

Executive – 13 July 2011

Present: Councillor Williams (Chairman)
Councillors Mrs Adkins, Cavill, Hayward, Mrs Herbert, Mrs Stock-Williams and Mrs Warmington

Officers: Penny James (Chief Executive), Shirlene Adam (Strategic Director), Brendan Cleere (Strategic Director), Joy Wishlade (Strategic Director), Richard Sealy (Client and Performance Manager), Simon Lewis (Strategy and Corporate Manager), Scott Weetch (Community Development Lead), Adrian Priest (Principal Estates Surveyor, Southwest One, Property and Facilities), Tonya Meers (Legal and Democratic Services Manager) and Richard Bryant (Democratic Services Manager)

Also present: Councillors A Govier, Mrs Govier, Horsley, Meikle, Morrell, Mrs Smith and A Wedderkopp

(The meeting commenced at 6.15 pm.)

58. Apology

Councillor Edwards.

59. Minutes

The minutes of the meetings of the Executive held on 15 and 21 June 2011, copies of which had been circulated, were taken as read and were signed.

60. Public Question Time

Although welcoming the Task and Finish Group's report on the Future Swimming Provision in Taunton Mr Paul Partington stated that he had a number of concerns relating to the loss of the deep water at the Station Road Pool, the proposals to reduce heat loss and the affect any alterations might have on the pool tank.

He therefore asked that in taking the recommendations in the report forward, the Council considered the following matters:-

- (1) The preparation of a proper model to fully assess the heat losses and how such losses could be mitigated;
- (2) The stresses on the existing pool tank caused by any alterations; and
- (3) The payback period in terms of savings from reducing heat loss through any works that may take place to "fill in" the deep water end of the pool.

In response, Executive Councillor Mrs Herbert reported that the project was at a very early stage and that the points raised by Mr Partington would be taken into account.

61. Declaration of Interests

Councillor Mrs Warmington declared a personal interest as she knew Dr. Roger Crabtree.

62. Task and Finish Review into the Systems, Applications and Products (SAP) Computer System

Councillor Alan Wedderkopp, the Chairman of the Systems, Applications and Products (SAP) Computer System Task and Finish Review, detailed the recommendations the Group wished to make to the Executive.

Taunton Deane Borough Council, Somerset County Council, Avon and Somerset Constabulary and IBM launched a joint venture company, Southwest One, in 2007. One of Southwest One's projects was to introduce the Systems, Applications and Products (SAP) computer system across the partnership to drive efficiencies in procurement and working practices and promote new ways of working.

Some elements of SAP had run with no issues since going live. However, a number of "teething problems" in other functions had continued.

At its first meeting, the Task and Finish Group had agreed the terms of reference proposed by the Corporate Scrutiny Committee on 15 April 2010 as follows:-

- To focus on analysing the impact of SAP on customers, staff, financial and other processes and controls;
- To investigate the impact on suppliers of goods and services;
- To look at the effect on arms length organisations such as the Direct Labour Organisation, Project Taunton, Tone Leisure and the South West Audit Partnership (SWAP); and
- Independent support and assistance would be provided by SWAP.

The Group had been set up to investigate the impact SAP had had, particularly on Taunton Deane Borough Council and its customers. The Group had made clear at the outset that the investigation was not about criticising SAP but about understanding the system, why there had been problems and learning lessons for the future.

A series of six meetings of the Task and Finish Group had been held and information had been collected from a wide variety of sources to gain an understanding of how SAP should work and the problems which had been encountered by staff and customers since the system went live.

The Task and Finish Group had discussed the recommendations it wished to make to the Executive and considered that, as other local authorities might join the partnership or approach Southwest One to deliver services in the future, SAP would be launched again and the Group felt strongly that Southwest One should build on

the experiences and knowledge gained throughout the project to avoid further problems arising.

The Group also wished to thank staff for their patience and perseverance and for the way they had kept their services running during a difficult period to ensure minimum disruption to Council services.

Resolved that:-

- (1) the Task and Finish Group's recommendations be accepted, namely that:-
 - (a) A phased approach should be taken to ensure that individual elements were satisfactorily embedded before other aspects were launched;
 - (b) There should be adequate involvement by service users in the development of systems;
 - (c) Pilot schemes should be undertaken to identify key impacts and to ensure that training was focussed and effective;
 - (d) Future training for other than the most basic elements of the system should be delivered in a workshop fashion. Clear structures and governance should be put in place for managing and agreeing changes amongst all partners and a realistic plan should be put in place for future ventures to be properly project managed; and
 - (e) Change Managers should be appointed and remain in post for the duration of the project.
- (2) In addition, it was agreed that:-
 - (i) The above recommendations should be implemented in respect of the launch of the remaining elements of the SAP system;
 - (ii) The above recommendations should be considered before the Council implements any extension of SAP to another partner organisation or and future large scale system implementation; and
 - (iii) A summary of the findings of the report should be fed back to staff via the Core Brief.

