

Executive – 26 February 2007

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

Officers: Mrs P James (Chief Executive Ms J Wishlade (Strategic Director), Ms
S Adam(StrategicDirector), and Mr G P Dyke (Democratic Services
Manager)

Also Present: Councillors Paul, Wedderkopp and Mrs Whitmarsh

(The meeting commenced at 6:20 pm.)

24. Declarations of Interest

Councillor Paul declared an interest as a member of Somerset County Council

25. The Somerset Waste Board Administering Authority

The Executive/Cabinet Committees of each of the partner Authorities had agreed to adopt a Joint Committee Administering Authority model for the Somerset Waste Board. Subsequently, the Directors Implementation Group (DIG) at its meeting on 9 January 2007, had agreed a process for the appointment of one of the partner Authorities to act as Administering Authority on behalf of the Somerset Waste Board.

On 25 January 2007 DIG unanimously agreed that Somerset County Council should be recommended to become the Administering Authority. This decision was subsequently unanimously endorsed by the Somerset Chief Executives Group at its meeting on 26 January 2007.

Both Somerset County Council and Sedgemoor District Council had formally submitted bids to become the Administering Authority. Their submissions had been independently evaluated as to their capacity, experience and skills to undertake this role to the satisfaction of the other partner Authorities and also to minimise any associated risks either to themselves or the partnerships as a whole. An outline of the role of the Administering Authority was submitted.

All the partner Authorities had engaged positively and constructively in this process. The Section 151 Officers had also been involved because of the nature of the financial issues and responsibilities associated with becoming the Administering Authority.

RESOLVED that:

1. the recommendation of the both the Directors Implementation Group and the Somerset Chief Executives Group to appoint Somerset County Council to act as Administering Authority on behalf of the Somerset Waste Board be agreed.

2. it be agreed that this decision was in the best business interests of the Somerset Waste Board and the community of Somerset and would be promoted as a partnership decision which placed responsibility on the Administering Authority to implement the decisions of the Board and not use the role to promote its own individual interests.

26. **The Somerset Waste Board Draft Heads of Terms for the Constitution and Inter-Authority Agreement**

The Somerset Waste Partnership (SWP) was working towards the creation of a Somerset Waste Board (SWB) which would manage all waste collection and disposal services on behalf of the six Authorities. A new single integration waste collection contract for the whole of Somerset was currently under procurement.

The Executive/Cabinet Meetings of each of the partner Authorities had agreed that in the short term the legal form of the Somerset Waste Board should be a Joint Committee with an Administering Authority and that it then apply to create a Joint Waste Authority in accordance with the appropriate legislation.

Consideration was given to the basic constitutional structure of the SWB. Details were submitted of the proposed constitutional structure together with the draft Heads of Terms. This provided an initial overview of how the SWB would be established and would operate.

Once finalised these would be used to prepare the necessary constitution and inter-authority agreement that would formalise the role of the Somerset Waste Board and the responsibilities of each of the partner Authorities.

In preparing the draft Heads of Terms details of which were submitted consideration had been given to those constitutional principles for the operation of the Somerset Waste Board that had previously been agreed by each of the partner Authorities together with emerging good practice from other Authorities across the Country.

The constitution and inter-authority agreement would provide a clear and accountable framework within which the Somerset Waste Board, the Administering Authority and single client group could work together in order to respond in an effective and co-ordinated way to the development and implementation of an integrated waste management strategy in Somerset.

The Somerset Waste Board would be a legally constituted body and the constitution and inter-authority agreement would be legally binding documents. The draft Heads of Terms details of which were submitted provided an overview of the constitution of the SWB and the roles and responsibilities of the single client group, the Administering Authority and the partner Authorities. These details were by no means complete and further work was required to finalise them. Further detailed schedules would be attached to the constitution in relation to the more complex issues such as the budgetary arrangements, scrutiny and inter-authority agreement. The draft

Heads of Terms had been considered both by the legal sub group representing the partner Authorities and the SWP's external legal advisors. They had also been approved by the Directors Implementation Group.

The next step would be the drafting of the documents in detail by both the external legal advisors and the legal sub-group. Once this was completed, details would be submitted to each partner Authorities Executive/Cabinet. This important and complex task would need to be substantially completed in advance of the commencement of negotiations with any nominated preferred bidder.

RESOLVED that

1. the proposed constitutional structure of the Somerset Waste Board and the Heads of Terms as detailed in the report be agreed in order that they could be used to prepare the detailed constitution and associated inter-authority agreement for the Somerset Waste Board;
2. final details be submitted to the Executive for approval

(The meeting ended at 7.06 pm.)

Executive – 7 March 2007

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

Officers: Mrs P James (Chief Executive) Ms S Adam (Strategic Director),
Mr S Murphy (Principal Accountant) Mrs E Collacott (Principal Accountant),
Mr S Kendal (Economic Development and Regeneration Manager),
Mr B Yates (Building Control Manager) and Mr G P Dyke (Democratic Services Manager)

Also Present: Councillor Wedderkopp.

