

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

**Taunton Deane Borough Council**

At a meeting of the Taunton Deane Borough Council held in the Principal Committee Room, The Deane House, Belvedere Road, Taunton on 11 December 2007 at 6.30pm.

**Present** The Mayor (Councillor Hayward)  
The Deputy Mayor (Councillor Slattery)  
Councillors Mrs Allgrove, Beaven, Bishop, Bowrah, Brockwell, Brooks, Cavill, Coles, Mrs Copley, Mrs Court-Stenning, Critchard, Denington, Edwards, Farbahi, Floyd, Govier, Guerrier, Hall, Henley, Mrs Herbert, C Hill, Mrs M Hill, Horsley, House, James, R Lees, Mrs S Lees, Leighton, Mrs Lewin-Harris, McMahon, Meikle, Morrell, Mullins, Murphy, Paul, Prior-Sankey, Mrs Smith, P Smith, Mrs Stock-Williams, Stone, Stuart-Thorn, Thorne, Watson, Mrs Waymouth, Webber, D Wedderkopp, A Wedderkopp, Mrs Whitmarsh, Williams, Mrs Wilson, Wood and Woolley.

**1. Minutes**

The minutes of the Meeting of the Council held on 9 October 2007, copies having been sent to each Member, were signed by the Mayor.

**2. Apologies**

Councillors Bone and Durdan.

**3. Public Question Time**

(a) Mike Cull of Oake Close, Oake drew attention to certain activities which were allegedly taking place in the secluded Priory Bridge car park toilets and surrounding area. Although the area was scheduled for redevelopment he asked if the Council would now give urgent consideration to the permanent closure of the Priory Bridge toilets as there were alternative and more visible facilities already existing nearby in Canal Road.

Councillor Mullins replied that the Council would give urgent consideration to this matter.

(b) Paul Partington welcomed the work that had been carried out so far on Project Taunton, but felt that with regard to swimming facilities the work was far from complete with the vision of what was required for swimming and its associated activities. He asked eight questions relating to the future provision of swimming within Taunton.

Councillor Richard Lees assured Mr Partington that he would respond to his eight questions in writing.

- (c) Ann Reynolds also asked questions in relation to Project Taunton and the provision of swimming facilities.

Councillor Richard Lees assured Ms Reynolds that he would provide her with a written answer to her questions. Councillor Horsley also stated that the Council were conscious of the current shortcomings in provision of swimming facilities and that it was intended to ensure that Taunton had the very best facilities.

#### **4. Declarations of Interest**

Councillors Brooks, Henley, Govier, Paul and Prior-Sankey all declared personal interests as Members of Somerset County Council. Councillor James declared a personal interest as an employee of Viridor. Councillor Horsley declared a personal interest as Chair of Taunton Association for the Homeless. Councillor Coles declared a personal interest as a Director of ISiS. Councillor Cavill declared a personal and prejudicial interest in any matters relating to development at Monkton Heathfield and Councillor Leighton declared a personal interest as Chair of the Monkton Heathfield Community Engagement Panel.

#### **5. Members Allowances**

Submitted report previously circulated of the Members Allowances Panel following its annual review of Members Allowances. A copy of the report and recommendations had been circulated to all Councillors. It had also been considered by the Strategy and Performance Panel at its meeting on 13 November 2007.

Details of the Members Allowances Scheme that had been recommended by the independent panel were submitted together with the comments and recommendations made by the Strategy and Performance Panel.

Moved by Councillor Hall, seconded by Councillor Bowrah that:

- (i) The recommended level of allowance for the Chair of Planning Committee be reduced and be set at the same level as that of the Chair of the Overview and Scrutiny Board.

The amendment to the recommendations was put and was lost.

- (ii) The recommended payment of a Special Responsibility Allowance for Chairs of the Task and Finish Groups be not agreed and be reviewed further once the pilot Overview and Scrutiny arrangements had been completed.

