

TAUNTON DEANE BOROUGH COUNCIL

At a Meeting of the Taunton Deane Borough Council held in the Principal Committee Room, The Deane House, Belvedere Road, Taunton on 12 October 2004 at 6.30 pm.

Present: The Mayor (Councillor Mrs Allgrove)
The Deputy Mayor (Councillor Lees)
Councillors Beaven, Mrs Biscoe, Bishop, Bone, Bowrah, Mrs Bradley, Mrs Bryant, N P Cavill, Miss Cavill, C A Cluff, Mrs Cluff, Croad, Davies, Denington, Edwards, Floyd, Garner, Gill, Govier, Guerrier, Hall, Hayward, Henley, Mrs Hill, Hindley, House, Mrs Jones, Mrs Lewin-Harris, Lisgo, Meikle, Mullins, Paul, Miss Peppard, Phillips, Prior-Sanke, Slattery, Stuart-Thorn, Stone, Vail, Watson, Wedderkopp, Mrs Whitmarsh, Williams and Mrs Wilson

1. Minutes

The minutes of the meeting of the Council held on 20 July 2004, copies having been sent to each member, were signed by the Mayor.

2. Apologies

Councillors Durdan, Mrs Nixon, Miss Priscott, Trollope and Weston.

3. Communications

The Mayor referred to the recent award to the Council of the "Business Britain Local Authority of the Year 2004/2005" and displayed the plaque which had been presented.

The Mayor also welcomed the new Strategic Director (Operations), Mrs Joy Wishlade, to the meeting.

(Councillor Mrs Hill arrived at the meeting at 6.37 pm.)

4. Public Question Time

(i) Mr Harris asked a number of questions on behalf of Mr S Robins concerning the smoke alarm system at 47 South Street, Taunton.

Councillor Williams responded that if a copy of the questions was submitted, they would be dealt with appropriately.

(ii) Miss D Robins also asked a number of questions on behalf of her father, Mr S Robins.

Councillor Williams informed the Council that he was currently unwilling to deal with questions from Miss Robins, following an incident at a recent meeting of the Executive. He added that if a copy of the questions was submitted, they would be passed to the Chief Executive who would deal with them appropriately.

- (iii) Mr A Bryant asked whether an area of land owned by the Council, adjacent to Wellington Sports Centre, could be used for mini-motorcycling?

Councillor Mrs Bradley responded that if Mr Bryant wished to supply further information she would ask for the request to be properly considered.

- (iv) Mr Treble of Norton Fitzwarren Parish Council, Mr Hurst of Creech St Michael Parish Council, Mr Emmett of Hatch Beauchamp Parish Council, Mr Grandfield of Chipstable Parish Council and Councillor Mullins on behalf of Ruishton and Thornfalcon Parish Council were all in attendance concerning the recent decision of the Executive to withdraw from the Public Footpath Agency Agreement with the Somerset County Council.

The main points raised were:-

- (a) Somerset County Council was too remote. Taunton Deane Borough Council provided a quality, locally based service;
- (b) 90% of rights of way were open in Taunton Deane, compared to only 35% in areas of Somerset where the County Council looked after the footpath network;
- (c) Rural footpaths needed a lot of attention. It would take very little time for paths to become overgrown again;
- (d) How much would be saved by Taunton Deane and by a Band D Council Tax payer by withdrawing from the agency agreement?; and
- (e) There would be no saving to the Council Tax payer. Somerset County Council would incur the same costs.

Councillor Bishop replied that due to the considerable budget gap faced by the Council, steps had to be taken to cut Taunton Deane's costs. The maintenance of the public rights of way in Somerset was a duty of the County Council and it was felt that the time was now right to pass this function, which Taunton Deane had done to good effect since 1974, back to the County Council. In so doing, approximately £38,000 per annum would be saved. This equated to a saving of 97p per annum on a Band D property in Taunton Deane.

The continued quality of service locally would depend very much on the resources the County Council put into rights of way.

Councillor Bishop reported that he had attended a Rights of Way Advisory Panel Meeting yesterday at County Hall. It was recognised that the high standard of service provision in Taunton Deane was not replicated in the other districts. It was also recognised how important a high quality rights of way network was, particularly in terms of attracting tourists to the County.

