

You are requested to attend a meeting of the Council to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 12 April 2016 at 18:30.

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## **Agenda**

The meeting will be preceded by a Prayer to be offered by the Mayor's Chaplain.

- 1 Minutes of the meetings of the Council held on 23 February 2016 (attached) and 17 March 2016 (to follow).
- 2 To report any apologies for absence.
- 3 To receive any communications.
- 4 Declaration of Interests  
To receive declarations of Disposable Pecuniary Interests or personal or prejudicial interests, in accordance with the Code of Conduct. The usual declarations made at meetings of Full Council are shown on the attachment.
- 5 To receive questions from Taunton Deane Electors under Standing Order 15.
- 6 Receipt of Petition from Councillor Charles St. George, Chairman of Stawley Parish Council calling on Taunton Deane Borough Council to use its powers under Section 215 of the Town and Country Planning Act 1990 and/or Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to undertake repair works to the listed barn attached to The Globe Inn, Appley (a Grade II listed building) which has been derelict for more than two and half years. The petition contains over 200 signatures and a full copy of the Parish Council's concerns are attached for information. Mr St. George has formally requested that a debate takes place at the Full Council meeting.
- 7 To receive any further petitions or deputations from Taunton Deane Electors under Standing Orders 16 and 17.
- 8 Land at Creedwell Orchard Housing Estate, Milverton - Proposed amendment of the Trigger Date within the Option Agreement. Report of the Principal Estates Surveyor (attached), to be presented by the Leader of the Council, Councillor John Williams.
- 9 Community Infrastructure Levy:-
  1. Clarification of Regulation 123 Infrastructure List (Appendix 1)

2. Proposed draft Payment in Kind Policy (Appendix 2)
3. Proposed draft Charitable Relief Policy (Appendix 3)
4. CIL Exceptional Circumstances Relief policy (Appendix 4).

Report of the Senior Planning Policy Officer (attached), to be presented by Councillor Roger Habgood.

- 10 Proposed Changes to Constitution. Report of the Assistant Chief Executive and Monitoring Officer (attached), to be presented by Councillor Richard Parrish.
- 11 Electoral Review of Taunton Deane Borough Council. Report of the Assistant Chief Executive and Monitoring Officer (attached), to be presented by Councillor Richard Parrish.
- 12 Part I - To deal with written questions to, and receive the following recommendation from, the Executive:-  
  
Councillor Mark Edwards - Recommendation relating to the proposed adoption of the Community Asset Transfer Policy.
- 13 Part II - To receive reports from the following Members of the Executive:-
  - (a) Councillor John Williams - Leader of the Council;
  - (b) Councillor Roger Habgood - Planning Policy and Transportation;
  - (c) Councillor Catherine Herbert - Sports, Parks and Leisure;
  - (d) Councillor Richard Parrish - Corporate Resources;
  - (e) Councillor Jane Warmington - Community Leadership;
  - (f) Councillor Terry Beale - Housing Services;
  - (g) Councillor Patrick Berry - Environmental Services and Climate Change;and
  - (h) Councillor Mark Edwards - Economic Development, Asset Management, Arts and Tourism and Communications.

Bruce Lang  
Assistant Chief Executive

17 August 2016

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, if a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: [www.tauntondeane.gov.uk](http://www.tauntondeane.gov.uk)



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

**For further information about the meeting, please contact the Corporate Support Unit on 01823 356414 or email [r.bryant@tauntondeane.gov.uk](mailto:r.bryant@tauntondeane.gov.uk)**

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please telephone us on 01823 356356 or email: [enquiries@tauntondeane.gov.uk](mailto:enquiries@tauntondeane.gov.uk)

## **Council Members:-**

Councillor V Stock-Williams (Chairman and Mayor of Taunton Deane)  
Councillor H Prior-Sankey (Deputy Mayor)  
Councillor J Adkins  
Councillor M Adkins  
Councillor T Aldridge  
Councillor T Beale  
Councillor P Berry  
Councillor J Blatchford  
Councillor C Booth  
Councillor R Bowrah, BEM  
Councillor W Brown  
Councillor N Cavill  
Councillor S Coles  
Councillor W Coombes  
Councillor D Cossey  
Councillor T Davies  
Councillor D Durdan  
Councillor K Durdan  
Councillor C Edwards  
Councillor M Edwards  
Councillor H Farbahi  
Councillor M Floyd  
Councillor J Gage  
Councillor E Gaines  
Councillor A Govier  
Councillor A Gunner  
Councillor R Habgood  
Councillor T Hall  
Councillor C Herbert  
Councillor C Hill  
Councillor M Hill  
Councillor J Horsley  
Councillor J Hunt  
Councillor G James  
Councillor R Lees  
Councillor S Lees  
Councillor L Lisgo, MBE  
Councillor S Martin-Scott  
Councillor I Morrell  
Councillor S Nicholls  
Councillor R Parrish  
Councillor J Reed  
Councillor S Ross  
Councillor R Ryan  
Councillor Miss F Smith  
Councillor F Smith  
Councillor P Stone  
Councillor A Sully  
Councillor N Townsend

Councillor C Tucker  
Councillor J Warmington  
Councillor P Watson  
Councillor D Webber  
Councillor D Wedderkopp  
Councillor J Williams - Leader of the Council  
Councillor G Wren

## **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 23 February 2016 at 6.30 p.m.

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

Mrs A Elder – Chairman of the Standards Advisory Committee

### **1. Minutes**

The minutes of the meetings of Taunton Deane Borough Council held on 15 December 2015 and 26 January 2016, copies having been sent to each Member, were signed by the Mayor.

### **2. Apologies**

Councillors Cossey and Gaines.

### **3. Communciations**

The Mayor drew attention to the following three matters:-

- (i) Nominations were currently being sought for this year's Citizenship Awards;
- (ii) Taunton Food Bank had recently installed a collecting box in the main Reception of The Deane House – donations welcomed; and
- (iii) The annual Mayor's Patronage Concert arranged by the Taunton Deane Male Voice Choir would be taking place on Saturday, 19 March 2016 at St. James Church, Taunton. Tickets were available from the Civic Officer.

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

Councillors M Adkins, Coles, Govier, Hunt, Prior-Sankey and Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Mrs Herbert declared a personal interest as an employee of the Department of Work and Pensions. Councillor Wren declared a personal

interest as Clerk to Milverton Parish Council. Councillors Gage and Stone declared prejudicial interests as Tone Leisure Board representatives. Councillor Ms Lisgo declared a personal interest as a Director of Tone FM. 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 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 Stock-Williams declared a prejudicial interest as a Citizens' Advice Trustee and left the meeting during the consideration of the Liberal Democrat Group amendment in connection with the proposed reduction in the Voluntary and Community Centre Grants.

## 5. Public Question Time

- (1) Mr Paul Partington again raised the issue of the roundabout on the A358 for the Station Farm Development, Bishops Lydeard, the construction of which was still awaited.

Mr Partington referred to his previous appearance at Full Council in April 2014 and, more recently, at a Somerset County Council meeting where he had raised the issue. Details of the responses he had received were reported. He also referred to the information contained in a report to Taunton Deane's Planning Committee concerning off-site highways works in relation to an application which was due to be determined.

