

## **Taunton Deane Borough Council**

At a meeting of Taunton Deane Borough Council held in the John Meikle Room, The Deane House, Belvedere Road, Taunton on 12 April 2011 at 6.30 pm.

**Present**      The Mayor (Councillor Horsley)  
                  The Deputy Mayor (Councillor Brooks)  
                  Councillors Mrs Adkins, Mrs Allgrove, Beaven, Bowrah, Cavill, Coles,  
                  Mrs Copley, Critchard, Denington, D Durdan, Ms Durdan, Edwards,  
                  Farbahi, Mrs Floyd, Gaines, Govier, Guerrier, Hall, Hayward, Henley,  
                  Mrs Herbert, C Hill, Mrs Hill, House, Miss James, R Lees,  
                  Mrs Lewin-Harris, McMahon, Meikle, Mrs Messenger, Morrell, Mullins,  
                  O'Brien, Paul, Slattery, Mrs Smith, Mrs Stock-Williams, Stuart-Thorn,  
                  Swaine, Thorne, Watson, Mrs Waymouth, Ms Webber, A Wedderkopp,  
                  D Wedderkopp, Mrs Whitmarsh, Williams and Mrs Wilson

Also present : Mrs Anne Elder, Chairman of the Standards Committee.

### **1. Reflection**

The meeting was opened with a reflection offered by Mr Martin Wall, a member of the Society of Friends.

### **2. Minutes**

The minutes of the meeting of Taunton Deane Borough Council held on 22 February 2011, copies having been sent to each Member, were signed by the Mayor.

### **3. Apologies**

Councillors Bishop, Mrs Lees, Murphy and Prior-Sankey.

### **4. Communications**

The Mayor referred to the forthcoming Borough Council Elections. He paid tribute to Councillors Mrs Lewin-Harris, McMahon, Murphy, O'Brien, Paul and Mrs Whitmarsh who had all indicated that they would not be seeking re-election.

### **5. Presentation – “Along the Wild Edge”**

The Mayor introduced Mr Gavin Saunders, Project Manager of the Neroche Landscape Partnership Scheme who gave Members a brief presentation about the recent launch of a book titled “Along the Wild Edge – A journey through the northern Blackdown Hills”.

Mr Saunders explained that the Neroche Landscape Partnership Scheme was funded by a number of Councils in both Devon and Somerset (including Taunton Deane) together with organisations such as Natural England, The

National Trust and the Blackdown Hills AONB (Area of Outstanding Natural Beauty). Its primary aim was to conserve, celebrate and make full use of the heritage of the Blackdown Hills protected landscape.

Over the past four years various projects had been implemented on the Blackdowns including the creation of the 13 mile Hare Path Trail and the provision of training to over 40 teachers who had become "Forestry Leaders".

One of the Scheme's latest projects was the production of a book about the northern Blackdown Hills. This had involved the work of over 40 contributors and with a grant from the Heritage Lottery Fund the book had been printed and was now available to residents within the area covered free of charge.

Councillor Williams confirmed that Taunton Deane's contribution over the years had amounted to £75,000 which, together with other financial assistance, had resulted in over £2,000,000 being drawn in from various sources such as the Lottery Fund to support the Neroche Scheme.

The Mayor thanked Mr Saunders for his interesting presentation.

## **6. Declarations of Interest**

Councillors Brooks, Govier, Paul, Prior-Sankey, Mrs Waymouth and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Henley declared personal interests both as a Member of the Somerset County Council and as an employee of Job Centre Plus. Councillor McMahon declared personal interests both as a Member of the Somerset County Council and as a Director of Southwest One. Councillor Miss James declared a personal interest as an employee of Viridor. Councillor Slattery declared a personal interest as an employee of Sedgemoor District Council. Councillors Mrs Adkins, Mrs Hill and Mrs Smith declared personal interests as employees of Somerset County Council. Councillors Hayward and Mrs Whitmarsh declared personal interests as the Council's representatives on the Somerset Waste Board. Councillor Mrs Wilson declared a personal interest as an employee of Job Centre Plus. Councillor Watson declared a personal interest as the alternate Director of Southwest One. Councillor Mullins declared a personal interest as EDF Energy at Hinkley Point was his employer.

## **7. Update of Part 3 of the Constitution**

Considered report previously circulated, concerning proposed changes to Part 3 of the Constitution relating to Planning Enforcement delegations.

It had recently come to the Monitoring Officer's attention that following a report to the Planning Committee on the 25 February 2009, the changes to the Planning Delegation Scheme relating to Planning Enforcement had not been updated in the Constitution.