The amendment to the recommendations was put and was agreed.

Moved by Councillor Henley, seconded by Councillor Wedderkopp that the level of allowances paid to Councillors who received two or more Special Responsibility Allowances be capped at the level of a Special Responsibility Allowance paid to an Executive Councillor.

The amendment to the recommendations was put and after an equality of votes was lost on the casting vote of the Mayor.

On the motion of the Mayor (Councillor Hayward) it was;

RESOLVED that the existing Members Allowances Scheme be discontinued and replaced with a scheme recommended by the Members Allowances Panel as amended with effect from 1 April 2008. (Full details of the scheme are set out as an Appendix to these minutes).

#### **6. Annual Report 2007/2008**

Reported that the Council were required to produce an Annual Report (or Performance Plan). Its purpose was to articulate proposals for improvement for the coming year including how weaknesses would be addressed, opportunities exploited and better outcomes delivered. The Council were also required to include outturn data targets for performance indicators and progress against past objectives.

The Annual Report had now been completed and was submitted for consideration. The Audit Commission required formal approval of the Annual Report from Council. RESOLVED that the Annual Report 2007/2008 be agreed.

#### **7. Variation of Order of Business**

In accordance with Standing Order 2, Councillor Edwards proposed that the Order of Business at the meeting be varied and that agenda item 11, Somerset Waste Board be taken at this point.

After taking a vote, the Mayor, with the consent of the Council agreed that the Order of Business be varied accordingly.

#### **8. Somerset Waste Board**

The following motion was moved by Councillor Edwards, seconded by Councillor House:

The recently formed Somerset Waste Board was one of the most important strategic developments that Taunton Deane Borough Council had been involved in over the last four years. It was successfully implemented by the present administration after three years of extensive work by the last administration and co-operation across the Council's of Somerset.

Taunton Deane Borough Council presently found itself in a position of no overall control. It was regrettable that as a result of decisions made by the present Executive the largest opposition group have been completely isolated from this important partnership and the Leader of the Council had appointed two Executive Members to the Board.

The knowledge and understanding that existed within the Conservative group about the partnership and the future plans of the Board was therefore being wasted and the spirit of co-operation previously muted had not been effected. Despite numerous requests to change the appointments to the Board, the Leader of the Council had ignored all requests. It was moved that the Executive reconsider its decision and in the spirit of co-operation replace one of the two Executive Councillor representatives on the Somerset Waste Board with one from the largest opposition party to be decided by the leader of that group.

The motion was put and was lost.

## 9. **Written Questions to Members of the Executive**

(a) Councillor Williams asked the following question:-

“In supporting Somerset County Council for their funding bid for the Somerset Museum it was stated by Taunton Deane Borough Council the upgrading of the Castle Green and Goodlands Garden area would be achieved by 2010 to meet the external enhancement requirements. This formed part of the package of enhancement and redevelopment that secured £4.8 million of funding from the Heritage Lottery Fund, without which the much needed redevelopment of the Castle Museum will not take place.

I am aware that funding for this work was included in the New Growth Points bid which will be good if sufficient funds are provided in this way, but what is the Administrations ‘Plan B’ in the event the funds now allocated prove insufficient? I would point out that the upgrading of Castle Green area forms part of the master plan for the overall regeneration of Taunton, so if we are committed to delivering much needed development, funding has to be found notwithstanding the award of New Growth Point funding or not hence the need for a Plan B.

The Heritage Lottery Fund and the County Council have committed to a huge investment in Taunton which will be of great benefit to our community. We must ensure that we fully support them by ensuring the redevelopment of Castle Green and Goodlands Gardens has committed funding so as to guarantee the nearly £5 million Heritage Lottery funding so far promised. Failure to provide this clear commitment with work being carried out in a timely manner will undoubtedly jeopardize the Heritage Lottery funding of nearly £5 million. This must not be allowed to happen therefore I am seeking a clear commitment for funding and timing of these works”

Councillor Henley replied that the Council were fully committed to returning Castle Green to being a quality public space. "Taunton Deane Borough Council is fully committed to returning Castle Green to being a quality space rather than its current use as a car park. As you are aware, through Project Taunton, some initial design work on the scheme has already been produced. This is, and always was, an integral part of the master plan of Taunton which has been agreed with and approved by this Authority.

