

At a meeting of Taunton Deane Borough Council held in the Principal Committee Room, The Deane House, Belvedere Road, Taunton on 15 April 2008 at 6.30 pm.

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

Tonya Meers

The Mayor welcomed Tonya Meers, the new Legal and Democratic Services Manager, to her first meeting of the Council.

1. Minutes

The minutes of the Meeting of the Council held on 19 February 2008, copies having been sent to each Member, were signed by the Mayor.

2. Apologies

Councillors Bone, Farbahi, Hall, Mrs Hill and Leighton.

3. Public Question Time

- (i) Mr Paul Partington referred to a question he had asked at the February 2008 meeting of the Executive to which he had received no reply. The question was "Were all the park homes at Beauford Park, Norton Fitzwarren covered by the site licence?"

In response, Executive Councillor Mullins stated that as far as he was aware, the answer was "yes".

Mr Partington then referred to the written response he had had from Executive Councillor Lees to questions he had asked at the meeting of Council in December 2007 relating to the future provision of swimming within Taunton. As a result of this reply, he asked the further following questions:-

- (a) How many of the 15 swimming facilities referred to in Executive Councillor Lees' response were open for public swimming?

- (b) Were all 15 swimming facilities within Taunton Deane Borough Council's Local Government Area?
- (c) How many of the 15 swimming facilities did not require a membership subscription?
- (d) How many of the 15 swimming facilities were open similar hours to Station Road Pool?
- (e) If Taunton Deane Borough Council was suggesting that there were other facilities other than St James Street, Station Road and Wellington Sports Centre for swimming, what consideration had been given to whether they were near centres of population and public transport facilities?
- (f) Did Taunton Deane Borough Council have any influence on pricing and opening hours of swimming facilities other than St James Street, Station Road and Wellington Sports Centre? and
- (g) What financial appraisal and budgeting had been carried out for replacement swimming facilities?

Executive Councillor Lees promised a further written response to the questions raised.

- (ii) In respect of the proposed development of land at Enmore Road, Wellsprings, Taunton for affordable housing, Mrs P Knight asked:-
 - (a) Can it be explained why the consultation letter sent to local residents did not give "a no build" option as one of the choices?
 - (b) Why was it being implied by the Council that local residents were in favour of the development when a 200 signature petition against building had been gathered?
 - (c) How many houses would be built in connection with Scheme 3? Was this scheme favoured by the Council because it divided the land, making further development in the future likely?

The Leader of the Council (Councillor Henley) promised to provide a full written reply to Mrs Knight.

- (iii) Mr D Allen from the Taunton Deane Tenants Forum stated that since the tenants voted against the stock transfer, there had been little support from the Council towards keeping the forum running. He enquired whether the Council was "trying to get rid of the Forum?"

Executive Councillor Prior-Sankey confirmed that she was unaware of any moves to disband the Forum. To the contrary, her report to the

Council made it clear that the Council wanted much better participation with tenants in the future.

4. Declarations of Interest

Councillors Brooks, Henley, Govier, Paul and Prior-Sankey all declared personal interests as Members of Somerset County Council. Councillor Prior-Sankey also declared a personal interest as the County Council's representative on the Local Strategic Partnership. Councillor Coles declared a personal interest as a director of Southwest One. Councillor Miss James declared a personal interest as an employee of Viridor. Councillor Mrs Lewin-Harris declared a personal interest as a Member of the Council for Voluntary Service.

5. Written Questions to Members of the Executive

(a) Councillor Mrs Lewin-Harris asked the following questions:-

As I am sure the Leader of the Council is aware, there has been a delay in issuing National Concessionary Bus Passes. Somerset County Council, which is responsible for issuing these passes on behalf of this Council, has sent out a note to some applicants saying that "Due to the large demand for these passes, it has not been possible for your pass to be processed immediately. Therefore you have been issued with a Somerset Travel Pass, which can be used throughout the County of Somerset until 31 September 2008. Your application will automatically be forwarded for the new pass and you will receive this in due course".

- (1) Would the Leader agree with me that this note is totally inadequate, in that it contains no apology, no information as to when a National Pass will be issued, and no information about obtaining a temporary pass which appeared to be available.
- (2) Would he agree with me that it is extremely regrettable that pensioners (and disabled people who are also entitled to the pass) have been let down in this way?
- (3) Please could we be told how many applicants who applied by the due date did not receive their National Concessionary Bus Passes by 1 April 2008? Have all those who applied by the due date now received their passes? What is the backlog of applicants still waiting for passes?
- (4) When was the Council's Executive made aware of this problem?"

