

Taunton Deane Borough Council

Executive: 16 July 2008

Report of Strategic Director – Brendan Cleere

Taunton Unparished Fund (TUF) – Proposal

(This matter is the responsibility of Councillor Alan Wedderkopp)

1. Purpose

- 1.1 To propose an informal arrangement for spending monies (as specified below) held by Somerset County and Taunton Deane Borough Councils, for the benefit of communities in the Taunton unparished area.

2. Background

- 2.1 Representatives of Taunton Deane and Somerset County Councils met recently to discuss ways of achieving greater benefits for residents in the unparished area of Taunton. Both authorities have access to separate funding streams that could be used to support projects in this area. County Councillors each have access to a Local Initiatives Budget (LIB) of £15,000 and the Borough Council administers the Taunton 'unparished area precept' fund. There is currently £82,042.68 unallocated from this fund, which includes the 2008/09 allocation of £29,190.
- 2.2 Both councils wish to find better ways of responding jointly to community concerns. This forms a key part of the Pioneer Somerset programme, where authorities across Somerset are looking at ways of bringing district and county councillors together to experiment and develop options for improved and more efficient ways of working to the benefit of our communities.
- 2.3 In the spirit of Pioneer Somerset, both councils were keen to develop experimental joint arrangements for the Taunton unparished area that were informal, non-bureaucratic and focused on delivering benefits, while at the same time retaining clear public accountability and transparency.

3. Proposal

- 3.1 The proposal is to create an informal joint panel comprising an equal number of members of Taunton Deane Borough Council and Somerset County Council. The panel will be known as the Taunton Unparished Fund (TUF) Panel.
- 3.2 The TUF Panel's role would be to explore opportunities for achieving greater benefits for communities in the Taunton unparished area, by combining the 'Local Initiatives Budget' (LIB) held by each County Councillor with £30,000 of unparished area precept funds held by Taunton Deane Borough Council. In exploring opportunities, the TUF Panel would have regard to views emerging from various community engagement mechanisms that exist in the Taunton unparished area, such as Local Action Teams (LATs), community

partnerships, residents groups and representations from individual ward members. A map of the Taunton unparished area is attached as Appendix 1.

- 3.3 The above monies are currently administered separately by each Council. Although the TUF Panel would not have direct jurisdiction over the spending of these monies, it would be expected to make recommendations to the two councils on projects where joint funding could bring additional benefits. Each council would consider the TUF Panel's recommendations and decide whether funds should be allocated for the purpose(s) identified. In considering the Panel's recommendations, each council would need to take account of any criteria covering the funds administered by them.
- 3.4 Arrangements for spending unparished area precept monies raised by Taunton Deane Borough Council were the subject of a scrutiny investigation which reported to the Executive in February 2007. The Executive agreed the recommendations of the scrutiny investigation and these are contained in the report attached as Appendix 2. Appendix 2 also sets out the various functions and areas that the unparished area precept monies can be spent on.
- 3.5 The County Council's new LIB Scheme provides a sum of £15k per member for 2008/09 to address local issues and priorities and working towards achieving Local Area Agreement (LAA) outcomes. Members are encouraged to engage with local residents, community groups, the voluntary sector and other LAA partners so the informal working proposed through this paper fits well with this overall philosophy. The rules applying to the Scheme allow for each member to support up to 5 projects with a minimum project cost of £2,000. The Scheme makes provision for members to work together and pool resources to fund larger projects.

4. Representation

- 4.1 Representatives on the TUF Panel from Taunton Deane Borough Council would comprise those five members from the unparished area who already meet as an advisory panel, considering bids to the unparished area precept.
- 4.2 Representation on the TUF Panel from Somerset County Council would comprise those County Councillors with all (or a significant proportion) of their electoral divisions falling within the unparished area. The County Councillors would be invited to contribute their individual £15k Local Initiatives Budget allocations (or a proportion of the £15k where only part of their electoral division falls within the unparished area) into the Panel's collective budget and those who agree to do so will be entitled to a place on the Panel.

5. Operational Arrangements

- 5.1 The TUF Panel will meet approximately every six weeks. Somerset County Council will provide administrative support, and meetings of the TUF Panel will take place at Deane House.
- 5.2 TUF Panel meetings will be facilitated by one of the joint panel members, on a rotational arrangement to be agreed at the first meeting.

