

## 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 30 September 2014 at 6.30 p.m.

**Present** The Mayor (Councillor D Durdan)  
The Deputy Mayor (Councillor Mrs Hill)  
Councillors Mrs Adkins, Mrs Allgrove, Mrs Baker, Beaven, Bowrah, Cavill, Coles, Denington, Edwards, Farbahi, Mrs Floyd, Gaines, A Govier, Mrs Govier, Hall, Hayward, Henley, Mrs Herbert, C Hill, Horsley, Hunt, Miss James, R Lees, Mrs Lees, Ms Lisgo, Meikle, Morrell, Nottrodt, Ms Palmer, Prior-Sankey, D Reed, Mrs Reed, Gill Slattery, T Slattery, Miss Smith, Mrs Smith, Mrs Stock-Williams, Stone, Tooze, Mrs Warmington, Watson, Mrs Waymouth, Ms Webber, A Wedderkopp, D Wedderkopp, Williams and Wren

### 1. Minutes

The minutes of the meetings of Taunton Deane Borough Council held on 22 July 2014 and 19 August 2014, copies having been sent to each Member, were signed by the Mayor.

### 2. Apologies

Councillors Bishop, Mrs Gaden, P Smith and Ross.

### 3. Communications

- (a) Mrs Liz Payne-Ahmadi informed the Council that next year would be the seventieth anniversary of the liberation of the Auschwitz Concentration Camp and, as such Holocaust Memorial Day on 27 January 2015 would be even more poignant.

She added that a Holocaust Memorial Service was to be held in St John's Church, Park Street, Taunton at 12.30 p.m. on this day and hoped that as many Councillors as possible would be able to attend.

- (b) Mr Nick Smith representing the South West Action Group (SWAG) gave a short presentation to Members about the dangers of legal highs which, in Taunton, were currently being sold from two shops in the town centre.

He showed a DVD titled 'Lethal Highs' which demonstrated how the substances being sold from outlets across the country had caused or contributed to the deaths of numerous young people.

Mr Smith went on to explain that his daughter had recently pricked herself with a used, discarded syringe in Victoria Park and it would be some months before his family would know if this had had any ill-

effects.

He called on Councillors to support the aims of SWAG which were to encourage the Government to introduce measures to prohibit the sale of legal highs in the future.

It was confirmed that a letter had been sent to the Home Secretary requesting appropriate action to be taken to address this growing issue of concern.

The Mayor thanked both Liz Payne-Ahmadi and Nick Smith for their contributions.

#### **4. Declaration of Interests**

Councillors Mrs Baker, Coles, A Govier, Prior-Sankey, A Wedderkopp and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Henley declared personal interests as a Member of Somerset County Council and as an employee of Job Centre Plus. Councillor Hunt declared personal interests both as a Member of Somerset County Council and as one of the Council's representatives on the Somerset Waste Board. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillor Tooze declared a personal interest as an employee of the UK Hydrographic Office. Councillor Wren declared a personal interest as Clerk to Milverton Parish Council. Councillor Nottrodt declared a personal interest as a Director of Southwest One. Councillors D Durdan and Stone declared prejudicial interests as Tone Leisure Board representatives. Councillor Gill Slattery declared personal interests as a member of the Board of Governors at Somerset College, a Patron of the Supporters of Taunton Women's Aid and as one of the Council's representatives on the Parrett Internal Drainage Board. Councillor Farbahi declared a personal interest as a local owner of land in Taunton Deane. Councillor Mrs Herbert declared a personal interest as an employee of Job Centre Plus. Councillor Ms Lisgo declared a personal interest as a Director of Tone FM.

#### **5. Public Question Time**

Ms Tracey Peace referred to a current planning application relating to a property in Hillfarrance, near Taunton. She was very concerned about the impact this application would have on another nearby business should planning permission be granted.

Ms Peace asked if this matter could be looked into.

In response, Councillor Edwards undertook to find out more about the current application and its possible implications.

#### **6. Proposed Loan to Somerset Waste Partnership for Waste Vehicles**

Considered report previously circulated, concerning a proposal to make a loan of £3,500,000 to the Somerset Waste Partnership.

