

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 1 October 2013 at 18:30.

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## **Agenda**

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

- 1 To receive the Minutes of the meeting of the Council held on 23 July 2013 (attached).
- 2 To report any apologies for absence.
- 3 To receive any communications.
- 4 Declaration of Interests  
To receive declarations of Disclosable Pecuniary Interests or personal or prejudicial interests, in accordance with the Code of Conduct. The usual declarations made at meetings of Full Council are shown on the attachment.
- 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 Change to Delegations - Part 3 of the Constitution. Report of the Legal and Democratic Services Manager (attached).
- 8 The story of Taunton Street Pastors - "Here to listen". The showing of a 10 minute DVD.
- 9 The Halcon One Team. A presentation by Police Sergeant Andy Murphy QPM, the Halcon One Team Co-ordinator on the work being undertaken in the Ward.
- 10 Part I -To deal with written questions to the Executive.
- 11 Part II - To receive reports from the following Members of the Executive:-
  - (a) Councillor John Williams - Leader of the Council;
  - (b) Councillor Catherine Herbert - Sports, Parks and Leisure;
  - (c) Councillor Jean Adkins - Housing Services;
  - (d) Councillor Vivienne Stock-Williams - Corporate Resources;
  - (e) Councillor Mark Edwards - Planning, Transportation and Communications;

- (f) Councillor Jane Warmington - Community Development;
- (g) Councillor Norman Cavill - Economic Development, Asset Management, Arts and Tourism;
- (h) Councillor Ken Hayward - Environmental Services and Climate Change.

Bruce Lang  
Assistant Chief Executive

13 April 2016

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.

Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, if a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

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

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

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

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



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



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

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

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 email: [enquiries@tauntondeane.gov.uk](mailto:enquiries@tauntondeane.gov.uk)

## **Council Members:-**

Councillor M Hill (Chairman and Mayor of Taunton Deane)  
Councillor V Stock-Williams (Deputy Mayor)  
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 J Gaden  
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 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 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 (Historic) F Smith  
Councillor F Smith  
Councillor P Smith  
Councillor P Stone  
Councillor B Swaine  
Councillor P Tooze  
Councillor J Warmington

Councillor P Watson  
Councillor (Historic)Mrs 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 23 July 2013 at 6.30 pm.

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

### **1. Minutes**

Subject to Councillor Mrs Waymouth's apologies being recorded for the meeting of the Council on 15 May 2013, the minutes of the Annual Meeting of the Council held on 9 May 2013 and the meeting of Taunton Deane Borough Council held on 15 May 2013, copies having been sent to each Member, were signed by the Mayor.

### **2. Apologies**

Councillors Beaven, Henley and Ms Palmer.

### **3. Communications**

Councillor Mrs Warmington reported that the Avon and Somerset Constabulary's Problem Solving Award had been made to Taunton Deane Borough Council for its work in the Halcon Ward of Taunton towards significantly improving the area for its local residents.

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

Councillors Mrs Baker, Coles, A Govier, Hunt, Prior-Sankey, A Wedderkopp and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillors Mrs Hill and Stone declared personal interests as employees of Somerset County Council. Councillor T Slattery declared a personal interest as an employee of Sedgemoor District Council. Councillor Tooze declared a personal interest as an employee of the UK Hydrographic Office. Councillor Wren declared personal interests as an employee of Natural England and as Clerk to Milverton Parish Council. Councillors Hayward and Ross declared personal interests as the Council's representatives on the Somerset Waste Board. Councillor Ross also declared a personal interest as the alternate Director of Southwest One. Councillor

Nottrodt declared a personal interest as a Director of Southwest One. Councillors D Durdan and Stone declared prejudicial interests as Tone Leisure Board representatives. Councillor Swaine declared a personal interest as a part-time swimming instructor. Councillor Gill Slattery declared personal interests as a member of the Board of Governors at Somerset College and as a Patron of the Supporters of Taunton Women's Aid. Councillor Farbahi declared a personal interest as a local owner of land in Taunton Deane. Councillor D Reed declared a personal interest as a Director of the Taunton Town Centre Company. Councillors Gaines and Meikle declared prejudicial interests in the Brewhouse Theatre and stated that they would leave the room when these items were discussed.

## 5. **Public Question Time**

Mrs Hammond representing the Taunton Theatre Association informed Councillors that the Association sought to operate a theatre on behalf of the community. The aim would be to make a bid to run the theatre and develop its Business Plan. By supporting productions of local companies and celebrating the best of performance art they wished to make the theatre open and accessible to all which would contribute to the economy and benefit theatre audiences. Following a recent study it was believed every pound spent in arts and culture generated six in the wider economy. She asked Members to support the acquisition of The Brewhouse Theatre.

Mr Dawson felt that Taunton had a need for its own theatre which was an important part of an enhanced cultural scene deserving of a County Town. He also requested the support of Councillors for the purchase of the theatre.

The Mayor thanked Messrs Hammond and Dawson for their contributions.

## 6. **Receipt of a Petition**

Councillor A Govier reported that he had been handed a petition containing 23 signatures from residents of Bovet Street, Wellington concerning the non-provision of new front doors to their properties.

The petition was received by the Mayor.

## 7. **Potential Acquisition of the Brewhouse Theatre and Arts Centre, Taunton**

Considered report previously circulated, concerning the potential purchase of the remaining lease on The Brewhouse Theatre and Arts Centre and assets within.

The Management and trustees of The Brewhouse had approached the Council in early January 2013 to give notice of their severe financial

predicament and to request significant additional funds to enable the venue to continue trading.

The Council provided a grant of £152,000 per annum to The Brewhouse, and the view had been taken that there should be no further funding without a clear recovery plan, showing how the theatre could be put onto a sustainable financial footing.

The trustees of The Brewhouse (an independent charity) had then engaged a firm called BDO – specialists in financial insolvency and administration – to advise on their options for the future. This had resulted in the trustees recommending an option whereby the theatre would be placed into administration with the administrators immediately entering into a license with the Council to enable the theatre to remain open.

Again, the view had been taken that the Council could not consider entering into a license with the administrators, due to the scale of the financial risks and uncertainties involved.

BDO was formally appointed as administrators of The Brewhouse on 21 February 2013 and the venue closed on that day.

The administration process was continuing and BDO was currently looking to sell the remaining 61 years of the lease.

The Council's annual grant of £152,000 remained protected in the 2013/2014 budget towards any successor venture. A further sum of £35,000 had also been set aside, to assist with any costs incurred in protecting the Council's interest in the asset and facilitating a sustainable future for the venue.

Reported that at its meeting on 9 April 2013, Full Council had given a mandate for continued negotiations towards the purchase of the remaining 61 year lease on the venue, as a means of both protecting the asset and having a strong role in facilitating a sustainable future for the theatre. It was agreed that the Council should act as a facilitator, rather than a prospective theatre operator.

A detailed valuation exercise had been undertaken and negotiations were continuing with the administrators over the potential acquisition of the building and contents. The confidential Appendix A to the report provided a summary of those negotiations and a number of recommendations for consideration by Full Council.

Additional 'Holding costs' for the property had been estimated at up to £140,000 for a twelve month period and £69,000 for a six month period. These costs included utilities, 24 hour security, insurance and Business Rates.

A survey of the building and infrastructure had been carried out and costs associated with this were also referred to in the confidential appendix.



Further reported that an independent consultant had been appointed to advise the Council on options for the future of the venue. The range of potential options were many and varied, including potential for the use of the venue as a 'learning theatre' promoted by Somerset College, a wholly community run operation, a fully commercial model or potentially a mix of different approaches.

The timetable for implementation of any new venture would depend to a large extent on whether the Council acquired the venue and the merits of the Business Case for the different operating models being proposed.

At this stage, the consultants had met with a range of potential interested parties and they were scheduled to complete their work in Autumn 2013. The final report of the consultant would be subject to Scrutiny and further decision, if appropriate, by the Executive and Full Council.

The work of the consultants would be overseen at key stages by the Steering Group of elected Members approved previously by Full Council.

Following the presentation of this report, the Council **resolved** that the press and public be excluded from the meeting to allow discussion of the contents of the confidential appendix, because of the likelihood that exempt information would otherwise be disclosed relating to Clause 3 of Schedule 12A to the Local Government Act, 1972 and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

Moved by Councillor Horsley, seconded by Councillor Farbahi that the proposed recommendations be amended as follows:-

- (1) That the initial acquisition costs set out in recommendation (b)(i) be reduced to the figure proposed and that the Budget Virement from the Brewhouse Annual Grant Budget be also reduced as proposed; and
- (2) That recommendation (b)(iii) be altered to limit the funding of any costs of "holding the asset" for a maximum of six months, with the deletion of the last sentence.

The amendment was put and was lost.

**Resolved** that:-

- (a) The acquisition of The Brewhouse Theatre and Arts Centre, Taunton on the terms set out in the confidential appendix be approved;
- (b) (i) A Supplementary Estimate in the Capital Programme for the initial acquisition costs as set out in the confidential appendix be approved, noting the proposed use of Housing and Planning Delivery Grant Capital and Revenue Reserves; and that an associated Budget Virement to the amount set out in the confidential appendix from the Brewhouse Annual Grant Budget to

the Revenue Contribution to Capital (RCCO) for the remaining funding of the capital costs, be also approved;

- (ii) The allocation of the amount set out in the confidential appendix from the existing 2013/2014 Property Maintenance budgets be supported to progress any urgent / immediate works from the maintenance schedule;
- (iii) The proposal to use the current revenue budget for the Brewhouse Theatre Grant to fund any costs of “holding the asset” pending the “delivery solution” being approved be also supported; a commitment to use the 2014/2015 Budget in advance of the annual budget setting for that year be noted and the commitment of this element of costs for next financial year be approved.

#### **8. West Somerset and Taunton Deane Joint Management and Shared Services Project - Joint Chief Executive Proposal**

Considered report previously circulated, concerning a proposal that Taunton Deane Borough Council (TDBC) and West Somerset Council (WSC) moved to a shared Chief Executive (Head of Paid Service) at the earliest opportunity.

In February 2013, TDBC and WSC had agreed to work together to prepare a Business Case for Joint Management and Shared Services arrangements.

A Project Team had been put in place to progress this with the ambition of delivering a Business Case for consideration by Full Council in October 2013.

The project had appropriate governance arrangements in place, with a Joint Project Board (JPB) and a Joint Members Advisory Panel (JMAP) both meeting monthly to review progress and share key developments.

Whilst developing the Business Case, it had become increasingly obvious that the sharing of a Chief Executive would be a positive development.

The financial savings would be significant and this would be a key message of the more detailed Business Case that would flow from this project. It made sense to progress this issue in advance of the other aspects of the Business Case as this solution would work with or without the full scale implementation of Shared Management / Services.

Members were being asked to consider this proposal now as it would:-

- Deliver savings for both Councils;
- Provide a clear message to the organisation, the local communities and the Government that both Councils would progress savings from our senior management posts;
- Show that the Councils could operate on a ‘stand-alone’ basis and therefore did not prejudice the consideration of the full Business Case

- but allowed for the implementation of joint management and shared service arrangements to be progressed “at pace”;
- Offer the opportunity to give clear strategic direction to both Councils as further funding cuts hit following the Spending Review;
- Offer the opportunity to develop relationships with elected Members in both Councils and provided a single focus for the development of the project; and
- Add weight to the Transformation Challenge Award Fund bid being made to Department for Communities and Local Government (DCLG).

Since discussing this proposal at the JMAP, the Leaders of TDBC and WSC, had reflected on the options that existed for implementing a Joint Chief Executive position and had outlined this for consideration in the report.

There appeared to be two options available:-

Option 1 - Where WSC would make its Chief Executive redundant and ask to share the services of TDBC's existing Chief Executive; or

Option 2 – Open recruitment to appoint a Chief Executive for both Councils.

With both options it was acknowledged that the full Business Case would need to address the salary levels for all senior management posts and this might see some potential changes in salary levels but, where this occurred, this would need to be supported by market evidence. However, if Option 2 was preferred, then the salary level for the Joint Chief Executive would need to be considered in advance of the recruitment and the decision on the Business Case.

Reported that both Chief Executives had considered the feasibility and impact of having a Joint Chief Executive post and had concluded that:-

- The proposal was an entirely realistic proposition and the benefits set out by the Leaders were real. It would save money and it would enable the two organisations to work better and faster together irrespective of future decisions on wholesale change on joint management and shared services.
- This was a very different job. Being a joint Chief Executive was not one person doing two jobs in the way they were done before. The key difference was that the role was much more strategic and it would be necessary to step away from some of the day-to-day detail.
- It was essential that the joint Chief Executive was perceived to be full time for both Councils, their partners, communities and local businesses.

In addition, the Chief Executives had submitted a number of detailed observations for Members, staff and other stakeholders to consider when debating the proposal.

Taking all of this information into account, the Chief Executives were firmly of

the view that this proposal was a good opportunity for both Councils. The proposal could be made to work in isolation of further organisational change.

However, all of the learning to date from the thirty plus authorities that were part of joint arrangements was that the greatest overall benefits to the Councils and their customers ultimately accrued from the further joining up of management and the sharing of services. This process was made so much easier by the initial and early joining up of the Chief Executive post.

The JMAP had discussed the proposal on 25 June 2013 and had requested that the following issues were clarified in the report submitted to Full Council:-

- Further details of the Section 113 of the Local Government Act 1972 Agreement (Section 113 Agreement) / or any Memorandum of Understanding (MOU) that might be required; and
- Details of arrangements for the performance appraisal of the shared Chief Executive.

Section 113 allowed a local authority to enter into an agreement with another authority to place its officers at the disposal of the other authority, subject to consultation with the staff concerned. Staff who were made available under such an arrangement were able to take binding decisions on behalf of the body at whose disposal they were placed, although they remained an employee of their original authority for employment and superannuation purposes.

It was recommended that, should Option 1 be approved, the responsibility be delegated to the respective Monitoring Officers to draw up the appropriate agreement for sign off at the JMAP.

With regard to details of the performance appraisal process that would be put in place for the Joint Chief Executive, noted that guidance on appraisal arrangements for Chief Executives had been set out in the Joint Negotiating Committee (JNC) for Chief Executive's Conditions of Service.

Further reported that a range of issues had been raised at all Member briefings that had taken place at both TDBC and WSC on 3 July 2013. These included:-

- If WSC chose to retain their current Chief Executive for a limited period to safely manage the handover of key projects, whether a contribution should be made by TDBC;
- Clarity on the role of Chief Executive;
- Consideration of performance based pay for the Chief Executive;
- Clarity on whether both posts would be redundant if Option 2 was preferred;
- A request for clear recommendations from the Leaders of each Council and also a set of recommendations which closed down the potential for this to keep being reconsidered should the two Councils make different

decisions; and

- A request to concentrate on jobs and roles and de-personalise the issue.

The financial implications of the proposal did not include a contribution from TDBC for WSC retaining their current Chief Executive in an alternative role as this related to work not covered by the Joint Chief Executive decision. This would be a matter for WSC to consider.

The role of a Chief Executive in Local Government was well defined and the definition as contained in JNC Terms and Conditions of Employment was submitted for the information of Members. With regard to the use of performance related pay then this was something that would be reviewed if it was decided to progress with Option 2 and, if moving forward with Option 1, could be reviewed as part of the Business Case.

Redundancy was covered by Section 139 of the Employment Rights Act 1996 and full details of this legislation was set out in the report.

Noted that the creation of a Joint Chief Executive was substantially different to a stand alone post and those posts at TDBC and WSC would no longer exist.

Assuming the principle of having a Joint Chief Executive post was supported, there were two ways in which it was believed this could be achieved.

**Option 1** - Under the auspices of a Section 113 Agreement (where WSC would make their Chief Executive redundant and ask to share the services of TDBC's existing Chief Executive):-

1. TDBC and WSC to agree to the principle of a Joint Chief Executive position.
2. The WSC Chief Executive post would be declared redundant and the post holder given three months contractual notice with an effective last day of service as Chief Executive of 23 October 2013.
3. WSC would retain the services of the current Chief Executive in a temporary post of Executive Director (Interim) reporting directly to the Joint Chief Executive. This would be until the 31 March 2014 to allow for the details and responsibilities of non-Chief Executive duties such as Hinkley Point, Strategic Finance and Sale of Capital Assets to be handed over in a safe and structured manner.
4. That the WSC request to share the current TDBC Chief Executive be agreed by TDBC and the current postholder to undertake this Joint Chief Executive role under a Section 113 Agreement with effect from 24 October 2013. This would be on existing terms and conditions of employment but would be subject to review when the full Joint Management and Shared Service Business Case was considered.
5. Detailed handover of key tasks would take place during the period 24 July

to 23 October 2013 during which time the WSC Chief Executive would delegate all responsibility for the development of the Joint Management and Shared Services Project to the Joint Chief Executive 'elect'.

6. That if the Joint Management and Shared Services Business Case was approved in October 2013, this arrangement would be made permanent. If the Business Case was not approved then the Joint Chief Executive arrangement would remain until May 2015 when it could be reviewed again (by either Council) after the District Council Elections.

or

**Option 2 - (Open Recruitment)**

1. TDBC and WSC to agree to the principle of a Joint Chief Executive position.
2. TDBC and WSC determine that the Joint Chief Executive should be made by appointment (complying with relevant Regulations, Constitutional requirements etc) which would see the following indicative timetable adopted:-
  - i) Agreement of Joint Appointment Committee Members for both TDBC and WSC by 7 August 2013;
  - ii) Determination as to whether external resources for recruitment would be engaged to manage the appointment and advise elected Members to be agreed by 7 August 2013;
  - iii) Sign off by Appointment Committee of Job Description, Person Specification and Recruitment Literature plus consideration of Joint Chief Executive salary by 31 August 2013;
  - iv) External advertisement during period 1 to 21 September 2013;
  - v) Assessment Centre during week commencing 30 September 2013;
  - vi) Full Interviews held week commencing 7 October 2013;
  - vii) Appointment ratified by Full Council meetings during week commencing 14 October 2013;
  - viii) Expected start date of new Joint Chief Executive on either 1 January or 1 February 2014 based on being employed by TDBC and operating under a Section 113 Agreement.
3. These arrangements would be permanent arrangements.

