

## **Executive – 4 December 2008**

**Present:** Councillor Henley (Chairman)  
Councillors Brooks, Coles, Horsley, R. Lees, Mullins, Prior-Sankey,  
Mrs Smith and A Wedderkopp

**Officers:** Penny James (Chief Executive), Shirlene Adam (Strategic Director),  
Tonya Meers (Legal and Democratic Services Manager), Paul Carter  
(Financial Services Manager), Emily Collacott (Principal Accountant),  
John Williams (Chief Housing Officer), John Lewis (Parking and Civil  
Contingencies Manager), Paul Rayson (Cemeteries and Crematorium  
Manager) and Richard Bryant (Democratic Services Manager)

**Also present:** Councillors Edwards, Farbahi, Hall, Morrell, Stuart-Thorne, Mrs  
Whitmarsh, Mrs Wilson and Williams.  
Mr I Rees, Somerset County Council

(The meeting commenced at 6.15 pm.)

### **219. Minutes**

The minutes of the meeting of the Executive held on 12 November 2008,  
copies of which had been circulated, were taken as read and were  
signed.

### **220. Public Question Time**

Councillor Mrs Lewin-Harris, as a member of the public, asked the following  
four questions:-

- (1) Were leaflets publicising the waste collection service dates and detailing  
the types of waste that could be recycled going to be published by the  
Somerset Waste Partnership? Councillor Mrs Lewin-Harris referred to a  
leaflet published by Dorset County Council which she had recently seen  
which would be ideal as the basis for a leaflet which could be produced  
for residents in Taunton Deane.

In response Councillor Mullins enquired whether Mrs Lewin-Harris had  
seen the centre page “flyer” in the last edition of the Somerset County  
Council’s free newspaper “Your Somerset” which provided precisely the  
information Mrs Lewin-Harris was seeking to be publicised. He added  
though that he would welcome sight of the Dorset leaflet to see how  
another authority presented details of its waste service.

- (2) In the Weekly Bulletin, just published, there is a decision relating to  
“traditional type graves” being discontinued at Taunton Cemetery. Could  
clarification be given as to what this meant?

Councillor Mullins and the Cemeteries and Crematorium Manager, Paul

Rayson, explained that this did not relate to the depth of the grave but to the “lawns” in front of some headstones. There were significant issues with the maintenance of these areas such that the decision had been taken to stop offering this type of memorial. Lawn-type headstones and lawn-type tablet graves would continue to be provided.

- (3) Was it true that Home Start in Taunton was short of funding and likely to close at the end of December 2008?

Councillors Wedderkopp and Prior-Sankey confirmed that the organisation did have funding difficulties. The Taunton office was in the process of amalgamating with other Home Starts in Somerset which should put themselves in a position where they could tender successfully for future work. Councillor Brooks understood that the Taunton office did have sufficient finance until April 2009.

- (4) With reference to the Viability Assessments discussed recently at the Strategy and Performance Panel, Councillor Mrs Lewin-Harris stated that whilst it was good Cushman Wakefield had now submitted the assessments, they were rather simplistic and inadequate. She asked whether it was intended to employ this company again in the future?

Councillor Coles confirmed that it was most unlikely the company would be offered any further work.

## 221. **Declarations of Interest**

The Chairman declared a personal interest as a Member of Somerset County Council. Councillors Brooks and Prior-Sankey declared personal interests as Members of Somerset County Council and as Members of the Somerset Waste Board. Councillor Prior-Sankey also declared a personal interest as a Supporting People Commissioning Member. Councillor Coles declared a personal interest as a Director of Southwest One. Councillor Mullins declared a personal interest as a Member of the Somerset Waste Board. Councillor Mrs Smith declared a personal interest as an employee of Somerset County Council.

## 222. **Proposed Civil Parking Enforcement Partnership**

Considered report previously circulated, concerning a proposal to form a county-wide Civil Parking Enforcement Partnership.

The proposal was for one organisation to carry out on-street parking and off-street parking enforcement across Somerset, seeking economies of scale across various activity streams not achievable in single district operations.

At present, the Council operated Civil Parking Enforcement (CPE), but there would be financial and operational implications if a Partnership was formed. Noted that the setting of off-street charges would remain with the District Councils.

The first stage of the project was the investigative and exploratory work needed to establish the advantages and disadvantages, both operationally and financially, of a Partnership. The issues to be addressed were detailed in the Appendix to the report. The proposed split of work between the partners and estimated resource requirements were also reported.

**Resolved that:-**

- (1) Approval be given to the consideration of the introduction of a Somerset Civil Parking Enforcement Partnership;
- (2) Nominations be made for a Member to join the proposed Steering Group and officers to join the Management Board and Delivery Teams; and
- (3) Approval be given to officers contributing time towards the investigative stage work items.

