

Executive 13 September 2006

Present: Councillor Williams (Chairman)

Councillors Bishop, Mrs Bradley, Clark, Garner, Hall, Leighton and Mrs Lewin-Harris.

Officers: Mr J J Thornberry (Strategic Director), Ms S Adam (Strategic Director), Mr M Western (Head of Housing), Mr J Williams (Housing Operations Manager), Mr M Hembrow (Housing Property Services Manager), Mrs L Wyatt-Jones (Strategic HR Consultant) and Mr G P Dyke (Member Services Manager)

Also present: Councillors Mrs Biscoe, C Cluff, Henley, House, Morrell, Prior-Sankey and Mrs Whitmarsh

(The meeting commenced at 6.10p.m.)

69. Apology

Councillor N Cavill

70. Minutes

The minutes of the meeting held on 23 August 2006 were taken as read and were signed.

71. Public Question Time

Patricia Rowe asked for clarification of the role of tenant members on the Shadow Board. She also asked what consultation had been carried out with the wider community, particularly those who were not Council tenants. She felt that there was a general misunderstanding regarding the valuation of stock.

Malcolm Western and Jeremy Thornberry replied that tenant representatives on the Shadow Board fully understood their role. The prime duty of a Board member was to that body rather than the body or organisation that had nominated them. One third of members of the Board were tenants, one third councillors and the remaining third were independent. Board members were able to represent a particular body of opinion without prejudicing their position. Malcolm Western also stated that although a decision had been taken not to consult the wider community to the same extent as tenants, exhibitions had taken place at a number of public events.

Councillor Garner replied that any questions concerning stock valuation would be willingly answered so that the position was quite clear.

Councillor Williams also replied that the Board would represent the best interests of the community they were there to serve. This was compatible with the Company's objectives and their place on the Board. It was clear that this issue

would impact on the whole community and not just those who were Council tenants.

He made it clear that houses would not receive anything like full market value. However, any surplus that was received would be ploughed back into providing affordable housing. It was important to note that the properties would not be sold to the private sector but would be transferred to a Registered Social Landlord.

72. Declarations of interest

Councillor Mrs Biscoe declared a personal interest in Agenda item no 6 as a member of the Shadow Board and as a tenant of a Council owned garage.

Councillor Prior-Sankey declared a personal interest in Agenda item no 6 as a tenant of a Council owned garage.

Councillors C Cluff and Morrell both declared a personal interest in Agenda item no 6 as members of a company which was involved in providing valuations in respect of Right to Buy properties.

73. Housing Transfer Offer Document

Members were aware that extensive consultation had been taking place with tenants to consider transfer of the Council's housing stock to a new Registered Social Landlord, Deane Housing. Leaflets, newsletters and other written material had been sent to all of Council tenants to explain:-

- 1) Why the Council had chosen this path
- 2) The £1.85m per annum shortfall in funding that would be experienced should the Council be required to keep services as they are and meet the Government's "Decent Homes" standard.
- 3) The cuts to services and jobs that would be necessary in order to close the funding gap
- 4) How tenants' rights would be protected
- 5) What the benefits of transferring to Deane Housing would mean to tenants.

This information had been supported by staff, Councillors and Deane Housing Shadow Board members attending many different public events, "door knocking", static stands in supermarkets and a mobile trailer visiting many villages and estates. Staff were now visiting tenants who had been missed in the first round of door knocking. There had also been press coverage of the consultation procedures. All staff had been kept updated through meetings, newsletters and information from their managers.

The main aim was to ensure that all tenants knew about the Housing Transfer Consultation and understood its implications

At the same time a draft offer document had been prepared which had previously been scrutinised by the Executive, Housing Review Panel, Deane Housing Shadow Board, the Tenants Forum, advisors and housing managers. The Tenants Panel, supported by Aldbournes, the independent tenants advisors, had worked hard on this document. In conjunction with the offer document a DVD/video and summary pamphlet were being prepared.

After much consultation and advice a final draft of the offer document had now been prepared. A copy of the draft was circulated at the meeting. In view of the tight timescale for producing the document and the need for it to be agreed by various regulators, it had not been possible to circulate it earlier. Indeed a number of last minute alterations were necessary and details of these were also reported.

The majority of the promises in the offer document reflected the issues raised in previous reports and could be funded from the £34.7m valuation. There were, however, some changes to the consultation promises that would have financial implications for the Council. In addition it might be necessary to consider providing an additional service regarding the provision of replacement glazing.

It was now necessary to decide whether the Council should take the next step towards balloting the tenants on transferring the housing stock to Deane Housing. The next step would be "stage one"; and would involve issuing each tenant with a copy of the offer document, DVD/video and summary. At the same time tenants would be visited by staff to ensure a full understanding of the promises contained in the offer document. A market research exercise would then be undertaken to clarify tenants' understanding and likely voting position.

