

Taunton Deane Borough Council

Council Meeting - 19 February 2008

Part I

To deal with written questions to and receive recommendations to the Council from the Executive.

Councillor Henley

1. Capital Strategy 2008-11

Although there is no statutory requirement for the Council to prepare a Capital Strategy, in terms of setting direction for the use of the Council's capital resources the strategy is seen as a "must have" document.

The Capital Strategy is a summary of the Council's approach to capital investment including:-

- Our Vision,
- The identification of needs and our needs gap,
- The management and monitoring of the capital programme,
- The capital programme and the level of resources available,
- Our approach to procurement and partnership working,
- Linkages to other corporate plans.

The revised draft Strategy for 2008-11 was submitted to and considered by the Executive. It has been updated from last year's version by incorporating new developments being undertaken by the Council and refreshing the financial data included within the document.

The Strategy and Performance Panel have also considered the draft document.

It is therefore **Recommended** that the draft Capital Strategy for 2008-11 be agreed.

2. General Fund Revenue Estimates 2008/09

The Executive have considered its final 2008/09 budget proposals. It contains details on:

- (i) the General Fund Revenue Budget proposals for 2008/09, including the proposed Council Tax increase and the Prudential Indicators;
- (ii) draft figures on the predicted financial position of the Council for the following four years.

The Overview and Scrutiny Board have also considered draft budget proposals at its meeting on 24 January 2008. The Board made comments on some of the savings and new initiatives but made no formal request for changes to the budget proposals.

The Council Tax calculation and formal tax setting resolution is to be considered separately. The proposed budget for Taunton Deane will result in a Band D Council Tax of £131.89, an increase of £3.84 (3.0%) on 2007/08. This represents an increase of 7.4p pence per week. The Band D taxpayer will, therefore, receive all the services provided by the Council in 2008/09 at a cost of £2.54 per week.

It is a requirement for the Council to prepare not only budgets for the following financial year but to also provide indicative figures for the two years after that. The Medium Term Financial Plan provides an indication of the expected budget gap going forward into 2009/10 and a summary of this position was submitted.

These figures have been prepared on the assumption of a 4.5% increase in Council Tax each year, including 2009/10. Government support is based on the draft figures. The figures took into account the ongoing impact of all of the Executive's budget proposals and the 2008/09 proposed Council Tax level.

The estimated expenses chargeable to the non-parished area of Taunton in 2008/09 amounts to £29,190, an increase of 4.75%, and this forms part of the total net expenditure of the Council. The precept in 2007/08 was £27,870.

As part of the Prudential Code for Capital Finance there is a requirement for Council to approve the indicators as set out in the report to the Executive. These include the expected spend on the capital programme and the expected borrowing requirement for both the General Fund and the Housing Revenue Account. They also set the operational boundaries for both borrowing/investment levels and interest rate exposures for the Council.

The Council's S151 Officer has a duty to comment, as part of the budget setting process on the robustness of the budget and the adequacy of reserves, Shirlene Adam (Strategic Director), the Council's S151 Officer has thoroughly reviewed the procedures, outputs and outcomes of the budget setting process and feels that the Council's reserves are adequate and the budget estimates used in preparing the 2008/09 budget were sufficiently robust.

It is therefore **Recommended** that the budget for General Fund services for 2008/09 as outlined in the report to the Executive be agreed and that:-

- a) the transfer for any potential underspend in 2007/08 back to General Fund reserves be agreed;
- b) the proposed 2008/09 budget, being Authority expenditure of £13,614,270 and Special Expenses of £29,190 be agreed in accordance with the Local Government Act 1992;

- c) the predicted General Fund Reserve balance at 31 March 2008 of £844,203 be agreed;
- d) the Prudential Indicators for 2008/09 as set out in the report be agreed;
- e) the forecast budget position for 2009/10 onwards as outlined in the report be noted.

