

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 9 December 2008 at 6.30 pm.

Present The Mayor (Councillor Slattery)
The Deputy Mayor (Councillor Bowrah)
Councillors Mrs Allgrove, Bishop, Brooks, Cavill, Coles, Mrs Copley, Mrs Court-Stenning, Critchard, Denington, D Durdan, Ms Durdan, Edwards, Farbahi, Govier, Hall, Hayward, Henley, Ms Herbert, C Hill, Mrs Hill, Horsley, House, Miss James, R Lees, Mrs Lees, Mrs Lewin-Harris, Meikle, Morrell, Mullins, Murphy, Paul, Prior-Sankey, Mrs Smith, P Smith, Mrs Stock-Williams, Stone, Stuart-Thorn, Watson, D Wedderkopp, Mrs Whitmarsh, Williams, Mrs Wilson and Woolley.

1. Minutes

The minutes of the meeting of Taunton Deane Borough Council held on 7 October 2008, copies having been sent to each Member, were signed by the Mayor.

2. Apologies

Councillors Beaven, Mrs Floyd, McMahon, Thorne, Mrs Waymouth and A Wedderkopp.

3. Vote for the Boat

The Mayor congratulated Councillor David Durdan for the role he had played recently in securing almost £50,000 from the BIG Lottery People's Millions Competition. The money would be used to purchase a boat to run short trips along the River Tone from the centre of Taunton and educational trips along the Bridgwater and Taunton Canal.

4. Declarations of Interest

Councillors Brooks, Govier, Henley, Paul and Prior-Sankey declared personal interests as Members of Somerset County Council. Councillors Brooks and Mullins also declared personal interests as Members of the Somerset Waste Board. Councillor Prior-Sankey also declared personal interests as a Member of the Somerset Waste Board and a Member of the Local Strategic Partnership. Councillor Coles declared a personal interest as a Director of Southwest One. Councillor Miss James declared a personal interest as an employee of Viridor. Councillors Mrs Hill and Mrs Smith declared personal interests as an employees of Somerset County Council.

5. Members' Allowances 2009/2010

Submitted report previously circulated of the Members' Allowances Panel following its annual review of Members' Allowances. A copy of the report and

recommendations had been circulated to all Councillors. It had also been considered by the Strategy and Performance Panel at its meeting on 11 November 2008.

Details of the Members' Allowances Scheme that had been recommended by the independent Panel were submitted together with the comments and recommendations made by the Strategy and Performance Panel.

Moved by Councillor Mrs Smith, seconded by Councillor Coles that:-

The recommended 3% level of increase to the Basic and Special Responsibility Allowances be reduced to 2% and that there should be no remuneration for Task and Finish Group Chairmen.

The amendment to the recommendations was put and was lost.

Moved by Councillor Hayward, seconded by Councillor Mrs Lewin-Harris that:-

There should be no increase at all to the Basic and Special Responsibility Allowances.

The amendment to the recommendations was put and was lost.

Moved by Councillor Morrell, seconded by Councillor Paul that:-

The recommended 3% level of increase to the Basic and Special Responsibility Allowances be reduced to 2%.

The amendment to the recommendations was put and was lost.

On the motion of Councillor Prior-Sankey it was:-

Resolved that the existing Members Allowances Scheme be discontinued and replaced with the scheme recommended by the Members' Allowances Panel with effect from 1 April 2009. (Full details of the scheme are set out as an Appendix to these minutes).

6. **Proposal for exemption to Contract Standing Order 13 for the procurement of specialist Consultancy Services for Project Taunton**

Reported that in 2005 Taunton Deane Borough Council (TDBC), in partnership with Somerset County Council and the South West Regional Development Agency (SWRDA), had entered into a partnership arrangement to work together to deliver the objectives of the Taunton Vision. At the time it had been agreed that a joint procurement arrangement had been entered into and that the three partners were acting as an agency.

It had been envisaged that much of the necessary work in developing the Taunton Vision (now Project Taunton) would be done through the

commissioning of external consultants. It was thought that the commissions issued would be in excess of Taunton Deane Standing Orders Threshold 2 (when full tender procedures applied) and Threshold 3 (when EU Procurement Rules applied).

The Vision Executive Group (now Project Taunton Executive) had agreed that the consultants should be drawn from the framework agreements already held by SWRDA and that this should be considered by the respective partners as being compliant with Contract Standing Orders.

All partners had accepted this statement and agreed that the period it would cover was 2005 – 2008. However it was now necessary to extend the period for a further three years between 2009 and 2012.

Ordinarily, all contracts over Threshold 3 had to comply with EU Procurement Rules. However, it was intended to use the exemption contained in the Contract Standing Orders which permitted a contract being entered into, other than in accordance with the usual procedures laid down in Standing Order 13 if:-

“the contract to be entered into was to be dealt with in a prescribed manner under agency arrangements entered into by the Council with another authority.”

