

Executive – 15 September 2010

Present: Councillor Williams (Chairman)
Councillors Cavill, Mrs Court-Stenning, Edwards, Hall, Hayward,
Mrs Herbert and Mrs Lewin-Harris

Officers: Penny James (Chief Executive), Shirlene Adam (Strategic Director), Tonya Meers (Legal and Democratic Services Manager), Dan Donovan (Building Control Manager), Simon Lewis (Strategy and Corporate Manager), Gareth Clifford (Development Management East Area Co-ordinator), Adrian Priest (Asset Holdings Manager, Southwest One) and Richard Bryant (Democratic Services Manager).

Also present: Councillors Farbahi, Henley, Morrell, Mrs Stock-Williams, A Wedderkopp and Mrs Wilson.
Mr J Laflin, Project Gaumont.

(The meeting commenced at 6.15 pm.)

84. Minutes

The minutes of the meeting of the Executive held on 18 August 2010, copies of which had been circulated, were taken as read and were signed.

85. Public Question Time

- (a) Councillor Henley referred to the recent announcement made by the Leader of Somerset County Council, Councillor Ken Maddock, that the proposed scheme to further pedestrianise part of Taunton Town Centre had been dropped. He asked whether Councillor Williams (the Leader of the Council) had had any personal discussions with Councillor Maddock on this topic before this announcement was made?

Councillor Williams stated that no such discussions had taken place, although he had invited Councillor Maddock and the Chief Executive of Somerset County Council to attend a meeting which was shortly to be held.

- (b) Councillor Henley also referred to the decision by the Co-op to close its distribution depot at Chelston, Wellington and the press release issued by the Council in connection with the closure.

He asked whether Councillor Cavill (Executive Councillor for Economic Development and the Arts) had personally tried to intervene to change the Co-op's mind?

Councillor Cavill confirmed that whilst he had not had any direct discussions with the Co-op, dialogue with the company, which had commenced during the term of the previous administration, had continued for months. Councillor Williams confirmed that as much as possible had been done to keep the Co-op Depot in Taunton Deane, but ultimately the company had chosen to relocate to Avonmouth.

- (c) Councillor A Wedderkopp understood that the new gas boilers for The Deane House had not been requisitioned yet. He sought assurance that the funding for the boilers was still in place and, if it was, asked that the work be commenced at an early date. How else would the Council meet its 10/10 commitment?

Councillor Williams confirmed that the funding was still available but talks with companies as to the supply of the boilers had taken far longer than anticipated. The Chief Executive, Penny James, confirmed that the latest situation would be reported to the Carbon Management Steering Group at its meeting later in the week.

86. Declaration of Interests

Councillor Mrs Court-Stenning declared a personal interest as an employee of Somerset County Council.

87. New Building Regulation Charging Scheme – Effective from October 2010

Considered report previously circulated, concerning the introduction of a new fee scheme for the Building Control function that met with the requirements of the Building (Local Authority Charges) Regulations 2010.

The Department of Communities and Local Government (DCLG) had consulted on a package of proposals to change the Building Control charging regime, with the aim of introducing more flexibility, accuracy, fairness and transparency and improving the standards and the environment within which Local Authorities and Approved Inspectors operated and competed.

The key principles remained as follows:-

- The need to fix charges by means of a scheme;
- Full cost recovery of the chargeable Building Regulations work; and
- The user should pay for the actual service that they received.

However, greater emphasis was given to the need to relate charges to the cost of carrying out the Building Control function for individual building projects.

The guidance also stated that Local Authorities should continue to make every effort to keep their costs to a minimum to ensure that charges remained affordable and competitive.

The Charges Regulations 2010 authorised the setting of charges for the following prescribed Building Regulation functions:-

- (a) Checking full plans applications;
- (b) Inspecting work associated with full plans applications;
- (c) Checking/Inspecting work associated with building notices;

- (d) Checking /Inspecting work reverting to Local Authority Control;
- (e) Checking/Inspecting work associated with regularisation applications; and
- (f) Providing advice in respect of the chargeable functions.