63. **Task and Finish Review : Future Swimming Provision in Taunton**

Councillor Andy Govier, the Chairman of the Future Swimming Provision in Taunton Task and Finish Review, detailed the recommendations the Group wished to make to the Executive.

The Task and Finish Review had looked at viable options for a new pool in Taunton. The Station Road Pool had been built in 1974 and was a six lane, 33 metre pool. The St James Street Pool had been built in 1935 and was used almost exclusively by schools, clubs, organisations and private hire.

A feasibility study of the two pools had been carried out in 2004, which showed that a new pool would be more cost effective than the two existing pools. The suggestion had been that the new facility should include an eight lane, 25 metre pool with a four lane, 20 metre pool and fun pool. A fitness suite would be needed to support income. The cost would be £6-7,000,000 and would last between 25 and 40 years.

Due to plant failures at the St James Street Pool and its imminent closure in the coming years, there was an urgency to address the provision of swimming pools.

Various sites and the potential of partnership working were considered. It was agreed that the St James Street Pool would need to close and be replaced. Advice from Sport England and the Amateur Swimming Association suggested that a 50 metre pool would not be appropriate or value for money in Taunton.

It was felt that the best approach would be to commission a pool at an existing Council building, which could be delivered for approximately £2,000,000.

A detailed business plan would be required from Tone Leisure regarding the future viability of the pools. Timing of the work would be critical to ensure that disruption to swimming provision and income would be minimised.

Funding options to pay for the new pool included the following:-

- The Council currently had a Leisure planned maintenance budget of £317,000 per annum (for maintenance, insurance and water), plus £600,000 in the Leisure Capital Maintenance Reserve. Although the 2011 condition surveys had identified more work required than funding available across the five leisure sites, a proportion of the required maintenance work at Station Road Pool would be funded from this source, reducing the amount of new funding required;
- The Community Infrastructure Levy: There was a development tariff included in the Council's Infrastructure Delivery Plan of £5,000,000 towards new pools and refurbishment of existing pools until 2027. However, it was unlikely this full amount would be forthcoming due to development viability issues and such funding was only likely to become available from 2020 onwards;
- The sale of assets (including St James Street Pool) would provide capital contribution toward a new pool;
- Sport England grant pots. The Council could make bids to the 'Inspired Facilities Fund' of up to £150,000 and possibly other funding streams; and
- Prudential Borrowing – dependent on a business plan from Tone Leisure detailing operational income projections. There was a potential that significant borrowing would be required and that this debt would need to be serviced through additional revenue achieved from the facilities.

A condition survey of the Station Road Pool had shown that it required substantial improvement and renovation, but if undertaken, would give the pool an additional 15

to 20 years of operation life. Details of the work required were reported and was estimated to cost between £1,500,000 and £1,800,000.

Consideration had been given to moving the main teaching pool out of the town centre. The proposed extension to the Blackbrook site would provide a 25 metre pool, a small teaching pool and a café area. Additional parking would also be provided. A sewerage pipe would need to be re-routed prior to any development, but these costs had been included in the estimate of between £2,250,000 and £2,500,000.

The Task and Finish Review felt that the Station Road Pool improvements should be the priority to ensure that Taunton continued to be serviced with one pool.

A business case would need to be produced to ensure that revenue cost implications and options for funding the proposed investment could be considered. The preferred option would need to be affordable and value for money.

The Task and Finish Group's report had previously been considered by the Corporate Scrutiny Committee at its meeting on 5 July 2011. Although the proposed recommendations were accepted, Members did suggest that if the proposal to construct a new pool at the Blackbrook Pavilion Sports Centre was progressed, a transport and environmental impact assessment would need to be undertaken.

Resolved that the following recommendations be supported:-

- A full business case be developed to deliver the refurbishment and modernisation requirements at Station Road Pool to ensure it remained operational and viable for a further 15 to 20 years. The business case would need to include financial modelling of different options and would need Member sign-off of the preferred option. It would include full costing, operational business modelling, funding and repayment arrangements and consideration of risks, equalities and health and safety;
- A full business case be also developed for building a new pool on the side of the Blackbrook Pavilion Sports Centre, to include full costing, operational business modelling, funding and repayment arrangements and consideration of risks, equalities and health and safety together with conducting a full transport and environmental impact assessment;
- The two business cases be treated as one project to ensure a holistic approach was taken, to include an integrated programme of swimming activities for Taunton and most efficient use of water space. The project would also determine the best priority order for delivering the required works; and
- The Task and Finish Group be retained as a forum to oversee the development of the project plans.