There were four questions Mr Partington requested answers upon. These were:-

- (i) What enforcement steps were being taken by Taunton Deane Borough Council to get the developer to implement the roundabout?
- (ii) Please could Taunton Deane Borough Council confirm that there is condition/requirement for the developer to provide a footway at the edge of the highway at Greenway Housing Estate, i.e. the removal of the hedge, new hedge set back and the provision of a footway to provide a safe crossing into Station Farm when crossing the Bishops Lydeard to Ash Priors Road?
- (iii) In the interest of pedestrian safety, rather than wait for the footway works to be carried out under the present development, could the hedge at the Greenway Estate be removed now by Taunton Deane?
- (iv) Somerset County Council is only a statutory consultee to the Local Planning Authority. It is the role of the Planning Authority to weigh up all the elements of the planning application and

provide a balanced judgement of the overall merits of the development. If it is known that there are highway requirements in a previous planning application and a new application is going to result in more vehicular access and access for construction vehicles, can there be planning consent granted with a condition that the previous off-site works are completed before any on-site works are started?

In response, Councillor Habgood reported that he was unfamiliar with the issue but would gladly meet up with Mr Partington to fully understand his concerns with a written response to the points he had made to then follow.

- (2) Mr Alan Debenham was of the view that everybody now fully appreciated that Local Government jobs and services continued to be the soft target for a sustained attack from Tory-led Central Government via the ideologically driven systematic reduction in Revenue Support Grant from 2010.

When local residents like myself want Councillors to protect, maintain and enhance our local public services, why was it these hard right-wing year-on-year cuts had not been actively and publicly opposed by the Council, especially in coordinated anti-cuts campaigning with the other 22 South West local authorities with whom close joint working now has been established - but unfortunately to obey the Government's call for undemocratic, sham-devolution; a key element of which was yet more financial stringency and savings?

In addition, how can the Council now reconcile its further lap-dog like obedience to Government dictat by imposing an above inflation, 5% increase in Council Tax, at the same time as overseeing cuts in services and big hikes in fees, when previously it had adhered so devotedly to hard-right politically engineered Council Tax freezes?

The Leader of the Council, Councillor Williams, thanked Mr Debenham for his questions and acknowledged that the Revenue Support Grant had been cut in recent years. However, the Government had put in place a number of other funding streams which the Council was able to compete for. Despite the reductions in funding, the Council had managed to maintain front line services. He added that the effects of the last recession were still being felt and the Council was trying its utmost to ensure that its expenditure matched its income.

- (3) The Reverend David Fayle spoke in support of the Taunton East Development Trust which had carried out much good work in the locality. He hoped that the financial support provided by Taunton Deane in the past would be continued to allow further works to be provided in the future.

Councillor Mrs Warmington replied by stating that the work done by organisations like the Taunton East Development Trust was highly valued. However, there was a need to reduce the current budget for Voluntary and

Community Centre Grants by 10%. There had been no cuts for the past three years. She hoped that applying the reduction now would be a prudent and pragmatic approach which would enable the Council to hold the budget at the same level for at least a further three years. Councillor Mrs Warmington added that the Council was also commissioning services.

## 6. **Heart of the South West Devolution – A Prospectus for Productivity**

Considered report previously circulated, concerning proposals for devolution for the Heart of the South West (HotSW).

The Government wished to devolve powers and budgets from Westminster to local authorities, using Local Enterprise Partnership geographies. The Chancellor of the Exchequer was particularly interested in devolution as a driver of:-

- Increased productivity;
- Skills and employment;
- Housing; and
- Reducing the cost of the public sector.

Devolution for the HotSW was being led by the Leaders of Somerset and Devon County Councils, all Somerset and Devon Boroughs and Districts, Torbay Council, Plymouth City Council, Dartmoor and Exmoor National Parks, Clinical Commissioning Groups and the Local Enterprise Partnership.

Reported that a shared Devolution Statement of Intent had been submitted to the Government on 4 September 2015 in response to announcements in the July Budget and a deadline set by the Chancellor of the Exchequer.

The Government had subsequently asked partners to produce formal devolution proposals with a view to negotiating a formal deal thereafter.

Partners had agreed to move forward quickly and after a recent decision to allow more time, to complete a prospectus by late January 2016 with a view to subsequent approvals by participating Councils in February, followed by submission to the Government.

The report was accompanied by the completed prospectus document. Noted that the prospectus was not the final devolution 'deal' – it was a deliberately 'high-level' (and evidenced) document, the purpose of which was to open a conversation and negotiation with the Government about a potential devolution deal for the HotSW area.

The Leaders of the various Councils had considered a number of options for the governance of any devolution deal. No decision would be made on a governance model until the deal was agreed. However a form of Combined Authority was proposed, subject to the nature of the final devolution deal and a formal governance review. As any deal would need to be ratified by the Council, Members would have an opportunity to consider the detail of governance at that time.

The Council had an opportunity to benefit from devolution across a wide range of topics and services. The HotSW devolution prospectus proposed benefits in the following key areas:-

- Health, social care and wellbeing;
- Skills and employment;
- Business support;
- Resilience and connectivity; and
- Housing and planning.

Devolution had clear links to, and the potential to enhance the benefit from, key strategic work already under way, including the Broadband roll-out, Hinkley Point C, A303/A358/A30 investment, health and social care integration and flood defence and resilience.

The prospectus was a first draft 'heads of terms' - not an endgame - and a signal of readiness for serious negotiation with the Government. The prospectus would be submitted at the end of February 2016, and the negotiations with Government would take place over the course of the following months.

Any final devolution deal with the Government would be subject to further approval / ratification by all partners individually.

**Resolved** that:-

- (a) The 'Prospectus for Productivity' be noted and that it be endorsed as the basis for starting a negotiation with Government; and
- (b) It be noted that any devolution 'deal' emerging from negotiations with the Government would come back to Full Council (and all Councils in the Heart of the South West) for approval.

(The Chief Executive (Penny James), Section 151 Officer (Shirlene Adam) and Assistant Chief Executive (Bruce Lang) all declared prejudicial interests in the following item and left the meeting during its consideration.)

## **7. Staff Severance / Compensation Policies Updates and Pay Policy Statement**

Considered report previously circulated, regarding proposed changes to the Severance and Compensation Policies as set out in the Redundancy and Retirement Policies of both Taunton Deane and West Somerset Councils.

West Somerset Council's Severance policy was last reviewed in April 2011 and Taunton Deane's Compensation Policy in March 2007.

Following a period of significant change for both Councils with Taunton Deane's Core Council Review in 2010, the implementation of a Joint Management and Shared Services arrangement (JMaSS) for both Councils

between November 2013 and April 2015 and the recent Spending Review, it was considered appropriate to review and recommend changes to both of these policies.

Further reported that Section 38 (1) of the Localism Act 2011 required local authorities to prepare and publish a Pay Policy Statement for each financial year, approved by Full Council. This detailed the pay arrangements and policies that related to the pay of the workforce which served the JMaSS Partnership between Taunton Deane Borough Council and West Somerset Council.

As a result of the JMaSS project all staff previously employed by West Somerset Council had transferred under TUPE regulations to Taunton Deane Borough Council. Although employed by Taunton Deane, a small number of transferring staff opted to remain on West Somerset Council's terms and conditions. It was therefore necessary for both Councils to review their Compensation/ Severance Policies as the West Somerset Council Policy would be applicable for these staff.

Reported that West Somerset Council's Severance Policy currently applied the 30 week statutory redundancy table using a multiplier of 2. Early retirement in the interests of the efficiency of the service used no multiplier.

Taunton Deane's Compensation Policy applied the 30 week statutory redundancy table using a multiplier of 3. Early retirement in the interests of the efficiency of the service used a multiplier of 2.

It was proposed to change West Somerset Council's Severance Policy by:-

- (i) Reducing the multiplier to 1.5 times the statutory redundancy payment for redundancies; and
- (ii) Introducing pay protection where employment on less favourable terms was offered to an employee as an alternative to redundancy. An employee's basic pay would be protected for up to two years if the reduction in their basic pay did not exceed 17.5%.