We are currently working with an urban design company to come up with proposals that can be carried forward for planning permission and I envisage works commencing on Castle Green in spring 2010. We would at the same time carry out works to ensure better management of Goodlands Gardens in particular the tree cover close to the Castle.

We will continue to negotiate on the traffic issues, particularly relating to bus movements within Castle Green and hope that these will be resolved to the same time scale. However, as I know you appreciate, these will be down to the County Council to resolve.

I look forward to seeing both the refurbishment of the Museum and the regeneration of Castle Green coming forward in the next few years".

(b) Councillor McMahon asked the following question:-

"We have heard alarming reports from central Government about the number of new houses likely to be required across the nation in the future. Can we know the exact figure that will be targeted in Taunton Deane in the next five, ten and twenty years assuming there to be a shortfall could the Portfolio Holder tell us what it is likely to be and what plans there are for reducing or clearing it. In summary, how many are needed and how many are planned or built so far. It also assumed that the current developments will only meet a need identified eight years ago and will not count towards the new figure."

Councillor Coles undertook to give Councillor McMahon a written reply, although a summary of his response was read on his behalf by Councillor Henley.

(c) Councillor Mrs Lewin-Harris asked the following question:-

"The Local Development Scheme timetables public consultation on the Issues and Options for the Core Strategy and Site Allocations (identifying sites for, among other things, around 17,000 houses) in December 2007/January 2008.

These are hugely important documents which will affect almost everyone living in Taunton Deane in some way or another. The

timetable has clearly slipped and I am, to say the least, surprised that you make no mention of this in your report to Full Council.

I am also disappointed that I have no more than an acknowledgement of my email of 10 October 2007, asking for information on how this consultation will be managed.

Please could you now tell this Council:

- i) Why has the timetable for the public consultation on Issues and Options for the Core Strategy slipped?
- ii) When will the public consultation now take place?
- iii) How will Members of this Council be involved in the consultation?
- iv) What plans does he have for Public Consultation?
- v) Do we have the internal resources to comply with the requirements of the Statement of Community Involvement in this consultation or is it necessary to use external consultants?
- vi) Do you still expect the consultation on the preferred options to take place in September/October 2008?
- vii) What are the financial implications of this slippage? Will it affect our Planning Delivery Grant?"

Councillor Coles replied:-

- i) "There are several factors that have contributed to this – delays to the preparation of the RSS, which will determine the scale of allocations required, and on which further background work will be based. The lack of scenario modelling for a range of levels of growth by the County Council, so further work is likely to be needed once the Panel's recommendations are known. A request from the Planning Inspectorate to bring forward the date of the Examination of the Taunton Town Centre Area Action Plan, which reduces the resources in the Forward Plan Team available for the Core Strategy consultation.
- (ii) We are currently considering this matter, to assess the full consequences of the above factors, some of which have only just arisen. There is still some uncertainty, for example, in relation to the publication of the Panel's report on the RSS.
- (iii) We will report to the steering group of Members that has been set up to oversee the production of the LDF, and also expect to

hold a briefing session open to all Members before the consultation occurs.

- iv) Officers will be drawing up a strategy for the consultation early in the new year.
- v) The requirements of the SCI could be met from internal resources, but it is intended to make use of consultants to achieve an improved quality and effectiveness of consultation.
- vi) No. The slippage to the timing of the Issues and Options consultation is likely to result in some slippage to that on the Preferred Option, although this will be minimised.
- vii) This will be determined by the details of how the Housing and Planning Delivery Grant will be allocated, which are currently being consulted on. The consultation document does not identify either Issues and Options or Preferred Option consultation as milestones against which grant allocations will be made, so our HPDG is unlikely to be affected.”

