

Executive – 7 December 2005

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

Officers: Mrs P James (Chief Executive), Ms S Adam (Strategic Director), Ms J Wishlade (Strategic Director), Mr P Weaver (Head of Health and Leisure), Mr M Western (Head of Housing), Mr C Brazier (Housing Transfer Consultation Manager), Mr S Hughes (Sports Services Manager), Mrs K Hughes (Leisure Development Manager), Mrs E Collacott (Principal Accountant), Mr J Barraah (Chief Environmental Health Officer), Mr D Thompson (Chief Valuer) and Mr G P Dyke (Member Services Manager)

Also Present: Councillors Coles, House, Paul, Prior-Sankey, Stuart-Thorn and Mrs Whitmarsh.

(The meeting commenced at 6.15 pm.)

110. Apologies

Councillor Edwards

111. Minutes

The minutes of the meeting held on 16 November 2005 were taken as read and were signed.

112. Public Question Time

Mr Geoff Thomas, Press Officer, Taunton Bowls Club drew attention to the activities of the Bowls Club and emphasised that it was an integral part of Vivary Park. He referred to the proposed changes in the management of Vivary Park and the adverse effect they would have on the Club. The proposals, particularly those relating to car parking charges, would impose an increased financial burden on members. He asked that Councillors look at the proposals again and find some way of helping the Club's members.

Councillor Williams explained why discounted car parking charges had originally been offered. It was not to provide cheaper parking but to ensure that the amount paid remained the same as in the town. Car parking charges at Fons George had been artificially inflated to deter general parking and the Council had offered a rebate to reduce it to the standard level. He explained the wider responsibility the Council had to the taxpayer and acknowledged that he was conscious of the effects of price rises on Club members and older citizens. Vivary Park had to be paid for, this was a balancing exercise and every effort had been made to mitigate its effects. Mr Thomas' views would

be taken into consideration when this matter was considered later in the meeting.

113. Housing Stock Transfer Consultation - Financial Update

Reported that the project update, submitted to the Executive on 16 November 2005 (Minute 109/205 refers) briefed members on the progress generally and shared the latest information on the warranted stock condition survey.

A report was now submitted which picked up on that work and provided an update on the financial issues on the project taking into account:

- the results of the stock condition survey; and
- the latest budget position of the Council.

The final report to the Executive in July 2004, on the Stock Options appraisal outlined the expected financial position on Housing Stock Transfer. Pricewaterhouse Coopers (lead advisors on this project) had now updated this financial position to reflect the impact of the stock condition survey and the latest position of the Council's housing budgets. Their full report was submitted.

Whilst the update, together with the detail, set out in Pricewaterhouse Coopers' report provided the current financial position on this project, it was noted that further reports would be presented at regular intervals as the project progressed. These would set out clearly the financial implications of key decisions as they were taken.

RESOLVED that the updated financial position on this project be noted.

114. Vivary Park Management Proposals

Reported that the Health and Leisure Review Panel had monitored a review of the management of Vivary Park and considered a number of proposals designed to improve the service. The Panel had recommended that its proposals be agreed.

The review included a reassessment of how the budget for Vivary Park was used and of the potential of the site to generate additional income. The proposals arising from the review would redeploy resources to create a management resource to coordinate the management of the park, generate income in future years, provide a reassuring staff presence at times of maximum usage and ensure that everyone complied with the rules of using public space. The result would be an improved service to the public, an improving infrastructure and future decrease in the cost of the park to the Council.

A need to address management issues in Vivary Park had been identified to ensure that it remained affordable to maintain it to its current high standard

and to address concerns about antisocial behaviour which had prompted calls for a staff presence in this important open space.

It was a condition of the Heritage Lottery Fund Grant that a draft budget for maintaining the park over the next ten years be assembled. This exercise made it apparent that the cost of managing Vivary Park would need an increasing amount of subsidy from a reducing Parks Service budget. Details were submitted of the current and future financial position of the park, together with proposals for monitoring the budget.

When the review of management arrangements in Vivary Park was undertaken, it considered the outcome of the 2003 public consultation about the park's service, together with the range of service managers responsible for various aspects of the park, the conditions and arrangements that existed with the tenants, the potential for income generation and the recently adopted ten year management plan for Vivary Park. A number of issues had been identified in the review, including how to address fears of personal safety and inappropriate behaviour, the need to generate income, the lack of enforcement of lease conditions and the need for a coordinated approach to managing the park. Details were submitted of the proposals recommended from the review together with the recommendations of the Housing and Leisure Review Panel and the detailed proposal for setting up a trading account for Vivary Park. The report also covered in detail, the possible appointment of a new site manager, new parking arrangements and charges, new and improved facilities for park users and more extensive events and activities to take place.

