

## **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 2 February 2011 at 7.15 pm.

**Present**      The Mayor (Councillor Horsley)  
                  The Deputy Mayor (Councillor Brooks)  
                  Councillors Mrs Adkins, Mrs Allgrove, Beaven, Bishop, Bowrah, Cavill,  
                  Coles, Mrs Copley, Critchard, Denington, D Durdan, Ms Durdan,  
                  Farbahi, Mrs Floyd, Gaines, Guerrier, Hall, Hayward, Mrs Herbert,  
                  C Hill, Mrs Hill, House, Miss James, R Lees, Mrs Lees,  
                  Mrs Lewin-Harris, McMahon, Meikle, Mrs Messenger, Morrell, Murphy,  
                  Paul, Prior-Sankey, Mrs Stock-Williams, Stuart-Thorn, Swaine, Thorne,  
                  Watson, Mrs Waymouth, A Wedderkopp, D Wedderkopp, Williams and  
                  Mrs Wilson

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

### **1. Minutes**

The minutes of the meetings of Taunton Deane Borough Council which were both held on 14 December 2010, copies having been sent to each Member, were signed by the Mayor.

### **2. Apologies**

Councillors Edwards, Govier, Henley, Mullins, O'Brien, Slattery, Mrs Smith, P Smith and Mrs Whitmarsh.

### **3. Declarations of Interest**

Councillors Brooks, Paul, Prior-Sankey, Mrs Waymouth and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor McMahon declared personal interests both as a Member of the Somerset County Council and as a Director of Southwest One. Councillor Miss James declared a personal interest as an employee of Viridor. Councillors Mrs Adkins and Mrs Hill declared personal interests as employees of Somerset County Council. Councillor Hayward declared a personal interest as one of the Council's representatives on the Somerset Waste Board. Councillor Mrs Wilson declared a personal interest as an employee of Job Centre Plus. Councillor Watson declared a personal interest as the alternate Director of Southwest One. Councillor Farbahi declared a prejudicial interest as a recipient of pre-application planning advice in connection with the business he operated and left the meeting during the consideration of this matter.

### **4. Recommendation to Council from the Executive**

## **Fees and Charges 2011/2012**

Consideration had been given to the proposed fees and charges for 2011/2012 for the following services:-

- Cemeteries and Crematorium;
- Waste Services;
- Housing and Deane Helpline;
- Licensing; and
- Planning.

Details of the proposed increases were submitted. No increase was proposed to the Land Charges fees.

The results of previous public consultation events such as “Your Council, Your Views” had clearly indicated that the public preferred to see increases in fees and charges, rather than in Council Tax, as a way for the Council to raise income. Therefore, where possible, fees had been increased to take these views into account.

On the motion of Councillor Williams, it was

**Resolved** that the fees and charges for 2011/2012 in respect of Cemeteries and Crematorium, Waste Services, Housing and Deane Helpline, Licensing and Planning, as submitted, be agreed.

### **5. Exclusion of the Press and Public**

**Resolved** that the press and public be excluded from the meeting for the following item 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.

### **6. Recommendation to Council from the Executive**

#### **Former Nursery Site, Mount Street, Taunton**

(Prior to the discussion of this item, the Legal and Democratic Services Manager advised those Councillors who were Members of the Planning Committee that they would be able to join the debate and vote without “fettering their discretion”, if they wished to do so. This was because the details received from bidders as to their particular development schemes were indicative only at this stage. The decision would be subject to contract and the grant of planning permission. Therefore Members simply needed to make their usual declaration that they would consider any planning application on its merits at the time of considering that application.

If and when any scheme came forward for consideration by the Planning Committee, Councillors would then be able to make the declaration that they had not previously fettered their discretion and that they now had all the

necessary details before them which would enable the planning merits of the application to be fully taken into account.)

At its meeting immediately beforehand, the Executive had considered the outcome of the marketing exercise for the former Nursery Site at Mount Street, Taunton which had recently been undertaken by Southwest One.

The marketing exercise had tested a number of disposal options, details of which had been circulated.

A total of three bids were received by the closing date of 21 January 2011 and the main details of each bid were submitted. All of the bidders had proposed schemes for sheltered housing on the site.

Each bid was subject to contract and conditional upon the interested party obtaining a satisfactory planning consent for its proposed development scheme. Furthermore, a sale of the site would be subject to respective board approvals and satisfactory site surveys and investigations.

During the discussion of this recommendation, the Mayor thanked those Members and officers who had been directly involved in bringing this matter to a conclusion.

On the motion of Councillor Cavill, it was

**Resolved** that:-

- (a) The sale of the part of the former Mount Street Nursery Site shown on the plan included with the report, be progressed;
- (b) Southwest One be authorised to negotiate exclusively with the bidder identified in the report with a view to finalising appropriate terms and conditions that would protect the Council's best interests, including price, for the sale of the site, conditional upon appropriate planning permission being obtained and due regard being paid to the existing Traffic Survey information for the local area;
- (c) Once terms and conditions had been agreed, Southwest One be also authorised to instruct solicitors to proceed to the exchange of conditional contracts accordingly; and
- (d) Should negotiations with the bidder identified in the report prove abortive, the matter be brought back to the Corporate Scrutiny Committee and the Executive for further consideration as to how the Council should next proceed.

(Despite the advice offered by the Legal and Democratic Service Manager, Councillors Coles, Mrs Floyd and Morrell who currently sat on the Planning Committee, decided to abstain from voting.)

(The meeting ended at 7.56 pm.)