

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 13 December 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 4 October 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 Improvements to the High Street, Taunton. Report of the Strategic Director (Joy Wislade) (attached).
- 8 Works to the flood wall at Goodland Gardens, Taunton. Report of the Strategic Director (Joy Wislade) (attached).
- 9 Reduction in the Feed In Tariffs for the installation of Green Energy - To consider the attached motion (No. 1) proposed by Councillor Ross Henley and seconded by Councillor Alan Wedderkopp.
- 10 Inappropriate use of "Blacktop" Tarmacadam to replace paving slabs in Taunton Town Centre - To consider the attached motion (No. 2) proposed by Councillor Ross Henley and seconded by Councillor Hazel Prior-Sankey.
- 11 Members' Allowances 2012/2013.  
To receive recommendations from the independent Members' Allowances Panel (attached).

- 12 Part I - To deal with written questions to, and receive the following recommendations from, the Executive:-

Councillor Williams - Recommendations relating to:-

- (a) Theme 5 of Core Council Review (CCR) - Corporate Management Team (CMT), Project Taunton (PT), Economic Development, Growth, and Legal and Democratic Services (attached);
- (b) General Fund Earmarked Reserves Review. (Report to follow.)
- (c) Fees and Charges 2012/2013. (Report to follow.)

Councillor Cavill - Recommendations relating to a Proposal for Exemption to Contract Standing Order 13 for the Procurement of Development, Construction and related services from the Partner Panel set up by the Homes and Community Agency (attached).

- (c) Councillor Mrs Adkins - Recommendation concerning the Halcon North, Taunton Regeneration Project (attached).

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

- (a) Councillor John Williams - Leader of the Council;
- (b) Councillor Mark Edwards - Planning, Transportation and Communications;
- (c) Councillor Jane Warmington - Community Development;
- (d) Councillor Norman Cavill - Economic Development, Asset Management, Arts and Tourism;
- (e) Councillor Ken Hayward - Environmental Services and Climate Change;
- (f) Councillor Catherine Herbert - Sports, Parks and Leisure;
- (g) Councillor Jean Adkins - Housing Services;
- (h) Councillor Vivienne Stock-Williams - Corporate Resources.

Tonya Meers  
Legal and Democratic Services Manager

13 April 2012

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

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

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

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

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

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

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

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: [www.tauntondeane.gov.uk](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 4 October 2011 at 6.30 pm.

**Present**      The Mayor (Councillor Brooks)  
                  The Deputy Mayor (Councillor Hall)  
                  Councillors Mrs Adkins, Mrs Allgrove, Mrs Baker, Beaven, Bishop,  
                  Bowrah, Coles, Denington, D Durdan, Ms Durdan, Edwards, Farbahi,  
                  Mrs Floyd, Gaines, A Govier, Mrs Govier, Hayward, Henley,  
                  Mrs Herbert, C Hill, Mrs Hill, Horsley, Hunt, Miss James, R Lees,  
                  Mrs Lees, Ms Lisgo, Morrell, Mullins, Nottrodt, Ms Palmer,  
                  Prior-Sankey, D Reed, Mrs Reed, Ross, Gill Slattery, T Slattery,  
                  Mrs Smith, P Smith, Mrs Stock-Williams, Stone, Swaine,  
                  Mrs Warmington, Watson, Mrs Waymouth, Ms Webber,  
                  A Wedderkopp, D Wedderkopp, Williams and Wren

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

### **1. Prayer**

The meeting was opened with a prayer offered by the Mayor's Chaplain, The Reverend David Fayle.

### **2. Mrs Audrey Meikle**

The Mayor reported on the sad death of Mrs Audrey Meikle, wife of Councillor John Meikle and a former Mayoress of Taunton Borough Council.

The Council stood in memory of Mrs Meikle.

### **3. Minutes**

The minutes of the meeting of Taunton Deane Borough Council held on 19 July and 16 August 2011, copies having been sent to each Member, were signed by the Mayor.

### **4. Apologies**

Councillors Cavill, Meikle, Mrs Messenger and Tooze.

### **5. Declaration of Interests**

Councillors Brooks, A Govier, 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. Councillors Mrs Hill, Mrs Smith and Stone declared personal interests as employees of Somerset County Council. 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. Councillor Wren declared a personal interest as an employee of Natural England. Councillors Hayward and Ross declared personal interests as the Council's representatives on the Somerset Waste Board. Councillor Nottrodt declared a personal interest as a Director of Southwest One. Councillor Ross also declared a personal interest as the alternate Director of Southwest One. Councillors D Durdan and Stone declared personal interests as Tone Leisure Board representatives. Councillor Swaine, as a part-time swimming instructor at St James Street Pool, declared a personal interest. Councillor Mullins declared a personal interest as EDF Energy at Hinkley Point was his employer. Councillor Ms Lisgo declared a personal interest as Chief Executive of Age UK Somerset Limited.

## 6. **Public Question Time**

(1) Mr Paul Partington made reference to the questions he had previously asked about the fly-tipping of various items on land adjacent to the Kingston Stream on the north side of 28 Grange Walk, Taunton and waste ground south of 97 and 99 Wedlands.

He acknowledged that a considerable amount of material had been removed from the land and that some fencing had been erected to prevent further tipping. However, at one point at the boundary a large patch of brambles remained which still contained some of the tipped materials that he had originally complained about.

Mr Partington asked whether the Council would be removing this fly-tipping and clearing the brambles on the boundary of the parkland and when this would be undertaken?

He also asked about the status of the parkland. Was it registered as an open space, public park or something else?

In response, Councillor Hayward confirmed that he would look into these further issues and would send Mr Partington a written response to his questions.

(2) The Reverend David Fayle referred to the current proposals to redevelop the Halcon North part of Taunton.

Whilst he was generally in favour of new housing developments, he was very aware how worried and frightened local people were about their futures and whether they would be able to return to live in the area. He asked what plans the Council had to address these fears? He also questioned how removing approximately 200 structurally stable homes would improve things in the area?

Councillor Jean Adkins reported that the Council was currently doing a great deal to keep people informed through written communications, meetings and 'drop-in' surgeries. The aim was to work very closely with those who would be affected to provide the information that was wanted to reassure them of future plans. She regretted that some local residents were worried and hoped

that they would contact the Housing Enabling Lead, Lesley Webb-Crookes, who was very approachable to talk through their concerns.

She added that the overall project was longstanding and would considerably improve the area if it took place.

**7. Motion – Provision of Confidential Reports to Councillors**

Moved by Councillor Horsley, seconded by Councillor Mrs Smith.

Taunton Deane Borough Council had always been in the vanguard of progress in openness and transparency in all its forms of communication with members of the public and the citizens of Taunton Deane who it served. Council Tax payers on the one hand and recipients of the services on the other should always be considered first when decisions affecting citizens' way of life were concerned.

It was recognised that from time to time items of a confidential nature might impact on the providers of services either personally or commercially where sensitivity had to be applied about the release of certain information.

Notwithstanding this, Taunton Deane Borough Council explicitly acknowledged Councillors 'Right to Know' on all matters where decisions were being taken; whether by the whole Council, the Executive or under delegated responsibilities as set out in the Constitution.

It followed that all Councillors could attend all meetings of the Executive, Committees, Sub-Committees and Panels where confidential items were laid before the relevant Members, and should therefore be entitled to receive such items at least two working days before the relevant meeting at which they would be discussed.

The mover and seconder of the motion requested that a formal roll call of votes be taken and recorded in the Minutes in accordance with Standing Order 18(2).

The motion was put and was lost with twenty two Councillors voting in favour of the motion and twenty nine Councillors voting against, as follows:-

**Yes**

Councillor Mrs Baker  
Councillor Brooks  
Councillor Coles  
Councillor Farbahi  
Councillor Mrs Floyd  
Councillor Henley  
Councillor Mrs Hill  
Councillor Horsley  
Councillor Miss James  
Councillor R Lees  
Councillor Mrs Lees

**No**

Councillor Mrs Adkins  
Councillor Mrs Allgrove  
Councillor Beaven  
Councillor Bishop  
Councillor Bowrah  
Councillor Denington  
Councillor D Durdan  
Councillor Ms Durdan  
Councillor Edwards  
Councillor Gaines  
Councillor A Govier



Councillor Ms Lisgo  
Councillor Mullins  
Councillor Prior-Sankey  
Councillor G Slattery  
Councillor T Slattery  
Councillor Mrs Smith  
Councillor P Smith  
Councillor Stone  
Councillor Swaine  
Councillor A Wedderkopp  
Councillor D Wedderkopp

Councillor Mrs Govier  
Councillor Hall  
Councillor Hayward  
Councillor Mrs Herbert  
Councillor C Hill  
Councillor Hunt  
Councillor Nottrodt  
Councillor Ms Palmer  
Councillor D Reed  
Councillor Mrs Reed  
Councillor Ross  
Councillor Mrs Stock-Williams  
Councillor Mrs Warmington  
Councillor Watson  
Councillor Mrs Waymouth  
Councillor Ms Webber  
Councillor Williams  
Councillor Wren

8. **Recruitment of an independent Member to Taunton Deane Borough Council's Standards Committee**

Reported that following the resignation of Mr Maurice Stanbury from the Standards Committee earlier in the year, the Committee's interviewing panel had recommended that the vacancy be filled by Mr Adrian Cox.

As someone who had previously held senior positions with the Somerset County Council and the Department of Health, the interviewing panel was of the view that Mr Cox would be a real asset to the Council and had therefore invited him to provisionally join the Committee.

In order to comply with the terms of the Council's Constitution this appointment had to be formally made by Council.

**Resolved** that Mr Adrian Cox be appointed as an independent Member of the Council's Standards Committee.

9. **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:-

- Breach of Confidentiality;
- Notable Events;
- Long Term Budget Strategy;
- Taunton Regional Fire Centre;

- Castle Green Enhancement and High Street, Taunton;
- EDF Contacts;
- Meeting with Business Leaders; and
- Good News for Taunton.

(ii) **Community Leadership (Councillor Mrs Jane Warmington)**

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

- The Police Reform and Social Responsibility Bill;
- Safer Somerset Partnership;
- Community Policing Awards;
- Health and Wellbeing Boards;
- Taunton Deane Partnership;
- Priority Areas;
- Total Somerset – Customer Access;
- Community Development Team;
- Youth Initiatives Fund; and
- The Weekly Bulletin.

(iii) **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; and
- Asset Management.

(iv) **Environmental Services and Climate Change (Councillor Hayward)**

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

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

(v) **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; and
- Tone (Taunton Deane) Limited Activities.

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

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

- Empty Homes and New Homes Bonus;
- “Rogue” Landlords and the Landlord Accreditation Scheme;
- Stakeholder Event and the HRA 30 Year Business Plan;
- Estates Team and Anti-social Behaviour;
- Somerset West Private Sector Housing Partnership; and
- Halcon Regeneration Project.

(vii) **Corporate Resources (Councillor Mrs Stock-Williams)**

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

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

(viii) **Planning, Transportation and Communications (Councillor Edwards)**

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

- Planning Appeal;
- Strategic Housing and Employment Land Availability Assessment (SHELAA);
- Core Strategy;
- National Planning Framework;
- Neighbourhood Plans;
- Planning Review;
- Deregulation of Planning Fees;
- Heritage and Landscape;
- Economic Development and Planning;
- Parking Strategy Review;
- Communications.

(Councillors Bishop and Ms Palmer left the meeting at 7.40 pm. Councillors D Reed, Stone and D Wedderkopp left the meeting at 7.45 pm. Councillor Morrell arrived at the meeting at 7.54 pm and then left at 8.12 pm. Councillors Farbahi, Horsley, Mrs Smith and P Smith all left the meeting at 8.15 pm. Councillor Mrs Hill left the meeting at 8.17 pm. Councillors D Durdan and Ms Durdan left the meeting at 8.20 pm. Councillor Swaine left the meeting at 8.40 pm.)

(The meeting ended at 9.15 pm.)

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

### **Full Council**

- **Members of Somerset County Council – Councillors Brooks, A Govier, Henley, Prior-Sankey, Mrs Waymouth, D Wedderkopp**
- **Employees of Somerset County Council – Councillors Mrs Hill, Mrs Smith and Stone**
- **Employee of Viridor – Councillor Miss James**
- **Employee of Sedgemoor District Council – Councillor Slattery**
- **Employee of Job Centre Plus – Councillor Henley**
- **Employee of UK Hydrographic Office – Councillor Tooze**
- **Employee of Natural England – Councillor Wren**
- **Somerset Waste Board representatives – Councillor Hayward and Councillor Ross**
- **Director of Southwest One – Councillor Nottrodt**
- **Alternate Director of Southwest One – Councillor Watson**
- **Tone Leisure Board representatives – Councillors D Durdan and Stone**
- **Part-time Swimming Instructor at St James Street Pool – Councillor Swaine**
- **Employee of EDF Energy – Councillor Mullins**
- **Chief Executive of Age UK Somerset Limited – Councillor Ms Lisgo**

# Taunton Deane Borough Council

## Full Council - 13 December 2011

### Improvements to the High Street, Taunton

#### Report of the Strategic Director, Joy Wislade

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

#### 1. Executive Summary

This report requests Full Council approval for receipt of a capital grant from the Homes and Community Agency of in the region of £250,000 for improvements to be made to the High Street, Taunton and for Full Council approval to spend this funding on the use for which it is made available.

#### 2. Background

The High Street is a central retail area of Taunton Town Centre. A paper was brought to the Executive in January 2011 proposing work to design a scheme of works to improve the appearance and functionality of the High Street as a key retail area. A full scheme was felt unlikely to be affordable immediately and the proposal was to design an overall master plan that could be achieved in phases. A further report was approved in August 2011 proposing the de-cluttering works. This report covers an offer of funding from the Homes and Community Agency (HCA) to pay for further works to the High Street, in accordance with the scheme design, as long as these are completed by 31 March 2012.

#### 3. Details

The HCA has made an informal offer of up to £250,000 (although there is the possibility that there may be slightly more than this made available), for further improvement works to the High Street, Taunton as long as these are completed by 31 March 2012.

Officers have looked at what can be done within this time frame and have submitted a final proposal to the HCA. The funding bid for will include the following works:-

- New lighting scheme;
- Sorting out all the electricity supplies so that the unsightly boxes are

- removed and the supply is extended to the top of the High Street so that markets etc can extend further up;
- Further work to the existing planters (removal and rebuilding), some new planting;
  - Street furniture including new seating; and
  - Additional signage.

The scheme has been submitted and we hope to hear back in the next few days whether it has received final approval.

#### **4. Finance Comments**

This funding would be in the form of a capital grant. The works are therefore capital works and the Council will need to approve a Supplementary Estimate to increase the Capital Programme Budget for 2011/2012 for the capital expenditure that will be funded by this grant. There is no anticipated use of the Council's own limited capital resources for the works outlined in this report.

#### **5. Legal Comments**

The High Street is part of the highway network so all the necessary permissions will be required from Somerset County Council prior to work commencing.

#### **6. Links to Corporate Aims**

This scheme links to the Regeneration Corporate Aim.

#### **7. Environmental and Community Safety Implications**

The design of the scheme will take into account community safety implications.

#### **8. Equalities Impact**

The design of the scheme will incorporate issues around access for all.

#### **9. Risk Management**

The design will be subject to a risk management approach.

#### **10. Partnership Implications**

This scheme is being delivered in partnership with others. A small project group consisting of officers from Somerset County Council, Taunton Deane Borough Council and the Town Centre Company has been set up. The private sector with interests in the High Street, have also be engaged in the process. A significant amount of public consultation has taken place.

#### **11. Recommendations**

- a) That Council authorises receipt of an offer of funding from the Homes and Communities Agency on the understanding that it is to be spent on improvements to the High Street and that it must be spent by 31 March 2012; and
- b) That, should the money be made available, a supplementary budget be approved to increase the Council's 2011/2012 Capital Programme by £250,000 for the additional expenditure funded by this Grant.

**Contact:** Joy Wishlade  
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# Taunton Deane Borough Council

## Full Council - 13 December 2011

### Works to the flood wall, Goodland Gardens, Taunton

#### Report of the Strategic Director, Joy Wislade

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

#### 1. Executive Summary

During the works to improve Goodland Gardens the removal of a substantial tree has revealed a large crack in the wall of the Mill Stream that runs through Goodland Gardens which acts as part of the flood defence scheme. The wall is in the ownership of the Borough Council. The Environment Agency requires the Council to rectify this as soon as possible.

The rebuild of this part of the wall will be carried out by the contractor currently on site, with the agreement of the Environment Agency. This report requests an addition of £10,000 to be added to the Council's Capital Programme in 2011/2012 to carry out these works. This funding to come from the unallocated Growth Points Capital Reserve. This allocation of funding requires a decision of Full Council and as these works are urgent, this report is being written to meet the Council meeting deadlines but prior to the full survey work being completed. A further update will be provided at the meeting on 13 December 2011.

#### 2. Background

- 2.1 As part of the Goodland Gardens re-design, agreement was given to remove the three large existing Cypress tree opposite the toilet block and immediately behind the Mill Stream wall. This agreement was based on:-
- a) they were too big for their location and reaching their natural maturity;
  - b) they were totally shading out the planting area underneath;
  - c) the large bole and roots of the tree in the corner of the wall was believed to be contributing to a crack in the wall; and
  - d) needle and debris drop into the stream from overhanging branches was not helpful for maintenance.
- 2.2 Deane DLO was the contractor appointed to remove the trees. Due to their situation a method was agreed that the trees would be dismantled and not felled to avoid any leverage or ground disturbance. For the same

- reasons it was agreed to cut the trunks close to ground level, but leave the roots in the ground.
- 2.3 No other works in this area have taken place apart from placing topsoil for the new planting area now possible due to the removal of the trees.
  - 2.4 Inspection has shown that the crack in the wall is historic and not new and there have clearly been previous attempts to fill the crack with mortar. This is further confirmed by the fact of the crack not being obvious when viewed from the bridge, but only apparent from the west side of the stream where the crack is angled behind the patch up mortar fill.
  - 2.5 It can be seen that in the past, presumably at the same time as the riverside wall, the Mill Stream wall has been raised by additional stonework approaching 1m and the weight of this may have contributed to the crack. It can be noted that there is some washing out of the foundation at the waterline, which may also have exacerbated the crack.

### **3. Details**

- 3.1 The ownership of the wall has been checked and is confirmed as being part of the Council's estate. The Environment Agency requires the relevant repairs to be made as soon as possible, particularly as the time of year with the highest flood risk is approaching.
- 3.2 At the time of writing this report, structural engineers are examining the crack to determine the correct method of repair / rebuild. The Environment Agency has agreed that the current contractor on site at Goodland Gardens can carry out the works, once the method has been agreed. Again, at the time of writing this report the estimate of cost is not finalised, but should be within the budget proposed of £10,000.
- 3.3 A further update will be provided at the meeting on the 13 December 2011.

### **4. Finance Comments**

- 4.1 The works are therefore capital works and the Council will need to approve a Supplementary Estimate to increase the Capital Programme Budget for 2011/2012 for the capital expenditure of £10,000. This funding will come from the Growth Points Capital Reserve.

### **5. Legal Comments**

- 5.1 The Council has a duty to maintain areas within its ownership.

### **6. Links to Corporate Aims**

- 6.1 This scheme links to the Regeneration Corporate Aim.

## **7. Environmental and Community Safety Implications**

- 7.1 The repair of this piece of flood wall is required for the integrity of the flood defences within Goodland GardenS to be maintained.

## **8. Equalities Impact**

- 8.1 No equalities issues have been identified.

## **9. Risk Management**

- 9.1 The design will be subject to a risk management approach.

## **10. Partnership Implications**

- 10.1 The approval of the Environment Agency to the design and method of the works will be sought prior to the works commencing, to ensure that correct standards are met.