The Panel had decided that:-

- an audit of all footpaths in Somerset would be essential;
- investment was needed to improve the network; a Medium Term Finance Bid had been made;
- ways in which assistance could be given to Parish Councils and community groups to help maintain the footpath network would be investigated; and
- the Modification process should be streamlined.

He added that Devon County Council had taken back all its former agency agreements and 78% of their footpath network was now open compared with 54% previously. This had occurred through proper investment and he hoped Somerset County Council would act along similar lines.

Taunton Deane would continue to fund the Parish Council Footpath Grant Scheme which currently cost £10,500 per annum.

Councillor Bishop went on to say that the Council was willing to re-negotiate the agency agreement with Somerset County Council but that all our costs would have to be met in the future. If this did not occur, the agreement would come to an end next April.

Since the Executive's decision, quick action had been taken to secure the services of two Taunton Deane staff who were involved in rights of way. Somerset County Council had confirmed that they would continue to employ them under the TUPE arrangements.

Councillor Bishop ended by expressing his regret at the loss of the agency agreement, but the current budgetary situation had forced the Council into taking this action.

(v) Alan Debenham asked the following questions:-

- (1) He was aware that £1/2 million had already been spent on the proposed Housing Stock Transfer and that costs of another £1/2 million were likely. With Labour Ministers currently looking at stock transfers, why were Taunton Deane still proceeding with this "premeditated attack on Council Housing"?
- (2) Whilst understanding the budget difficulties faced by the Council, he deplored the need to cut any front line services. Wasn't there any other option?
- (3) With reference to car parking in Taunton, he asked why the Council's on-street car parking charges of 20p per half an hour were so low? In London they would be £2 for the same amount of time.

Councillor Garner responded to Mr Debenham's first question by stating that the Council had no choice in this matter. The process of asking tenants to vote with regard to a Stock Transfer had to be done. £400,000 had been budgeted to meet the cost of this but, to date, little had been spent. He referred to recent comments made by the Housing Minister, Mr Keith Hill, who had made it very clear that there would not be a "fourth option". He added that the other three options had all provided a good standard of housing for tenants at other authorities who had already gone through the stock transfer process.

Councillor Williams addressed Mr Debenham's other two questions:-

- The strategy to deal with the anticipated £1.2 million budget gap had been agreed last April. The strategy recognised that the Council could not continue providing non-statutory services at the same level or allow duplications to take place, otherwise local people would be facing potential rises of between 25% and 30% on their Council Tax bills.
- Mr Debenham's support for higher car parking charges was welcomed. He added that the Council was mindful that rural dwellers should not be penalised too hard by increased charges.

(Councillor Hayward and Stone arrived at the meeting at 6.52 pm and 6.54 pm respectively during Public Question Time.)

5. Recommendations to the Council from the Executive

(As members of the Somerset County Council, Councillors Govier, Paul and Prior-Sankey declared personal interests in this agenda item.)

(a) Corporate Strategy 2004-2007

Reported that the Corporate Strategy was reviewed on an annual basis. It was used to determine the allocation of resources across the Council through the Medium Term Financial Plan and service budgets.

The Corporate Strategy had been published in June 2004 together with the performance plan. Through a series of workshops and meetings, the objectives and outcomes of the Corporate Strategy's ETCHED Action Plans were determined for each year to 2007/2008.

Delivering the Vision for Taunton remained the Council's highest priority, followed by working with partners to tackle transport issues, tackling anti-social behaviour and housing.

On the motion of Councillor Williams it was RESOLVED that the Corporate Strategy ETCHED Action Plans 2004-2007 be agreed.

(b) Capital Strategy 2004-2007

Although the Office of the Deputy Prime Minister had now removed the requirement for the Council to submit an Annual Capital Strategy and Asset Management Plan, it was considered good practice to continue to prepare these documents annually.

The Capital Strategy was a summary of the Council's approach to capital investment including:-

- development and ongoing management of the capital programme;
- partnership working on capital projects;
- consultation; and
- performance measurement.

The draft Strategy for 2004-2007 had been updated from the 2003 version by taking recent developments in the Corporate Strategy and other corporate developments and incorporating them into a revised document.

On the motion of Councillor Williams it was RESOLVED that the Capital Strategy for 2004-2007 be agreed.