### 223. **Fees and Charges 2009/2010**

Considered report previously circulated, which set out the proposed fees and charges for 2009/2010 for the following services:

- Cemeteries and Crematorium – It was proposed to increase the main cremation fee by £27 to £536. It was estimated that this would generate additional income of £60,000. Other fees had been largely increased by 5.3% which would raise a further £10,000 of income.
- Waste Services – For the emptying of garden waste bins, the fee was proposed to increase from £25 to £35 which would raise £79,000 of income. In addition, the charge for paper sacks was proposed to increase from £10 to £15. The charge for bulky household waste service was also proposed to increase to £15.
- Land Charges – It was proposed to keep Land Charges fees the same as the current year. This was in line with Government expectations that the service should break even.
- Housing – in an attempt to ensure that the Housing Revenue Account followed the same timetable as the General Fund, views were sought on the proposed increases in charges rather than incorporating it into the overall budget proposals.

The Council had received the draft subsidy determination for 2009/2010 from the Department for Communities and Local Government and in line with the formula used to set rents, it was proposed that Housing fees and charges should be increased by the September 2008 Retail Price Index plus 0.5%. This equated to increases of 5.5%.

- Licensing – Many licensing fees were set nationally and much of the income derived resulted from these fees. However, where there was local flexibility to set an appropriate amount, the proposed increases sought to ensure that Taunton Deane’s costs in administering and enforcing such licenses were adequately met from the income received.

Noted though that great care had to be taken to set an appropriate rate as many of the licensing fees and charges were delicately balanced. If rates went up too much, this could easily suppress the market and lead to an overall reduction in income. It could also encourage more illegal and therefore unregulated trading resulting in greater risks to public safety.

It was anticipated that the proposed increases would generate an additional £10,850 in 2009/2010.

- The charges relating to the Car Park Service would be subject to consideration by the Traffic Regulation Orders Panel on 17 December 2008.

During the discussion of this item, Members felt that a review of the Street Trading Licences Fees should be carried out with a view to increasing the fee. It was reported however that the High Court had previously decided that Councils could only charge a fee for street trading which met the cost of issuing and administering the licences.

Concern was also expressed about the proposed increase in the cost of emptying garden waste bins. It was felt that this could lead to a significant “drop off” in users of this service which, in turn could encourage further incidents of fly-tipping. Not only would the Council lose out on the amount of income anticipated but would have to meet the cost of clearing up fly-tipped materials.

The Chief Housing Officer, John Williams, informed the Executive of the views of the Tenants Forum in relation to the proposed increase in the Housing Charges. The Forum had specifically asked that the Supporting People Service Charges should only be raised by the rate of inflation (4.5%) instead of 5.5%.

Councillor Prior-Sankey informed Members that such an adjustment would result in lost income amounting to £8,000 but this could be managed in the overall Supporting People budget.

**Resolved** that:-

- (1) the proposed Supporting People Service Charges for 2009/2010 be amended as follows:-

- Specialised (Extra Care) Sheltered Housing - £36.06 (instead of £36.41);
- Sheltered Housing – £10.22 (instead of £10.32); and
- Hardwired Sheltered Housing – £3.64 (instead of £3.67);

(2) Full Council be recommended to approve the proposed fees and charges, for 2009/2010, as amended above.

## 224. Savings Delivery Plans 2009/2010

Considered report previously circulated, detailing the proposed Savings Delivery Plans which had been produced as part of the budget setting process for 2009/2010.

### (1) Medium Term Financial Plan (MTFP) Update

Reported that the estimated budget gap reported to the Overview and Scrutiny Board on 30 October 2008 was £1,020,000. There had been several changes to this position since then and the latest predicted budget gap was £1,548,000. The main reasons for this change were:-

Item	Impact On Budget Gap £000	Current Gap £000
Gap as reported to Overview and Scrutiny on 30 October		1,020
<b>MTFP Changes – Good News</b>		
Members Allowances – cost of scheme proposed by panel is slightly lower than MTFP assumptions.	(3)	
Taunton TIC – expected loss of ticket income during 0809 has been revised down.	(32)	
Executive Councillors propose to increase the garden waste service charges to £35 pa. Please see the Fees & Charges report considered earlier on this agenda.	(79)	
		(114)
<b>MTFP Changes – Bad News</b>		
Qtr2 0809 budget monitoring update – reduced income for Land Charges.	40	
Free Swimming for Over 60s and Under 16s, as recently agreed by the Executive.	45	
Council Tax Base - the draft tax base is lower than anticipated with growth being only 0.6% when compared to the 1.7% assumed in the MTFP. This will be subject to a separate report to Executive in December.	60	
Collection Fund deficit - the forecast deficit is £763k and this is shared amongst all of the	79	

major preceptors, TDBC's share is just over 10%.		
Inflation - the recommended inflation allowance for electricity & gas is 80% & 90% respectively - unsurprisingly this is well above MTFP assumptions.	68	
Investment returns - with the recent 1.5% cut in interest rates we need to further revise downwards our expected investment returns for 2009/10. Our Treasury Management advisors are now forecasting rates to drop to 1.5% during 2009.	350	
		642
<b>Budget Gap</b>		<b>1,548</b>

Noted that a further update on the budget gap position would be provided in the budget consultation packs issued to all Councillor towards the end of December 2008.