## **11. Recommendation**

It is recommended that a supplementary budget is approved to increase the Council's 2011/2012 Capital Programme by £10,000 for the additional expenditure described in this report and that this funding be taken from the unallocated Growth Points Capital Reserve.

**Contact:** Joy Wishlade  
Tel: 01823 356403  
Email: [j.wishlade@tauntondeane.gov.uk](mailto:j.wishlade@tauntondeane.gov.uk)

# **Motion to Full Council – No. 1 – 13 December 2011**

## **Reduction in the Feed In Tariffs for the installation of Green Energy**

**Motion proposed by Councillor Ross Henley and seconded by Councillor Alan Wedderkopp:-**

This Council calls upon the Secretary of State for Energy to reconsider the proposal to reduce the Feed In Tariff (FIT) for the installation of Green Energy.

This scheme has allowed a very valuable Green industry to grow whilst making an important contribution to promoting sustainable energy and to reduce the effects of Climate Change.

We call upon the Government to extend the existing deadline of 12 December 2011 until next April to allow schemes already planned to be completed and to still qualify for the full tariff. Businesses and residents have entered this scheme in good faith and have planned accordingly. They should be given the time to adapt to possible changes before the scheme is amended and not as is proposed by the Government setting an unrealistic deadline.

We also request action to enable a higher rate of FIT to be available for council buildings, social housing and projects which demonstrate a community benefit.

Furthermore, the Government should investigate the option of raising the overall budget for the FIT scheme by taxing the profits made through power generation of the big utility companies to be further invested into Green community based schemes.

## **Motion to Full Council – No. 2 – 13 December 2011**

### **Inappropriate use of “Blacktop” Tarmacadam to replace paving slabs in Taunton Town Centre**

**Motion proposed by Councillor Ross Henley and seconded by Councillor Hazel Prior-Sankey:-**

Taunton Deane Borough Council has invested a huge amount of money enhancing our town centre and is therefore concerned at Somerset County Council’s policy of using unsightly blacktop Tarmacadam to replace broken paving slabs. This policy will lead to a squalid look for our town centre and is not helping and supporting businesses either.

This Council calls upon Somerset County Council to discontinue its policy of using blacktop Tarmacadam to replace broken paving stones in central Taunton Town Centre streets such as High Street, Fore Street, North Street and East Street. We also request that the County Council replaces blacktop already used in these areas with appropriate paving slabs.

Furthermore, to enhance Taunton High Street we request this Council to arrange for bins for chewing gum and recycling receptacles for bottles and cans to be placed at suitable locations to encourage recycling in the town centre.

## **Council Meeting – 13 December 2011**

### **Recommendations to Council from Tony Brown, Chairman, Independent Members' Allowances Panel**

#### **Members' Allowances**

##### **Recommendations from the Members' Allowances Panel**

- 1.1 It has been a requirement of the Council's Constitution since 2001 for Members' Allowances to be independently reviewed on an annual basis.
- 1.2 The Members' Allowances Panel, currently comprises three independent members appointed following public advertisement. Its number was sadly depleted earlier in the year following the death of Mr John Dewdney who, for a number of years, had served on the Panel as its Chairman.
- 1.3 The Panel has recently completed its annual review and now submits its report for consideration by Full Council.
- 1.4 From the research we have undertaken and from the information provided to us we feel we have a good understanding of the roles and responsibilities of the modern day Councillor.
- 1.5 The comparative data received this year has confirmed that many Councils in the South West have, like Taunton Deane, been reluctant to increase allowances due to the financial conditions that continue to exist on a national basis.
- 1.6 As well as the comparative data from other Local Authorities in the South-West on the level of allowances paid, we also obtained information regarding payment of the Carer's Allowance, and levels of travel and subsistence allowances.
- 1.7 We reached the following conclusions:-

#### **Carers Allowance**

- 2.1 There is little evidence that this is an issue with many of the current Members of the Council. However, we are firmly of the view that every opportunity should be given to any individual who might want to stand as a candidate. We are therefore recommending that the Carer's Allowance continues to reflect the National Minimum Wage.
- 2.2 Last year Full Council decided to increase the hourly rate to £5.93 which was the national rate payable from October 2010.

2.3 The rate has been increased again during this October to the sum of £6.08 per hour. The Panel is therefore of the view that any claims made by Councillors for this allowance ought to again be paid at the current national rate.

### **Affordability**

3.1 We did not see it as part of our remit to consider the affordability of our recommendations. We have deliberately not received any advice on the financial implications of our recommendations, as it was felt that this was a consideration to be made solely by the Council itself.

### **Basic Allowances**

4.1 We would like to emphasise that in our opinion the Basic Allowance is not a full and proper recompense for the duties performed by a Councillor. It does not reflect a similar level of responsibility in the private sector. The recommendations reflect the fact that a proportion of any Councillor's work continues to be voluntary.

4.2 We believe that the Basic Allowance should continue to reflect the commitment in time necessary to be an effective local Councillor. We feel that the level of increase made three years ago resulted in a Basic Allowance that continues to match that paid by other, similar sized Local Authorities. Interestingly, the average level of Basic Allowance paid to a Councillor in a local authority banded as a "District Council with Executive" is £4,458 compared to the £4,301 paid to the Taunton Deane Members

4.3 We are very mindful of the requirement for Councillors to work in their communities and spend less time in formal meeting situations. However, like last year, we are also mindful of the economic conditions that continue to exist within the country and how a recommended increase might be viewed by the public.

4.4 In previous years the increase recommended by the Panel has taken into account the current Retail Price Index (RPI) rate of inflation towards deciding the level of the Basic Allowance. In November when the Panel met, the RPI stood at 5.4%.

4.5 However, given the fact that the country's public finances are still very unstable and that a freeze on public sector pay is still in place, the Panel is of the view that any increase to the Basic Allowance for Councillors cannot be justified, even when the RPI is taken into consideration. The Panel has therefore decided not to recommend any increase for the forthcoming year.

### **Special Responsibility Allowances**

5.1 The Corporate Scrutiny and Community Scrutiny Committees have an equal standing. The Chairman of each Committee has the same level of responsibility and therefore receives an equal Responsibility Allowance.

- 5.2 Three years ago the Panel set a level of allowance to recognise this level of responsibility. However, from the comparative data available to the Panel it is apparent (as it was both last year and the year before) that the allowance paid has been set at too low a level. The average paid to Scrutiny Chairmen at similar types of local authorities in the South West is in the region of £4,000. The Panel therefore repeats its previous view that the Responsibility Allowance paid to the Scrutiny Chairmen should be increased.
- 5.3 We have a good understanding of the responsibilities of those offices that attract Special Responsibility Allowances. The “Cabinet” system has meant greater responsibility and time commitment for those given Executive roles. It is also evident from the figures of the other authorities that there is now a general recognition of the extra responsibilities that such Councillors have. However, for the same reasons outlined in the previous section of the report concerning Basic Allowances, we feel that the level of Special Responsibility Allowances, other than the Scrutiny Chairmen, should not be increased.
- 5.4 We also looked again at the level of allowance for the Chairmen of the Regulatory Committees and feel these too should remain the same.

### **Mayor and Deputy Mayor Allowance**

- 6.1 Although it does not form part of the Members’ Allowances Scheme, the Council is entitled by virtue of Sections 3 and 5 of the Local Government Act 1972 to pay an allowance which enables the Mayor to meet the expenses of his/her office. We are satisfied that the overall level of allowance currently paid to the Borough’s First Citizen and the deputy accurately reflects the duties of those roles. No increase is therefore recommended.

### **Approved Duties**

- 7.1 We have taken a detailed look at the current list of Approved Duties. We are content that this list which is set out in Appendix A is satisfactory.

### **Parish Council Allowances**

- 8.1 Existing powers to pay Parish Councillors allowances were repealed at the end of 2003 and replaced with a new system which involves this Panel.
- 8.2 Under this system, although a Parish Council would determine the level of allowances payable itself, it has to have regard to the advice received from the Panel.
- 8.3 Allowances payable include a basic ‘participation allowance’ which could be paid to the Chairman only or to all Members and ‘travelling and subsistence allowance’ which can be claimed for duties within the parish as well as those outside.
- 8.4 As far as the participation allowance was concerned, the general view from



Parish Councils nationally was that they wished to retain the existing practice whereby Parish Councillors were 'unpaid'. The advice we have received from the Parish Liaison Officer is that Parish Councils within Taunton Deane are currently not seeking any kind of allowance. We feel therefore, that there is no need to consider the matter until a formal request for advice as to the level of allowance that should be paid is received.

8.5 As well as seeking the Panel's views on the level of travelling and subsistence that should be payable to Parish Councillors, we were also previously asked to comment in relation to proposals for Parish Councils to meet the cost of minor expenses incurred by its members, such as the replacement of computer consumables used in respect of parish business

8.6 We agreed with the deliberations of the Panel in previous years and have come to the conclusion that:-

- (a) no advice on a level of Participation Allowance for Parish Councils be offered by the Panel until a formal request is received from a Parish Council;
- (b) allowances for travelling and subsistence should be identical to those payable to Borough Councillors and that the same level of such allowances should apply for all Parishes throughout Taunton Deane; and
- (c) it would be in order for Parish Councillors to seek the reimbursement of the actual cost of items used for Parish Council business, such as computer consumables, or a nominal sum, provided such payments were approved by the Parish Council.

### **Travel and Subsistence Allowances**

9.1 The Regulations allow Local Authorities to determine their own travel and subsistence allowances after having regard to the recommendation of their independent Members' Allowances Panels.

9.2 As far as mileage rates are concerned, the Panel considers that car expenses should be limited to the tax free amount allowed by the Inland Revenue.

9.3 However, that rate was increased by Her Majesty's Revenues and Customs on 6 April 2011 from 40p per mile to 45p per mile to reflect the dramatic rise in the cost of fuel over the past 12 – 18 months.

9.4 Although the Panel is of the view that the new rate should be adopted, it will be for Councillors to decide whether this increased mileage rate should be brought into effect next year, or whether the existing 40p rate should be retained. Whatever rate is decided upon, this will apply whatever the size of car engine, because the size of car was a matter for the individual.

9.4 With regard to subsistence allowances, the Panel feel that the subsistence rates should be the same as those paid to the Council's officers. These have not recently been reviewed nationally and the Panel is of the view that the level of subsistence allowances payable to Councillors should remain the same.

## **Pensions for Councillors**

- 10.1 The Government has given Local Authorities the power to admit Councillors to the Local Government Pension Scheme (LGPS).
- 10.2 The Regulations require the Members' Allowances Panels to make binding recommendations on which Councillors may be eligible for access to the LGPS.
- 10.3 The independent Panel can make recommendations as to which Members (under 70 years of age) should be entitled to membership of the Scheme and whether the Basic Allowance or the Special Responsibility Allowance or both should be made pensionable.
- 10.4 Our view continues to remain unchanged. We acknowledge that the current level of Basic Allowance might not make membership of the Scheme worthwhile for many Councillors. However, we agree with the principle that all Councillors should be treated equally on this issue. Every opportunity should be taken to encourage individuals to stand as candidates and an enhancement of the overall remuneration package for Councillors will help this aim. We continue to feel, therefore, that the Scheme should be made available to all Councillors who want to take advantage of its benefits. We do not intend to make any change to our previous recommendation.

## **Renunciation**

- 11.1 The Panel noted that a Member may, by notice in writing, elect to forgo any part of his/her entitlement to an allowance and associated benefits.

## **Time Limit**

- 12.1 As previously, the Panel recommends that Councillors should submit their allowance claims regularly and we suggest a time limit of six months for backdated claims.

## **Co-optees**

- 13.1 The Regulations also make allowance for the payment by the Council of Allowances for persons co-opted onto the Council. The only category of person this would affect currently is the Council's Standards Committee.
- 13.2 Three years ago, the Panel recommended that a Basic Allowance should be paid to the seven independent Members who serve on the Standards Committee with an additional Special Responsibility Allowance being payable to the Chairman. This recommendation was accepted.
- 13.3 However, from the last two reviews it is apparent that the level of allowance agreed is far too low when the level of responsibility the independent Members now have is taken into account and, particularly, when it is compared with that paid by other Local Authorities in the South West to the

independent Members of their Standards Committees.

- 13.4 The primary roles of the independent Members of the Committee are to promote and maintain high standards of conduct for Members of Taunton Deane, helping Members follow the Code of Conduct and dealing with complaints received against Borough or Parish Councillors.
- 13.5 The bulk of the work involved in investigating complaints does fall on the independent Members of the Committee and this fact was recognised by the former Government who recommended that an appropriate allowance should be paid to such Members based on the level of responsibility they now had.
- 13.5 Taking into account the comparative data before the Panel which showed that the average allowance paid to the Chairman of Standards Committees at similar types of local authorities in the South West was in excess of £1400 and to independent members £450, the Panel remains of the view that the level of allowances paid should be increased.
- 13.7 When discussing this issue last year, the role of the three Parish Council representatives on the Standards Committee was also considered.
- 13.8 Although, the Council has still yet to receive any complaints in respect of Parish Councillors, this situation is likely to occur in the future. In such circumstances, the Parish representatives will be required to take on exactly the same role as the independent Members in dealing with the various stages of an investigation. In other words they will have the same level of responsibility as the independent Members and, as a result, the Panel is of the view that the Parish Council representatives should be paid exactly the same allowance as that paid to the independent Members.

### **Recommendations in full**

- 14.1 The Panel therefore submits the following recommendations for consideration by Full Council. A summary of the proposed changes is set out in bold print at paragraph 15.1.
1. The existing Members' Allowance Scheme be discontinued and replaced with the following scheme with effect from 1 April 2012 (The current scheme for 2011/2012 is in brackets).
- Basic Allowance (payable to all members (£4,301)      £4,301
  - Leader (£12,098)      £12,098
  - Executive Councillors (7) (£4,705)      £4,705
  - Chairman, Planning Committee (£4,705)      £4,705
  - Chairman, Licensing Committee (£1,344)      £1,344
  - Chairman, Corporate Governance Committee (£1,344)      £1,344
  - Chairman, Corporate Scrutiny Committee (£2,700)      £3,000
  - Chairman, Community Scrutiny

Committee (£2,700)	£3,000
• Chairmen of Task and Finish Groups	£250
• Chairman, Standards Committee (£500)	£1,000
• Independent Members, Standards Committee (£300)	£450
• Parish Council representatives, Standards Committee (Nil)	£450
• Mayor (£8,998)	£8,998
• Deputy Mayor (£1,644)	£1,644

2. (i) Travelling and subsistence allowances shall be payable to Councillors when incurred by them in the necessary carrying out of those official activities as a Councillor as appear on the list of “approved duties” set out in Appendix A to this report.

(ii) The mileage rate to be increased from 40p per mile to 45p. The rate for motorcycles to be 24p per mile and bicycles to be 20p per mile.

(iii) Subsistence rates as set out below:-

Breakfast	£6.72
Lunch	£9.24
Tea	£3.64
Evening Meal	£11.44

3. Payment for the care of Councillors’ dependents be increased to the rate of £6.08 per hour (the current National Minimum Wage) and to be in accordance with the following conditions:-

(a) Councillors shall be reimbursed, up to a specified maximum limit, for costs actually incurred in providing care for any of the following who are at the time part of the claimant’s household living with him/her and who would normally be looked after by him/her, whilst the claimant is undertaking an “approved duty”.

- i. children under the age of 14;
- ii. elderly person (aged 60 and over);
- iii. people with disabilities;
- iv. people with learning difficulties.

(b) In addition to living as part of the claimant’s household the dependent must be unable to be left unsupervised by the carer.

(c) The carer must not be someone who ordinarily lives with the claimant as part of the household.

(d) For the purposes of (a) above:

(i) “approved duty” would be a duty under the Council’s scheme;

- (ii) the maximum hourly rate repayable should be consistent with the statutory minimum wage
  - (e) The claimant must produce a receipt for payments he/she has made to the carer and must sign a certificate which, amongst other things, will state that the costs were properly and necessarily incurred in the course of, or to permit, him/her undertaking his/her duties as a Councillor.
- 4.
  - (a) No advice on a level of Participation Allowance for Parish Councillors be offered by the Panel until a formal request be received from a Parish Council;
  - (b) Allowances for travelling and subsistence be identical to those payable to Borough Councillors and the same level of such allowances should apply for all Parishes throughout Taunton Deane;
  - (c) Parish Councillors be permitted to seek reimbursement of the actual cost of items used for Parish Council business, such as computer consumables, or a nominal sum, provided such payments were approved by the Parish Council.
- 5.
  - (a) That all Members of the Council be entitled to be members of the Local Government Pension Scheme;
  - (b) Both the Basic and Special Responsibility Allowance be treated as amounts in respect of which such pensions are payable.

#### 15.1 Summary of Recommendations

- **No increase to the Basic Allowance;**
- **No increase to Special Responsibility Allowances except that paid to the two Scrutiny Chairmen (proposed £300 per year increase);**
- **No increase in the Mayor or Deputy Mayor Allowance;**
- **To increase the allowance paid to the independent Members of the Standards Committee (proposed increase to £450 per year with Chairman of the Committee to receive £1,000);**
- **Same allowance paid to the independent Members of the Standards Committee to also be paid to the three Parish Council representatives on that Committee;**
- **To increase the car mileage rate to 45p per mile to reflect the non-taxable rate introduced by Her Majesty's Revenues and Customs earlier in the year.**

- **To increase the rate paid to carers of Councillor's dependents from £5.93 per hour to £6.08 per hour, to reflect the National Minimum Wage.**

Tony Brown  
Chairman  
on behalf of the Members' Allowances Panel

# Appendix A

## Recommended List of Approved Duties

Approved duties for the payment of travelling and subsistence allowances:

- (a) meetings of the Council, the Executive, its Boards, Panels, Committees, Working Parties and sub groups;
- (b) meetings of County Council's committees where the Councillor has been appointed by Taunton Deane as a member or representative;
- (c) any national conference authorised by the Council and involving an overnight stay;
- (d) meetings of other bodies to which the Council make appointments (representatives of the Council on outside bodies);
- (e) the following types of meetings:-
  - briefing meetings convened in The Deane House for members by an officer;
  - Council organised induction/training seminars;
  - agenda setting meetings;
  - meetings on Council business with officers, MPs, VIPs and others holding official positions;
  - Informal Council;
  - civic functions (twinning ceremonies, Britain in Bloom awards, Design Awards, etc);
  - meetings of Parish Councils or Community Associations where the Councillor attends as a representative of the Council (not as a member of the Parish Council or Community Association);
  - meetings within a ward, generated by business with a constituent (any such claims be supported by completion of a form indicating the area of the journey and the nature of the business);
  - site visits by members of the Planning Committee
- (f) such other duties approved by the Council.

# Taunton Deane Borough Council

## Council Meeting – 13 December 2011

### Part I (Amended)

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

#### (i) Councillor John Williams

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

The Executive has recently given consideration to a number of proposals for Theme 5 (CMT, Legal and Democratic and the Personal Assistants) which is the remaining part of the Core Council Review (CCR) that needs to be completed. Future proposals for Project Taunton and Economic Development and Growth have also been considered.

CMT was last reviewed in 2008 when it was reduced in size by one Director. Since then, it has been considered essential to maintain corporate capacity whilst the organisation has continued to manage its high level ambitions, good quality services and our change programme.

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

Both Scrutiny and the Executive have previously agreed that the current Corporate Priorities should be maintained which will require the continued resourcing of a comprehensive Growth and Regeneration delivery capacity.

