

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

## **Executive – 14 January 2008**

Present: Councillor Henley (Chairman)  
Councillors Brooks, Coles, Horsley, R Lees, Mullins, Prior-Sankey,  
Mrs Smith and A Wedderkopp.

Officers: Penny James (Chief Executive), Shirlene Adam (Strategic Director)  
Brendan Cleere (Strategic Director), Joy Wishlade (Strategic Director),  
Jeremy Thornberry (Strategic Director), James Barrah (Chief  
Environmental Health Officer), Amy Hunt (Licensing Officer), Paul  
Carter (Financial Services Manager), Paul Rayson (Cemeteries and  
Crematorium Manager) and Greg Dyke (Democratic Services  
Manager)

Also present: Councillors Bishop, Bowrah, Edwards, Hall, Meikle, Stuart-Thorn, Mrs  
Waymouth, Williams and Mrs Whitmarsh.

(The meeting commenced at 6.15 pm.)

### **118. Minutes**

The minutes of the meeting held on 14 November 2007, copies of which had  
been circulated, were taken as read and were signed.

### **119. Public Question Time**

Roger House commented further to the continued comments supporting a  
Saturday produce market close to its present vicinity voiced most recently on  
the December 08 Town Centre Action Plan where TDBC missed an  
opportunity to offer the long-time customers of our community market any  
tangible relocation site locally on which to comment or support.

He asked if the Council would now set in motion a communication with town  
centre market users, and resolve to establish a dedicated Saturday Market  
Place to which any current rights from the current site can be transferred  
through the planning process.

The current market hall and produce market site produces a substantial and  
rising parking income suggesting a value now of around 2 million pounds  
which has gradually accrued over the decades of support by market  
customers and traders.

Can TDBC immediately set up a feasibility study for the proposed remodelling  
of the Belvedere Road to Flook House open space to become a Saturday

Market place, visible and adjoining a major town public transport route, that could be set up economically from a fraction of the proceeds from the sale of our former site. Can market users also participate in this and explore the other points raised on the market. We may need a community charter to keep all the best aspects of the current traders, management and atmosphere.

It is very important now to retain the confidence of the people still using this community market at this time.

This request is consistent with your corporate strategy appendix

Page 9 objective 1 - boxes - the Firepool start 2008, the town centre action plan we seek to improve.

Page 15 objective 6 - box on optimising journeys re location of homes, retail and leisure particularly for all central area non car owners.

Page 21 objective 14 - promoting healthy activities – missing here is a box on healthy food, allotments, markets and green urban living – still enough local/wholesome food at our market to tick that box.

Finally just to propose a car parking site as a temporary measure would fall foul of page 9 objective 6 - the reduction in town centre parking around Station Road here coupled with increasing parking cost which will surely strangle the market.

Joy Wishlade, as the appropriate Director, replied that the Council was actively working with the Manager of the Stall Market to ensure a longer term solution to its continuation. In the meantime it would continue to operate at its existing site until such time as it was made available for development.

Councillor Stuart-Thorn, as a member of the public, asked if the pens at the Market would be sold by the Council or the Market Auctioneers.

Joy Wishlade, as the appropriate Director, replied that many of the gates and pens belonged to Taunton Deane. The Council's officers were currently working with the Market Auctioneers to establish the precise ownership of items at the Market.

## **120. Declarations of Interest**

Councillors Brooks, Henley and Prior-Sankey declared general personal interests as members of Somerset County Council. Councillor Fran Smith declared a personal interest as an employee of Somerset County Council, Councillor Horsley as a Director of CAB and as Chair of TAH and Councillor Coles as a Director of South West One.

## **121. Fees and Charges 2008/09**

Consideration was given to the proposed fees and charges for 2008/09 for the following services:

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

Details were submitted of the proposed charges for each service. 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 had been increased to take these views into account. Comments on the proposals made by the Overview and Scrutiny Board at its meeting on 13 December 2007 were submitted.

It was proposed that the main cremation fee be increased by £30 to £509. This would generate additional income of an estimated £66k. This increase was mid way between the two possible proposed increases of £20 and £40 included within the savings plans considered by the Executive elsewhere within this agenda. In addition other fees had been largely increased by 3%.

As far as Waste Services were concerned it was proposed that the fees for Garden Waste Bins be increased from £20 to £25. In addition the charge for paper sacks was proposed to increase from £7.50 to £10. All other fees and charges were proposed to remain the same. The financial impact of these proposals would be incorporated into the budgeted 2008/09 contributions to the Somerset Waste Board, once finalised.

Many Licensing fees, particularly those in relation to the Licensing Act 2003, were set nationally, and the majority of income derived from licensing activities resulted from these fees. However for those licensing fees where there was local flexibility to set an appropriate amount Officers had been working to ensure that the Council's costs in administering and enforcing such licenses were adequately met from the subsequent income received. However it was not possible to set a standard increase across all areas. The activities of the Licensing Unit were many and varied. Each activity had to be considered on the basis of the nature of the activity, location and number of existing traders and other market factors and an individual fee or charge proposed accordingly.

