

Executive – 3 May 2006

Present: Councillor Williams (Chairman)
Councillors Bishop, Mrs Bradley, Garner, Hall and Leighton

Officers: Mrs P James (Chief Executive), Ms J Wishlade (Strategic Director),
Mr K Toller (Head of Corporate Services), Mr N T Noall (Head of
Development), Mr P Carter (Financial Services Manager),
Mr D Thompson (Chief Valuer), Mr T Burton (Development Control
Manager), Mr G P Dyke (Member Services Manager)

Also Present: Councillors Henley, Lisgo and Stuart-Thorn

(The meeting commenced at 6.15 pm.)

39. Apologies

Councillors Cavill, Edwards and Mrs Lewin-Harris.

40. Public Question Time

(1) Councillor Henley as a member of the public asked the following questions:-

- (i) The leaflet that had been circulated in connection with the forthcoming Blackbrook and Holway By-Election regarding Holway Green, stated that no further action would be taken in respect of development in this area. Would the Chairman confirm that plans to build on Holway Green had been dropped.

Councillor Williams clarified the situation and explained that it had been stated that no further action would be taken whilst other sites were being investigated.

- (ii) Following suggestions which he had received during a recent event at Wellington Park, Councillor Bradley was asked if there were any plans to install a bicycle rack in the Park.

Councillor Mrs Bradley replied that requests of this nature should come through the Wellington Town Council. Councillor Williams added that if such a request were made it would be investigated further.

- (2) Mr P Harris asked a series of questions in relation to ongoing disputes between the Council and Mr S Robins. He felt that certain allegations were not being properly investigated. He said that these problems would not go away no matter which administration was in charge of the Council.

Councillor Williams replied that he was glad that it was acknowledged that these problems would not go away under any administration. These questions had been constantly raised and constantly answered. If the answers were not what Mr Robins wanted, they were repeated. It had been explained many times in the past that questions previously asked and answered would not be dealt with. Once again it was explained that the outstanding payment due to Mr Robins would be dealt with once Mr Robins had submitted a properly detailed breakdown of the amount claimed. The Council took very seriously the issues concerning Mr Robins particularly those where he owed the Council money. The Council were always willing to deal with any new legitimate items.

41. Corporate Services - Support to Corporate Project Teams

Submitted report previously circulated which requested Council approval for a Supplementary Estimate from General Fund Reserves, £56,530.00. This was needed to fund temporary additional staffing resources within the Personnel and Financial Services Units to enable support to corporate projects (ISIS, Stock Transfer, Vision, etc) to continue. It was envisaged that these arrangements would be required for a period of 12 months.

The Council were currently engaged in several key projects such as ISIS, Stock Transfer, The Vision for Taunton and Waste Contract Integration. Up until now professional technical support and advice from services such as Personnel and Finance had been provided within existing staffing resources. However, recently the demand of these projects had increased significantly as major work streams were now coming together within the same timescales.

Details were submitted of the effect that these projects would have, particularly on Personnel and Financial Services Units. Proposals were submitted to provide additional staffing for a period of 12 months in order that the corporate projects continued to receive proper support.

RESOLVED that the additional staff resources outlined in the report be agreed and Council be recommended to agree a Supplementary Estimate from General Fund Reserves of £56,530.00 to fund these posts for a period of 12 months.

42. Somerset Waste Board - Waste Collection Contract Award and Management

Members were updated on progress of the Somerset Waste Board Project. Proposals were submitted which provided the basis for cross-county agreement of an approach to co-ordinating the contract award process for the integrated refuse collection and recycling contracts.

This Council was participating in the development of contact integration for waste collection services in Somerset. This was an integral part of the Joint Waste Best Value Review Continuous Improvement Plan that had been adopted by the Council in March 2002.

The proposal to integrate contracts was seen as a means of reducing the financial burden of meeting increasingly challenging statutory requirements for minimising waste and diverting it from landfill.