It was proposed to change Taunton Deane's Compensation Policy by:-

- (i) Reducing the multiplier to 1.5 times the statutory redundancy payment for redundancies;
- (ii) Removing the multiplier for early retirement in the interests of the efficiency of the service; and
- (iii) Introducing pay protection where employment on less favourable terms was offered to an employee as an alternative to redundancy. An employee's basic pay would be protected for up to two years if the reduction in their basic pay did not exceed 17.5%

The comparative details for the redundancy multiplier of other local authorities in Somerset were reported for the information of Members.

Further reported that Staff and UNISON had been consulted on these changes. Submitted details of the responses that had been received against

these proposals. Noted that UNISON had not given its support for the proposals outlined in the report and had recently submitted its full written comments which were reported for the information of Councillors..

Reported that the item had been considered at the meeting of the Corporate Scrutiny Committee on 18 February 2016 where the proposals had been supported.

**Resolved that:-**

- (1) The recommended changes to the West Somerset Council's Severance Policy and Taunton Deane Borough Council's Compensation Policy as set out in the Redundancy and Retirement Policies be approved; and
- (2) The Pay Policy Statement 2016/2017 also be approved.

## 8. **Written Questions to Members of the Executive**

### **(1) Questions to Councillor Richard Parrish from Councillor Richard Lees**

- (a) Paragraph 1.5 of Councillor Parrish's Report – Corporate Complaints - You said this is still off target but had improved to 75%. Can this be improved further, and if so how?

#### **Reply**

Our target is 90%. In the short term we are working with Managers to improve our recording of and response times to complaints. It is worth noting however that we continue to receive only a very small number of complaints from the Local Government Ombudsman. This indicates that we are largely getting it right with our responses to complaints, as the majority are not progressing to the Ombudsman.

In the longer term, through the delivery of a new approach to customer access, we are aiming to significantly reduce the number of complaints.

- (b) Paragraph 4.2 – Platform Schedule – You said this was going to go live later in the year – Any idea when?

#### **Reply**

We have already "soft" launched elements of the new site and are gradually migrating information from the old to the new site. The "hard" launch is scheduled for the end of April 2016 when we switch off the old site. (NB. Please note that this work relates to our internal Intranet and not our external website).

- (c) Throughout your report you use initials - it is littered with them, for example CCA, FM. Could you please remember that there may be Members who are not familiar with such initials and would need them explaining?

## **Reply**

We will endeavour to avoid using acronyms in the future.

## **(2) Questions to Councillor Patrick Berry from Councillor Federica Smith**

- (a) What are the current air quality measurements with regard to traffic pollution running from Junction 25, along the Toneway corridor and into the town centre along East Reach. Are these within the required standard and have these increased or decreased in the past two years?

## **Reply**

A spreadsheet showing the monitoring results from 2003 up to 2014 is available where the tubes on that side of Taunton have been highlighted. A map showing the location of the tubes in the area is also available. Currently, the data for 2015 was not available.

We have the results of the monthly monitoring so can produce an annual average, however, this will need to be corrected to take into account the variation between different companies and methods of monitoring. The Department of Environment, Fisheries and Rural Affairs does this adjustment and the adjusted data has not yet been received.

The guidance level is 40ug/m<sup>3</sup>. This has only been exceeded at East Reach Lights (at the junction of East Reach and East Street). The other sites show some levels lower for 2014 and some higher. A variation of a few ug/m<sup>3</sup> can easily be due to local variation (these are not the most accurate way of monitoring air quality) and the weather can also make quite a difference to air quality.

- (b) With reference to the 'Dog Action Day', have we undertaken in the past year any enforcement/prosecution for dog fouling?

## **Reply**

Dog Action Day was cancelled due to poor weather and staff sickness and is planned to be rescheduled April/May. It is hoped to get the Somerset Dog Warden Service on board and possibly combine it with some promotional work that is being planned by the Licensing Department around boarding kennel establishments. As for enforcement action we have not taken any in the last year but we do carry out regular patrols of the parks, areas where we receive complaints and open spaces. We hand out dog waste bags and give advice to dog owners regarding responsible dog ownership. Dog patrols and enforcement are part of the Pest Control Officer's duties

- (c) What is the current budget allocated for dog enforcement/hygiene and what does this service provide, for example FTE hours and role to the public.

## **Reply**

Below is the Budget data:-

* <b>112119 TD Dog Wardens</b>	
25000 C S Prem Trading Charge	
44544 Vet Fees and Supplies	
44583 Maintenance of dogs/cats	£10,140.00
45000 Inter-Depart Recharge	
45003 Cross Service Trading Charge	£45,580.00
50610 Contract Payment	£29,930.00

£10,140 is for kennelling and picking up strays;  
£ 29,930 is the cost of the actual contract with St Giles to provide the service;  
£ 45,580 is what it costs to empty dog bins per year (for the ones owned by Environmental Health – 159 in number, which is the majority).  
There are others owned by Parishes which are not included in this budget or calculation.

### **(3) Questions to Councillor Terry Beale from Councillor Fraca Smith**

- (a) Please can Councillor Beale update the Council on the number of anti-social behaviour (ASB) cases the officers are dealing with and how many are linked to mental health issues?

#### **Reply**

##### **ASB cases recorded between 01/10/15 – 31/01/16**

30 cases were opened during the period:-

- Two Alcohol;
- One Communal Areas;
- Three Drugs – One now closed resolved. Two continuing investigations;
- Two Garden Nuisance;
- Eight Harassment – Four cases closed resolved. One case mediation taken place, both perpetrator and victim have mental health issues; officer still working with both parties and mental health team to resolve. One case counter allegations have been made, officer investigating. One case perpetrator is likely to be evicted due to rent arrears. One case early stages, working with Police, perpetrator hard to engage.
- One Hate Crime – Tenancy terminating, perpetrator awaiting court case.
- Five Noise
- Four Physical Violence – One case domestic dispute, two cases closed, one case victim has had housing application banding increased to gold, perpetrators x 2 remanded in custody and charged with robbery.

- (b) Can you please provide more details regarding the reasons for delays at Creechbarrow Road, Taunton and when will the whole site be completed?

#### **Reply**

**Labour shortages** – There is a booming residential new-build market in Taunton and this pressurises a depleted labour pool, which declined in numbers during the recession and takes a long time to be replenished through new apprentices.

**Service Diversions** - Several instances of services being uncovered that were not where they were indicated to be on the utility company records, including gas pipes, fibre optic and electric cables.

This is not exceptional as the records only indicate positions and do not accurately record the routes of cables or pipes, therefore until all are traced and uncovered you cannot fully rely on the data provided. These instances will however cause delays as contractors will then have to wait for the utility company to divert their pipes/ cables, and in periods of bad weather etc such works will not be their priority.

**Asbestos** finds within the old buildings. Additional asbestos not shown in the records was found, some of these finds could not have been foreseen as they were in effect built in to the structure, for example formwork in asbestos material creating pipe ducts within the floor slabs of the buildings. On discovery, work has to halt and full health and safety procedures be followed including tenting the affected areas to allow safe removal. This will slow the demolition phase.

**Ground conditions** – The made ground that was in the area of the old route of Roman Road meant the increased levels of dig were required to complete foundations in that area.

Works within Moorland Road to make off site drainage connections were also complicated by this.

**Moorland House drainage connection** – The indicated drainage connection point is not adequate to fulfil its purpose, requiring a re-engineering exercise to find a suitable alternative method of providing drainage to the building.

**Ecological matters** – The translocation of Slow Worms from the Moorland House site took longer than the ecologist anticipated due to the very large numbers of Slow Worms (over 300 found and relocated). Nesting birds in the eaves of 2 and 4 Moorland Road meant the demolition of these units was delayed until the end of the nesting season. Work involving boundary hedges was also delayed for this reason.

