

Draft minutes subject to approval at the next meeting of the Executive

Executive – 6 December 2006

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

Officers: Mrs P James (Chief Executive), Ms S Adam (Strategic Director),
Ms J Wishlade (Strategic Director), Mr J J Thornberry (Strategic
Director), Mr P Carter (Financial Services Manager), Mrs E Collacott
(Principal Accountant), Mr S Rutledge (Corporate Property Manager)
and Mr G P Dyke (Democratic Services Manager)

Also Present: Councillors Bowrah, Henley, Stuart-Thorn and Wedderkopp.

(The meeting commenced at 6.15 pm.)

96. Apologies

Councillors Leighton and Mrs Lewin-Harris.

97. Minutes

The minutes of the meetings held on 13 November and 15 November 2006 were taken as read and were signed subject to Minute 91(ii) (15 November) being amended to read "Councillor Garner confirmed that there were no further VAT implications on service charges.

98. Public Question Time

Councillor Henley, as a member of the public asked the following questions:

- (i) the campaign by the Council to persuade residents of the benefits of building affordable homes at Gay Close, Wellington had gained little public support. In this connection, Councillor Henley presented a petition, which had been promoted by local residents, objecting to the proposed scheme. In view of this opposition he asked if the Council would consider dropping the scheme.

Councillor Garner accepted the petition and stated that he was comfortable with the way this proposal was being handled. Councillor Williams added that it was the Council's responsibility to work with local residents to overcome any fears and concerns.

- (ii) there were ongoing concerns in relation to the planned disposal of Council owned land at Highfields, Stoke St Gregory. The building and land had not been sold at auction as it failed to reach its reserve price. He asked what the reserve price had been, how much was the highest bid, who submitted it and were negotiations ongoing with the same

bidder. Councillor Henley acknowledged that this information was exempt and stated that in the circumstances he was happy to receive a written reply.

Councillor Williams reminded Councillor Henley that this information had been reported to a recent meeting of the Review Board. Councillor Cavill added that this was, indeed, exempt information and that he would provide Councillor Henley with a written reply.

99. Declarations of Interest

Councillors Mrs Bradley, Clark and Stuart-Thorn declared personal interests in Concessionary Travel as holders of concessionary bus passes.

100. Savings Delivery Plans

Reported that the Heads of Service had, as part of the budget process for 2007/08, produced savings delivery plans which would enable the forecast budget gap to be closed to within £131k. Details were submitted of the targets issued to the Heads of Service and the proposed level of savings that had been identified by them. The detailed delivery plans were submitted for consideration.

The Review Board had considered the savings delivery plans at its meeting on 30 November 2006 and details of their comments were submitted.

RESOLVED that:

- (a) the updated budget gap for 2007/08 be noted; and
- (b) the proposals outlined in the savings delivery plans be agreed and included in the draft 2007/08 budget.

101. Fees and Charges 2007/2008

Consideration was given to the proposed fees and charges for 2007/08 for Waste Services, Cemeteries and Crematorium and Licensing. Details were submitted on the proposed charges for each of the above services. The recent public consultation "Your Council, Your Views" had clearly indicated that the public preferred to see increases in the fees and charges rather than in Council Tax as a way for the Council to raise income. Therefore, where possible, fees had been increased to take these views into account.

With regard to Waste Services, the Somerset Waste Partnership had agreed these charges as the harmonised charges that would apply during 2007/08 in preparation for the integrated service contract.

The Cemeteries and Crematorium service fees had been largely increased by RPI. An exception to this was an additional increase in the cremation fee. The increase in the cremation fee would be used to fund an increase in the

grounds maintenance budget of the Crematorium. The total additional income generated from these increases would be £44,000.

A summary of the Licensing fees and charges was submitted. With the exception of those fees that were set by statute and set nationally, income from the proposed increases in fees was expected to generate an additional £6,700 in 2007/08.

In previous years the proposed fees for the Land Charges Service had been considered at this time. However, the Department for Constitutional Affairs were currently consulting on several significant changes to the way in which local authorities could charge for land charge services. The revised guidance on these changes was awaited and therefore it was not possible to make a recommendation on the fee levels.

The Review Board had considered the proposed fees and charges at its meeting on 30 November 2006 and details of the comments were submitted.