- (d) Councillor McMahan submitted the following question:-

“There is funding for the Choice Based Letting System and many of us have attended seminars on the proposal. Can the Portfolio Holder please tell us when this system will be introduced”.

Councillor Prior-Sankey replied that the projected date for introduction of the system was November 2008. A joint Somerset team was to be brought together to work on this project and the Council were well ahead of the Government target.

- (e) Councillor Hall submitted the following question:-

“Will Councillor Smith tell us what the average time to perform a full land search has been in the recent past and what it has been since the beginning of December?

Will she also quantify the changes of income she expects from land searches between 2007/2008 and 2008/2009.

In the event that both items show a deterioration, will she tell us what action she has taken to address the situation”.

Councillor Fran Smith replied that “The average turnaround time for full searches coming into the Land Charges unit have been as follows:-

September 2007 – 4.21 working days.

October 2007 – 5.20 working days.

November 2007 – 5.23 days.

We do not calculate turnaround periods part way through a month and December's figure will be available on or about 3 January 2008. It is possible that Councillor Hall is trying to get at the period taken for personal searchers to get access to the Land Charges Register. There have been periods of long delay in giving searchers appointments to carry out their searches and as part of a review that Kevin Toller is carrying out of the service we are looking to improve the situation for personal searchers.

As far as the income position is concerned, we are currently forecasting that we will be about £60,000 down on this year's income. This, we think, is down to a reduction in the number of properties sold, but also to the increase in the number of personal searches being carried out in association largely, we believe, with HIP packs. It is almost impossible to forecast what the income for 2008/2009 will be, as much will depend on the fees we charge, the state of the commercial and residential property markets and the extent of personal search activity. For reasons best known to themselves, but we suspect largely to do with cost, HIP providers appear to favour using personal search companies and we are aware that some estate agencies have tied themselves to personal search companies. All this will have a bearing on next year's income".

(f) Councillor Cavill submitted the following question:-

"The County Council has recently launched a Local Employment Partnership, with commitments on a range of initiatives to assist long term unemployed and others. A very laudable objective and one which, bearing in mind this Council's aims, I would have thought that we should be involved with and supporting.

Could you therefore, tell me what plans Taunton Deane has regarding this partnership?

Without doubt, this will be a way of helping many people who are ready for work, to achieve their ambition".

Councillor Smith replied that this partnership did not yet have any District Council's as members. The appropriate time to make an approach in respect of this initiative will be in the New Year.

(Councillors Henley, Mrs Wilson and Mrs Herbert all declared personal interests in this question, as employees of Job Centre Plus).

(g) Councillor Mrs Lewin-Harris asked the following question:-

"The future of Taunton Deane Council for Voluntary Services hangs in the balance. Please could you tell this Council how you see support for the Voluntary Sector being delivered in Taunton Deane in the future?".

Councillor Wedderkopp replied that the Council had, for a number of years, supported the CVS financially through a Service Level Agreement. The CVS were to provide key services such as a volunteering bureau, advice and support to voluntary organisations and to act as a consultative body for the voluntary sector. However, on trying to negotiate a new SLA earlier this year (the previous one had expired) the CVS Chief Executive stated that they could not deliver the services that we wanted unless funding was tripled. We had been paying £26.5k per year. We had also received a number of reports of dissatisfaction with CVS services. The CVS were not able to tell us what services they would be able to deliver for the funding available and so it was impossible to make a further Service Level Agreement.