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

### **(a) Earmarked Reserves Review**

A review of a number of earmarked reserves held by the Council for various purposes had recently been undertaken with a view to balances being returned to the General Fund.

As a result of the review, there were various earmarked reserves, totalling £92,000, that were no longer required. These related to the Stable Pensions Payroll Reserve, the Community Right to Challenge and the Bursary Account.

On the motion of Councillor Williams, it was

**Resolved** that a Budget Return of £92,000 to General Reserves of surplus balances currently held in Earmarked Reserves be approved.

**(b) Draft Treasury Management Strategy Statement, Annual Investment Strategy and Minimum Revenue Provision Policy 2016/2017**

The Executive had recently considered the recommended strategy for managing the Council's cash resources including the approach to borrowing and investments. Approval had also been sought for the Treasury Management Strategy Statement and Investment Strategy (TMSS), the Annual Investment Strategy (AIS) and the Minimum Revenue Provision (MRP) Policy.

The Council's Finance Officers had worked closely with Arlingclose, the Council's Treasury Advisor, to determine the proposed TMSS, AIS and MRP Policy that ensured compliance and provided a set of 'rules' for the Council to follow in dealing with investments, borrowing and cash flow management.

The TMSS for 2016/2017 continued to recognise the increasing risks due to the new regulations in respect of 'bail in' for banks. In response to this risk and the wider continuing risks in the financial sector, the TMSS continued to build in greater "diversification" – so that surplus funds were held in a wider range of investments/accounts.

With regard to the MRP Policy, it was felt that the current approach which charged MRP at 4% per year, should be moved to a new approach which proposed calculating MRP based on a weighted average asset life of 45.57 years. This equated to an MRP rate of 2.19% and had enabled the Council to release budget savings of £382,000 in 2015/2016 with continuing annual savings of £234,000 from 2016/2017.

On the motion of Councillor Williams, it was

**Resolved** that:-

- (1) The Treasury Management Strategy Statement, Annual Investment Strategy and revised Minimum Reserve Provision Policy as set out in the Appendix to the report considered by the Executive be approved;
- (2) The Prudential Indicators included within the Treasury Management Strategy Statement which includes limits for borrowing and Investments be approved; and
- (3) The change to the Minimum Revenue Provision Policy to be applied with effect from 1 April 2015, be also approved.

**(c) Corporate Strategy 2016-2020**

The Executive has recently discussed the contents of the Council's draft Corporate Strategy 2016-2020.

This Strategy - which had been developed with input from Members - provided a clear direction for the organisation to follow; with four key priority areas where the Council should concentrate its efforts and resources between April 2016 and March 2020.

The key elements of the Strategy were:-

- refreshed high-level Corporate Priorities for the Council;
- design principles for the organisation;
- a refreshed vision; and
- clarity on the role and purpose of the Council.

It was felt the Strategy would lead to a more resourceful and responsive organisation that delivered outcomes to our communities in the most efficient and effective way and continued to play a key role in shaping Taunton Deane.

The Corporate Strategy was the key part of the 'Golden Thread' which set the corporate objectives from which key actions flowed. This was illustrated in the following diagram:-



The Strategy was the product of a series of Member workshops which took place during the course of last year. From these workshops an initial draft of the Corporate Strategy was prepared and consulted upon both internally and externally.

The draft Strategy had been considered by the Corporate Scrutiny Committee where a number of specific comments had been made for consideration by the Executive. A number of these comments had now been included in the latest version of the Corporate Strategy.

On the motion of Councillor Williams, it was

**Resolved** that the revised Corporate Strategy be adopted.

**(d) General Fund Revenue Estimates 2016/2017**

The Executive had considered its final 2016/2017 budget proposals which recognised the continuing financial challenges, with annual reductions in Government funding for Local Council services as the Government sought to reduce the national deficit.

The 2016/2017 Budget had been prepared within the context of priorities identified by Members which were embedded in the Council's Corporate Business Plan.

The budget contained details on:-

- (i) the General Fund Revenue Budget proposals for 2016/2017, including a proposed Council Tax increase; and
- (ii) draft figures on the predicted financial position of the Council for subsequent years.

The Corporate Scrutiny Committee had made specific recommendations relating to a request for the proposal to spend £40,000 on a Railway Feasibility Study to be removed from the draft budget and the savings option to reduce the Voluntary and Community Organisation Grants by £40,000 to also be removed.

The Final "Settlement Funding Assessment" had been announced on 8 February 2016 from which the key messages were:-

- As well as permitting Councils to increase Council Tax beyond previous levels where a referendum was required, the Government had also indicated that it was prepared to offer any Council a four-year funding settlement to 2019/2020 if they published an efficiency plan.
- Transitional grant had been given to Councils with the sharpest drop in Revenue Support Grant (RSG). The grant would be worth £150,000,000 a year paid for the first two years (2016/2017 and 2017/2018).
- The Department of Communities and Local Government would conduct a review of what the Needs Assessment formula should be and use it to determine the transition to 100% Business Rates retention.
- The Rural Services Delivery Grant would be increased from £15,500,000 in 2015/2016 to £80,500,000 in 2016/2017. This was to recognise the difficulty of providing services in sparse rural areas.
- The Minister would also consult on allowing well-performing Planning Departments to increase their fees in line with inflation at the most, providing that the revenue reduced the cross subsidy that the Planning function already received from Council Tax payers.
- The Minister had also confirmed that there would be no "tariff adjustment"/negative Rate Support Grant in 2017/2018 and 2018/2019. This had no effect for Taunton Deane as our "tariff" would not take effect until 2019/2020.

The proposed budget for Taunton Deane contained a proposed Council Tax increase of 3.62% (£5 on a Band D) for 2016/2017 which would mean that the Band D Council Tax would rise to £142.88 per year. The Band D taxpayer would, therefore, receive all the services provided by the Council in 2016/2017 at a cost of £2.74 per week.

The Government had announced that Somerset County Council and the five District Councils in Somerset could raise additional funding for the new Somerset Rivers Authority by setting a precept based on up to 1.25% of each Council's 2015/2016 basic tax rate – which for Taunton Deane was £1.74 a year for a Band D. This would fund the Somerset Rivers Authority in 2016/2017 pending its establishment as a precepting body.

An increase in the Council's own basic Band D tax of £5 plus the £1.74 increase to precept for the Somerset Rivers Authority would mean a combined increase of £6.74 (4.89%) a year for a Band D. This would result in a total Band D charge for Taunton Deane of £144.62 on the Council Tax bills in 2016/2017.

The estimated Special Expenses chargeable to the non-parished area of Taunton in 2016/2017 amounted to £43,362, which reflected a zero increase in the special expenses per Band D equivalent of £2.98 per property per year in the Unparished Area. In addition, the Unparished Area Budget had received a notional Council Tax Support Grant of £4,020 in 2016/2017 giving a total budget for the year of £47,382.

