

Executive – 8 December 2004

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

Officers: Mrs P James (Chief Executive), Ms J Wishlade (Strategic Director - Operations), Ms S Adam (Head of Resources), Mr C Brazier (Head of Housing), Mr N T Noall (Head of Development), Mr M Green (Economic Development Manager), Mr P Weaver (Head of Environment and Leisure), Mr J Hunter (Licensing Manager) and Mr G P Dyke (Member Services Manager)

Also Present: Councillors Bowrah, House, Henley, Phillips, Slattery, Stuart-Thorn, Wedderkopp and Mrs Whitmarsh

(The meeting commenced at 6.15 pm.)

70. Minutes

The minutes of the meeting of the Executive held on 17 November 2004 were taken as read and were signed.

71. Public Question Time

- (i) Liz Fothergill of Taunton CAB referred to the overall reduction in funding that the Council would have to make in 2005/06. She drew attention to the valuable work undertaken by the CAB and its volunteers. Any cut in funding for the CAB would be detrimental. The contribution made by the Council to the CAB was a good investment. The outcome would be bleak if the grant was cut. She asked that very careful consideration be given to continued funding of the CAB.

Councillor Williams confirmed that careful consideration would be given to any grant application from the CAB. The Council would be looking particularly at any funds that could be levered in as a result of the Council's contribution.

Councillor Mrs Lewin-Harris stated that she recognised the valuable work undertaken by the CAB and its volunteers. It was her hope that the funding would not be reduced and that the CAB would be an organisation whose grant would be protected. It was unlikely that the one off top up payment of £10,000 would be protected. Notwithstanding this, the Council still had to work through the details of its grants budget and therefore no absolute reassurance could be given.

- (ii) Mr Harris stated that a reply to a letter from Daniella Robins had not adequately dealt with the situation. Daniella Robins did not feel the need to apologise to Councillor Williams or withdraw her words. She did however need an opportunity to prove her case.

Councillor Williams replied that his position remained unchanged. When called a liar in a public forum he required an apology.

72. Housing Stock Options

Submitted report previously circulated which provided Members with an update on the work that had or was being undertaken regarding Housing Stock Options. An overview was also submitted of the progress being made on choosing a prospective new landlord which had involved DOME, the independent tenant advisor.

Received a presentation from DOME, the independent tenant advisor, on their findings on the landlord choice made by tenants.

In addition to the report and presentation, an Options Appraisal Communications Log, details of activities in relation to selection of landlord type and the results of the Tenants' Opinion Questionnaire were submitted. Whilst the report, presentation and appendices gave a good overview of the current position, it was noted that a final report would be presented to the next meeting of the Executive where Members would be asked to select the type of landlord they would wish to manage the Housing Stock if tenants ultimately voted in favour of a transfer.

RESOLVED that the report be noted.

73. Waste Contract Integration

Received a presentation from Joe Papineschi of Eunomia Research and Consulting who had been carrying out work on behalf of the Somerset Waste Partnership.

74. Superannuation Added Years

Submitted report previously circulated which reviewed the Council's normal position in respect of Superannuation Added Years when considering early retirement through redundancy or "interest of efficiency" retirements.

The Council's contribution to the Local Government's Superannuation Scheme was regularly reviewed. Recent reviews had seen a trend of significantly increasing costs falling on the Council. The Council had limited control over these costs other than deciding whether or not to retire an employee early or deciding whether to give "added years" to the employee's pension.

All of the Authorities in Somerset currently operated a sliding scale of awards but all were different. One common point was that none awarded any added years to employees with less than five years' pensionable service. It was felt that the Council could create a sliding scale which would reduce the added years available to employees with limited pensionable service as follows:-

Pensionable Service (complete years)	Added Years Awarded
0-4 years	0
5-12 years	1
13-18 years	2
19-24 years	3
25 +	6 $\frac{2}{3}$

RESOLVED that the following new policy on "added years" be adopted from 1 April 2005: "The Council will consider the awarding of added years to pensionable service

as compensation for premature retirement for staff with over five years pensionable service with TDBC provided this was affordable and reasonable in terms of foreseeable costs. The sliding scale set out above will be used as a guide where added years are to be awarded though each case will be considered on its own merits.”

75. Taunton Urban Design Framework and Design Code

Consideration was given to the Taunton Urban Design Framework and associated Design Code following the receipt of the final reports from consultants Terence O'Rourke. Consideration was also given to a Memorandum of Understanding as a basis for formal partnership working over the next three years in delivering the Vision for Taunton.