Most of the SWP's Refuse Collection Vehicles were approaching the end of their economic working life and needed to be replaced to avoid escalating maintenance costs and the impact of increasing breakdowns on customer service. There was a contractual requirement that vehicles provided should be no more than seven years old.

The SWP sought to borrow £7,000,000 over a seven year period, paying back both principal and interest on an annual basis.

Taunton Deane was able to offer the partnership a fixed rate of 3.50% for £3,500,000 and South Somerset District Council would be recommending the same rate for the residual £3,500,000 to their Full Council meeting in October 2014. This compared with interest rates that Somerset County Council (SCC) and Kier could offer (4.64% and 4.5% respectively) and was therefore considered competitive.

The start date of the loan would be 1 April 2015. In the event that monies were required sooner, SCC would be willing to order the vehicles and pay ahead of completion if required.

This proposal was considered by the Corporate Scrutiny Committee on 18 September 2014 when the principle of the proposal was supported.

**Resolved** that:-

- (a) The principle of a seven-year fixed rate loan at 3.5% to Somerset Waste Partnership of £3,500,000 be agreed (detailed terms within this framework to be agreed, through delegated authority, by the Section 151 Officer); and
- (b) It be agreed to add this capital expenditure to the Capital Programme with the understanding that the principal payments would be treated as capital receipts offsetting the Capital Financing Requirement.

## **7. Review of Petition Scheme**

Considered report previously circulated, which reviewed the Council's position on dealing with petitions.

The Local Democracy, Economic Development and Construction Act 2009 had made it a statutory duty for all Councils to adopt a formal petition scheme.

The scheme adopted by the Council in July 2010 had obliged the Council to respond appropriately to compliant petitions and inform people what action would be taken to address their concerns.

The scheme had to be published on the Council's website and by any other method appropriate for bringing it to the attention of those who lived, worked, studied and did business in the area.

The Council was also required to respond to petitions which related to the functions of its partner authorities and which sought an improvement in the economic, social or environmental wellbeing.

The Council was currently required to respond to all compliant petitions and set thresholds for taking certain steps in response to a petition where practicable. There were currently three types of petitions relevant to the scheme:

- Ordinary petitions – which must contain at least 25 signatures. The petition organiser could present their petition to a meeting of the Council who would, without discussion, refer the petition to the relevant decision maker, or the petition organiser could meet with the relevant decision maker direct to present their petition.
- Petitions for Council debate – which had to contain at least 1500 signatures which if validated would be debated or discussed at a meeting of Full Council.
- Petitions calling for the Council employees to give evidence at a Scrutiny Committee meeting – which had to contain at least 750 signatures which could call for a senior Council employee to give evidence at a public meeting of a Scrutiny Committee.

To date, very few petitions had been received that had required a Council debate or a referral to a Scrutiny Committee.

Further reported that the Localism Act 2011 had repealed the requirement for such a statutory petition scheme and there now was the opportunity for the Council to review its position and provide greater clarity and flexibility if it so wished.

As part of a review undertaken by the Constitutional Sub-Committee some research had been undertaken as to the trigger points for petition schemes that were currently operated by nearby and neighbouring local authorities. As a result the following three options had been considered:-

- (1) To retain the current scheme and perhaps consider giving this facility a higher profile to encourage the public to avail themselves of it;
- (2) To withdraw the current scheme and make the receipt and consideration of petitions as flexible as possible so that they could be dealt with in line with any correspondence received by the Council;  
and
- (3) To continue with a more formal scheme but to vary the trigger points in terms of amounts of signatures required to encourage greater participation.

The Sub-Committee had concluded that the authority had an overriding responsibility to promote democracy and it would therefore be advisable for the Council to retain a scheme of some form but to ensure that any such scheme should be flexible and user-friendly to encourage more petitions to be submitted in the future.

It was therefore recommended that consideration be given to instituting a simplified scheme whereby there was only one definition of a petition which must contain at least 200 signatures which, if validated, would be debated or discussed at a meeting of the Full Council. This approach had subsequently been endorsed by the Corporate Governance Committee.

**Resolved** that the revised Petitions Scheme be approved.

## 8. **Review of the Standards Regime**

Considered report previously circulated, concerning the future composition and operation of the Standards Regime at the Council.

The Council had agreed in July 2012 to retain a Standards Committee to oversee the Standards Regime following the Localism Act 2011.