It was a requirement for the Council to prepare not only budgets for the following financial year but to also provide indicative figures into future years. The Medium Term Financial Plan provided an indication of the expected budget gap going forward into 2016/2017 and beyond and a summary of this position was reflected in the following table:-

	2016/17 £	2017/18 £	2018/19 £	2019/20 £	2020/21 £
Forecast Net Expenditure	10,280,063	10,633,062	11,439,334	11,962,163	12,381,794
SRA Contribution	67,987	0	0	0	0
Earmarked Reserves	3,334,152	3,007,050	2,260,100	1,900,480	1,717,700
General Reserves	0	0	0	0	0
Unparished CTRS Grant	4,020	2,010	0	0	0
Unparished Precept (SER)	43,360	44,230	45,110	45,980	46,850
Parish CTRS Grant	25,980	12,990	0	0	0
<b>TDBC NET EXPENDITURE</b>	<b>13,755,562</b>	<b>13,699,342</b>	<b>13,744,544</b>	<b>13,908,623</b>	<b>14,146,344</b>
Parish precepts	640,320	640,320	640,320	640,320	640,320
<b>TOTAL NET BUDGET</b>	<b>14,395,882</b>	<b>14,339,662</b>	<b>14,384,864</b>	<b>14,548,943</b>	<b>14,786,664</b>
Retained Business Rates	-2,959,304	-2,977,089	-3,119,534	-3,060,691	-3,130,802
Collection Fund Surplus – BR	191,668	0	0	0	0
Revenue Support Grant	-1,235,137	-644,801	-279,788	0	0
Rural Services Delivery Grant	-27,582	-22,271	-17,132	-22,271	-22,271
Transition Grant	-16,930	-16,864	0	0	0
New Homes Bonus	-3,883,310	-3,416,310	-2,669,360	-2,309,740	-2,126,960
Council Tax – TDBC	-5,582,730	-5,750,630	-5,923,320	-6,101,310	-6,284,720
Council Tax – To Fund SRA	-67,987	0	0	0	0
Council Tax – Special Expenses	-43,360	-44,230	-45,110	-45,980	-46,850
Collection Fund Bal – CTax	-130,890	0	0	0	0
<b>TDBC NET FUNDING</b>	<b>-13,755,562</b>	<b>-12,872,195</b>	<b>-12,054,244</b>	<b>-11,539,992</b>	<b>-11,611,603</b>
Council Tax – Parishes	-640,320	-640,320	-640,320	-640,320	-640,320
<b>TOTAL FUNDING</b>	<b>-14,395,882</b>	<b>-13,512,515</b>	<b>12,694,564</b>	<b>12,180,312</b>	<b>-12,251,923</b>
Budget Gap – In Year	0	827,147	863,152	678,331	166,110
Budget Gap – Cumulative	0	827,147	1,690,300	2,368,631	2,534,742

The above estimates included the following main assumptions related to funding:-

- Revenue Support Grant for 2016/2017 was as set out in the Final Finance Settlement, and would diminish to nil by 2019/2020.
- The updated estimates for Business Rates funding for 2016/2017 took into account the RPI increase at 0.80%, and the anticipated tariff adjustment in 2019/2020.
- The updated estimates for New Homes Bonus funding assumed that the number of years allocation would drop, therefore in 2017/2018 Taunton Deane would only receive five years allocation and in 2018/2019 and subsequent years the Council would only receive a four year allocation.
- Council Tax was assumed to increase by £5 (3.62%) in 2016/2017 then 1.99% each subsequent year.

It was proposed that the minimum acceptable reserves position should be increased to £1,600,000. Although the current Budget for 2016/2017 would seek to maintain reserves above this minimum, currently the General Fund Reserves would only be £314,000 above the new recommended minimum balance.

Based on the MTFP position set out above the General Reserves forecast was summarised as follows:-

### General Reserves Forecast

	2016/17 £k	2017/18 £k	2018/19 £k	2019/20 £k	2020/21 £k
Estimated Balance B/F	1,914	1,914	1,087	-603	-2,972
Predicted Budget Gap	0	-827	-1,690	-2,369	-2,534
<b>Estimated Balance C/F</b>	<b>1,914</b>	<b>1,087</b>	<b>-603</b>	<b>-2,972</b>	<b>-5,506</b>

Clearly the Council would need to ensure action was taken to ensure the projected financial deficit over the medium term was avoided and minimum balances were maintained.

The Council's Section 151 Officer had a duty to comment on the robustness of the budget and the adequacy of reserves. In her response, Shirlene Adam had stated that she believed the Council's reserves to be adequate and the budget estimates used in preparing the 2016/2017 budget to be robust.

A number of Equalities Impact Assessments had been prepared in relation to the budget proposals and these had been taken into account by the Executive when the budget proposals were considered.

- (i) Moved by Councillor Coles, seconded by Councillor Miss Smith, that the budget proposals be amended as follows:-

"That the Additional Final Settlement Additional Funding was not transferred to Reserves".

In accordance with Standing Order 18(2)(b), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes.

The amendment was put and was lost with sixteen Councillors in favour, thirty six against and one abstaining, as follows:-

Yes	No	Abstain
Councillor Coles	Councillor Mrs Adkins	Councillor Aldridge
Councillor Farbahi	Councillor M Adkins	
Councillor Mrs Floyd	Councillor Beale	
Councillor Govier	Councillor Berry	
Councillor Mrs Hill	Councillor Mrs Blatchford	
Councillor Horsley	Councillor Bowrah	
Councillor R Lees	Councillor Brown	
Councillor Mrs Lees	Councillor Cavill	
Councillor Ms Lisgo	Councillor Coombes	
Councillor Nicholls	Councillor Davies	

Councillor Prior-Sankey	Councillor D Durdan	
Councillor Ross	Councillor Miss Durdan	
Councillor Miss Smith	Councillor Mrs Edwards	
Councillor Mrs Smith	Councillor Edwards	
Councillor Stone	Councillor Gage	
Councillor Wedderkopp	Councillor Mrs Gunner	
	Councillor Habgood	
	Councillor Hall	
	Councillor Mrs Herbert	
	Councillor C Hill	
	Councillor Hunt	
	Councillor James	
	Councillor Martin-Scott	
	Councillor Morrell	
	Councillor Parrish	
	Councillor Mrs Reed	
	Councillor Ryan	
	Councillor Mrs Stock-Williams	
	Councillor Sully	
	Councillor Townsend	
	Councillor Mrs Tucker	
	Councillor Mrs Warmington	
	Councillor Watson	
	Councillor Ms Webber	
	Councillor Williams	
	Councillor Wren	

(Councillor Mrs Stock-Williams declared a prejudicial interest in the following proposed amendment as a Citizens Advice Trustee. She left the meeting during the consideration of this amendment.)

- (ii) Moved by Councillor Miss Smith, seconded by Councillor Coles that the budget proposals be amended as follows:-

“That the proposed £40,000 reduction in the Voluntary and Community Centre Grants be restored”.

In accordance with Standing Order 18(2)(b), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes.

The amendment was put and was lost with eighteen Councillors in favour and thirty four against, as follows:-

Yes	No	Abstain
Councillor Aldridge	Councillor Mrs Adkins	
Councillor Coles	Councillor M Adkins	
Councillor Farbahi	Councillor Beale	
Councillor Mrs Floyd	Councillor Berry	
Councillor Govier	Councillor Mrs Blatchford	
Councillor Mrs Hill	Councillor Bowrah	
Councillor Horsley	Councillor Brown	
Councillor R Lees	Councillor Cavill	
Councillor Mrs Lees	Councillor Coombes	
Councillor Ms Lisgo	Councillor Davies	
Councillor Morrell	Councillor D Durdan	
Councillor Nicholls	Councillor Miss Durdan	
Councillor Prior-Sankey	Councillor Mrs Edwards	
Councillor Ross	Councillor Edwards	
Councillor Miss Smith	Councillor Gage	
Councillor Mrs Smith	Councillor Mrs Gunner	
Councillor Stone	Councillor Habgood	
Councillor Wedderkopp	Councillor Hall	
	Councillor Mrs Herbert	
	Councillor C Hill	
	Councillor Hunt	
	Councillor James	
	Councillor Martin-Scott	
	Councillor Parrish	
	Councillor Mrs Reed	
	Councillor Ryan	
	Councillor Sully	
	Councillor Townsend	
	Councillor Mrs Tucker	
	Councillor Mrs Warmington	
	Councillor Watson	
	Councillor Ms Webber	
	Councillor Williams	
	Councillor Wren	

(iii) Moved by Councillor R Lees, seconded by Councillor Nicholls that the budget proposals be amended as follows:-

“That the proposed £10,000 reduction in the hanging basket displays in Taunton and Wellington be restored”.

