

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 Tuesday 16 December 2003 at 6.30 pm.

Present: The Mayor (Councillor Govier)
The Deputy Mayor (Councillor Mrs Allgrove)
Councillors Beaven, Bishop, Bowrah, Mrs Bradley, Mrs Bryant, N P Cavill, Davies, Denington, Durdan, Floyd, Garner, Gill, Guerrier, Hall, Hayward, Henley, Mrs Hill, Hindley, House, Mrs Jones, Lees, Mrs Lewin-Harris, Lisgo, Meikle, Morrell, Mullins, Murphy, Paul, Ms Peppard, Phillips, Prior-Sankey, Slattery, Mrs Smith, Stone, Stuart-Thorn, Trollope, Vail, Watson, Wedderkopp, Weston, Mrs Whitmarsh, Williams and Mrs Wilson.

The Mayor (Councillor Govier) drew attention to the recent death of Mrs G Deacon and Mr M Jennings, both of whom had been former members of the Council. The Council stood in silence as a mark of respect.

1. Minutes

The minutes of the meeting of the Council held on 14 October 2003, copies having been sent to each member, were signed by the Mayor.

2. Apologies

Councillors Bone, Cluff, Mrs Cluff, Croad, Edwards, Mrs Nixon and Ms Priscott.

3. Public Question Time

Steve Brooks, Chairman of the East Taunton Development Trust used the opportunity to thank the Council for its support for the local Link Centre which had made a major contribution to the community.

4. Vision for Taunton

Members received a presentation on the Vision for Taunton from Ralph Willoughby-Foster, Forward Plan and Regeneration Manager.

5. Recommendations to the Council from the Executive

(a) Old Market Shoppers Car Park - Anti-Suicide Measures

On the motion of Councillor Williams it was RESOLVED that the principle of the capital scheme to provide anti-suicide fencing to this car park be agreed and the necessary Supplementary Estimate of £100,000 from unallocated capital funds be also agreed.

(b) Equality Policy for Taunton Deane Borough Council

On the motion of Councillor Mrs Lewin-Harris it was RESOLVED that the draft Equality Policy, as submitted, be agreed.

6. Questions to and reports from 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)

The Leader submitted a report covering the many initiatives being carried forward by the Council. These included the Vision for Taunton proposals, Urban Extension study, response to the Local Plan Inspector's report, relocation of the livestock market, proposals for redeveloping High Street/Crescent car park area completion of the Wellsprings Sports Centre. Also, measures to ease traffic congestion and promote alternative means of travel, and the budget setting process.

In Wellington the Council were committed to improvements in the Cornhill and preservation of the important listed Tonedale buildings and its machinery. It was also intended to replace the dilapidated and vandalised North Street public toilets subject to funding being available.

(Councillor Mrs Bryant declared a prejudicial interest in relation to the relocation of the Livestock Market and left the meeting whilst this matter was discussed).

(ii) Planning Policy and Transportation (Councillor Bishop)

Councillor Bishop's report updated the Council on progress in relation to the Taunton Deane Local Plan, the Local Development Framework, Structure Plan, transportation issues and the Green Apple Award.

It was also reported that Nynehead village had recently received a prestigious Calor Gas Best Small Village Award. The Mayor agreed to write a letter of congratulation to the Parish Council.

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

The report submitted by Councillor Mrs Bradley covered Wellsprings, the Leisure Trust, Vivary Golf Course, Castle Green Cultural Quarter, Huntscourt, the Somerset Cultural Forum, Social Inclusion and Wellington Park.

(iv) Communications (Councillor Mrs Bryant)

The report on the Communications portfolio drew attention to the work being undertaken on the production of a Corporate Communications Strategy. Members were encouraged to attend a workshop to be held on 6 January 2004.

In addition to the Communications Strategy details were submitted of the vital role being played by Communications in the Housing Stock Options Appraisal Project, the Vision for Taunton and Wellsprings. The December issue of the Deane Dispatch had been published.

- (v) Economic Development, Property and Tourism (Councillor Cavill)

Councillor Cavill drew attention to the Lyons Report, Firepool, the Egg Packing Station at Henlade, Broadband, Business networks, the Agricultural Development Officer and the Taste of Taunton event. An update was also given on tourism and requirements of the Asset Management Plan

- (vi) Environmental Services (Councillor Edwards)

In the absence of Councillor Edwards, Councillor Williams submitted the report in relation to Environmental Services. The report covered litter, the Taunton Deane Crisp and Clean initiative and the current situation relating to public toilets.