- 5.3 As an informal arrangement, the creation of the TUF Panel will not require constitutional changes at either Somerset County or Taunton Deane Borough Councils. Officer support will be on hand at each meeting to advise on financial, legal, constitutional and other relevant issues. TUF Panel meetings will be open to the public.
- 5.4 A review of the TUF Panel will take place in January 2009, with views taken at that time on the possible continuation of the arrangement into 2009/10.

6. Comments of the Overview and Scrutiny Board

- 6.1 The above proposal was considered by the Overview and Scrutiny Board on 5 June 2008. The Board resolved to seek Executive approval for the proposal, with the following comments made during the debate:
- Were there too many “layers” of bureaucracy already seeking to engage with the community?
 - How fair and equitable was this proposal when compared to the parished areas of Taunton Deane? and
 - The TUF Panel should have executive powers to decide the outcome of projects rather than make recommendations.

7. Recommendation

- 7.1 The Executive is **recommended** to approve the proposal as outlined in this report and consider the comments made by the Overview and Scrutiny Board.

Contact:

Brendan Cleere
Strategic Director
Tel: (01823) 356350
Email: b.cleere@tauntondeane.gov.uk

Appendix 2

Overview and Scrutiny

Taunton Unparished Area Precept: a Scrutiny investigation

Report of the Task and Finish Group

(This matter is the responsibility of the Leader of the Council)

Executive Summary

This is the final report of the Task and Finish Review examining the current and future use of the fund known as the Taunton Unparished Area Precept (referred to as 'the Precept').

The following recommendations are presented to the Executive for consideration, agreement and implementation as appropriate.

Background to the Review

The Precept was set up in the late 1980's to enable a local contribution to be paid towards improvements in the unparished area such as street lighting and traffic calming. It currently generates approximately £25,000 income per-annum. In recent years, due to a decline in overall spending in areas such as street lighting, little had been spent from this "special fund."

The current working balance is approximately £100,000.

The future of the Precept was discussed at the Review Board Meeting of 26th January 2006. Concern was expressed it was not being spent fairly. (Minute No.4/2006)

At the meeting of the Review Board on 3rd August 2006, it was resolved that "...a Task and Finish Group be set up to look at the current situation relating to the Special Precept Working Balance and to consider how best this fund could be accessed resulting in equitable distribution across the Taunton Unparished Area." (Minute No.43/2006)

This report contains several recommendations for consideration by the Executive. At a meeting on 25th January 2007, the Review Board recommended that the Executive approve those recommendations.

2.0 Members of the Task and Finish Group

2.1 The following Councillors form the Task and Finish “1Group”

- Cllr Hazel Prior-Sankey (chair)
- Cllr Jean Allgrove
- Cllr Simon Coles
- Cllr Libby Lisgo
- Cllr Mike Watson

2.2 The following officers directly supported the Review

- Richard Bryant – Democratic Support Manager
- Paul Carter – Financial Services Manager
- Alastair Higton – Scrutiny Officer

3.0 Terms of Reference

3.1 The Group expanded on the Review Board terms of reference, and decided to look at the future of the Precept as well. The Group agreed its terms of reference as follows:

3.2.1 To make recommendations to the Executive regarding access to and “equitable” distribution of the working balance;

3.2.2 To make recommendations on the future of the fund; and

3.2.3 To complete the review to feed into the 2007/2008 budget-setting process.

4.0 Reporting Lines

4.1 The Review Board commissioned this investigation, and will receive the report first.

4.2 Amendments will be made to the report if necessary. It will then be presented to the Executive for consideration.

5.0 Evidence, Information and Recommendations

- 5.1 The Group wanted to find out what the Precept could be spent on, and what schemes the Unparished areas needed.
- 5.2 Information was supplied showing what the Special Expenses Precept had been spent on in the past; mainly street lighting, traffic calming and replacement bus shelters.
- 5.3 The nature and workings of the unparished area Precept are hazy. There is no definitive list stating what the money can and cannot be spent on. However, The Department for Communities and Local Government has provided a list of Powers for Parish Council. It shows the areas and schemes that Parishes can spend their money on, and is included in Appendix C of this report.
- 5.4 It was agreed that for the purposes of this Review, spending should be limited to the same powers and duties for which Parish Councils were able to raise money via a Precept. An information gathering exercise was carried out. All the Councillors in the unparished area were contacted and asked to identify any community need that could draw funding from the Precept.
- 5.5 It was made clear to Councillors in the unparished area that:
- 5.6 At this stage, the Group were looking only for small capital schemes which would have no consequential revenue implications (not to be confused with the final recommendations on making payments to cover revenue implications). It would therefore be of no use proposing more dog waste bins in a particular area - quite cheap to provide but the real cost involved was the cost of emptying them regularly; and;
- 5.7 A "bid" could be made for funding towards the overall cost of a larger scheme provided funding from other sources was also likely to be forthcoming.
- 5.8 Responses were received from Councillors and are recorded in Appendix A of this report.
- 5.9 Suggestions tended to meet the criteria for the type of scheme that could be funded, namely;
 - Play areas and youth shelters;
 - Street lighting (including the lighting of routes through public parks);
 - Bus shelters;
 - Allotments (for example, providing composting toilets);
 - Environmental improvements (for example, replacing existing litter bins with covered receptacles);
 - And traffic calming.

- 5.10 The Group realised that identifying capital-only schemes in this way was difficult, and not necessarily equitable. They concluded that it was more important to set up a robust system for distributing the Precept, rather than rushing to spend the money just because it was available.
- 5.11 The Group spent much time discussing “equitable” distribution of the fund. The Group agreed that “divvying-up” the money without a robust system for doing so was not equitable.
- 5.12 The Group decided against distributing the Precept equally amongst Councillors in the unparished area for application in their Wards.
- 5.13 Therefore, the Group agreed several recommendations that could create a structure for allocating the funds in future;

Recommendation 1

A short bidding process should be put in place to deal with requests for money from the Precept.

Recommendation 2

A bid pro-forma should be developed to enable Councillors in the Unparished Area or the Executive to formally request funding for community based projects/needs in the Unparished Area.

The information to be included on the pro-forma should require an estimated capital cost and details of any consequential revenue costs, as a “commuted sum”.

- 5.14 An example pro-forma is attached in Appendix B.

- 5.15 At the moment, there is no clear process for deciding how to spend the Precept.

Recommendation 3

Bids should be considered by an Advisory Panel comprising five Councillors from the Unparished Area, reflecting the political balance in the Unparished Area.

- 5.16 Currently this would result in two Conservatives, two Liberal Democrats and one Labour Councillor forming the Advisory Panel.

Recommendation 4

The Advisory Panel should meet in the first quarter of each financial year, and as necessary over the remainder of the year. In order to begin allocating the large balance of the Precept, a one-off bid ‘round’ should take place in February or March 2007.

- 5.17 The Group acknowledged that deciding which schemes to fund should remain with the Executive, but were concerned that the current process was confusing. Contributions from the fund are made automatically towards schemes which qualify or partial funding from the precept. The Group agreed that the final decision on which schemes to fund should reside with a single Portfolio Holder.

Recommendation 5

The final decision on whether to support the recommendations of the ‘Advisory Group’ should reside with the Executive Member for Community Leadership, and Decisions should be reported through the Weekly Bulletin.

- 5.18 The Group was conscious that some of the suggestions put forward by the Unparished Area Councillors referred to schemes of work that are the responsibility of other public service providers, particularly the County Council. Besides, some schemes that were suggested already have budgets allocated to them, such as bus shelters and play equipment.

Recommendation 6

The Precept should not be used as a first-call for schemes that can be funded in another way.

- 5.19 The Precept is an extra fund, and should not be used when other budgets are available or sufficient.
- 5.20 Identifying worthwhile capital-only schemes was very difficult. Any new equipment or construction has a maintenance and / or insurance cost. A new bus shelter must be maintained and street-lighting needs electricity!
- 5.21 The problem was considered at length by the Group. The main difficulty was how to identify schemes with no ongoing maintenance or management cost.
- 5.22 Thought was given to allocating a percentage of the Precept to revenue fund each scheme. Paying revenue costs out of the Precept would soon exhaust the fund: increasing revenue obligations would slowly swallow up the entire Precept, leaving nothing for new capital schemes. It would also be difficult to reduce or abolish the Precept without creating a knock-on cost to other budgets.
- 5.23 Nevertheless, the Group was determined to widen the use of the Precept as much as possible.
- 5.24 In recognition that most, if not all, projects funded from the Precept would have a future maintenance liability, the group agreed that the Precept should be made available to fund any 'revenue' implications of a scheme.