In accordance with Standing Order 18(2)(b), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes.

The amendment was put and was lost with eighteen Councillors in favour and thirty five against, as follows:-

<b>Yes</b>	<b>No</b>	<b>Abstain</b>
Councillor Aldridge	Councillor Mrs Adkins	
Councillor Coles	Councillor M Adkins	
Councillor Farbahi	Councillor Beale	
Councillor Mrs Floyd	Councillor Berry	
Councillor Govier	Councillor Mrs Blatchford	
Councillor Mrs Hill	Councillor Bowrah	
Councillor Horsley	Councillor Brown	
Councillor R Lees	Councillor Cavill	
Councillor Mrs Lees	Councillor Coombes	
Councillor Ms Lisgo	Councillor Davies	
Councillor Morrell	Councillor D Durdan	
Councillor Nicholls	Councillor Miss Durdan	
Councillor Prior-Sankey	Councillor Mrs Edwards	
Councillor Ross	Councillor Edwards	
Councillor Miss Smith	Councillor Gage	
Councillor Mrs Smith	Councillor Mrs Gunner	
Councillor Stone	Councillor Habgood	
Councillor Wedderkopp	Councillor Hall	
	Councillor Mrs Herbert	
	Councillor C Hill	
	Councillor Hunt	
	Councillor James	
	Councillor Martin-Scott	
	Councillor Parrish	
	Councillor Mrs Reed	
	Councillor Ryan	
	Councillor Mrs Stock –	
	Williams	
	Councillor Sully	
	Councillor Townsend	
	Councillor Mrs Tucker	
	Councillor Mrs Warmington	
	Councillor Watson	
	Councillor Ms Webber	
	Councillor Williams	

	Councillor Wren	
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- (iv) Moved by Councillor Horsley, seconded by Councillor Farbahi that the budget proposals be amended as follows:-

“That the proposed £6,000 reduction in Local Business Networks be restored”.

In accordance with Standing Order 18(2)(b), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes.

The amendment was put and was lost with eighteen Councillors in favour and thirty five against, as follows:-

Yes	No	Abstain
Councillor Aldridge	Councillor Mrs Adkins	
Councillor Coles	Councillor M Adkins	
Councillor Farbahi	Councillor Beale	
Councillor Mrs Floyd	Councillor Berry	
Councillor Govier	Councillor Mrs Blatchford	
Councillor Mrs Hill	Councillor Bowrah	
Councillor Horsley	Councillor Brown	
Councillor R Lees	Councillor Cavill	
Councillor Mrs Lees	Councillor Coombes	
Councillor Ms Lisgo	Councillor Davies	
Councillor Morrell	Councillor D Durdan	
Councillor Nicholls	Councillor Miss Durdan	
Councillor Prior-Sankey	Councillor Mrs Edwards	
Councillor Ross	Councillor Edwards	
Councillor Miss Smith	Councillor Gage	
Councillor Mrs Smith	Councillor Mrs Gunner	
Councillor Stone	Councillor Habgood	
Councillor Wedderkopp	Councillor Hall	
	Councillor Mrs Herbert	
	Councillor C Hill	
	Councillor Hunt	
	Councillor James	
	Councillor Martin-Scott	
	Councillor Parrish	
	Councillor Mrs Reed	
	Councillor Ryan	
	Councillor Mrs Stock –	
	Williams	
	Councillor Sully	

	Councillor Townsend	
	Councillor Mrs Tucker	
	Councillor Mrs Warmington	
	Councillor Watson	
	Councillor Ms Webber	
	Councillor Williams	
	Councillor Wren	

- (v) Moved by Councillor Coles, seconded by Councillor Farbahi that the budget proposals be amended as follows:-

“That the proposed £2,000 reduction in Supporting Inward Investment and Fulfilment be restored”.

In accordance with Standing Order 18(2)(b), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes.

The amendment was put and was lost with eighteen Councillors in favour and thirty five against, as follows:-

Yes	No	Abstain
Councillor Aldridge	Councillor Mrs Adkins	
Councillor Coles	Councillor M Adkins	
Councillor Farbahi	Councillor Beale	
Councillor Mrs Floyd	Councillor Berry	
Councillor Govier	Councillor Mrs Blatchford	
Councillor Mrs Hill	Councillor Bowrah	
Councillor Horsley	Councillor Brown	
Councillor R Lees	Councillor Cavill	
Councillor Mrs Lees	Councillor Coombes	
Councillor Ms Lisgo	Councillor Davies	
Councillor Morrell	Councillor D Durdan	
Councillor Nicholls	Councillor Miss Durdan	
Councillor Prior-Sankey	Councillor Mrs Edwards	
Councillor Ross	Councillor Edwards	
Councillor Miss Smith	Councillor Gage	
Councillor Mrs Smith	Councillor Mrs Gunner	
Councillor Stone	Councillor Habgood	
Councillor Wedderkopp	Councillor Hall	
	Councillor Mrs Herbert	
	Councillor C Hill	
	Councillor Hunt	
	Councillor James	
	Councillor Martin-Scott	

	Councillor Parrish	
	Councillor Mrs Reed	
	Councillor Ryan	
	Councillor Mrs Stock –	
	Williams	
	Councillor Sully	
	Councillor Townsend	
	Councillor Mrs Tucker	
	Councillor Mrs Warmington	
	Councillor Watson	
	Councillor Ms Webber	
	Councillor Williams	
	Councillor Wren	

(vi) Moved by Councillor Mrs Smith, seconded by Councillor Coles that the budget proposals be amended as follows:-

“That the proposed £4,000 reduction to The Brewhouse Theatre Annual Grant be restored”.

In accordance with Standing Order 18(2)(b), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes.

The amendment was put and was lost with seventeen Councillors in favour and thirty five against and one abstaining as follows:-

Yes	No	Abstain
Councillor Aldridge	Councillor Mrs Adkins	Councillor Govier
Councillor Coles	Councillor M Adkins	
Councillor Farbahi	Councillor Beale	
Councillor Mrs Floyd	Councillor Berry	
Councillor Mrs Hill	Councillor Mrs Blatchford	
Councillor Horsley	Councillor Bowrah	
Councillor R Lees	Councillor Brown	
Councillor Mrs Lees	Councillor Cavill	
Councillor Ms Lisgo	Councillor Coombes	
Councillor Morrell	Councillor Davies	
Councillor Nicholls	Councillor D Durdan	
Councillor Prior-Sankey	Councillor Miss Durdan	
Councillor Ross	Councillor Mrs Edwards	
Councillor Miss Smith	Councillor Edwards	
Councillor Mrs Smith	Councillor Gage	
Councillor Stone	Councillor Mrs Gunner	
Councillor Wedderkopp	Councillor Habgood	

	Councillor Hall	
	Councillor Mrs Herbert	
	Councillor C Hill	
	Councillor Hunt	
	Councillor James	
	Councillor Martin-Scott	
	Councillor Parrish	
	Councillor Mrs Reed	
	Councillor Ryan	
	Councillor Mrs Stock –	
	Williams	
	Councillor Sully	
	Councillor Townsend	
	Councillor Mrs Tucker	
	Councillor Mrs Warmington	
	Councillor Watson	
	Councillor Ms Webber	
	Councillor Williams	
	Councillor Wren	

(vii) Moved by Councillor Horsley, seconded by Councillor Coles that the budget proposals be amended as follows:-

“That the proposed £2,000 reduction in marketing the area through culture be restored”.

In accordance with Standing Order 18(2)(b), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes.