- (vii) Housing Services (Councillor Garner)

Councillor Garner submitted his report which provided a further update on the Housing Best Value Review and the Council Housing Stock Option Appraisal. In addition the new and existing initiatives being developed to reduce Bed and Breakfast accommodation and combat homelessness were reported upon.

- (viii) Resources (Councillor Hall)

Councillor Hall drew attention to developments relating to procurement, member services, financial and revenue services, personnel, benefits and reception and Somerset Direct.

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

The report submitted by Councillor Mrs Lewin-Harris provided details of Neighbourhood and Parish Wardens, Community Planning, the Local Strategic Partnership and tackling anti-social behaviour.

7. The Constitution

Reported that the Community Leadership Review Panel was responsible for overseeing the use being made of the Council's formal Constitution and to recommend changes when necessary.

Three such issues had been considered at the Review Panel on 25 November 2003, namely:-

- (a) Contract Standing Orders
- (b) Substitutions
- (c) Proposals for a Corporate Governance Committee.

Contract Standing Orders

The format of the existing Contract Standing Orders did not embrace modern procurement methods. A major review of the current standing orders had been carried out and had resulted in a complete re-write in a more modern form. The proposed Contract Standing Orders were submitted.

Substitutions

The procedural rules which governed the way in which the Council carried out its business were largely found in the Constitution which was adopted by the Council in October 2001.

A source of uncertainty since that time had been over the use of substitutes on Board, Panels and Committees - particularly as to whether such substitution could take place part way through a meeting - or for a single item.

The Review Panel had considered the advantages and disadvantages of substitutions on both the Planning Committee and on the Review Board and Panels. They concluded that:-

- some restrictions should be placed on such substitutions at all such meetings; and
- rather than preventing any substitution at meetings of the Planning Committee provision should be made for some limited substitutions of members so long as some proper safeguards are in place.

Corporate Governance Committee

In preparing the Constitution the aim was that all of the Council's functions both internal and external should fall within the remit of one of the "Overview and Scrutiny Panels". One of the areas that was not specifically allocated in this way was the field of "Corporate Governance". It was now commonplace amongst Councils to reflect the increased importance of this area by the setting up of an "Audit Committee" or "Corporate Governance Committee". Such a committee would have responsibility for the monitoring of the Council's approach to Corporate Governance, which was the system by which the Council directed and controlled its functions and related to its communities.

By forming such a committee greater reassurance could be achieved that existing arrangements were operating satisfactorily. The terms of reference of the committee were submitted.

On the motion of Councillor Denington it was RESOLVED that the Constitution be amended:-

- (1) by the inclusion of the revised Contract Standing Orders as submitted;

- (2) as to the substitution of members at meetings:-
- (a) by the inclusion of “Such formal notice must be given to the Member Services Manager not later than the beginning of the meeting concerned and such substitution will last for the whole of that meeting” in the Procedural Rules for Review Board and Panels (page 4-E3);
 - (b) by the insertion of a new paragraph (5.2) in Part 3 (Section 2 - Regulatory Powers of the Council) (Page 3-A6) as follows:-
“Planning Committee - Substitutions - substitution of members at meetings of the Planning Committee may only be effected as follows:-

Such formal notice must be given to the Member Services Manager not later than the beginning of the meeting concerned and such substitution will last for the whole of that meeting. Substitutes may only be appointed from those councillors noted by the Member Services Manager as having undergone recent and satisfactory Planning Committee training. (For the purpose of this paragraph those Planning Committee meetings which require the use of a ‘reserve date’ shall be treated as two separate meetings).”
- (3) by a Corporate Governance Committee being added to the Council’s constitutional arrangements with terms of reference as set out in the report.
- (4) by the Monitoring Officer being authorised to effect these amendments to the Constitution and to circulate the resulting changes to all Councillors.

(The meeting ended at 9.20 pm).

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 Monday 22 December 2003, at 6.30pm.