The relevant amendments had now been made to Part 3 of the Constitution to reflect the changes made at the Planning Committee and these were reported.

These changes had been approved by both the Constitutional Sub-Committee and the Corporate Governance Committee.

**Resolved** that the changes detailed in Appendix 1 to these minutes, be approved.

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

### **Financial and Performance Monitoring – Quarter 3 2010/2011**

The Executive had recently considered a report which provided an update on the financial position and performance of the Council to the end of Quarter 3 of the 2010/2011 financial year.

As a result, there were two matters where financial adjustments were required to be approved by Full Council.

The 2011/2012 General Fund Budget, approved at the last meeting, included savings plans that had resulted in the redundancy of three staff, with the expectation that any associated redundancy costs would be met from General Reserves.

It was therefore agreed that an approval should be sought for a Supplementary Budget allocation in 2010/2011.

The financial information provided in the report also included a variance in spending between capital and revenue maintenance within the Housing Revenue Account (HRA).

Given the amounts involved, the Executive agreed that £400,000 from the Revenue Maintenance Budget should be transferred to the 'revenue contributions to capital' budget within the HRA. It was also agreed that an approval was also put in place for a Supplementary Budget allocation in the 2010/2011 HRA Capital Programme to reflect the increased capital maintenance spend (to maintain the Decent Homes Standard).

On the motion of Councillor Williams, it was

**Resolved** that:-

- (i) a supplementary budget in the 2010/2011 General Fund Revenue Budget of £28,000 for redundancy costs, to be funded from General Reserves;
- (ii) a budget transfer ("virement") of £400,000 from Housing Revenue Account Maintenance to Housing Revenue Account Revenue Contributions to Capital; and

- (iii) a supplementary budget of £400,000 in the 2010/2011 Housing Revenue Account Capital Programme for Decent Homes Maintenance, to be funded by Revenue Contributions from the Housing Revenue Account budget,

all be approved.

**9. Business requiring to be dealt with as a matter of urgency**

The Mayor certified that he was prepared to allow the following item to be considered by Members as a decision was required before the next scheduled meeting of Full Council.

**10. Council Tax Setting Recommendations**

Reported that Full Council had agreed the detailed tax setting recommendations at its meeting on 22 February 2011. Unfortunately, an error had been made on the figures for one of the Parish Councils – Ashbrittle.

The figures presented were based on a Parish Precept of £1,000, when in fact Ashbrittle had requested a precept of £1,800. The Council Tax bills had been issued to residents in this parish based on the lower, incorrect Parish Precept figure.

The following table showed the impact of this error on the Band D taxpayer:-

	<b>Band D Tax Position (Figures Presented to Full Council Feb 2011) £</b>	<b>Band D Tax Position (Correct Figures) £</b>
Ashbrittle Precept	10.27	18.49
Parish Precept + TDBC	145.46	153.68
Parish Precept + TDBC + SCC / Police / Fire	1412.56	1420.78

Although the annual difference was only £8.22 on the annual Band D Council Tax bill, this error had impacted on some of the recommendations approved at the February meeting. Specifically, the recommendations relating to this Council's budget requirement level and the detailed tax levels for Ashbrittle Parish needed to be updated.

If the recommendations were approved, the actions detailed below would be taken following the meeting:-

- amended Council Tax bills would be issued to the residents of Ashbrittle with a letter of apology from the Council for this error;

- the correct level of Parish Precept would be paid to Ashbrittle, and
- the Councils amended "Budget Requirement" would be shared with the Government and Audit Commission.

The Section 151 Officer, Mrs Shirlene Adam, reported her regret that this error had occurred and offered her sincere apologies to all Councillors. A letter would also be written to the Parish Council offering apologies for the error that had been made.

The recommendations regarding tax setting, were long and technical, but followed the format agreed by the Local Government Association and the Government.

Consequently, the entire set of recommendations presented to Full Council at its last meeting was reproduced below with the necessary amendments flagged.

**Resolved** that the following amendments to the Council Tax Setting report recommendations considered at the February 2011 meeting be approved:-

- (1) No Changes Required (Tax Base Information)
- (2)
  - (a) £77,376,200 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) of the Act.  
*(Gross Expenditure including amount required for working balance)*
  - (b) £65,502,880 (no change) being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.  
*(Gross Income including reserves to be used to meet Gross Expenditure)*
  - (c) £11,873,320 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council in accordance with Section 32(4) of the Act, as its budget requirement for the year.