The amendment was put and was lost with eighteen Councillors in favour and thirty five against, as follows:-

Yes	No	Abstain
Councillor Aldridge	Councillor Mrs Adkins	
Councillor Coles	Councillor M Adkins	
Councillor Farbahi	Councillor Beale	
Councillor Mrs Floyd	Councillor Berry	
Councillor Govier	Councillor Mrs Blatchford	
Councillor Mrs Hill	Councillor Bowrah	
Councillor Horsley	Councillor Brown	
Councillor R Lees	Councillor Cavill	
Councillor Mrs Lees	Councillor Coombes	
Councillor Ms Lisgo	Councillor Davies	
Councillor Morrell	Councillor D Durdan	

Councillor Nicholls	Councillor Miss Durdan	
Councillor Prior-Sankey	Councillor Mrs Edwards	
Councillor Ross	Councillor Edwards	
Councillor Miss Smith	Councillor Gage	
Councillor Mrs Smith	Councillor Mrs Gunner	
Councillor Stone	Councillor Habgood	
Councillor Wedderkopp	Councillor Hall	
	Councillor Mrs Herbert	
	Councillor C Hill	
	Councillor Hunt	
	Councillor James	
	Councillor Martin-Scott	
	Councillor Parrish	
	Councillor Mrs Reed	
	Councillor Ryan	
	Councillor Mrs Stock –	
	Williams	
	Councillor Sully	
	Councillor Townsend	
	Councillor Mrs Tucker	
	Councillor Mrs Warmington	
	Councillor Watson	
	Councillor Ms Webber	
	Councillor Williams	
	Councillor Wren	

(viii) Moved by Councillor Prior-Sankey, seconded by Councillor Coles that the budget proposals be amended as follows:-

“That the Unparished Area of Taunton Fund Levy be increased by £13,000”.

In accordance with Standing Order 18(2)(b), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes.

The amendment was put and was lost with eighteen Councillors in favour and thirty four against, as follows:-

Yes	No	Abstain
Councillor Aldridge	Councillor Mrs Adkins	
Councillor Coles	Councillor M Adkins	
Councillor Farbahi	Councillor Beale	
Councillor Mrs Floyd	Councillor Berry	
Councillor Govier	Councillor Mrs Blatchford	

Councillor Mrs Hill	Councillor Bowrah	
Councillor Horsley	Councillor Brown	
Councillor R Lees	Councillor Cavill	
Councillor Mrs Lees	Councillor Coombes	
Councillor Ms Lisgo	Councillor Davies	
Councillor Morrell	Councillor D Durdan	
Councillor Nicholls	Councillor Miss Durdan	
Councillor Prior-Sankey	Councillor Mrs Edwards	
Councillor Ross	Councillor Edwards	
Councillor Miss Smith	Councillor Mrs Gunner	
Councillor Mrs Smith	Councillor Habgood	
Councillor Stone	Councillor Hall	
Councillor Wedderkopp	Councillor Mrs Herbert	
	Councillor C Hill	
	Councillor Hunt	
	Councillor James	
	Councillor Martin-Scott	
	Councillor Parrish	
	Councillor Mrs Reed	
	Councillor Ryan	
	Councillor Mrs Stock –	
	Williams	
	Councillor Sully	
	Councillor Townsend	
	Councillor Mrs Tucker	
	Councillor Mrs Warmington	
	Councillor Watson	
	Councillor Ms Webber	
	Councillor Williams	
	Councillor Wren	

(ix) Moved by Councillor Coles, seconded by Councillor Miss Smith that the budget proposals be amended as follows:-

“That the proposed allocation of £40,000 to undertake a feasibility study into the re-opening of a railway station at Wellington be removed.”

In accordance with Standing Order 18(2)(b), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes.

The amendment was put and was lost with fourteen Councillors in favour and thirty four against, and five abstaining as follows:-

<b>Yes</b>	<b>No</b>	<b>Abstain</b>

Councillor Coles	Councillor Mrs Adkins	Councillor Aldridge
Councillor Farbahi	Councillor M Adkins	Councillor Govier
Councillor Mrs Floyd	Councillor Beale	Councillor Ms Lisgo
Councillor Mrs Hill	Councillor Berry	Councillor Ross
Councillor Horsley	Councillor Mrs Blatchford	Councillor Wren
Councillor R Lees	Councillor Bowrah	
Councillor Mrs Lees	Councillor Brown	
Councillor Morrell	Councillor Cavill	
Councillor Nicholls	Councillor Coombes	
Councillor Prior-Sankey	Councillor Davies	
Councillor Miss Smith	Councillor D Durdan	
Councillor Mrs Smith	Councillor Miss Durdan	
Councillor Stone	Councillor Mrs Edwards	
Councillor Wedderkopp	Councillor Edwards	
	Councillor Gage	
	Councillor Mrs Gunner	
	Councillor Habgood	
	Councillor Hall	
	Councillor Mrs Herbert	
	Councillor C Hill	
	Councillor Hunt	
	Councillor James	
	Councillor Martin-Scott	
	Councillor Parrish	
	Councillor Mrs Reed	
	Councillor Ryan	
	Councillor Mrs Stock –	
	Williams	
	Councillor Sully	
	Councillor Townsend	
	Councillor Mrs Tucker	
	Councillor Mrs Warmington	
	Councillor Watson	
	Councillor Ms Webber	
	Councillor Williams	

(The Mayor called a ten minute comfort break at 9.35 p.m.)

After re-convening, Members went on to discuss the substantive Budget of the Council.

In accordance with Standing Order 18(2)(i), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes.

On the motion of Councillor Williams, the substantive Motion, which is detailed below, was put and was carried with thirty five Councillors in favour, fourteen Councillors voting against and one abstaining:-

**Resolved** that the General Fund Revenue Budget for 2016/2017 be agreed and that Full Council:-

- (a) Note the forecast Medium Term Financial Plan and Reserves position, and note the S151 Officer's Robustness Statement as set out in Appendix A of the report considered by the Executive;
- (b) Approve the General Fund Net Revenue Budget 2016/2017 of £14,395,882, and including a Basic Council Tax Requirement budget of £5,582,700 and Special Expenses of £43,630, and net reserve transfers totalling £3,334,152;
- (c) Approve a Council Tax increase of 3.62%, increasing the Band D basic tax rate by £5 to £142.88 per year;
- (d) Approve a further 2016/2017 one-off Council Tax increase of 1.25% in respect of funding for the Somerset Rivers Authority, adding £1.74 to a Band D tax charge per year;
- (e) Approve the transfer of any unallocated year end under-/overspend in the 2015/2016 General Fund Revenue Account Outturn to/from the General Fund reserves;
- (f) Approve the minimum reserves level at £1,600,000; and
- (g) Delegate a decision to the Leader, Portfolio Holder for Resources and the Section 151 Officer regarding acceptance of a four year settlement provided it was in the Council's interests to do so.

Yes	No	Abstain
Councillor Mrs Adkins	Councillor Coles	Councillor Aldridge
Councillor M Adkins	Councillor Farbahi	
Councillor Beale	Councillor Mrs Floyd	
Councillor Berry	Councillor Mrs Hill	
Councillor Mrs Blatchford	Councillor Horsley	
Councillor Bowrah	Councillor R Lees	
Councillor Brown	Councillor Mrs Lees	
Councillor Cavill	Councillor Ms Lisgo	
Councillor Coombes	Councillor Morrell	
Councillor Davies	Councillor Nicholls	
Councillor D Durdan	Councillor Prior-Sankey	
Councillor Miss Durdan	Councillor Miss Smith	
Councillor Mrs Edwards	Councillor Mrs Smith	

Councillor Edwards	Councillor Wedderkopp	
Councillor Gage		
Councillor Mrs Gunner		
Councillor Habgood		
Councillor Hall		
Councillor Mrs Herbert		
Councillor C Hill		
Councillor Hunt		
Councillor James		
Councillor Martin-Scott		
Councillor Parrish		
Councillor Mrs Reed		
Councillor Ryan		
Councillor Mrs Stock – Williams		
Councillor Sully		
Councillor Townsend		
Councillor Mrs Tucker		
Councillor Mrs Warmington		
Councillor Watson		
Councillor Ms Webber		
Councillor Williams		
Councillor Wren		

**9. 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.

**(e) Capital Programme Budget Estimates 2016/2017**

Consideration had also been given to the proposed General Fund (GF) and Housing Revenue Account (HRA) Capital Programmes for 2016/2017.