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

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

- Plan for, deliver and secure external funding for growth – physical, social and economic;
- Focus on securing and supporting our existing businesses and encourage and support further inward investment;
- Address levels of inequality in our communities, both social and economic;
- Support the delivery of affordable housing, through new innovative ways as public funding becomes increasingly squeezed;



- Focus on the “Green Agenda”, both in terms of our own performance as a business, and in terms of the community and the promotion of Taunton Deane as a place for green business and industry to flourish;
- Have capacity to appropriately support, develop and adequately manage our external partnerships and contracts;
- Ensure the Deane DLO transformation is a success and delivers the level of savings and quality promised;
- React to the Localism and Open Public Services White Paper; and
- Manage the increased pace of service transformation in response to unprecedented reductions in funding and future central Government policy developments.

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

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

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

Over the past months, the Corporate Scrutiny Committee, the Political Groups and more recently, the Executive have given consideration to the future structure of CMT and have concluded that:-

- The post of CEO should be retained;
- The number of Directors should be reduced by one. It is therefore proposed that the Council should have three Directors as set out below:-
  - (1) Strategic Director – Corporate;
  - (2) Strategic Director – Growth and Regeneration; and
  - (3) Strategic Director – Services.

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

- The Section 151 Officer role should continue to be held by a Director who is a qualified accountant.
- One of the Strategic Directors could reduce their hours by 2/5ths.
- If a significant change is made at Director level, then care should be taken not to destabilise the operational management of the organisation by significantly changing the current arrangements at Theme Manager level.
- The Monitoring Officer role is retained as an integral part of the Theme Manager - Legal and Democratic Services post.

Various options with regard to the Project Taunton Delivery Team have also been considered by the Corporate Scrutiny Committee the Executive and informally by all of the Group Leaders.

The Project Taunton Team is currently funded by residual Project Taunton partnership money and Growth Points and, as such, will not represent a direct cost to the Council until 2012/2013.

It is agreed that for the future Project Taunton should be brought "in house" and that historic reserves should be used to fund some of the posts required going forward for a three year period.

Together with all of the growth, regeneration and economic development functions of the Council, it is proposed that a new Growth and Regeneration Team should be created to:-

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

The team would be directly managed by the post of Strategic Director – Growth and Regeneration and would comprise posts of:-

- Commercial Manager, for a fixed two year period, who would focus on the major regeneration projects in Taunton and lead on commercial and property negotiations;
- Regeneration Manager who would focus on the delivery of wider regeneration, infrastructure and growth including schemes within Project Taunton. This latter post would replace the existing 'Project Taunton Regeneration Manager' on the establishment and would be funded for three years from historic reserves; and
- Economic Development Manager (currently the Economic Development Specialist) to whom the Economic Development Team would report directly. The current vacant Lead role in the Economic Development Team would be deleted with 50% of the cost retained to allow for more restructuring and 50% being returned to the General Fund.

The current workload associated with the Project Taunton Project Co-ordinator post and Project Taunton Office Manager post has reduced in recent months to the extent that both posts can be deleted from the establishment.

The proposal also freed up some capacity for the Theme Manager - Growth and Development to focus on a number of key functions and retain the responsibility long term for:-

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

It is intended that the Strategic Director - Growth and Regeneration will manage the Theme Manager - Growth and Development, Commercial Manager, Regeneration Manager and Economic Development Manager to ensure they develop and operate as 'one' team.

One of the other proposals is to create an Apprentice post to support the newly formed Growth and Regeneration Team. The new post holder will have the opportunity to work across the whole Growth and Development 'Directorate' and will help to mitigate the impact of the rationalisation of existing support posts.

Another proposal relates to the proposed creation of a Corporate Support Unit where all of the posts within Democratic Services, the Personal Assistants and the two administrative posts within Theme 1 will be part of a Support Team for Theme 5 and Theme 1 and the Leader of the Council.

The Theme Manager – Legal and Democratic Manager has been tasked with the creation of the Corporate Support Unit with a budget saving of at least £50,000 to become live on 1 April 2012.

The above proposals set out a way of achieving a saving in year one of approximately £360,000 (including a one-off saving of £55,000 - £73,000 Theme Manager costs met from reserves (less £18,300 in year one to fund the total maximum cost of an Apprentice for two years)) if the proposals are accepted in full. This went beyond the initial Core Council Review target of a 10% saving for CMT.

It is **recommended** that the following be agreed:-

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

(j) The allocation of £55,000 from historic 'growth' reserves to fund the one-off costs of creating the Growth and Regeneration proposals, set out in the report to the Executive.

## **(b) General Fund Earmarked Reserves Review**

A review has recently been undertaken of a number of earmarked reserves held by the Council to ensure that the level of each reserve is adequate and that the purpose for which the funds were set aside still apply.

The level of earmarked General Fund reserves as at 31 March 2011 was £6,858,000. This included money set aside for specific revenue purposes, but did not include the £2,937,000 in General Fund balances.

As a result of the review, there are various earmarked reserves, totalling £159,003, that are no longer required.

Details of the remaining earmarked reserves would be set out in the budget Packs provided to all Councillors.

It is **recommended** that £159,003 of surplus earmarked reserves be transferred to the General Fund Reserves in the current financial year.

## **(c) Fees and Charges 2012/2013**

The Executive has given consideration to the proposed fees and charges for 2012/2013 for the following services:-

- Cemeteries and Crematorium – It is intended to increase the main cremation fee by £20 to £590 and make minor increases for other charges within the service. It is estimated that this will generate additional income of £44,000. The main burial fees are also due to be increased by £50 which will generate additional income of £6,000;
- Waste Services – It was not proposed to increase fees for Garden Bins and Garden Waste Sacks;
- Land Charges – No increase is proposed;
- Housing and Deane Helpline – It is proposed to increase all charges by 5.6% which is likely to generate additional income of £60,000 for the Housing Revenue Account;
- Licensing – Although many of the Licensing fees are set nationally, it is intended to raise local licensing fees by inflation to generate additional income of £12,427;
- Planning – It is proposed to increase pre-application advice and charges which will generate additional income estimated at £10,000;
- Environmental Health – Local Authorities are able to charge for the provision of health certificates for the export of foods to non-EU countries and could recover

costs for a few limited services the Council is asked to provide. It is anticipated this will generate approximately £250; and

- Recovery of Court Costs – No increase is proposed;

The results of previous public consultation events have clearly indicated that the public prefer to see increases in fees and charges, rather than in Council Tax, as a way for the Council to raise income.

Therefore, where possible, fees have been increased to take these views into account. The Corporate Scrutiny Committee also considered this matter at its meeting on 24 November 2011.

It is therefore **recommended** that the fees and charges for 2012/2013 in respect of Cemeteries and Crematorium, Housing and Deane Helpline, Licensing, Planning and Environmental Health be agreed.

## **(ii) Councillor Cavill**

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

The Council has previously endorsed the use of the South West Regional Development Agency's (SWERDA) consultant's list by Project Taunton. However SWERDA would cease to exist in March 2012. The Homes and Communities Agency (HCA) has a similar list of contractors who have been through the European Procurement process and are available for Local Authorities to use.

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

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

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

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

Unfortunately, this exemption does not also cover 13(d), which relates to contracts above Threshold 3 in the Contract Standing Orders. A further exemption for such contracts is therefore requested.

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

- The HCA has already complied with EU Regulations;

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

It is **recommended** that:-

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

### **(iii) Councillor Mrs Adkins**

#### **Halcon North, Taunton Regeneration Project**

At its meeting on 12 October 2011, the Executive considered a report concerning proposals to redevelop the Halcon North area of Taunton which comprised 7.25 hectares of housing land and approximately 220 dwellings.

A Development Appraisal has explored financial viability by considering the various elements including:-

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

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

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

The development appraisal has shown that it is possible to produce a broadly viable scheme of approximately 400 dwellings by reducing the percentage of affordable units on the scheme to 50%. At this level the scheme produces a surplus which will be larger if fewer retained units are required.

Both the Community Scrutiny Committee and the Executive have considered a number of options relating to the proposed redevelopment and accept that the wider benefits of regeneration outweigh any concerns around mix and tenure. The Executive therefore agreed that the project should proceed to the next stage and a developer should be procured, but with a view to 50 dwellings or more being returned to the Council.

The next stage would involve the following in preparing for procurement:-

- Drafting an information brief;
- Procuring advisors;
- Consulting residents;
- Legal and procurement advice;
- Specification/employers' requirements;
- Drafting heads of terms; and
- Establishing an evaluation panel.

Making these preparations will have a cost and a Supplementary Estimate is therefore sought to provide the necessary funding.

It is **recommended** that a Supplementary Estimate of £65,000 from the Housing Revenue Account Reserves to fund the next stage of the Halcon North Regeneration Project be approved.

# **Council Meeting – 13 December 2011**

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

### **1. M5 Motorway Tragedy**

- 1.1 Being the first scheduled Full Council meeting since that fateful day at the beginning of November, I take this opportunity to reaffirm this Council's sadness and sincere regrets for all those directly involved or suffering through the loss of loved ones in this dreadful and tragic accident. Our sincere thanks must also go to the emergency services for all their hard work and fortitude in the face of such destruction and suffering.
- 1.2 Our thoughts and condolences go out to all those involved.

### **2. Budget Setting**

- 2.1 The Council's finances and budget setting has to be the most crucial issue facing us at present. We all received the large file of suggested savings and have worked through these including other savings from changes in the Deane DLO, Core Council Review and fees and charges. Also with the use of grant funding we have managed to reduce the budget gap from £2,062,000 to £699,000. This still leaves us with a long way to go!
- 2.2 At £699,000 as noted above, we have to give officers a clear steer as to how we are willing to proceed and close this gap. I have no illusions. This will be a difficult process as we are experiencing cuts in our income that we have never contemplated previously.
- 2.3 In response to this we have to collectively work together to reduce expenditure that hopefully minimises the impact on front line services. We must also look for ways of increasing income but this has to be done in a way that does not create price resistance thus deter use. This would not be good for us or the local economy.
- 2.4 I look forward to all Members contributing to this process and there will be the usual budget pack produced pre-Christmas to assist. However, any ideas that Members have will be welcomed at any time.

### **3. Regeneration of Taunton**

- 3.1 Viridor Building : As will have been witnessed, the steel frame was erected very quickly, now the time consuming part comes of constructing floors and walls, installing services and finishes but the good news is that the building works are on programme with anticipated completion during March 2012.



- 3.2 Public park works adjacent the Viridor building : Works are planned to start soon and be complete also by March 2012 so coinciding with the building's completion.
- 3.3 Goodland Gardens : This is progressing well and slightly ahead of programme at present. Completion is due early February 2012.
- 3.4 Castle Green is now under way and reported as on programme. The contractors are reporting very few problems with managing access to the area and warning and information signage is in place. We are still trying to accommodate water mains replacement concurrent with 'our' works but Wessex Water must be in and out by the end of January for this to be possible. Hard paving is programmed to start next February so all preparation works will be carried out prior to then and hence the need for Wessex Water to conclude the replacement of their main services.
- 3.5 Third bridge at Longrun Meadows : This is still delayed by issues between the land owner and Environment Agency. A meeting is being arranged with all parties to try and resolve this ongoing issue so that Longrun Meadows is properly served by the number of bridges intended.
- 3.6 High Street Refurbishment : I attended a presentation which was a progress report on the works to date both physical and design stage. I was truly impressed by the large number of attendees, demonstrating the interest these proposals are generating and for the self evident enthusiasm of the Architects, designers and not least the volunteers.

The film maker was fantastic in capturing the great elements existing in the street and how these should be retained and enhanced in conjunction with the proposed new works. Well done to all involved. I would also be failing if I did not mention the enthusiasm of so many members of our community who took the trouble to participate in the community engagement day. They left so many colourful and interesting ideas of what they wanted to see from a refurbished and renewed High Street. The walls of the room we were in for the presentation were decked with the work of so many people and the film had captured the enthusiasm of the many young people participating.

We have put in a bid for £250,000 in grant aid to fund the first implementation stage of this project. We should hear the outcome of the bid before Christmas, and if successful work will commence in January. Congratulations to our officers for their quick response and hard work in seizing the opportunity when it arose.

- 3.7 East Goods Yard Housing Development : The blocks of 108 flats are proceeding well and on schedule for completion by next March - a welcome addition to the number of affordable houses being constructed to meet what appears an almost insatiable demand. In addition to this development, Crest Nicholson have now lodged a planning applications for 240 houses and apartments on a major portion of the remaining site. If granted, this will provide much needed housing on a site that has been lying derelict for decades.

3.8 Northern Inner Distributor Road : Planning for this road is proceeding well and it is still hoped that work can commence in March/April at the start of the new financial year. Compulsory Purchase Orders will have to be pursued to answer some objections to the scheme and arrangements for this are well in hand. This new length of road is absolutely critical to improve Taunton's infrastructure and provide access to the Firepool site and the East Goods Yard and does need constructing in a timely manner to avoid constraints on development of the sites around.

## **4. Broadband Issues**

4.1 The good news is that installation by BT in Taunton has commenced and will be ongoing from late November for completion by March 2012. This delivers "fibre to the cabinet" and they will be planning and working on "fibre to the premises" for certain properties thereafter. The fibre to the cabinet next generation access product delivers a superfast broadband service and fibre to the premises even higher speeds. We can look forward to fibre to the cabinet delivering up to 40 Mbs and BT advise this is increasing to up to 80 Mbs soon.

4.2 BDUK Broadband Initiative : This is a Somerset and Devon County Council bid for Government funding to invest in rural broadband in which they have successfully secured a £32,000,000 award. They are on track to seek competitive tenders in 2012 with work on the ground starting in 2013 and projected completion in 2015. The aim is to cover 100% of the County with at least 2 Mbs and 85% of the area receiving "superfast". This major upgrade for our rural areas is to be welcomed and it can only be good for our future economic development.

## **5. Future Initiatives**

5.1 Promotion of Firepool Site : Now having commenced the first major building on the Firepool site a concerted effort is under way to promote the location to other businesses through our partners, St Modwen and the Project Taunton Team. This is resulting in a number of possibilities and our energies and resources are directed at securing confirmed deals.

5.2 With the creation of the Heart of the South West Local Enterprise Partnership (LEP) there are opportunities to bid for funds that promote the creation of jobs and improve the economy. We are working closely with the LEP representatives to identify suitable investment that would attract these funds. In some instances this means working closely with Somerset County Council to agree and identify projects that are jointly supported as being absolutely essential to promote housing or economic growth in the area. Junction 25 of the M5 and the A358 upgrade immediately spring to mind and we do need to work with County to ensure this is listed as a priority for them as the Highway Authority.

5.3 We are also working very closely with the owners of the Orchard Centre as regards the potential redevelopment of the area of land and buildings to Mary Street, Taunton. This is looking positive and has exciting potential that could

deliver 250,000 sq ft of new retail space for Taunton and most importantly, support our aim to reinvigorate the High Street by substantially increasing footfall for the retail businesses.

## **6. My thanks to you all**

- 6.1 Being the pre-Christmas meeting may I wish you all my sincere and best wishes for the festive season and a happy and healthy New Year. We are experiencing the most difficult of times with reductions in funding services and can I offer my thanks to all officers at Taunton Deane for the committed and professional manner with which the necessary changes have and are being dealt. This to me is the true mark of professionalism that maintains delivery of duties as required in the face of adversity.

In this I include Members, who within and without the Council apply themselves to important community issues, my sincere thanks to you all for the commitment and dedication shown.

Merry Christmas and Happy New Year to all.

Councillor John Williams

# **Council Meeting – 13 December 2011**

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

### **1. Localism Act**

- 1.1 The Localism Act 2011 received Royal Assent on 15 November 2011, with the Government indicating that the majority of its provisions will be in force by April 2012.
- 1.2 The Act is a significant milestone in the Government's localism agenda, which is designed in part to shift power and the decision-making process on a range of matters from Whitehall to the local planning authorities .
- 1.3 In a planning context, the Act now puts on a statutory footing a number of previously well publicised changes such as the Community Infrastructure Levy which is presently going through the consultation process, the Planning Framework which is presently being reviewed after the consultations with details expected in the New Year and in addition the Regional Strategies are now officially abolished under the Act.
- 1.4 Neighbourhood Plans are part of the push towards local involvement in planning decision making. Section 116 of the Act provides the power for local communities to prepare Neighbourhood Plans. These have to be in accordance with local planning polices and there is clearly an issue surrounding resource and funding but central funding is initially available and we should have an indication soon.
- 1.5 Pre-determination is one area of the act which needs careful consideration as to its impact as it will effectively allow members of the Planning Committee to take part in discussions and presumably express views for or against development prior to the formal debate at the Planning Committee itself.
- 1.6 This is likely to be controversial given that pre-determination and bias has long been a feature of many judicial review actions where Members appear to approach the decision making process with a 'closed mind'. It will be interesting therefore to see whether the courts seek to impose limitations on the scope of this power; particularly where an application is controversial or raises matters of significant public interest. This is an area that needs discussing with the Chairman of Planning, the Council's Legal officer and others to assess how this progresses within the framework and the detail of the act.

## **2. Taunton Deane Core Strategy 2011-2028**

- 2.1 Following publication of the Borough Council's Core Strategy Document in July, the Borough Council received around 550 responses from 109 individuals and organisations. These have now been assessed and submitted to the Secretary of State (Planning Inspectorate) together with proposed changes to the Plan arising from this phase of the Plan's preparation.
- 2.2 A number of key issues have been 'flagged' for likely consideration by the appointed Inspector, Mr John Mattocks, including the validity of strategic housing targets, phasing of development and the allocation of the proposed Urban Extension at Monkton Heathfield. It is anticipated that the Examination into the Core Strategy will be held in February 2012.
- 2.3 Copies of the Core Strategy and the 'Submission Report', detailing representations received on the Plan and suggested changes are available for inspection in The Deane House, public libraries and on line through following the weblink:- <http://consultldf.tauntondeane.gov.uk/portal> and also in the Members Room in The Deane House.

## **3. Highway Network: Winter Services 2011/2012**

- 3.1 Somerset Highways has just issued a guide to winter services in Somerset. The County Council is responsible for maintenance on all highways in Somerset, excluding the trunk road network (M5, A303 and A36), which is the responsibility of the Highways Agency.
- 3.2 Winter maintenance is carried out in order to assist the safe movement of highway users in conditions of snow and ice. Resources are not available to treat all roads. However, a priority pre-salting network has been defined, based on traffic flows and strategic significance, as follows:-
  - Strategic and County Routes;
  - Freight Routes;
  - Links to Emergency Locations;
  - Links to Adjoining Counties;
  - Links to Major Settlements;
  - Links to settlements above 500 feet; and
  - Links to Urban/Rural Schools (Major)

## **4. The Public Art Panel**

- 4.1 The Public Art Panel has been reconvened following the departure of the Community Arts Officer in April 2010 as part of the Core Council Review. The Panel has new membership and met in September and November 2011.
- 4.2 The Panel will act as an information and advice source, sounding board and public art ideas generator for Taunton Deane. It will be able to develop projects and initiatives and will advise other commissioners.
- 4.3 It will be pro-active and help instigate and comment on public art approaches, not just proposals and projects. It will have the capacity to bring together all the interested but disparate parties who may not usually have a forum in which to meet, for example Project Taunton, Taunton Deane (officers and elected Members), Somerset County Council, Civic Society, arts and educational organisations, community partnerships and others. It can act as a Champion and driver for quality public art and take an informed overview across Taunton, whilst also acting as a conduit and catalyst for shared resources and joint learning
- 4.4 As part of the resurrection of the group, new terms of reference have been agreed and the Panel will:-
- Provide advice on the implementation of the Public Art Code and River Routes Rail;
  - Review development proposals and discuss any pre-application negotiations in line with the recommendations of the Code;
  - Assess the public art plans required by developers on key schemes and check them against the Code;
  - Recommend schemes or designs to go to Design Review Panel;
  - Identify key issues relating to the strategic development and marketing of public art and its contribution to Taunton Deane;
  - Ensure feedback within the Council's own departments, external organisations and sectors regarding the opportunities for public art within and between local activities and their own developments;
  - Monitor progress of all public art plan activities through regular (minimum quarterly) meetings and reports;
  - As appropriate and/or required by other panels, assess and advise on public artwork proposals;
  - Review and advise on artist briefs and short listed artists;
  - Continue to update and refresh members' knowledge through 'Go and See', knowledge transfer and capacity building;
  - Seek to secure future resources in order to embed public art activity within Taunton Deane Borough Council and continue the operation of the Panel;
  - Undertake and audit and create a register of existing public art work;
  - When required provide advice on artistic and cultural value of existing public art collection;

- Provide advice on priorities for adoption and maintenance funding allocation;
- Provide advice on removal, relocation, sales or disposal of public art (de-accessioning);
- Provide advice on public art proposals from external groups or individuals; and
- Ensure that work is documented and available for general access.