(d) £5,909,650 (no change) being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant, additional grant or SSA reduction grant (increased by the amount of the sums which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (*Council Tax Surplus*) and increased by the amount of any sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Community Charge) directions under Sec. 98(4) of the Local Government Finance Act 1988 made on 7 February 1994 (*Community Charge Surplus*)

(e) £147.65 
$$\frac{(c) - (d)}{9.2.1(1)} = \frac{11,873,320 - 5,909,650}{40,390.64}$$

being the amount calculated at (c) above less the amount at (d) above, all divided by the amount at 15.2.1(1) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.

*(Average Council Tax at Band D for Borough Including Parish Precepts and Special Expenses)*

(f) £503,265 being the aggregate amount of all special items referred to in Section 34(1) of the Act. *(Parish Precepts and Special Expenses).*

(g) £135.19 (no change) 
$$(e) - \frac{(f)}{15.2.1(1)} = 147.65 - \frac{503,265}{40,390.64}$$

being the amount at (e) above less the result given by dividing the amount at (f) above by the amount at 15.2.1(1) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate.

*(Council Tax at Band D for Borough Excluding Parish Precepts and Special Expenses)*

(h) Ash Priors	No Change	Neroche	No Change
Ashbrittle	<b>153.68</b>	North Curry	No Change
Bathealton	No Change	Norton Fitzwarren	No Change
Bishops Hull	No Change	Nynehead	No Change
Bishops Lydeard / Cothelstone	No Change	Oake	No Change

Bradford on Tone	No Change	Otterford	No Change
Burrowbridge	No Change	Pitminster	No Change
Cheddon Fitzpaine	No Change	Ruishton/Thornfalcon	No Change
Chipstable	No Change	Sampford Arundel	No Change
Churchstanton	No Change	Staplegrove	No Change
Combe Florey	No Change	Stawley	No Change
Comeytrowe	No Change	Stoke St Gregory	No Change
Corfe	No Change	Stoke St Mary	No Change
Cotford St Luke	No Change	Taunton	No Change
Creech St Michael	No Change	Trull	No Change
Durstun	No Change	Wellington	No Change
Fitzhead	No Change	Wellington (Without)	No Change
Halse	No Change	West Bagborough	No Change
Hatch Beauchamp	No Change	West Buckland	No Change
Kingston St Mary	No Change	West Hatch	No Change
Langford Budville	No Change	West Monkton	No Change
Lydeard St Lawrence / Tolland	No Change	Wiveliscombe	No Change
Milverton	No Change		

being the amounts given by adding to the amount at (g) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 15.2.1(2) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate. *(Council Taxes at Band D for Borough, Parish and Special Expenses)*

(i) See table overleaf

being the amounts given by multiplying the amounts at (h) above by the number which, in proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which is that proportion applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands. (Council Tax for Individual Parishes and the Borough)

The detailed tax levels agreed at Full Council in February 2011 are correct, for all Parishes apart from Ashbrittle. The amended tax levels are set out below.

**(a) 2011/12 by Parish by Band**

Valuation Band	A	B	C	D	E	F	G	H
Ashbrittle	102.45	119.53	136.60	153.68	187.83	221.98	256.13	307.35

Being the amounts given by multiplying the amounts at (h) above by the number which, in proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which is that proportion applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands (Council Tax for Individual Parishes and the Borough).

**(b)**

That it be noted that for the year 2011/12 the Somerset County Council, the Avon and Somerset Police Authority and the Somerset and Devon Fire & Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwelling shown below.

Somerset County Council	684.87	799.01	913.16	1,027.30	1,255.59	1,483.88	1,712.17	2,054.60
Avon & Somerset Police Authority	112.02	130.69	149.36	168.03	205.37	242.71	280.05	336.06
Devon & Somerset Fire & Rescue Authority	47.85	55.82	63.80	71.77	87.72	103.67	119.62	143.54

Valuation Band	A	B	C	D	E	F	G	H
Ashbrittle	947.20	1,105.05	1,262.93	1,420.78	1,736.51	2,052.24	2,367.98	2,841.56

## 8. **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 Williams)**

Councillor Williams's report covered the following topics:-

- Progress of the Third Way Road, Taunton;
- Northern Inner Distributor Road;
- Firepool Site, Taunton;
- Superfast Broadband;
- Car Parking Provision and Town Centre Business;
- Longrun Meadow, Taunton.....and other Green matters;
- Working with Partners.