Councillor Henley stated that he would not comment on the first two questions as he was not prepared to play the "blame game".

As for the third question, he reported that there were over 15,000 pass holders in Taunton Deane who had to apply for the National Travel Pass.

Of the applicants who met the due date of applying which was the 17 December 2007, approximately 800 did not receive their new passes on time and these were currently being sent out by Somerset County Council.

Those who applied after the December target date but before 1 April 2008, should receive their passes by the end of the month.

Passes for those who had applied since 1 April 2008, had to be ordered via the new card management system. Since the start of the month, when the production of passes locally ceased, Somerset County Council had only had partial access to this system, resulting in some further delay in passes being issued. It was hoped full access to the system would be obtained later this week which would enable applications received since 1 April 2008, to be fully processed.

He added that the Executive had become aware of this issue approximately a week or 10 days ago.

(b) Councillor Edwards asked the following questions:-

Was Councillor Henley aware of the massive public concern over his plans to sell off and then subsequently allow development of the land at Wellsprings?

Was Councillor Henley aware that over 200 local people had signed a petition against this development and that they felt their concerns had been ignored and the vast majority had not been consulted any way?

Could Councillor Henley inform the Council what consultation had actually taken place? How many people were consulted, what proximity to the land did they live and how many responses had been received by this Council?

Could Councillor Henley confirm that it was his intention to listen to the people of Wellsprings and reconsider this decision?

Councillor Henley informed members that consultation letters and forms had been hand-delivered to some 118 residents in Enmore Road, Kilve Crescent, Wellsprings Road, Bagborough Road and Long Acre Road. This distribution also included an area off Kingston Road where the houses backed onto the proposed development area.

Although there was a two week response time, any responses received after this time, were added into the analysis. There was a 49% return. I think it would be fair to say that the general feeling was that no-one

wanted any development to happen near them. But in line with the general feeling I think it would also be fair to say that the residents acted in a pragmatic way and realised the need for affordable housing and indicated their preferences for the site. The responses received were detailed and there were certainly a wide variety of comments.

The breakdown of the votes was as follows:-

Scheme 1	14	(all in Enmore Road)
Scheme 2	4	(split scheme, Enmore/Wellsprings Road)
Scheme 3	12	(behind the old police houses)
No Scheme	13	
No Preference	8	

Taking into account this response and after considerable thought and due weight being given to the relevant issues, Scheme 3 was thought to be the least intrusive. It would not dissect the green or affect the trees in Wellsprings Road and would be the least noticeable when approaching.

Based upon the results of the survey, the proposal to provide much needed affordable housing would be moving to the next stage.

A further period of public consultation would follow if a planning application was submitted to develop the land concerned.

(c) Councillor Edwards also asked the following questions:-

Can Councillor Prior-Sankey explain to the Council why the funding for Neighbourhood Care has been altered as from 7 April 2008?

Can Councillor Prior-Sankey explain to the Council why some of those most vulnerable of our tenants including the disabled who have, in the past, received the services of Neighbourhood Care for their gardening free of charge now have to pay £7 per hour?

I have been notified that a number of people are deeply dissatisfied with this change and I would like a full account of why the decision was made and if there is any action that can be taken to restore this service free of charge to these people?

Councillor Prior-Sankey responded as follows:-

The original Service Level Agreement with Neighbourhood Care was based on tenants paying the same as non-Council tenants with Taunton Deane topping up to the full cost for work done in Council houses. This was £5 per hour with a "top up" to £9 per hour for tenants.

Over the past few years, the original intention of the Service Level Agreement had not been adhered to with tenants not making any payment. Tenants would now have to pay £7 per man hour, as did other low income people, but the Council would top up this amount to £11 per hour for work done in Council properties.

This was a decision reached in agreement with Colin Croad and officers at a meeting in early March 2008.

There was £11,000 within a budget earmarked for Taunton Deane tenants and it would be spent on top-ups where work was required. The previous administration had reduced this figure from £22,000 or thereabouts.

This was fair and equitable. It was tenants' rent money and just because you are a Council tenant does not mean you are more vulnerable or poor than if you own your own home, are a private tenant or a housing association tenant.

We have ended up with a situation where tenants were paying nothing and a few were receiving hundreds of pounds worth of work.

The Council was making sure that people were getting all the benefits they were entitled to, for example Attendance Allowance, which was not taken into assessments for benefits or care contributions.

A letter relating to the new payment arrangements had been sent to 60 tenants requesting help from the Neighbourhood Care Scheme. 27 had agreed to continue by contributing to the hourly rate but 9 had cancelled their requests. No response had been received from the other 24 tenants.