## **5. County-wide Civil Parking Enforcement (CPE) Project**

- 5.1 Work has been continuing on this project since reports came before Scrutiny and Executive last October. There have been some difficulties resulting in the proposed implementation date being put back several times. The other four Districts are now signed up to the principle of the County Council extending CPE into their areas. Like ourselves, Mendip, Sedgemoor and West Somerset will purchase off-street enforcement in car parks from the County Council. This will be the reverse of the present situation here. South Somerset have chosen to continue enforcing in their car parks themselves.
- 5.2 The County Council is inviting tenders for the work, which will include initial call handling and appeal processing, this month. The programme calls for a Service Provider to be appointed by the end of February with the new arrangements starting in June 2012.

## **6. RingGO**

- 6.1 RingGo is the most widely available phone parking service in the UK - offered in 160 towns and cities nationwide.
- 6.2 The company recently introduced a smartphone app and a comparison of data across the 64 local authorities that feature RingGo, shows quite substantial variations in the adoption and usage of the app as a method of paying to park by mobile phone. However Taunton Deane is amongst the top five in the Country.
- 6.3 RingGo is popular with motorists right across the district. More than 10,000 parking sessions each month are paid this way with hundreds of new users joining monthly.

## **7. Electric Charging points**

- 7.1 Project Taunton funded two Electric Charging Points in the Park Ride and this is starting to prove to be a well used facility.

- 7.2 They have two further charging posts available and initial work is being progressed on getting the necessary survey work progressed to get them sited.
- 7.3 It is most likely we will be putting them in Canon Street Car Park near the public toilets and further information will be available shortly.

## **8. Communications**

- 8.1 This has been a busy period for communications with plans for the Olympic Torch Relay progressing and some significant external stories which required immediate responses.
- 8.2 The terrible crash on the M5 Motorway led to a national focus on Taunton Deane Borough Council with contact from virtually every national news outlet as well as the regional and local media.
- 8.3 The pressure remained for most of the week, from the immediate aftermath of the crash to the vigil at Hankridge. The Leader of the Council and the Mayor were the main spokesmen for the Borough Council and their help was invaluable.
- 8.4 The closure of Castle Green Car Park also prompted a great deal of activity, culminating in a feature on parking and its availability in Deane Dispatch.
- 8.5 The Council is also leading on a campaign to save local BBC broadcasting on Medium Wave in the face of proposed cuts by the Corporation. We are working jointly with West Somerset.
- 8.6 In November I held a meeting with the BBC regarding the Torch Relay and their involvement. We have further meetings arranged but it seems likely that the BBC will be concentrating on Taunton's hosting of the Torch with recorded and live interviews.
- 8.7 Future work includes looking at the use of social media – principally Facebook and Twitter – and the potential of developing a smart-phone app which is already being progressed.
- 8.8 I wish to thank Debbie Rundle for the enormous effort and advice that she gave at the time of the M5 accident. She was diligent and highly professional in very challenging circumstances.

Councillor Mark Edwards



# **Council Meeting – 13 December 2011**

## **Report of Councillor Mrs Jane Warmington – Community Leadership**

### **1. Police Reform**

- 1.1 The Police Reform and Social Responsibility Bill has now become an Act. People will go to the polls on Thursday 15 November next year to vote for a Police and Crime Commissioner for Avon and Somerset. Final details of the process, election and panels have yet to be announced.
- 1.2 Taunton Deane will be asked to nominate a Councillor to sit on the Police and Crime Panel (PCP) one of ten local authority representatives from across the area plus two independent Members co-opted by the panel. There will be a requirement for political balance amongst elected Members.
- 1.3 Avon and Somerset Police Authority have established a Transition Board to oversee implementation of changes arising from the Act and to enable the smooth and effective transition to new arrangements.
- 1.4 A Members' Briefing is proposed before the election.
- 1.5 Please refer to [www.aspola.org.uk/index.aspx?p=214](http://www.aspola.org.uk/index.aspx?p=214) for more details.

### **2. Community Policing Awards**

- 2.1 There is still time to send in nominations to the Avon and Somerset Police Authority where you feel Officers have served the community especially well. Forms are available either on line from [www.communitypolicingawards.org.uk](http://www.communitypolicingawards.org.uk) or by telephoning 01275 816386 or a form from the Authority's HQ at Portishead, BS20 8JJ.

### **3. Somerset Health and Wellbeing Board**

- 3.1 Somerset County Council has set up the shadow Health and Wellbeing Board (HWB) which had its inaugural meeting at the end of October.
- 3.2 Councillor Vivienne Stock-Williams is one of the two district council representatives on this (with Councillor Sylvia Seal of South Somerset District Council) which will lead into the fully constituted decision-making board by April 2013. Councillor Andrew Govier is attending

these meetings as an observer. An Executive Officer Group has been set up to support the interim board.

#### **4. North Taunton and Taunton East**

- 4.1 The Priority Areas Strategy continues to gather momentum. Work is well underway to develop the content of a draft Action Plan for both areas. The challenge is to develop one that meets the priorities identified by both the communities and partner agencies.
- 4.2 The Action Plan (draft) is likely to contain three elements:-
1. Strategic Projects (medium to long term);
  2. Thematic Projects (medium to long term); AND
  3. Quick Wins.
- 4.3 Strategic Projects include (among others): working with troubled/high contact families (Community Budgets bid into Government), smarter use of capital assets (Capital Asset Pathfinder) and the proposed regeneration of a part of Halcon (Halcon Regeneration Scheme).
- 4.4 Thematic Projects are those considered to be ongoing such as improved access to services and information, mentoring, volunteering, enterprise and development, community safety, money management and health. This range of projects will be led by various partners.
- 4.5 Quick Wins will include (among others) a coordinated approach to tackling litter and dog fouling (an issue that is high on the communities list of priorities).
- 4.6 The draft Action Plan will be considered initially by the following:-
- Taunton Deane Partnership (TDP) : 13 December 2011; and
  - The Community Scrutiny Committee : 10 January 2012.
- 4.7 Following Community Scrutiny, the final phase of consultation will be with the North Taunton and Halcon MAGs (Multi-Agency Groups), the North Taunton Partnership and Link Partnership, various other community groups, residents and key partners (public and voluntary sectors). Their feedback will be used to refine the Action Plan which will then be considered for approval during spring 2012 and subsequent implementation.

#### **5. Rural Areas**

- 5.1 Following preparation of benchmarking reports and initial consultation with Members (Community Scrutiny – August 2011) and the Parish and Town Councils (currently continuing), work on the Rural Priority Area is

now at a stage where priorities need to be identified. These will be a mix of thematic such as access to services (an important issue across the rural areas of Taunton Deane) and geographic focusing on particular settlements.

- 5.2 To help identify draft priorities, Somerset County Council and TDP are being consulted. There are number of strategic initiatives that need to be considered including the Somerset County Council Change Programme and Total Somerset (Improved Customer Access). It is important that the various rural initiatives are integrated to provide coordinated action from the partner agencies.
- 5.3 Members will be kept informed through the Community Scrutiny Committee (10 January 2012).

## **6. Somerset Business Against Crime partnership**

- 6.1 This successful scheme ([www.swbac.org.uk](http://www.swbac.org.uk)) covering the towns within the Somerset West Policing Area (parts of West Somerset, Sedgemoor and Taunton Deane) is being extended to include rural businesses.
- 6.2 The not-for-profit scheme provides a layer below that of the Police (and linked to them) where up to date information may be shared through a secure intranet.
- 6.3 The ability to access a photo gallery of known offenders, be notified of suspect behaviour in an area, read a weekly e-newsletter and share intelligence could be really useful and build up into a decent deterrent.
- 6.4 A Members' Briefing has been requested on this.

## **7. Green Deal**

- 7.1 By next autumn the Government will have introduced the Green Deal.
- 7.2 Chris Huhne (MP and Secretary of State for Energy and Climate Change) says the Government aims to see every domestic, community and commercial property insulated to high standards, stopping the enormous waste of energy and money currently lost through leaky roofs, walls and windows.
- 7.3 Householders and businesses will be able to access Green Deal Packages which will mean that the insulation work will be carried out at no upfront cost to them. The companies making the investments will recoup their expenditure over time through a charge on the energy bill, which will be substantially lower as a result.

- 7.4 There will be additional help for low-income groups and hard to treat homes such as those with solid rather than cavity walls. (Many older rural properties fall into the latter category).
- 7.5 The arrangement remains with the property not an individual and is not affected by a change in ownership or occupation.
- 7.6 Councillors and local authorities are seen as having a key role to play in encouraging their communities to take up and implement the Green Deal. It all depends on how involved the local council wants to be.
- 7.7 Either simple promotion ensuring local residents and businesses know about the opportunity and helping to steer them towards providers; or engaging in partnerships with national or local contractors to encourage take up more strongly; or becoming a local authority Green Deal provider, raising the finance and carrying out the work.
- 7.8 The list of eligible measures is likely to be long so that the needs of lots of different properties can be met.
- 7.9 For more information visit [www.decc.gov.uk/assets/decc/what%20we%20do/supporting%20consumers/green\\_deal/1734-what-measures-does-the-green-deal-cover.pdf](http://www.decc.gov.uk/assets/decc/what%20we%20do/supporting%20consumers/green_deal/1734-what-measures-does-the-green-deal-cover.pdf)

## **8. Passivhaus/passive house**

- 8.1 These are the most energy efficient houses built to a high design specification (certified) yet simple in construction resulting in extremely low energy bills and low maintenance.
- 8.2 Exeter City Council has just completed eighteen flats specifically intended to encourage existing tenants to downsize. These were visited by a group of Members and officers from Taunton Deane this autumn.
- 8.3 For more information visit [www.passive-on.org/en/planning\\_package.php](http://www.passive-on.org/en/planning_package.php)
- 8.4 A Members' Briefing has been arranged on this as there is a possible scheme in the pipeline.

Councillor Jane Warmington

# **Council Meeting - 13 December 2011**

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

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

#### **1.1 Taunton Deane Economy Bulletin**

Quarterly Economic Bulletin produced in September. Now circulated to all Members and business contacts and put on Taunton Deane's website. Any feedback from Members on the usefulness of the Bulletin is welcome.

Monthly Job Seeker Allowance (JSA) Update circulated to Members, giving details of changes to claimant rates locally. In line with national trends the overall figure rose during the Autumn, though it tailed off in October thanks to seasonal recruitment.

#### **1.2 Staffing Issues**

The team now comprises 3.5 staff members. In anticipation of the Theme 5 Review the team is working closer with Project Taunton.

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

#### **2.1 Business Liaison**

The Business Team has continued to undertake a proactive programme of visits to larger local businesses with the aim of assisting businesses to realise their growth and investment plans. During the year to date the team has visited around 30 businesses.

The following organisations have been met on a 1:1 basis during the past two months and currently being supported include:-

- APR Media, Wellington
- Somerset Tourism Association
- CMS Developments
- Pitman Training, Taunton
- Rumwell Hall, Bishop's Hull
- The Beehive Nursery, Bishop's Hull
- The HR Department, Taunton
- Performance Driven, Priorswood
- Taunton Town Football Club
- RiVO Partners, Taunton
- Boldscan, Wellington
- Traders in The Courtyard, Taunton

- Tacchi Morris Arts Centre, Taunton
- West Somerset Railway
- Mill Meadow, Kingston St Mary

## 2.2 Rural Post Offices

Work is continuing assisting these businesses. A web site is being worked on, which will link to the Council's web page. After this initial investment, the businesses will be able to enhance and update their own site (at their own expense).

The Council also supported a training event in November for rural Post Offices at Dillington House.

## 2.3 Business Events

### Wellington Business Event

The local Chamber of Commerce decided not to progress the business event planned for 10 November 2011 at The Rugby Club. An alternative event is now planned for February 2012 to showcase Wellington businesses. Officers attended the Wellington Chamber AGM in November.

### Tourism Event

Plans are in the pipeline for a Tourism event to be held in Taunton Deane in Spring 2012, organised by Taunton Deane Borough Council. The team is currently looking for a suitable venue.

## 2.4 Support for Rural Business Projects

We have been assisting South West Internet to enable them to continue the provision of Broadband services to their customers in Taunton Deane. SWI provide wireless broadband services to many rural locations presently not serviced by BT. It is also unlikely that alternative services will be available in the short term of the broadband speed that SWI can provide.

**LARC:** Levels and Moors and Western areas LARC open for new applications for business projects; Blackdown Hills fully committed. Hoped there will be a successor to the LARC programme in 2014... no details known yet

**Making the Links-** £1,000 funding offered to a rural business mentor scheme in the Western part of the Borough.

## 2.5 Stimulating Enterprise amongst Young People

The Council has contracted once again with BIS – Business Initiative in Schools – to offer learning and support to young people in Taunton schools to create new businesses. Members will recall that last year the initiative gave Taunton the accolade of being the Regional Winner of the UK Enterprising Town competition.

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

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

The Somerset Charity, ViSTA, has been appointed by the team to enhance Taunton Deane's three Job Clubs in Halcon, Priorswood, and Wellington. ViSTA has significant expertise in providing learning and development to charities and community organizations and is experienced in delivering Community Learning and Job Clubs. The Taunton Deane project, titled 'Breakthrough' aims to

- Support people who want to work to get into work; and
- Encourage employers to provide breakthrough opportunities for unemployed people.

People living in Taunton Deane who are looking for work or a career change will have access to the project, with support available via the Job clubs or Individual support or coaching sessions. The Breakthrough team will give one to one support with job search including:-

- CV Writing;
- Job searching;
- Job applications;
- Interview techniques and practice; and
- Meeting employers.

#### **3.2 Client Based Approach to Construction Skills**

Having agreed to take on Approved Client status in securing apprenticeships and other learning opportunities in major construction projects, officers are working with Somerset County Council to progress the programme.

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

#### **4.1 Business Case Studies**

In October the team produced the Taunton Deane Business Case Studies,

focusing on successful local businesses in the food and drink sector. As a result of the publicity one of the businesses included, Sheppy's Cider, will be featured in one of the regional newspapers. The Case Studies are produced bi-monthly, each one focussing on a different business sector, and highlighting the Taunton Deane's success in hosting growing, dynamic and innovative businesses.

## **4.2 Taunton Town Centre Company and BID Programme**

The first Christmas shopping day culminated with aerial displays including the Marines and finishing with the switching on of the Christmas lights and a fireworks display. This event was a great success, a family event which increased the footfall in the town. The Orchard Shopping Centre recorded one of its highest footfall days and a smiling manager reported that customers were not only walking though, but also carrying shopping bags.

Matt has been working with Project Taunton and TTCCo on new signage and information points, which should be installed by the end of March.

The Council, at Member and officer level through the Economic Development Team, is an active member of the Town Centre Company, working closely on specific events (such as the Tour of Britain and the Olympic Torch Relay) as well as coordinating the provision of town centre services.

Planning and preparations are currently underway for the BID ballot to enable a second BID term from September 2012. An extensive consultation project is currently underway to inform a Draft BID Business Plan, which will be issued later this month, prior to its adoption in the New Year. Working with the Council's Elections Team, the company is planning to hold the BID ballot in March or April.

## **4.3 Events Toolkit**

The team is currently progressing a project to assist in the coordination and marketing of cultural events in Taunton. The toolkit will contain all of the information an event organiser will need to hold a successful event in Taunton Deane. The toolkit will be presented on both a website and a leaflet. The other main function of the website will be an events calendar, coordinating all of the events taking place in Taunton Deane.

## **5. Taunton Tourism Information, Ticket and Travel Centre (TIC)**

### **5.1 Visitor numbers and spend**

Continuing the trend of previous months, TIC visitor numbers have been holding up but there has been a decrease in customer spend especially with large value sales such as hotel and theatre packages.



The change in Library opening hours in October (the library now closes on a Monday) has not had a significant impact on visitors or customer spend in the TIC, indeed some Monday's are now busier than before the change took place.

The Cards for Good Causes Charity Christmas Shop is now in full swing and will remain open at the TIC until 23 December 2011. In addition to the cards from 25 national charities, cards are also on sale for League of Friends Musgrove Park Hospital, St Margaret's Hospice and Taunton Women's Aid.

## **5.2 Promotional activities**

Bakers Dolphin hosted a coffee morning at the TIC to launch their new Summer holiday brochure.

The National Trust has a representative from the Somerset Countryside section in the office each week promoting the Trust and the sale of membership.

Taunton Deane Nurseries are promoting and selling Christmas plants and holly wreaths in the TIC, with next season's plants due on sale in the spring 2012.

Meetings have been held with the Somerset Tourism Association and Tacchi Morris Arts Centre to discuss further ways we could work together, raising collective profiles and increasing business.

## **5.3 New activities planned**

The TIC team will be working with colleagues in Economic Development and Taunton Town Centre Company on various initiatives to promote the area during 2012.

The TIC lead will continue working with the Somerset Tourism Association to improve the information held on the area on the official Somerset Tourism website [www.visitsomerset.co.uk](http://www.visitsomerset.co.uk).

The TIC team will also be working with other TIC's in the South West to share best practice and increase income streams in the centre.

I would like to take the opportunity of wishing you all a Happy Christmas and a healthy and prosperous New Year.

Councillor Norman Cavill

# **Council Meeting – 13 December 2011**

## **Report of Councillor Ken Hayward – Environmental Services and Climate Change**

### **1. Waste Management**

- 1.1 On the morning of the recent industrial action, May Gurney reported that all trucks were deployed as normal. So as far as I am aware, there was no disruption to this particular public service on the day. The workforce was not balloted but there was a question of potential disruption at shared depots in Bridgwater and Yeovil. This was not an issue on the morning. Similarly, the Recycling Centres were unaffected.
- 1.2 As time goes by and as landfill levies increase, so it becomes more and more important that the Somerset Waste Partnership (SWP) looks for viable alternatives to taking our residual wastes (i.e. those that are not recyclable) to landfill.
- 1.3 One such alternative is that of incineration. Such technology has of course been around for a very long time. But in more recent years, rather than simply allowing the heat to go up the chimney, the energy is now harnessed and converted to electricity. The so-called “Energy From Waste” (EFW) plants.
- 1.4 Taunton based Viridor has secured planning permission (after initial rejection) to build and operate such a facility at Severn Road, Avonmouth, which will be able to separate large volumes of recyclable material and also process up to 350,000 tonnes of residual waste a year. Some of which, it is hoped, will be streamed from Somerset). The company still needs to obtain a permit from the Environment Agency to operate the plant but has begun clearing the site ahead of construction early next year.
- 1.5 Councillor Alan Wedderkopp and I accepted an invitation from Viridor to join others from the SWP on a visit to their Lakeside EFW facility near Slough. The plant uses a mass-burn process to generate high temperatures that are then used to produce high pressure steam. The steam in turn drives a turbine to produce electricity. Residues and flue gases are carefully treated to minimise the release of environmental pollutants.
- 1.6 The impressive plant has the capacity to consume 410,000 tonnes of household and municipal waste per year and export at least 34 Mega Watts per hour onto the National Grid system. This process diverts over 95% of waste from landfill. The facility has also been designed so that off-site district heating (Combined Heat and Power) can be provided to local consumers in the future.