3. Capital Programme 2008/09 Onwards

The Executive have also considered the proposed General Fund (GF) and Housing Account (HRA) capital programmes for the period 2008/09 and beyond.

For the General Fund the existing unallocated resources available are £43k. It is proposed to direct these resources entirely towards the replacement desktop hardware programme.

For all Housing schemes, both GF and HRA, the estimated resources available for 2008/09 amount to £7,280k. The proposed capital programme for 2008/09 amounts to £6,576k. The unallocated resources of £704k are proposed to be carried forward to support the Housing Capital Programme in future years.

The Overview and Scrutiny Board have considered the draft programme and made no formal suggestions for any changes to the programme. The Housing Tenants Forum have also considered the draft Housing capital programme .

For both the GF and HRA any new schemes, which emerge during the lifespan of the programmes, would be funded through existing unallocated resources or through new resources, such as new capital receipts.

It is therefore **Recommended** that the General Fund and Housing Revenue Account capital programmes be agreed.

4. Council Tax Setting 2008/09

The Council is required to make an annual determination, which set its gross expenditure (including the Housing Revenue Account and balances brought forward), and gross income (also including the Housing revenue Account and balances brought forward), with the difference as its budget requirement. This determination is set out in the resolution.

The estimated expenses chargeable to the non-parished area of Taunton in 2008/09 amounts to £29,190 and this forms part of the total net expenditure of the Council. We have also received details of the parish precepts levied and the appropriate Council Tax at Band D.

The estimated balance on the Council Tax Collection Fund is a deficit of £480,797. Taunton Deane's share of this amounts to £50,486 and this is reflected in the revenue estimates.

The Council's budget requirement is £14,014,469 including draft Parish Precepts and non-parished Special Expenses. This amount is then reduced by the amount notified in respect of the Borough's Revenue Support Grant (RSG) amounting to £1,022,665 and the Non Domestic Rates Distribution (NDR) from the pool, amounting to £7,346,300.

The net amount, having taken the collection fund position into account, of £5,695,990 is used to calculate the Council Tax at Band D, reflecting the Parish Precepts by dividing it by the total of the Council Tax base as approved by the Executive in January 2008.

The Council Tax for the Borough (excluding Parish Precepts and Special Expenses for the non-parished area) is £131.89, an increase of £3.84 (3.0%) compared to the 2007/08 Council Tax. The total Council Tax, including the County Council, Police and Fire Authorities precepts is still subject to confirmation

It is therefore **Recommended** that subject to final determination including the Council Tax for Somerset County Council, Police and Fire Authorities, which is to be advised.

(The format of the Council Tax setting resolution which the Council must approve, has been previously agreed between the Local Government Association and the then Department of the Environment, Transport and Regions and the following recommendations follow that format)

(i) That it be noted that at its meeting on 14 January 2008 the Executive calculated the following amounts for the year 2008/09 in accordance with the regulations made under Section 33(5) of the Local Government Finance Act 1992 (as amended):-

(1) 40,153.07 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax base for the year.

(2)

Ash Priors	78.82	Neroche	248.78
Ashbrittle	90.22	North Curry	724.80
Bathealton	81.22	Norton Fitzwarren	737.28
Bishops Hull	1,075.04	Nynehead	168.96
Bishops Lydeard/ Cothelstone	1,915.67	Oake	330.56
Bradford on Tone	277.60	Otterford	168.23
Burrowbridge	203.67	Pitminster	449.53
Cheddon Fitzpaine	636.76	Ruishton/ Thornfalcon	621.22
Chipstable	120.07	Sampford Arundel	128.69
Churchstanton	313.19	Staplegrove	719.37
Combe Florey	123.09	Stawley	123.05

Comeytrowe	2,088.46	Stoke St Gregory	381.60
Corfe	137.97	Stoke St Mary	212.07
Creech St Michael	940.01	Taunton	16,083.61
Durston	58.99	Trull	1,008.61
Fitzhead	124.85	Wellington	4,646.65
Halse	146.71	Wellington (Without)	297.29
Hatch Beauchamp	265.32	West Bagborough	159.39
Kingston St Mary	460.34	West Buckland	439.50
Langford Budville	220.32	West Hatch	140.64
Lydeard St Lawrence/Tolland	199.61	West Monkton	1,104.87
Milverton	596.15	Wiveliscombe	1,104.32

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate.