64. **Reconsideration of the Executive Councillor decision made in relation to the Sailing Vessel “Tectona” funding**

Reported that former Executive Councillor Mrs Lewin-Harris had made the following decision which was reported in the Weekly Bulletin on 28 April 2011:-

“£10,800 from the Youth Initiative Budget should be allocated to meet the cost of three further voyages by the Sailing Gaffe “Tectona” during 2011. The dates of the voyages were 28 May to 1 June, 23-27 July and 22-26 October 2011”.

This decision was called in by Councillors Prior-Sankey and Mrs Smith for the following reasons:-

- (a) It was totally unacceptable that decisions were being taken without due regard to the scrutiny process and that decisions were being implemented before the call in time has passed. Because of the timing of the May trip, we are calling in the second and third trips because I would not want to withdraw the offer of the trip to those who were now anticipating their voyage;
- (b) What evidence did we have that spending more than 1/3 of the annual budget for Youth Initiatives on 60 young people to have a sailing trip, when there were more than 5000 young people in the 11-16 age group in Taunton Deane, was the best use of the funds available;
- (c) What criteria were used for selecting young people for the trips? We are told the Police, Schools, Youth Offending Team and the Cadet Units select those who would benefit for the trips but we do not have details of this process, nor is there any evidence of whether these young people lived in the unparished area or not, for the purposes of tracking the expenditure in the fund;
- (d) What had been the outcomes from the previous trips in terms of changing young people ‘on the edge’? How many of those who partook either failed on the expedition or continued their pattern of behaviour from previously, after the trip? How many had had a trip that changed their life forever? For the trips to succeed for all participants, was there a ‘best mix’ of young people who should be on each trip?

The call in had been considered by the Community Scrutiny Committee at its meeting on 7 June 2011 where it had been decided to refer the matter back to the Executive Councillor for Community Development for the following reasons:-

- The ‘lead in’ time for the proposed first voyage meant that the decision could not be properly scrutinised;
- There was a lack of preparation of youngsters before the trips;
- There was a lack of information on the outcomes of individuals;
- Consideration needed to be given to future trips of Tectona and a better process of distribution of the Youth Initiatives Fund (YIF); and

- There was a need to formalise the Youth Liaison Group.

In her response to Members, the new Executive Councillor for Community Development, Councillor Mrs Warmington, stated that this call in had revealed a number of shortcomings and learning points about the way that the agreed guidelines for the YIF had been applied in practice.

Having reviewed the points raised by the Community Scrutiny Committee, the following six commitments were proposed:-

- (1) It would be ensured that all future applications to the YIF gave sufficient time for any call in to be heard, prior to any decision being ratified and firm commitments given to applicants to the fund.
- (2) There should be more robust follow up to ensure that the criteria in the YIF were met in full and any lessons were learned from previous experiences. This sought to address the points of the call in, about lack of preparation of youngsters and lack of information on outcomes. It was really for applicants to ensure that individuals benefiting from projects were adequately prepared, but it would also be appropriate for the Council to challenge applicants if there was any obvious missing/scant information on an application.
- (3) The Council would seek to increase awareness of the fund in the community and attract more applications, so as to weigh up the benefits of different projects against the agreed criteria before any decisions are made.
- (4) The Council would welcome full applications to the fund for further sailing trips, which would be treated on merit alongside any other applications using the agreed criteria for the YIF.
- (5) Until this application and the above criteria had been satisfied, no further funds would be awarded towards sailing trips; and
- (6) The Monitoring Officer (Tonya Meers) was currently investigating the feasibility and desirability of formalising the Youth Liaison Group and would report back to Members in due course.

Councillor Meikle declared a prejudicial interest as he had applied for funding from the Youth Initiative Fund as a Member of the Taunton Rotary Club. However, before he left the meeting he confirmed that the proposed July Tectona trip had been cancelled which meant that only £3,300 was required from the YIF for the proposed October voyage. He added that the Youth Liaison Group comprised Councillors from both Taunton Deane and Somerset County Council and Police representatives.

During the discussion of this item, Members requested information on the allocation of funding from the YIF to date and feedback about the numbers of students who had benefitted from the various schemes which had been supported.

The proposed formalisation of the Youth Liaison Group was also supported which should enable the more robust use of available funding to be undertaken in the future.

