

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 22 August 2016 at 6.30 p.m.

Present The Deputy Mayor (Councillor Prior-Sankey) (In the Chair)
Councillors M Adkins, Aldridge, Beale, Berry, Mrs Blatchford, Cavill, Coles, Coombes, Davies, D Durdan, Miss Durdan, Mrs Edwards, Edwards, Farbahi, Mrs Floyd, Gage, Gaines, Mrs Gunner, Habgood, Hall, Mrs Herbert, Mrs Hill, Horsley, Hunt, James, R Lees, Mrs Lees, Ms Lisgo, Martin-Scott, Nicholls, Parrish, Mrs Reed, Ryan, Miss Smith, Mrs Smith, Stone, Sully, Townsend, Mrs Tucker, Mrs Warmington, Watson and Williams

Mrs A Elder – Chairman of the Standards Advisory Committee

1. **Apologies**

The Mayor (Councillor Mrs Stock-Williams) and Councillors Mrs Adkins, Booth, Bowrah, Brown, Cossey, Govier, C Hill, Morrell, Ross, Ms Webber and Wren.

2. **Declaration of Interests**

Councillors M Adkins, Coles, Hunt and Prior-Sankey declared personal interests as Members of Somerset County Council. Councillor Coles also declared a personal interest as a Member of the Devon and Somerset Fire Authority. Councillor Mrs Herbert declared a personal interest as an employee of the Department of Work and Pensions. Councillors D Durdan, Gage and Stone declared prejudicial interests as Tone Leisure Board representatives. Councillor Beale declared personal interests as a Board Member and Director of Tone FM and as a Governor of the South West Ambulance NHS Trust. Councillor Edwards declared a personal interest as the Chairman of the Governors of Queens College. Councillor Farbahi declared a personal interest as the owner of land in Taunton Deane. Councillor Hall declared a personal interest as a Director of Southwest One. Councillor Coombes declared a personal interest as a Stoke St Mary Parish Councillor and as the owner of land at Haydon. Councillor Parrish declared a personal interest as the District Council's representative on the Somerset Pensions Committee. Councillor Mrs Hill declared personal interests as a representative on the Board of Directors of Apple FM, as a Trustee of Hestercombe House and Gardens and the Somerset Building Preservation Trust. Councillor Miss Smith declared a personal interest as Chairperson of Refugee Aid from Taunton.

3. **Motion – Consultation with a wider audience regarding the proposed merger of Taunton Deane Borough Council and West Somerset Council**

Moved by Councillor Miss Smith, seconded by Councillor Gaines.

“We believe that Taunton Deane Borough Council's (TDBC) overarching

message to its residents, businesses and staff should be one of reassurance that the Council can provide leadership and financial stability especially when it comes to consulting on a merger with an un-financially viable Council such as West Somerset Council (WSC).

At the Special Full Council on 26 July, 2016 we witnessed a majority decision by a TDBC administration which led to a Councillor declaring herself independent of the ruling group. There was also general unhappiness about both the procedure and processes which changed during the seven days leading up to the debate.

This means that there is the possibility of a Judicial Review on the grounds of failing to follow the Constitution of TDBC and the rule of law regarding equity for Members who did not have time to adjust their thinking to rapidly changing circumstances as well as the lack of consultation with members of the public, Parish Councils and other stakeholders.

Over 800 people had signed an online petition and questionnaires requesting to have their voices heard.

The outcome means that especially the most socially deprived wards of Rockwell Green, Pyrland and Rowbarton, Lyngford and Halcon could be seriously disadvantaged when the equalisation of resources takes place under the creation of a new greater Council. We believe it is our duty as representative of the TDBC community to reflect the needs and concerns of our residents first and last and not that of the joint Sovereign Councils.

We recognise there are challenges ahead with pressure on public services and finances, but the proposals to auction off our family silver (TDBC assets) and make a significant number of our staff redundant is not the answer. Furthermore, the Government's review of the Hinkley C project now adds a further significant risk to West Somerset's financial position and the potential cost of the TDBC cross subsidy.

We would therefore urge the administration to:-

- 1) Immediately engage in public consultation involving residents, businesses, Parish Councils and staff in a meaningful way as to their views of a merger with WSC;
- 2) Engage with the new Local Government Minister immediately requesting financial support for WSC to ensure TDBC communities are not financially or adversely affected; and
- 3) Start a dialogue with other neighbouring authorities regarding joint working arrangements to investigate if there is a more suitable arrangement to meet the Medium Term Financial Plan (balance the budget year on year), as we have recently been advised that one neighbouring authority "always remain open to a fresh approach, which includes all three councils on a level playing field from a new starting point".