Reported that the move to a Joint Chief Executive would deliver a continuing revenue saving of £76,400 per annum. This saving would materialise

regardless of the implementation route (which would impact on the payback period).

As with all “invest to save” proposals, it was important to understand the payback period. The initial investment for either option would need to come from the Councils Reserves. A bid to the Government for Transformation Funding had been made and, if successful, would aim to use this to cover the termination costs, thereby preserving each Council’s limited Reserves for further transformation work.

The payback position for the two implementation Options showed very different results, as follows:-

### **Option 1 - Revenue Savings Position**

	2013/14	2014/15	2015/16	2016/17
TDBC – Ongoing	(27,000)	(65,000)	(65,000)	(65,000)
WSC – Ongoing	(4,800)	(11,400)	(11,400)	(11,400)

In addition to the above, due to the handover period with regard to key projects, WSC would incur additional one-off costs of £31,833 in 2013/2014.

The termination costs for this option would be shared 50:50 between the Councils and the payback period for TDBC would be nine months. This was well within the usual parameters of acceptable “invest to save” proposals.

The payback period for WSC would be four years. This was also within the usual parameters of acceptable “invest to save” proposals.

### **Option 2 - Revenue Savings Position**

The continuing savings were similar to those set out for Option 1, but with a later implementation date.

	2013/14	2014/15	2015/16	2016/17
TDBC – Ongoing	(10,800)	(65,000)	(65,000)	(65,000)
WSC – Ongoing	(1,900)	(11,400)	(11,400)	(11,400)

It had been assumed that there would be a handover period on WSC issues only – incurring additional one-off costs of £12,733 in 2013/2014 for WSC.

The termination costs for this option would be funded by each individual Council. The payback period for TDBC was almost two and a half years which was within the usual parameters of acceptable “invest to save” proposals.

The payback period for WSC was eight years which was well outside the normal parameters of acceptable “invest to save” proposals. Members would

therefore need to consider the “value for money” issues associated with progressing this route and be clear that the operational and strategic advantages to be gained by following this option outweighed the financial disadvantages.

Further reported that at its Full Council meeting on 22 July 2013, WSC had approved the principle of sharing a Chief Executive with TDBC and that Option 1 be approved.

On the motion of Councillor Williams, it was

**Resolved that:-**

- (1) The principle of sharing a Chief Executive with West Somerset Council be approved;
- (2) Authority be delegated to the Monitoring Officer to draw up amendments to the Council’s Constitution and Scheme of Delegation to provide for the Authority working with a Joint Chief Executive;
- (3) The Retained HR Manager be asked to develop, in consultation with the Chief Executive of South West Councils, a performance appraisal scheme for the Joint Chief Executive post for consideration by the Joint Member Advisory Panel;
- (4) In order to implement resolution (1) above, Option 1 be approved as the process for achieving the shared Chief Executive;
- (5) Authority be delegated to the Monitoring Officer to draw up an agreement pursuant to Section 113 of the Local Government Act 1972 in consultation with the Monitoring Officer of West Somerset Council for consideration by the Joint Member Advisory Panel;
- (6) As part of Option 1, it be noted that West Somerset Council would retain the services of its current Chief Executive post-holder in a temporary (until 31 March 2014) suitable alternative post. This post would report to the Joint Chief Executive from the beginning of the new arrangements at the agreed date in October 2013 and would remain on comparable terms and conditions of employment;
- (7) The continuing saving delivered from the Joint Chief Executive post be noted and that the Council’s Medium Term Financial Plan is updated accordingly; and
- (8) As a result of approving Option 1, a supplementary estimate of £46,100 to fund the termination costs associated with this Option be approved (£34,575 from the General Fund Reserve and £11,525 from the Housing Revenue Account Reserve).

## 9. **The story of Taunton Street Pastors**



The showing of the DVD on the story of the Taunton Street Pastors was deferred until the next meeting of the Council.

10. **Motion – The possibility of a transition to a Committee System in May 2014**

Moved by Councillor Horsley, seconded by Councillor Coles.

“Taunton Deane Borough Council notes the provisions in the Localism Act 2011 which now enables English Local Authorities to operate a different form of governance including a Committee system from their Annual Meeting. It further notes that the resolution to start to operate a different form of governance must be made at a meeting in advance of their Annual Meeting in order to be implemented from the aforesaid Annual Meeting.

Taunton Deane Borough Council therefore believes research should begin now to consider the possibility of a transition to a committee system in May 2014 after weighing up the advantages and disadvantages of such a system and comparing it with the current “Strong Leader – Executive” model.

The Council therefore instructs its officers to prepare such a report for its 8 April 2014 meeting ahead of Annual Council to be held on 8 May 2014 in such a manner that the options are clearly set out for Members to decide to adopt Governance by Committee should it so decide at that meeting.”

The motion was put and was lost.

11. **Review of the size of Committees**

Considered report previously circulated, concerning proposals for changes to the size of the various Committees following a Member of the Conservative Group moving to become an Independent Councillor in May 2013 and the changes to the Standards Committee now being a politically balanced Committee.

Sections 15 and 16 of the Local Government and Housing Act 1989 provided a duty on authorities to review its proportionality arrangements when necessary to ensure that it reflected the political make up of the Council.

The matter had been discussed at the Constitutional Sub-Committee on the 4 June 2013 and the Corporate Governance Committee on 24 June where the proposed changes to the Committee memberships were agreed.

**Resolved** that the changes to the size of the various Committees as detailed in Appendix 1 to these Minutes, be approved.

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

**(a) Halcon North Regeneration - Creechbarrow Road Project, Taunton**

The Executive had recently considered the outline detailed proposals of the Creechbarrow Road Project, Taunton primarily in relation to the Council's portion of the site.

The revised development project sought to maximise the opportunities afforded by Homes and Communities Agency (HCA) funding allocated to Knightstone Housing Association (KHA) and changes to housing finance which had resulted in more resources becoming available for the Council's Housing Revenue Account (HRA) to invest in new affordable housing.

The site was currently being assembled by decanting the current tenants and buying back the leasehold properties along with giving notice to quit on the garages.

All the current flats/houses on the Creechbarrow Road site would be demolished. One end of the site would be transferred to KHA and they would construct 32 affordable rented houses on this area. The remainder of this site would remain in Taunton Deane ownership, on which 60 new homes for Social rent would be built.

Whilst the project was housing driven, it was also designed to help tackle the deprivation in the area. The proposed play/green area would provide a new central focus and the Community Hub building would potentially provide a valuable facility for the provision of services to the Halcon Ward.

KHA funding was supported by HCA grant for 30 of the 32 new dwellings. However, the grant conditions required completion of these properties by 31 March 2015.

Heads of Terms for the disposal of the KHA portion of the site were currently being prepared. Previously the Council had commissioned Savills to undertake an assessment of the residual value of the KHA portion of the site for affordable housing. This had confirmed a negative residual value, and consequently the site would be disposed of for £1. The Council was operating in an "open book" fashion with KHA and the total scheme cost for the KHA part was likely to be £3,972,000 and showed a substantial loss.

If during contractor procurement the KHA scheme revealed a changed position to generating a surplus, an overage agreement had already been negotiated where KHA and the Council would benefit equally in any surpluses derived. In addition, a buy back for £1 clause had been included in the draft Heads of Terms so the Council would be able to re-purchase the site if the scheme faltered.

Taunton Deane's development would be comprised of 60 new properties including an Elderly Persons Court of six two-bed and nine one-bed properties all designed to cater for non close-care elderly persons. Six ground floor wheelchair compliant ground floor flats had been included in the scheme proposal.

The development would include the following Design Standards:-

- Code for Sustainable Development – Level 4 – The new homes would be much cheaper to run for the occupants in that they would be 25% more energy efficient than current Building Regulations.
- Lifetime Homes - The scheme layout and house layouts would fully conform to the latest Lifetime Homes design criteria, which would ensure that a home built to the standards would be adaptable to allow future changes in an occupant's circumstances to be accommodated.
- Secured by Design - An integral part of the overall sustainable development strategy was to adopt the Secured by Design Police initiative which provided guidance and encouragement to those engaged with the specification, design and build of new homes to adopt crime prevention measures.
- Taunton Protocol – This had been adopted by the Council in November 2011 and set out the Council's aspirations for development in the fields of carbon reduction, building design and valuation, producing significant reductions of Co2 to help meet the Government's challenging targets for reducing the impact of climate change.

A three storey building was proposed at the end of Moorland Road. This would provide dwellings (8 x 1 bed, 2 person flats) on the first and second floors and a community facility on the ground floor which potentially could include the following features:-

- Walk in community facilities such as a youth meeting place, internet provision and community café;
- Access to advice and services via volunteers and agencies;
- Meeting/activity rooms;
- Smaller interview rooms; and
- Landing pad workstations (hot desks) for partner agencies working in the area.

It was the intention through the construction phase to maximise opportunities for local community involvement and benefit through such things as requiring contractor(s) to provide training/apprenticeship opportunities that might lead to longer term employment.

In order to maximise the benefits of the scheme, it was important to let the new properties in a way that would facilitate and enable the greatest positive impact. Consequently a draft Local Lettings Plan has been created in consultation with partners and KHA which would apply to the whole development area.

The new Council properties would be subject to Right to Buy (RtB), therefore if they were let to a tenant with existing, or, in time, earned RtB eligibility, they could make an application to purchase the property.

However, the Council was afforded some protection by the “cost floor” provision. This meant that for a period of 15 years, the RtB discounts would be limited to ensure that the purchase price of the property did not fall below what had been spent on building, buying, repairing or maintaining it over a certain period of time, up to the market value of the property.

An extensive public consultation/engagement process had been undertaken, in terms of preferences and concerns. All of the points had been assimilated into a composite design development process, which had informed the planning submission.

The area of the scheme included four properties at the end of Moorland Road. Of these, one (No 1) was owned by the General Fund (GF) as it had been “bought back” by Housing Enabling during the course of the original larger project. The remaining three properties were owned by the HRA. It was proposed that the property be transferred to the HRA from the GF at a price agreed following formal valuation.

A detailed financial appraisal of the current proposed scheme had been undertaken and provided the following conclusions:-

- The Total Scheme Costs for the project were £8,143,000;
- Based on income from rents over a 30 year period the scheme could afford to repay £5,764,000 over 30 years.
- Therefore the scheme required a subsidy of £2,379,000
- The payback period = 46 years.

The current 2013/2014 Capital Programme included an approved budget for the scheme totalling £7,667,000. In addition, there was an approved budget allocation of £200,000 included in the 2012/2013 Capital Programme for this scheme, giving approval for Total Capital Expenditure of £7,867,000.

The updated estimate of Total Scheme Costs exceeded the current approval, therefore it was necessary to request a budget increase of £276,000 in order to proceed to tender.

In terms of funding arrangements for the scheme when the initial proposals were approved, £200,000 had been allocated from HRA Reserves and Members had agreed in principle to approve funding for the balance via borrowing.

The Council had experienced significant growth in RtB sales – and therefore capital receipts – in the last year. It was therefore proposed to use RtB capital receipts to fund 10% of the scheme, taking into account the requirement to meet the conditions of the One for One Replacement Agreement with the Government. The following table summarised the proposed funding at this stage:-

	£
Estimated Total Funding Required	8,143,000
Proposed Funding:	
HRA Reserves	200,000
RtB Capital Receipts	814,000
Social Housing Development Fund (indicative only)	1,686,000
Borrowing (indicative only)	5,443,000
<b>Total Funding</b>	<b>8,143,000</b>

Although the Business Case indicated that the HRA would effectively provide a subsidy for the scheme within the current 30-year plan, the investment in the increased housing that the scheme would provide did pay back over 46 years. It was therefore reasonable to conclude that the investment was affordable over the long term and that the properties should have a useful life of at least 46 years if properly maintained as planned.

On the motion of Councillor Mrs Adkins, it was

**Resolved** that:-

- (1) Authority be granted to the Housing and Health Manager to progress and implement the Creechbarrow Road, Taunton Redevelopment Scheme;
- (2) An 'in principle' commitment to promoting a Compulsory Purchase Order(s) to progress the redevelopment scheme be approved;
- (3) Subject to valuation, the transfer of 1 Moorland Road, Taunton from the General Fund to the Housing Revenue Account be approved;
- (4) A Supplementary Estimate of £276,000 be also approved thus increasing the total Capital Expenditure Budget for the scheme to £8,143,000, and the proposed funding plan for the scheme, including borrowing, be noted; and
- (5) The principles contained within the proposed joint Taunton Deane and Knightstone Housing Association Local Lettings Plan for the development be supported.

Before considering the second recommendation below, the Council **resolved** that the press and public be excluded from the meeting to allow discussion of the contents of the confidential appendix, because of the likelihood that exempt information would otherwise be disclosed relating to Clause 3 of Schedule 12A to the Local Government Act, 1972 and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

**(b) Sale and Acquisition of Freehold Interest in Land at Lisieux Way, Taunton**

Consideration had recently been given by the Executive to the proposed sale of a freehold interest in part of the site at Lisieux Way in Taunton, plus a

freehold acquisition of an alternative part of the site. The proposal, if approved, would 'open up' the site for development as employment land, under the Council's priority of growth and regeneration.

The site in total extended to approximately 6 acres with the Council currently owning the freehold interest in approximately 4.41 acres.

A business had held this part of the site on a lease from the Council for many years with approximately 58 years of the term to run. The Council was currently receiving a ground rent each year in respect of this lease. Rent reviews were held at 14 year intervals but, as the last review was held in 2006 it was unlikely that the rent would increase in the foreseeable future. The business owned the freehold interest in the remainder of the site.

The whole site had unsuccessfully been marketed over the past few years due to the lease of part of the site, which made it an unviable purchase in its current situation for a private investor.

The result of the inability to sell the combined interests of the Council and the existing business on the open market was that the site remained mainly vacant. The site was well located for redevelopment for employment use and was currently undeveloped at a time when there was demand for employment space in such a good location and a severe shortage of suitable alternative sites. There were currently two tenants on the site occupying Buildings "1" and "3".

A Property Development Company had recently agreed terms to purchase the business's interest in the site. The company has now approached the Council with a view to purchasing Taunton Deane's interest to give them the freehold of the whole site. They proposed to redevelop the site for employment uses and this would be reflected in any legal agreement between the parties.

The consideration for the purchase would be the transfer of the freehold interest in the newly refurbished "Building 3". The building was currently occupied on a Full Repairing and Insuring Lease which commenced on 31 May 2012 and was for a term of 25 years with 5 yearly rent reviews.

As the rental income available under this lease would be greater than the rent received by the Council from the business which currently leased the Council's land by a significant sum each year, there was additional value to the Council from the proposed sale and acquisition.

A proposed consideration had been negotiated and provisionally agreed with the Property Development Company for the acquisition of the freehold of "Building 1". With Stamp Duty and a contingency for other associated costs of acquisition, the difference in rent would represent an annual return of 8% gross on the up front capital investment.

From an investment perspective, the positive Net Present Values indicated that the investment opportunity represented an attractive proposition.

The proposal was likely to produce a continuing net saving to the Council, indicating that the proposal would be affordable if fully funded through borrowing. The annual savings would be higher if the Council used reserves towards the funding of the capital costs.

On the motion of Councillor Cavill, it was

**Resolved** that:-

- (1) The proposed sale and acquisition of land and buildings at Lisieux Way, Taunton be supported and that a Supplementary Estimate to the Capital Programme to the amount detailed in the report for this purpose be approved, via borrowing;
- (2) It be noted that the continuing revenue implications would be taken into account as part of the annual budget setting process; and
- (3) Proposed economic development uses of the site in the future be approved in conjunction with the Section 151 Officer, the Portfolio Holder and the Shadow Portfolio Holder.

### 13. **Suspension of Standing Order**

**Resolved** that Standing Order 28, Time limits for all meetings be suspended to enable the meeting to continue for a further half an hour.

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

Due to the lateness of the hour, the Mayor suggested that responses to questions asked of the Executive Councillors should be made in writing outside the meeting. This was agreed.

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

Councillor Williams's report covered the following topics:-

- Northern Inner Distributor Road;
- Castle Green Development, Taunton;
- Taunton Railway Station;
- Major Flood Alleviation Scheme;
- Shared Management/Services Project with West Somerset Council;
- Taunton Deane Leading the Field! (Ahead of the Game?); and
- EDF South West Office Requirement.

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

Councillor Mrs Adkins submitted her report which drew attention to the

following:-

- The Advice Services Transition Fund – BIG Lottery Fund;
- Welfare Reform Strategy;
- Housing Services Digital Inclusion Project;
- Welfare Reforms Visits – Under Occupation;
- Housing Development - Regeneration;
- Moving Out;
- Tailored Support;
- Affordable Housing Completions;
- Affordable Housing Open Day;
- Right to Buy Sales;
- Homefinder Somerset;
- Rent Arrears;
- Creechbarrow Road Update; and
- Other Council House Proposed Sites and Future Sites.

**(iii) 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;
- Corporate and Client Services;
- Corporate Performance;
- Legal and Democratic Services;
- Revenues and Benefits;
- Council Accommodation and Customer Access Project; and
- Joint Management and Shared Services Project.

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

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

- Planning;
- Site Allocations and Development Management Plan;
- Community Infrastructure Levy (CIL);
- Employment, Retail and Housing Monitors;
- Neighbourhood Planning;
- Heritage;
- Communications; and
- Parking.

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

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



- Partnership Working;
- Community Development;
- Police Report;
- Pathways to Independence;
- Youth Forums; and
- Benefits Welfare Cap.

