

Executive – 26 February 2009

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

Officers: Penny James (Chief Executive), Joy Wishlade (Strategic Director),
Shirlene Adam (Strategic Director), Tonya Meers (Legal and
Democratic Services Manager), Ian Franklin (Project Taunton), Mark
Green (Project Taunton) and Richard Bryant (Democratic Services
Manager)

Also present: Councillors Bishop, Mrs Court-Stenning, Farbahi, Ms. Herbert,
House, McMahon, Morrell, Slattery, Mrs Whitmarsh and Williams.
Mr C Haworth of Alder King; Mr A Rothwell of Ashfords

(The meeting commenced at 6.15 pm.)

20. Apology

Councillor Prior-Sankey.

21. Minutes

The minutes of the meeting of the Executive held on 4 February 2009, copies
of which had been circulated, were taken as read and were signed.

22. Declarations of Interest

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

23. Growth Point Funding and Housing and Planning Delivery Grant Funding

Considered report previously circulated, concerning the Growth Point (GP)
funding and Housing and Planning Delivery Grant (HPDG).

These two funding streams were used for the future development of Taunton
in both the long and medium term.

The GP funding was a partnership fund with Somerset County Council and was to be used for infrastructure that supported the growth of housing and the subsequent growth in the population.

Although the HPDG was solely a Taunton Deane application, it was felt that it would be useful to consider the two spending streams as a whole.

In 2008/2009 Taunton received £2,740,000 capital and £287,000 revenue funding. Approval for using this funding was given by the Project Taunton Advisory Board and the Executive in 2008, details of which were submitted.

Reported that the Longrun Farm Flood Relief Scheme had not attracted Regional Infrastructure Funding. However, the £850,000 earmarked for the extension of the Park and Ride Scheme would be used for this purpose, as Somerset County Council had received the full funding to complete the project from another source.

The allocation for 2009/2010 was £3,300,000 capital and £301,000 revenue and for 2010/2011 the amounts allocated were £3,900,000 capital and £300,000 revenue. As this was partnership money, it was felt that the Project Taunton Advisory Board was the most appropriate body to give the partnership approval. However, as Taunton Deane was a key partner, approvals were also required from the Project Taunton Steering Group and the Executive.

As far as the HPDG was concerned, the allocation for 2008/2009 to be spent in 2009/2010 was £273,939 revenue and £119,122 capital.

There were many proposals within the current GP bid, but the proposed priorities were:-

- Firepool infrastructure to enable the Firepool development to commence even within the current economic climate;
- Completion of Castle Green and Somerset Square;
- Urban Extension Master Planning; and
- Funding of the Project Taunton Delivery Team.

The priorities for the HPDG were:-

- Funding for Planning staff to give sufficient capacity for the work preparing for the growth of Taunton;
- Further studies, such as the Planning Obligations Supplementary Planning Document and the Retail Capacity Study, to enable the future growth of Taunton;
- Funding for Taunton Deane's costs in delivering Project Taunton; and

- Urban Extension Master Planning.

A list of the spend under these activities split between GP funding and the HPDG was submitted for the information of Members.

During the discussion of this item Members expressed the wish that if there was sufficient flexibility in the use of the GP funding and the HPDG, then the improvement of High Street, Taunton towards the overall economic development of the town should be considered as a priority.

Resolved that:-

- (1) The priorities and the 2009/2010 spending plan for both the Housing and Planning Delivery Grant and Growth Points Funding be approved; and
- (2) Full Council be recommended to approve the addition to the Capital Programme of the capital elements of the spending plan.

24. **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 7 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.

25. **Selection of a Development Partner for Firepool, Taunton**

Considered report previously circulated, concerning the proposed appointment of a development partner to develop the Firepool Site in Taunton.

The Council had agreed to procure a development partner for the Firepool site in August 2006. The European Procurement Rules applied to this process.

Following legal advice, Taunton Deane had elected to use the Competitive Dialogue procedure. This route enabled the Council to identify potential solutions which met its requirements before inviting a final shortlist of candidates to submit tenders.

Tenders had been submitted and, following a thorough evaluation towards the end of last year, a development partner had been recommended (Minute No 203/2008 refers).

Reported that since then, the world-wide economic situation had remained turbulent and the selected bidder had withdrawn from the process. However, discussions had continued with the reserve bidder (details of which were submitted), and the position had been reached where it was now possible to make a further recommendation to the Executive.

Resolved that:-

- (1) the selection of the company named in the report as the preferred development partner to develop the Firepool Site in Taunton on the terms set out in the Development Agreement be approved; and
- (2) the Executive Councillor for Economic Development (Councillor Horsley), in consultation with the Chairman of the Project Taunton Steering Group (Councillor Williams) and the Strategic Director (Joy Wishlade) be authorised to approve the final Contract and exchange.