The following amended motion was proposed by Councillor Williams,

seconded by Councillor Edwards:-

“We would therefore urge the administration:-

- 1) When we have an agreed proposal, to engage in consultation agreed by the Secretary of State in a meaningful way as to their views of a merger with West Somerset Council;
- 2) To engage with the new Local Government Minister immediately a proposal is agreed requesting financial support for our communities; and
- 3) To continue a dialogue with other neighbouring authorities regarding joint working arrangements”.

The amended motion was put and was carried.

The substantive motion was put and was carried.

4. **Street and Public Toilet Cleaning Service**

Considered report previously circulated, concerning the introduction of new arrangements for the provision of Street and Public Toilet Cleaning in Taunton Deane.

Currently, the Council had their street and toilet cleaning services delivered through their own employees - an in-house arrangement.

West Somerset Council (WSC) had its service delivered through an outsource provider with an existing contract coming to an end in November 2016.

The Joint Management and Shared Services (JMASS) Project had been successful in joining up a number of services across the two Councils and delivering a single approach to service delivery. Street and toilet cleaning had not joined up at an operational level during the process to date due to the differing methods of delivery.

However following consideration of the case for a joint tender exercise by Taunton Deane Borough Council’s (TDBC) Corporate Scrutiny Committee last year, the procurement activity was commenced and a tender for a single service to cover both WSC and TDBC was published.

The tender that was put out to market covered all of the current functions of:-

- Street sweeping;
- Litter picking;
- Mechanical road sweeping;
- Leaf clearance;
- Bin installation and emptying;
- Toilet cleaning;
- Toilet locking;
- Toilet consumables;
- All waste disposal relating to these services; and

- Provision and maintenance of all fleet associated with these services.

Aspects of asset maintenance had not been included and would continue to be delivered through Deane DLO.

Flexibility had been built into the contract. It not only allowed for changes to be negotiated but also for employees on the contract to be used for other tasks where the contract could not be delivered, for example in times of severe weather.

The tender exercise had led to five bids being received on 15 July 2016 and an evaluation process being conducted on 21 and 22 July.

With regard to the proposed new service, the tender documentation set an output specification as compliance with the Code of Practice (COP) on Litter and Detritus which would evidence the Council's compliance with The Environmental Protection Act 1990 for street cleansing functions. The tender also provided information on public toilet operations as there was no legislation that supported the provision of this.

Noted that over the past two financial years Members had supported an increase in resources within Taunton Town Centre. These had been protected in the new contract and a minimum resourcing level had been identified which took account of these recent increases.

The documentation made no requirements for service reductions in either service but did assume that those toilets already earmarked for transfer would be completed. A requirement within the tender was that Town or Parish Council's would be able to buy in services by utilising this contract.

Whilst the new contract was proposed to be for the two Council areas it would continue to make use of the Deane DLO depot. The current employees would be subject to TUPE transfer which protected their employment terms and conditions. This also provided a level of service continuity for the residents and visitors to Taunton Deane.

Further reported that the Landscape Group's submission had scored the highest against the set criteria across the Evaluation Panel's Members. This placed them first for both the financial and quality assessments.

The Landscape Group were the current contractors delivering services to Mendip District Council. Within their submission they also provided the detail of a number of other contracts they were currently delivering evidencing their experience.

The company was therefore being recommended to Members as the preferred bidder on the basis of their bid being the least cost to the authority.

Noted that the bid for the WSC element of the service would remain the same in the event that TDBC did not support outsourcing their elements of the service. This meant that there were no financial implications for WSC of TDBC not supporting an outsource of this service.

Reported that this matter had been considered by the Corporate Scrutiny Committee at its meeting on 11 August 2016. Although generally supportive of the recommendations relating to the proposed new arrangements for the Street and Public Toilet Service, Members had asked for the views of UNISON to be submitted. These views were circulated at the meeting of Full Council.

Resolved that:-

- (1) The award of an eight + four year contract to The Landscape Group to provide the Street and Public Toilet Service from 1 February 2017 be approved; and
- (2) The new budget for the service be supported and that the Medium Term Financial Plan be updated to reflect the saving of £8,270 for 2016/2017 and £49,636 per annum from 2017/2018 onwards. This equated to £397,088 over the eight year life of the contract and a further £198,544 if the extension was applied.

(The meeting ended at 8.02 p.m.)