- (ii) That the following amounts be calculated by the Council for the year 2008/09 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-
- (a) £72,268,826 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) of the Act. (Gross Expenditure including amount required for working balance.)
 - (b) £58,254,357 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act. (Gross Income including reserves to be used to meet Gross Expenditure.)
 - (c) £14,014,469 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council in accordance with Section 32(4) of the Act, as its budget requirement for the year.
 - (d) £8,318,479 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant, additional grant or SSA reduction grant (increased by the amount of the sums which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (Council Tax Surplus) and increased by the amount of any sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Community Charge) directions under Sec. 98(4) of the Local Government Finance Act 1988 made on 7 February 1994 (Community Charge Surplus).

(e) £141.86 $\frac{(c) - (d)}{1(i)} = \frac{14,014,469 - 8,318,479}{40,153.07}$

being the amount calculated at (c) above less the amount at (d) above, all divided by the amount at 1(i) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its council tax for the year. (Average Council Tax at Band D for Borough Including Parish Precepts and Special Expenses.)

(f) £400,199 being the aggregate amount of all special items referred to in Section 34(1) of the Act. (Parish Precepts and Special Expenses.)

(g) £131.89 $\frac{(e) - (f)}{1(i)} = \frac{141.86 - 400,199}{40,153.07}$

being the amount at (e) above less the result given by dividing the amount at (f) above by the amount at 9.2.1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate. (Council Tax at Band D for Borough Excluding Parish Precepts and Special Expenses.)

(h)

Ash Priors	135.06	Neroche	145.56
Ashbrittle	148.52	North Curry	152.59
Bathealton	139.28	Norton Fitzwarren	155.48
Bishops Hull	150.49	Nynehead	151.42
Bishops Lydeard/ Cothelstone	147.03	Oake	143.99
Bradford on Tone	150.80	Otterford	131.89
Burrowbridge	154.06	Pitminster	147.13
Cheddon Fitzpaine	141.31	Ruishton/Thornfalcon	150.00
Chipstable	145.22	Sampford Arundel	166.39
Churchstanton	155.84	Staplegrove	145.79
Combe Florey	144.89	Stawley	148.14
Comeytrowe	141.95	Stoke St Gregory	147.61
Corfe	139.86	Stoke St Mary	149.41
Creech St Michael	147.54	Taunton	133.70
Durstun	132.57	Trull	145.77
Fitzhead	153.28	Wellington	148.39
Halse	146.20	Wellington (Without)	147.53
Hatch Beauchamp	145.27	West Bagborough	138.16

Kingston St Mary	147.10	West Buckland	150.09
Langford Budville	155.13	West Hatch	147.04
Lydeard St Lawrence/Tolland	146.42	West Monkton	143.29
Milverton	146.99	Wiveliscombe	147.83

being the amounts given by adding to the amount at (g) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(ii) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate. (Council Taxes at Band D for Borough, Parish and Special Expenses).

(i) See overleaf:

Councillor Mullins

1. Fees and Charges 2008/09

The Executive have given consideration to the proposed fees and charges for 2008/09 for the following services:

- Cemeteries and Crematorium,
- Waste Services,
- Licensing.

The results of both the 2006 and 2007 public consultation events “Your Council, Your Views” clearly indicated that the public preferred to see increases in fees and charges, rather than in Council Tax, as a way for the Council to raise income. Therefore, where possible, fees have been increased to take these views into account. The Overview and Scrutiny Board also considered this matter at its meeting on 13 December 2007.

It is proposed that the main cremation fee be increased by £30 to £509. This will generate additional income of an estimated £66k. In addition other fees hadve been largely increased by 3%.