(The meeting ended at 7.31 p.m.)

Executive – 4 March 2009

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

Officers: Joy Wishlade (Strategic Director), Shirlene Adam (Strategic Director),
Tonya Meers (Legal and Democratic Services Manager), Debbie
Rundle (Public Relations Officer), Helen Phillips (Support
Co-ordinator), Phil Sharratt (Economic Development Manager), John
Williams (Chief Housing Officer), Adrian Priest (Asset Holdings
Manager) and Richard Bryant (Democratic Services Manager)

Also present: Councillors Cavill, Mrs Court-Stenning, Farbahi, Mrs Lewin-Harris,
Morrell, Mrs Stock-Williams, Stuart-Thorn, Mrs Whitmarsh and Mrs
Wilson.
Mr S Read, Somerset Waste Partnership and Mr R Jones and
Mrs G Sillifant, both of Southwest One

(The meeting commenced at 6.15 pm.)

26. Public Question Time

Mr Adrian Little made reference to a planning matter at a property known as Quantock Roses at West Bagborough. Planning permission had previously been granted for a new dwelling on the site and this had been granted with an agricultural tie attached. However, the dwelling which had been built was currently in occupation by someone not involved in agriculture. Mr Little also referred to a garage on the site which had been converted to residential accommodation without planning permission being obtained. This property too was occupied.

Both these matters had been brought to the attention of the Planning Department but nothing appeared to have been done to address either. He felt this was very inefficient and asked what could now be done?

Councillor Mrs Lewin-Harris added that the Council's credibility was at threat in respect of such issues.

In response, the Chairman (Councillor Henley) asked Mr Little to submit his concerns in writing and he would ensure both matters were fully investigated and a full reply sent to him. The Strategic Director, Joy Wishlade, confirmed that a meeting about Quantock Roses had taken place earlier in the day with officers as to what action could be taken and to ensure a similar situation did not occur in the future.

Councillor Morrell, as a member of the public, referred to the house on the junction of Galmington Road and Wellington Road, Taunton which had been

seriously damaged in a fire last year. He asked what stage had been reached in plans to re-build this property?

The Chief Housing Officer, John Williams, informed Members that there had been initial problems with the insurance company. However, matters were now moving ahead with tenders being sought for re-building works to be undertaken and it was hoped there would be a start on site within 6 weeks.

27. 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 Mullins also declared a personal interest as a Member of the Somerset Waste Board. Councillor Coles declared a personal interest as a Director of Southwest One. Councillor Mrs Smith declared a personal interest as an employee of Somerset County Council.

28. A Review into How the Housing Service Tackles Anti-Social Behaviour

Submitted for information and comment, the recommendations of the Task and Finish Review into How the Housing Service tackled Anti-Social Behaviour.

The Review had been initiated principally because the number of complaints to Councillors about anti-social behaviour was on the increase. However, the Review had also set out to address the perception held by some tenants that the Council was unable to resolve complaints received because there was a lack of commitment or the powers available to it were too weak in dealing with anti-social behaviour issues.

At its first meeting, the Task and Finish Group agreed that the purpose of this Review was to examine how Taunton Deane's Housing Service dealt with anti-social behaviour, specifically with regard to clauses in its tenancy agreements. However, it was thought that the Review should go beyond this and investigate the wider role of the Housing Service in general in tackling this problem. It was also seen as a good opportunity to review the Council's tenancy agreements and to see how they worked in real life, to identify best practice and to investigate better and easier ways of reducing and tackling these incidents.

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

- Define anti-social behaviour and nuisance and to specifically focus on the role of the Housing Service;
- Identify ways of building confidence to help residents speak out, rather than tolerate the problem;
- Consider the current legal procedures and the length of time it could take to reach an eviction; 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 the Council's Chief Housing Officer, Community Safety Co-ordinator and Housing Estate Manager, Officers from Mid-Devon District Council, the Operational Manager of the Youth Offending Team, Somerset County Council, the Local Service Delivery Team Manager and Avon and Somerset Constabulary.

When the draft final recommendations of the Task and Finish Group had been considered by the Overview and Scrutiny Board on 22 January 2009, it had been agreed to recommend their acceptance to the Executive without change.

Resolved that the following recommendations of the Task and Finish Review into How the Housing Service tackled Anti-Social Behaviour, be accepted:-

Recommendation 1

The Council should sign up to the 'Respect' Standard for Housing Management as soon as possible.

Recommendation 2

A skills audit of Estate Officers be carried out to identify and meet any training needs in respect of dealing with anti-social behaviour.