RESOLVED that the following proposals be implemented with effect from 1 April 2006:

1. The setting up of a trading account.
2. The appointment of a new site manager (to be limited to a 12 month temporary contract and then reviewed further).
3. The designation of the Fons George car park as a "shopper 2" car park.
4. Vivary Golf Course users only to be able to claim a refund on six hour car park tickets.
5. The withdrawal on a four year phased basis of refunds for Vivary Golf Course users.
6. The withdrawal on a four year phased basis of free car park passes for Golf Club staff/volunteers.
7. Immediate withdrawal of the refunds to users of the Bowls Club.

8. Immediate withdrawal of the free car park passes for Bowls Club staff/volunteers.
9. The extension of parking regulations to cover the area at Wilton Lands.
10. The reduced use of Wilton Lands for parking by the two clubs to a maximum of eight occasions a year and the introduction of a charge.
11. Efforts to reconfigure ground maintenance schedules to release time for gardeners to interact with the public.
12. Changes to vehicle access to the park.
13. New and improved facilities for park users (toilets, mini golf, changing for golfers, café, play areas, young people's kickabout area).
14. A more extensive events and activities programme and better control of third parties hiring the park.
15. The provision of additional car parking spaces in Fons George.
16. The introduction of pay and display on Ash Meadows.
17. The monitoring of the success of the proposals by the Health and Leisure Review Panel.

(Councillor Paul declared a personal and prejudicial interest in this matter and left the meeting during its consideration.)

115. Savings Delivery Plans 2006/07

Reported that as part of the budget process for 2006/07, the various Heads of Service had produced savings delivery plans which, if accepted, would enable the forecast budget gap (based on a forecast Council Tax increase of 4.5%) to be closed to within £50k. The Review Board had considered the savings delivery plans at its meeting on 24 November 2005 and made no formal suggestions for amendments.

Details were submitted of the latest budget gap of £0.70 m together with the main reasons for a decrease since it was last reported. The summary of targets and proposed savings for 2006/07 was submitted. The detailed delivery plans were also submitted as an appendix to the report. Although no formal suggestions for amendments had been received from the Review Board, details of the comments it made were submitted.

It was important that the Authority ensured that it was able to deliver a sustainable budget which did not rely on the use of reserves to fund ongoing expenditure. The savings delivery plans went a long way to closing the gap. Further consideration was actively being given to ways of closing the reported gap of £50,000.

RESOLVED that:

1. The updated budget gap for 2006/07 be noted.
2. The change in operational procedures at Castle Green public conveniences and the removal of the attended service be agreed.
3. The proposals outlined in the savings delivery plans, be agreed and included in the draft 2006/07 budget.

116. Litter Control in Taunton Deane

Submitted report, previously circulated, which considered the legislative powers that were now available to allow local authorities to deal with litter. The report also advised on progress with the partnership between Taunton Deane Borough Council and Avon and Somerset Police on the use of Fixed Penalty Notices for the offence of dropping litter.

Litter was of increasing public concern with the cost of collection and disposal rising significantly. Recent legislative developments had sharpened the powers available for local authorities to deal with those who dropped litter. This has resulted locally in a new agreement for Police Community Support Officers to issue Fixed Penalty Notices for persons they witnessed dropping litter in the Borough. This was a fresh initiative designed to deter persons from littering in the Borough, that would hopefully result in an improved local environment.

The report gave details of Fixed Penalty Notices for dropping litter, the progress of the partnership with Avon and Somerset Police and the action to be taken by the Council if the new powers were to be implemented.

RESOLVED that the partnership scheme between this Council and Avon and Somerset Police be implemented and that:

1. A Litter Control Strategy be developed to complement the use of enforcement measures such as Fixed Penalty Notices.
2. The Council act under Part IV of the Environmental Protection Act 1990 as amended, and when appropriate to use the powers identified in the report.
3. A zero tolerance policy be adopted for the issue of Fixed Penalty Notices following the proposed introductory period.
4. The level of Fixed Penalty for dropping litter be £75.
5. An early payment incentive be provided for litter Fixed Penalty Notices where a reduced fee of £40 will be payable where payments were made within seven days.