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

The report from Councillor Cavill covered:-

- Culture and Events;
- Employment Land;
- Business Rates Meeting;
- Taunton Town Centre Company;
- Inward Investment and Job Clubs;
- Business Support; and
- Asset Management.

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

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

- Environmental Health;
- Crematorium;
- Waste Management; and
- Carbon Management.

(viii) **Sport, 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 Leisure (Taunton Deane) Limited Activities.

(The meeting ended at 9.58 p.m.)

## Review of the size of Committees – Appendix 1

### Executive Members:-

- Councillor Williams – Leader of the Council
- Councillor Edwards – Deputy Leader – (Planning and Transportation and Communications)
- Councillor Mrs Adkins (Housing Services)
- Councillor Cavill (Economic Development, Asset Management, Tourism and the Arts)
- Councillor Hayward (Environmental Services and Climate Change)
- Councillor Mrs Herbert (Sports, Parks and Leisure)
- Councillor Mrs Stock-Williams (Corporate Resources)
- Councillor Mrs Warmington – (Community Leadership)

### Political make up

Conservatives	27	48.2%
Liberal Democrats	23	41.1%
Independents	3	5.4%
Labour	3	5.4%
	<b>56</b>	<b>100%</b>

<b>Committee</b>	<b>Conservatives</b>	<b>Lib Dems</b>	<b>Independent</b>	
<b>Labour</b>				
Community Scrutiny	7	6	1	1
Corporate Governance	7	6	1	1
Corporate Scrutiny	7	6	1	1
Licensing	7	6	1	1
Planning	7	6	1	1
Standards	2	2	1	
	<b>37</b>	<b>32</b>	<b>6</b>	<b>5</b>

### Chairmen

**Conservatives** 4

**Liberal Democrats** 2

Vice-Chairmen will be selected by their respective Committees.

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

### **Full Council**

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

- **Director of the Taunton Town Centre Company –  
Councillor D Reed**

# Taunton Deane Borough Council

## Full Council – 1 October 2013

### Change to Delegations – Part 3 of the Constitution

#### Report of the Legal and Democratic Services Manager

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

#### 1. Executive Summary

Changes to the constitution are required following the Council's decision to proceed with a Joint Chief Executive to ensure that the post can operate effectively from the first day of operation.
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#### 2. Background

- 2.1. By virtue of decisions taken by the West Somerset Council and the Taunton Deane Borough Council on 22 July and 23 July 2013, respectively, it has been agreed that the current Chief Executive of Taunton Deane Borough Council will become a Joint Chief Executive of the two Councils under a Section 113 agreement under the Local Government Act 1972, with effect from 24 October 2013.
- 2.2 The role of Joint Chief Executive will include being the Head of Paid Service for both Councils. This is a statutory role and places the officer in question in charge of the staff/employees of the two Councils. It is therefore essential that the Constitutions of both Councils are checked to ensure that the smooth operation of the two authorities will not be affected/hindered by the agreement to have a Joint Chief Executive.
- 2.3 Particularly in the event of the two Councils approving a Business Case for joint management and sharing of services, the management of staff will be a vital component in securing the smooth transformation towards the sharing of management and services.
- 2.4 To ensure that matters are not unduly delayed appropriate terms of delegation will need to be applied for the Joint Head of Paid Service and it would be preferable if such powers of delegation were similar at both Taunton Deane and West Somerset to ensure consistency and an even pace of delivery. In this regard the Monitoring Officers of the two Councils have been working closely together to try and ensure that this happens.

### **3. The Proposed Changes**

- 3.1 In terms of the Taunton Deane Borough Council Constitution, although the Head of Paid Service already has delegated powers to deal with staffing issues the proposed amendments set out in Appendix 1 to this report set out clearly those delegations required in connection with staffing matters to make the position transparent and clear. The proposed amendments are set out in Appendix 1 to this report and for ease of reference are shown with a shaded background.
- 3.2 It is important to note that under the proposed delegated powers there is the proviso that such action must be “within the approved budgetary provision”. When this is not the case a report will need to be made to Members to approve or otherwise any required additional expenditure.
- 3.3 Both the Constitutional Sub-Committee and the Corporate Governance Committee have considered and approved the proposed changes to the Constitution.

### **4. Finance Comments**

- 4.1 There are no financial implications in connection with this report.
- 4.2 The Section 151 Officer has commented that it is important that the new post holder has the appropriate delegated powers to enable her to undertake the role of Head of Paid Service efficiently and effectively and I believe that the proposals set out in this report address this issue. I note that the proposed delegated powers are subject to any action incurring expenditure being within the approved budgetary provision to ensure good governance.

### **5. Legal Comments**

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

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

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

### **7. Environmental Implications**

- 7.1 There are no specific Environmental implications in this report.

### **8. Community Safety Implications**

- 8.1 There are no specific Community Safety implications in this report.

## **9. Equalities Impact**

9.1 An Equalities Impact Assessment is not required in respect of this report.

## **10. Risk Management**

10.1 A risk assessment is not required in this instance.

## **11. Partnership Implications**

11.1 The Monitoring Officers of both councils have consulted each other in regard to the contents of this report in the interest of consistency and transparency across the two local authorities

## **12. Recommendation**

12.1 Full Council is recommended to approve the proposed changes to the Delegations included in the Council's Constitution set out in Appendix 1.

**Contact:** Officer Name ) Tonya Meers  
Direct Dial No ) 01823 356391  
e-mail address ) [t.meers@tauntondeane.gov.uk](mailto:t.meers@tauntondeane.gov.uk)

# Appendix 1

## TDBC Constitution

### Part 3 Responsibility for Functions

#### 1.0 Scheme of Delegations

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

#### 2.0 Who?

- 2.1 To help understand what follows, there are a number of levels of decision-making under our Constitution. Each of these is reflected by the tables which follow later in this section.
- 2.2 First is **Full Council** itself. Full Council retains a range of higher level decisions - many relating to our overall strategies - or to the setting of our annual budget and of Council Tax. Some of these functions can legally **only** be undertaken at this highest level. With others, it has been this Council’s own choice to do so.
- 2.3 Next is the **Executive**. The law requires that the great majority of the Council’s decision-making **must only** be carried out by or through the Executive - either meeting together – or, in some cases, on an individual basis. The Act prevents other Councillors making such decisions.
- 2.4 **Individual Executive Councillors** also have decision-making powers delegated to them.
- 2.5 Next comes a group of “**regulatory**” functions. Broadly, these are roles where the Council has the task of controlling the activities of individuals - often on an application-by-application basis. To deal with these detailed controls, Parliament decided that special committees should be retained - **outside** the Executive. In our case this means we have, for instance, a Planning Committee and a Licensing Committee made up of elected Members and which meet in public so as to hear the various opinions expressed about individual cases before them.
- 2.6 The Corporate Governance Committee has certain limited decision-making powers delegated to it by the Council. These powers are described later in Section 4 Appendix 1 Part J
- 2.7 The **Joint Head of Paid Service** will undertake the day-to-day management and operation of all staff in accordance with the policies and procedures laid down by the Council, including incurring expenditure within the approved budgetary provision.



2.8 Finally are **the officers**. The great bulk of day-to-day operational decision-making is delegated by the Council, or the Executive, or the Planning and Licensing Committees to our professional staff. They need these powers so as to enable them to provide the services of the Council in the most economic, efficient and effective way.

### 3.0 What?

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

## Section 1 The Powers of Full Council

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

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

	<p>(d) Health and Safety at Work (this relates only to those functions which the Council exercises <b>other than</b> as employer) <b>Appendix 1 - Part D</b></p> <p>(e) Electoral services <b>Appendix 1 - Part E</b></p> <p>(f) Corporate Governance <b>Appendix 1 – Part J</b></p> <p>(g) Staffing matters (other than those dealt with in Part 4H of the Constitution - the Standing Orders as to Employment of Officers). <b>Appendix 1 – Part L</b></p> <p>(h) Ceremonial and Miscellaneous matters <b>Appendix 1 – Part G</b></p>	<p>Community Services Manager.</p> <p>Electoral Registration Officer and Returning Officer.</p> <p>Monitoring Officer and S151 Officer</p> <p>Joint Head of Paid Service; Member of the Corporate Management Team, Strategic HR Manager and the Appointments Panel.</p> <p>Council on the recommendation of the Corporate Governance Committee</p>
4	To agree and/or to make significant changes to the terms of reference of the Planning Committee, the Overview and Scrutiny Committees	Council - on the recommendation of the Overview and Scrutiny Committees or the Planning Committee.
5	To decide on the number of seats to be allocated to each Party Group (or to independent councillors) in accordance with the “proportionality” rules in the Local Government and Housing Act 1989.	Council - on the recommendation of the Monitoring Officer.
6	To agree the arrangements for the appointment of the Joint Head of Paid Service and to note the Appointment Panel’s decision	Council - on the recommendation of the relevant Appointments Panel set up for that purpose.
7	To agree the arrangements for the appointment of the Monitoring Officer and the Section 151 Officer and to note the Appointment Panels’ decisions.	Council - on the recommendation of the Joint Head of Paid Service.
8	To confirm the dismissal of the Head of Paid Service, the Monitoring Officer or the Section 151 Officer.	Council - at the recommendation of the relevant Disciplinary Panel set up for that purpose and the recommendation of an appointed Independent Person (as referred to in paragraph 6 of the Officer Employment Procedure (Rule 8 - Part 4-H4).
9	To appoint the Leader of the Executive.	Council - on the recommendation of the controlling political group or groups of the Council.
10	To decide on the number of Executive Portfolios which the Leader may allocate.	Council - on the recommendation of the Leader.
11	To remove the Leader or other members of the Executive.	Council - in accordance with the procedure in Article 7.
12	To adopt the Constitution and to agree any major changes to it.	Council - on the recommendation of the Corporate Governance Committee
13	To approve any application to the Secretary of State in respect of a Housing Land Transfer.	Council - on the recommendation of the Executive.
14	To appoint and dismiss representatives to those outside bodies whose role is not closely linked to an Executive function.	The Legal and Democratic Services Manager - acting on the advice of the relevant Scrutiny Committee.
	<b>Function</b>	<b>If delegated - then to whom?</b>
15	To adopt/modify a Members’ Allowances Scheme.	Council - on the recommendation of a Panel of external members.

16	To change the name of the area, to confer the title of Honorary Alderman or the Freedom of the Borough.	Council - on the recommendation of the Leader of the Council
17	To make, amend, revoke, re-enact or adopt bylaws and to promote or oppose the making of local legislation.	Council - on the recommendation of one of the Overview and Scrutiny Committees whose role covers the services affected.
18	To adopt any plan or strategy (whether statutory or non-statutory) which the Council has decided should be undertaken by itself rather than by the Executive.	Council - on the recommendation one of the Scrutiny Committees using the "call-in" mechanism in Part 4E of the Constitution.
19	To deal with any other matters which, by law, must be reserved to Council.	Council on the recommendation of the Monitoring Officer

## Part L: Staffing matters

Function	Delegated to whom
To determine the council's establishment, numbers of staff, grading, remuneration and deployment and agree terms and conditions for the employment of staff subject to fundamental changes to the organisational structure being agreed by the Executive	Joint Head of Paid Service
To exercise all functions relating to health and safety in the Council workplace	Joint Head of Paid Service
To make changes to the allocation and composition of individual Corporate Management Team (CMT) member's responsibilities	Joint Head of Paid Service
In consultation with the Leader, to determine the annual salary increase to locally determined salary scales (positions with a salary above Grade L other than the Monitoring Officer and Section 151 Officer), provided that the cost of such is within the relevant overall budgetary provision	Joint Head of Paid Service
To determine all employment matters relating to members of CMT, excluding those dealt with in Part 4H of the Constitution – the Standing Orders as to the Employment of Officers.	Joint Head of Paid Service
To determine requests for flexible retirement by Members of CMT	Joint Head of Paid Service
To suspend a Member of CMT, if necessary, in connection with any disciplinary action	Joint Head of Paid Service
To appoint proper officers where such appointments are required as a matter of urgency	Joint Head of Paid Service
To appoint authorising officers for the purposes of covert surveillance operations	Joint Head of Paid Service
In relation to all posts below CMT level, to determine any increases in pension benefits and the waiving of actuarial reductions applied to employees who retire before the normal retirement age in accordance with the Council's approved policies	Member of CMT
Within approved budgets and in consultation with the Strategic HR Manager: (a) to determine all employment matters relating to staff on Grade A to L, including all market provision issues and the payment of honoraria, unless otherwise provided in the Council's policies;	Member of CMT

(b) to create additional posts graded below Grade L as may be required to achieve the Council's agreed level of service; (c) to approve variations to the Council's establishment; (d) to approve appropriate revised salary levels for posts where the existing salary grade is not sufficient to recruit an officer of the required calibre	
In consultation with the Leader, to approve any redundancies, retirements, secondments for all posts below CMT level in accordance with the Council's agreed policy and within approved budgets.	Member of CMT
In consultation with the Leader, to authorise covert surveillance (directed surveillance and covert human intelligence sources) in accordance with the Council's policies and the provisions of relevant legislation	Member of CMT
To grant leave of absence without pay for periods exceeding three months and special leave with pay on compassionate grounds	Member of CMT
To enter into agreements under section of 113 of the Local Government Act 1972 to place staff at the disposal of other councils or to receive the services of staff of other councils	Member of CMT
To determine applications from officers graded senior officer and above for permission to take up secondary employment	Member of CMT
To take disciplinary action against staff, including dismissal, in accordance with the Council's policies	Member of CMT
To determine requests for flexible retirement by staff below CMT level	Member of CMT
To authorise the attendance of officers at conferences, courses and seminars on behalf of the authority	Member of CMT
To consider complaints from members of staff in accordance with the Council's policies and take appropriate action	Member of CMT in consultation with HR Manager
To authorise the carrying forward of annual leave of staff from one year to the next	Member of CMT
To approve or remove designated casual or essential user car allowances	Member of CMT
To give approval to staff to attend training courses and day release courses in pursuit of relevant professional or other qualifications	Member of CMT
To authorise the acceleration of increments to staff within their salary scale until the top of the scale is reached	Member of CMT
To appoint Officers below CMT level within the approved establishment and amend the establishment, in consultation with the Service Managers, in accordance with the Council's existing policies and procedures	Member of CMT
Through each Service Manager, where appropriate, to authorise payments for exceptional overtime by officers on Scale Column point 29 and above	Member of CMT
Through each Service Manager to appoint staff on a temporary basis for a period not exceeding six months	Member of CMT
Through each Service Manager to deal with applications under the assisted car purchase scheme	Member of CMT
Through Service Managers take on staff under appropriate government-sponsored employment initiatives	Member of CMT
To approve applications for payment of staff removal expenses	Member of CMT
In consultation with the relevant lead Councillor responsible for equality and diversity to make such minor amendments to the	Member of CMT with responsibility

Equality and Diversity Policy Statement as may be deemed necessary	for Equality and Diversity
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# Full Council Meeting – 1 October 2013

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

### 1. Medium Term Financial Plan Update and Approach to Budget Setting 2014/2015

- 1.1 Corporate Scrutiny had a very stark, but factual, report presented at the meeting on 19 September 2013. It is a report I would encourage all Members to study and understand the future that faces us. It is readily available on our web site.
- 1.2 I have referred to it as being “stark” but I would add it is not a crisis because with a realization “business cannot continue as usual” we can plan our way through this. Changes will have to come and aspirations lowered as to what can be expected of the Council but we can still deliver the essentials that make Taunton a great place to live, work and play.
- 1.3 High Level Principles for budget setting were accepted and an indicative overall programme of savings required to close the budget gap of £4,500,000 over the next three years was included. This is as an insight to the difficult decisions facing us with savings of £1,500,000 needing to be delivered in time to support the 2014/2015 budget and thereafter annually for the next two years.

	Savings Target £
Review Discretionary Policies & Grants (10%)	68,000
Asset Strategy Project (25%)	89,000
Accommodation Project (20%)	68,000
Governance and Democracy (10%)	55,000
Efficiencies and Sharing Services	1,799,000
Savings Targets For Theme Managers	2,419,000
<b>TOTAL</b>	<b>4,498,000</b>

- 1.4 The key point of this is that the final decision will come back to Members to decide the final shape of the budget. So, it has to be clear if some of the savings ultimately proposed are not palatable to Members then it is important to advise alternative savings to meet the targets needed. It is very clear, we have to set a balanced budget by law and the Government has huge savings targets of its own to meet so large additional grants or funding streams are most unlikely!

- 1.5 It was interesting that a member of the public speaking was exhorting Councillors to ignore the Government, and the law, and not set a balanced budget, the quickest way to being taken into “special care” by the Government and so lose all control of directing the Council! At the other end of the scale we had one of our Councillors promoting the removal of elected Members and the Council reverting to delivery of statutory services only without any democratic input!

## **2. Shared Management and Services with West Somerset Council**

- 2.1 This initiative leads neatly on from the previous subject of funding and budget setting.
- 2.2 At the last Full Council we formally agreed to share a Chief Executive to run both Councils and since then officers have been busy preparing a Business Plan. We took the decision to share a Chief Executive because of meaningful savings for both Councils and as the preparation of the Business Case advances we are seeing the possibility of substantially more savings arising.
- 2.3 It is imperative we seek to maximise the savings from shared management and services as this will minimise the need to cut other services to our community. Should these proposals not be accepted by Members then we will have no alternative but to agree cuts to other services that will impact on the community much more than the savings from back office costs proposed.

## **3. Brewhouse Theatre and Arts Centre**

- 3.1 Following the decision of Full Council on 23 July 2013, we are now finalising the terms of the acquisition of The Brewhouse with the administrators. We hope to take full ownership of the venue and contents within the next month, subject to no unforeseen legal obstacles. This is the first step in facilitating a revival of this key town centre venue and community asset.
- 3.2 Meanwhile, through the work of specialist consultants and the Brewhouse Members Steering Group, we are working hard to facilitate a sustainable plan for the future operation of the venue. An initial Business Plan proposal has been received from the Tone Theatre Association and we are working with them to develop this further, for consideration by Scrutiny and Executive in November/December.
- 3.3 I will ensure Members are kept briefed as and when we conclude the legal transfer and progress with the potential future management of the theatre.