RESOLVED that Council be recommended that the fees and charges for 2007/08 in respect of Waste Services, Cemeteries and Crematorium and Licensing be agreed.

102. Capital Strategy 2006/09

Submitted for consideration the draft Capital Strategy for 2006-2009. Although there was not a requirement for the Council to prepare a Capital Strategy, in terms of setting direction for use of the Council's capital resources the strategy was seen as a "must have" document. This was borne out by the Capital Strategy being regarded as a key document in the CPA Use of Resources self-assessment.

The revised draft Strategy for 2006-2009 had 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 Review Board had considered the draft document at its meeting on 30 November 2006 and details were submitted of the comments made at that meeting.

RESOLVED that Council be recommended that the Capital Strategy for 2006-2009 be agreed.

103. Asset Management Plan 2006 and the Performance of the Property Portfolio

The Asset Management Plan for 2006/2007 had now been completed and was submitted for consideration. The format of the report had been changed from that submitted in previous years. It was now viewed as a living document installed on the Internet and amended whenever there was a change in the Council's assets.

Generally, the Council's buildings were in reasonable condition with only 4% exhibiting major defects and not operating as intended. The Plan had been submitted to the Review Board at its meeting on 30 November 2006 and details of their views and comments were submitted.

As with the Capital Strategy there was no requirement for the Council to prepare an Asset Management Plan, however it was also considered as a key document in the CPA Use of Resources.

RESOLVED that the 2006/2007 Asset Management Plan be noted.

104. **Council Tax Base 2207/08**

It was 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 Officer's banding list as at 30 November 2006, 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, the Fire 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 2006/07 was 39,358.90 and the recommended base for 2007/08 of 39,786.35 represented an increase of 427.45 or 1.07%.

RESOLVED that:

- (a) the report of the Financial services Manager for the calculation of the Council Tax base for the whole and parts of the area for 2007/08 be approved;
- (b) 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 2007/08 shall be 39,786.35 and for the parts of the area listed below shall, for 2007/08 be:-

Ash Priors	74.00
Ashbrittle	88.39
Bathealton	80.85
Bishops Hull	1,079.90
Bishops Lydeard/Cothelstone	1,919.98
Bradford on Tone	278.16
Burrowbridge	203.46

Cheddon Fitzpaine	643.95
Chipstable	119.73
Churchstanton	308.21
Combe Florey	122.31
Comeytrove	2,088.55
Corfe	130.16
Creech St Michael	943.89
Durstun	57.64
Fitzhead	123.31
Halse	143.54
Hatch Beauchamp	256.79
Kingston St Mary	460.80
Langford Budville	215.56
Lydeard St Lawrence/Tolland	198.30
Milverton	593.29
Neroche	246.02
North Curry	717.91
Norton Fitzwarren	696.58
Nynehead	153.26
Oake	329.74
Otterford	166.26
Pitminster	454.24
Ruishton/Thornfalcon	620.40
Sampford Arundel	131.54
Staplegrove	711.86
Stawley	120.43
Stoke St Gregory	384.75
Stoke St Mary	210.55
Taunton	15,914.40
Trull	1,022.07
Wellington	4,576.12
Wellington (Without)	297.40
West Bagborough	157.33
West Buckland	405.03
West Hatch	141.36
West Monkton	1,111.64
Wiveliscombe	1,086.71
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Total	39,786.35
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105. The Legal Form of the Somerset Waste Board

Reported that the Somerset Waste Partnership was working towards the creation of a Somerset Waste Board that would manage the disposal and collection waste functions across the whole of Somerset. This would include the new integrated waste collection contract for the whole of Somerset that was currently being procured. It was expected that this arrangement would lead to increased efficiencies and improved service delivery.

There are a number of options that could be used to establish the legal form of the Somerset Waste Board. Consideration was given to the various options. The Somerset Waste Partnership had been advised by its external legal advisors on the preferred option for the legal form of the Board and its legal sub group had recommended that the Somerset Waste Board adopt the Joint Committee with administering authority model in the short term with a view to the creation of a joint authority as the long term solution.