The objectives for the Vision for Taunton had steered the proposals of the UDF and the Design Code. Together these reports provided a key step in the process of implementing the Vision. Ongoing work had identified the need for a number of further studies, Taunton Town Centre Action Area Plan and the establishment of a delivery team to implement the Vision.

It was felt that a dedicated Steering Group of Councillors and officers should be formed to oversee and co-ordinate the implementation of the Vision from the Council's perspective. A full presentation on this matter had been made at a recent meeting of the Strategic Planning Transportation and Economic Development Review Panel.

RESOLVED that:-

- (1) the content of the Taunton Urban Design Framework and Taunton Design Code be supported;
- (2) the Taunton Vision Delivery Structure, as set out in the report, be agreed and a Steering Group of Councillors and officers be set up to oversee and co-ordinate the implementation of the Vision from the Council's perspective;
- (3) the Memorandum of Understanding, as set out in the report, be agreed as a basis for partnership working over the initial three-year period.

76. Taunton Urban Extension Study

Consideration was given to the Taunton Urban Extension Study following the receipt of the final report from the consultants Terence O'Rourke.

The two options for an Urban Extension were at Monkton Heathfield and at Comeytrowe. The consultants had assessed the options against the environmental sustainability and delivery criteria. They concluded that the preferred location for a Sustainable Urban Extension to Taunton was at Monkton Heathfield. This area had potential for 3,000 dwellings and 15 ha employment, in addition to the 1,000 dwellings and 16 ha employment allocated in the Local Plan. It supported the economic objectives of the PUA and had transport, sustainability and community benefits that outweighed the loss of higher grade agricultural land.

A full presentation on this matter had been submitted to a recent meeting of the Strategic Planning Transportation and Economic Development Review Panel.

RESOLVED that public consultation on the Taunton Urban Extension Study be deferred pending the outcome of the Taunton Sub Area Study.

(Councillor Cavill declared a prejudicial interest in this matter as a landowner and left the meeting during the consideration).

77. Licensing Policy

The Licensing Act 2003 created a unified system for regulating the sale and supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment. The Licensing Act was to become effective by way of a first appointed day of 7 February 2005 and all existing licences must be issued by the second appointed day, which was likely to be November 2005.

The Act placed a duty on the Licensing Authority to produce a Licensing Policy. Each Licensing Authority was required to publish a policy framework document every three years. In producing this document the Licensing Authority was required to take account of the views of those representing the holders of existing licences and certificates, local residents and businesses, the Police and Fire Authority. The consultation for this Authority's draft Licensing Policy began in September 2004 and the closing date for responses in relation to the Policy was 26 November 2004. All responses had now been considered. Details were submitted of the consultation process for the Licensing Policy together with the responses that had been received.

The Council was also required to appoint a Licensing Committee to deal with matters arising under the Act.

A draft Licensing Policy, which had been prepared after taking into consideration the responses received as a result of consultation, was submitted.

RESOLVED that Council be recommended that the Licensing Policy as submitted be adopted, subject to any further expert legal advice that is to be provided.

78. Fees and Charges 2005/06

Consideration was given to the proposed fees and charges for 2005/05 for Land Charges, Licensing, Cemeteries and Crematorium. In previous years the proposed fees and charges for the forthcoming financial year had been considered by the Executive as part of the budget-setting process. This year in order to allow a greater degree of debate, the fees and charges for 2005/05 were considered separately.

Details were submitted of the proposed charges for each of the above services. For the Land Charges service no increase was proposed. For the Licensing service the proposed changes would result in no substantial increase in income. It was noted that the licensing fees did not include fees, which the Council would collect under the requirements of the Licensing Act 2003 as these were currently the subject of consultation. In addition if the second appointed day in accordance with the Licensing Act was delayed from November 2005, it was likely that the Public Entertainment Theatre Licence fees would revert to the 2004/05 charges.

For the Cemeteries and Crematorium service an estimated additional £72,600 would be generated by the proposed charges. Details of those charges were submitted. The Review Board at its meeting on 25 November had considered the proposed fees and charges and its views were submitted.

RESOLVED that Council be recommended that the fees and charges for 2005/06, in respect of Land Charges, Licensing and Cemeteries and Crematorium, be agreed.

79. Council Tax Base 2005/06

Reported that the Council Tax Base, which was calculated annually, had to be set between 1 December and 31 January each year. Recent changes to legislation meant that there was now no requirement for Council to approve the Tax Base.