## **4. Taunton Town Centre ‘Re-think’**



- 4.1 Work on a 'rethink' of Taunton Town Centre has now started in earnest, under the auspices of the Taunton Economic Advisory Board. Consultants engaged to carry out this work are talking to a wide range of people and groups with an interest in building on our strengths and delivering the best possible future for our Town Centre.
- 4.2 A decade on from the Vision for Taunton proposals, the rethink will review progress and take a fresh look at the ambitions and future direction for the Town Centre, in the context of the current economic climate and the rapidly growing phenomenon of internet shopping. It will also make recommendations on the proposed mix of uses at key regeneration sites within the Town Centre, including Firepool.
- 4.3 As this is an independent rethink with wide consultation to gather views from the private and public sectors, I can assure Members that it will be a challenging process with hopefully some equally challenging and potentially radical proposals. The consultants will complete their work during the Autumn, with outcomes being considered by the Taunton Advisory Board, the Project Taunton Steering Group, Scrutiny and Executive over the Autumn/Winter period.

## **5. Economic Growth Prospectus for Taunton**

- 5.1 The Growth Prospectus for Taunton is a joint project with Somerset County Council, again sponsored by the Taunton Economic Advisory Board. A short document, its purpose will be to establish a clear 'direction of travel' for Taunton's economic growth over the Core Strategy period to 2028.
- 5.2 It will highlight the priority economic sectors where the Council and partners want to focus effort and investment, together with the infrastructure requirements to deliver that growth, such as transport, flood alleviation and employment land. It will inform the wider Somerset Growth Plan and Heart of South West Local Enterprise Partnership Growth Plan and will be an important pre-cursor to securing the local and external funding needed to support our economic growth ambitions. It will help to secure Taunton's status as a key Growth Town in the South West.
- 5.3 Work on the Prospectus will be concluded this Autumn and will be available for formal member consideration over the Autumn/Winter period.

## **6. Castle Green, Taunton**

- 6.1 I am working closely with officers to facilitate the relocation of the bus stops on Castle Way, Taunton to enable the completion of the final phase of development at this important and historic town centre site. Investigations are continuing and I hope to bring a more definitive update to the next Full Council meeting.

- 6.2 On the subject of Castle Green, it was marvellous to see the excellent Shakespeare Festival at Castle Green in August, following on from the earlier Somerfest event earlier in the Summer. I am delighted to see that events in the town centre is a priority for the Town Centre Company and will form a central part of their Business Improvement District (BID) proposal in the New Year. I firmly believe that promoting Castle Green and other town centre spaces for events and activities is a key strand in creating a vibrant and fun town centre that will attract people to Taunton from far and wide.
- 6.3 The initiative by the Town Centre Company in setting up the general and produce market stalls in the High Street on a Friday and Saturday is to be particularly welcomed. They are to be applauded as I am sure it will be a major attraction to draw people into the town centre as referred to above.
- 6.4 There are plans afoot to expand this into Castle Green with a bi-monthly antiques and craft market, another great initiative that has to be welcomed.

## **7. Quantock House, Taunton**

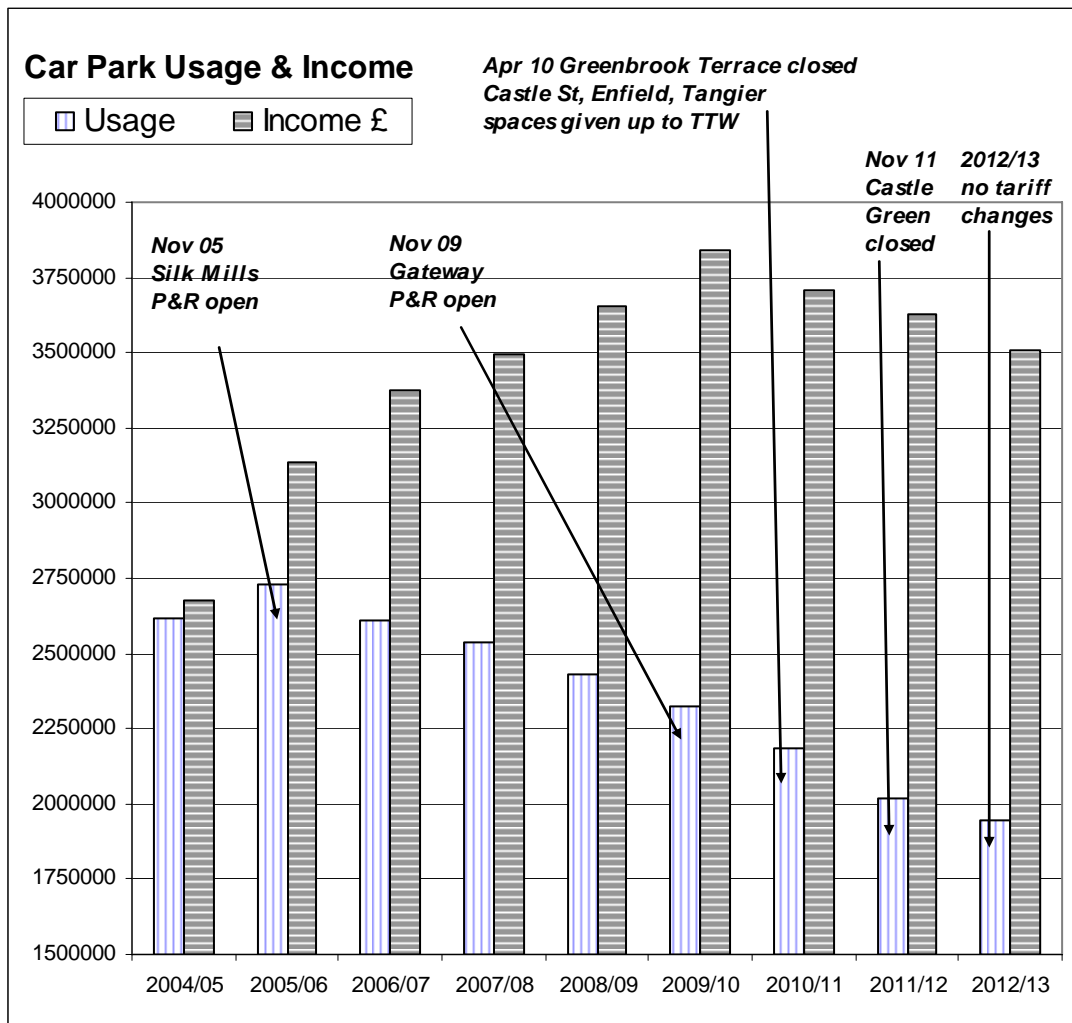
- 7.1 Members will be aware that the Council has previously expressed an interest in purchasing this building at a key town centre location, adjacent to the multi-storey car parks in Taunton.
- 7.2 An arbitration process is currently underway to establish the market value. The arbitrator is expected to report in early October. Subject to this valuation, a Business Case for the potential purchase will be prepared and put to Members for consideration.

## **8. Car Parking Usage and Income**

- 8.1 Can I clarify the situation regarding car parking in Taunton as there seems to be a perpetuation of the belief that actions decided by this Council are losing us income. Please see the graph below showing records from 2004/2005 to date of both usage and income. This clearly indicates a growth in income until the economic recession struck but a consistent drop in usage.
- 8.2 There is no evidence to suggest this drop is related to car park closures but caused partly in the first instance by the two park and rides opening and then the economic recession struck exacerbating the drop in usage and for the first time we see reduced income. Both these situations are set against the environmental policy and anti-congestion agendas.
- 8.3 This reduction in income is clearly brought about by changing habits of motorists caused by the price of fuel, squeeze on incomes and economic recession, not the shortage of parking capacity within

Taunton as our car park stock as exists now does not operate anywhere near capacity except possibly the run up to Christmas.

- 8.4 I hope this helps Members understand what our records show and helps stop the perpetuation of the myth that we have inadequate car parking capacity in Taunton. The reduction in usage recorded is being experienced by all other parking authorities around us and is not unique to us.



## 9. Former Taunton Youth and Community Centre site, Taunton

- 9.1 Following the agreement to sell this site to Lidl, good progress is being made with the contract for sale now that all the “landowners” consents are in place, and we would expect an exchange of contracts within the next few weeks.
- 9.2 After exchange of contracts, Lidl have five months to submit their planning application. Work is now underway on an “options appraisal”

for the existing Lidl site in the town centre so that a report on a possible land swap can be submitted to committees before Christmas.

## **10. Thales Site, Taunton**

- 10.1 Following the agreement of a Business Case to sell this key employment site to developers, both sets of lawyers have been instructed and draft contracts are being prepared.
- 10.2 As part of this process a draft use clause on the types of employment use to be permitted on the site will be prepared for the approval of the Section 151 Officer and the Portfolio Holder for Economic Development.

Councillor John Williams  
Leader of the Council

# **Council Meeting – 1 October 2013**

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

### **1. Parks**

- 1.1 You will be pleased to hear that Taunton in Bloom has again been successful in gathering some awards for their efforts:-
- A Gold Pennant Award - in the Large Town category;
  - An Eligible Garden Award – for the vegetable bed in Vivary Park; and
  - “It’s Your Neighbourhood Awards” for Victoria Park Action Group, Kingston Road Allotments and St Georges School.
- 1.2 It is also great to report that Wellington in Bloom also received five “It’s Your Neighbourhood Awards”.

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

- 2.1 The refurbishment and extension works to Wellington Playing Field Pavilion have been completed. The official opening with Sport England will have taken place on 25 September 2013. The project was entirely funded by Section 106 Agreement outdoor recreation contributions for Wellington and an Inspired Facilities Grant from Sport England.
- 2.2 The Wellington Skate Park has been extended to provide a concrete half pipe and grind box. This work was carried out after consultation with the young people of Wellington and funded entirely from Section 106 Agreement outdoor recreation contributions for Wellington. The works were completed in time for the start of the school summer holidays.
- 2.3 The Vivary Park summer season of free bandstand concerts ran successfully from June – September with 10 bandstand concerts. This year for the first time local schools and training bands were offered the opportunity to play in the bandstand. Four very successful concerts were held. Only one school (Heathfield Community School) took up the offer to play for us and we are delighted they have intimated they would be willing to do so again next year. We would be pleased if more schools took up the offer as well.
- 2.4 The Deano, Taunton Deane’s What’s On for primary school aged children was published ready for the school summer holidays.
- 2.5 We received a good variety of applications for the Parish Play Area grants fund and have awarded monies to:-

Nynehead for a field bike track and ramps, Corfe for new swings, North Curry for a zipwire and climbing frame and West Bagborough for a skate park and BMX track.

2.6 Capital grants have been awarded to:-

- The Conquest Centre for a sensory room, Milverton Victoria Rooms for a fire alarm;
- Taunton Vale Sports Club for a new hockey pitch, spectator area and LED lights;
- Trident Youth and Community Centre for a Multi Use Games Area, and
- Wiveliscombe Community Centre towards much needed structural works.

Two further grant applications from the scheme are in process.

2.7 Station Road Pool Refurbishment - Work continues to plan on the project for the refurbishment of Station Road Swimming Pool in Taunton. Invitations to tender have been sent to potential contractors for return by Friday, 4 October 2013 and we intend to award the contract on the 11 October to keep us on track for an October Close down. The designs have now been shared with customers and all Councillors have received a newsletter containing the designs.

2.8 Blackbrook Pool and Spa - A solution to the VAT issue has been found and progress is being made with finalising the lease arrangements with Tone Leisure. Tenders have been issued to recruit the Project Board expertise and support. Interviews will take place on the 9 October 2013 with an award of the contract soon after. Once this is in place the Project Board will then progress the next stage of design and costings ready to tender for the contractors in the New Year.

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

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

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

#### **Health Development**

3.1 321 Running Initiatives

3.1.1 Tone, in partnership with Somerset County Council and England Athletics, has received funding to train three volunteers in the Leadership in Running Fitness (LiRF) qualification. As a result of this training, beginners running groups will be set up across the district and route/distance markers will be laid to also encourage more people to run individually.

3.2 Alzheimer's Society Memory Walk

3.2.1 Tone hosted the third year of the Alzheimer's Society Memory Walk in Vivary Park in September and over 160 people took part.

### 3.3 Hearts and Soles Nordic Walking

3.3.1 Tone's Nordic Walking programme, which has been part funded by the British Heart Foundation, has been running for one year and has generated interest from approximately 150 people. The programme aims to increase the number of older adults taking part in moderate intensity physical activity, particularly heart patients and their family members.

3.3.2 Of those that took part, 62% were aged 61-75 years old; 75% were female; 29% of participants were heart patients and/or a family member of a heart patient. A small team of volunteers have been trained as Leaders and are working towards helping to lead the Adventure Walks.

## Facility News

### Wellington Sports Centre

4.1 Wellington Sports Centre will undergo refurbishment work in the existing Health Suite area. This will include a new poolside entrance, new sauna and new steam room. Work will commence in October, with completion anticipated by the end of December, and the centre will be opened to the public from January 2014.

4.2 On Sunday, 28 July 2013, 100 children attended the summer Swimskool Pool Party, which saw the launch of the new commando run pool inflatable. Customer feedback has been very positive and it was the most popular session throughout the summer holidays.

4.3 On Sunday, 22 September 2013, Wellington celebrated its 40<sup>th</sup> Anniversary in style. Activities included a 12 hour class marathon, free junior activities, gym challenges and £1 family swims.

### Wellsprings Leisure Centre

4.4 Tone has installed occupancy sensors on the Sports Hall lighting to reduce energy consumption in this centre.

### Blackbrook Pavilion

4.5 The Council is installing energy efficient lighting in the Sports Hall, Tennis Bubble and Indoor Tennis Centre. Tone will pay back the installation cost over the remainder of the contract.

### St. James Street Baths

4.6 Tone is currently in the process of affiliating the centre with the Amateur Swimming Association (ASA) which will enable the team to host 'Learn to Swim' courses at the pools.

## Vivary Adventure Centre

### *High Ropes*

- 4.7 Business is growing rapidly at the High Ropes, with nearly 10,000 people using the centre so far this year. Tone has had a great year in the education sector, with over 2,000 school and college students using the facility. Tone has secured an Annual User Agreement with Somerset College, which will see up to 1,000 college students through the course over the next academic year. Tone is also currently in the process of agreeing another with Taunton Academy.
- 4.8 Tone is now offering Slack Lining and Circus Skills to add to the repertoire and will soon be constructing a new Abseil Wall to add another exciting activity to this great centre.

### *Golf*

- 4.9 Golf Course usage has increased at a steady pace since the last report and there has been a strong rise in membership sales. The Green-keeping staff are maintaining the course in a fantastic condition, receiving exceptional feedback from the Senior Section at Taunton Vale Golf Club following a match at Vivary.

### *Café*

- 4.10 Since the last report the café re-launch has been completed. Tone now has a brand new menu offering Barista coffee and a whole new line of quality products.

Councillor Catherine Herbert



# **Council Meeting – 1 October 2013**

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

### **1. Housing Enabling - Regeneration**

- 1.1 **Victoria Gate, Taunton** - The first phase has been completed and 20 units have been handed over. A number of these tenants are relocating from properties to be demolished in the later phase. The land transfer for this has now completed.
- 1.2 **Ruskin Close, Taunton** - An opening event was held on 30 August 2013, attended by the Mayor and all but six units have been handed over.
- 1.3 **Burns Road, Taunton** - These two homes are almost ready to hand over at time of writing.
- 1.4 **Parmin Close, Taunton** - A planning application for 80 units is anticipated in the New Year following public consultation in December. 21 tenants have already moved and there are 10 left waiting for suitable accommodation.

### **2. Affordable Housing Target**

- 2.1 I am happy to report that with anticipated Help to Buy sales added to homes already in the construction pipeline, we should be on course to achieve our annual target of 200 homes
- 2.2 The Government's 'Help to Buy' scheme is, however, affecting sales of discounted open market housing, so some of these intermediate units have been converted to shared ownership instead.
- 2.3 Completions as at 31 August 2013 were 106.

### **3. Right to Buy Sales**

- 3.1 As reported previously, we have seen an increase in Right to Buy sales, receipts from which have to be ploughed back into affordable housing within certain time limits. Some of this money is earmarked for our Housing Development programme, but we have receipts which need to be spent sooner.

- 3.2 A decision was made, therefore to use some funds to buy back ex-Council homes when suitable opportunities occurred. We have just completed the purchase of one such property and are progressing some more.

#### **4. Council House Building**

- 4.1 The planning applications for the Creechbarrow Road, Taunton redevelopment come to Committee on 25 September 2013 and I therefore hope to report their approval to Council
- 4.2 The contract meanwhile has gone out to tender due to the tight timescale on this project. The date for opening has been extended by two weeks at the request of two of the short-listed contractors.
- 4.3 The decanting is almost complete, so a prompt start on site should be possible.

#### **5. Estates Management – Anti-social behaviour**

- 5.1 The success of our team has meant more cases coming forward because people are less reluctant to report issues, particularly around drugs.
- 5.2 Of the 37 cases closed to 10 September 2013, 26 have been resolved, whilst others were terminated at the complainant's request and one was deemed unfounded and in two cases no action was required.

#### **6. Estates Management – Welfare Reform**

- 6.1 The programme of visits to tenants continues and 89 have been identified wishing to downsize.
- 6.2 As at 13 September 2013:-
- 19 moves on Choice Based Lettings (CBL) have completed;
  - 4 bids were pending on CBL;
  - 1 direct match had completed;
  - 10 mutual exchanges had completed;
  - 6 mutual exchanges were being processed.
- 6.3 In order to encourage and facilitate mutual exchange, the Estates Team are holding a number of events, the first of which took place at Moorland Place Meeting Hall, Taunton on 13 August 2013.