(c) Budget Monitoring 2004-2005

Reported that at its meeting in September, the Review Board had received the results of the Quarter 1 Budget Monitoring exercise. As a result it was necessary to submit a request for a number of supplementary estimates to support certain variations to the budget.

On the motion of Councillor Williams it was RESOLVED that supplementary estimates be made to support the following variations:-

- the General Fund expected underspend of £45,980 to be returned to the General Fund Reserve;
- returning the 2004/2005 pay award underspend of £65,000 to the General Fund Reserve;
- the Housing Revenue Account expected overspend of £70,590 from the Housing Revenue Account working balance;
- the General Fund Capital Programme overspend of £76,375 from unallocated General Fund Capital Resources;
- the Housing Revenue Account Capital Programme overspend, due to slippage, of £585,700 from unallocated Housing Revenue Account Capital Resources; and

- the increase of £3,000 in the working balance on the Piper Trading Account.

(d) Public Rights of Way Agreement

Reported that Somerset County Council, as Highways Authority, would normally be responsible for the maintenance of all public rights of way (footpaths, bridleways and roads used as public paths (RUPPs)).

Under an agency agreement, the maintenance of unsurfaced public rights of way was currently carried out by Taunton Deane Borough Council. This Council currently contributed £54,160 per annum to this particular service and the County Council contributed £42,500. The agreement could be terminated by either party on the 31 March on any year providing appropriate notice was served.

Faced with the need for economies in the Council's budget, all services were being reviewed in the light of the Corporate Priorities and statutory obligations. Consideration had therefore been given as to whether this Council should inform the County Council that it intended to terminate the existing agreement.

The Executive had recently considered a report which contained details of the staffing implications of relinquishing the agency agreement together with the budget implications and the result of consultations with Parish and Town Councils. The Rights of Way Service was a statutory function of County Councils and there was no evidence to suggest that the level of service provided by the County Council would be less than under the agency agreement.

By terminating the agency agreement, the Borough Council would save £39,780 per annum at current prices. In the event of the County Council increasing its funding of this service, Taunton Deane might seek to re-negotiate the terms of the agency agreement to continue to provide the service but only if the full costs were covered.

In the circumstances, the Executive considered that the existing Rights of Way Agency Agreement with Somerset County Council should be ended on 31 March 2005 and notice of such be served on the County Council.

Moved by Councillor Bishop that:-

- (a) the decision to serve notice on Somerset County Council be confirmed;
- (b) the necessary amendments be made to the Council's base budget;
- (c) the existing Parish Grants budget to assist with the delivery of footpath maintenance be maintained;

- (d) any associated one off costs of termination be met within approved budgets of the Council; and
- (e) consideration be given to re-negotiation of the agency agreement in the event of the Somerset County Council being in a position to cover the full costs of the service.

Councillor House, seconded by Councillor Henley, requested that a formal roll call of votes be taken and recorded in the minutes in accordance with Standing Order 19(2). This request was supported by the votes of at least a quarter of the Councillors present. The motion was put and was carried, the voting being 26 for and 19 against as follows:-

FOR

The Mayor (Councillor Mrs Allgrove)
 Councillors Beaven
 Bishop
 Bowrah
 Mrs Bradley
 Mrs Bryant
 N P Cavill
 C A Cluff
 Mrs Cluff
 Davies
 Denington
 Edwards
 Garner
 Gill
 Guerrier
 Hall
 Hayward
 Hindley
 Mrs Lewin-Harris
 Meikle
 Miss Peppard
 Phillips
 Stuart-Thorn
 Vail
 Watson
 Williams.

AGAINST

Councillors Mrs Biscoe
 Bone
 Croad
 Floyd
 Govier
 Henley
 Mrs Hill
 House
 Mrs Jones
 The Deputy Mayor (Councillor Lees)
 Lisgo
 Mullins
 Paul
 Prior-Sankey
 Slattery
 Stone
 Wedderkopp
 Mrs Whitmarsh
 Mrs Wilson.

The motion was put and was carried.

(e) Taunton Deane Local Plan Modifications

(Councillors N P Cavill, C A Cluff and Meikle declared prejudicial interests and left the meeting during the consideration of this item. Councillor Hayward, Mrs Lewin-Harris and Williams declared personal interests.)