Details were submitted of the business case for the integrated Waste Management Project together with progress made and the Project timetable.

The integrated collection procurement was progressing well but the decision to award the integrated collection contracts would require approval by all five District and Borough Councils. The time available for reaching a decision would be limited as it was essential that adequate time was available for the winning contractor to buy necessary equipment before the contracts started. However it was also essential that the decision-making process was transparent and that all the partner authorities were agreed that it was appropriate.

The award of the contracts would happen in two stages. Firstly a preferred bidder would be appointed in September, based on the valuation of responses to the invitation to negotiate stage. Following detailed negotiation with the preferred bidder, the contracts would be awarded in December. A similar approach for reaching a decision was proposed for each of the two stages.

The approach that had been developed by the Director's Implementation Group would entail:-

- (a) each Executive arranging a special meeting to discuss the single agenda item of selecting the preferred bidder or contract award. All Executives would meet in the same building and at the same time;
- (b) a joint presentation would be made to all Executives with a question/answer session;
- (c) each Executive would then meet separately and take the formal decision within their own committee administration arrangements;
- (d) the Leader of each Council would then report back to a plenary session on the decision of their Council with all five Councils being signatories to the decision.

The Special Meetings would be preceded by briefings and presentations from the Project Team and the Officers to the Executive and wider members as necessary.

The implementation of a single client operation to manage the new collection contracts and the integration of waste collection and disposal services would be a key to the success of the SWB project both in terms of service quality and efficiency.

The management structure would be brought to the Executive for consideration following consultation and details were submitted of the principles on which the draft structure would be based.

It was expected that most of the expertise and resources required for this project would be found in-house from within existing budgets or from DEFRA funding. However advice and external resource would need to be bought in to cover capacity problems within authorities and to provide the right level of expert advice for the project to succeed (Legal, Financial, HR). There would also be set-up costs for the new SWB client function.

The Public Service Agreement (PSA) for Somerset covered a number of performance areas including 'percentage of household waste arisings recycled'. The PSA covered a three-year period which ended in March 2006. A reward grant was paid for those areas of performance which achieved their stretch target and it appeared that due to the investment that both the County and District Councils had made in improved service delivery, that a reward grant would be payable on this target.

The PSA funding, together with funding currently in the SWB Budget and DEFRA funding, meant that the budget estimate for the project would be covered. The PSA Reward Grant would be available for the General Fund, however, it did not currently feature within any budget as it was never certain that it would be achieved.

RESOLVED that:-

- (1) The Report be noted, including progress on the procurement of the integrated refuse collection and recycling contracts and the development of the single client for managing all waste services in Somerset;
- (2) The contract award mechanism set out above, be agreed;
- (3) The allocation of the PSA Reward Grant to Taunton Deane Borough Council for the waste performance to supporting the SWB project be agreed.

43. Providing for Gypsies and Travellers – an Update

Reported that the Council had a responsibility for meeting the accommodation needs of Gypsy and Travellers as both Housing and Local Planning Authority.

A recent assessment of needs had shown there to be 22 caravans on unauthorised sites. Although it was not expected that every caravan would represent a legitimate housing need that would need to be met on an authorised site, it was clear that a number would. Where the unauthorised site could not be tolerated, any households or groups with a legitimate need for accommodation, represented a priority for action.

A new Planning Circular relating to Gypsy and Traveller's sites had been issued. It contained revised guidance for Local Planning Authorities including a requirement for sites to be allocated in LDFs for Gypsies and Travellers which would need to be taken into account in due course. The Circular also amended previous guidance concerning the circumstances in which Gypsy and Traveller's sites might be acceptable, creating a need for the Council's current policy on Gypsy and Traveller sites to be implemented in an amended manner.

This matter had been considered in some detail by both the Housing Services Review Panel and the Strategic Planning Transportation and Economic Development Review Panel and the recommendations had been supported.