Recommendation 7

That all scheme proposals include an estimate of the revenue funding needed for the lifetime of the scheme, not normally to be more than 20% of the capital cost. This amount will be transferred to the appropriate TDBC budget line as a "commuted sum".

Recommendation 8

That the collection of the precept should continue at a level to be determined on a yearly basis by the Council as part of the normal budget setting process and that this be used to fund appropriate schemes which fall under the broad headings listed in paragraph 5.9. Any unspent monies should be rolled forward to following years.

6.0 Conclusion - Why are the Recommendations the Right Ones?

6.1 The Purpose of the Task and Finish review was to find an equitable way to distribute the unparished area Precept. The Group believes that if its recommendations are adopted, a robust and transparent structure will be created that will allow the unparished Precept to be effectively and appropriately spent.

6.2 The advantages of the 8 recommendations given above are;

6.2.1 Recommendations 1, 2, 3 and 4 create a robust system for identifying and funding schemes from the Precepts.

6.2.2 Recommendation 5 ensures that decision-taking remains with the Executive but becomes more transparent accessible and inclusive than it currently is;

6.2.3 Recommendation 6 ensures that the Precept is spent on suitable schemes; and

6.2.4 Recommendation 7 creates sufficient scope for worthwhile schemes to be funded.

6.2.5 Recommendation 8 ensures that the level and future of the Precept is regularly revisited by the Council.

6.3 The Terms of Reference for this review have been met;

6.3.1 Recommendations have been made on regarding how to distribute the current working balance;

6.3.2 Recommendations have been made regarding the future of the fund; and

6.3.3 The review has been completed in time to feed into the 2007/2008 budget-setting process.

6.4 The recommendations are presented to the Executive for consideration, agreement and implementation as appropriate

6.5 For further details, please contact:

- Alastair Higton
Scrutiny Officer
Taunton Deane Borough Council
Belvedere Road
Taunton TA1 1HE
- T: 01823 356397 (extension 2504)
- e: a.higton@tauntondeane.gov.uk

Appendix A

Responses Received from Unparished Area Councillors

- Two youth shelters – Lisieux Way and Rowan Drive;
- Additional lighting between Hamilton Park and Lisieux Way;
- Slide for the Holway Green play area;
- Bus shelter in Shoreditch Road between Fullands House and Mountfields;
- Bus shelter in Celandine Mead to be painted green;
- Light by steps on footpath between Bluebell Close and Heather Close;
- Street lighting in Galmington Lane and Hoveland Lane;
- Covered litter bins for Lyngford
- Installation of composting toilets at the allotments in Lyngford;
- Mower to maintain grass footpaths at Rowbarton Allotments;

Some requests received could not be considered as additional information was required before a decision could be made. These items included;

- Refurbishment and repainting of play equipment at Leycroft Park;
- Refurbishment of wooden bridge at Thames Drive;
- More dropped kerbs in the Blackbrook and Holway area;
- Surfacing the footway between Dowsland Way and Celandine Mead;
- Cleaning or replacement of road name plates etc;
- New flooring at Multi-Storey Car Park at Paul Street;
- Cycle/foot way in Barlinch Close;
- Pigeon proofing Railway Bridge;
- Repair of Post Office Clock;
- Broken Signs and litter around Brendon House, High Street.

Appendix B

Sample Bid Proforma

Unparished Area Precept: Bid Form

Date of Bid:
Name of bidder
Contact details:

Scheme Details

What is the scheme? What will it do?
Where will the scheme be located?
What is the lifetime of this scheme / project expected to be?
Who will it help?

Demonstrate the Need for the Scheme

Please outline the advantages of providing this scheme / project? What problems will it resolve?
--

Capital Costs

How much is this likely to cost to create? Please provide details
Have other sources of funding been pursued? If so, which ones?

Was money made available from these funds? (delete as applicable) **YES / NO**

If so, how much? £

If not, why not?

Revenue Costs

What extra revenue implications are attached to this scheme? Include things like maintenance, insurance, upkeep.
What is the likely total lifetime cost of maintaining and managing this scheme?
Who will be expected to maintain the scheme when it is completed?