The principles that had to be followed when calculating charges were reported.

Details of the new scheme of charges which was required to be in place by 1 October 2010 were submitted and are appended to these minutes for the information of Members.

Resolved that:-

- (1) The Building Control scheme of charges made under the Building (Local Authority Charges) Regulations 2010, which was to be introduced on 1 October 2010, be approved; and
- (2) The ability to make minor changes to the scheme of charges to enable it to be consistent with other Somerset Building Control Authorities' Charging Schemes be delegated to the Growth and Development Manager, the Portfolio Holder and the Joint Building Control Manager.

88. Policy to protect the future use of the Gaumont Theatre building, Corporation Street, Taunton

Considered report previously circulated, concerning further ways in which the future use of the Gaumont Theatre Building (currently the Mecca Bingo Hall) in Corporation Street, Taunton could be protected.

Earlier in the year, a presentation was made to Members of the Community Scrutiny Committee by the 'Project Gaumont' Group to explore the prospects of one day returning the Gaumont building back into use as a Centre for Arts and Entertainment to run concurrently with the Brewhouse Theatre. This aspiration was supported by both the Theatres Trust and the Cinema Theatre Association.

The Group was of the view that the Listing Building status currently enjoyed by the Gaumont did not afford the building adequate protection from future re-development and that additional policies were needed to provide further protection.

The Community Scrutiny Committee had recommended the Executive to support the long term use of the Gaumont for performance and to take any steps that it could to support its long term use for performance, through planning policy.

Reported that the current use for the Gaumont was D2 – "Assembly and Leisure (which included Cinema, Concert Hall, Bingo Hall, Dance Hall, Swimming Bath, Skating Rink, Gymnasium, or area for indoor or outdoor sports and recreation, not involving motor vehicles or firearms)". This provided significant planning protection to ensure that the building was only used for D2 purposes.

Although any proposed change to the established use of the building would require a planning application and the required justification for that change of use, it was felt the case for its future use as a Centre for Arts and Entertainment / Theatre would be strengthened by policy statements, stating this as a Council aspiration for the building.

Further reported that Planning Policy Statement 4 (PPS4) 'Planning for Sustainable Economic Growth' encouraged a diverse range of cultural, leisure and recreation facilities in appropriate existing centres where sites or buildings for conversion were, or were likely to become, available within the plan period.

This too could be applied to the Gaumont building to add further weight for it to continue to be used in future for D2 purposes and ideally as a Centre for Arts and Entertainment or as a Theatre.

It was therefore recommended that the following proposals should be introduced to strengthen the existing policies relating to the Gaumont which were already in place:-

- (a) That the Council should publicly declare its cultural ambitions by updating its Cultural Strategy to include reference to the continued use of the Gaumont as a Class D2 building and its ambition to protect and promote the building as a Centre for Entertainment and Arts with potential future use as a theatre. The suggested wording for this is shown in the Appendix to these minutes;
- (b) The aspirations for the Gaumont Theatre building should be formalised in the Town Centre Area Action Plan when this was reviewed in 2012; and
- (c) To include a statement in the Core Strategy reinforcing the Council's cultural ambitions and the wish to support theatres in Taunton and Taunton Deane and to identify and support suitable buildings. The Core Strategy was a high level strategic document and it would not be appropriate to include a single building policy.

Mr Jim Laflin from Project Gaumont confirmed that the Group was very pleased with what the Council was proposing to do.

Resolved that the proposed policy measures identified above in relation to the Gaumont Theatre Building, Corporation Street, Taunton be approved.

89. **Executive Forward Plan**

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

Resolved that the Forward Plan be noted.

90. **Exclusion of the Press and Public**

Resolved that the press and public be excluded from the meeting for the following two items 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.

91. **Former Nursery Site at Mount Street, Taunton**

Reference Minute No 35/2009, considered report previously circulated, concerning the former nursery site at Mount Street, Taunton and how its disposal should be progressed.