### **2. Environmental Health Teams**

- 2.1 Charlotte Dale and two other officers are heavily involved in the investigations

into the tragic M5 accident on the evening of the 4 November 2011, and will be for some months to come.

- 2.2 Through the resultant temporary redeployment within the Section, the Food, Health and Safety team is at half strength, which makes achieving any statutory targets very difficult. This in turn will have a big impact on our ongoing food inspection programme. So I have carefully considered Charlotte's recommendation and I am sure that Members will understand my decision to employ a contractor to help by carrying out some inspections.

### **Environmental Health Gas Safe Checks**

- 2.3 Since the initial pilot project in May 2011, the Council's Environmental Health Team continue to carry out checks on catering and food businesses across the Borough to ensure that gas appliances are safe to use.
- 2.4 To date 15 businesses have been found to be using gas equipment that is faulty. Following routine food and health and safety inspections, officers have issued 13 Prohibition Notices to immediately prevent the use of appliances due to them presenting an imminent risk to health. Also 31 Improvement Notices have been served on business where there was no evidence of the safe installation or maintenance or where defects in gas appliances have been identified.
- 2.5 Furthermore, the Council is currently progressing enforcement action against a business where the issued Prohibition Notice was ignored by the owner of the business who continued to use the appliance thereby compromising the safety of himself, his employees and his customers.
- 2.6 In this challenging economic climate, the emphasis of the checks continues to be support and advice from the officers to ensure businesses are aware of the requirement to maintain their appliances and find a gas safe registered fitter. However, if dangerous appliances are found then officers will be requiring action to be taken to make the equipment safe.
- 2.7 Environmental Health will be sending out letters within the next couple of weeks to all relevant food businesses to highlight the requirement that they should ensure that all their gas appliances are installed and maintained in a safe manner. This will hopefully raise awareness and ensure that gas appliances are checked and certificated by a commercial gas engineer prior to officer inspections.

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

- 3.1 I reported at the last Full Council meeting that we were assessing the merits of installing solar PV panels on the roof of Taunton Swimming Pool. Initial thoughts centred on an installation of 36kW providing an 11.59% pa return on an installation investment of around £100,000. I reported that to maximise on the Government's Feed In Tariff the installation would have to be up and running by the end of March 2012.

- 3.2 Members will be aware that at the end of October the Government published a consultation document that proposes to reduce the generation tariff for an installation of this size from 32.9p to 15.2p. Further, that the changes come into effect for all installations registered after midnight on 11 December 2011. A previously tight, now impossible, timetable. Suppliers have reduced prices by up to 20%, which helps. But they are too busy fulfilling orders to install before 12 December to be progressing new work just at the moment. Once this deadline has passed, we can look again at the options open to us.
- 3.3 The cost and risks for our proposed installation of solar PV on Council Houses lies with the supplier, with Taunton Deane gaining some income. Early market testing is suggesting that an income stream is likely to be still on offer to the Council albeit lower than previously. Again, once the 12 December deadline has passed, we will continue our market testing over the coming weeks, and will hopefully have a clearer idea then on how we may progress.

#### **4. Crematorium**

- 4.1 In praise of the Wesley System - a letter: *"My Mum recently died, and we held the service at the Crematorium. My daughter lives in New Zealand and we were able to link to her so that she could see the service live. What a wonderful system this is. My sister and I would like to thank you for offering this facility, which enabled Louise to feel part of the service; it must be a great comfort to a lot of people."*
- 4.2 As previously reported, the programme to install three new cremators and mercury filtration equipment remains on schedule with installation beginning early in 2012.

All that remains is for me to wish everyone a well earned rest over the Christmas period. A time to recharge batteries - ready for the extremely challenging times ahead of us!

Councillor Ken Hayward

# **Council Meeting - 13 December 2011**

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

### **1. Parks**

- 1.1 The Mayor and Deputy Mayor were both kind enough to carry out the raising of the Green Flags recently, and for once we did not get too wet or snowed upon!
- 1.2 Water features in the parks have been switched off for the winter to protect their pumps and pipes from the cold weather. We are talking with the manufacturer of the water pump at the Vivary Play area to ensure it is fit for purpose as we have had so many breakages in its short life already. We hope that once remedied this will stop the issues we have had this year.
- 1.3 Longrun Meadows – A new footpath has been installed.

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

#### **Community Leisure**

- 2.1 The Christmas edition of The Deano has is being produced ready to send every primary school aged child in Taunton Deane, plus libraries and sports centres. A copy will also be published on the Council web site.
- 2.2 The Friends of Vivary Park, assisted by Taunton Deane will hold the annual Carols Around the Bandstand in the Park on Sunday, 18 December 2011.

#### **Capital Grant Schemes**

- 2.3 Grants to Clubs and Community Halls:-
  - Stoke St Mary Village Hall has successfully completed refurbishment works;
  - Bishops Lydeard Village Hall is nearing completion of their new kitchen;
  - Ash Priors Village Hall has completed their car park;
  - Fitzhead Tithe Barn has completed works on the roof; and
  - West Bagborough and Langford Budville continue to make progress with their schemes.
- 2.4 Parish Play Area Grant Scheme:-

- West Buckland – the new slide has been installed; and
- Otterford – works have been completed but are under discussion between the Parish Council and the Parks Department.

## **Play**

- 2.5 A roundabout and climbing wall have been ordered for French Weir Park using developer contributions for the site. The choice of play equipment was made after consultation by the Friends of French Weir Park with children attending their annual family fun day. The equipment is expected to be installed in January.
- 2.6 After a request by local users of Gill Crescent Play Area, Taunton two pieces of under 5's equipment has been installed at the play area. This equipment had been removed under refurbishment schemes elsewhere in Taunton Deane and held in the Depot store. The cost of installation will be met from the Council's Capital Play Equipment Replacement Budget.
- 2.7 Pleased to say the Adsa Green scheme is well underway due to the good weather. We are working with the Police to put in a number of activities once it opens.

## **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:-

#### **Health Development**

- 3.2 Older People
- 3.2.1 The Development Team have completed Functional Testing and Postural Stability classes at Lodge Close Sheltered Housing Scheme in Wellington for patients referred through the Falls Service.
- 3.2.2 Twelve participants joined in a Seated Football Session held at Priorswood's Older People's Club.
- 3.3 Weight Management
- 3.3.1 Tone submitted a bid for the NHS Community Pounds Project and was successful in winning funding for Priorswood Community Group. This initiative commenced in October and will run for six months at St. James Street Baths.

3.3.2 During October Tone launched the Go Fat Go Weight Management Programme for National Health Service staff at Musgrove Park Hospital. Due to popular demand an additional course has now been scheduled.

### 3.4 Walking for Health in Taunton and Wellington

3.4.1 Tone's team of volunteers expanded in October when ten people successfully completed the one day training course to become Volunteer Walk Leaders for Tone's Walking for Health Schemes. Over 80% of the individuals started volunteering immediately afterwards on the existing schemes in Taunton and Wellington, which continue to grow in popularity with in excess of 150 participations per week.

### 3.5 Physical Activity to Promote Mental Health

3.5.1 Tone supported the national Time to Change campaign (Let's End Mental Health Discrimination) on 10 October 2011 at Wellsprings Leisure Centre. An afternoon of activities was provided free of charge thanks to funding from NHS Somerset and included short taster sessions of Boxercise and Hot Cycling. Free seven day passes were given out to all attendees.

## **Facility News**

### 3.6 Taunton Pool

3.6.1 Refurbishment work was undertaken during October and November in all three of the changing rooms at Taunton Swimming Pool. All the existing lockers were removed and replaced with new units. The changing room ceiling was also decorated, giving the changing facilities a fresh and clean feeling.

3.6.2 Procurement of a new lift has commenced with Southwest One.

### 3.7 Wellington Sports Centre

3.7.1 Wellington has formed a partnership with the Wellington Badminton Network due for launch in 2012. The next stage to this partnership will see a number of leagues established at the centre. Also Wellington is now part of the Children's Centre Advisory Board to promote more activities throughout the centre.

### 3.8 Wellsprings Leisure Centre

3.8.1 Wellsprings has been working with the Sports Development Organisation 'Sported'. The team have decided to nominate Wellsprings as the centre for volleyball in and around Taunton. Their aim is to move the junior operations to Wellsprings, linking it to the same night as the adult session. This would also act as a pathway of progression for junior development.

3.8.2 Taunton Academy - Phase One plans have been presented to Tone, other partners and the community of North Taunton. Tone are working with the

Academy to ensure the new campus best serves the students' and the community's needs.

3.8.3 Spray Tanning - At the beginning of November sunless tanning was introduced at Wellsprings Leisure Centre. The VersaSpa tanning booth gives customers an even, flawless tan in a matter of minutes in complete privacy, eliminating the feeling of intimidation that some customers may feel when being sprayed by somebody.

3.9 Blackbrook Pavilion

3.9.1 Two new exercise classes are being introduced into the Health and Fitness programme - Skiptrix began in September and Boxercise classes will take place from January 2012.

3.9.2 Blackbrook has started to use a new computer programme, Course Pro, which is already widely used for Swimskool at sites with swimming pools. At Blackbrook it is being utilised for tennis courses.

3.9.3 The Taunton 10k took place at the end of September; another successful year with 650 runners participating.

3.10 Taunton Tennis Centre

3.10.1 A number of tennis coaches are playing an integral role in delivering an outreach tennis programme to the children of St. George's School. This after school club programme will also act as a pathway to Tone's main tennis programme.

#### **4. Swimming Pool Project**

4.1 A project plan is currently being drawn up and we hope to bring an update on this to Members very shortly.

Merry Christmas to you and all your families.

Councillor Catherine Herbert.



# **Council Meeting – 13 December 2011**

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

### **1. Empty Homes and New Homes Bonus**

- 1.1 The 5 – 9 December 2011 was National Empty Homes week and the Somerset West Private Sector Housing Partnership (SWPSHP) marked this by staging pop-up exhibitions in the area. As this goes to press, the Empty Homes Officer, Nick Jobson, who is based at Sedgemoor District Council, will be in Reception at The Deane House with the Exhibition.
- 1.2 A press release was issued to mark this detailing the successes of the Partnership this year with nearly 200 properties brought back into use, some 50 being in Taunton Deane.
- 1.3 Apart from the obvious benefit of providing additional homes, this brings in more New Homes Bonus: the provisional figure for Taunton Deane is 65% higher in Year 2 than Year 1, with credit being given for 45 net additional Empty Homes brought back into use which has contributed significantly to the improvement.
- 1.4 Our performance was the highest improvement in Somerset, with additional credit of £350 per unit on Affordable Homes and caravan Pitches totalling 238.

### **2. Landlords' Forum and the Landlord Accreditation Scheme**

- 2.1 Before this meeting, I hope to have attended the Landlords' Forum event which the SWPSHP is hosting at the County Cricket Ground this evening.
- 2.2 There will be presentations and stalls providing information on various topics, including Empty Homes, benefit changes and energy efficiency, as well as the Landlord Accreditation scheme which our partners operate and we hope to introduce in Taunton Deane, subject to Budget setting as some capital funding would be needed.

### **3. HRA 30 Year Business Plan and Self-Financing**

- 3.1 The Plan is still being developed, version five having been brought to Executive on 7 December 2011 with a number of recommendations,

including four strategic objectives for Housing, which are broadly in line with the Council's Corporate Aims.

- 3.2 Self-financing will go ahead as the Localism Bill has now been enacted. The final settlement figure has not been received at the time of writing, but the latest provisional figure was better than expected.

#### **4. Estates Team and Anti-social Behaviour (ASB)**

- 4.1 We continue to receive regular monthly updates on ASB at Housing Briefings which is attended by the Chairmen of the Tenant Services Management Board and the Tenants' Forum.
- 4.2 We have sent a response to the Government consultation on the new mandatory power of possession, which could help speed up evictions for Anti-Social Behaviour as once a conviction had been obtained, a Possession Order could be applied for and the court would be obliged to grant it.

#### **5. Solar Panel Project**

- 5.1 Unfortunately the project to lease roofspace on suitable Council Houses to generate electricity for the Feed-in Tariff had a setback when the Government brought forward the deadline for reducing the tariff. This does, however, mean that we no longer have such a tight deadline to work to and can wait to see how the market develops.

#### **6. Annual Servicing and Maintenance Contract**

- 6.1 Expressions of interest were received from 14 companies and those shortlisted are being visited. The deadline for tender submissions is now 6 January 2012, after which interviews will be held.

#### **7. Halcon Regeneration Project**

Since my last report to Council, the decision to move on to the next stage of this Project was recommended by the Community Scrutiny Committee and taken by the Executive and then called in. Community Scrutiny considered the call-in and recommended no further action, so the decision stands.

There is no further update at the time of writing.

## **8. Affordable Homes**

- 8.1 There were 58 completions confirmed to the end of September and around 40 expected in the last two months. The total completions in the pipeline, if achieved, could exceed our target of 200, with 95 due at Canalside, Firepool Lock in March 2012.
- 8.2 Lesley Webb-Crookes arranged for some tenants of Victoria Gate, Taunton to visit the nearly completed development by Knightstone at Wordsworth Drive, as these are similar apartments and I accompanied them.
- 8.3 The tenants were much impressed with the standard of finish and particularly the layout and facilities provided in those for disabled use, including a sink which could be raised and lowered.
- 8.3 I have agreed to the revision of the existing Affordable Housing Partnership with Housing Associations, through a formal tendering process.

May I take this opportunity to wish a Happy Christmas and New Year to my fellow Councillors, Officers and our Tenants.

Councillor Mrs Jean Adkins

# Council Meeting - 13 December 2011

## Report of Councillor Mrs Vivienne Stock-Williams, Corporate Resources

### 1. Customer Contact Centre

#### Customer Service

- 1.1 Southwest One (SW1) Customer Contact Centre continued to provide very good service for Taunton Deane in September and October. Performance was, however, hindered by a number of factors, both ICT and staffing related, which caused the service to miss one of their Key Performance Indicators – Abandonment Rate. Customer satisfaction continues to remain high with levels for the year to date running at 98.8%.

#### Staff Development

- 1.2 All members of the Customer Contact Team are in the process of attending a two-day specifically designed “Delivering Customer Excellence” course.
- 1.3 Due to the nature of the Contact Centre work and the need to cover the service adequately, the course which started in September runs mid-week and will continue until the end of February 2012 to ensure all team members have been included. Annual refreshers will then be held to ensure skills development.
- 1.4 In addition, the team is about to embark on an innovative “buddying” programme for new starters, whereby trained advisers will be guiding them through their early months with the team.

#### Service Delivery

- 1.5 Service delivery is provided in the following management information:-

#### Statistical Information:

Service Line	Reporting Authority	KPI No	Performance Measure	Frequency of Reporting	2011/2012 Target	Sep-11	Oct-11
Customer Contact	TDBC	1	% of calls answered in 20 secs	Monthly	80%	80%	80%
Customer Contact	TDBC	2	% of calls resolved at first point of contact	Monthly	91%	96%	95%
Customer Contact	TDBC	3	% of external customers rating the Customer Contact service as Very Good/Good	Annually (monitored quarterly)	73.5%	98.8%	
Customer Contact	TDBC	4	Abandoned call rate - less than 5%	Monthly	<5%	5.88%	4.80%

- 1.6 A total of 6,279 enquiries have been dealt with at The Deane House Main, Housing and Planning Receptions over the past two months. In addition, there have been over 3,500 requests for signposting and visitors for meetings. 4,089 people visited Wellington Community Office – 2,401 to make enquiries including TIC and 1,688 to make a payment through the kiosk. Staff have dealt with 674 letter and email enquiries during this time.
- 1.7 There were no complaints about the service during September and one formal compliment (other than comments left on customer satisfaction survey forms). The system operates approximately one month in arrears and therefore final October information is not yet available.
- 1.8 The service has an agreed Business Plan with the Authority and is continuing to work with ICT to determine how the delivery requirements for the years ahead will be achieved – including self serve, automation for payments and switchboard plus enhanced reporting and quality monitoring. It is expected that new systems will be implemented during Quarter 3 of next year following work on the Somerset County Council switch equipment, although preparatory work with the preferred supplier and ICT has already started.

### **Christmas Opening**

- 1.9 As in previous years since the service became part of Southwest One, Customer Contact staff will be providing a telephone service between Christmas and New Year.
- 1.10 The Centre will, therefore, be open from 8-6pm on Wednesday 28, Thursday 29 and Friday 30 December. In addition, the service remains open until 6pm on Friday 22<sup>n</sup> December (the remainder of the Authority closes at 1pm). This is a reduced service based on the fact that back offices will be closed, but it gives customers the ability to continue to receive an excellent transactional and information service over the holiday week.
- 1.11 For the first time, the opening of Wellington Community Office between Christmas and New Year is being trialled. Thus, the customers of Wellington and the surrounding area will also be provided with a face to face service during this period.

## **2. Legal and Democratic Services**

### **The Localism Act 2011**

- 2.1 The big news is that the Localism Act was given Royal Assent on 15 November 2011. We have not yet, however, had any commencement orders to bring the Act into force. It is understood that part of the Act will be brought into force in January 2012, with the bulk of it coming into force in April 2012.
- 2.2 Unfortunately, little has been forthcoming in the way of consultation or draft regulations. It is anticipated that the draft regulations will not be sighted until about six weeks before they need to be brought into force. Officers will be going through the Act to give Members an update during the coming months.

- 2.3 Last minute changes have been made to the Standards regime which will have implications for the Authority. A clearer picture will emerge once those draft regulations are received, so there will be pressure put on officers to get things in place at the due time.

### **Theme 5 and the Review of Legal and Democratic Services**

- 2.4 The report of the Legal and Democratic Services Manager on Theme 5 and the review of Legal and Democratic Services went to Corporate Scrutiny on 24 November 2011 and Members gave their views.
- 2.5 The consultation period on these proposed changes will run until the 11 January 2012. The report will then be presented to Executive on the 9 February 2012 with a final decision being made at Full Council on the 22 February 2012.

### **Youth Liaison Group**

- 2.6 The Legal and Democratic Services Manager has been undertaking a review of the Youth Liaison Group following a request to look at its viability and whether it should be formalised. Feedback has now been received from the relevant agencies and a report will be presented to Community Scrutiny shortly.

### **Remembrance Sunday**

- 2.7 The Mayor and Mayoress again led the commemoration of the fallen from previous wars on Armistice Day and on Remembrance Sunday, both in Taunton and in Wellington. All these events seemed to attract even more people than in previous years.

### **Queen's Diamond Jubilee**

- 2.8 A second meeting was held on Monday, 28 November 2011, to discuss plans for events to mark the Queen's Diamond Jubilee in early June next year.
- 2.9 The meeting heard details of a variety of ideas proposed by representatives from throughout Taunton Deane which, when finalised, will be given publicity through the Council's website and possibly by way of a souvenir brochure.

## **3. Performance and Client Team**

### **Client Team**

- 3.1 The Client Team has continued to monitor closely the performance of the SW1 and Tone Leisure partnerships.
- 3.2 No significant issues have been reported in relation to Tone Leisure. A new-style performance update report for Tone Lesiure went to the Community Scrutiny Committee on 29 November 2011. This contained more detailed performance information than in previous reports.

- 3.3 Generally the SW1 services are working well and key performance indicators (KPI's) are being met. However, there have been issues in relation to the ICT service and in areas of the Finance service. The Team is working with SW1 to implement action plans to deliver improvements in these services.