In order to continue supporting the voluntary sector, TDBC and the County Council worked with the Chairman of CVS to seek a solution to this problem. This resulted in the County Council funding a consultant to work with the CVS to seek alternative ways of delivering their services. The consultants report has just been released. I believe the CVS Board will be considering the consultants recommendations very soon. The Council wishes to continue supporting the voluntary sector, but has to balance this with ensuring that value for money is achieved for the funding we give. We will, therefore, continue to work with the Chair of the CVS to explore how the recommendations can be implemented to deliver the best services for the voluntary sector and ensure value for money.

(Councillor Mrs Lewin-Harris declared a personal interest in this matter as a Taunton Deane appointee to CVS.)

## **10. Recommendations to Council from the Executive**

### **(a) Capital Programme**

The Executive had considered details of the resources available for both the General Fund and the Housing Revenue Account.

Additional receipts from sale of Housing Assets included £411,000 in respect of the sale of land at Poplar Road and other Housing Assets. It was felt that these resources should be earmarked to fund future affordable housing schemes. This meant that these receipts would not be subject to the usual 50% pooling rules. The Council would then be able to retain and use all of the £411,000 capital receipt.

Details were also submitted of proposed new schemes. Changes to the Capital Programme such as these were classed as Supplementary Estimates and therefore required Council approval.

RESOLVED that

- a) The proposed new schemes as set out in the Report be agreed.
- b) The schemes listed below be included within the General Fund and Housing Revenue Account capital programmes.
  - (i) General Fund Plant Nursery relocation of £427,000.
  - (ii) Housing Revenue Account to earmark the capital receipts from the sale of Poplar Road and other housing land for affordable housing purposes and to approve additional capital schemes totalling £748,000 as set out in the report.

**(b) Legal and Democratic Services Supplementary Estimate**

Following a review of the Council's Legal and Democratic Services it had been decided to combine them in order to make for a more efficient service provision.

In order to achieve this, a sum of £258,860 of one off funding was required. This would release £96,940 per annum of efficiency savings for the Council. The costs of the restructure would be paid back in 2.67 years.

Due to the timing of the restructures the Supplementary Estimates from the reserves would be £205,830 less the total one off costs of £258,860. This reflected the difference between the total costs and the cash flow impact. Traditionally, in service restructures the savings released were immediately directed towards reserves to top them back up to the level prior to the restructure one off costs being funded. Consideration had been given to alternative options.

The Executive felt in this instance that £60,000 from the ongoing savings be targeted towards the General Fund Revenue Budget gap from 2008/2009 onwards. The remainder of the annual savings will be repaid to reserves. This was considered to be a prudent balance between managing the ongoing Revenue Budget gap and maintaining reserves at an acceptable level.

RESOLVED that a Supplementary Estimate of £205,830 be made (being £168,410 funded from General Fund reserves and £37,420 funded from Housing Revenue Account reserves).

(Mr J J Thornberry and Mr G P Dyke both declared personal and prejudicial interests in this item and left the meeting during its consideration).

**(c) Improving Services in Somerset**

This matter had now proceeded to contract but in order to finalise the Council's internal arrangements supporting the deal, some financial approvals were required.

Because of the timing on the funding of the transformation projects, there was a requirement to cover a cash flow position. There was no requirement for the Council to take on any permanent debt or to permanently fund from reserves.

The capital cash flow requirement was £2 million for a period of five years. This would be funded by borrowing, with the debts costs being funded from the procurement savings. The revenue cash flow requirement was £0.7 million for a period of 2.5 years. This was effectively an Invest to Save initiative and would need to be funded from reserves. This was a temporary use of reserves to fund an initiative that would fully repay the reserves within 2.5 years.

RESOLVED that the revenue cash flow funding requirement be resolved by a Supplementary Estimate from reserves. These would be approved on an Invest to Save basis and repaid within 2.5 years. The reserves were;

General Fund Reserves £200,000,  
Housing Revenue Reserves £200,000,  
Self Insurance Fund £300,000.

The capital cash flow funding requirement and the proposed solution were noted.