Architects had been appointed to undertake further site investigations and surveys with a view to preparing and submitting a planning application for the residential development of part of the site. Details of the work undertaken and the costs incurred were reported.

Given the current state of the property market and taking into account professional advice that had been obtained, there appeared to be three possible ways by which the Council could proceed. Submitted for the information of Members details of the three options.

Resolved that Full Council be recommended to agree that Option 1, as detailed in the report, be implemented.

(Councillor Williams declared a personal interest at the start of the discussion of this item, on the basis that his company had previously used the services of the architect named in the report.)

(The meeting ended at 7.12 pm.)

TABLE A**STANDARD CHARGES FOR THE CREATION OR CONVERSION TO NEW HOUSING
INCLUDING FLATS AND APARTMENTS**

Table A – New Dwellings			
No.	Previous charge from 1st April – 30th September 2010 £ Net	Proposed new Charge £ Net	Variation %
1	596	638	+ 7.00
2	894	936	+4.70
3	1191	1191	0.00
4	1362	1362	0.00
5	1532	1532	0.00
6	1702	1702	0.00
7	1830	1830	0.00
8	1957	1957	0.00
9	2085	2085	0.00
10	2213	2213	0.00
11	2340	2340	0.00
12	2468	2468	0.00
13	2596	2596	0.00
14	2723	2723	0.00
15	2851	2851	0.00
16	2979	2979	0.00
17	3106	3106	0.00
18	3234	3234	0.00
19	3362	3362	0.00

Notes for Table A

1. For 20 or more dwellings or if the floor area of any dwelling exceeds 300m² the charge is individually determined
2. The Building Notice Charge is the sum of the plan charge and inspection charge + 25% (The charge from 1st April – 30th September 2010 was the sum of the plan charge and the inspection charge)
3. The Regularisation charge is the sum of the plan charge and inspection charge + 50%. Regularisation charges are not subject to VAT. (The charge from 1st April – 30th September 2010 was the sum of the plan charge and the inspection charge +20%)

TABLE B

STANDARD CHARGES FOR DOMESTIC EXTENSIONS & BUILDING WORKS TO A SINGLE BUILDING

Schedule B – Domestic Works			
Type of Work	Previous charge from 1st April – 30th September 2010 £ Net	Proposed Charge £ Net	Variation
Single storey Extension <10m ² (*)	298	298	0.0
Single storey Extension 10m ² - 40m ² (*)	460	409	-11.1
Single storey Extension 40m ² - 80m ² (*)	(**)	443	-
Multi storey Extension <40m ² (*)	460	468	+1.7
Multi storey Extension 40m ² - 120m ² (*)	(**)	545	-
Multi storey Extension 120m ² - 200m ² (*)	(**)	579	-
Loft Conversion >40m ² (*)	460	383	-16.7
Loft Conversion 40m ² - 100m ² (*)	(**)	409	-
Garage/carport <100m ²	(**)	255	-
Garage conversion	(**)	234	-
Partial glazing (up to 6 windows)	64	64	0.0
Total glazing (up to 20 windows)	128	128	0.0
Electrical installation	128	153	+19.5
Renovation of thermal elements, such as wall, floor or roof for work up to £20,000	(**)	153	-

(*) The Building Notice Charge is the sum of the plan charge and inspection charge + 10% (the charge from 1st April – 30th September 2010 was the sum of the plan charge and the inspection charge)

(**) No equivalent previous charge

Notes for Table B:

1. Where part of an extension is single storey and part is two-storey the charge for a two storey extension will be applied.