As far as Waste Services are concerned it is proposed that the fees for Garden Waste Bins be increased from £20 to £25. In addition the charge for paper sacks is proposed to increase from £7.50 to £10. All other fees and charges are proposed to remain the same.

Many Licensing fees, particularly those in relation to the Licensing Act 2003, are set nationally, and the majority of income derived from licensing activities results from these fees. However for those licensing fees where there is local flexibility to set an appropriate amount Officers had been working to ensure that the Council's costs in administering and enforcing such licenses are adequately met from the subsequent income received. However it is not possible to set a standard increase across all areas. Income from the proposed increases in fees is expected to generate an additional £7k in 2008-09. Increased volumes of activity will also generate additional income of £50k.

It is therefore **Recommended** that the fees and charges for 2008/09 in respect of Waste Services, Cemeteries and Crematorium and Licensing be agreed.

2. Regulation of Skin Piercing Businesses

The Council are permitted to adopt new legislation and associated new byelaws to allow for the activities of cosmetic piercing and semi-permanent skin-colouring to be included in the statutory control framework for skin piercing activities.

Consideration has therefore given to adopting the new legislation and new byelaws to allow cosmetic piercing and semi-permanent skin colouring businesses that are already operating in the district to register and to allow for Officers to be able to regulate these activities effectively by utilising the new byelaws.

It is therefore **Recommended** that:-

1. That the provisions of sections 14, 15, 16 and 17 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by Section 120 of the Local Government Act 2003 (hereinafter referred to as “these sections”), to apply to all of the Council’s area and that the resolution shall apply to the following persons
 - (a) those carrying out the business of cosmetic piercing
 - (b) those carrying out the business of electrolysis
 - (c) those carrying out the business of tattooing and semi-permanent skin colouring
 - (d) those carrying out the business of acupuncture.
2. These sections to come into force in the area of the Taunton Deane Borough Council on the first day of April 2008.
3. To authorise the affixing of the council’s common seal to the following byelaws:
 - (e) those for the purpose of securing the cleanliness of premises registered under Section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of the registered persons and persons assisting them and cleansing and, as far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of cosmetic piercing.
 - (f) Those for the purpose of securing the cleanliness of premises registered under Section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of the registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of electrolysis.
 - (g) Those for the purpose of securing the cleanliness of premises registered under section 14 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of the registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of acupuncture.
 - (h) Those for the purpose of securing the cleanliness of premises registered under Section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of registered persons and persons assisting them and the cleaning and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of tattooing and semi-permanent skin colouring.
4. To authorise the Head of Legal Services to carry out the necessary procedure and apply to the Secretary of State for confirmation of the new byelaws.

In addition, the Council approves the repeal of the following byelaws made by the Council on 19 December 1984 –

- (i) those relating to ear piercing and electrolysis
- (j) those relating to tattooing
- (k) those relating to acupuncture

(If members authorised the making of the new byelaws, then the existing byelaws would be repealed when the new byelaws mentioned in resolution 3 came into operation.)

Councillor Mullens

Councillor Hazel Prior-Sankey

Housing Revenue Account, Revenue Estimates and Rent Levels, Deane Helpline and Deane Building DLO Account 2008/2009

The Executive have given consideration to the proposed Housing Revenue Account (HRA) for the 2008/09 Financial Year. It also included details relating to the new rent level, service charges and other housing related charges such as garage rents. Finally it provided information on the Deane Helpline Trading Account and Deane Building DLO Trading Account.

The Overview and Scrutiny Board have considered the 2008/09 draft budget at its meeting on 24 January 2008. The Board discussed in detail the increase in negative subsidy payable and some other aspects of the service but made no formal suggestions for amendments to the draft budget.

The Tenants Forum have also consider the report.

It is therefore **Recommended** that the Housing Revenue Account budget for 2008/09 be agreed.

Councillor Hazel Prior-Sankey