

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 10 November 2015 at 6.30 p.m.

Present The Mayor (Councillor Mrs Hill)
 Councillors Mrs Adkins, M Adkins, Aldridge, Beale, Berry, Bowrah,
 Brown, Cavill, Coles, Coombes, Davies, D Durdan, Miss Durdan,
 Mrs Edwards, M Edwards, Farbahi, Gage, Gaines, Govier, Habgood,
 Hall, C Hill, Horsley, James, R Lees, Mrs Lees, Ms Lisgo, Martin-Scott,
 Morrell, Nicholls, Parrish, Prior-Sankey, Ryan, Miss Smith, Mrs Smith,
 Stone, Sully, Townsend, Mrs Tucker, Mrs Warmington, Watson,
 Wedderkopp, Williams and Wren

1. Apologies

The Deputy Mayor (Councillor Mrs Stock-Williams) and Councillors Mrs Blatchford, Mrs Floyd, Mrs Herbert, Mrs Reed, Ross and Ms Webber.

2. Declaration of Interests

Councillors M Adkins, Coles, Govier and Prior-Sankey declared personal interests as Members of Somerset County Council. Councillor Beale declared personal interests as a Board Member and Director of Tone FM, Chief Executive of the 'Think Amy' Charity and as a Governor of the South West Ambulance NHS Trust. Councillors Gage and Stone declared prejudicial interests as Tone Leisure Board representatives. Councillor Edwards declared a personal interest as the Chairman of Governors of Queens College. Councillor Ms Lisgo declared a personal interest as a Director of Tone FM. Councillor Farbahi declared a personal interest as the owner of land in Taunton Deane. Councillor Coombes declared a personal interest as a Stoke St Mary Parish Councillor and as the owner of land at Haydon. Councillor Hall declared a personal interest as a Director of Southwest One.

3. Public Question Time

- (i) Mr Michael Oliver referred to the recent Planning Committee meeting he had attended where he had been alarmed to hear the Assistant Director (Planning) asserting that de facto a Masterplan for the Comeytrove proposals was in place. He was also disturbed to hear from a Councillor that a last minute change had been made concerning the provision of a primary school whereby the developer now intended to facilitate a serviced site, rather than a complete school.

The planning application was in outline except for access, which was not a reserved matter. The report was recommending access details were included within a Section 106 Agreement. There appeared to be no clarity as to even what type of junction the development would be served by.

I believe that any subsequent planning permission granted on this basis would be defective because of how the issue of “access” had been addressed.

In these circumstances, could an assurance be given that as much as possible of the future decision making process of the application was kept in Councillor’s control and not delegated to officers?

In addition, would serious consideration be given to seeking external expert legal advice on the current status of the planning application and your officer’s recommendation to have its access proposals deferred to a Section 106 Agreement?

- (ii) Referring to the same meeting, the Chairman of Comeytrowe Parish Council, Mr Brian Larcombe, asked the following questions:-

“Does the Council have an adequate master-plan for the impact and needs of the current developments across the whole Town of Taunton and the infrastructure issues they would create? One that actually joined up all the issues in a way that would deliver what this town was looking for and for the kind of growth this town was inviting?”

Councillor Habgood thanked Messrs. Oliver and Larcombe for their questions and promised them full written responses in due course.

4. **Exclusion of the Press and Public**

Resolved that the press and public be excluded from the meeting for the following item because of the likelihood that exempt information would otherwise be disclosed relating to Clause 3 of Schedule 12A to the Local Government Act, 1972 and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

5. **Proposed Relocation of Deane DLO Facilities**

Considered report previously circulated, concerning the proposed relocation of Deane DLO facilities.

The report followed the Council decision in January 2015 to sell Priory Way, Taunton, subject to vacant possession and planning approval and the subsequent Executive Report of June 2015 identifying short-listed sites and a preferred site including approval to conduct due diligence and negotiate Heads of Terms and commercial negotiations with the preferred vendor (Option ‘A’ Monkton Heathfield) and reserve sites (Options ‘B’ West Monkton and ‘C’ outskirts of Wellington).

Following extensive due diligence on the short-listed sites and building / compound brief, specification and area requirements there had been a change in the preferred site for the reasons outlined in the report. Support was therefore requested to move to the next stage of the project covering planning, detailed design, land acquisition and construction of the new facility.

The report sought:-

- Approval for the relocation of the new purpose built facilities to accommodate the Council's Direct Labour Organisation at the preferred site Option 'C' Wellington; and
- Permission and funding to conclude commercial negotiations with the preferred developer in line with this final Business Case to progress and complete on the land purchase and construction phase at Option 'C' Wellington.

The proposed relocation had been considered by the Corporate Scrutiny Committee on 22 October 2015 and the recommendations set out in the report were endorsed by Members.

A number of concerns which UNISON had raised in connection with the proposal were brought to the attention of the Councillors.

Noted that the report constituted the final decision to progress this site and detailed clear funding information for consideration by Members in the confidential appendices.

Resolved that:-

(a) The purchase of land at the Option 'C' site in Wellington together with the entering into development agreement contracts to deliver a new Deane DLO facility, subject to contract and planning, be approved;

(b) A non-refundable forward payment be approved which would be made by the Council to the vendors as outlined in the report to accelerate planning and design;

(c) Senior Officers be authorised to progress and conclude commercial discussions and legal matters;

(d) Final approval and sign-off of the purchase be delegated to the Leader, Portfolio Holder of Assets, the Chief Executive and the Section 151 Officer, who would be granted authority to conclude a purchase of land and to enter into a development agreement contracts, to deliver a new facility on the Option 'C' site.

(e) A total budget for the project as outlined in the report be approved, to be funded from ring-fenced receipts from the sale of the current depot site, unallocated capital receipts and the remainder derived from the Growth Fund reserve.

(f) The appointment of the owner of the Option 'C' site be approved to carry out the design and build as an exception to the Council's Contract Procedure Rules on the basis of the special circumstances; and

(g) The interim borrowing facilities up to the value of the total budget for the project, as outlined in the report, be approved.

(The meeting ended at 8.43 pm.)