Reported that the decision to recommend this exemption had been made because of the advantages that this would bring, details of which were submitted.

Resolved that the exemption to Standing Orders (paragraph 14 (e)) and the procurement of Project Taunton Consultancy Work through the use of the SWRDA framework as outlined above, be approved. This exemption to cover the three year period 2009 to 2012.

7. **Written Question to Member of the Executive**

On behalf of Councillor McMahon who had submitted his apologies, Councillor Edwards asked the following question:-

"It is gratifying to see the success of the Sort It programme and the results of the recent trial in kerbside collections of plastic, card and the rest. There is, however, considerable confusion amongst the public about the details of the package chosen. Could Councillor Mullins please spell out the start date and frequency of card, plastic, residual waste, bottles and food waste collections and the likely annual cost per household of providing it. Could he also advise Full Council of the budget provision made for this and what shortfall, if any, there is."

Councillor Mullins replied as follows:-

"I do not understand how Councillor McMahon can state that there is

considerable confusion amongst the public regarding the service package chosen as we (Taunton Deane) have yet to make a final decision on the what that package will be.

The decision can only be taken following the final costings from May Gurney (due in January 2009).

The preferred option of the Overview and Scrutiny Board on the 4 September 2008 (taking into consideration the current economic situation within Taunton Deane) was SP2, the current cost of which is £292,000.

The contribution to the Capital Costs of additional bins by this Council is currently £44,000.

Included in the current Budget Gap figure of £1.5million (before any saving plan items) is a rough accounting estimate of £381,000 as to what the expansion might cost. This equates to £6.14 per household per year or 24p per household per fortnight.”

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

(a) **Minimum Revenue Provision**

The Government had recently introduced amended legislation to deal with the statutory requirement for local authorities to make an annual provision from revenue, for the repayment of borrowing undertaken for the purposes of financing capital expenditure. This annual provision, known as Minimum Revenue Provision, was a largely technical calculation.

Rather than prescribe an approach, the Government had offered a number of options. The Executive had agreed that the following options should be selected:-

- For supported borrowing, Option 2 which was a simple 4% on outstanding debt; and
- For unsupported borrowing, Option 3, the Asset Life Method which was debt associated with assets purchased/created, divided by the expected life of the asset.

Resolved that with regard to the Minimum Revenue Provision, Options 2 and 3 (detailed above) be adopted.

(b) **Taunton Town Centre Area Action Plan and Design Code Supplementary Planning Document**

The Action Plan and Design Code Supplementary Planning Document had been formally adopted by Full Council at its last meeting.

However, due to an administrative error, a key date to formally advertise the adoption of these documents has been missed.

Rather than risk a legal challenge at a later date on the grounds that the procedure laid down by legislation had not been followed, the documents were submitted for re-adoption. This would allow the formal advertisement to be placed within the required time limit.

Resolved that:-

- (1) the Taunton Town Centre Area Action Plan; and
- (2) the Taunton Town Centre Design Code Supplementary Planning Document,

be both formally re-adopted.

(c) Planning Obligations Supplementary Planning Document

This Supplementary Planning Document (SPD) had been commissioned to provide guidance for securing contributions from developers towards the major town centre development proposals in Taunton.

Although a detailed policy on planning obligations was being developed in connection with the Taunton Deane Local Development Framework (LDF) Core Strategy, the adoption of this Strategy was a couple of years away. In the meantime, the SPD was required to amplify what the Council expected from developers by way of contributions towards the infrastructure and services needed to support new development in the town.

A substantial number of replies had been received during the six week statutory consultation period held earlier in the year. Many of the issues that had been raised fell under a number of main headings and the Executive had agreed that these could be addressed by making suitable amendments to the SPD to enable it to proceed to adoption.

Resolved that the Planning Obligations Supplementary Planning Document, as amended, be formally adopted.

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

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

(i) Leader of the Council (Councillor Henley)

Councillor Henley's report covered the following topics:-

- The Budget;

- Core Council Review;
- Pioneer Somerset;
- Telephone Boxes;
- New Gyms;
- Ice Rink;
- Wellington Monument.

(ii) **Housing Services (Councillor Prior-Sankey)**

Councillor Prior-Sankey submitted her report which drew attention to the following:-

- Choice-Based Lettings (CBL);
- Affordable Housing;
- Norie House, Taunton;
- Collection of Rent Arrears;
- Tenant Consultation on the Core Council Review;
- Lifetime Tenancies;
- Transfer Removal Grants to “Downsize”.

(iii) **Resources (Councillor Mrs Smith)**

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

- Democratic Services;
- Personnel;
- Revenues and Benefits Service Unit;
- Financial Services;
- Performance Management.