Councillor Prior-Sankey added that there was a dichotomy with the Neighbourhood Care Service with regard to how far the Council should subsidise tenants to stay in properties they were under-occupying and could not cope with, without the assistance provided.

6. Recommendations to Council from the Executive

(a) Quarter 3 - Budget Monitoring Issues

The Quarter 3 Budget Monitoring Exercise had highlighted the need for supplementary estimates from reserves for the following overspends:-

- Job evaluation appeals - £140,000 and
- O2 mast planning compensation - £40,000

The Council had now completed the appeals process arising from the recent job evaluation exercise. Some of these appeals had been successful and it was estimated that these would cost the Council

£140,000. This would be split between the General Fund (£110,000) and the Housing Revenue Account (£30,000).

With regard to the O2 mast at Shoreditch Road, Taunton, despite a Planning Inspector finding that the mast as erected was unacceptable, he did however confirm that there was a valid deemed permission on the site, which could be implemented. Although O2 had been invited to consider relocating the mast with assistance from the Council, they had refused to consider this and had indicated that a modified mast would be erected in the original location.

The Planning Committee had been advised of the position and had recommended not to take steps to revoke the deemed permission because of the potential financial liabilities such action would incur.

The erection of a modified mast was still likely to have a detrimental impact on the immediately adjacent residential property and the Council was likely to face compensation claims.

On the motion of Councillor Henley it was **resolved** that supplementary estimates from the General Fund and Housing Revenue Account Reserves be agreed as outlined above.

(b) **Review of Highways and Horticulture Service - Deane DLO**

The Executive had considered a report regarding the proposed re-structure of the management of the Highways and Horticultural Service within the Council's Direct Labour Organisation.

Under the proposal, one management post at Deane DLO would be made redundant. The proposal required one off funding of £35,079. These one-off costs would be paid back within two years with annual revenue savings of approximately £40,000 thereafter.

On the motion of Councillors Lees and Mullins it was **resolved** that a supplementary estimate of £35,079 from reserves be agreed.

7. **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)**

Before submitting his report, Councillor Henley paid tribute to Councillor Tony Floyd who had sadly passed away on the day of the last Council Meeting. Tony was a friend and colleague to all Councillors and was well-respected throughout the Council and would be missed by many people. The huge turnout at his funeral showed just how well he was liked.

Councillor Henley's report covered the following topics:-

- Post Offices;
- Pioneer Somerset;
- Southwest One;
- A meeting with the South West Regional Minister, Ben Bradshaw;
- Staffing;
- Annual Audit and Inspection.

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

Councillor Brooks' report covered the following topics:-

- Public relations;
- Deane Dispatch;
- Consultation and information;
- Other communications.

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

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

- Development Management;
- Monkton Heathfield;
- Oxen Lane;
- The Third Way;
- Taunton Town Centre Action Plan;
- Local Development Plan.

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

The report from Councillor Horsley covered:-

- Project Taunton;
- The Brewhouse;
- Into Somerset;
- Local Authority Business Growth Initiative;
- Tourism;
- Business support;
- Rural Economic Development;
- General work of the unit.

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

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

- Galmington "Massive" Youth Group;
- Play Ranger Service;
- Higher Holway Open Space;
- Green Flag Awards;
- Wellington Football Club;
- Wellington Rugby Club;
- Galmington and Hamilton Pavilions;
- Vивиary Tennis Courts;
- Tone Leisure (including updates on the main sports facilities, Vivary Golf Course and Sports and Health Development).

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

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

- Food Safety, including the successful prosecution of Pizza Hut;
- Environmental Protection;
- Licensing;
- Environmental Health Support;
- Street cleansing.

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

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

- Success after success for the homeless;
- Getting tenants empowered;
- New meeting hall at Roland Close;
- Investment for gypsies and travellers;
- Affordable housing;
- Choice-based lettings;
- Energy efficiency.

(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 focused on the following areas within his portfolio:-

- Local Strategic Partnership;
- Crime and Disorder Reduction Partnership;
- Play Ranger Service;
- Local Area Agreement;
- Taunton Deane Council for Voluntary Service.

(Councillor Mrs Copley arrived at the meeting at 7.52 pm. The following Councillors left the meeting at the times indicated:- Councillor Paul at 7.23 pm, Councillor Govier at 8.15 pm, Councillor Thorne at 8.54 pm and Councillor Mrs Smith at 9.40 pm.)

(The meeting ended at 9.53 pm.)