- 6.4 132 tenants were invited. 21 attended and a further 12 have since made contact resulting in two potential exchanges.
- 6.5 A further two events are planned - in Wellington on 15 October 2013 at the United Reform Church between 10 am and 2 pm and the other at the Priorswood Resource Centre, Taunton on 20 November 2013 between Noon and 4 pm.
- 6.6 Welfare Reform Support Guidance has now been put in place to assist tenants wishing to exchange.
- 6.7 All tenants are being offered advice on Discretionary Housing Payments (DHP) and help to complete the application. This has resulted in 78 DHPs being awarded, although most do not cover the full amount tenants have to pay.

## **7. Estates Management – Rent Arrears**

- 7.1 As anticipated the Welfare Reforms have had an effect on tenant arrears which rose from £32,094 in April (for the affected tenants) to £51,881 in July, but, happily are now decreasing, down to £46,860 in August.
- 7.2 However, this is against a background of overall arrears reducing.

Councillor Jean Adkins

# **Council Meeting - 1 October 2013**

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

### **1. Customer Contact Centre**

#### **New Telephony**

- 1.1 The service is working hard to deliver new telephony hardware both for the Customer Contact Centre and Revenues and Benefits, with a phased implementation during October and November 2013.
- 1.2 Training for the teams starts at the beginning of October, with implementation of telephony taking place from 15 October 2013. The Project Team includes officers from Customer Contact, ICT and the suppliers. Close working relationships means that the project has remained on schedule since order signature in February 2013.

#### **Service Delivery**

- 1.3 Service delivery came under pressure in June 2013 as a result of both service and client led issues, which resulted in a failure in meeting 2 KPIs. These failures have been discussed with the Client Teams and remedial actions looked at.
- 1.4 However, the failures did not affect the Customer Contact Team's ability to deliver their usual quality of service for customers. The quarterly customer satisfaction figure reported for that month was 96.61%.

#### **Statistical Information – June – August 2013:-**

Service Line	Reporting Authority	KPI No	Performance Measure	Frequency of Reporting	2012/2013 Target	Jun-13	Jul-13	Aug-13
						QUART	QUARTER 2	
Customer Contact	TDBC	1	% of calls answered in 20 secs	Monthly	80%	68.89%	82.20%	85.63%
Customer Contact	TDBC	2	% of calls resolved at first point of contact	Monthly	92%	96.18%	97.76%	97.39%
Customer Contact	TDBC	3	% of external customers rating the Customer Contact service as Very Good/Good	Annually (monitored quarterly)	75%	96.61%		
Customer Contact	TDBC	4	Abandoned call rate - less than 5%	Monthly	<5%	6.28%	3.98%	2.86%

- 1.5 During the second quarter, a total of 5,011 enquiries were dealt with at The Deane House Main, Housing and Planning Receptions. 5,760 people visited Wellington Community Office – 3,225 to make enquiries including TIC and 2,535 to make a payment through the kiosk. Staff dealt with 1,306 letter and e-mail enquiries during the period including Garden Waste renewals.

## 2. Corporate and Client Services

### Client Team

- 2.1 The Client Team continues to monitor delivery by the various Southwest One services, which remains broadly on-track.

### Southwest One Contract

- 2.2 The review of Southwest One services, which followed the changes made to the Southwest One contract by Somerset County Council (SCC) in April, is ongoing, but will hopefully be concluded in the near future. Any recommendations for change will be brought before Members in due course.

### Minor Change to Southwest One Contract

- 2.3 On 1 July 2013 we made a minor change to the contract which saw the successful return of the Health and Safety function.

### Southwest One Update

- 2.4 We have been advised by IBM that they are selling their global

'customer care business process outsourcing services' business to a company called SYNEX. This is a large IBM global deal and will take a number of months to complete.

- 2.5 This may have some implications for Southwest One, but as yet we do not know any details. The Client Team, in conjunction with the other partners to Southwest One, is currently working to clarify any potential contractual issues. However, any contract to which we are a party cannot be changed without our agreement.

### **Procurement Savings**

- 2.6 We continue to monitor the delivery of the Procurement Transformation Project and day-to-day procurement service by Southwest One. As at 31 July 2013, in excess of £1,800,000 savings have been delivered to the Council through the signed-off procurement related initiatives. A further £1,364,000 of savings are scheduled to be delivered from these signed-off initiatives during the remainder of the Southwest One contract.

### **Savings Initiatives**

- 2.7 The strategic Procurement Services are working on a number of additional projects and savings initiatives, which should increase the value of savings delivered. A detailed Procurement Transformation Update report went to the Corporate Scrutiny Committee on 19 September 2013.

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

- 2.8 The Retained Finance Team continues to manage the finance functions not provided by Southwest One, provide support to the Section 151 Officer, assist the Client Team in monitoring the Finance Service element of the Southwest One contract and provide support for the retained Parking functions.

### **Corporate Insurance Renewal**

- 2.9 The corporate insurance tender exercise has been completed in the last quarter. We have now moved to using four separate and specialist insurers in order to obtain the best value for money for the Authority. Priorities for the next quarter will centre on assisting with budget setting for 2014/2015 and including the setting of fees and charges.

### **Retained HR**

- 2.10 The Retained HR Manager continues to provide strategic HR support to the Authority, manages the HR functions not provided by Southwest One and assists the Client Team in monitoring the HR aspects of the Southwest One contract.

## **Corporate Projects**

- 2.11 The retained HR Manager continues to be heavily involved in supporting key corporate projects and in particular the West Somerset Shared Services Project.

## **Strategic and Retained ICT**

- 2.12 The Retained Strategic ICT Officer continues to provide strategic ICT support to the Authority, manage the ICT functions not provided by Southwest One and to assist in monitoring the ICT element of the Southwest One contract.

## **Corporate Projects**

- 2.13 Specifically the Retained ICT Officer has been heavily focused on supporting the ICT elements of key corporate projects and in particular the Customer Access and Accommodation and West Somerset Shared Service Projects.

## **Public Services Network**

- 2.14 We are working closely with the Southwest One ICT service to complete our Code of Connection submission for our Public Services Network (previously known as Government Connect) audit. This ensures that we comply with government set ICT security standards.

# **3. Corporate Performance**

## **Quarterly Performance**

- 3.1 The Quarter 1 (2013/2014) corporate performance report was considered by the Corporate Scrutiny Committee on 15 August 2013. The corporate performance scorecard (content, measures / performance indicators and targets) has been refreshed and updated to reflect the new Corporate Business Plan (2013/14 – 2015/16) and this was the first time the new scorecard was used.

## **Theme and Performance Scorecards**

- 3.2 Theme and Service performance scorecards are also produced quarterly and include detailed performance information and updates on progress against theme and service priorities – these are available from all Theme Managers and from Quarter 1 have also been published on the Members' Portal.

## **Staff**

- 3.3 Charlotte Markham has recently joined the Strategy and Performance team (a six month secondment) to assist with performance monitoring work (Corporate, Taunton Deane Partnership and our Service Level Agreements with voluntary sector grant recipients).

### **Risk Management**

- 3.4 The Corporate Risk Register is reviewed quarterly by the Corporate Management Team as part of the quarterly performance review process (most recently at the end of July). The Corporate Risk Register was reported to the Corporate Governance Committee on 24 June 2013 and will next be reported in December.

### **Risk and Impact Assessment**

- 3.5 A new 'Risk and Impact Assessment' process is currently being developed to improve and simplify the way we identify and assess all categories of risk, including Equality Impact Assessments. This new process is likely to be introduced during the development of service 'business cases' (for budget saving proposals from 2014/2015) and to help inform the decision-making process for Members.

### **Programme and Project Management**

- 3.6 The Council's Corporate Change Programme is overseen by the Strategy and Performance Team. Project Managers for all major corporate projects report monthly to the 'Programme Management Group' (PMG). There are two distinct 'programmes' that are designed to deliver the Council's strategic aims: (i) Growth and Regeneration, and (ii) Corporate Transformation. An overview of the entire programme is provided for Members as part of the quarterly performance monitoring report.

### **Training**

- 3.7 To further develop the Council's approach to effective programme management, Simon Lewis (Strategy and Performance Manager) and Dan Webb (Performance Lead) have recently completed an accredited training course in August - 'Managing Successful Programmes'

## **4. Legal and Democratic Services**

### **Legal Services and Shared Service**

- 4.1 A Business Case for a shared Legal Service with Mendip and West Somerset is currently being drafted and nearing completion. A scrutiny report will be coming to Members for their consideration on 24 October 2013 prior to going to Full Council on 12 November 2013. The



timetable is concurrent with the Taunton Deane/West Somerset Business Case process as there is some linkage with that project.

### **Land Charges**

- 4.2 The PALC (Public Access Land Charges) project is making some progress and we currently have an indicative completion date of mid-October 2013. A Project Board, involving officers from Taunton Deane and Southwest One, has recently been set up and regular meetings are taking place in order to keep the momentum going.

### **Service Transfer**

- 4.3 The Land Charges service successfully transferred over to Building Control on 1 September 2013.

### **Shared Services Project**

- 4.4 Tonya Meers has been busy working with Bruce Lang (Monitoring Officer/Corporate Director at West Somerset Council) on drafting the Section 113 Agreement (Local Government Act 1972) and the Inter-Authority Agreement that will be required if the Business Case is approved for Shared Management and Shared Services. These agreements will be scrutinised by Joint Members' Advisory Panel at their meeting on 8 October 2013.

### **Shared Joint Executive**

- 4.5 The Section 113 Agreement for the Joint Chief Executive has been agreed.

### **New Microphone and wi-fi System**

- 4.6 Richard Bryant is progressing the implementation of a new microphone system and wi-fi in The Deane House. He has looked at the system used in West Somerset Council offices and is currently working with David Carpenter to draw up a specification for our proposed new system.

### **Case Management System**

- 4.7 Fiona Kirkham is working with Civica to progress the implementation of the Case management system. It is believed there may be some issues with the PSN which need resolving.

### **Data Security Audit**

- 4.8 Work on the Data Security audit recommendations contained in the report of 26 November 2012 has now been completed.

## **Information Governance**

- 4.9 Fiona Kirkham is looking at aspects of the Information Governance audit recommendations contained in the report of 23 December 2012. She is working with Tonya Meers to produce a new user guide for staff and Members, which will link with the data security audit work.

## **5. Revenues and Benefits**

### **Discretionary Rate Relief Policy**

- 5.1 The Corporate Scrutiny Committee considered two important reports from the Revenues and Benefits Service on 19 September 2013. The first was a review of this Council's Discretionary Rate Relief Policy.
- 5.2 The funding for Discretionary Rate Relief has undergone significant change since the localisation of Business Rates from 1 April 2013. The revised policy incorporates all recent legislative changes and sets out, as far as possible, objective criteria rather than subjective judgements for awarding relief.

### **Council Tax Support Scheme**

- 5.3 The second report was on Taunton Deane's Council Tax Support (CTS) scheme for 2014/2015 and beyond. While we aim to keep our scheme unchanged next year, Government funding for 2015/2016 and beyond will reduce. The report sets out options to reduce spending and seeks a mandate to start formal consultation with the public in Spring 2014 on proposals to cut CTS from April 2015.
- 5.4 With the consequences of Benefit Fraud in the news recently, it was timely that during August 2013 Heather Tiso attended a workshop to explore what Councils can do in deterring and sanctioning people who seek to defraud public funds. Work is continuing to determine if there is a Business Case to set up a Corporate Anti-Fraud Team in Taunton Deane, as we need to do all we can to minimise loss and this is ever more important as Local Government funding is constrained.

### **Council Tax and Business Rates Collection**

- 5.5 Council Tax collection at the end of August 2013 was 53.59%, which was 0.49% less than was collected at the same point last year. Encouragingly, Business Rates collection was 0.64% ahead of target and has improved in comparison with last year.

### **Discretionary Payments**

- 5.5 We have helped 129 households with awards of Discretionary Council Tax Assistance totalling nearly £15,000, as well as targeting take-up of Discretionary Housing Payments for working families.

## **6. Council Accommodation and Customer Access Project**

### **Project Update**

- 6.1 The project continues to progress, working from a detailed project plan to achieve a full Business Case ready to present to Full Council on 10 December 2013. Regular project meetings have been taking place and there are agreed Customer Access channels. A FAQ (Frequently Asked Questions) document has recently been issued to staff and Members and been well received. A Member Briefing is due to take place on 7 November 2013.

### **Accommodation Costs**

- 6.2 A full valuation on The Deane House has been requested and refurbishment costs for the building, including ICT, received. The work required to update it to modern standards would ensure the Council would then be able to share it with other organisations. Costs have also been received for refurbished accommodation in Block C at County Hall. In addition, the costs of a new-build at Firepool have been received and are under review.
- 6.3 Future maintenance costs for all three sites have been requested.

### **Office Requirements**

- 6.4 Kate Owsley is currently undertaking a desk count, so that we have accurate occupancy statistics. This work is taking place concurrently with the on-going review of smart office principals, which is at present being undertaken by the management team.

### **Visits**

- 6.5 Joy Wishlade has visited both North Somerset and Trowbridge Councils to learn from their experience in undertaking similar projects.

### **Customer Access**

- 6.6 Footfall, telephone call and website statistics have been received and are currently being reviewed. Dean Emery is looking at the investment needed to achieve channel shift, with 25% of customers moving to self-serve and thus ensuring the cost of delivery becomes cheaper for the organisation. However, for some types of contact a greater level of human contact is required. It will be important to anticipate where the

Council will generate contact that will require reassurance and to plan for this in service provision.

### **Alignment with West Somerset Project**

- 6.5 As Members are aware, the West Somerset project is progressing alongside this project. The Council Accommodation and Customer Access Project will consider a recommended strategy for Taunton Deane Borough Council, but which can be scaled to accommodate a shared approach should that be the final outcome.

## **7. Joint Management and Shared Services Project**

### **Progress**

- 7.1 The Joint Management and Shared Services Project between Taunton Deane and West Somerset Council is progressing well.

### **Transformation Challenge Award**

- 7.2 A decision is still awaited on the joint bid to Government for funding for transformational costs. We understand bids are still being assessed.

### **Communication**

- 7.3 Regular newsletters for all staff and all Members at both Authorities have been circulated and have been well received. In addition, sessions for Lead Officers and Members Briefing sessions at both Councils have been delivered in order to keep Members and Managers fully up to speed with project progress. The next Member briefing at West Somerset will be held on 3 October and at Taunton Deane on 4 October 2013.

### **Peer Support**

- 7.4 Member-peer sessions have been delivered by the Local Government Association via Local Partnerships. Political groupings have been able to tap into the expertise and advice from a peer matched to each group, so Members are well prepared for the decisions that lie ahead.

### **Project Team**

- 7.5 The Project Team have held a number of informative joint meetings with some of the Service Managers from both Councils, and more are planned with other service lines. These meetings have been approached in a very positive manner and have been helpful in understanding the possibility for sharing services between our Councils, and will inform the Business Case.

## **Timetable**

- 7.6 The project remains on track to deliver a detailed Business Case on joint management for consideration by the scrutiny committees of both Authorities on 24 October 2013. A high level business case for shared services will be delivered to the same time-scale. Subsequently, the business case will be considered at Full Council meetings at West Somerset and Taunton Deane on 12 November 2013. If approved, the joint management structure will be in place by 1 January 2014.

Councillor Vivienne Stock-Williams

# **Council Meeting – 1 October 2013**

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

### **1. Planning**

- 1.1 The Planning Department has been dealing with some particularly controversial planning applications in the last few months which have raised issues of prematurity in terms of the emerging Site Allocations and Development Management Plan (SADMP).
- 1.2 As the Council cannot control when and how many applications are submitted, it has meant that there has been a danger that planning decisions could be made in advance of the SADMP and critically the local consultation that would inform the plan.
- 1.3 This has been in particular concern in the Minor Rural Centres so in this instance I requested a policy document be raised to inform the Core Strategy of the basis of the numbers involved per centre. This was agreed by the Local Development Framework (LDF) Steering Group and signed off by myself in early September.
- 1.4 The Government is introducing a number of measures associated with the Planning Guarantee. These include a form of 'special measures' whereby in the case of the poorest performing Local Planning Authorities (based upon speed of determination for major applications) applicants will be able to by-pass the Council and apply direct to The Planning Inspectorate.
- 1.5 In addition, from 1 October 2013 any applicant will be entitled to a refund of their planning fee should their application remain undetermined after twenty-six weeks following submission in the absence of a Planning Performance Agreement (PPA) or an agreed extension of time.
- 1.6 Taunton Deane is not a poor performing authority and much of officer time is spent working with developers to seek solutions that will allow important developments to proceed.
- 1.7 In the context of these changes it is considered that it is an appropriate time to prepare a Planning Protocol for major developments which will encourage developers to engage in pre-application discussions and to sign up to a PPA. In the absence of collaborative working, the default position will be to determine applications quickly and if all matters cannot be resolved within the thirteen week period, the applicant will be asked to withdraw the application or face having their application refused. A report containing more detail will be presented to the

Community Scrutiny Committee shortly.

## **2. Site Allocations and Development Management Plan (SADMP)**

- 2.1 Following the two initial Issues and Options consultation periods over the period January-March and June-August 2013 the Planning Policy Team are proposing to issue the Preferred Options document for further consultation over the period October-December 2013. This document identifies the Councils preferred 'direction of travel' for detailed Development Management policies and site allocations over the Plan period to 2028.
- 2.2 A series of consultation events will be held in Taunton and the rural centres where development is proposed. Following assessment of responses from all interested parties it is proposed to publish the 'draft Plan' during summer 2014 with adoption in spring 2015. The Council will then have full Plan coverage across Taunton Deane to assist in ensuring a sustainable approach to development.