### **Corporate Performance**

- 3.4 The Quarter 2 Corporate Performance and Budget monitoring report is currently working its way through the CMT, Scrutiny and Executive cycle.
- 3.5 The report indicates that the Authority is achieving the majority of its objectives with only a few areas being of significant concern (planning performance – speed of processing 'Major' applications; health and safety inspections; car parking (off street) income; building control income).
- 3.6 The Annual Report for 2010/2011 has also now been published on the Taunton Deane website. We have recently received the Annual Audit Letter from the Audit Commission. This paints a generally good picture and will be taken to the Corporate Governance Committee in December.
- 3.7 Any new actions identified by the Audit Commission will be added to our Corporate Governance Action Plan (to be reported to the Corporate Governance Committee on 12 December). Corporate Risk Management is on track and the next 6-monthly review of the Corporate Risk Register will take place in February and reported to the Corporate Governance Committee in March 2012.

### **Retained Finance and Corporate Insurance**

- 3.8 The Retained Finance Officer continues to provide support to the S151 Officer, the Budget Review Programme, day-to-day management of the retained finance functions and to the Client Team in monitoring the SW1 Finance Service. In addition, work has been undertaken in progressing the treasury management borrowing requirements for the forthcoming Housing Revenue Account reform.
- 3.9 A revised Capital Strategy has been drafted for approval by Members and will go to the Corporate Scrutiny and Executive meetings in November and December 2011. The Fees and Charges report 2012/2013 has been prepared and is currently with Members for consideration and agreement. A report regarding our level of reserves will be going to Members in December.
- 3.10 The Corporate Insurance Officer commenced maternity leave in early July 2011. Cover for the insurance function is being provided by the Insurance Team at Somerset County Council. To date this arrangement is working well.

### **Retained HR**

- 3.11 The Retained HR Manager continues to fulfil the Head of HR Role for the Authority, providing strategic advice for the Authority and Southwest One HR service as required. This role also includes assisting the Client Team in monitoring the delivery of the HR service by Southwest One.

- 3.12 Recently, the focus has been on managing the staffing implications of the budget savings programme, specifically in managing the relationship with Unison, redundancy implications and changes to HR policies. In addition, significant liaison with Unison and planning was required in relation to the public sector strike on 30 November 2011.

## **4. Revenues and Benefits**

### **Customer Service Award**

- 4.1 In October the Revenues and Benefits Service was awarded the prestigious Customer Service Excellence Award in recognition of its high standard of customer service and its commitment to continuous improvement. Customer Service Excellence is the Government's national standard for excellence in customer service. The assessment is undertaken by an independent organisation and approved by the Cabinet Office in Whitehall.
- 4.2 The Customer Service Excellence Award recognises services that put customers at the heart of their services and that focus on delivery, timeliness, information, professionalism and staff attitude. The Revenues and Benefits Service achieved full compliance across 59 of the elements required for the Award and three areas were scored as "compliance plus" demonstrating exceptional behaviour or practice. The award lasts for three years with an annual compliance review.

### **Performance**

- 4.3 Processing performance for Housing Benefit and Council Tax Benefit remains steady with the average time from date of receipt to final calculation on new claims and changes of circumstances at 10 calendar days. Council Tax and Business Rate recovery is on track to meet in-year collection performance targets.
- 4.4 In the last two months, there have been several Government consultation exercises on proposals to localise Council Tax Benefit, reform Council Tax discounts and exemptions, amend funding arrangements through changes to Business Rates retention and reform staffing arrangements on investigating benefit fraud.
- 4.5 Members have received information on these proposals through briefings and information provided through the Scrutiny Committees. The next few years will see substantial changes in local taxation and benefits and the service recognises it is imperative Members are kept up to date with information as it becomes available.

## **5. Southwest One (SW1)**

### **Procurement Savings Progress**

- 5.1 The procurement savings project continues to be an area of concern because the savings delivered to date are behind the original forecast. Clearly this is



due in part to the current economic climate and the fact that we are simply spending less.

- 5.2 The Strategic Procurement Service has produced a revised forecast. This revised forecast indicates that, based on current spend, we should be able to achieve savings totalling £6.8m over the lifetime of the project. Whilst this is significantly lower than the £10m originally forecast, this will still allow us to repay the amounts we have borrowed to fund the SW1 transformation projects and leave a surplus.
- 5.3 However, it is now clear that repayment of the amount borrowed will be delayed by two years or so. A report exploring the options available for repaying the borrowings, with a recommended solution, will go before the Corporate Scrutiny Committee in December 2011. Additionally, a detailed progress update report regarding the Procurement Project will be taken to the December Corporate Scrutiny Committee.

### **SAP Re-launch and Patching**

- 5.4 All the business critical elements of SAP have been launched and have been in use for some time. In conjunction with our SW1 partners, we continue to work together to introduce changes, fixes and enhancements to SAP to improve the end user experience.
- 5.5 A list of such items is being tracked weekly by a cross-authority Change Board. The Board is working hard to ensure SAP is made as user friendly as possible and delivers the anticipated benefits to all partners.
- 5.6 At Taunton Deane one particular area of focus is on launching the staff performance appraisal (PREDS) module. Two defects were uncovered during testing, but these have now been fixed. We will shortly start to pilot this module with a view to launching early in the New Year. Progress reports are being made to the Change Members Steering Group.

Councillor Vivienne Stock-Williams

## 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 13 December 2011 at 6.30 pm.

**Present** The Mayor (Councillor Brooks)  
The Deputy Mayor (Councillor Hall)  
Councillors Mrs Adkins, Mrs Allgrove, Mrs Baker, Beaven, Bishop, Bowrah, Cavill, Coles, Denington, D Durdan, Ms Durdan, Edwards, Gaines, A Govier, Mrs Govier, Hayward, Henley, Mrs Herbert, C Hill, Mrs Hill, Horsley, Hunt, Miss James, R Lees, Mrs Lees, Ms Lisgo, Meikle, Mrs Messenger, Morrell, Mullins, Nottrodt, D Reed, Mrs Reed, Ross, Gill Slattery, T Slattery, Mrs Smith, P Smith, Mrs Stock-Williams, Stone, Tooze, Mrs Warmington, Watson, Ms Webber, A Wedderkopp, D Wedderkopp and Williams

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

### 1. **Prayer**

In the absence of the Mayor's Chaplain, the Reverend David Fayle, the meeting was opened with a prayer offered by the Mayor.

### 2. **Minutes**

The minutes of the meeting of Taunton Deane Borough Council held on 4 October 2011, copies having been sent to each Member, were signed by the Mayor.

### 3. **Apologies**

Councillors Farbahi, Mrs Floyd, Ms Palmer, Prior-Sankey and Wren.

### 4. **Declaration of Interests**

Councillors Brooks, A Govier, Prior-Sankey 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. Councillors Mrs Hill, Mrs Smith and Stone declared personal interests as employees of Somerset County Council. 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. Councillor Wren declared a personal interest as an employee of Natural England. Councillors Hayward and Ross declared personal interests as the Council's representatives on the Somerset Waste Board. Councillor Nottrodt declared a personal interest as a Director of Southwest One. Councillor Ross also declared a personal interest as the alternate Director of Southwest One. Councillors D Durdan and Stone declared personal interests as Tone Leisure Board representatives. Councillor Tooze declared a personal interest as an employee of the UK Hydrographic Office. Councillor Swaine, as a part-time swimming instructor at

St James Street Pool, declared a personal interest. Councillor Mullins declared a personal interest as EDF Energy at Hinkley Point was his employer. Councillor Ms Lisgo declared a personal interest as Chief Executive of Age UK Somerset Limited.

## 5. **Public Question Time**

(1) Mr Paul Partington asked the following four questions:-

(i) Permission for the development of the former cider works was granted on in August 2007. Footpath T 18/4 at Norton Fitzwarren had recently had a new footbridge fitted by developers which took into account those with mobility problems. As a result, the footbridge was some 2 m higher than the original. The footbridge was also supported on concrete piers and had a considerably longer span. This was due to the Halsewater being widened as part of the comprehensive flood scheme. Those using the new footbridge could look down on the back gardens of the adjacent properties. Was there planning permission for this new bridge?

(ii) In October 2010 the Department for Environment, Food and Rural Affairs published a document titled "Authorising Structures (gaps, gates and stiles) on Rights of Way – Good practice guidance for local authorities on compliance with the Equalities Act 2010". One of the recommendations in the document was that authorities should have a published policy on how it would meet the requirements of the Equality Act.

Did Taunton Deane have any policies as to how it would meet the requirements of the Equality Act 2010 in relation to public rights of way?

(iii) The Council had recently published a public path diversion order in respect of a footpath in the Parish of Oake. This diversion included a stile and a narrow pedestrian bridge. The present route had a culvert wide enough to take a vehicle, whilst part of the diversion route was on an uneven path at the top of a bank and down a steep slope. This would be difficult for someone who had mobility problems.

Did Taunton Deane believe it was complying with the Equalities Act 2010 in respect of this diversion order?

(iv) The same order made reference to a limitation of an extant stile to remain adjacent to a field gate at the Oake to Bradford on Tone road opposite Oake Green Lane. The Open Spaces Society had examined the Definitive Map at County Hall which suggested that the path did not go through the stile but through a nearby field gate.

Would Taunton Deane acknowledge that the public right of way passed through the field gate?

In response, Councillor Edwards confirmed that he would look into these issues and would send Mr Partington a written response to his questions.

(2) Mr Aldred reported that the Halcon North Tenants and Residents' Association had been set up as the people of the Halcon North community felt that the Council had not listened to their concerns and worries about the proposed Option 1 of the regeneration project. The community would like a regeneration project for the people of Halcon North, not a project that destroyed the local community and handed the valuable land over to private developers.

The Tenants and Residents' Association had asked the people of Halcon North about Option 1 and 157 people within the area had, so far, signed a petition saying "no" to Option 1 and that they would like an option to keep 179 Council houses. This way the tenants could move back into the area without having to change landlords.

The Association wanted to work with the Council on an alternative project which would not remove tenants from their community and extended families.

With over 400 new dwellings proposed under the regeneration project, people were worried about population density leading to more problems – not less.

Mr Aldred asked the following questions:-

- (a) Under the Localism Act, was there a possibility the residents could now have a referendum on Option 1 of the regeneration project?
- (b) Could the Tenants and Residents' Association put forward an alternative regeneration project with the help of a company like Savills, rather than the Council throwing Council-Tax Payers money at a project the community did not want?
- (c) Was the Council willing to work with the Tenants and Residents' Association to find a regeneration project more suited to the community of Halcon North?
- (d) Would the Council now reconsider the regeneration project now that the Localism Act was in place to establish if there would be any benefits in keeping 179 Council houses and the money this would bring into the Housing Revenue Account?

In reply Councillor Williams stated that the Council did not wish to impose a solution which was not wanted by local people. He added that a proposal which sought to retain the level of Council houses proposed by Mr Aldred would not produce sufficient return to make a regeneration of Halcon North possible.

Councillor Williams promised a full written response to the questions raised by Mr Aldred.

## **6. Improvements to the High Street, Taunton**

Considered report previously circulated, which sought approval for the receipt of a capital grant from the Homes and Community Agency (HCA) for improvements to the High Street, Taunton.

The HCA had made an informal offer of up to £250,000 to fund further improvement works to the High Street, Taunton as long as these were completed by 31 March 2012.

A final proposal had been submitted to the HCA which included the following proposed works:-

- A new lighting scheme;
- Sorting out all the electricity supplies so that the unsightly boxes were removed and the supply was extended to the top of the High Street so that markets particularly could be extended further up the street;
- Further work to the existing planters (removal and rebuilding), some new planting;
- Street furniture including new seating; and
- Additional signage.

It was anticipated that a response from the HCA as to whether the above scheme had received final approval would be received within the next few days.

**Resolved** that:-

- (a) The receipt of an offer of funding from the Homes and Communities Agency, on the understanding that it had to be spent on improvements to the High Street, Taunton by 31 March 2012, be authorised; and
- (b) If the money was made available, a supplementary budget be approved to increase the Council's 2011/2012 Capital Programme by £250,000 for the additional expenditure funded by this Grant.

## 7. **Works to the flood wall, Goodland Gardens, Taunton**

Considered report previously circulated, concerning the discovery of a large crack in the wall of the Mill Stream that flowed through Goodland Gardens, Taunton. The wall acted as part of the town's flood defence scheme.

Inspection of the crack, which had been found following the removal of three large Cypress trees opposite the former toilet block, had shown that it was not new. There had clearly been previous attempts to fill the crack with mortar.

The ownership of the wall had been checked and it had been confirmed as being part of the Council's estate. The Environment Agency required the relevant repairs to be made as soon as possible, particularly as the time of year with the highest flood risk was approaching.

The Agency had also agreed that the current contractor on site at Goodland Gardens could carry out the works, once the preferred method had been agreed by structural engineers. It was anticipated that the costs of repair should be within the budget proposed of £10,000.

**Resolved** that a supplementary budget be approved to increase the Council's

2011/2012 Capital Programme by £10,000 for the additional expenditure required for the repairs to the Mill Stream wall and that this funding be taken from the unallocated Growth Points Capital Reserve.

8. **Motion – Reduction in the Feed In Tariffs for the installation of Green Energy**

Moved by Councillor Henley, seconded by Councillor Alan Wedderkopp.

This Council called upon the Secretary of State for Energy to reverse the proposal to reduce the Feed In Tariff (FIT) for the installation of Green Energy.

This scheme had allowed a very valuable Green industry to grow whilst making an important contribution to promoting sustainable energy and to reduce the effects of Climate Change.

We call upon the Government to extend the existing deadline of 12 December 2011 until next April to allow schemes already planned to be completed and to still qualify for the full tariff. Businesses and residents had entered this scheme in good faith and had planned accordingly. They should be given the time to adapt to possible changes before the scheme was amended and not as was proposed by the Government setting an unrealistic deadline.

We also request action to enable a higher rate of FIT to be available for council buildings, social housing and projects which demonstrated a community benefit.

Furthermore, the Government should investigate the option of raising the overall budget for the FIT scheme by taxing the profits made through power generation of the big utility companies to be further invested into Green community based schemes.

The motion was put and was carried.

9. **Motion - Inappropriate use of “Blacktop” Tarmacadam to replace paving slabs in Taunton Town Centre**

Moved by Councillor Henley, seconded by Councillor Simon Coles.

Taunton Deane Borough Council had invested a huge amount of money enhancing the town centre and was therefore concerned at Somerset County Council's policy of using unsightly blacktop Tarmacadam to replace broken paving slabs. This policy would lead to a squalid look for our town centre and was not helping and supporting businesses either.

This Council called upon Somerset County Council to discontinue its policy of using blacktop Tarmacadam to replace broken paving stones in central Taunton Town Centre streets such as High Street, Fore Street, North Street and East Street. We also request that the County Council replaced blacktop already used in these areas with appropriate paving slabs.

Furthermore, to enhance Taunton High Street we request this Council to arrange for bins for chewing gum and recycling receptacles for bottles and cans to be placed at suitable locations to encourage recycling in the town centre.

The motion was put and was carried.

#### 10. **Members' Allowances 2012/2013**

Submitted report previously circulated of the Members' Allowances Panel following its annual review of Members' Allowances. A copy of the report and recommendations had been circulated to all Councillors.

Details of the Members' Allowances Scheme that had been recommended by the independent Panel were submitted. The Panel had once again recommended increases to the Special Responsibility Allowance paid to the two Scrutiny Committee Chairmen and the allowance paid to the independent Members of the Council's Standards Committee to recognise the increased responsibility they now had following the introduction of the Local Assessment Framework in May 2008.

The Panel had, for the second time, recommended that the Parish Council representatives on the Standards Committee should also receive the same allowance as the independent Members. In addition, it was recommended that the rate paid to carers of Councillor's dependents be increased from £5.93 per hour to £6.08 per hour, to reflect the current National Minimum Wage and that the car mileage rate be increased to 45p per mile which would be in line with the non-taxable rate introduced by Her Majesty's Revenues and Customs earlier in the year.

Moved by Councillor Denington and seconded by Councillor Williams, that the following be agreed:-

##### Summary of Recommendations

- No increase to the Basic Allowance;
- No increase to Special Responsibility Allowances;
- No increase in the Mayor or Deputy Mayor Allowance;
- No increase to the allowance paid to the independent Members of the Standards Committee;
- No allowance to be paid to the Parish Council representatives on the Standards Committee;
- To increase the car mileage rate to 45p per mile to reflect the non-taxable rate introduced by Her Majesty's Revenues and Customs

earlier in the year; and

- To increase the rate paid to carers of Councillor's dependents from £5.93 per hour to £6.08 per hour, to reflect the National Minimum Wage.

The motion was put and was carried.

## 11. **Written Questions to Members of the Executive**

### **From Councillor Coles to Councillor Williams**

1. At the Executive meeting on the 7 December 2011 you confirmed that it was your intention to use all of the New Homes Bonus, some £350,000 per annum, not only this year but in all subsequent years to plug the gap in the Budget! How would this help the neediest in our society to find suitable accommodation?

**Reply** - The proposal to use the Year 1 New Homes Bonus resource as part of our core funding was shared in the recent budget papers to the Corporate Scrutiny Committee and the Executive. It was a proposal – and Councillors were free to offer alternatives to this as the budget process progressed. Ideally I would like to be in a position where we could use the New Homes Bonus purely to fund one-off projects to promote growth – but at the moment that was simply unaffordable.

2. What was the staff complement before the start of the current staff review?

**Reply** - 479 Full-time Equivalents.

3. What was the total annual wage bill for those staff at that time?

**Reply** - This information would take some time to produce and a written response would therefore follow.

4. How many of the staff were subject to “market factors”?

**Reply** - 40.

5. What was the anticipated staff complement at the end of this current review?

**Reply** - 422 Full-time Equivalents.

6. What was the anticipated annual wage bill for staff at the end of this review?

**Reply** - This information would take some time to produce and a written response would therefore follow.

7. How many staff would be subject to “market factors”?



**Reply - 26.**

8. When would the “market factor” element be reviewed and what was the anticipated outcome?

9. The number of staff, on each grade, before and after the review and how many moved up a grade or more?

**Reply to both questions** - When the Job Evaluation Scheme was agreed, staff with Market Factors received protection for their market factor whilst they remained within that post and the post remained unchanged.

As part of the same Job Evaluation Agreement a new Market Factor Policy was agreed and says amongst other things:-

“Market supplements would be reviewed from time to time for those unprotected posts as appropriate and consequently might be withdrawn, should the review demonstrate that current evidence did not justify a supplementary payment continuing.”

A review would be carried out when an individual left a post that had attracted a market supplement.

Further reviews would be carried out whenever a post was re-evaluated through the job evaluation process.

Over the period of time covered and the nature of the Core Council Review this was a piece of work which would require some time to produce and identify the reasons for movement of staff.

### **From Councillor Coles to Councillor Mrs Warmington**

10. In view of the catastrophic cuts to voluntary groups, could the Portfolio Holder tell us just how many Commissioners she had put forward to be trained via the National Programme for Third Sector Commissioning (NPTSC) to work better with voluntary and community organisations to raise their awareness of the possibilities and benefits of including voluntary and community organisations working together to bid for contracts and work.....or was she content to merely preside over these unwelcome cuts without actually offering any mitigation at all? Did she not realise the enormous benefits that accrued from voluntary and community organisations?

**Reply** - This was a proposal that had been supported by all political groups through the budget process. The decision would be made as part of the budget. It was a proposal and Councillors were free to offer alternatives.

The voluntary sector delivered a huge amount of invaluable services to the communities across Taunton Deane, many of which were supported financially by the Authority through service level agreements and several small grant schemes. The Portfolio Holder was fully aware of the enormous

added value, expertise and increased outreach that was enabled by working this way.