At its most recent meeting the Standards Committee had reviewed the processes by which it currently operated. During the debate there was much discussion and concern shared by all Members of the Committee that since the introduction of the Localism Act 2011, the Parish Councillors and Independent Members, who were now co-opted and had no right to vote, and therefore felt increasingly disenfranchised from the process.

In addition, reference was made to the fact that now that only Councillors had the right to vote there was a risk that the Committee could be perceived as operating in a "political" way when any Standards Regime needed to be perceived as being objective and be able to operate in an independent manner.

The Standards Committee had therefore agreed to request the Constitutional Sub-Committee to review the current arrangements. This review had recommended that consideration should be given to amending the Constitution in respect of the Standards Committee as follows:-

- (i) to increase the Parish Council representatives from two to three;
- (ii) the selection process for such membership to be determined and implemented by the Monitoring Officer;
- (iii) Independent and Parish Members of the Committee be granted full voting rights alongside the five elected Members appointed to serve on the Committee;
- (iv) the current requirement for the Committee and all Sub-Committees to be Chaired by an elected Member be amended so that the the Committee and any such Sub-Committees can be chaired by any Committee Member.

It was acknowledged that in the event of these recommendations being adopted, the Standards Committee would need to become an Advisory Committee in order to comply with the requirements of local government legislation and thereby need to make recommendations to Full Council.

The Constitutional Sub-Committee was also cognisant of the financial pressures currently being experienced by the Council and had therefore proposed that the reimbursement arrangements for members of the proposed Advisory Committee should remain as they were now to ensure that the proposal was cost neutral.

The Sub-Committee's proposals had been endorsed by the Corporate Governance Committee.

**Resolved** that the proposals made by the Constitutional Sub-Committee with regard to the Council's Standards Regime be approved, to come into effect after the May 2015 Local Government Elections.

#### 9. **Proposed Membership of the Joint Independent Remuneration Panel**

Reported that an opportunity had arisen for the Council to join a Joint Independent Remuneration Panel.

Each Council had to establish an Independent Remuneration Panel to advise on the scheme of Members Allowances. In this respect Taunton Deane had an Independent Panel consisting of three Members.

The legislation nevertheless allowed the creation of a Joint Panel supporting more than one Council and put no limit on the number of Councils that could be supported by an individual Panel.

The legislation recognised that a Joint Panel arrangement could be an appropriate and cost effective local arrangement. In this regard, Somerset County Council, Mendip District Council and West Somerset Council had already agreed to have a Joint Panel and Taunton Deane had been invited to also join.

The Panel would consist of three Independent Persons appointed by the County Council and three Independent Persons appointed by the three District/Borough Councils and would report separately to each of the four Councils to ensure continued sovereignty in terms of decision making.

Each Council could therefore continue to make its own decisions on Remuneration Rates as it saw fit in the light of the particular circumstances that pertained to that Authority.

Further reported that the most significant benefits from the proposal would be accrued via access to County-wide officer expertise and the provision of greater resilience and increased efficiencies in terms of the use of Taunton Deane officer time.

The proposal had been considered at a recent meeting of the Corporate Scrutiny Committee when it was recommended that the Council should agree to join the Panel.

**Resolved** that Taunton Deane Borough Council became a Member of the Joint Independent Remuneration Panel alongside Somerset County Council, Mendip District Council and West Somerset Council and that arrangements be made to appoint an Independent person to represent the Council on the Joint Panel.

10. **Motion – Democratic Deficit in Taunton**

Moved by Councillor Ms Lisgo, seconded by Councillor Coles

“This Council recognises that there is an ongoing and increasing concern being expressed within our community about the democratic deficit at the heart of our County Town due to its unparished status.

This Council therefore resolves to ensure that services provided within the Unparished Area are not reduced and furthermore, services previously deleted such as public conveniences, are reinstated until an appropriate body or bodies, with precepting powers, is in place to properly undertake such responsibilities.”

The motion was put and was carried.

11. **Recommendation to Council from the Executive**

**Jurston (Wellington) Development Brief**

The Taunton Deane Core Strategy 2011-2028 Development Plan Document had set the strategic framework for development across the district for the period to 2028. It included a number of strategic sites including Cades/ Jurston in Wellington.