## **3. Community Infrastructure Levy**

- 3.1 The CIL Examination was undertaken in July 2013 and the Examiners report is anticipated in September/October. The intention is for CIL to become operational across Taunton Deane from 1 April 2014. CIL is projected to raise around £44,000,000 over the Core Strategy period up to 2028 or £7,500,000 over the next five years.

## **4. Somerset Design Review Panel**

- 4.1 The setting up of a mechanism for local design review was one of the objectives of the Planning Review. To have local design review arrangements in place is also now a requirement of National Planning Policy Guidance (NPPF).
- 4.2 When options were explored, it soon became apparent that a Panel to serve Taunton Deane alone was not a practical proposition. I am therefore pleased to be able to say that Taunton Deane has been instrumental in establishing a Somerset Design Review Panel, which will be Chaired and administered by Jonathan Braddick under the auspices of the Royal Institute for British Architects. Whilst the Chairman is an architect, the Panel will be multi-disciplinary.
- 4.3 The Panel will serve North Somerset Unitary Authority as well as the districts. The Panel is part of a new network of panels that will also cover those parts of Devon who do not currently have local arrangements.
- 4.4 The opportunity to refer proposals to a local Panel, will not only

enhance the Council's offer in terms of its pre-application advice to developers, but will also assist decision-makers in their assessment of design considerations, whether they be officers, Planning Committee Members or the Government's Planning Inspectors.

- 4.5 The cost of the service will be borne by the developer as part of their pre-application fee. The Panel was launched at Somerset County Cricket Club on 23 September 2013 and I would hope that Planning Committee reports should start to feature the Panel's assessments before the end of this year.
- 4.6 I want to thank Tim Burton for his efforts in progressing this initiative and am very hopeful that we will see long term benefits.

## **5. Neighbourhood Planning**

- 5.1 The four Neighbourhood Plan Groups are each tackling challenges which arise with Neighbourhood Plans.
- 5.2 Bishops Lydeard and Cothelstone - Following initial consultation exhibitions with village, there has also been a fortnightly meeting of the Neighbourhood Plan Group with public question time which has been great for qualitative information gathering. The questionnaire is being finalised and will be "blind tested" before being sent out in the autumn. The group is also exploring the possibility of producing online mapping data on the issues raised through the questionnaire and collation of all quantitative data – such as listed buildings, green spaces, services and facilities, community assets – they have come across issues of copyright with data on Flood Risk and Ecological records. Discussions continue with the relevant agencies to find compromise solutions.
- 5.3 Trull and Staplehay – The Neighbourhood Plan Group issued their questionnaires in late July and has received 28.75% returns. This is a good response rate when compared with national statistics, which quote 6-8% return rates for national consultation and 14-16% for local consultations. The Group is commissioning an independent professional analyst and statistician to set up a simple data entry system which allows the groups to cross analyse the data into age and gender groups. This will help the Neighbourhood Plan Team identify any sections of the community who are under represented, allowing them to undertake some target consultation to correct this. The Neighbourhood Plan sub-groups are looking at key topics from the consultation – such as ecology, transport and green space.
- 5.4 Wellington - Following positive consultation which produced a significant amount of feedback; the group are discussing the value the Plan can bring to development in Wellington. Two of the three strategic developments in Wellington have planning permission and are being built out; the third is pending an application. The group has been involved in the sites but there is a dilemma being discussed about



weight and influence of the Neighbourhood Plan, the form and function of developments are being set ahead of the Plans completion. The second Wellington is facing is the lack of local people to resource the completion of the Plan; with most of the work to date completed by a very small number of people. Discussions continue in the group on the direction of the Plan and its form.

- 5.5 Wiveliscombe – The questionnaires have been collated and a report of the consultation circulated to the Town Council who decide the future direction of the Plan going forward. The Neighbourhood Plan Group will be engaging a local resident who is a planner to help with the policy writing stage. The group has a web site ready to go live for all documents and the draft plan, set up by a local resident. I am personally extremely happy with the progress made as they were one of the first to progress the plan and I feel their engagement has been excellent and has informed the other groups that have followed.
- 5.6 As well as the Department of Communities and Local Government's Direct Neighbourhood Plan Funding - direct support funding or grants from Government to help with the preparation of Neighbourhood Plans - the Government has also launched a '100 Champions' initiative. The aim is to build a support network of individuals from local councils and Neighbourhood Plan Groups who can tell their stories to their peers and help other communities with their Neighbourhood Plans. Support, materials and networking opportunities are being offered to help those willing to join the 100 Champions.

## **6. Communications**

- 6.1 From award-winning parks and open spaces to facts and figures about stray dogs, recent weeks have seen the typically varied work of communications.
- 6.2 We continue to work in partnership with others, notably Somerset Waste Partnership, other District Councils in Somerset and with Wellington Town Council on the Free After 3 parking initiative.
- 6.3 July saw a lot of media activity around the appointment of Penny James as the Joint Chief Executive with West Somerset. Both film and radio crews attended Council meetings.
- 6.4 The refurbishment of the Station Road Swimming Pool in Taunton was the subject of a number of radio interviews and the launch of a regular update column in the local press.
- 6.5 We continue to prepare for the wider roll-out of Twitter with a draft User Policy prepared as well as a "handy tips" guide. This is due to launch later in the autumn.
- 6.6 At the time of writing the team were preparing for the Sounding Retreat ceremony by The Rifles at Castle Green which should result in positive publicity for a spectacular event in the historic heart of Taunton.

## **7. Car Parking**

- 7.1 The six week 'Free After Three' promotion in Wellington has just come to an end. We are analysing the car park usage figures and will be looking at these against the same period last year to see what the effect has been. The real measure of success will come from the 27 traders in the town who will be giving Wellington Business Association hard facts about footfall and transactions during the promotion compared.
- 7.2 Last September we trialed 'Free After Three' in Taunton. I have agreed to run this again over five Saturdays starting next month and culminating with the Christmas Fair. This is a joint promotion with the Town Centre Company and we will be looking to them to provide hard facts to measure the success of the venture.
- 7.3 It is important that the Council does its part to support retailers in Taunton Deane, but we must recognise there is a hit on our own income stream in doing so. It is equally important therefore that businesses work with us in properly evaluating the benefits from such initiatives and that the positives are shared by the whole community.
- 7.4 I can report that refurbishment of two of the three Orchard Multi-Storey Car Park lifts is now complete. Work on the third is scheduled to be finished by the end of October. I am particularly pleased to say there has been little disruption and inconvenience to the public during these works, and would like to thank our contractors Stannah Lift Services for the way they have ensured this.

Councillor Mark Edwards

# **Council Meeting - 1 October 2013**

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

### **1. Priority Areas**

- 1.1 For the last five years agencies and volunteers alike have worked and succeeded in making beneficial, visible changes in both Priority Areas across East Taunton alongside daily Police business, housing and tenant issues, family support and continuing community development.
- 1.2 During this time between January 2007 and January 2013 there has been a 28% reduction in total recorded crime, a 53% reduction in the number of young people suspected of crime and a 46% reduction in the number of youth victims of crime.
- 1.3 Taunton Deane Borough Council (TDBC) has supported this through community development, a significant investment in CCTV towards community safety, upgrading green spaces, play parks and encouraging private enterprise to help fund larger projects like Viridor Green and Hamilton Skate Park through strong partner relationships.

### **2. Halcon One Team**

- 2.1 Over the last six months a 'One Team' approach has been adopted in Halcon (part of a twelve month pilot) led by the Police, with officers from TDBC Housing (Estate, Anti-Social Behaviour, Supported and Knightstone), Family Support Workers (FSWs) from the Acorns Children's Centre and Family Focus, Somerset College Work Academy and staff from Taunton Association for the Homeless. The Team continues to grow with health visitors and local GPs also taking an interest.
- 2.2 These frontline workers understand more fully partner roles across the Ward, look at problems together and work out the various best ways to tackle and ultimately solve them. They address underlying problems, not previously apparent to all, which persist, often behind closed doors and have resulted in the Halcon Ward being in the top 5% most deprived in the country.
- 2.3 Ten key issues have been identified: Domestic Abuse; Drugs; Safeguarding Old and Young; Unemployment; Training and Education; Youth Diversion; Money Management; Environment; Tenant Management; Information What's On. These are the basis of a detailed Ten Point Plan the Team are working towards.
- 2.4 By regularly meeting up, sharing information, charting this (community mapping, family action plans, street by street residents surveys) using the different threads of expertise across the team, they are able to think differently and work differently, together. This concerted team effort is more responsive, efficient and pro-active and is already changing the lives of some people living there for the better and for good, by addressing the root causes of deprivation in the list above.

- 2.5 The Halcon One Team pilot project has already won the Avon and Somerset Tilley Award and now goes forward into the national round of this international problem solving award.
- 2.6 The project is being written up by the Police who are interested in applying this model in other areas. It recently received a visit from the Chief Constable of Avon and Somerset Constabulary Nick Gargan and the Police and Crime Commissioner Sue Mountstevens.
- 2.7 We would like to thank Police Sergeant Andrew Murphy QPM, who is the Halcon One Team Co-ordinator and the inspiration behind this, for coming along this evening to brief full Council.

### **3. National Citizenship Scheme (NCS)**

- 3.1 This year there was the opportunity for 100 x 16-17 year olds to go on an amazing four week challenge this summer run out of Somerset College.
- 3.2 The first two weeks were away, the first concentrating on individual challenge, followed by a second week of team building. In the third week each group looked at community matters, planning and organising a worthwhile community project for completion in their fourth/last week.
- 3.3 This year the four groups (65 students altogether) cleared, planted and restored a riverfront bandstand at Morrison's for Project Taunton; refurbished seating, play equipment and collected litter in several town centre parks for Taunton in Bloom; worked at Conquest Riding Centre for the Disabled; sorted and sold surplus goods for Open Door; and fundraised for MIND, Think Amy, Taunton Opportunity Group, Children with Cancer and St Margaret's Hospice. All this added up to the NCS students giving over 2,500 volunteer hours to the community of Taunton Deane this summer.
- 3.4 During the third week they also gave short presentations and spoke about their experiences to a number of people (including Jeremy Browne MP) and again at the graduation ceremony at the end of their final week.
- 3.5 The course is well constructed and fun. It builds confidence; self esteem; team work; tolerance; consideration; respect; motivation; ability to plan, design and deliver a service; gain experience and broadens a student's outlook. It was apparent the students were benefiting from the challenges they were presented with and getting to know themselves better as well as each other.
- 3.6 <http://www.natcen.ac.uk/study/national-citizen-service-evaluation>.

### **4. Employability**

- 4.1 Earlier in the summer Somerset College Work Academy ran a two day Employability training course for ten people in Halcon to improve their opportunities to find work. All reported that they found it very helpful.
- 4.2 This included writing CVs, types of work, filling in applications, mock interviews, how to dress, examples of what to say, what was expected once you got a job,

timekeeping and working relationships.

- 4.3 At a recent briefing Councillor Richard Lees asked if any of those attending had now found employment. The good news is that two of the ten have successfully found jobs and a third has enrolled on a full time training course at the College.

## **5. Staff**

- 5.1 Penny Comley-Ross who has been part of the Community Development Team for nearly four years has now left. She leaves a legacy of really good practical ideas, which translated into popular activities, most if not all of which are carrying on. She was innovative and good at identifying peoples strengths and interests and worked mostly through the Link Centre in Halcon.
- 5.2 Matt Bullock has replaced Penny and we welcome him into the Halcon One Team.
- 5.3 Congratulations to Martha Dudman (nee Prangnell), the Community Development Officer for North Taunton, who is expecting a baby in the New Year.

## **6. Summer Activities**

- 6.1 Eight Community Clean Up Days took place across Taunton Deane earlier this summer (with two more to follow early autumn). The weight of rubbish taken away by Viridor in huge skips (excluding metal and electrical equipment) is listed below for interest, a total of 21.4 tonnes:-

1. Inner/Outer Circle – 5.5 tonnes;
2. Wellington – 4.4 tonnes;
3. Darby Way (Bishops Lydeard) – 1.9 tonnes;
4. Laxton Road (Taunton) – 3.1 tonnes;
5. Howard Road (Wellington) – 2.2 tonnes;
6. Heathfield (West Bagborough) – 1.3 tonnes;
7. Polkesfield (Stoke st Gregory) – 0.4 tonnes;
8. Darwin Close (Taunton) – 2.6 tonnes.

- 6.2 Other holiday activities across the two main Priority Areas included:-

- Pride in Priorswood - Tuesdays (over 100 children plus parents);
- Happy Halcon - Thursdays (nearly 150 children plus parents);
- Halcon Brunch Club – Mondays and Fridays (around 45 breakfasts per day, supported by 8 local volunteers. Families within the Family Focus programme are also coming along).

- 6.3 As the summer holidays have finished, there is an opportunity to reflect on these projects to see how they can be improved upon.

## **7. Further Community Development in Halcon**

- 7.1 New development projects undertaken by the Halcon One Team are listed. These are to start to address the gaps in services which the Team have identified. Most are weekly and all are held locally:-

Benefit Surgery; Work Academy Surgery; Cage Cricket (part of the local Business/Club Supported Sports Programme); Chill and Chat coffee morning (DA support); Acorns Hour (support for young families); Domestic Abuse Outreach Worker (one day a week); Mutual Exchange Event (housing swap).

- 7.2 Link Power Project continues to grow. An application to support this over the next three years has been submitted to the Lloyds Foundation to give it the time to then become a self supporting Social Enterprise Scheme. Fingers crossed.

## **8. Health and Wellbeing**

- 8.1 The Health and Wellbeing Board is now officially established. They have agreed their priorities over the next three years:-

- Housing;
- Community Cohesion;
- Financial Inclusion / Benefits;
- Smoking in pregnancy;
- Obesity;
- Alcohol.

- 8.2 They also want to oversee the progress of:-

- Family Focus and Early Help;
- Independent Living Review (and links to frail and elderly and dementia);
- Urgent and Emergency Care.

- 8.3 The audit of our services against the Health and Wellbeing Strategy is being revisited to complete the work on 'mapping and gapping'. Proposals will go to the Taunton Deane Partnership to close any gaps in existing provision against Health and Wellbeing priorities and create a directory of TDBC services/contacts to be shared with GPs for their patients.

## **9. Financial Inclusion Strategy**

- 9.1 The Somerset Strategic Housing Group has commissioned Somerset Advisory Network to do a review of this and will focus on Credit Unions in Somerset and how they can be used and supported.

## **10. Somerset Care Leavers Review**

- 10.1 This is a multi-agency group looking to learn lessons where Care Leavers have died after leaving the Care system (but have often then used other parts of public sector services such as housing options).

- 10.2 Two detailed case studies will be undertaken in Somerset and if one of these is chosen from within Taunton Deane, the Council is committed to support this and will need to ensure internal communications and support is provided for the staff involved. Somerset County Council (SCC) is leading on this and on the external communications.

## **11. Family Focus**

- 11.1 The six Family Support Workers (FSWs) are now in post and based at Children's Centres in Wellington, Halcon and Williton. Practitioner groups are again taking place and there are strong links to the Halcon One Team. However, the resource we have for the project is still not sufficient to meet the need of all the families already identified.
- 11.2 We are looking to add more FSWs to the project as soon as possible but need to do this through SCC.
- 11.3 A project newsletter with further information will be distributed this week.

Councillor Jane Warmington

# **Council Meeting – 1 October 2013**

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

### **1. Businesses Supported**

- 1.1 We have worked with 17 businesses in the last three months. To date, two Investment Grants have been awarded, namely to Rigid and The Ministry of Cake. Rigid kindly invited us to a tour of their new facilities at Chelston Business Park in September 2013 to see how well they have got on. They are increasing their workforce, and have recently installed a third production line at a cost of several million Pounds.
- 1.2 A recent Business Leaders' dinner was attended by nine representatives, a great opportunity to strengthen our links with business and to discuss opportunities and barriers to investment.
- 1.3 Inward investment enquiries: We have recently received seven business enquiries, one of which was via Into Somerset.

### **2. Business Grants**

- 2.1 Three Start up Business grants have been awarded during the past three months to:-
  - 10 Parishes Business Group;
  - Happy at Home Care Group; and
  - Churchinford Shop.
- 2.2 The next deadline for applications is 31 October 2013.

### **3. Town Centre Company and BID (Business Improvement District)**

- 3.1 The Council is now represented on the new Board of the Town Centre Company by Cllr David Reed. The Board has been fully overhauled with new members elected from businesses of all sizes and types across the town centre. A new Chairman has been elected, namely, Guy Bottard from Future Law Limited.
- 3.2 The company has produced 'A Plan for Taunton' which draws upon the views and issues faced by businesses and the company is currently consulting with



businesses with a view to turning the Plan into a firm BID proposal. If the company proceeds with the BID, the ballot will be held in the early months of 2014.

- 3.3 The company has recently approached the Council to support its investment in new street markets in the town centre. The company has an ambition to introduce regular weekly markets on the High Street as well as occasional specialist markets elsewhere in the town.

#### **4. The Brewhouse Theatre**

- 4.1 Since the Council agreed to the purchase of the remainder of the lease of The Brewhouse, significant progress has been made to reopen the theatre.
- 4.2 As the deadline has now passed for groups that wish to run the Brewhouse, the Council's consultant, David Pratley Associates, is working to refine the Business Plan and ensure that any proposal put before the Council is robust.
- 4.3 The Council's Steering Group will meet in late October to review the Draft Business Plan and to make a recommendation to The Council on whether or not a lease should be granted to the applicant.
- 4.4 Negotiations are continuing with The Administrator over the procurement of the lease on the property.