Please forward your bid to Mr X at Room Y, Taunton Deane Borough Council, Belvedere Road, Taunton TA1 1HE

Appendix C

List of Parish Council Powers

Please note, this is not an exhaustive list but does indicate the sorts of functions that Parish Councils can discharge.

Source: Department of Communities and Local Government

www.communities.gov.uk/index.asp?id=1133770

Function	Powers & Duties
Allotments	<ul style="list-style-type: none">• Duty to provide allotments.• Power to improve and adapt land for allotments, and to let grazing rights
Baths and washhouses	<ul style="list-style-type: none">• Power to provide public baths and washhouses
Burial grounds, cemeteries and crematoria	<ul style="list-style-type: none">• Power to acquire and maintain• Power to provide• Power to agree to maintain monuments and memorials• Power to contribute towards expenses of cemeteries
Bus shelters	<ul style="list-style-type: none">• Power to provide and maintain shelters
Bye-laws	<ul style="list-style-type: none">• Power to make bye-laws in regard to pleasure grounds• Cycle parks• Baths and washhouses• Open spaces and burial grounds• Mortuaries and post-mortem rooms
Clocks	<ul style="list-style-type: none">• Power to provide public clocks
Closed churchyards	<ul style="list-style-type: none">• Powers as to maintenance
Common pastures	<ul style="list-style-type: none">• Powers in relation to providing common pasture
Conference facilities	<ul style="list-style-type: none">• Power to provide and encourage the use of facilities
Community centres	<ul style="list-style-type: none">• Power to provide and equip buildings for use of clubs having athletic, social or recreational objectives
Crime prevention	<ul style="list-style-type: none">• Powers to install and maintain equipment and establish and maintain a scheme for detection or prevention of crime
Drainage	<ul style="list-style-type: none">• Power to deal with ponds and ditches
Entertainment and the arts	<ul style="list-style-type: none">• Provision of entertainment and support of the arts
Gifts	<ul style="list-style-type: none">• Power to accept
Highways	<ul style="list-style-type: none">• Power to maintain footpaths and bridle-ways• Power to light roads and public places• Provision of litter bins• Powers to provide parking places for bicycles and motor-cycles, and other vehicles• Power to enter into agreement as to dedication and widening• Power to provide roadside seats and shelters• Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway• Power to complain to highway authority as to unlawful stopping up or obstruction of highway or unlawful encroachment on roadside wastes• Power to provide traffic signs and other objects or devices warning of danger• Power to plant trees and lay out grass verges etc. and to maintain them
Investments	<ul style="list-style-type: none">• Power to participate in schemes of collective investment

Land	<ul style="list-style-type: none"> • Power to acquire by agreement, to appropriate, to dispose of • Power to accept gifts of land
Litter	<ul style="list-style-type: none"> • Provision of receptacles
Lotteries	<ul style="list-style-type: none"> • Powers to promote
Mortuaries and post mortem rooms	<ul style="list-style-type: none"> • Powers to provide mortuaries and post mortem rooms
Open spaces	<ul style="list-style-type: none"> • Power to acquire land and maintain
Parish documents	<ul style="list-style-type: none"> • Powers to direct as to their custody
Telecommunications facilities	<ul style="list-style-type: none"> • Power to pay public telecommunications operators any loss sustained providing telecommunication facilities
Public buildings and village hall	<ul style="list-style-type: none"> • Power to provide buildings for public meetings and assemblies
Public conveniences	<ul style="list-style-type: none"> • Power to provide
Town and country planning	<ul style="list-style-type: none"> • Right to be notified of planning applications
Tourism	<ul style="list-style-type: none"> • Power to encourage visitors and provide conference and other facilities
Traffic calming	<ul style="list-style-type: none"> • Powers to contribute financially to traffic calming schemes
Transport	<ul style="list-style-type: none"> • Powers in relation to car-sharing schemes, taxi fare concessions and information about transport • Powers to make grants for bus services
War memorials	<ul style="list-style-type: none"> • Power to maintain, repair, protect and alter war memorials
Water supply	<ul style="list-style-type: none"> • Power to utilise well, spring or stream and to provide facilities for obtaining water from them

Source: Department of Communities and Local Government
www.communities.gov.uk/index.asp?id=1133770