The view was taken that the decision by former Councillor Mrs Lewin-Harris to award funding for the October Tectona voyage should stand, provided the new requirements announced by Councillor Mrs Warmington were adhered to. In practice a further, fully detailed application with supporting information would need to be submitted before the funding for this voyage was released.

Resolved that the decision to award funding from the Youth Initiatives Fund for the proposed Tectona voyage in October 2011 be confirmed, subject to the relevant commitments set out in (1) – (6) above, being met.

65. **Housing and Planning Delivery Grant**

Considered report previously circulated, concerning the current level of Housing and Planning Delivery Grant (HPDG) which remained to be allocated.

HPDG was allocated by the previous Government to Local Authorities based on their performance in Development Control, Plan Making and delivery of housing. However, since taking power in May 2010, the Coalition Government had scrapped HPDG for future years.

There was currently £505,040 held in the HPDG reserve. Of this £445,467 was revenue, the remainder (£59,573) was capital.

There had been several allocations from the HPDG reserve made since the last HPDG report (Minute No 80/2010 refers). They were taken into account in the figures above and were as follows:-

Revenue:-

- £73,400 towards Strategic Director salary in 2011/2012 as part of the Budget Setting process (Full Council February 2011); and
- £15,000 towards the £50,000 Taunton Deane Project Taunton funding in 2011/2012 agreed as part of the Budget Setting process (there was an underspend of £35,000 against the £50,000 agreed as part of the 2010/2011 allocations).

Capital:-

- £100,000 to re-pay Project Taunton agreed income from the sale of the Coal Orchard Car Park that was incorrectly allocated to General Fund Capital Reserves (Executive March 2011)

Since the previous HPDG report it had been assumed that there would be a reallocation of £216,000 to HPDG Capital that had been agreed to part fund the

purchase of a development site in Taunton. The opportunity that existed when this was agreed by the Executive in April 2010 was no longer there.

Reported that the following further allocations from the HPDG funding were now recommended to Members:-

- (1) £46,478 revenue towards the work required to prepare the Infrastructure Delivery Plan and the Community Infrastructure Levy (CIL) on development. The amount that was raised per new dwelling to contribute towards new infrastructure was subject to a rigorous evidential test. This work would give the Council that sound evidence set within a policy context that meant that the Council would be able not only to raise the levy but also an interim policy arrangement before the CIL was finally approved.
- (2) £8,970 revenue towards the additional costs arising from extending the economic and demographic projections in the Core Strategy to an end date of 2028 due to the delays in bringing the Core Strategy forward.

Noted that these allocations would still leave £390,019 revenue and £59,573 capital funding un-allocated.

When this matter was discussed by the Corporate Scrutiny Committee at its meeting on 26 May 2011, Members recommended that £100,000 of the available funding should be earmarked for inward investment purposes.

The Executive took the view however that the money should not be allocated until a specific project was identified.

Resolved that:-

- (a) the de-allocation of £216,000 of HPDG capital funding to part fund the purchase of a development site in Taunton as in the confidential Executive report dated April 2010, be confirmed;
- (b) £46,478 revenue be allocated towards the work required to prepare the Infrastructure Delivery Plan and Community Infrastructure Levy on development; and
- (c) £8,970 revenue be allocated towards the additional costs arising from extending the economic and demographic projections in the Core Strategy to an end date of 2028.

66. **Executive Forward Plan**

Submitted for information the Forward Plan of the Executive over the next few months.

Resolved that the Forward Plan be noted.

67. **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.

68. **Potential for the Disposal of an Asset, Taunton**

Reference Minute No. 36/2011, reported that the decision to dispose of Taunton Deane's interest in this site jointly with the other local authority and the leaseholders had been called in by Councillors Mrs Smith and Farbahi.

The call in had been considered at the meeting of the Corporate Scrutiny Committee on 28 April 2011 when it had been resolved to refer the matter back to the Executive for re-consideration on the grounds set out in the report.

The Principal Estates Surveyor, Southwest One, Property and Facilities had addressed the issues raised through scrutiny and had recommended that the joint disposal of the site should continue.

During the discussion of this item, Members agreed that the Principal Estates Surveyor should be authorised to enter into negotiations with the leaseholders in an attempt to increase the Council's percentage share of the equity following the disposal of the site.

Resolved that:-

- (1) The joint disposal of the site be proceeded with in accordance with the resolution made by the Executive at its meeting on 16 March 2011; and
- (2) Negotiations with the leaseholders as to Taunton Deane's percentage share of the equity of the site's value be also undertaken.

(The meeting ended at 7.40 pm.)