Further special meetings of the Executive and Council had been arranged to take place on Monday 13 November 2006, when the Council must decide whether or not to proceed to ballot.

RESOLVED that:-

- i) funding for individual digital TV reception be diverted to fund dedicated budgets for each sheltered housing scheme;
- ii) the timing and cost of upgrading communal TV aerials be considered once these details were known and built into the Council's Capital Programme;
- iii) an additional £148,000 p.a. be included for improved grounds maintenance, reducing the valuation to £34.545m
- iv) the Leader of the Council and the portfolio holder for Housing Services be authorised to deal with the glazing issue referred to in the report should this prove necessary;
- v) the Council be recommended that the offer document be "signed off" and stage one of the ballot process be implemented with tenants being issued with a copy of the offer document.

(The meeting ended at 7.53p.m.)

Executive – 20 September 2006

Present: Councillor Williams (Chairman)
Councillors Bishop, Mrs Bradley, Cavill, Clark, Hall, Leighton and Mrs Lewin-Harris

Officers: Mrs P James (Chief Executive), Ms S Adam (Strategic Director), Mr S Kendall (Economic Development and Regeneration Manager) and Mr G P Dyke (Member Services Manager)

Also Present: Councillors Henley and Wedderkopp.

(The meeting commenced at 6.15 pm.)

74. Apologies

Councillor Garner.

75. Public Question Time

Councillor Wedderkopp, as a member of the public, referred to traffic congestion in Taunton town centre and asked when the Council would consider ring fencing income from car parks to help provide alternative means of transport.

Councillor Williams replied that, although all income went into the General Fund and was used for the general benefit of the whole community, large sums of car parking income were already being used in relation to highways issues. In addition, the excellent take up of the free concessionary travel scheme meant that an overspend was projected which would be entirely funded by Taunton Deane. It was noted that the County Council were the Highway Authority and that this Council were constantly pursuing them to improve the highway service.

Councillor Henley as a member of the public asked the following questions:

(a) Would Councillor Mrs Bradley please clarify why the system of credits made to West Buckland Primary School for recycling had been discontinued.

Councillor Mrs Bradley replied that the Council, in common with all other local authorities in the County, were working towards a joint waste disposal strategy. This meant that all services had to be correlated and on this basis, the system of paying recycling credits to West Buckland Primary School had had to be discontinued. Councillor Williams added that as a County Councillor, Councillor Henley was in a good position to lobby the Somerset Waste Partnership direct.

- (b) Councillor Henley then drew attention to various anti-social issues which had recently been taking place in Vivary Park.

Councillor Clark replied that the Vivary Park Warden was aware of these problems and had had some success in resolving them. The Council were actively working in partnership with the Police to try and resolve these problems. Councillor Mrs Lewin-Harris added that the Police were currently focussing on these problems and as a result made some arrests. Councillor Williams also added that Sgt Murphy, the relevant Beat Manager, had recently contacted him to congratulate the Park Warden on his efforts and to say that he felt that by working together the strategy of managing the park was beginning to show results.

- (b) Councillor Henley referred to the DVD which was being included as part of the information sent to Council Tenants in relation to the Housing Stock Transfer process. He said that not all tenants would have access to a DVD and asked what the cost of producing it and sending it was.

Councillor Williams replied that the cost involved was included within the overall programme. During the consultation exercise, it had been identified that 80% of Council house tenants either had or had access to a DVD. In addition to the DVD's, videos were also being created. Councillor Henley would be informed of the cost of producing and issuing the DVD's. A copy of the DVD will be sent to all Councillors after it had been circulated to tenants.

76. Declarations of Interest

Councillors Wedderkopp, as a single household pensioner, declared a personal and prejudicial interest in the item relating to an application for Council Tax discount and left the meeting during consideration of that item.

77. Application for Council Tax Discount

Mr Brian Allen, Chairman of the Taunton and Wellington Pensioners Forum, read a statement which explained why his organisation had applied for a further 25% discount on Council tax for single household pensioners. He felt that older people needed to be recognised and that the Council had the right and responsibility to take action if they could afford it. The Council should not be afraid to be the first Local Authority to give a discount of this nature. In the opinion of the Forum it was right, fair and proper.

Councillors Williams replied that, the Council was certainly not afraid to be the first local Authority to introduce a discount of this nature but drew attention to the un-affordability of the proposal. There would be an unacceptable impact on others, including pensioners. The Council had to take everyone within the community into account when deciding upon the level of Council Tax.

Mrs Diana Wilson, Secretary of the Pensioners Forum, suggested that the existing benefits system be simplified so that the application process for benefits was less daunting. She felt that a special case for older people had already been recognised in other spheres and suggested that if the Council could not agree to the full discount applied for, that it start by giving such a discount to those over 80 years of age.

Further contributions, in support of the application for a further 25% discount on Council Tax for single household pensioners, were made from Mr P Rowsell-Dobson, Mr Maggs and two other members of the Pensioners Forum.