At its meeting in September, the Strategic Planning, Transportation and Economic Development Review Panel considered the proposed responses to the representations which had been received during the consultation period to the proposed modifications to the Taunton Deane Local Plan.

After careful consideration, the Review Panel had recommended that the responses to the representations which were submitted in respect of the proposed modifications should be agreed. The Executive had agreed with this recommendation.

On the motion of Councillor Bishop it was RESOLVED that the adoption of the Taunton Deane Local Plan be agreed.

(Councillor Bone and Councillor Mrs Cluff left the meeting at 8.02 pm.)

6. Questions to and Reports of the Leader of the Council and Executive Councillors

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

(i) Leader of the Council (Councillor Williams)

Councillor Williams' report covered the following topics:-

- Comprehensive Performance Assessment - "Excellent" Rating
- "Business Britain Local Authority of the Year 2004/2005"
- Budget Setting
- Vision for Taunton
- Adoption of Local Plan
- Cornhill, Wellington
- Car Parking Charges
- Britain in Bloom.

Councillor Williams also welcomed Mrs Joy Wishlade to the Council and thanked Peter Weaver for carrying out the role of Acting Strategic Director - Operations over the past six months. He also thanked the efforts of June Norman for her efforts with Taunton in Bloom.

(Councillors Gill and Croad left the meeting at 8.28 pm and 8.38 pm respectively. Councillor Miss Cavill arrived at the meeting at 8.46 pm.)

(ii) Planning Policy and Transportation (Councillor Bishop)

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

- Planning fees
- Parliamentary statement - handling of planning applications

- Joint Structure Plan Alteration - proposed alternative to proceeding to examination in public
- Regional Spatial Strategy for the South West 2006-2026
- Development at Tone Mill, Wellington
- Tone Mill Partnership
- Public Transport Review
- Consultation on housing and planning in the region
- Planning obligations.

(iii) Leisure, Arts and Culture (Councillor Mrs Bradley)

The report from Councillor Mrs Bradley dealt with:-

- Tribute Band and Proms Concerts
- Cultural Quarter Consortium
- Somerset Art Week
- Wellington Skate Park
- Taunton and Wellington in Bloom 2004
- Parks and Green Spaces
- Tone Leisure Limited activities
- Networking.

(Councillor Mrs Hill left the meeting at 9.19 pm.)

(iv) Communications (Councillor Mrs Bryant)

Councillor Mrs Bryant submitted her report which covered the following areas:-

- Notable headlines
- Comprehensive Performance Assessment Result
- Press releases
- Deane Dispatch
- Press Office/Public Relations.

(Councillor Mrs Biscoe left the meeting at 9.25 pm.)

(v) Economic Development, Asset Management and Tourism (Councillor N P Cavill)

The report from Councillor Cavill covered:-

- Tourism and TIC
- Neroche Project
- Valuation
- Asset Management Plan
- Economic Development.

(Councillor Bowrah and Mrs Whitmarsh left the meeting at 9.33 pm and 9.34 pm respectively.)

(vi) Environmental Services (Councillor Edwards)

Councillor Edwards submitted his report which covered the following issues:-

- Environmental Health and Licensing
- Cemeteries and Crematorium
- Waste Services.

(Councillors Stone, Govier, Vail, Watson, Floyd and Hindley left the meeting at 9.38 pm, 9.49 pm, 9.50 pm, 9.51 pm, 9.53 pm and 10.02 pm respectively.)

(vii) Housing Services (Councillor Garner)

Councillor Garner reported upon Housing Stock Options and Homelessness.

(viii) Resources (Councillor Hall)

The report from Councillor Hall provided an update on the following areas of his portfolio:-

- Financial Services
- Members Services
- Benefits
- Information Systems
- Revenues
- Internal Audit Services
- Office Services
- Personnel.

(Councillors Slattery and Mullins left the meeting at 10.07 pm and 10.22 pm respectively.)

(ix) Community Leadership (Councillor Mrs Lewin-Harris)

Councillor Mrs Lewin-Harris submitted her report which covered:-

- Local Strategic Partnership
- Crime and Disorder Reduction Partnership
- Equalities Co-ordinator.

(The meeting ended at 10.29 pm.)