The Council Tax Base was the Band D equivalent of the properties included in the Valuation Officers Banding List as at 11 October 2004, as adjusted for voids, appeals, new properties, etc 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 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 for 2004/05 was 38,675.69 and the recommended Base for 2005/06 of 39,010.22 represented an increase of 334.53 or 0.86%.

RESOLVED that:-

- (1) the report of the Financial Services Manager for the calculation of the Council Tax Base for the whole and parts of the area for 2005/06 be agreed;
- (2) 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 2005/06 shall be 39,010.22 and for the parts of the area listed below shall, for 2005/06 be:-

Ash Priors	65.63
Ashbrittle	89.95
Bathealton	80.69
Bishops Hull	1,068.26
Bishops Lydeard/Cothelstone	1,892.53
Bradford on Tone	277.41
Burrowbridge	200.90
Cheddon Fitzpaine	629.82
Chipstable	115.32
Churchstanton	310.49
Combe Florey	111.69
Comeytrowe	2,058.96
Corfe	130.01
Creech St Michael	922.30
Durston	56.60
Fitzhead	120.37
Halse	143.65
Hatch Beauchamp	243.63
Kingston St Mary	434.64
Langford Budville	213.60
Lydeard St Lawrence Tolland	193.83
Milverton	574.78

Neroche	238.16
North Curry	693.17
Norton Fitzwarren	722.27
Nynehead	149.33
Oake	322.79
Otterford	163.37
Pitminster	436.97
Ruishton/Thornfalcon	611.24
Sampford Arundel	128.32
Staplegrove	711.03
Stawley	113.37
Stoke St Gregory	372.42
Stoke St Mary	197.37
Taunton	15,563.51
Trull	982.09
Wellington	4,536.05
Wellington (Without)	287.37
West Bagborough	152.37
West Buckland	403.34
West Hatch	137.62
West Monkton	1,070.90
Wiveliscombe	1,082.21
Total	39,010.22

80. Performance Monitoring of Contracts supervised by Deane Building Design Group

Reported that the Council's Standing Orders required details to be published to the Executive of the progress of all works, contracts in excess of £50,000 on a quarterly basis for all those contracts supervised by Deane Building Design Group.

The appropriate Performance Reports were submitted.

RESOLVED that the report be noted.

81. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting for the items numbered 13 and 14 on the Agenda because of the likelihood that exempt information would otherwise be disclosed relating to Clause 1 of Schedule 12(a) of the Local Government Act 1972.

82. Taunton Vision, Establishment of Delivery Team, Overall Viability and a Possible Joint Venture with the South West Regional Development Agency

Consideration was given to the establishment of a team dedicated to delivering the Taunton Vision and the financial consequences of establishing that team. Consideration was also given to the overall financial viability of the detailed proposals as contained in the Urban Design Framework together with the potential joint venture with the South West Regional Development Agency in respect of the existing Cattle Market site.

RESOLVED that:-

- (1) the establishment of a dedicated team to deliver the Vision for Taunton, comprising five staff in total and as set out in the report, be agreed;
- (2) the Delivery Team be established for a period of three years in the first instance;
- (3) the Delivery Team be funded for the first year (2005/06) in accordance with the details set out in the report (subject to the final confirmation of likely costs);
- (4) a contribution of £55,000 be made towards the Taunton Flooding Study to be funded as indicated in the report;
- (5) it be agreed in principle that the Council act as employer of the Delivery Team (subject to a fuller understanding of the pensions and other financial/contractual liabilities involved);
- (6) the report be noted insofar as it related to the overall viability of the Taunton Vision;
- (7) it be agreed in principle that receipts from the sale of Council-owned land, involved in the various key Vision proposals, be reinvested so as to ensure the comprehensive delivery of the Vision;
- (8) the discussions held to date with the Regional Development Agency in respect of a possible joint venture for the Cattle Market site be noted and further detailed discussions take place with a view to producing Heads of Terms for further detailed consideration in due course.

83. Restructures

Submitted report, previously circulated, regarding proposals for staff restructure of the Forward Planning section and the Environmental Health section and the consequent staff redundancies.

RESOLVED that the proposed restructures in Forward Planning and Environmental Health be agreed and the following posts be deleted from the establishment and the postholders made redundant:-

- (a) the hours of the Planning Technician post (job share) be reduced (from 1 FTE to 0.6 FTE) and that it be agreed that Listed Building Grants be terminated and the contribution to the Local Plan Inquiry Reserve be reduced;
- (b) Principal Officer (Food/Health and Safety) Environmental Health Unit;
- (c) Clerical post (part-time) Environmental Health Unit.

(The meeting ended at 9.15 pm).