Income from the proposed increases in fees was expected to generate an additional £7k in 2008-09. Increased volumes of activity would also generate additional income of £50k.

In previous years the proposed fees for the Land Charges service were usually considered at this time. This service was currently under review by the Strategic Director (KT). Government guidance also indicated that

consideration had to be given to matching fee levels to the costs of running the service, therefore at present the proposed new fee levels for 2008/09 had not been set.

A TRO Panel in December had considered the car parks fees and charges and the Portfolio Holder had agreed with the recommendations of the Panel. These were reported in the Weekly Bulletin on 3 January 2008.

**RESOLVED** that Council be recommended that the fees and charges for 2008/09 in respect of Waste Services, Cemeteries and Crematorium and Licensing be agreed.

## 122. Budget Strategy 2008/09 and Savings Delivery Plans

Reported that the estimated budget gap reported to the Overview & Scrutiny Board on 1<sup>st</sup> November 2007 was £1.147m. There had been several changes to this position and the latest predicted budget gap was £1,194k. The main reasons for this change were:-

	£'000	£'000
<b>Budget Gap at 1/11/07</b>		<b>1,147</b>
<b>MTFP Changes – Good News</b>		
Impact of 07/08 Pay Award	(48)	
HB Admin Subsidy	(42)	
Qtr2 07/08 Car Park Income	(30)	
Estimated 3% Increase – Planning Fees	(15)	
Estimated Impact of CSR07	(80)	
Error in Unavoidables / Base Budget	(88)	
Error in Unavoidable - LDF	(35)	
		(338)
<b>MTFP Changes – Bad News</b>		
Qtr2 07/08 Position on Land Charges	64	
New Unavoidable – Market Site	26	
New Unavoidable – Superannuation	15	
New Unavoidable – Dog Wardens	19	
		124
<b>Budget Gap per 13 December report to Overview &amp; Scrutiny</b>		<b>933</b>
<b>Further Updates to the Gap as reported Verbally to the Scrutiny Board</b>		
Impact of Draft Local Government Finance Settlement	41	
New Information on Concessionary Travel Costs *	163	
Increased Govt Grant for Homelessness	(10)	
Impact of Finalised Council Tax Base	5	
Impact of Draft Collection Fund Deficit	25	
Changes to Budgets to reflect the move from MTFP projections to actual Budgets	33	
Others	4	
		261

<b>Current Budget Gap</b>		<b>1,194</b>
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### **THE SAVINGS DELIVERY PLANS 2008/09**

As in previous years, the Profile of Services had been used to help the budget setting exercise, and to give direction to the service areas that the Council wished to “disinvest” from to deliver a balanced budget.

Details of the draft Savings Delivery Plans were submitted.

The Overview and Scrutiny Board had considered the savings plans at its meeting on 13 December 2007.

Consideration was given to taking all those savings that had been identified with a public acceptability rating of 1 and 2 in order to help close the budget gap.

The Chief Executive’s report “Proposals to Refresh the Corporate Management of the Council” (considered by Full Council in February 2007) referred to the need for further thought to be given to the Council’s structure. The remaining Core Council needed to be fundamentally reviewed to ensure it was in the best shape to deliver:-

1. The Core Council’s corporate objectives.
2. Southwest One and Core Council shared objectives.
3. Partnership working – building on Team Somerset and our other successes such as the Somerset Waste Partnership.
4. A sustainable long-term financial base.

The Council’s corporate arrangements were changed by the report in February, removing the layer of Heads of Service and creating the post of Corporate Governance Director. Further changes had recently also been agreed by Council.

The savings plans for 2008/09 contained a number of “one-off” proposals, for example:

Environmental Health – Vacant Posts  
Housing Needs Survey  
Leisure – Vacant Post  
Planning – Vacant Post

This would allow the Council to set a balanced budget for 2008/09 and take time to review the organisation in a managed and consultative way. It was anticipated that this review would deliver long-term savings equal or greater than the amount of “one-off” savings presented as part of the Savings Delivery Plans for 2008/09.

The Authority must ensure that it was able to delivery a sustainable budget. The Savings Delivery Plans would help the Council to achieve this for 2008/09. The fundamental review of the Core Council would ensure this was delivered for the sustainable future.

**RESOLVED** that:

- a) the updated budget gap position be noted,
- b) the proposed strategy for reviewing the Core Council be agreed , and
- c) the savings delivery plans shown as having a public acceptability rating of 1 and 2 be agreed and incorporated into the 2008/09 budget.

**123. Council Tax Base 2008/09**

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 18 October 2007, 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 also had to reflect the provision for losses on collection. The rate for 2008/09 was 0.8%, as in the previous year, giving an anticipated collection rate of 99.2% for 2008/09.