With regard to the last topic, Members agreed that it would be appropriate for a letter to be sent by the Mayor, on behalf of the Council, to Richard Gould the former Chief Executive of Somerset County Cricket Club to wish him well in his new role and to thank him for all he had done for Taunton over the past six years.

### (ii) **Environmental Services (Councillor Hayward)**

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

- Environmental Health Teams;
- Crematorium;
- Climate Change / Carbon Management;
- Waste Management.

### (iii) **Sports, Parks and Leisure (Councillor Mrs Herbert)**

The report from Councillor Mrs Herbert dealt with activities taking place in the following areas:-

- Parks;
- Community Leisure and Play;
- Tone (Taunton Deane) Limited Activities.

### (iv) **Housing Services (Councillor Mrs Adkins)**

Councillor Mrs Adkins submitted her report which drew attention to the following:-

- Somerset Strategic Housing Project;
- Youth Housing Strategy;

- Private Sector Housing Partnership;
- Anti-Social Behaviour Update;
- Tenants' Forum.

(v) **Corporate Resources (Councillor Hall)**

The report from Councillor Hall provided information on the following areas within his portfolio:-

- Revenues and Benefits;
- Southwest One;
- Legal and Democratic Services;
- Performance and Client Team.

(vi) **Planning and Transportation (Councillor Edwards)**

The report from Councillor Edwards provided information on the following areas within his portfolio:-

- Core Strategy;
- Maidenbrook, Taunton Appeal;
- Enforcement;
- Firepool, Taunton;
- Landscape Team;
- Slinky Bus.

(vii) **Community Leadership and Communications (Councillor Mrs Lewin-Harris)**

Councillor Mrs Lewin-Harris presented the Community Leadership and Communications report which focused on the following areas within that portfolio:-

- Taunton Deane Partnership;
- Crime and Disorder Reduction Partnership;
- Health White Paper;
- Communications.

(viii) **Economic Development, Asset Management, Arts and Tourism (Councillor Cavill)**

The report from Councillor Cavill covered:-

- Keeping Members informed;
- Stimulating Business Growth and Investment;
- Ensuring a Skilled and Entrepreneurial Workforce;
- Creating an Attractive Business Environment;
- Tourist Information Centre;
- Asset Management.

(Councillors Paul, Govier, Mrs Smith and Mrs Hill left the meeting at 7.05 pm, 7.24 pm, 7.25 pm and 7.30 pm respectively. Councillors Mrs Messenger and Swaine both left the meeting at 7.47 pm.)

(The meeting ended at 8.09 pm.)

# Appendix 1

## Powers and Duties of Regulatory Committees

### Planning Committee

Whilst planning policy is an “Executive function”, the process for dealing with individual planning applications (and other development control activities) is “non-Executive”.

In Taunton Deane, these functions have been delegated to a Planning Committee and to the Council’s Development Control Manager.

The current extent of delegation of functions to the Committee and then to the officers is set out below. As these are subject to change, the up to date list of such delegations is to be found on the e-version of this Constitution on the Council’s website

### **Part A - Regulatory Powers of Planning/Growth and Development Manager**

#### Exceptions to the Officer Delegations

All proposals should be determined under delegated powers other than where one of the six criteria set out below are met.

Criterion 1: In the opinion of the Growth & Development Manager (or Chair of the Planning Committee) the application is considered to be a significant, controversial or sensitive nature.

Criterion 2: The application is from an elected member or member of staff (or partner thereof) and is recommended for approval.

Criterion 3: The application is accompanied by an Environment Statement (EIA).

Criterion 4: The application is a significant departure and is recommended for approval.

Criterion 5: Where there are conflicting views (giving clear planning reasons) from a Town/Parish Council, Parish Meeting or Ward Member as well as from four or more individuals.

Criterion 6: Applications will be delegated to the Growth & Development Manager to refuse if S106 agreements are not signed within 8, 13 or 16 week timescales.

Criterion 7: Discharge of the Council’s duty under s91(2) of the Building Act 1984

(enforcement of Building Regulations) in its area shall be delegated to the Building Control Manager.

**Criterion 8: That all prosecutions for breach of planning control should be authorised by the Planning Committee except in cases of expediency where the Authority is delegated to the Chair of Planning Committee and the Growth and Development Manager or Development Management Lead.**

**Criterion 9: Delegation to officers of all enforcement matters relating to householder development other than prosecution in respect of non-compliance with an enforcement notice.**

In addition, any application which is not referred to Committee, but where conflicting representations have been received, is referred to the Chair/Vice Chair of the Planning Committee before a decision is made.