6. The net money realised from this scheme be transferred to the street cleansing service following subtraction of the Council's administrative expenses.
7. A three month introductory period for the issue of Fixed Penalty Notices where persons witnessed dropping litter would receive a warning and be invited to pick the litter up, during this period extensive promotional work will be undertaken to make the public aware that after a certain date Fixed Penalty Notices will be issued for any person witnessed dropping litter.
8. The project be reviewed following six months of the start date.

117. Somerset Waste Partnership - Contract Integration

Further to Minute 3/2005 when the Council agreed to take part in the development of a contract integration for Waste Collection Services, submitted report which set out details of the draft vision and constitution principles for the Somerset Waste Board. The joint contracts were due to start on 1 June 2007 and in order for this date to be delivered agreement needed to be made now by all partner authorities.

Details were submitted of the Somerset Waste Board vision, together with its constitutional principles. It was acknowledged that neither the vision nor the constitution principles set anything in stone but they did take a significant step towards the agreement of a final constitution for the Somerset Waste Board. It was important that they were adopted by all the partner authorities at this stage to allow the development of the final agreement to take place within a clear framework and to allow the partnership to articulate the project to staff and the public.

RESOLVED that:

1. The report be noted together with the progress made to date on implementing the Somerset Waste Board.
2. The Somerset Waste Board vision and constitutional principles, as set out in the report be agreed.

118. Fees and Charges 2006/07

Consideration was given to the proposed fees and charges for 2006/07 for Land Charges, Cemeteries and Crematorium and Licensing. Details were submitted on the proposed charges for each of the above services. For the Land Charges Service, no increase in the basic search fee was proposed. For the Cemeteries and Crematorium an estimated £132,000 would be generated by the proposed charges. A summary of the Licensing fees and charges was submitted with the exception of the Licensing Act 2003 fees, as these were set by statute and were currently under review centrally. In

general terms, Licensing fees must be seen to be reasonable and could only be used to pay for the costs incurred by a Local Authority in determining the relevant License.

For those Licensing fees where there was local flexibility to set an appropriate amount, fees would be increased by approximately 10%. Income from Licensing was expected to raise £150,00 in 2006/07, which was lower than the current year as each License was not necessarily renewed annually. The Review Board at its meeting on 1 December 2005 had considered the proposed fees and charges and details of its comments were submitted.

RESOLVED that Council be recommended that the fees and charges for 2006/07 in respect of Land Charges, Cemeteries and Crematorium and Licensing be agreed.

119. Council Tax Base 2006/07

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 Officers Banding List as at 30 November 2005 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 2005/06 was 39,010.22 and the recommended base for 2006/07 of 39,358.90 represented an increase of 348.68 or 0.89%.

RESOLVED that:

- (i) The report of the Financial Services Manager, for the calculation of the Council Tax Base for the whole and parts of the area 2006/07 be agreed.
- (ii) 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 2006/07 shall be 39,358.90 and for the parts of the area listed below shall for 2006/07 be:

Ash Priors	71.85
Ashbrittle	89.30
Bathealton	82.42

Bishops Hull	1,068.44
Bishops Lydeard/Cothelstone	1,914.26
Bradford on Tone	276.07
Burrowbridge	199.58
Cheddon Fitzpaine	635.09
Chipstable	117.71
Churchstanton	307.09
Combe Florey	120.30
Comeytrove	2,073.08
Corfe	131.85
Creech St Michael	935.78
Durston	58.53
Fitzhead	123.83
Halse	143.16
Hatch Beauchamp	251.30
Kingston St Mary	451.55
Langford Budville	213.25
Lydeard St Lawrence/Tolland	196.08
Milverton	585.69
Neroche	242.82
North Curry	707.64
Norton Fitzwarren	689.40
Nynehead	151.51
Oake	325.22
Otterford	162.43
Pitminster	447.92
Ruishton/Thornfalcon	614.37
Sampford Arundel	129.59
Staplegrove	706.51
Stawley	116.52
Stoke St Gregory	381.55
Stoke St Mary	201.61
Taunton	15,726.14
Trull	990.12
Wellington	4,509.64
Wellington (Without)	292.29
West Bagborough	157.62
West Buckland	405.49
West Hatch	139.97
West Monkton	1,095.98
Wiveliscombe	1,118.34
Total	39,358.90

120. Big Lottery Fund Application

Reported that the Big Lottery Fund had recently announced a new funding stream called Living Landmarks. The fund was available nationally on a one-off basis for major capital projects. The Big Lottery had made it clear that they were interested in innovative and exciting concepts at this stage. Those

projects that succeeded in the first assessment would then be granted funding for detailed development of the project. This would then go through a final assessment before the final projects were chosen for implementation.