(d) **Licensing Policy**

A revised Licensing Policy was submitted for consideration. Attention was drawn to the key differences which had all been considered by the Council's Licensing Committee. In addition all stakeholders including Licensed Premises and Responsible Authorities had been consulted on the proposed revised policy.

RESOLVED that the revised Licensing Policy be agreed and the wording be amended to read 'That Applicants for Late Licensed Premises will be expected to provide detailed reasons in their operating schedules for seeking to allow any new entry to the premises after 1 am'.

**11. Reports of the Leader of the Council and Executive Councillors**

The following reports were made to the Council on the main items of current and future business.

(i) **Leader of the Council (Councillor Henley)**

Councillor Henley's report covered the following topics:-

- Team Somerset.
- Southwest One.
- Somerset Waste Partnership.
- The Budget.
- North Curry Public Inquiry.
- Planning issues at Cotford St Luke.
- The Market.
- Brewhouse Theatre.

(ii) **Communications (Councillor Brooks)**

Councillor Brooks' report covered the following topics:-

- Public Relations.
- The Council's website.
- Consultation and Information.
- Other Communications.

(iii) **Planning Policy and Transportation (Councillor Coles)**

Councillor Coles submitted his report which drew attention to the following:-

- Park and Ride, East Taunton.
- RingGo cashless parking.
- Development Management staffing.
- Monkton Heathfield major planning application.

(iv) **Economic Development, Asset Management and Tourism (Councillor Horsley).**

The report from Councillor Horsley covered:-

- Property.
- Project Taunton.
- The In2Somerset (Inward Investment company).
- Somerset/Taunton Chamber of Commerce.
- Local Authority Business Growth Initiative.
- Tourism.
- Business Support.
- Rural Economic Development.
- Market and Coastal Towns.
- Agriculture Sector support.

(v) **Leisure, Arts and Culture (Councillor R Lees)**

The report from Councillor R Lees dealt with activities taking place in the following areas:-

- The Deano.
- Creative Business Exchange.
- Play at Higher Holway.
- Allotments in Taunton Deane.
- Vivary Sensory Garden.
- French Weir Park.
- Vivary Tennis Courts.
- Football Foundation application.
- Tone Leisure.
- Programme initiatives.

(vi) **Environmental Services (Councillor Mullins)**

The report from Councillor Mullins drew attention to developments in the following areas:-

- Food Safety.
- Environmental Protection Team.
- Health and Safety.

(vii) **Housing Services (Councillor Prior-Sankey)**

Councillor Prior-Sankey submitted her report which drew attention to the following:-

- Deane Helpline.
- Towards a positive housing future.
- New Lettings.
- National and Local News: RSL Merger mania.
- National News: The Colcutt Review of House Building Delivery.

(viii) **Resources (Councillor Mrs Smith)**

The report from Councillor Mrs Smith provided information on the following areas within her portfolio:-

- Democratic Services.
- Personnel.
- Corporate Support Services.
- ICT Service.
- Revenues and Benefits Service unit.
- Financial Services.
- Legal Services.
- Scrutiny and Performance Management.

(ix) **Community Leadership (Councillor A Wedderkopp)**

Councillor A Wedderkopp's report focussed on the following areas within his portfolio:-

- Partnership working.
- Southwest One.
- Team Somerset.
- Local Strategic Partnership.
- Local Area Agreement.
- Community Restorative Justice Panel.

(The following Councillors left the meeting at the times indicated. Councillor Mrs Hill at 8.10 pm, Councillor Stone at 8.50 pm, Councillor Guerrier at 8.55 pm, Councillor Herbert at 9.25 pm, Councillor Floyd at 9.25 pm, Councillor Leighton at 9.45 pm, Councillor Wood at 10.00 pm, Councillors Critchard and Mrs Copley at 10.22 pm, Councillor Murphy at 10.30 pm and Councillors McMahon and Bishop at 10.37 pm.)

(The meeting ended at 10.50 pm.)