In order to ensure the Somerset Waste Board had an appropriate legal form in the short and long term and having regard to the need to mitigate risk and resolve these issues in a timely cost effective manner it was RESOLVED that:

- (1) in the short-term the legal form of the Somerset Waste Board be a Joint Committee with Administering Authority;
- (2) the Somerset Waste Partnership apply to create a Joint Waste Authority using:
 - (i) the powers that are expected to arise from the Local Government Bill following the recently published White Paper; or
 - (ii) the Local Government Act 1999 powers.
- (3) having regard to the balance of risk, cost and time the option of using a joint committee with company structure be ruled out.

106. **Strong and Prosperous Communities – The Local Government White Paper**

Submitted report previously circulated which dealt with the issue raised in the White Paper of unitary status and two-tier partnership models, including pathfinders. The report did not seek to analyse these options but sought direction on the various options available. These options were:-

- To support Unitary Authorities for Somerset.
- To support a formal pathfinder bid for Somerset.
- To support enhanced two-tier working across Somerset.

The White Paper set out a series of reforms which were designed to empower citizens and communities, create stronger more visible leadership and put in place a new framework within which local authorities and partners could work to improve their areas. The Paper included an invitation to councils in shire areas to bid for unitary status or enhanced two-tier working. The report dealt solely with this proposal. Detailed discussion took place around the purpose of this invitation, its terms, the criteria for unitary structures and the recognition that in the majority of county areas the Government recognised that reforms would take the form of enhanced two-tier working.

It was reported that Somerset County Council had agreed a motion at its meeting on 22 November 2006, which instructed officers to work on a bid and prepare a submission for the creation of a Unitary Council for the existing area

of Somerset. This was to be further considered at a special meeting of the County Council in January 2007.

This Council had made great strides towards delivering much of the White Paper agenda and was at the forefront of improving its performance across all tiers of government. It was considered that this Council's direction of travel accorded highly with the White Paper and that a bid to further enhance two-tier working across the whole of Somerset was the way forward.

With regard to the bid for unitary status for Somerset, concerns were expressed regarding:

- Loss of democratic representation;
- The size, particularly of a single unitary;
- The loss of local identity;
- The loss of local ability to be responsive and make decisions and deliver on behalf of local communities;
- The real ability to pay back transactional costs and to delivery business case projections;
- The distraction that reorganisation would cause to service delivery.

There were other options for Somerset and Taunton Deane which included the possibility of two unitary authorities for Somerset or a Pathfinder bid.

RESOLVED that

- (i) the decision of Somerset County Council to work on a bid and prepare a submission for the creation of a Unitary Council for the existing area of Somerset be not supported
- (ii) further work be undertaken by officers of Taunton Deane on enhancing two-tier working across the whole of Somerset.

107. **The Wellsprings Centre**

Submitted report which gave details of all the issues that had arisen out of the recovery of the project to build the Wellsprings Centre. These had at long last been effectively resolved and the Council's claim against its original contractors, Mr R W F Warner, trading as Warner Group, had now been settled.

The report also provided details of the overall costs of the project and recommended how a small underspend on the approved budget set aside for its completion should be dealt with.

Details were submitted of the history of the project, together with the Council's subsequent claim against Mr R W F Warner. A financial summary of the costs involved in this contract were also submitted.

The report also summarised some of the significant lessons that had been learnt and the far reaching changes which had been put in place following the

experience of this project. This involved recovery project control and reviews and scrutiny arrangements. Although one or two minor items still remained to be resolved within the Centre, it formed an important and successful element of the leisure facilities being managed by Tone Leisure. The facility was a popular one and trading well providing a valuable resource for both the adjoining school and the community of north Taunton.

The failure of the original construction contract with Warner was extremely damaging to the Authority and to the local community. Its recovery had required considerable resources in both financial and people terms to get the project completed.

A range of lessons had been learned and implemented as set out in the report and those lessons had made a considerable impact on the way that the Council's procurement management now operated.

The budgets approved by the Council to ensure the completion of the project had not been fully exhausted and the sum of £246,000 remained. It was felt that this sum should be returned to unallocated General Fund reserves.

RESOLVED that

- (i) the report be noted and the underspend of £246,000 be returned to unallocated General Fund reserves.
- (ii) in view of the importance of this project, the report be submitted to the February meeting of Council for information.

(The meeting ended at 8.27 pm)