For months now, officers and Council Members had been trying to minimise the impact of severe cuts to the Council's overall budget next year (we were expecting approximately 40% over four years). This had been really difficult and there had been extensive consultation amongst all Councillors.

The scale of the required savings meant that all budget areas needed to be considered, including those budgets for the Voluntary and Community Sector. The voluntary sector had been consulted throughout this process of review (in line with the guidelines drawn up under Somerset Compact and through new statutory guidance this year under Best Value Duty) and were generally supportive of the decision being taken by the Authority in light of the serious budget constraints it faced.

Funding was awarded to the Voluntary and Community Sector through four main service areas : Strategy, Community Development, Housing and Economic Development. About a third of this was through the Strategy Unit where the cut of £30,000 (equivalent to 4.9% of overall spend on Voluntary and Community Sector) had been proposed in order to make ends meet.

Work was ongoing to mitigate the effects of the proposed cuts to the Voluntary Sector detailed in the most recent reports to the Community Scrutiny Committee and the Executive. This included consultation and continued provision of Grantfinder/ Grantnet, work to make better use of public/Voluntary and Community Sector assets and co-ordinating bids. A review of Voluntary and Community Sector spending across the Authority covering the period 2007-2012 had taken place to enable more efficient ways of allocating resources. Voluntary and Community Sector grant funds from the Strategy Unit during this time had increased by 35%.

A Grants Panel has been proposed to introduce a single, transparent, efficient way of allocating grant aid across the Authority and had the support of the Voluntary and Community Sector. At the moment the Authority supported the Voluntary and Community Sector through grant aid rather than commissioning work from them. A change to commissioning (if that was desired) would need a strategic steer from Council through due processes.

The National Programme for Third Sector Commissioning had various funds available though and the Taunton Deane Partnership (TDP)/Promise (mentoring and advocacy for young people) recently submitted a bid to their Social Action Fund to develop mentoring capacity within the priority areas. Unfortunately the bid was unsuccessful.

Taunton Deane Partnership/Taunton Deane Borough Council/Voluntary and the Community Sector were aware of various funds (for example NPTSC/Lotto) to bid for to support Voluntary and Community Sector infrastructure in the priority areas. The action plans for North Taunton and Taunton East were near to completion and it had been decided to wait for these before submitting any further bids. The Partnership would then be in a

much stronger position to make bids in support of specific projects such as community agents, mentors, etc. All partners (within the TDP) were working together on this. For general infrastructure support, Taunton Voluntary Action had submitted bids to the Big Lotto and Vista had submitted a bid to the Transforming Local Infrastructure fund. The Strategy Unit had supported these with the provision of information and general statements of support. The Voluntary and Community Sector were greatly valued by all those at Taunton Deane and the Portfolio Holder would do her utmost to support them through this difficult financial time. Supporting the third sector should not be political and input from any Member was welcomed.

### **From Councillor Coles to Councillor Edwards**

11. Could the Portfolio Holder please advise me of the composition of the Public Art Panel?

**Reply** - The Public Art Panel was convened by the consultants currently working on public art for the Authority. The intention was to identify an officer who would then take up responsibility for supporting and managing the Panel. Members would have experience and/or expertise in the following areas of public art to ensure a broad base and a balance of skill and opinion:-

Maggie Bolt – MBA (note taker)  
Diana Hatton – public art consultant  
Caroline Corfe – Civic Society and Chair of the Panel  
Graham Ward – Civic Society  
Carol Carey – Somerset Art Works  
Tim Martin – The Brewhouse  
Robbie Lowes – Project Taunton  
Councillor Ken Hayward – TDBC and Design Champion  
Tim Burton – TDBC  
Bryn Kitching – TDBC  
Matt Parr - TDBC

12. On Civil Parking Enforcement (CPE) how confident was he that the new arrangements would be in place by the target date of June 2012?

**Reply** - The County Council's project plan included inviting tenders now with a return date in January 2012 and an award of contract by the end of February. The tenderers were all currently delivering CPE in other parts of the country. The three month lead in period was considered to be sufficient for an experienced operator to set up. The Department of Transport would respond in April 2012 to the County Council's formal application for Special Parking Area status for the parts of the County outside Taunton Deane.

Given the key stages now reached with the project there was no reason at this time to query the June 2012 date. This was very pleasing as this had taken many years to bring to fruition as the Councillor should be very aware. Indeed, throughout his time as portfolio holder no real progress was made at all so I am pleased we have managed to move this forward so significantly.

13. At the Executive meeting on 7 December 2011 it was reported that some £11,500 would be “saved” by not pursuing any more new Residents’ Parking Zones (RPZ). Could Councillor Edwards please confirm which unlucky residents who had thought up until the 7 December that they would be getting an RPZ, but due to his cut would no longer be seeing an RPZ “any time soon” - and, just as importantly, when was he going to advise these lucky residents of their good fortune?

**Reply** - We have done all the work that was presently agreed so the reserve was not needed as in future Somerset County Council (SCC) would be responsible for Residents’ Parking. If there were any minor adjustments required in the coming months officers were satisfied they had sufficient budget to deal with this.

I am rather surprised that this question was being asked as he should be well aware that SCC was going to be responsible for residents parking. He should therefore be aware we had no need to fund this as a County Council function?

14. The speed of processing “Major” Planning applications continued to fall below the mark. Whilst some of the blame could be laid at the door of SCC, whose Highway Department consistently failed to respond in the required timescale which in turn meant we failed to respond in a timely manner. Just what was he doing about it?

**Reply** - The Leader and Chief Executive had raised this issue with SCC. Please find below the response recently circulated to all Councillors in response to a question from Councillor Henley.

Joy Wishlade met with the relevant Director at SCC on 16 November and expressed our concerns around major applications. He had just commenced an internal review of how SCC dealt with these based upon their existing capacity. The areas he was looking at were:-

- Raising the level of where highways get actively involved – i.e. for lesser applications they would offer standard off the shelf advice and be available for queries and then focus on the bigger applications;
- The way legal support was given to them;
- Electronic transfer of information (a problem for their data capability);
- He also brought up looking at how we validated applications and whether they should be validated when they clearly had insufficient or inadequate transport information.

This final point was an issue that I discussed with Phil Lowndes the Group Manager at SCC, but the regulations did not allow us to refuse to register on this basis. I also discussed with him ways that they could raise income to fund increased resource in the event of local planning fee setting being implemented as promised.

SCC had also recently confirmed that they would have a dedicated contact for

the Monkton Heathfield Urban Extension work.

15. How did he explain away the fact that Sedgemoor District Council appeared to have a “hot line” to the SCC Highways Department and received a priority response from Highways on all of their Major applications? Just what did he propose to do to rectify this ludicrous situation?

**Reply** - I was personally unaware of this. However, Joy Wishlade raised it with SCC last month. They had been concentrating on getting work done on some of the priority major applications there in the last couple of months – however, this was not an ongoing situation and they said they would be pulling back resources to provide a more even service across the County.

16. What steps had he taken to protect and promote the Building Control income stream?

**Reply** - We have recognised that this service is losing income (Quarter 2 report to Scrutiny refers). Steps were being taken to deal with this in-year.

The significance of some of the larger housing projects around Taunton Deane and particular commercial projects that would come on stream over the next 12-18 months would have a favorable impact on workload and income within the area, specifically around support services connected to new housing sites currently being constructed, material alteration and the large projects that will be taking place with EDF.

We were currently involved in seeking applications and providing our services for a number of other major projects; these were deemed to be exemplar projects beyond those that we would be attracting from our day to day workloads. I cannot indicate which projects these were due to the confidentiality of such works and would not want to create any issues which could ultimately lose work for Building Control.

We were also entering into negotiations with another Authority with a view to carrying out their validation and plans vetting function. This was mainly due to personnel and workload issues. This would be based on a recharge system to the other Authority for applications validated and plans vetted. This could present a significant income opportunity for Taunton Deane.

We had further increased our business partners of the past 12 months from four to ten. This allowed our unit to effectively plan work outside our boundary restrictions. We would continue to seek new partners as this allowed us to gain income from work outside of Taunton Deane. Over the next 12 months we would be actively seeking to gain larger architects to partner who predominately worked outside our area. Building Control felt that they could service Bristol from Sedgemoor and Exeter from Taunton Deane.

17. What provisions had he made to increase the amount of car parking in the lead up to the hugely important pre-Christmas Shopping period? And did he still feel that closing the Castle Green Car Park over this vital shopping period was a good idea despite the fact that no work would start on it until well

into the New Year? Just how could he justify the loss of this invaluable income, some £125,000 p.a. to Taunton Deane?

**Reply** – General car park usage was lower this year than we have seen previously. There was capacity within the existing parking stock to deal with the expected demand, taking into consideration that there were 1600 spaces available at the Park and Ride sites. There was additional pressure on the central car parks in the run up to Christmas and it might be that not everyone finds an empty space in their first choice car park and had to park further out than they would ideally like.

The closure of Castle Green Car Park had been part of the accepted Project Taunton proposals for several years. Work had started on Castle Green - they were currently doing the archaeological investigations which must be done prior to work on top due to the very sensitive nature of the site. Some other minor works had been done including sign removal and a small wall removed but the absolute key issue was the archaeological work.

The contractor was originally scheduled to have carried out more works than they currently had, due a) to a delay in the English Heritage approval process and b) the archaeological firm we were using closing down. However, they were well advanced now with the many aspects of the sensitive archaeological works that always needed to be completed before any significant works to the bridge / services could commence. The contractor had always stated that they needed to occupy the car park to accommodate their site set up and to create a safe working environment for both them and the public.

The next stage of the work was to demolish the Castle Hotel's boundary wall which would take away the hotel's car parking adjacent to the wall for the duration of this element of the works. This car parking would be relocated to an area of the former Castle Green Car Park during the works, as a contractual obligation of Taunton Deane.

A significant amount of survey and excavation works had been carried out which was not obvious to the casual observer.

The programme had always shown that no obvious physical works would start until February but the work taking place was vital.

The reduction in income involved was built into the Medium Term Financial Plan some time ago, and dealt with in overall budget proposals. The level of reduction mentioned would occur only if all those motorists who previously paid to park in Castle Green never entered a Council car park again, which was an unlikely occurrence. Therefore the £125,000 as he was fully aware was exaggerated.

I would add that he was fully supportive and enthusiastically voted for this closure of Castle Green as a member of the Traffic Regulation Orders Panel. It was only days after we actually closed the car park that he then proclaimed it was a bad decision, a fact I find most disappointing as until that point we

had always had nearly 100% support from the Members of the Council.

### **From Councillor Coles to Councillor Cavill**

18. I was extremely disappointed to note that there was no mention of "Inward Investment" nor any suggestions for "Income Generation" in his report. Is the Portfolio Holder, like so many of his colleagues, bereft of ideas?

**Reply** - As you were aware the Council officers were dealing with a number of enquires relating to inward investment at the moment. However, in the current economic conditions it was difficult to bring interest through to definite "deals" and until they were confirmed, it would not be wise to publish these in public documents.

19. What news of unpaid rents at two of Taunton Deane's sites both operated by the same company. Had a distraint order been served? If not, why not? Or was he waiting to see if the "leopard changed his spots" or possibly, some other organisation (HMRC for example) issuing a distraint order first - thus ensuring that Taunton Deane received nothing!! This could only be seen as particularly poor management control or more accurately lack of any management control at all.

**Reply** - In response to the specific questions "Had distraint been used?" and "If not, why not?"

Bailiffs had not been used.

It was not an appropriate remedy as it was specifically not permitted where the debt was in dispute. In the last meeting held at The Deane House with the tenant company's Finance Director he stated that he considered the rent to be fully paid up. The debt was therefore in dispute and distress was not a permissible remedy.

History, Current Position and Future Action -

Southwest One on behalf of Taunton Deane Borough Council had been chasing this tenant for arrears on all properties it rented from the Council since August. The tenant had claimed to be up to date and the Finance Team had consistently requested proof of payment which had not been forthcoming.

Following a period of a few weeks when Southwest One Estates Team members tried various means of contacting the Finance Director (our nominated contact) without success, instructions were issued to Legal Services not to proceed with the grant of leases on the units which were subject to Tenancies at Will until the matter of arrears was resolved. This brought a response and one of the tenant's accountants produced a spreadsheet in late October detailing payments which he had recorded. Unfortunately this person had left the tenant company immediately thereafter.

The Finance Team reconciled the payments which were substantially agreed (a minor discrepancy of £449.92 was noted and "parked"). The tenant

company's Finance Director had subsequently stated that he believed that there were more payments made which had not been picked up by his accountant. This was his position at a meeting at The Deane House on 1 December 2011.

He had once again been challenged to prove the payments. He had now verbally agreed to make a payment on the basis that should he prove his payments, due credit would be given. This was awaited.

Should nothing show in the Taunton Deane account by Wednesday enforcement of the debt would be resurrected.

The most likely remedy to be adopted would be termination of the Tenancies at Will under which the tenant company held two of the properties it occupied. One of these properties was the tenant company's Registered Office. The Council had the right to do this at any time and for any purpose. Guidance from the Council's Legal Services Team would be sought on timing and process. Following such termination any items left at the premises could be sold to offset against the debt if of sufficient value. Taunton Deane could still pursue the debt as a civil claim.

#### **From Councillor Coles to Councillor Mrs Adkins**

20. How many "affordable homes" did the Portfolio Holder expect to actually deliver in the year 2012/2013?

**Reply** - The current pipeline of schemes indicated that 200 affordable homes would be delivered in 2012/2013.

21. At the Executive meeting on 7 December 2011 it was confirmed that this administration intended to use the entire New Homes Bonus to plug the budget gap for the next 6 years! How was this a good spend of this New Homes Bonus and how would spending this on anything other than new affordable homes be a benefit to the poorest people in Taunton Deane?

**Reply** - The proposal was not to use 100% of our New Homes Bonus – we were proposing to use the Year 1 element only.

22. What was the size of the settlement figure for the Negative Subsidy buy out?

**Reply** - The settlement figure, as updated by the Department for Communities and Local Government (CLG) on 21 November 2011 was £85,763,000.

23. What was the risk factor from the Government's declaration that they would not preclude coming back at some time in the future and demand more money from the hard pressed people of Taunton Deane? What provision had she made to accommodate this should it happen?

**Reply** - The Localism Act 2011 stated that the CLG could only vary the amount Taunton Deane paid in settlement at a later date, i.e. after 28 March



2012, if the base information used for calculating the payment was found to be incorrect or had changed. An example would be if the number of properties was found to be inaccurate. To minimise this risk Taunton Deane had checked the accuracy of all the figures used by the CLG to ensure they were correct and did not need to be amended.

It should be noted that the legislation sought to correct any settlement payments to and from the Government. If, therefore, it was found that the amount paid to the CLG should have been less there was provision for the Council to receive a beneficial financial adjustment.

The prudent repayment of the debt had been planned to allow Taunton Deane the flexibility to minimise and manage any risks associated with the Housing Revenue Account reform.

### **From Councillor Coles to Councillor Mrs Stock-Williams**

24. We understand that an outside company had been engaged to conduct Health and Safety work on Taunton Deane's behalf. Would the Portfolio Holder agree with me that it would have been much more sensible to retain qualified staff?

**Reply** - I have not been able to ascertain to which company this question specifically relates. The general Health and Safety function for Taunton Deane was provided by Southwest One. They might choose to periodically bring in outside resource to assist in that function, which would be at no extra cost to the Council.

Alternatively, external companies were sometimes engaged in respect of external build projects where CDM accredited expertise was required.

25. What steps was she taking to compensate for the appalling £3,200,000 shortfall in savings via Southwest One or was she just going to lament this situation and sit on her hands doing nothing?

**Reply** - The savings figure, originally proposed by IBM in 2007, were projections and therefore there was no contractual penalty which could be imposed should those sums not be delivered at the rate anticipated.

To date, £2,000,000 of savings initiatives had been signed-off of which £1,200,000 had already been delivered for the Council.

Taunton Deane officers continued to work with Southwest One's Strategic Procurement Service to identify further areas of spend in which savings could be found. Further potential savings opportunities, worth several £millions, had been identified and Southwest One were actively pursuing these options. Ian Conner's procurement update, going before the Corporate Scrutiny Committee on 15 December 2011 would detail the range of initiatives his team were currently working on with, and for, the Council.

It is of course very disappointing that at present it would appear that the original forecast sum would not be achieved at the end of the ten year Southwest One contract; although of course there are six years of that contract still to run.

Many outside and internal factors, not least the reduced sums we were spending, would impact on Southwest One's ability to deliver procurement savings for the Council. Equally, savings the Council was making by other means, such as a result of the Budget Savings Project, would also result in the Council spending less and consequently further savings in those areas, through procurement activity, would be harder to achieve.

If Members felt there were specific significant areas of Council spend which had not been given attention by Ian Conner's Team, please let me have the details and I will happily progress these with Southwest One.

26. What additional costs would be incurred by this Council by the anticipated two year delay in repayment of the loans taken out to fund this project and what, if anything, is she doing to alleviate these costs?

**Reply** - The delay in repayment would lead to additional interest costs being incurred. The calculation of interest costs were based on the CRI (consolidated interest rate – effectively the average of interest cost % and interest income %). On this basis it was estimated that a delay in repayment would cost £2,000,000 x 3.05% (current CRI) = £61,000 per year.

There was a standard annual calculation for the repayment of capital debt – called Minimum Revenue Provision (MRP) – which provided for 4% of capital borrowing debt to be repaid each year. Therefore the Council had already started to repay the £2,100,000 capital debt in the accounts:

The MRP requirement was already factored into the Medium Term Financial Plan and failure to repay these capital borrowings would not widen the present budget gap although the interest costs and 4% capital repayment were opportunity costs to the Council, as would otherwise have been available to support the budget.

#### **From Councillor Horsley to Councillor Williams/Adkins**

27. Could you please explain to fellow Councillors what the role of the Deane DLO Steering Panel was and how often it met? Could you also let the Council know to whom it reported?

**Reply** - The role of the DLO Transformation Member Steering Group was to oversee progress with the DLO Transformation Project. The Group did not replace the routine financial and performance monitoring role carried out by Scrutiny and the Executive - and reporting on DLO performance would continue to feature on a quarterly basis at these meetings, alongside other services. The Group comprised relevant Portfolio and Shadow Portfolio Holders, as well as representation from the Labour and Independent Groups.

At the Group's last meeting (November 2011) it was agreed that the Group would meet on a quarterly basis, or by special arrangement outside this schedule should the need arise.

The Group did not report to a specified Committee. In this respect it operated in a similar way to the broader Members Change Programme Steering Group.

28. Is he/she aware that there was a great deal of uncertainty arising from the lack of information provided to the Executive on 7 December 2011 on the finances and the performance of the Deane DLO? Did he/she accept that for a commercial organisation with a turnover of £8 million in a highly competitive market there was a danger which could put the Council at significant risk if there was no effective monitoring of the organisation?

**Reply** - Improving performance and financial management was one of the five improvement priorities of the DLO internal transformation plan approved by Full Council in August 2011. We were now four months into this four year programme and recognised that improvements needed to be made in the way that this information was presented.

Recruitment to a new management team had now been completed and the team would be at full strength in January 2012. A new post of Business Support and Finance Manager, based at the DLO, would bring a greater rigour to business and financial management, monitoring and reporting.

It was important to recognise that the majority of the £8,000,000 turnover was made up of internal work. As part of the approved transformation plan, we were simplifying and streamlining the way the accountancy process was organised for this internal work, through the introduction of direct charging. A commercial mindset would increasingly be applied to all DLO services through the newly established management team.

External work carried out on a commercial basis was a risk to the authority as well as an opportunity. We would continue to bid for external works, subject to a demonstrable business case. We needed to balance delivery of external traded work against the need to continue to deliver core services to the authority as efficiently as possible. The DLO internal transformation plan represented the Council's approved direction of travel, balancing such risks and opportunities.