Recommendation 3

There should be a close and swift working liaison between the Council's Estate Officers and its Legal Team to tackle anti-social behaviour as soon as possible.

Recommendation 4

As part of the Core Council Review, the Council should look at creating a dedicated Anti-Social Behaviour Team for Housing.

Recommendation 5

To look at the feasibility of using Introductory Tenancies. This however, may be complicated by the imminent introduction of Choice Based Lettings.

Recommendation 6

The Council should look at the usefulness and feasibility of introducing parental programmes that have been shown to impact on anti-social behaviour.

Recommendation 7

The Council should continue to publicise its successes in dealing with specific cases of anti-social behaviour in its housing stock.

29. **Proposals for a new Appendix to the existing Media Protocol covering issues relating to the new Scrutiny arrangements**

Considered report previously circulated, concerning an amendment to the

existing Media Protocol which would cover the promotion of Scrutiny outcomes particularly arising from the new arrangements for Scrutiny to be launched within the next few months.

A key aim of Scrutiny was to involve local people in scrutiny and to promote the outcomes from work of the various Groups and Panels. The existing Media Protocol did not adequately cover the scrutiny arrangements and an addition had therefore been written.

This addition had originally been supported by the Strategy and Performance Panel in February 2008, but the Executive felt unable to support the change at that time, as the Scrutiny arrangements were in a pilot phase.

The Executive did however agree that a press release could be sent out at the completion of Task and Finish Reviews and it would include quotes from the Chairman of the Task and Finish Review and the appropriate Portfolio Holder.

To enable the Council to be in a position to promote the forthcoming new Scrutiny arrangements, the original addition to the protocol had been re-written as an Appendix, a copy of which was circulated.

The aim of the Appendix to the Media Protocol, was to create acceptable ways of raising the profile of scrutiny, encourage community involvement and publicise the outcomes of the Task and Finish Reviews.

Resolved that the Appendix to the Media Protocol be approved.

30. **Into Somerset – the Somerset Inward Investment Initiative**

Submitted for consideration a copy of a report prepared by the Somerset County Council concerning Into Somerset, the Somerset inward investment initiative.

The initiative had been agreed by partners in 2006/2007 and more recent work had included a rigorous options analysis and risk assessment.

The first year financial contributions had been made by local authorities in 2007/2008. Initial delivery in 2008/2009 had been achieved by the formation of a shadow board. The delivery of the inward investment business plan for the first year of Into Somerset was proceeding through a Service Level Agreement with the Somerset Chamber of Commerce and Industry.

The headline outputs delivered and outcomes achieved for the initial year had been:-

- Market research identifying target geographic areas, demographic groups and key sectors;
- A perceptions study identifying the unique strengths of Somerset as a business location and key messages for marketing campaigns;
- Development of the Somerset brand for a business market;

- Development and launch of the website www.intosomerset.com;
- Initial marketing and promotions plan and materials;
- Comprehensive marketing plan for 2009/2012;
- Briefing to local businesses at local events and Somerset in Business Conference;
- Secured private sector contributions in terms of secondment, pro bono support and ambassadorial roles;
- Enquiry handling protocol developed, agreed and implemented; and
- Improved joint working with the South West Regional Development Agency, UK Trade and Investment and PERA in promoting Somerset for foreign direct investment and joint ventures.

The advantages of a joint delivery vehicle had been recognised through the process of the initial delivery arrangement and the partnership of local authorities working together. However, the process of reviewing the options and risks rigorously had proved to be more complicated than originally envisaged and the original business plan had required reconfiguration.

The options considered were:-

- An informal shared service;
- A local authorities controlled company limited by guarantee with suitably skilled dedicated staff directly recruited or procured through contract with appropriate organisation;
- Direct contract with a third party agency; and
- A local authority partnership.

The preferred option of officers, was the local authorities controlled company limited by guarantee.

Reported that it had since been agreed with partners that Taunton Deane would not be a founding member of such a company.

However, Taunton Deane remained fully committed to the need to market Somerset as a 'place to do business' and to encourage inward investment activity.

As such, it was proposed that the Council would support the initiative with previously agreed funding from the Local Authority Business Growth Incentives Scheme (LABGI) grant to the sum of £20,000 per annum in each of the financial years 2009/2010 and 2010/2011, whilst exercising control of the expenditure of these funds through a Service Level Agreement.

Resolved that the continued support of the Into Somerset initiative through a Service Level Agreement be agreed.

31. **Somerset Waste Board Business Plan 2009 - 2014**

Considered report previously circulated, concerning the Business Plan of the Somerset Waste Board.

The Somerset Waste Partnership required the single client unit to prepare a Draft Business Plan with an accompanying Action Plan on an annual basis.