#### **5. Business Rates Events**

- 5.1 In response to continuing concerns raised by businesses over the high level of Business Rates we organised two meetings, in Taunton on 19 July 2013 and in Wiveliscombe on 17 September 2013. Around 35 businesses attended the Taunton event at CICCIC, and another nine in the Bear Inn in Wiveliscombe.
- 5.2 The businesses heard presentations from the Valuation Office, the Council's Business Rates and Finance Teams. The Taunton event was delivered alongside the Town Centre Company and was also attended by Jeremy Browne MP who gave the Government's view on the current Business Rates regime.
- 5.3 Businesses left the events with a much clearer view of who collects the Rates as opposed to who sets the levels, and a better understanding of what relief is available to businesses.

#### **6. Rural Funding**

- 6.1 Our LARC (Local Action for Rural Communities) programmes in Western Somerset and the Levels and Moors have been awarded continuation funding

to see development plans drawn up for the next round of Leader funding. This will take the programme through to December 2014, however there is no further project funding for that period.

- 6.2 Figures from scheme managers show through the Levels and Moors Programme a total investment of £36,838 for Taunton Deane residents which works out at £2.88/head. In Western Somerset the investment was £116,654 = £34.38/head.

## **7. Shakespeare Festival**

- 7.1 In partnership with the GB Theatre Company the first Taunton Shakespeare Festival was held on Castle Green on 8-10 August 2013. Four performances of A Midsummer Night's Dream and The Merchant of Venice were given to an audience of 550.
- 7.2 Very positive feedback was given on the festival, notably the standard of the performers. The intrusion of external noise from other users of Castle Green caused a disturbance during the performances, but the event was partly a learning exercise and we have learned significant lessons on the use of the space for this type of event.

## **8. Job Clubs**

- 8.1 In June 2013 the contract for the delivery of Job Clubs in three centres was awarded again to Vista. The contract will last for a 12 month period and the company aims to support at least four members of the public per month to obtain work.

## **9. Regeneration and Asset Management**

- 9.1 We have just appointed LHC as the company who will provide the 'Refresh', or reappraisal of the Project Taunton Plan. The architect involved is the same architect who drew up the new masterplan for Taunton Station. The first Consultation should take place on the 9 October 2013 and the final report ready by the middle of November.
- 9.2 The former TYCC (Taunton Youth and Community Centre) site sale continues to progress satisfactorily and exchange of documents should be completed within the next few weeks, with LIDL.
- 9.3 Assessment of further sites, both freehold and leasehold, for the Deane DLO continues on schedule.
- 9.4 Whilst the legal negotiations with The Brewhouse administrator continue, instructions have gone out to three companies to tender for the immediate works required to enable The Brewhouse to operate as a theatre.

- 9.5 The recent two meetings held for Members to input to the future Asset Management Strategy produced useful information for our advisors and interestingly, the two separate groups were consistent in their objectives.

## **10. Taunton Tourist Information, Ticket and Travel Centre (TIC) Update**

### **Visitor numbers and spend**

- 10.1 The TIC has had a busy summer with a large number of visitors especially those from overseas all of whom have been exploring the Deane and the surrounding area.
- 10.2 TIC income has remained positive with spend per customer ratio remaining on target. Income was boosted by the sale of tickets for Tacchi Morris Arts Centre who the TIC covered whilst they closed for their summer break and also for a number of outdoor events which have been helped by the kind weather.

### **Tourism Update and business support**

- 10.3 The TIC Lead and Economic Development Project Officer continue to work with the Somerset Tourism Association (STA), their current activities include working on the 2014 Visitor Guide and a new promotional website, these will be launched at their AGM which is taking place at Taunton School on 28 November 2013 (tickets for this are available from the TIC).
- 10.4 Meetings have been held with ADK Design, Apple FM, Castle Café, Museum of Somerset, Somerset County Cricket Club, Taunton Flower Show, Taunton Literary Festival and Wellington School over joint promotion and possible marketing opportunities.
- 10.5 The TIC has now taken over responsibility for the visitor and events pages on the popular Taunton Town Centre Company website and is now updating these.
- 10.6 The TIC Team continue to regularly tweet information on twitter about what is going on in and about the Deane. @TauntonTIC has now attracted over 1,400 followers with many positive comments on the pro-active way the area is being promoted.

### **New activities planned**

- 10.7 The Cards for Good Causes Charity Christmas Shop opens for the season on the 4 October 2013 and will remain open until the 21 December.
- 10.8 The TIC Lead is working with the Asset Management Team on the possible relocation of the TIC project with a report due to come to committee for consideration in November 2013.
- 10.9 The TIC Team also continue to work closely with the Economic Development, Community Leisure and Licensing departments, Project Taunton, Taunton

Town Centre Company and other organisations to raise the profile of and market Taunton Deane.

Councillor Norman Cavill

# **Council Meeting – 1 October 2013**

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

### **1. Carbon Management**

- 1.1 Smart Meters now installed at all Tone Leisure facilities.
- 1.2 Early indications are that the work on the new Plant under Station Road Pool will lead to significant energy efficiency improvements at this site.
- 1.3 Deane DLO eco-friendly vehicle replacement and vehicle tracking system have reduced fuel usage by 28,000 litres a year and should continue to drop.
- 1.4 Housing are progressing a number of schemes. In addition to the installation of over 100 air source heat pumps they are continuing work on thermal efficiency such as loft insulation as well as plans to clad insulate 300+ Cornish Units and then later on 200+ Woolaway units.
- 1.5 New servers were installed at The Deane House in July, which should reduce electricity consumption by 25% from the server room (including less air conditioning needed). The server room accounts for around one-third of The Deane House's energy use.
- 1.6 Somerset West Private Sector Housing Partnership has been providing energy advice and signposting schemes to insulate private sector stock. A new Green Deal proposal is being put forward by them.
- 1.7 The Carbon Management Plan for 2013/2014 has 31 actions for this year. Obviously the quick wins are done and the law of diminishing returns means that future savings will slow down, but there is still a real energy and enthusiasm from the group with cross-partner and Councillor input. The addition of Caroline White and Stephen Major to the team and their work in Housing has also made a big difference, as well as their expertise to the group.
- 1.8 The 'Community Carbon Management and Energy Resilience Strategy' (which includes a directory of best practice and contacts) is going through its final consultation and will be published very shortly.

### **2. Environmental Health**

- 2.1 In Environmental Health, we are pleased to welcome back Emily Vining from maternity leave, but sad to see Jo Bliss leaving us in November after 14 months to return to her native New Zealand.

- 2.2 The dog warden contract has now been agreed and this will involve St Giles' Kennels taking on the dog warden aspect as well as their current work acting as the Council's kennels. This will formally start in April 2014. It is expected that our excellent working relationships with St Giles will extend into this new partnership. In the mean time we must thank our partners of the last ten years, SDK, for their work in partnership with the Council. This contract has taken some time to put together and has endured numerous complexities. My thanks go to Principal Environmental Health Officer, Martin Stoyles, who has done an excellent job guiding this process through to a successful conclusion.
- 2.3 This year's food sampling programme is under way and the first survey has focused on ready-made sandwiches. There is some follow up with one supplier but otherwise there were no concerns. In the general food inspection programme, all of the outstanding high risk inspections have been completed that are due. 359 inspections have been completed since 1 April 2013 which is a good indication of the volume of work completed in this busy section.
- 2.4 Within Environmental Protection, there have been two cautions for fly tipping offences, which is a reflection of how seriously the Council takes these matters. This relies on good intelligence, which has been forthcoming in these two cases.
- 2.5 The Private Water Supply inspection programme is up to date, with some failures requiring notices to be served. This has been done and there will be further checks for compliance.
- 2.6 The major issue within Licensing has continued to be the objection against the 2011/2012 accounts relating to taxi fees. The auditor has submitted his reply to both parties and indicated that there will be two recommendations within his annual audit letter. The Council is working towards those recommendations and has, in any case, completely overhauled its approach to fees in this area. This has involved looking at the cost construction of each of the Licensing fees that the Council sets and apportioning time and resources to them. The Licensing Manager, Ian Carter, deserves enormous credit for this and there has been excellent support from the Finance Team as well.

### **3. Waste Management and Recycling**

- 3.1 High Diversion collection trials - Plans are being prepared for trials to collect additional materials such as plastic pots, tubs and trays, small electrical equipment, cartons and batteries. Largely because of our track record as pioneers with Sort IT and Sort IT Plus, but also more recently my own continued expression of keen interest and desire to 'push the boundaries', Taunton Deane has again been selected to trial the scheme with 3,000 households on six rounds in the area. The trial aims to see the impact of this on recycling rates and the cost of using different vehicle configurations and, for some materials, collection frequencies.

- 3.2 I have agreed a timescale with the Somerset Waste Partnership - proposals will be taken to the Somerset Waste Board and Taunton Deane for endorsement this autumn. Subject to this, trials should commence in early 2014. Pre-launch briefings will be provided to Members and parishes serving these areas.
- 3.3 The first food waste was delivered to the Walpole Anaerobic Digestion Plant on 20 August 2013, with the amount increasing gradually through the commissioning period. If all goes smoothly, Somerset will shortly be self-sufficient in managing food waste and generating energy from the gas produced.
- 3.4 Taunton has a new Community Scrap Store (CSS)run by volunteers, headed up by Lisa Hunt. I attended its official opening in July 2013 and Lisa tells me that in that short time it has gained 111 members and already diverted one tonne of scrap that would have otherwise gone to landfill, which I think is fantastic!
- 3.5 The organisation collects safe clean scrap from business and industry. Only scrap that can be used as a creative resource is collected. Membership is open to any group/individual working in a creative play, care, educational or therapeutic setting. The scrap is stored in their premises located at Taunton Academy South Campus in Lyngford Road, Taunton and CSS members can go along and collect all the resources they need.
- 3.6 Opening hours are:-  
Mondays 2pm - 6pm (30 September; 7, 14, 21 and 28 October; 4, 11, 18 and 25 November; and 2, 9 and 16 December);  
Tuesdays 2pm - 6pm (10, 17 and 24 September; 1, 8, 15, 22 and 29 October; 6, 12, 19 and 26 November; 3, 10 and 17 December);  
Wednesdays - by appointment.
- I encourage TDBC Members to go along, have a look, and spread the word about this fantastic community initiative.

Councillor Ken Hayward

## 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 1 October 2013 at 6.30 pm.

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

### 1. Minutes

The minutes of the meeting of Taunton Deane Borough Council held on 23 July 2013, copies having been sent to each Member, were signed by the Mayor.

### 2. Apologies

Councillors Beaven, Mrs Gaden, Henley, R Lees, S Lees, Ms Palmer, Prior-Sankey and D Reed.

### 3. Declaration of Interests

Councillors Mrs Baker, Coles, A Govier, Hunt, A Wedderkopp and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillors Mrs Hill and Stone declared personal interests as employees of Somerset County Council. Councillor T Slattery declared a personal interest as an employee of Sedgemoor District Council. Councillor Tooze declared a personal interest as an employee of the UK Hydrographic Office. Councillor Wren declared personal interests as an employee of Natural England and as Clerk to Milverton Parish Council. Councillors Hayward and Ross declared personal interests as the Council's representatives on the Somerset Waste Board. Councillor Ross also declared a personal interest as the alternate Director of Southwest One. Councillor Nottrodt declared a personal interest as a Director of Southwest One. Councillors D Durdan and Stone declared prejudicial interests as Tone Leisure Board representatives. Councillor Gill Slattery declared personal interests as a member of the Board of Governors at Somerset College and as a Patron of the Supporters of Taunton Women's Aid. Councillor Farbahi declared a personal interest as a local owner of land in Taunton Deane. Councillor D Reed declared a personal interest as a Director of the Taunton Town Centre Company.

### 4. Public Question Time



Mr David Orr congratulated both local Councils in securing the investment for the new road across Firepool. Hopefully, this would end the blight of that derelict site and also take traffic away from the town centre.

Taunton Deane had invested heavily in the Core Strategy Development Plan – a “blueprint” for zoning areas for housing, whilst zoning other areas for protection from development.

Councillor Edwards had recognised that the number of speculative developments in villages and on urban green wedges was causing widespread cynicism and anger.

Last week, there had been a meeting with MP Jeremy Browne. He noted complaints that Government promises to respect local plans, were seen as hollow here in Taunton Deane. He also noted that an expert analysis, using the latest Government figures, showed this Council’s 2008 estimate for the building of 17,000 new houses, to be out of date and significantly over-stated.

We needed our Council to ensure that our local plan had precedence over speculative developments and was based upon the latest information.

Mr Orr went on to welcome the Leader’s announcement for a “Town Centre Re-think” in response to the banking crisis and subsequent recession. Our local businesses needed a strong voice, but hoped that the consultation would be open to everyone.

He stated that he was less sanguine about this Council’s finances than the Leader. The Finance Director had recently reported that there was likely to be a budget gap totalling nearly £4,500,000 over the next three budget years.

He remained sceptical of the West Somerset sharing proposal. It lacked ambition and scale and would be dependent on repatriating IT systems from Southwest One, with added risk and at a reported cost of £1,200,000.

The County Council sensibly shared offices with other District Councils. Why then, was there no significant office sharing by the two Councils based here in Taunton when there were two spare blocks available at County Hall?

With a £4,500,000 budget shortfall and a new £5,400,000 swimming pool to finance, how could this cash-strapped Council afford to buy Quantock House?

This Council’s financial position was not helped by the continuing shortfalls in savings from the controversial Southwest One joint venture with IBM. After six years in contract with IBM, only £1,800,000 had been saved and, as reported to Corporate Scrutiny recently, “it was not yet clear how the lower [savings] target of £5,700,000 would be achieved”.

Lastly, IBM was reported to be selling a large part of its global services business to a little-known company called “SYNNEX”. Whilst Taunton Deane was now following Somerset County Council’s lead in reducing services in Southwest One, the SYNNEX disposal added another period of uncertainty

and risk.

The Leader of the Council, Councillor Williams, thanked Mr Orr for his statement and questions. He would arrange a written response to Mr Orr

## 5. **Change to Delegations – Part 3 of the Constitution**

Reference Minute No.8/2013, considered report previously circulated, concerning changes to the Constitution which were required following the Council's decision to proceed with a Joint Chief Executive.

By virtue of decisions taken by West Somerset Council and Taunton Deane Borough Council on 22 July and 23 July 2013, respectively, it had been agreed that the current Chief Executive of Taunton Deane Borough Council would become a Joint Chief Executive of the two Councils by way of a Section 113 Agreement under the Local Government Act 1972, with effect from 24 October 2013.

The role of Joint Chief Executive would include being the Head of Paid Service for both Councils. It was therefore essential that the Constitutions of both Councils were checked to ensure that the smooth operation of the two authorities would not be affected or hindered by the agreement to have a Joint Chief Executive.

In the event of the two Councils approving a Business Case for joint management and sharing of services, the management of staff would be a vital component in securing the smooth transformation towards the sharing of management and services.

To ensure that matters were not unduly delayed, appropriate terms of delegation needed to be applied and it was preferable if such powers of delegation were similar at both Councils to ensure consistency and an even pace of delivery.

In terms of the Taunton Deane Borough Council Constitution, although the Head of Paid Service already had delegated powers to deal with staffing issues the proposed amendments clearly set out those delegations required in connection with staffing matters to make the position transparent and clear.

It was important to note that under the proposed delegated powers there was the proviso that such action must be "within the approved budgetary provision". When this was not the case a report would need to be made to Members to approve or otherwise any required additional expenditure.

Both the Constitutional Sub-Committee and the Corporate Governance Committee had considered and approved the proposed changes to the Constitution.

**Resolved** that the proposed changes to the Delegations included in the Council's Constitution, as set out in Appendix 1 to these Minutes, be approved.

6. **The Story of Taunton Street Pastors**

A short DVD which showed the work undertaken by the Taunton Street Pastors late at night in the town centre at weekends was shown to Councillors.

The Mayor commented that it was very inspiring to see the work which was undertaken by the Street Pastors in an effort to ensure young people remained safe in the town late at night.

7. **The Halcon One Team**

Police Sergeant Andy Murphy QPM, the Halcon One Team Co-ordinator made a presentation to Members on work being undertaken in the Ward.

Over the last six months a 'One Team' approach had been adopted (part of a twelve month pilot) led by the Police, with officers from Taunton Deane Housing (Estates, Anti-Social Behaviour, Supported and Knightstone), Family Support Workers (FSWs) from the Acorns Children's Centre and Family Focus, Somerset College Work Academy and staff from the Taunton Association for the Homeless. The Team continued to grow with health visitors and local GPs also taking an interest.

These frontline workers understood more fully partner roles across the Ward, looked at problems together and worked out the various best ways to tackle and ultimately solve them. They addressed underlying problems, not previously apparent to all, which persisted, often behind closed doors which had resulted in the Halcon Ward being in the top 5% most deprived in the country.

Ten key issues had been identified:-

- Domestic Abuse;
- Drugs;
- Safeguarding Old and Young;
- Unemployment;
- Training and Education;
- Youth Diversion;
- Money Management;
- Environment;
- Tenant Management; and
- Information What's On.

These issues were the basis of a detailed Ten Point Plan the Team were working towards.

By regularly meeting up, sharing information, charting this (community mapping, family action plans, street by street residents' surveys) and using the different threads of expertise across the team, the Team is able to think differently and work differently, together. This concerted team effort is more responsive, efficient and pro-active and is already changing the lives of some

people living in Halcon for the better and for good, by addressing the root causes of deprivation in the list above.

The project was being written up by the Police who were interested in applying this model in other areas. It had recently received a visit from the Chief Constable of Avon and Somerset Constabulary Nick Gargan and the Police and Crime Commissioner Sue Mountstevens.

Following a question and answer session, the Mayor thanked Sergeant Murphy QPM for his very interesting presentation. She added that it had been important for this item to be brought to the attention of Councillors.

(Councillor Mrs Waymouth declared a personal interest as a Governor of Taunton School during the item covered by Minute No. 7 above.)

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

### **(1) From Councillor Horsley to Councillor Williams – Medium Term Financial Plan Update**

Does the Leader not realise that the stark report of the Section 151 Officer the he refers to is as much about his mismanagement of the affairs of the Council during his past 3.5 years as it is about Government cuts and the reduction to zero of the Rate Support Grant?