### **Licensing Committee**

Unless otherwise indicated, the following powers are delegated to the Community Services Manager and in his absence the Licensing Manager.

<b>Part B – Regulatory Powers of Licensing and Registration Functions</b>	
1. Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960
2. Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936
3. Power to license hackney carriages and private hire vehicles.	(a) as to hackney carriages, the Town Police Clauses Act 1847, as extended by section 171 of the Public Health Act 1875 , and section 15 of the Transport Act 1985 ; and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
4. Power to license drivers of hackney carriages and private hire vehicles.	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.

5.	Power to license operators of hackney carriages and private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
6.	Power to license inter-track betting schemes.	Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963 as saved for certain purposes by article 3(3)(e) of the Gambling Act order
7.	Power to grant permits in respect of premises with amusement machines.	Schedule 9 to the Gaming Act 1968 [as saved for certain purposes by article 4(2)(l) and (m) of the Gambling Act Order]..
8.	Power to register societies wishing to promote lotteries.	Schedule 1 to the Lotteries and Amusements Act 1976[as saved for certain purposes by article 5(2)(a) and (3) of the Gambling Act Order]. .
9.	Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976[as saved for certain purposes by article 5(2)(d) and (5) of the Gambling Act Order]. .
10.	Power to license premises selling or supplying alcohol; providing regulated entertainment; selling hot food or drinks between 11pm and 5am.	Licensing Act 2003
11.	Power to issue Personal licences.	Licensing Act 2003.
12.	Power to license sex shops and sex cinemas and Sexual Entertainment Licences.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.
13.	Power to license performances of hypnotism.	The Hypnotism Act 1952
14.	Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis.	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.
15.	Power to license pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907
16.	Power to license market and street trading.	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982

17.	Power to license dealers in game and the killing and selling of game.	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831; sections 2 to 16 of the Game Licensing Act 1860, section 4 of the Customs and Inland Revenue Act 1883, sections 12(3) and 27 of the Local Government Act 1874, and section 213 of the Local Government Act 1972.
18.	Power to register premises for the preparation of food.	Section 19 of the Food Safety Act 1990.
19.	Power to license motor vehicle salvage operators	Motor Salvage Operators Regulations 2002
20.	Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999.
21.	Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951; section 1 of the Animal Boarding Establishments Act 1963; the Riding Establishments Acts 1964 and 1970 and 1970; section 1 of the Breeding of Dogs Act 1973 and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.
22.	Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulation) Act 1925.
23.	Power to license zoos.	Section 1 of the Zoo Licensing Act 1981
24.	Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976
25.	Power to license knackers' yards.	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999
26.	Power to license persons to collect for charitable and other causes.	Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 and section 2 of the House to House Collections Act 1939
27.	Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993

<b>Part C - Regulatory Powers of Community Services Manager</b>		
1.	Power to approve meat product premises.	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994
2.	Power to approve premises for the production of minced meat or meat preparations.	Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995
3.	Power to approve dairy establishments.	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995
4.	Power to approve egg product establishments.	Regulation 5 of the Egg Products Regulations 1993
5.	Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods.	Schedule 1A to the Food Safety (General Food Hygiene) Regulations 1995
6.	Duty to keep register of food business premises.	Regulation 5 of the Food Premises (Registration) Regulations 1991.
7.	Power to register food business premises.	Regulation 9 of the Food Premises (Registration) Regulations 1991.
8.	Power to enforce offences relating to the display of no-smoking signs.,	Section 6(5) of the Health Act 2006
9.	Power to enforce offences relating to smoking in smoke free places.	Section 7(4) of the Health Act 2006
10.	Power to enforce offences of failing to prevent smoking in smoke-free places	Section 8(4) of the Health Act 2006
11.	Power to transfer enforcement functions to another enforcement authority	Smoke-free (Premises and Enforcement) Regulations 2006 (S.I. 2006/3368)

**Part D - Functions relating to Health and Safety at Work**

Functions under any of the "relevant statutory provisions" within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the Authority's capacity as an employer.