In the Core Strategy Jurston was identified in Policy SS4 as a new compact urban extension east of Wellington which would include around 900 new homes at an overall average of 35-40 dwellings per hectare including affordable homes, a new local centre, a north-south link road between Taunton Road and the A38 and a green wedge.

The Core Strategy also stated that development of strategic sites in Wellington should be guided by a Masterplan and design code to ensure a coordinated approach to the delivery of these sites.

At a recent meeting of the Executive it was reported that a draft Development Brief had been prepared which addressed the requirements for a Masterplan.

The Brief which related solely to the Jurston parcel of the allocation had been published for public consultation earlier in the year and a full summary of

representations received together with the Council's responses thereto were detailed in the report to the Executive.

The Executive had also been informed that although the Community Scrutiny Committee had unanimously recommended adoption of the Brief as a Supplementary Planning Document (SPD) it had highlighted the need for negotiations to continue in respect of highways issues, school provision and sports provision.

Under the National Planning Policy Framework and Town and Country Planning (Local Planning) Regulations, the Council could adopt documents such as SPDs where they added value, detail and guidance to the existing policies in the Core Strategy Development Plan Document. A SPD would be an important material consideration in the determination of a future planning application for Jurston.

On the motion of Councillor Edwards, it was

**Resolved** that the Jurston Development Brief be adopted as a Supplementary Planning Document to be used in the Development Management Process for assessing future applications of the Jurston site.

## 12. **Reports of the Leader of the Council and Executive Councillors**

### (i) **Leader of the Council (Councillor Williams)**

Councillor Williams's report covered the following topics:-

- Scottish Referendum Vote;
- Halcon One Team;
- Firepool, Taunton;
- Monkton Heathfield;
- Infrastructure Funding;
- Westpark 26 Development;
- Broadband Availability;
- Garden Cities to Meet Housing Demand;
- Joint Management and Shared Services (JMASS); and
- Accommodation Update.

### (ii) **Corporate Resources (Councillor Mrs Stock-Williams)**

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

- Corporate and Client Services;
- Corporate Health and Safety;
- Customer Contact Centre;
- Health and Wellbeing;
- Legal, Democratic and Electoral Services;
- Resources; and



- Revenues and Benefits.

(iii) **Planning, Transportation and Communications (Councillor Edwards)**

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

- Site Allocations and Development Management Plan (SADMP);
- Mid Devon Junction 27;
- Neighbourhood Planning;
- Monkton Heathfield Governance Board;
- Car Parking;
- Taunton Railway Station Enhancement; and
- Communications.

(iv) **Community Leadership (Councillor Mrs Jane Warmington)**

Councillor Mrs Warmington presented the Community Leadership report which focused on the following areas within that portfolio:-

- Dragon Trail;
- Self Service Kiosks;
- Police Superintendents Association Annual Conference;
- Police Innovation Fund Bid – Wider One Team Working;
- Taunton and District Citizens AD District Advice Bureau (CAB);
- Troubled Families - Family Focus Integration with Getset Services;
- Volunteering Event;
- Creechbarrow Road Hoardings Art Project; and
- Community Awards.

13. **Suspension of Standing Order**

**Resolved** that Standing Order 28, Time limits for all meetings be suspended to enable the meeting to continue for a further half an hour.

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

The report from Councillor Cavill covered:-

- Staffing Issues;
- Business Support;
- The Brewhouse Theatre;
- Taunton Town Centre;
- Jobs Club;
- Castle Green; and
- Taunton Information Centre (TIC) and Marketing.

(vi) **Environmental Services and Climate Change (Councillor Hunt)**

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

- Environmental Health / Licensing;
- Deane DLO;
- Somerset Waste Partnership (SWP); and
- Community Scrap Store.

(vii) **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; and
- Tone Leisure (Taunton Deane) Limited Activities.

(viii) **Housing Services (Councillor Mrs Adkins)**

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

- Changes to Enhanced Right to Buy;
- Right to Buy Applications;
- Tenant Services Management Board (TSMB) Election;
- Deane Housing Development;
- Digital Access Project;
- Right to Move for Social Tenants Consultation;
- Somerset County Council (SCC) Extra Care Consultation; and
- Homefinder Somerset Annual Report.

(The meeting ended at 9.51 pm.)