29. Could he/she inform the Council that he/she had seen hard evidence of the current trading position of the Deane DLO and that this was satisfactory? Or did he/she take matters simply on trust?

**Reply** - The majority of the DLO's services were carried out for the Authority, as opposed to external customers in a trading environment. Although financial information was limited at present, this was an identified area for improvement as highlighted in the previous answer.

30. Does he/she agree that Annex I of Agenda Item Number 7 on page 41 of the report that went to the Executive on 7 December 2011 was telling the

Council nothing and was totally inappropriate for such an organisation which was beholden to the tax payer? Would he/she run his/her own business on such a basis?

**Reply** - Greater rigour in financial management, monitoring and reporting was an identified area for improvement within the DLO Transformation Plan. Changes were already being made with assistance from the Southwest One Finance Advisory Team to make necessary changes in accountancy practice. A newly established DLO Management Team in January 2012 would address this issue as a priority.

### **From Councillor Horsley to Councillor Williams**

31. Could the Leader outline what steps he was taking to prepare a contingency plan for Taunton Deane in the likelihood of the contractual arrangements with our back office provider Southwest One (SW1) coming to a premature conclusion?

**Reply** – SW1 was on record as having made losses in previous years. Consequently the Board of SW1 was currently identifying actions to improve the company's financial standing whilst maintaining service delivery to the partner Authorities. The submission of the accounts for 2010 had been delayed to allow for the completion of this process.

As was the case with any major partnership or contract of this size, we had undertaken contingency planning in respect of possible scenarios. However, we also had strong contractual provisions in place, which protected the Authority both in terms of maintaining service delivery and in mitigating any costs resulting from any early termination of the contract should this occur.

32. Could he further identify for Councillors what the financial and budget implications of this breakdown would have for Taunton Deane? Could he further let us know how many staff currently employed by SW1 would have to be transferred back to Taunton Deane in the event of the demise of SW1?

**Reply** - The Taunton Deane staff within SW1 were seconded to the partnership. The intention under the secondment agreement was that when the contract came to an end (whether that be early or at the end of the 10-year term) the seconded staff would return to the Authority. Currently there were 135 secondees within SW1. SW1 had also appointed a number of staff directly. The Authority to whom these directly hired staff would transfer would have to be determined in accordance with the TUPE regulations.

33. Would he commission a report at the earliest opportunity for Councillors and the taxpayers of Taunton Deane to explore the funding implications of this unfortunate contract and its likely consequences?

**Reply** - The SW1 partnership had and remained the subject of a significant amount of scrutiny by this Authority. Regular reports were taken to the Corporate Scrutiny Committee regarding the progress of the partnership as a whole and specifically regarding the Procurement Transformation Project

(reports on both were being taken to Corporate Scrutiny this week). Periodic reports were taken to both Corporate Scrutiny and the Executive regarding the funding arrangements for the SW1 transformation projects. The SAP system implementation had been the subject of a specific Task and Finish Group review and continued to be monitored by the Members Change Programme Steering Group. Consequently I do not feel it would be a prudent use of time and money to commission yet further scrutiny investigation into SW1 at this time.

### **From Councillors Farbahi and Mrs Smith to Councillor Williams/Cavill**

34. Land (approximately 4.6 acres) at Mount Street, Taunton, the site of the former garden nursery, was sold at the beginning of the year and a conditional contract with McCarthy and Stone was exchanged in May 2011. A deposit was paid to this Council. Some seven months later there appeared to be no progress and Taunton Deane was no nearer to closing the deal on disposal of this site.

**Reply** - The officer recommendation was that this site should be sold with outline planning permission. However, both the Conservatives and the Liberal Democrats were concerned with this and a small working party was set up (Councillors Cavill and Farbahi, Adrian Priest, Joy Wishlade). Full Council in December last year agreed that market testing should take place on the following terms:-

- Sale subject to planning;
- Sale with outline planning;
- Each of the above should also include the option of purchasing the area of green space adjoining the development area.

The market testing brought in a good bid from McCarthy and Stone that all parties (Group Leaders and the working party) agreed they wished to accept. This bid was “subject to planning”. The heads of terms were agreed and the deposit, again “subject to planning” was paid.

McCarthy and Stone had been drawing up their planning application and were due to submit this fairly soon. However, in the meantime, the Council had commissioned work to update the Strategic Flood Risk Assessment which was required for the Core Strategy.

Although the formal report had not been received, the indicative results were showing that some areas of the town centre had an increased flood risk, under the new assessment process. The Environment Agency had agreed that any sites with planning permission would not be required to meet the new standards but those without would. Mount Street was in this category.

However, this was very new information and a full assessment of what it meant for this particular site and the impact it would have on the McCarthy and Stone development was still to be done. The work was continuing.

Further assessment of the methodology and figures used and possible mitigation work was also underway.

35. Could the Leader/Portfolio Holder confirm that negotiations were taking place concerning the requirements of the Environment Agency and the desire of the purchaser to reduce the purchase price arising from the fact that part of the land lay within Flood Plain Zone 3? Would he care to comment on whether the purchaser was using the opportunity to provide less affordable housing on this or any other site in Taunton Deane?

**Reply** - As above.

36. Could the Leader of the Council confirm or deny whether or not the £4,000,000 pledged for a new swimming pool at Blackbrook and fulfilment of part of his manifesto was reliant on some of this capital receipt? Did this mean that the Conservative Group was about to renege on both its commitments to affordable housing and also the promise to build a new swimming pool at Blackbrook out of the reduced proceeds?

**Reply** - The Council had not committed any resources to a new swimming pool – we had simply accepted the “solution” offered by the excellent work of the Task and Finish Group. Officers were now working on how this could be delivered – including the funding – and further reports would come before Members before any decisions were made. The capital receipt from Mount Street had not been allocated in our Capital Programme.

37. Would the Leader/Portfolio Holder further agree that it would have been better to have obtained outline planning permission before the property was marketed rather than going through the current possible adjustment downwards of the consideration by a substantial amount?

**Reply** - As above.

#### **From Councillor Wedderkopp to Councillor Hayward**

38. Was the Executive serious in their desire to further the Green Aspirations of Taunton Deane Borough Council?

If so, in view of the Government suggesting as early as July that they were reviewing "Feed in Tariffs", on what date did the Portfolio Holder for Environmental Services make a "request for service" from SW1 to install photovoltaic panels on Station Road Pool? When was a reply received and what did you do in the interim to move the project forward, given the short time frame that was available to you?

If Climate Change was one of our Corporate Priorities, why did we have just one full time employee assigned to reducing our Carbon footprint?

**Reply** - The review to which Councillor Wedderkopp referred would be the 'first comprehensive review' announced by the Government on 7 February 2011. From the outset of the Feed in Tariff Scheme in April 2010 it was

anticipated that there would be a regular (most likely annual) degeneration of tariffs. I am not aware of anyone outside Government anticipating that Phase 1 of the comprehensive review would produce much more than a new level of tariffs to come into effect from April 2012. Everyone in the industry was geared towards this deadline. The shock came when the result of the review, published on 31 October and now under consultation, revealed a new much earlier deadline of 12 December 2011. No-one in the industry that I had been speaking to anticipated this move.

With regard to the Council, following agreement on the Carbon Management Action Plan from the Executive on 10 August 2011 which included pursuing the PV installation on the Station Road Swimming Pool roof, (Action 5), officers had worked with SW1 to progress the scheme.

With regard to the second of Councillor Wedderkopp's questions, it was true that we only had one full time employee employed to undertake Climate Change in the Strategy Team, where this corporate priority lay.

The Council had other officers dealing with issues that overlapped with Climate Change (for example, Economic Development dealing with promoting the Green Economy), although this was not necessarily their core work.

So officers from all levels were actively involved in many ways, and to suggest that there was "just one full time Officer", was over simplifying things. It could not be measured in officer-time only.

Further, I believe that your concept of "Climate Change" was too restrictive. A point I have shared with Councillor Wedderkopp at length on several occasions.

I want to see the Climate Change Corporate Priority re-branded to embrace other environment-related matters, such as sustainability and peak oil. "Sustainability and Energy Resilience" was my preferred option at the moment, and I have asked officers to work on this.

Given the tight budgetary restraints under which our Council had to operate, we had to consider 'value for (taxpayers) money'. There had to be a tangible return on investment. At this point in time I am quite satisfied with the resources we were putting to this Corporate Priority. But of course, as with everything, it was under constant review.

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

### **(a) Theme 5 of Core Council Review - Corporate Management Team, Project Taunton, Economic Development, Growth, and Legal and Democratic Services**

The Executive had recently given consideration to a number of proposals for Theme 5 which was the remaining part of the Core Council Review (CCR) that needed to be completed. Future proposals for Project Taunton and Economic Development and Growth had also been considered.

The Corporate Management Team (CMT) had last been reviewed in 2008 when it was reduced in size by one Director. Since then, it had been considered essential to maintain corporate capacity whilst the organisation had continued to manage its high level ambitions, good quality services and the change programme.

It had been recognised that the Council's current financial position dictated a need to further rationalise expenditure on staffing capacity to generate a saving for the 2012/2013 Budget and to provide a Direction of Travel to meet the requirements of the Budget Review Project for the next three to four years.

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

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

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

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

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

- (1) Head of Paid Service – currently the Chief Executive (CEO)/Penny James;
- (2) Section 151 Officer – currently Strategic Director/Shirlene Adam;  
and



(3) The Monitoring Officer – currently a Theme Manager/Tonya Meers.

Over the past months, the Corporate Scrutiny Committee, the Political Groups and the Executive had given consideration to the future structure of CMT and had concluded that:-

- The post of CEO should be retained;
- The number of Directors should be reduced by one. It was therefore proposed that the Council should have three Directors as set out below:-
  - (1) Strategic Director – Corporate;
  - (2) Strategic Director – Growth and Regeneration; and
  - (3) Strategic Director – Services.
- The Section 151 Officer role should continue to be held by a Director who was a qualified accountant;
- One of the Strategic Directors could reduce their hours by 2/5ths;
- If a significant change was made at Director level, then care should be taken not to destabilise the operational management of the organisation by significantly changing the current arrangements at Theme Manager level; and
- The Monitoring Officer role should be retained as an integral part of the Legal and Democratic Services Manager's post.

Various options with regard to the Project Taunton Delivery Team had also been considered by the Corporate Scrutiny Committee the Executive and informally by all of the Group Leaders.

The Project Taunton Team was currently funded by residual Project Taunton partnership money and Growth Points and therefore would not represent a direct cost to the Council until 2012/2013.

It had been agreed that for the future, Project Taunton should be brought "in house" and that historic reserves should be used to fund some of the posts required going forward for a three year period.

Together with all of the growth, regeneration and economic development functions of the Council, it was proposed that a new Growth and Regeneration Team should be created to:-

- become the Council's 'shop window' for inward investment purposes;
- act as the Council's Property Client;
- take the lead in marketing Taunton and Taunton Deane; and
- provide a function for the entire district, with the regeneration of Taunton Town Centre and the urban extension of Monkton Heathfield remaining as priority projects.

The team would be directly managed by the post of Strategic Director - Growth and Regeneration and would comprise posts of:-

(a) Commercial Manager, for a fixed two year period, who would focus

on the major regeneration projects in Taunton and lead on commercial and property negotiations;

- (b) Regeneration Manager who would focus on the delivery of wider regeneration, infrastructure and growth including schemes within Project Taunton. This latter post would replace the existing 'Project Taunton Regeneration Manager' on the establishment and would be funded for three years from historic reserves; and
- (c) Economic Development Manager (currently the Economic Development Specialist) to whom the Economic Development Team would report directly. The current vacant Lead role in the Economic Development Team would be deleted with 50% of the cost retained to allow for more restructuring and 50% being returned to the General Fund.

The current workload associated with the Project Taunton Project Co-ordinator post and Project Taunton Office Manager post had reduced in recent months to the extent that both posts could be deleted from the establishment.

The proposal also freed up some capacity for the Theme Manager - Growth and Development to focus on a number of key functions and retain the responsibility long term for:-

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

One of the other proposals was to create an Apprentice post to support the newly formed Growth and Regeneration Team. The new post holder would have the opportunity to work across the whole Growth and Development 'Directorate'.

Another proposal related to the proposed creation of a Corporate Support Unit where all of the posts within Democratic Services, the Personal Assistants and the two administrative posts within Theme 1 would be part of a Support Team for Theme 5 and Theme 1 and the Leader of the Council.

The Legal and Democratic Manager had been tasked with the creation of the Corporate Support Unit with a budget saving of at least £50,000 to become live on 1 April 2012.

The above proposals set out a way of achieving a saving in year one of approximately £360,000. This went beyond the initial Core Council Review target of a 10% saving for CMT.

On the motion of Councillor Williams, it was

**Resolved** that the following be agreed:-

- (a) The number of Strategic Director posts be reduced from four to 2.6 with

the allocation of £103,000 from reserves (£62,000 General Fund, £21,000 Housing Revenue Account, £20,000 CCR Earmarked Reserve) in 2011/2012 to fund the associated costs;

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

#### **(b) General Fund Earmarked Reserves Review**

A review had recently been undertaken of a number of earmarked reserves held by the Council to ensure that the level of each reserve was adequate and that the purpose for which the funds were set aside still applied.

The level of earmarked General Fund reserves as at 31 March 2011 was £6,858,000. This included money set aside for specific revenue purposes, but did not include the £2,937,000 in General Fund balances.

As a result of the review, there were various earmarked reserves, which totalled £159,003, that were no longer required.

On the motion of Councillor Williams, it was

**Resolved** that £159,003 of surplus earmarked reserves be transferred to the General Fund Reserves in the current financial year.

### **(c) Fees and Charges 2012/2013**

Consideration had been given to the proposed fees and charges for 2012/2013 for the following services:-

- Cemeteries and Crematorium ;
- Housing and Deane Helpline;
- Licensing;
- Planning; and
- Environmental Health.

Details of the proposed increases were submitted. No increase was proposed to Waste Services or Land Charges fees or the fees for recovering Court Costs.

The results of previous public consultation events had clearly indicated that the public preferred to see increases in fees and charges, rather than in Council Tax, as a way for the Council to raise income.

On the motion of Councillor Williams, it was

**Resolved** that the fees and charges for 2012/2013 in respect of Cemeteries and Crematorium, Housing and Deane Helpline, Licensing, Planning and Environmental Health, as submitted, be agreed.

### **(d) Proposal for Exemption to Contract Standing Order 13 for the Procurement of Development, Construction and related services from the Partner Panel set up by the Homes and Community Agency**

The Council had previously endorsed the use of the South West Regional Development Agency's (SWERDA) consultant's list by Project Taunton.

However, with SWERDA ceasing to exist in March 2012, the Homes and Communities Agency (HCA) had made a similar list of contractors, who had been through the European Procurement process, available for Local Authorities to use. It was proposed to make use of the HCA's list for a period of three years ending in December 2014.

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

Usually all contracts that fell under paragraphs 13(c) and (d) in the Contract Standing Orders had to comply with the process laid down. However, for contracts under 13(c), an exemption existed for such contacts under 14(e) if it was to be dealt with in a prescribed manner under agency arrangements

entered into by the Council with another authority.

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

The advantages of using this exemption were submitted.

On the motion of Councillor Cavill, it was

**Resolved** that:-

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

(The Mayor declared a prejudicial interest in the following item, as a local resident, and left the meeting during its consideration. The Deputy Mayor took the Chair.)

(Councillor Bowrah considered that he had 'fettered his discretion' with regard to the following item and also left the meeting during its consideration.)

### **(e) Halcon North, Taunton Regeneration Project**

The Executive had considered a report concerning proposals to redevelop the Halcon North area of Taunton which comprised 7.25 hectares of housing land and approximately 220 dwellings.

A Development Appraisal had explored the financial viability of the proposed scheme by considering the various elements including:-

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

The appraisal had calculated a gross development value of the various different types of home, and then deducted development costs to produce a scheme surplus or deficit.

In order for the scheme to have a neutral impact on Council finances, the surplus needed to be sufficient to fund the costs of buying back properties previously sold under the Right to Buy and the decanting costs of moving tenants to enable the development to take place. It also needed to fund the cost of developing any units which the Council wished to retain.

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

The development appraisal had shown that it was possible to produce a broadly viable scheme of approximately 400 dwellings by reducing the percentage of affordable units on the scheme to 50%. At this level the scheme produced a surplus which would be larger if fewer retained units were required.

Both the Community Scrutiny Committee and the Executive had considered a number of options relating to the proposed redevelopment and had accepted that the wider benefits of regeneration outweighed any concerns around mix and tenure.

The Executive had therefore agreed that the project should proceed to the next stage and a developer should be procured, but with a view to 50 dwellings or more being returned to the Council.

The next stage would involve the following in preparing for procurement:-

- Drafting an information brief;
- Procuring advisors;
- Consulting residents;
- Legal and procurement advice;
- Specification/employers' requirements;
- Drafting heads of terms; and
- Establishing an evaluation panel.

Making these preparations would have a cost and a Supplementary Estimate was therefore sought to provide the necessary funding.

On the motion of Councillor Mrs Adkins, it was

**Resolved** that a Supplementary Estimate of £65,000 from the Housing Revenue Account Reserves, to fund the next stage of the Halcon North Regeneration Project, be approved.

### 13. **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:-

- M5 Motorway Tragedy;
- Budget Setting;
- Regeneration of Taunton;

- Broadband Issues; and
- Future Initiatives.

(ii) **Planning, Transportation and Communications (Councillor Edwards)**

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

- Localism Act;
- Taunton Deane Core Strategy 2011-2028;
- Highway Network : Winter Services 2011/2012;
- The Public Art Panel;
- County-wide Civil Parking Enforcement (CPE) Project;
- RingGO;
- Electric Charging Points; and
- Communications.

(iii) **Community Leadership (Councillor Mrs Jane Warmington)**

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

- Police Reform;
- Community Policing Awards;
- Somerset Health and Wellbeing Board;
- North Taunton and Taunton East;
- Rural Areas;
- Somerset Business Against Crime Partnership;
- Green Deal; and
- Passivhaus/Passive House.

(iv) **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; and
- Taunton Tourist Information, Ticket and Travel Centre.

(iv) **Environmental Services and Climate Change (Councillor Hayward)**

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

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

(vi) **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; and
- Swimming Pool Project.

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

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

- Empty Homes and New Homes Bonus;
- Landlords Forum and the Landlord Accreditation Scheme;
- HRA 30 Year Business Plan and Self-financing;
- Estates Team and Anti-social Behaviour;
- Solar Panel Project;
- Annual Servicing and Maintenance Contract;
- Halcon Regeneration Project; and
- Affordable Homes.

(viii) **Corporate Resources (Councillor Mrs Stock-Williams)**

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

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

(Councillors Stone and Mrs Allgrove arrived at the meeting at 6.59 pm and 7.01pm respectively. Councillors Nottrodt left the meeting at 7.03 pm. Councillor Mrs Messenger left the meeting at 8.27 pm. Councillors Mrs Adkins, Mrs Baker, D Durdan, Ms Durdan, C Hill, Morrell, D Reed, Mrs Smith, P Smith, Ms Webber and D Wedderkopp all left the meeting at 9.20 pm. Councillor Bishop and Mullins left the meeting at 9.35 pm. Councillor Edwards left the meeting at 9.40 pm. Councillor Mrs Hill left the meeting at 9.47 pm. Councillors A Govier, Mrs Govier, Horsley, Mrs Reed and Stone all left the meeting at 9.53 pm. Councillors Gill Slattery, T Slattery and Watson all left the meeting at 9.56 pm.)



(The meeting ended at 9.58 pm.)