(The meeting commenced at 6.15 pm)

28. Apologies

Councillor Leighton

29. Treasury Management and Investment Strategy 2007/08

Submitted report which gave an update on Treasury Management and Investment Activities for 2007/2008. The current level of Council debt together with outstanding investments were noted. It was expected that short term interests rate would peak by the Summer of 2007 and fall again by December 2008. Long term rates were anticipated to remain more stable.

Borrowing and debt restructuring was outlined in order to take advantage of prevailing low long term rates. Investment maturities were to be extended in light of current relatively high rates whilst maintaining liquidity of cash.

RESOLVED that the Treasury Management Strategies outlined in the report be agreed.

30. Quarter Three Budget Monitoring Update

Submitted details of the Council's budget position at Quarter three. It was anticipated that the Council's budget would be overspent by the end of the financial year. Details were submitted of the reasons why this was so and the action that had been taken to minimise its effect. This report had also been considered by the Review Board at its meeting on 22 February 2007.

RESOLVED that the predicted financial outturn position and the steps taken to minimise the impact on the Council's General Fund Reserves be noted.

31. **Increases in Building Regulation Fees**

Under the Building (Local Authority Charges) Regulations 1998 the Council was authorised to fix a scheme of charges to recover the cost of providing a Building Regulation service. Income from fees should be sufficient to recover the cost of providing the service when considered over a three year accounting period (the break even target).

Budget forecasts for 2007/08 indicated a potential shortfall in income against expenditure. Consideration was therefore given to an overall increase in fees charged for Building Regulation Services in order to address the forecast imbalance. In setting the revised scale of fees consideration was given to fees proposed to be charged by neighbouring authorities. The proposed fees would be a little above South Somerset and Sedgemoor charges but below Mendip whilst West Somerset were expected to follow this Council's lead.

Under the Local Government Association Model Scheme for Fees, charges were broken down into three principal categories.

New Dwellings
Domestic Extensions
And all other works

RESOLVED that the new scheme of charges as set out in the Appendix to the report to the Executive be agreed with effect from 1 April 2007.

32. **Somerset Inward Investment Company**

Proposals to establish a Somerset Inward Investment Company had been under discussion for some time. The proposed company was intended to develop a countywide marketing presence specifically to address the mismatch between the perceptions that businesses in the South East and Midlands currently had of Somerset as a place to holiday but not to do business.

In addition through marketing the company would work to attract new business relocations together with supporting expansion plans for all local companies and those based outside of Somerset but within the South West.

A specialist consultancy had been engaged by the County Council to work with partners to develop a business plan and a detailed business case. The company would operate as a partnership between the Local Authorities in Somerset, business representative organisations, individual business stakeholders, academic institutions and the Regional Development Agency.

Details were submitted of the funding proposals for the new company together with a number of matters that remained to be resolved. These included issues of governance and proposed remuneration for the staff group.

Allocation of the costs of the Council's contribution for each of the first three years of operation could be contained within existing budgets.

RESOLVED that:-

- (1) this Council become a founding partner of the Somerset Inward Investment Company;
- (2) a financial contribution be made to the costs of the first three years of operation of the company in the sum of £12,500.00 a year in 2007/08, £25,000.00 in 2008/09 and £25,000.00 in 2009/10;
- (3) the Executive Portfolio Holder for Economic Development and Property be authorised to decide upon representation on the proposed Somerset Inward Investment Company Board of Directors.

33. Local Authority Business Growth Initiative Awards 2007/08

In 2006/07 the Council had received £138,000.00 in the first round of awards made by Government in recognition of the growth in income from business rates achieved in the previous year.

Indicative amounts for the second round award of LABGI for 2007/08 had initially been advised by the Government. However the initial indication provided by the Government had proved to be wildly inaccurate and the figure now notified had been significantly reduced from that originally stated. It would therefore be necessary to consider further how the revised amount would be allocated.

Members felt that it was regrettable that the level of disparity between the indicated award in early February and the final “capped” award advised later in the same month was so great. This called into question the value of the two part process.

RESOLVED that:-

- (a) the Executive Portfolio Holder for economic Development and Property be authorised to agree the final distribution of LABGI monies for 2007/08 in line with the revised award figure that had now been indicated.;
- (b) the DCLG and LGA be informed of this Council’s concern over the way in which this matter has been handled.

34. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting for the following item because of the likelihood of exempt information would otherwise be disclosed relating to Clause 1 of Schedule 12(a) of the Local Government Act 1972.

35. Property Services Management Changes

Considered report which gave details of a proposal to release the Property Services Manager and carry out a minor adjustment to the staffing structure.

Details were submitted of the financial implications of this proposal. It was noted that the costs would be recovered in less than one year. Ongoing annual savings would then be £49,459.00. However in order to achieve these savings £32,616.00 would be needed from reserves.

RESOLVED that the proposed restructure of Property Services be agreed and a Supplementary Estimate of £32,616.00 from reserves be approved.

(The meeting ended at 7.37pm)