## (2) Savings Delivery Plans

As in previous years, the Profile of Services had been used to help the budget setting exercise and to provide direction to the service areas that the Council wished to disinvest from to deliver a balanced budget. Details of the draft Savings Delivery Plans were submitted.

The Overview and Scrutiny Board had considered the Plans at its meeting on 27 November 2008.

Consideration was given to taking all those savings that had been identified with a public acceptability rating of 1 and 2 and possibly some category 3 items as well, in order to help close the budget gap. The table below showed the impact on the current gap of these items:-

	<b>Savings £'000</b>	<b>Budget Gap £'000</b>
<b>Revised budget gap</b>		1,548
<b>Public Category 1</b>	(272)	
		1,276
<b>Public Category 2</b>	(166)	
		1,110
<b>Public Category 3 items:</b>		
Planning: D1 (reduction in Heritage & Landscape grants)	(1)	
Environmental Health: D6 (reduction in dog bin budget)	(2)	
Policy: D3 (relocatable CCTV)	(4)	
<b>Revised budget Gap assuming all</b>		<b>1,103</b>

<b>savings above were taken</b>		
---------------------------------	--	--

### **(3) Housing Revenue Account**

The only change to the Housing Revenue Account (HRA) MTFP was regarding the subsidy payable and the rents position. The Department for Communities and Local Government (DCLG) had issued a consultation paper outlining the following two options for rent:-

- Option 1 - Either rent convergence taking place in 2011/2012 as originally planned. This would push rents over 9% and subsidy payable would increase. The funding gap in 2010/2011 would be largely unchanged; or
- Option 2 - Rent convergence would be deferred for several years and rents would be capped at a maximum increase of 7%. This would be more favourable to the HRA and would mean that there would be no funding gap over the next five years.

Noted that the DCLG would be requested to proceed with Option 2.

Further reported that although no formal target had been issued to the HRA, proposed savings of £64,000 had been identified, which were included in the above figures.

During the discussion of this item the following points were made by Members:-

- The process appeared to be “back to front”. The implications of the Core Council Review were required before deciding upon other savings;
- The Council was in a dire financial situation which only a joint budget could sensibly address;
- The proposed reduction in subsidy to the Brewhouse Theatre and the rise in football pitch fees were not supported;
- Should the Council reinstate charging for Blue Badge holders in its car parks to raise much needed revenue?
- Would more “Brings Banks” really be removed before the kerbside cardboard and plastic collections started?
- When would proposals which addressed the £1+ million budget gap come forward for consideration?
- A 4.5% Council Tax increase was already built into the published figures so there was little room for manoeuvre with this.

**Resolved that:-**

- (1) The updated budget gap for the 2009/2010 financial year be noted;
- (2) The comments of Members, set out above, be taken into account; and

- (3) The Savings Delivery Plans with a public acceptability rating of 1 and 2, together with the category 3 items set out in the report, be incorporated into the 2009/2010 budget.

225. **Council Tax Base 2009/2010**

Reported that the Council Tax Base, which was calculated annually, had to be set between 1 December and 31 January each year.

The Council tax base was the “Band D” equivalent of the properties included in the Valuation Officer’s banding list as at 15 October 2008, as adjusted for voids, appeals and new properties and the provision for non-collection.

The Band D equivalent was arrived at by taking the laid down proportion of each Band as compared to Band D, and aggregating the total. The approved base had to be notified to the County Council, the Police Authority, the Fire Authority and to each of the Parishes.

Adjustments had also been included for new dwellings and for initial void exemptions for empty properties.

The Council Tax Base also had to reflect the provision for losses on collection. The rate for 2009/2010 was 0.8%, as in the previous year, giving an anticipated collection rate of 99.2%.

The Council Tax Base for 2008/2009 was 40,153.07 and the recommended base for 2009/2010 of 40,399.85 represented an increase of 246.78 or 0.61%.