(iv) **Community Leadership (Councillor A Wedderkopp)**

In the absence of Councillor A Wedderkopp, Councillor Henley presented the Community Leadership report which focused on the following areas within that portfolio:-

- Community Safety;
- The Children’s Champion;
- Community Partnerships;
- Pioneer Somerset;
- Taunton Deane Council for Voluntary Service;
- Place Shaping Day;
- Regensw.

(v) **Communications (Councillor Brooks)**

Councillor Brooks’ report covered the following topics:-

- Public Relations;
- Website Update;
- Place Survey;
- A-Z of Services.

(vi) **Planning Policy and Transportation (Councillor Coles)**

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

- Development Management;
- Forward Planning;
- Residents' Parking;
- Southwest One.

(vii) **Economic Development and the Arts (Councillor Horsley)**

The report from Councillor Horsley covered:-

- Project Taunton;
- Culture;
- Into Somerset;
- General Economic Climate;
- Employment and Skills;
- Networks and Events;
- Local Action for Rural Communities;
- Somerset Tourism Partnership Activities
- Tourist Information Centre.

(viii) **Sports, Parks and Leisure (Councillor R Lees)**

The report from Councillor R Lees dealt with activities taking place in the following areas:-

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

(ix) **Environmental Services (Councillor Mullins)**

The Report from Councillor Mullins drew attention to developments in the following areas:-

- Environmental Health;
- Taunton Deane Cemeteries and Crematorium;
- News on Recycling from the Somerset Waste Partnership.

(Councillors Govier and Stone left the meeting at 7.56 pm and 8.03 pm respectively.)

(The meeting ended at 8.28 pm.)

Appendix to the Minutes

1. The existing Members' Allowance Scheme be discontinued and replaced with the following scheme with effect from 1 April 2009 (The current scheme for 2008/2009 is in brackets).

Basic Allowance (payable to all members (£4,176)	£4,301
Leader (£11,746)	£12,098
Executive Councillors (8) (£4,568)	£4,705
Chairman, Planning Committee (£4,568)	£4,705
Chairman, Licensing Committee (£1,305)	£1,344
Chairman, Corporate Governance Committee (£1,305)	£1,344
Chairman, Corporate Scrutiny Committee	£2,700
Chairman, Community Scrutiny Committee	£2,700
Chairmen of Task and Finish Groups	£250
Chairman, Standards Committee	£500
Independent Members, Standards Committee	£300
Mayor (£8,736)	£8,998
Deputy Mayor (£1,596)	£1,644

2. (i) Travelling and subsistence allowances shall be payable to councillors when incurred by them in the necessary carrying out of those official activities as a councillor as appear on the list of "Approved Duties" set out in the Appendix to this report.
- (ii) The mileage rate for cars, motorcycles and bicycles be set at the upper limit which the Inland Revenue would not impose taxation. At present, the rate for cars is 40p per mile, motorcycles is 24p per mile and bicycles is 20p per mile.
- (iii) Subsistence rates as set out below:

Breakfast	£6.48
Lunch	£8.91
Tea	£3.51
Evening Meal	£11.04

3. Payment for the care of Councillors' Dependents be increased to £5.73 per hour and to be in accordance with the following conditions:
- (a) Councillors shall be reimbursed, up to a specified maximum limit, for costs actually incurred in providing care for any of the following who are at the time part of the claimant's household living with him/her and who would normally be looked after by him/her, whilst the claimant is undertaking an "approved duty".

- i. children under the age of 14
 - ii. elderly person (aged 60 and over)
 - iii. people with disabilities
 - iv. people with learning difficulties
 - (b) In addition to living as part of the claimant's household the dependent must be unable to be left unsupervised by the carer.
 - (c) The carer must not be someone who ordinarily lives with the claimant as part of the household.
 - (d) For the purposes of (a) above:
 - (i) "approved duty" would be a duty under the Council's scheme
 - (ii) the maximum hourly rate repayable should be consistent with the statutory minimum wage
 - (e) The claimant must produce a receipt for payments he/she has made to the carer and must sign a certificate which, amongst other things, will state that the costs were properly and necessarily incurred in the course of, or to permit, him/her undertaking his/her duties as a Councillor.
4. (a) No advice on a level of Participation Allowance for Parish Councillors be offered by the Panel until a formal request was received from a Parish Council;
- (b) Allowances for travelling and subsistence be identical to those payable to Borough Councillors and the same level of such allowances should apply for all Parishes throughout Taunton Deane;
- (c) Parish Councillors be permitted to seek reimbursement of the actual cost of items used for Parish Council business, such as computer consumables, or a nominal sum, provided such payments were approved by the Parish Council.
5. (a) That all Members of the Council be entitled to membership of the Local Government Pension Scheme;
- (b) Both the Basic and Special Responsibility Allowance be treated as amounts in respect of which such pensions are payable.

APPENDIX

Recommended List of Approved Duties

Approved duties for the payment of travelling and subsistence allowances:

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