952
14.	Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis.	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.
15.	Power to license pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907
16.	Power to license market and street trading.	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982

17.	Power to license dealers in game and the killing and selling of game.	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831; sections 2 to 16 of the Game Licensing Act 1860, section 4 of the Customs and Inland Revenue Act 1883, sections 12(3) and 27 of the Local Government Act 1874, and section 213 of the Local Government Act 1972.
18.	Power to register premises for the preparation of food.	Section 19 of the Food Safety Act 1990.
19.	Power to license motor vehicle salvage operators	Motor Salvage Operators Regulations 2002
20.	Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999.
21.	Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951; section 1 of the Animal Boarding Establishments Act 1963; the Riding Establishments Acts 1964 and 1970 and 1970; section 1 of the Breeding of Dogs Act 1973 and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.
22.	Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulation) Act 1925.
23.	Power to license zoos.	Section 1 of the Zoo Licensing Act 1981
24.	Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976
25.	Power to license knackers' yards.	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999
26.	Power to license persons to collect for charitable and other causes.	Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 and section 2 of the House to House Collections Act 1939
27.	Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993

<b>Part C - Regulatory Powers of Community Services Manager</b>		
1.	Power to approve meat product premises.	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994
2.	Power to approve premises for the production of minced meat or meat preparations.	Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995
3.	Power to approve dairy establishments.	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995
4.	Power to approve egg product establishments.	Regulation 5 of the Egg Products Regulations 1993
5.	Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods.	Schedule 1A to the Food Safety (General Food Hygiene) Regulations 1995
6.	Duty to keep register of food business premises.	Regulation 5 of the Food Premises (Registration) Regulations 1991.
7.	Power to register food business premises.	Regulation 9 of the Food Premises (Registration) Regulations 1991.
8.	Power to enforce offences relating to the display of no-smoking signs.,	Section 6(5) of the Health Act 2006
9.	Power to enforce offences relating to smoking in smoke free places.	Section 7(4) of the Health Act 2006
10.	Power to enforce offences of failing to prevent smoking in smoke-free places	Section 8(4) of the Health Act 2006
11.	Power to transfer enforcement functions to another enforcement authority	Smoke-free (Premises and Enforcement) Regulations 2006 (S.I. 2006/3368)

**Part D - Functions relating to Health and Safety at Work**

Functions under any of the "relevant statutory provisions" within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the Authority's capacity as an employer.

Part I of the Health and Safety at Work etc. Act 1974

**Part E - Regulatory Powers of Electoral Registration Officer/Returning Officer**

**Functions relating to Elections**

1.	Duty to appoint an Electoral Registration Officer.	Section 8(2) of the Representation of the People Act 1983
2.	Power to assign officers in relation to requisitions of the Registration Officer.	Section 52(4) of the Representation of the People Act 1983.
3.	Functions in relation to parishes and parish councils.	Part II of the Local Government and Rating Act 1997 and subordinate legislation under that Part.
4.	Power to dissolve small parish councils.	Section 10 of the Local Government Act 1972.
5.	Power to make orders for grouping parishes, dissolving groups and separating parishes from groups.	Section 11 of the Local Government Act 1972.
6.	Duty to appoint returning officer for local government elections.	Section 35 of the Representation of the People Act 1983.
7.	Duty to provide assistance at European Parliamentary elections.	Paragraph 4(3) and (4) of Schedule 1 to the European Parliamentary Elections Act 1978
8.	Duty to divide constituency into polling districts.	Section 18 of the Representation of the People Act 1983.
9.	Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.
10.	Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983.

11.	Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.
12.	Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.
13.	Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.
14.	Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.
15.	Power to make temporary appointments to parish councils.	Section 91 of the Local Government Act 1972.
16.	Power to determine fees and conditions for supply of copies of, or extracts from, elections documents.	Rule 48(3) of the Local Elections (Principal Areas) Rules 1986 and rule 48(3) of the Local Elections (Parishes and Communities) Rules 1986
17.	Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000

**Parts F G H I - Powers exercisable only by full Council:-**

<b>Part F - Functions relating to name and status of areas and individuals</b>		
1.	Power to change the name of a district.	Section 74 of the Local Government Act 1972.
2.	Power to change the name of a parish.	Section 75 of the Local Government Act 1972.
3.	Power to confer title of Honorary Alderman or to admit to be an Honorary Freeman.	Section 249 of the Local Government Act 1972.
4.	Power to petition for a charter to confer Borough status.	Section 245 of the Local Government Act 1972.

<b>Part G - Miscellaneous functions</b>		
1.	Duty to approve authority's Statement of Accounts,	The Accounts and Audit Regulations 1996
2.	Power to make standing orders.	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972

3.	Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.
4.	Power to take decisions about matters such as the creation of parishes and their electoral arrangements	Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007
<b>Part H - Power to make, amend, revoke or re-enact byelaws</b>		
Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978		
<b>Part I - Power to promote local Bills.</b>		
Section 239 of the Local Government Act 1972.		
<b>Part J – Powers and Duties of Corporate Governance Committee</b>		
Review and challenge the action plans arising from the Audit Commission's annual management letter.		
Oversee the Council's use of risk management		
Monitor and review the Council's internal and external audit functions		
Review and approve the Statement of Accounts		
Monitor and review the Council's systems of internal control		

### **Part I – Proper Officers under the Public Health Acts**

Dr K Kumaran, Consultant in Communicable Disease Control, Dorset and Somerset Health Protection Unit;  
Dr Mark Salter, Consultant in Communicable Disease Control, Dorset and Somerset Health Protection Unit;  
Dr Sue Bennett, Consultant in Communicable Disease Control, and Director, Dorset and Somerset Health Protection Unit;  
Dr Faiza Khan, Acting Consultant in Communicable Disease Control, Dorset and Somerset Health Protection Unit

Legislation	Part, Section or Regulations	Effect
Public Health (Control of Disease) Act 1984	Parts II and III	Notifications and control powers for Communicable Diseases
Public Health (Infectious Diseases) Regulations 1988	Regulations 6,8,9,10 Schedules 3 and 4	Additional powers to the above
Public Health Act 1936	Sections 84 and 85	Cleansing of filthy or verminous articles, persons or clothing
Public Health Act 1961	Section 37	Disinfestation of verminous articles offered for sale

Dr Caroline Gamlin, Joint Director of Public Health, NHS Somerset and Somerset County Council; and Dr Ulrike Harrower, Consultant in Public Health, Somerset Primary Care Trust

Legislation	Part, Section or Regulations	Effect
Public Health (Control of Disease) Act 1984	Parts II and III	Notification and control powers for Communicable Diseases
Public Health (Infectious Diseases) Regulations 1988	Regulations 6,8,9,10 Schedules 3 and 4	Additional powers to the above
National Assistance Act 1948 as amended by the National Assistance (Amendment) Act 1951	Section 47	Removal of persons to suitable accommodation in certain circumstances
Public Health Act 1936	Sections 84 and 85	Cleansing of filthy or verminous articles, persons or clothing
Public Health Act 1961	Section 37	Disinfestation of verminous articles offered for sale.

All of the doctors named above for the purposes of section 35 of the Public Health (Control of Disease) Act 1984