The responsibility that the Council now had with regard to Gypsy and Traveller accommodation needs, the identification of unmet needs in the form of unauthorised sites and the Revised Planning Guidance in Circular 01/2006 all had implications for the Council's future actions. These could be broken down into addressing short-term needs, the need to allocate sites and the impact of the Circular on the determination of planning applications.

RESOLVED that the report be noted and the following actions be agreed:-

- (a) an assessment of the needs of each individual family or group currently occupying unauthorised sites be undertaken;
- (b) opportunities be identified for providing suitable sites with those individuals, families or groups accepted as having legitimate needs;
- (c) a change approach to the implementation of Taunton Deane Local Plan Policy H14 be adopted to reflect the more flexible approach to applications within areas of nationally recognised environmental designations such as AONBs or SSSIs, greater flexibility in terms of the distance from facilities and new advice that existing communities should not be dominated by large scale Gypsy sites;
- (d) criteria to guide the allocation of sites be included in the Core Strategy DPD; and
- (e) specific site allocations to accommodate identified unmet needs be included in the allocations DPD;
- (f) a further update be submitted in six months on progress in finding suitable sites.

44. Proposed Compulsory Purchase Orders for Principal Development Sites within the Vision for Taunton Proposals

Reported that detailed delivery arrangements were now being progressed in respect of a number of key development sites within the Vision for Taunton proposals, as envisaged in the Terence O'Rourke Masterplan.

Whilst the Council was a major landowner in the three key areas of Firepool, Tangier and the Town Centre Retail area, it was likely that other areas of land, together with interests in land such as easements would need to be acquired from third parties. Whilst it might be possible to acquire some of these interests by negotiation, it was considered essential that in all cases the Council had a suitable Compulsory Purchase Order resolution in place for each of the main sites where land acquisition would be required.

In order to send out a clear message to all those involved in delivering the Council's aspirations for the main Vision for Taunton development sites, it was considered that an 'in principle' commitment should be made to the making of such Compulsory Purchase Order resolutions as would be required in future to deliver the Vision proposals. A detailed report would be submitted in respect of each development site where a Compulsory Purchase Order was proposed.

RESOLVED that an 'in principle' commitment be made at this stage to promoting Compulsory Purchase Orders as thought necessary in respect of the key development sites within the Vision for Taunton proposals.

45. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting for the following items because of the likelihood that exempt information would otherwise be disclosed relating to clauses 7 and 9 of Schedule 12(a) of the Local Government Act 1972.

46. Virement Request to Council

A recommendation was submitted that Council be asked to approve the following virements between budgets:-

- (1) The virement of the CCTV budget from Planning Policy and Transportation Portfolio to the Community Development Portfolio;
- (2) The virement of the Capital Budget for the proposed purchase of land at Bishops Hull from the Leisure Portfolio to the Economic Development Portfolio and the use of these monies for the purchasing of land at Bishops Hull or for Vision for Taunton capital purposes.

RESOLVED that Council be recommended that the above virements be agreed.

47. Taunton High Street Retail Schemes – Proposed Exclusivity Agreements

Consideration was given to providing a period of exclusivity to developers who had provided proposals for retail schemes in the town centre, on the basis set out in the Chief Valuer's report.

RESOLVED that:-

- (1) Exclusivity Agreements be agreed with the developers on the basis set out in the report for a period of 18 months subject to satisfactory progress being achieved;
- (2) Subject to satisfactory progress being made in the design of suitable schemes, the Council appoint a firm of consultant development surveyors to provide advice on this matter. If necessary further legal advice could also be obtained prior to any final decision by the Council.

48. Priory Bridge Road Car Park – Proposed Exclusivity Agreement

Consideration was given to the possibility of granting an Exclusivity Agreement in respect of the Priory Bridge Road car park site on the basis of the Chief Valuer's report.

RESOLVED:- that an Exclusivity Agreement be granted on the basis set out in the report.

(The meeting ended at 8.05 pm.)