2. Where a first floor extension is constructed over an existing single storey structure the charge applied is that for a single storey extension of the same floor area.
3. The Regularisation charge is the sum of the plan charge and inspection charge + 50%. Regularisation charges are not subject to VAT. (The charge from 1st April – 30th September 2010 was the sum of the plan charge and the inspection charge +20%)
4. For domestic work up to £75,000 (but not covered in Table B) refer to Table C

TABLE C

STANDARD CHARGES FOR DOMESTIC ALTERATIONS TO A SINGLE BUILDING

Table C – Domestic work not fall within the above categories			
Estimated Cost £	Previous charge from 1st April – 30th September 2010 £ Net	Proposed Charge £ Net	Variation %
Up to 2,000	128	128	0.0
2,001 – 5,000	191	170	-11.1
5,001 – 10,000 (*)	255	255	0.0
10,001 – 15,000 (*)	319	319	0.0
15,001 – 20,000 (*)	383	383	0.0
20,001 – 25,000 (*)	447	447	0.0
25,001 – 30,000 (*)	510	489	-4.1
30,001 – 35,000 (*)	553	532	-3.8
35,001 – 40,000 (*)	596	574	-3.7
40,001 – 45,000 (*)	638	617	-3.1
45,001 – 50,000 (*)	681	660	-3.1
50,001 – 55,000 (*)	723	702	-2.9
55,001 – 60,000 (*)	766	745	-2.7
60,001 – 65,000 (*)	809	787	-2.7
65,001 – 70,000 (*)	851	809	-4.9
70,001 – 75,000 (*)	894	830	-7.2

(*)
The Building Notice Charge is the sum of the plan charge and inspection charge + 10% (The charge from 1st April – 30th September 2010 was the sum of the plan charge and the inspection charge)

Notes for Table C:

1. Charges are individually determined for the larger and /or more complex schemes where the estimated cost exceeds £75,000
2. The Regularisation charge is the sum of the plan charge and inspection charge + 50%. Regularisation charges are not subject to VAT. (The charge from 1st April – 30th September 2010 was the sum of the plan charge and the inspection charge +20%)

TABLE D**OTHER, NON DOMESTIC WORK - EXTENSIONS AND NEW BUILD**

Table D – Other Works			
Estimated Cost £	Previous charge from 1st April – 30th September 2010 £ Net	Proposed Charge £ Net	Variation %
Up to 2,000	128	128	0.0
2,001 – 5,000	191	213	+11.5
5,001 – 10,000	255	234	-8.2
10,001 – 15,000	319	298	-6.6
15,001 – 20,000	383	383	0.0
20,001 – 25,000	447	447	0.0
25,001 – 30,000	511	511	0.0
30,001 – 35,000	553	553	0.0
35,001 – 40,000	596	596	0.0
40,001 – 45,000	638	638	0.0
45,001 – 50,000	681	681	0.0
50,001 – 55,000	723	723	0.0
55,001 – 60,000	766	766	0.0
60,001 – 65,000	809	809	0.0
65,001 – 70,000	851	851	0.0
70,001 – 75,000	894	894	0.0

Notes to Table D

- 1 Charges are individually determined for the larger and /or more complex schemes where the estimated cost exceeds £75,000
- 2 The Regularisation charge is the sum of the plan charge and inspection charge + 50%. Regularisation charges are not subject to VAT. (The charge from 1st April – 30th September 2010 was the sum of the plan charge and the inspection charge +20%)
- 3 Building Notice applications are not appropriate for non-domestic work.

Appendix

Proposed wording to be included in the Council's Cultural Strategy in relation to the Gaumont Theatre Building:-

“The Council has considered the long-term future of the Gaumont Theatre, currently used as a bingo hall (Class D2). It is an ambition and strategic objective of the Council to protect and promote the building for Entertainment and cultural use and potentially as a theatre.”

“The Gaumont Theatre has been identified as a suitable building for expanding Taunton's cultural offer as a live performance and large touring venue to accompany the Brewhouse. A large touring venue such as this along with the Brewhouse, meet the Council's cultural aspirations and provide an environment for a sustainable community, offering social, cultural, environmental and economic benefits as well as regeneration. These buildings would make a major contribution to the vitality of town centres, helping attract and retain well-qualified people and businesses and with visiting audiences providing regular custom for local bars and restaurants outside normal working and shopping hours. This is only possible if potential sites are identified and become available, which is why the Council has declared its support for the Gaumont Theatre as such a site.”