Present: The Deputy Mayor (Councillor Mrs Allgrove)
Councillors Beaven, Mrs Biscoe, Bishop, Bowrah, Mrs Bradley, Mrs Bryant, N Cavill, Miss Cavill, Croad, Davies, Denington, Floyd, Garner, Gill, Hall, Hayward, Henley, Hindley, House, Lees, Mrs Lewin-Harris, Meikle, Morrell, Mrs Nixon, Paul, Phillips, Prior-Sankey, Mrs Smith, Stuart-Thorn, Trollope, Watson, Wedderkopp, Mrs Whitmarsh, Williams and Mrs Wilson

1. Apologies

Councillors Bone, C Cluff, Mrs Cluff, Durdan, Edwards, The Mayor (Councillor Govier), Guerrier, Mrs Jones, Lisgo, Ms Priscott, Weston.

2. Council Tax on Second Homes

The Local Government Act 2003 had introduced new freedoms to Local Authorities regarding the amount of discount offered on Council Tax on second homes and long-term empty properties.

Any additional income raised by reducing the discount offered on second homes could now be shared by the billing authority (TDBC) and the two main precepting authorities (Somerset County Council and Avon and Somerset Police Authority) in proportion to the amount levied via the Council Tax Bills.

Somerset County Council had suggested that all Somerset Authorities should earmark any additional revenue raised by this change of policy for investment in schemes within the billing authorities area. This could be done by giving first priority to any plans put forward by the Local Strategic Partnership and/or the Local Crime and Disorder Partnership.

The County Council had approved this proposal but the Avon and Somerset Police Authority had declined to make any contribution to the Local Strategic Partnership.

Long-term empty homes for Council Tax purposes included properties which had been empty and unoccupied for six months or more or, where they required major repairs, 12 months or more. The legislation gave Local Authorities the freedom to decide whether discounts should be applied to these properties. Currently, long-term empty homes received a 50% discount once the period of exemption expired. The Act allows authorities to reduce or remove that discount.

Reducing or removing the discount for long-term empty homes would not generate any additional income as the additional amount charged would be offset by a reduction in Revenue Support Grant.

RESOLVED that:-

- (1) 90% of the full Council Tax on second homes be applied instead of the present 50%; and
- (2) the additional income raised be delegated to the Taunton Deane Local Strategic Partnership for decisions on how it would be spent.

(3) Councillors Williams, Henley, Lisgo and Mrs Whitmarsh together with the Head of Finance be authorised to consider further the level of discount to be applied to long-term empty properties.

3. Audit Commission Report – SAS 610

Reported that the audit commission had now concluded their audit of the Statement of Accounts 2002/03 and were required, under the new Statement of Auditing Standards (SAS) 610 to report their findings to full Council.

Submitted report which outlined their findings and provided the formal uncertified audit opinion on the Council's accounts. The report highlighted one area that they considered to have material weaknesses (Asset Register). This had been discussed fully with the audit commission and work was underway to rectify and improve the controls in place.

RESOLVED that the SAS 610 report from the Audit Commission be noted.

4. Exclusion of Press and Public

RESOLVED that the Press and public be excluded from the meeting for the item numbered 4 on the agenda because of confidential information which might otherwise be disclosed relating to Clauses 1, 7 and 12 of paragraph 12 (a) of the Local Government Act 1972.

5. Leisure Trust

Submitted details of the recommendation made by the Executive at its meeting which took place immediately before this meeting of the Council.

RESOLVED that the recommendation of the Executive be agreed and that:-

- (a) the decision to transfer the Council's Leisure Services and facilities to Tone Leisure be deferred for six months and the current Trust lawyers have no further input into the project;
- (b) work commence immediately on a medium-term leisure strategy;
- (c) a contribution of £200,000 from Somerset County Council towards the cost of completion of the Wellsprings Leisure Centre be accepted;
- (d) a Supplementary Estimate of £330,000 be made towards the VAT liability triggered by the Wellsprings Leisure Centre - £151,000 from unallocated capital resources and £179,000 from General Fund Reserve;
- (e) the Chief Executive be authorised to negotiate with the Hawkins Family Trust to release the clause preventing a sub-lease at Blackbrook and, if required, authorise the implementation of appropriate Compulsory Purchase Order powers.

(Councillor Prior-Sankey, who is also a member of Somerset County Council, declared a personal interest in this item).

(The meeting ended at 7.37pm).