How can he claim that it is not a "crisis" when it is so clearly one? He had his chance to "plan" over the past few years - from the time the Coalition was formed but he has prevaricated time and time again.

He was not even wide awake enough to think of the shared services concept until a panic stricken, failing, bankrupt Council approached him to consider the prospect of such measures. He then allows us promptly to be frog marched off under Central Government supervision to a programme which is still going to leave us short by some £2,419,000 for the next three years as he illustrates in the table under paragraph 1.3 of his report. If he had been awake, why did he not devote time earlier to looking around for partners who would have brought in far more than the £1,799,000 shown in the table?

Has he calculated what he might have saved if he had not continued headlong with the Blackbrook Swimming Pool Project and devoted the same amount of energy and capacity to finding new income streams for the Council?

Whilst he claims he is fulfilling an election manifesto pledge, did he not at any point consider that the prospects of Taunton Deane reaching a financial cliff could have horrendous consequences for other services and jobs within Taunton Deane?

Why did he not devote time to considering taking on many much more commercial type projects and inculcate a sense of enterprise into the Council which would have generated decent income streams as well as greatly enhancing our chances of growth and a larger pot for the New Homes Bonus?

Does he accept that his complacency has led to the stultification of enterprise within The Deane House and a climate which resists change instead of embracing it?

He shows that we can save £89,000 on our Asset Strategy Project in the table. Does he not understand that we should be investing heavily in Asset Projects rather than cutting costs if we are to have any chance of creating the income streams needed to stop us falling over the fiscal cliff? He should be approaching developers with projects so that private/public sector co-operation would lead to improved prospects for tax payers in the district.

It is all very well to speak about High Level Principles but he seems to think they apply to everyone else but himself and the Conservative Group so we get Blackbrook and then change our corporate priorities to become suddenly concerned about the fiscal cliff and the deficit. Why has he not got the courage to admit his mistakes?

**Reply** – I thank Councillor Horsley for the advance notice of his questions. The messages in the report to Corporate Scrutiny were loud and clear and should not be a surprise to any of us in this room.

Equally loud and clear was the message from our Section 151 Officer that – and I quote – “I do not believe we are in crisis mode but I do believe we need to accept that radical changes will be unavoidable”.

We have been in a position to set a balanced budget over the last few years, despite the cuts to our funding. This has been done at the same time as progressing some of our key ambitions – a replacement swimming pool (the St James Street facility is no longer viable), progression of our Growth ambitions (Castle Green, Goodlands Gardens, Somerset Square, Viridor at Firepool), the Transformation of our DLO and so on and so on. We are proud to be in a position where we have protected services to our public during this period of austerity.

With regard to Blackbrook and the replacement swimming pool. This was in response to the cross party belief that we should protect the level of public swimming available to our residents as it was accepted the closure of St James Street Pools was inevitable. We demonstrated the leadership to make that difficult decision.

The point you raise regarding assets will be taken care of through the development of the Asset Strategy. This project was agreed as part of our Business Plan and is well underway already and there are many continuing initiatives which you have been fully briefed on.

The scenario around asking officers to prepare the basic statutory services budget was as you say discussed at Corporate Scrutiny but did not get support.

Things are going to get tougher, of that I have no doubt. You are well aware of the dire national and international economic situation. I believe, despite

this, Taunton is faring much better than a lot of others.

We, those elected by the community, are charged with making sure we use our resources in a way that delivers a budget plan that closes the gap. As always we will do this in the most cost effective manner possible and suggest that we should all be working together on this to ensure the impact to our community is managed.

## **(2) From Councillor Farbahi to Councillor Cavill - Regeneration and Asset Management**

In light of the successful start of Taunton Forward – an organisation brought together representing some 20 top business men and women from all sectors including the private schools, EDF, manufacturers, commercial property owners and international retailers as well as the Chairman of the Town Centre Company – would Councillor Cavill and the Leader of the Council be prepared to join in helping shape the direction of travel for the future of Taunton and bring together the initiatives such as the Taunton Town Centre Rethink and the Economic Growth Prospectus for Taunton.

The aim of Taunton Forward is to see Taunton established as a Regional Hub for inward investment and for all visitors to experience a vibrant shopping experience. There is a widespread feeling that we need to set our sights much higher than currently envisaged and establish a “wow” factor by getting Taunton to aspire to having a large performing cultural site which can surpass anything currently on offer.

**Reply** - I welcome the establishment of ‘Taunton Forward’ and I am sure that its members will make a positive contribution to the considerations of the Town Centre Rethink and Growth Prospectus and I look forward to their input.

There are already two major pieces of work underway. The first one, a review of Project Taunton’s plans. You were on the interviewing panel for the Town Centre ‘Rethink’, which is already under way. It will no doubt produce some challenging proposals as to the plans for Taunton’s future and how it can become an even more successful town in the years to come.

The second, the Growth Prospectus already has a consultation event planned for later this month, and is looking at the larger picture at what is required for Taunton Deane’s economic success over the coming decades and in particular the infrastructure requirements to make this happen. On this we are working in conjunction with Somerset County Council.

Both these initiatives are being led by this Council, and are being overseen by the Taunton Economic Advisory Board, which itself has representation from key business interests. Both initiatives will come through the Council’s scrutiny process over the autumn/winter period.

I would like to assure Councillor Farbahi that our plans for Taunton and its growth remain ambitious. The proposal I have outlined will provide, I believe, a broad but realistic framework to deliver these ambitions.

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

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

Councillor Williams's report covered the following topics:-

- Medium Term Financial Plan Update and approach to Budget Setting 2014/2015;Northern Inner Distributor Road;
- Shared Management and Services with West Somerset Council;
- The Brewhouse Theatre and Arts Centre;
- Taunton Town Centre 'Re-think';
- Economic Growth Prospectus for Taunton;
- Castle Green, Taunton;
- Quantock House, Taunton;
- Car Park Usage and Income;
- Former Taunton Youth and Community Centre Site, Taunton;  
and
- Thales Site, Taunton.

### (ii) **Sport, 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 Leisure (Taunton Deane) Limited Activities.

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

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

- Housing Enabling - Regeneration;
- Affordable Housing Target;
- Right to Buy Sales;
- Council House Building;
- Estates Management – Anti-social behaviour;
- Estates Management – Welfare Reforms; and
- Estates Management – Rent Arrears.

### (iv) **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;
- Corporate and Client Services;
- Corporate Performance;
- Legal and Democratic Services;

- Revenues and Benefits;
- Council Accommodation and Customer Access Project; and
- Joint Management and Shared Services Project.

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

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

- Planning;
- Site Allocations and Development Management Plan;
- Community Infrastructure Levy (CIL);
- Somerset Design Review Panel;
- Neighbourhood Planning;
- Communications; and
- Car Parking.

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

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

- Priority Areas;
- Halcon One Team;
- National Citizenship Scheme;
- Employability;
- Staff;
- Summer Activities;
- Further Community Development in Halcon;
- Health and Wellbeing;
- Financial Inclusion Strategy;
- Somerset Care Leavers Review; and
- Family Focus.

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

The report from Councillor Cavill covered:-

- Businesses Supported;
- Business Grants;
- Taunton Town Centre Company and BID (Business Improvement District);
- The Brewhouse Theatre;
- Business Rates Events;
- Rural Funding;
- Shakespeare Festival;
- Job Clubs;



- Regeneration and Asset Management; and
- Taunton Tourist Information, Ticket and Travel Centre Update.

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

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

- Carbon Management;
- Environmental Health; and
- Waste Management and Recycling.

(Councillor Tooze left the meeting at 7.30 p.m. Councillor Mrs Baker left the meeting at 7.52 p.m. Councillors Gill Slattery and T Slattery left the meeting at 8.10 p.m. Councillor Ms Webber left the meeting at 8.15 p.m. Councillor Hall left the meeting at 8.19 p.m. Councillor Morrell left the meeting at 8.41 p.m. Councillors A Govier, Mrs Govier and Wren all left the meeting at 8.45 p.m. Councillors Miss Durdan and C Hill both left the meeting at 8.51 p.m. Councillor Meikle left the meeting at 8.55 p.m. Councillors Gaines, Ross and Stone all left the meeting at 9.11 p.m. Councillor D Wedderkopp left the meeting at 9.16 p.m.)

(The meeting ended at 9.27 p.m.)

# Appendix 1

## Taunton Deane Borough Council Constitution

### Part 3 Responsibility for Functions

#### 1.0 Scheme of Delegations

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

#### 2.0 Who?

- 2.1 To help understand what follows, there are a number of levels of decision-making under our Constitution. Each of these is reflected by the tables which follow later in this section.
- 2.2 First is **Full Council** itself. Full Council retains a range of higher level decisions - many relating to our overall strategies - or to the setting of our annual budget and of Council Tax. Some of these functions can legally **only** be undertaken at this highest level. With others, it has been this Council's own choice to do so.
- 2.3 Next is the **Executive**. The law requires that the great majority of the Council's decision-making **must only** be carried out by or through the Executive - either meeting together – or, in some cases, on an individual basis. The Act prevents other Councillors making such decisions.
- 2.4 **Individual Executive Councillors** also have decision-making powers delegated to them.
- 2.5 Next comes a group of “**regulatory**” functions. Broadly, these are roles where the Council has the task of controlling the activities of individuals - often on an application-by-application basis. To deal with these detailed controls, Parliament decided that special committees should be retained - **outside** the Executive. In our case this means we have, for instance, a Planning Committee and a Licensing Committee made up of elected Members and which meet in public so as to hear the various opinions expressed about individual cases before them.
- 2.6 The Corporate Governance Committee has certain limited decision-making powers delegated to it by the Council. These powers are described later in Section 4 Appendix 1 Part J
- 2.7 The **Joint Head of Paid Service** will undertake the day-to-day management and operation of all staff in accordance with the policies and procedures laid down by the Council, including incurring expenditure within the approved budgetary provision.
- 2.8 Finally are **the officers**. The great bulk of day-to-day operational decision-making is delegated by the Council, or the Executive, or the Planning and Licensing

Committees to our professional staff. They need these powers so as to enable them to provide the services of the Council in the most economic, efficient and effective way.

### 3.0 What?

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

## Section 1 The Powers of Full Council

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

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

	<p>(d) Health and Safety at Work (this relates only to those functions which the Council exercises <b>other than</b> as employer) <b>Appendix 1 - Part D</b></p> <p>(e) Electoral services <b>Appendix 1 - Part E</b></p> <p>(f) Corporate Governance <b>Appendix 1 – Part J</b></p> <p>(g) Staffing matters (other than those dealt with in Part 4H of the Constitution - the Standing Orders as to Employment of Officers). <b>Appendix 1 – Part L</b></p> <p>(h) Ceremonial and Miscellaneous matters <b>Appendix 1 – Part G</b></p>	<p>Community Services Manager.</p> <p>Electoral Registration Officer and Returning Officer.</p> <p>Monitoring Officer and S151 Officer</p> <p>Joint Head of Paid Service; Member of the Corporate Management Team, Strategic HR Manager and the Appointments Panel.</p> <p>Council on the recommendation of the Corporate Governance Committee</p>
4	To agree and/or to make significant changes to the terms of reference of the Planning Committee, the Overview and Scrutiny Committees	Council - on the recommendation of the Overview and Scrutiny Committees or the Planning Committee.
5	To decide on the number of seats to be allocated to each Party Group (or to independent councillors) in accordance with the “proportionality” rules in the Local Government and Housing Act 1989.	Council - on the recommendation of the Monitoring Officer.
6	To agree the arrangements for the appointment of the Joint Head of Paid Service and to note the Appointment Panel’s decision	Council - on the recommendation of the relevant Appointments Panel set up for that purpose.
7	To agree the arrangements for the appointment of the Monitoring Officer and the Section 151 Officer and to note the Appointment Panels’ decisions.	Council - on the recommendation of the Joint Head of Paid Service.
8	To confirm the dismissal of the Head of Paid Service, the Monitoring Officer or the Section 151 Officer.	Council - at the recommendation of the relevant Disciplinary Panel set up for that purpose and the recommendation of an appointed Independent Person (as referred to in paragraph 6 of the Officer Employment Procedure (Rule 8 - Part 4-H4).
9	To appoint the Leader of the Executive.	Council - on the recommendation of the controlling political group or groups of the Council.
10	To decide on the number of Executive Portfolios which the Leader may allocate.	Council - on the recommendation of the Leader.
11	To remove the Leader or other members of the Executive.	Council - in accordance with the procedure in Article 7.
12	To adopt the Constitution and to agree any major changes to it.	Council - on the recommendation of the Corporate Governance Committee
13	To approve any application to the Secretary of State in respect of a Housing Land Transfer.	Council - on the recommendation of the Executive.
14	To appoint and dismiss representatives to those outside bodies whose role is not closely linked to an Executive function.	The Legal and Democratic Services Manager - acting on the advice of the relevant Scrutiny Committee.

	<b>Function</b>	<b>If delegated - then to whom?</b>
15	To adopt/modify a Members' Allowances Scheme.	Council - on the recommendation of a Panel of external members.
16	To change the name of the area, to confer the title of Honorary Alderman or the Freedom of the Borough.	Council - on the recommendation of the Leader of the Council
17	To make, amend, revoke, re-enact or adopt bylaws and to promote or oppose the making of local legislation.	Council - on the recommendation of one of the Overview and Scrutiny Committees whose role covers the services affected.
18	To adopt any plan or strategy (whether statutory or non-statutory) which the Council has decided should be undertaken by itself rather than by the Executive.	Council - on the recommendation one of the Scrutiny Committees using the "call-in" mechanism in Part 4E of the Constitution.
19	To deal with any other matters which, by law, must be reserved to Council.	Council on the recommendation of the Monitoring Officer

## **Part L: Staffing matters**

<b>Function</b>	<b>Delegated to whom</b>
To determine the council's establishment, numbers of staff, grading, remuneration and deployment and agree terms and conditions for the employment of staff subject to fundamental changes to the organisational structure being agreed by the Executive	Joint Head of Paid Service
To exercise all functions relating to health and safety in the Council workplace	Joint Head of Paid Service
To make changes to the allocation and composition of individual Corporate Management Team (CMT) member's responsibilities	Joint Head of Paid Service
In consultation with the Leader, to determine the annual salary increase to locally determined salary scales (positions with a salary above Grade L other than the Monitoring Officer and Section 151 Officer), provided that the cost of such is within the relevant overall budgetary provision	Joint Head of Paid Service
To determine all employment matters relating to members of CMT, excluding those dealt with in Part 4H of the Constitution – the Standing Orders as to the Employment of Officers.	Joint Head of Paid Service
To determine requests for flexible retirement by Members of CMT	Joint Head of Paid Service
To suspend a Member of CMT, if necessary, in connection with any disciplinary action	Joint Head of Paid Service
To appoint proper officers where such appointments are required as a matter of urgency	Joint Head of Paid Service
To appoint authorising officers for the purposes of covert surveillance operations	Joint Head of Paid Service
In relation to all posts below CMT level, to determine any increases in pension benefits and the waiving of actuarial reductions applied to employees who retire before the normal retirement age in accordance with the Council's approved policies	Member of CMT

<p>Within approved budgets and in consultation with the Strategic HR Manager:</p> <p>(a) to determine all employment matters relating to staff on Grade A to L, including all market provision issues and the payment of honoraria, unless otherwise provided in the Council's policies;</p> <p>(b) to create additional posts graded below Grade L as may be required to achieve the Council's agreed level of service;</p> <p>(c) to approve variations to the Council's establishment;</p> <p>(d) to approve appropriate revised salary levels for posts where the existing salary grade is not sufficient to recruit an officer of the required calibre</p>	Member of CMT
In consultation with the Leader, to approve any redundancies, retirements, secondments for all posts below CMT level in accordance with the Council's agreed policy and within approved budgets.	Member of CMT
In consultation with the Leader, to authorise covert surveillance (directed surveillance and covert human intelligence sources) in accordance with the Council's policies and the provisions of relevant legislation	Member of CMT
To grant leave of absence without pay for periods exceeding three months and special leave with pay on compassionate grounds	Member of CMT
To enter into agreements under section of 113 of the Local Government Act 1972 to place staff at the disposal of other councils or to receive the services of staff of other councils	Member of CMT
To determine applications from officers graded senior officer and above for permission to take up secondary employment	Member of CMT
To take disciplinary action against staff, including dismissal, in accordance with the Council's policies	Member of CMT
To determine requests for flexible retirement by staff below CMT level	Member of CMT
To authorise the attendance of officers at conferences, courses and seminars on behalf of the authority	Member of CMT
To consider complaints from members of staff in accordance with the Council's policies and take appropriate action	Member of CMT in consultation with HR Manager
To authorise the carrying forward of annual leave of staff from one year to the next	Member of CMT
To approve or remove designated casual or essential user car allowances	Member of CMT
To give approval to staff to attend training courses and day release courses in pursuit of relevant professional or other qualifications	Member of CMT
To authorise the acceleration of increments to staff within their salary scale until the top of the scale is reached	Member of CMT
To appoint Officers below CMT level within the approved establishment and amend the establishment, in consultation with the Service Managers, in accordance with the Council's existing policies and procedures	Member of CMT
Through each Service Manager, where appropriate, to authorise payments for exceptional overtime by officers on Scale Column point 29 and above	Member of CMT
Through each Service Manager to appoint staff on a temporary basis for a period not exceeding six months	Member of CMT

Through each Service Manager to deal with applications under the assisted car purchase scheme	Member of CMT
Through Service Managers take on staff under appropriate government-sponsored employment initiatives	Member of CMT
To approve applications for payment of staff removal expenses	Member of CMT
In consultation with the relevant lead Councillor responsible for equality and diversity to make such minor amendments to the Equality and Diversity Policy Statement as may be deemed necessary	Member of CMT with responsibility for Equality and Diversity