Part I of the Health and Safety at Work etc. Act 1974

**Part E - Regulatory Powers of Electoral Registration Officer/Returning Officer**

**Functions relating to Elections**

1.	Duty to appoint an Electoral Registration Officer.	Section 8(2) of the Representation of the People Act 1983
2.	Power to assign officers in relation to requisitions of the Registration Officer.	Section 52(4) of the Representation of the People Act 1983.
3.	Functions in relation to parishes and parish councils.	Part II of the Local Government and Rating Act 1997 and subordinate legislation under that Part.
4.	Power to dissolve small parish councils.	Section 10 of the Local Government Act 1972.
5.	Power to make orders for grouping parishes, dissolving groups and separating parishes from groups.	Section 11 of the Local Government Act 1972.
6.	Duty to appoint returning officer for local government elections.	Section 35 of the Representation of the People Act 1983.
7.	Duty to provide assistance at European Parliamentary elections.	Paragraph 4(3) and (4) of Schedule 1 to the European Parliamentary Elections Act 1978
8.	Duty to divide constituency into polling districts.	Section 18 of the Representation of the People Act 1983.
9.	Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.
10.	Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983.

11.	Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.
12.	Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.
13.	Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.
14.	Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.
15.	Power to make temporary appointments to parish councils.	Section 91 of the Local Government Act 1972.
16.	Power to determine fees and conditions for supply of copies of, or extracts from, elections documents.	Rule 48(3) of the Local Elections (Principal Areas) Rules 1986 and rule 48(3) of the Local Elections (Parishes and Communities) Rules 1986
17.	Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000

**Parts F G H I - Powers exercisable only by full Council:-**

<b>Part F - Functions relating to name and status of areas and individuals</b>		
1.	Power to change the name of a district.	Section 74 of the Local Government Act 1972.
2.	Power to change the name of a parish.	Section 75 of the Local Government Act 1972.
3.	Power to confer title of Honorary Alderman or to admit to be an Honorary Freeman.	Section 249 of the Local Government Act 1972.
4.	Power to petition for a charter to confer Borough status.	Section 245 of the Local Government Act 1972.

<b>Part G - Miscellaneous functions</b>		
1.	Duty to approve authority's Statement of Accounts,	The Accounts and Audit Regulations 1996
2.	Power to make standing orders.	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972

3.	Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.
4.	Power to take decisions about matters such as the creation of parishes and their electoral arrangements	Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007
<b>Part H - Power to make, amend, revoke or re-enact byelaws</b>		
Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978		
<b>Part I - Power to promote local Bills.</b>		
Section 239 of the Local Government Act 1972.		
<b>Part J – Powers and Duties of Corporate Governance Committee</b>		
Review and challenge the action plans arising from the Audit Commission's annual management letter.		
Oversee the Council's use of risk management		
Monitor and review the Council's internal and external audit functions		
Review and approve the Statement of Accounts		
Monitor and review the Council's systems of internal control		

### **Part I – Proper Officers under the Public Health Acts**

Dr K Kumaran, Consultant in Communicable Disease Control, Dorset and Somerset Health Protection Unit;  
Dr Mark Salter, Consultant in Communicable Disease Control, Dorset and Somerset Health Protection Unit;  
Dr Sue Bennett, Consultant in Communicable Disease Control, and Director, Dorset and Somerset Health Protection Unit;  
Dr Faiza Khan, Acting Consultant in Communicable Disease Control, Dorset and Somerset Health Protection Unit

Legislation	Part, Section or Regulations	Effect
Public Health (Control of Disease) Act 1984	Parts II and III	Notifications and control powers for Communicable Diseases
Public Health (Infectious Diseases) Regulations 1988	Regulations 6,8,9,10 Schedules 3 and 4	Additional powers to the above
Public Health Act 1936	Sections 84 and 85	Cleansing of filthy or verminous articles, persons or clothing
Public Health Act 1961	Section 37	Disinfestation of verminous articles offered for sale

Dr Caroline Gamlin, Joint Director of Public Health, NHS Somerset and Somerset County Council; and Dr Ulrike Harrower, Consultant in Public Health, Somerset Primary Care Trust

Legislation	Part, Section or Regulations	Effect
Public Health (Control of Disease) Act 1984	Parts II and III	Notification and control powers for Communicable Diseases
Public Health (Infectious Diseases) Regulations 1988	Regulations 6,8,9,10 Schedules 3 and 4	Additional powers to the above
National Assistance Act 1948 as amended by the National Assistance (Amendment) Act 1951	Section 47	Removal of persons to suitable accommodation in certain circumstances
Public Health Act 1936	Sections 84 and 85	Cleansing of filthy or verminous articles, persons or clothing
Public Health Act 1961	Section 37	Disinfestation of verminous articles offered for sale.

All of the doctors named above for the purposes of section 35 of the Public Health (Control of Disease) Act 1984