The Business Plan had been approved for consultation on 12 December 2008 and partners were asked to comment on the Plan.

The Board could amend the Business Plan to accommodate any unforeseen circumstances and to enable them to achieve the Aims and Objectives. In addition, partners could request an amendment to the Business Plan at any time.

The Draft Business Plan was submitted and included:-

- A description and brief history of the partnership;
- Its Aims, Objectives and principal functions;
- Analysis of the operating environment;
- Links to the Corporate Objectives of the partner councils;
- Action Plan;
- Communications Action Plan; and
- Budget.

Although the Plan was for a five year period, it emphasised key actions for the next 12 months.

This was the second iteration of the Somerset Waste Partnership plan which was adopted by the Board in July 2008. This refresh had been brought forward in line with the annual timetable set out in the Constitution to align the annual cycle more closely with the budget planning cycle within the partner authorities.

Resolved that the Draft Business Plan be approved.

32. **Relocation of the Horticultural Nursery – Project Overspend**

Considered report previously circulated, concerning additional costs that had arisen from the relocation of the Council's horticultural nursery from Mount Street, Taunton to its new site off Stoke Road.

Reported that an overspend of £73,000 over the budgeted cost had been required to complete the development of the new nursery. This was due to several unforeseen factors encountered on site, including the need for improved drainage and additional works to roadways and glasshouses.

Further approval was therefore required to allow the overspend to be funded from the disposal of the Mount Street site.

The capital receipt from the disposal of this land would be sufficient to cover the costs of purchasing the land for the new nursery site, its development and also the overspend. The Council would still have a substantial surplus of capital for use on other projects.

Resolved that Full Council be recommended to approve a supplementary estimate to the Capital Programme of £73,000 - to be funded from the eventual sale proceeds of the Mount Street Nursery Site.

33. 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 9 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.

34. Transfer of Taunton Deane owned land to Somerset County Council under a Compulsory Purchase Order to facilitate the construction of the Taunton Third Way Road Scheme

Considered report previously circulated, concerning the proposed transfer of Borough Council owned land to Somerset County Council to facilitate the construction of the Taunton Third Way Road Scheme.

Following the grant of planning permission for the Taunton Third Way, Somerset County Council had issued a Compulsory Purchase Order, which was yet to be confirmed by the Secretary of State for Transport, for the acquisition of a number of areas of land that are required for the scheme.

Submitted details of the areas of land required by Somerset County Council, some of which were owned by Taunton Deane.

Taunton Deane and Somerset County Council had jointly commissioned the Valuation Office Agency to provide independent valuation advice to assist negotiations between the two authorities. Valuers acting on behalf of the two Councils had endorsed the contents of Valuation Office Agency's report and the conclusions made.

Resolved that:-

(1) Following the confirmation of The County of Somerset (Taunton Third

Way) Compulsory Purchase Order 2008 by the Secretary of State for Transport, the transfer of the Taunton Deane owned land required for the Taunton Third Way Road Scheme to Somerset County Council be approved on the terms and conditions outlined in the report; and

- (2) The contents of the Valuation Report prepared by the Valuation Office Agency and the conclusions made, be agreed.

35. Former Nursery Site at Mount Street, Taunton

Considered report previously circulated, detailing the current position with regard to the site of the former nursery at Mount Street, Taunton.

Following the relocation of Taunton Deane's nursery operation to a new site at Stoke Road, Taunton, the former site at Mount Street, Taunton had become surplus to requirements and part of the site had been identified as being suitable for residential development.

A Development Feasibility Study had been carried out together with a number of site investigations and consultation with planners and architects. This had concluded that a planning application for a scheme of sheltered housing/retirement should be prepared and submitted with a view to selling part of the former nursery site.

Reported that further research and discussions with other professionals had suggested that due to the current economic climate, the Council should not proceed with the sale of land now. It was evident that a satisfactory price for the land would not be achieved without the benefit of a planning consent.

Resolved that:-

- (a) The architects named in the report be appointed by the Council to undertake the further work detailed and submit an outline planning application on behalf of the Council for a sheltered housing/retirement village scheme on part of the site. The costs attributable to the investigations already carried out and those to the further works referred to be ultimately paid for out of any capital receipt from the sale of the land;
- (b) Given the current state of the property market, any final decision as to whether the site was sold or perhaps developed in partnership with a third party be deferred until the outcome of the planning application was known; and
- (c) In the meantime, attempts be made to let the permanent buildings currently on the site or the site as a whole on a short term basis, once vacated by the Council, to obtain some revenue and assist with the security of the site. Furthermore, the surplus glass houses and any other items remaining on the site no longer required for the Council's use be sold off.

(The meeting ended at 7.41 p.m.)