The Council Tax Base for 2007/08 was 39,786.35 and the recommended base for 2008/09 of 40,153.07 represented an increase of 366.72 or 0.92%.

**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 2008/09 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 2008/09 shall be 40,153.07 and for the parts of the area listed below shall, for 2008/09 be: -

Ash Priors	78.82
Ashbrittle	90.22
Bathealton	81.22
Bishops Hull	1,075.04
Bishops Lydeard/Cothelstone	1,915.67
Bradford on Tone	277.60

Burrowbridge	203.67
Cheddon Fitzpaine	636.76
Chipstable	120.07
Churchstanton	313.19
Combe Florey	123.09
Comeytrowe	2,088.46
Corfe	137.97
Creech St Michael	940.01
Durstun	58.99
Fitzhead	124.85
Halse	146.71
Hatch Beauchamp	265.32
Kingston St Mary	460.34
Langford Budville	220.32
Lydeard St Lawrence/Tolland	199.61
Milverton	596.15
Neroche	248.78
North Curry	724.80
Norton Fitzwarren	737.28
Nynehead	168.96
Oake	330.56
Otterford	168.23
Pitminster	449.53
Ruishton/Thornfalcon	621.22
Sampford Arundel	128.69
Staplegrove	719.37
Stawley	123.05
Stoke St Gregory	381.60
Stoke St Mary	212.07
Taunton	16,083.61
Trull	1,008.61
Wellington	4,646.65
Wellington (Without)	297.29
West Bagborough	159.39
West Buckland	439.50
West Hatch	140.64
West Monkton	1,104.87
Wiveliscombe	1,104.32
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<b>Total</b>	<b>40,153.07</b>
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Submitted the draft Corporate Strategy 2008-2011, which provided direction for the Council and set out its objectives and desired outcomes for the next three years.

The Corporate Strategy was the Council's principal policy document. It established the outcomes that it wanted to achieve in the community and provided an important lead for budget setting and service planning activities.

In setting the 2008-11 Corporate Strategy, consideration had been given to recent consultation with both the community and partners, seeking views and preferences on future priorities and budget-setting choices. Feedback had also been considered from the Audit Commission, Central government guidance, and the 'Local Futures' area audit.

The Corporate Strategy had been challenged and scrutinised during its development through the following means:

- Overview and Scrutiny Board 'Developing the Corporate Strategy' (4 October 07)
- Discussion at Executive Agenda Setting with CMT (8 October 07)
- Consultation with directors, managers and officers (ongoing)
- Overview and Scrutiny Board 'Draft Corporate Strategy' report (1 November 07)

The key areas of change to the Corporate Strategy, resulting from the consultation, feedback, challenge and scrutiny were:

A new objective to reduce the risk of and respond to flooding  
An increased focus on supporting the rural economy  
A review of other opportunities in Taunton Deane such as for a new swimming pool and for rolling out the restorative justice scheme if the pilot proves successful

**RESOLVED** that Council be recommended that the Corporate Strategy 2008 – 2011 be adopted.

## **125. Review of Public Conveniences**

At its meeting of 13 December 2007, the Overview and Scrutiny Board was informed of the Executive's intention to make revenue savings of up to £45,400 from the public convenience budget.

In order to achieve this level of saving, a number of public conveniences across Taunton Deane would need to be either closed, or alternative (more efficient) management arrangements established. At the time of the Overview and Scrutiny Board's meeting, a specific list of facilities for closure or alternative management had not been developed. However, issues such as vandalism, anti-social behaviour,



usage by the public and proximity to other facilities were highlighted as key considerations.

A full review on the issue had now been undertaken and details were submitted.

Public conveniences were subject to a range of nuisances and social problems, including anti-social behaviour, vandalism, misuse, overnight occupation, alcohol and drug use and illegal sexual activity. The prevalence of such issues varied from one facility to another, and further details were submitted.

Although this review was prompted by the drive to achieve revenue savings and improve the Council's medium term financial position, other criteria were also suggested to assist in deciding on the future provision of this service, including:

- Prevalence of nuisances, such as vandalism and alcohol/drug use.
- Level of usage
- Proximity to other facilities

A revenue saving of £18,400 could be taken from 2008/09, without closing or transferring any facilities.

A number of options were explored in respect of each public convenience facility, including:

- Maintain provision as at present
- Closure
- Seasonal opening
- Seek contribution from outside body
- Transfer cleansing responsibility to outside body

**RESOLVED** that:

- a.) the revenue savings of £18,400 as indicated in the report be accepted.
- b.) the future course of action, as indicated in Appendix A to the report, be agreed.

## **126. Regulation of Skin Piercing Businesses**

The Council were 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 was therefore given to adopting the new legislation and new byelaws to allow cosmetic piercing and semi-permanent skin colouring businesses that were 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.

**RESOLVED** that the Council be recommended

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<sup>th</sup> 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).

(The meeting ended at 7.37 p.m.)