**Resolved** that:-

- (a) the report of the Financial Services Manager for the calculation of the Council Tax Base for the whole and parts of the area for 2009/2010 be approved; and
- (b) pursuant to the Financial Services Manager’s report, and in accordance with the Local Authority (Calculation of Tax Base) Regulations 1992, the amount calculated by Taunton Deane Borough Council as its Tax Base for the whole area for the year 2009/2010 shall be 40,399.85 and for the parts of the area listed below shall, for 2009/2010 be:-

Ash Priors	76.70
Ashbrittle	91.34
Bathealton	81.32
Bishops Hull	1,072.93
Bishops Lydeard/Cothelstone	1,942.94
Bradford on Tone	288.20
Burrowbridge	202.22
Cheddon Fitzpaine	639.44
Chipstable	126.92
Churchstanton	323.50



Combe Florey	122.10
Comeytrowe	2,087.85
Corfe	133.16
Creech St Michael	947.91
Durston	58.80
Fitzhead	125.72
Halse	144.89
Hatch Beauchamp	262.64
Kingston St Mary	448.44
Langford Budville	235.70
Lydeard St Lawrence/Tolland	201.80
Milverton	597.33
Neroche	252.56
North Curry	730.57
Norton Fitzwarren	807.63
Nynehead	156.97
Oake	334.07
Otterford	166.56
Pitminster	457.35
Ruishton/Thornfalcon	618.09
Sampford Arundel	130.44
Staplegrove	725.08
Stawley	130.96
Stoke St Gregory	382.12
Stoke St Mary	204.74
Taunton	16,154.15
Trull	1,006.54
Wellington	4,658.68
Wellington (Without)	299.17
West Bagborough	162.97
West Buckland	441.31
West Hatch	141.84
West Monkton	1,113.54
Wiveliscombe	1,112.63
<b>Total</b>	<b>40,399.85</b>

226. **A Review into the Planning Department's Role in Delivering Large Housing Schemes**

Submitted for information and comment, the recommendations of the Planning Department's Role in Delivering Large Housing Schemes Task and Finish Review.

The Review was initiated in response to calls from several Councillors to investigate the role of the Council's Planning Department in realising the larger housing developments and how the process could be improved.

At its first meeting, the Task and Finish Group agreed that the review's aims would be to:-

- To understand what the difficulties actually were, as recognised by those involved in the process: the Planning Department, developers and architects;
- To recommend ways of delivering planning decisions more quickly on major housing and affordable housing sites. 'Major' was used in this sense as a general term distinct from 'Major Planning Applications' defined by planning targets; and
- To find ways to speed up Planning Obligations negotiations so schemes were not unnecessarily delayed.

The Task and Finish Group had also agreed that its terms of reference should be to:-

- Define 'large' housing schemes;
- Consider the difficulties being experienced under current practice;
- Identify practicable ways of improving the current system of operating; and
- Make recommendations to the Executive for consideration.

A series of meetings of the Task and Finish Group had been held and evidence had been collected from a number of sources including Sector, The House Builder's Federation and a Planning Consultancy.

When the draft final recommendations of the Task and Finish Group had been considered by the Overview and Scrutiny Board on 13 October, 2008, it had been agreed to recommend their acceptance to the Executive subject to the inclusion of the following suggested changes:-

- In Recommendation 2, the word "appropriate" be removed from the final sentence;
- In the same sentence of Recommendation 2, "at an early stage" be replaced with the words "at the pre-application stage";
- In Recommendation 3, the words "or another consultant" be added after the word "Sector"; and
- A further recommendation be added to recognise the fact that the Planning Department needed to be adequately resourced to deliver large planning schemes more quickly.

The Executive accepted these suggestions and also made a number of other minor amendments to the wording of some of the recommendations which are shown in italics below.

**Resolved** that the following recommendations of the Planning Department's Role in Delivering Large Housing Schemes Task and Finish Review, be accepted:-

**Recommendation 1**

The Council should seek advice from, and work with, *the Advisory Team for Large Applications* (ATLAS) on major housing or mixed use developments.

**Recommendation 2**

The Council should enact the Large Application Charter suggested by ATLAS. The Charter should also be developed in consultation with the Overview and Scrutiny Board *and the appropriate Executive Councillor* for later inclusion in the Statement of Community Involvement. A protocol should be developed to facilitate Member involvement in major planning applications at the pre-application stage.

**Recommendation 3**

*Appropriate Consultants* should be used to support the needs of Taunton Deane Borough Council on viability issues.

**Recommendation 4**

Wherever possible, "Heads of Terms" for Planning Obligations should be agreed with the developer before a planning application was submitted.

**Recommendation 5**

The "clawback" process should be used in appropriate cases to protect Council interests where necessary. If such arrangements were made, benefits should accrue on the actual rather than the forecast returns.

**Recommendation 6**

The Overview and Scrutiny Board *and the appropriate Executive Councillor* should be consulted on the suggested Planning Obligations procedure to be incorporated in the Local Development Framework.

**Recommendation 7**

The "open book" procedure would be mandatory as part of the guidelines.

(The meeting ended at 8.10 p.m.)