Match funding of at least 25% of the total project costs was required. This was seen as a real opportunity to access funding for large scale projects which had wide ranging support and which would make a real difference to the communities in which they would exist. It was suggested that an application be made for a project that focused on the canal and river corridor between Bridgwater and Wellington with Taunton as the central hub. An outline of the project was submitted together with the links it would make to the Vision for Taunton, the proposed partners and the cost and timescale.

RESOLVED that Taunton Deane become a partner in this project and its application for Big Lottery Funding.

121. Firepool Development Options

Following the meeting of the Vision Steering Group held on 29 November 2005, submitted report which gave details of the preparation of the livestock market site for development so that by this time next year the Council would be in a position to programme the submission of a planning application and all other site preparation works to enable a start on site in the second or third quarter of 2007.

Various options for procuring development on the site had been considered and the recommendation of the Vision Steering Group was submitted.

RESOLVED that it be agreed in principle that the Council advertise the opportunity in the market and select a development partner for the whole site. The freehold interest in the sites to be sold would be subject to building agreements. It was acknowledged that further work would need to be undertaken on this matter, and detailed terms for the proposed sales would need to be submitted and considered before any final agreement was given. In this connection, the sale proposals would be agreed following appropriate professional valuation advice to the Council at the appropriate time, to ensure that any requirement of S 123 of the Local Government Act 1972 were complied with. Suitable consultants for this purpose will be appointed in due course.

122. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting for the item numbered 14 on the Agenda because of the likelihood that exempt information would otherwise be disclosed relating to Clause 9 of Schedule 12(a) of the Local Government Act 1972.

123. Vision for Taunton - Vision Steering Group Meeting 29 November 2005

Following a meeting of the Taunton Vision Steering Group held on 29 November 2005, the following matters were reported.

(a) Funding to purchase properties in third party ownerships

A number of properties in third party ownerships that were required for the Firepool site to be opened up for development had been identified. A final analysis of which properties were absolutely necessary was still being undertaken.

It was noted that funding was required and that various options were being investigated. A final recommendation would be submitted to the Vision Steering Group within the next few months.

(b) Relocation of Taunton Livestock Market

The results of a meeting with Taunton Market Auctioneers regarding their proposed relocation to Chelston, Wellington, had been submitted and the various options for proceeding had been considered.

RESOLVED that:

- (i) the principle of financial support for Taunton Market Auctioneers move to Chelston be agreed subject to submission and approval of their business plan and subject to approval of the joint venture agreement and the amount to be invested;
- (ii) the request for an extension to Taunton Market Auctioneer's current lease of the existing Taunton Livestock Market be not agreed at this stage, pending the receipt of further information regarding the relocation of the livestock market.

(c) High Street

The present position regarding possible redevelopment of the High Street had been reported.

(d) Possible Sale of Land at Tangier, Taunton to Somerset County Council - Time Stream Project

Consideration had been given as to whether to agree in principle to a sale of land at Tangier Taunton to Somerset County Council for the proposed Time Stream project on terms and conditions to be agreed by the District Valuer.

The Steering Group had recommended that the Borough Council sell this site to the County Council for this purpose in principle, at market value.

RESOLVED that the sale of this land to the County Council be agreed in principle, at market value, on terms and conditions to be agreed by the District Valuer.

(e) Possible Sale of Part of Coal Orchard Car Park, Taunton to Somerset County Cricket Club

The Steering Group had also considered whether to agree, in principle, to a sale of part of Coal Orchard Car Park to the Somerset County Cricket Club. The sale of this land would help in the Cricket Club's aspirations for the re-development of its existing ground.

RESOLVED that it be agreed, in principle, that the Council sell this site (less any adjustments required to maintain access to the rear of the Brewhouse Theatre and car park) to the Somerset County Cricket Club at market value on terms to be agreed by the Chief Valuer.

(The meeting ended at 9.15 pm.)