After hearing the contributions of the representatives of the Pensioners Forum, it was explained that the Local Government Act 2003 had introduced a power for Council tax billing Authorities to reduce the amount of tax payable. This power allowed billing Authorities to either reduce or cancel the Council tax payable, either for specific classes of cases as determined by the billing Authority or for individual cases. This power was introduced to give Council tax billing Authorities the flexibility to create local discounts and exemptions appropriate to their local circumstances. The Authorities were required to fully fund the cost of any such reduction. No provision had been made in the legislation for the other major precepting Authorities (County Councils and Police Authorities) to fund their element of the discount or exemption awarded.

The Executive had previously considered this matter and approved a procedure and framework for the consideration of any applications under this power.

The Taunton and Wellington Pensioners Forum had formally applied under the Act for the Council to consider ways in which single older people living alone in their own homes could effectively receive a further reduction of 25% in Council Tax thus paying only one half instead of three quarters of Council Tax levied by the Council.

Following the application, the Council had approached both Somerset County Council and Avon and Somerset Police Authority and asked whether they as major preceptors would be willing to support and fund their share of any discount awarded. Both Authorities had already replied to the effect that they were unable to meet this request and therefore the burden of any further reduction in Council Tax for a particular section of the community would fall entirely on Taunton Deane. It was felt that the issue around the affordability of Council Tax by single pensioner households was very much a national issue. The knock on effect of awarding the local discount to make up a perceived inadequacy in the national Council Tax and welfare system was also considered. It was acknowledged that other groups might then be able to make a case locally on a national issue. In addition, the local government funding regime was currently under review. Attention was drawn to the existing Council Tax benefits system which was in place to help those on low

incomes. The Council's Benefits team had been actively encouraging people to take up the benefits that they were entitled to.

It was reported that all single occupier households were already entitled to a 25% discount on Council Tax. This was a national regulation and therefore was not charged directly to Taunton Deane Borough Council. The amount of discount awarded under this regulation was approximately £4.2 million per annum.

Based on best estimates, if the Council were to award a further 25% discount to single household pensioners then the cost to Taunton Deane Borough Council would be an extra £2.24 million per annum. This would clearly have a significant impact on the Authorities budget position increasing its budget requirement by some 17.6%. There would be no government grant to cover this so the entire impact would be felt by the Council's tax payers. The financial impact of granting a discount would be a significant one on the remaining Taunton Deane tax payers adding around £57 to the current Band D tax bill (an increase of 45% per annum on Taunton Deane's share of the Council Tax). It would also be significant in the eyes of central government and would be likely to cause the Council to breach the Government's guidelines for a Council Tax increase and trigger the capping regime.

The Executive felt that it had demonstrated that the impact of granting such a discount to be funded entirely by this Council was quite simply unaffordable.

RESOLVED that:

- (a) the application by the Taunton and Wellington Pensioners Forum for a further 25% discount on Council Tax for single household pensioners be not agreed;
- (b) the Council's Council Tax and Housing Benefit take up strategy be further reviewed and the Pensioners Forum be encouraged to write to Sir Michael Lyons outlining its concerns so that this could be taken into account in the review of local government funding;
- (c) details of this issue be drawn to the attention of the Local Government Association, Department of Communities and Local Government, the Prime Minister and the Chancellor of the Exchequer so that all involved were fully aware of the dilemma being faced both by pensioners and local Authorities;
- (d) the appropriate Government department be informed the complicated nature of current benefits forms.

78. Taunton Christmas Ice Rink 2006

Reported that Taunton Town Centre Company had brought a very successful ice rink to Taunton over the Christmas period in 2005.

Following its success, there was popular demand to bring a larger rink back to the town again this year. The Town Centre Company intended to work in

partnership with Tone Leisure Limited in the management and responsibility of this scheme if repeated in 2006.

To bring this to Taunton, the costs were considerable and both organisations had worked hard to secure sponsorship. To date, the committed financial support from the private sector was not sufficient for either organisation to feel confident that break even could be achieved and neither organisation could afford to take a significant financial risk.

Notwithstanding this situation, the Taunton Town Centre Management Committee had pledged a further £10,000 of its resources towards the cost of this project.

The Council had been approached by the Company with a request that it make a contribution of £16,000 towards the running costs of the rink. In addition, the Council was also requested to agree a further maximum £10,000 guarantee against loss should there be a shortfall. It was noted that both amounts could be financed from within existing budgets.

The Council's Review Board had considered this matter at its meeting on 7 September 2006 and had recommended that the Executive agree this request. Details of the discussion that had taken place at the Review Board were submitted.

RESOLVED that the request from the Town Centre Management Company that the Council contribute the following amounts within the existing budgets be agreed.

- A fixed contribution of £16,000 as part funding of the running costs of the rink; and
- A maximum contribution of up to £10,000 which will be payable only in the event of the facility making an overall loss.

(The meeting ended at 7.54 pm.)