**2016/2017 Draft General Fund Capital Programme**

The current capital strategy included the following basis for prioritising schemes:-

- 1) Business Continuity (corporate/organisational/health and safety);
- 2) Statutory Service Investment (to get statutory minimum/contractual/continuity);
- 3) Growth / Transformation;
- 4) Invest to Save; and
- 5) Other.

The recommended General Fund Capital Programme for 2016/2017 included

bids totalling £1,323,000 split between Deane DLO Schemes and General Fund Schemes.

All of the schemes in the Capital Programme could be fully funded through a combination of revenue contributions (DLO and General), capital reserves plus grant funding provided via Somerset County Council. As a result, the Capital Programme which incorporated all of the reported bids was supported by the Executive.

### **Capital Programme for Growth and Regeneration 2016/2017**

In addition to the above schemes, Growth and Regeneration remained a top priority for the Council. This commitment had been reflected over recent years, by the allocation of New Homes Bonus (NHB) funding for these purposes.

Members had recently supported investment in principle of £16,600,000 from projected NHB receipts towards a number of growth spend categories reflecting the priorities established in the Taunton Growth Prospectus and aligned with the relevant plans and priorities of key partners.

£16,000,000 of the proposed spend was expected to be recognised as capital expenditure (with revenue costs of £500,000 for marketing, promotion and inward investment and £100,000 for the preparation of Local Development Orders) and as such was included in the proposed Growth Capital Programme – shown below:-

#### **Proposed NHB Allocation and Indicative Spend Profile**

<b>Growth project / category</b>	<b>2016/17 £</b>	<b>2017/18 £</b>	<b>2018/19 £</b>	<b>2019/20 £</b>	<b>2020/21 £</b>	<b>Total NHB allocation £</b>
Taunton Strategic Flood Alleviation			1,000,000	1,000,000	1,000,000	<b>3,000,000</b>
Major transport schemes	400,000	800,000	1,000,000	300,000		<b>2,500,000</b>
Town Centre regeneration	500,000	750,000	750,000	500,000		<b>2,500,000</b>
Employment site enabling and innovation to promote Growth		2,000,000	2,000,000			<b>4,000,000</b>
Urban Extensions		1,000,000	1,000,000	1,000,000	1,000,000	<b>4,000,000</b>
<b>TOTAL CAPITAL COSTS</b>	<b>900,000</b>	<b>4,550,000</b>	<b>5,750,000</b>	<b>2,800,000</b>	<b>2,000,000</b>	<b>16,000,000</b>

The Autumn Statement and subsequent Provisional Settlement announcements had suggested that Government consultation on a revision of the NHB grant funding would effectively reduce the grant by a 1/3<sup>rd</sup> in the future.

Any reduced NHB would therefore result in insufficient funds to cover all of the proposed £16,600,000 spend within the anticipated timeframe. The Council had acknowledged this funding risk when it approved the investment and had accepted that plans would need to be reviewed when updated funding information was confirmed.

It was nevertheless proposed to include £900,000 within the approved Capital Programme for 2016/2017. Investment in future years would remain indicative and subject to annual review.

### **2016/2017 Housing Revenue Account (HRA) Capital Programme**

The HRA Capital Programme 2016/2017 totalled £8,794,000. This was provided to deliver the prioritised capital investment requirements included in the current Business Plan for the next budget year. The current five-year HRA Capital Programme included forecast capital expenditure requirements for the period 2016/2017 to 2020/2021, as identified in the Business Plan. The programme would be subject to change pending the outcome of the recently approved stock survey.

The programme would be funded from the Major Repairs Reserve (from depreciation), revenue contribution (RCCO) from the base budget and capital receipts.

The Capital Programme Budget Estimates 2016/2017 had been presented to the Corporate Scrutiny Committee on 21 January 2016 for review and comment. No specific amendments to the Budget had formally been recommended by the Committee.

Noted that since the Executive's Budget meeting on 4 February 2016, an additional budget of £134,000 had been requested in respect of the Weavers Arms, Rockwell Green, Wellington redevelopment and was included within this recommendation along with a budget of £71,000 for Meeting Halls. If the proposed rental increase of 0.9% in Supported Housing was not approved, this budget would be reviewed.

On the motion of Councillor Williams, it was

#### **Resolved that:-**

- (a) The General Fund Capital Programme Budget of £1,323,000 for 2016/2017, plus £900,000 in respect of the Growth and Infrastructure Capital Budget in 2016/2017 be approved; and
- (b) The Housing Revenue Account Capital Programme of £8.794,000 for 2016/2017 be also approved.

#### **(f) Housing Revenue Account Estimates 2016/2017**

The Executive had given consideration to the proposed Housing Revenue Account (HRA) estimates for the 2016/2017 Financial Year.

2016/2017 would be the fifth year of operating the HRA under self-financing arrangements. The Council had taken on debt of £85,000,000 in March 2012 to enable the Council to operate self-financing arrangements.

However, changes in national policy announced in 2015 – particularly the Welfare Reform and Work Bill and the Housing and Planning Bill – had greatly affected the long term financial position of the HRA Business Plan.

Dwelling rents for more than 5,800 properties provide annual income of over £24,000,000 for the HRA.

The Welfare Reform and Work Bill in its original form set out a 1% annual reduction in all social rents from 1 April 2016 for four years. This would negate the 10 year national rent policy for social housing that was implemented in April 2015, and would therefore greatly reduce the income expectations for the HRA as shown in the table below:-

**Reduction in Dwelling Rent Income Compared to the Business Plan**

	Reduction in Rent Income Compared to Business Plan				
	2016/17	2017/18	2018/19	2019/20	2020/21
Impact of lower inflation (-0.1%)	439,900	459,000	472,400	487,000	501,800
Additional impact of change in social housing rent policy:-					
If rent policy is returned to CPI + 1% from 2020/2021 to end of 10 year Rent Policy	461,100	1,465,500	2,480,000	3,510,100	3,609,200
If rent policy is returned to CPI only from 2020/2021	461,100	1,465,500	2,480,000	3,510,100	3,845,600

When forecast over the full 30 year length of the Business Plan, this reduction in rent represented a significant reduction in income to the HRA.

Noted that in January 2016, the Government had announced that the Welfare Reform and Work Bill would be amended to exempt Supported Housing from the 1% cut in rent for one year.

Taunton Deane’s rent policy, as approved in the HRA Business Plan, was for annual increases of CPI plus 1%. This would equate to an increase of 0.9% for 2016/2017 (with CPI of -0.1%).

The Council would be able to increase rents in line with the existing rent policy for Supported Housing Schemes, including sheltered housing, by up to CPI +1% for one year only from April 2016.

In line with the amended national rent guidance it was proposed that the average weekly rent for dwellings for 2016/2017 should be set at the guideline rent of £83.31, a decrease of 0.7% or £0.59 per week. This was based on a 0.9% increase in Supported Housing rents, which was in line with the approved rent policy in the Business Plan, and a decrease of 1% in General Needs rents, in line with the Welfare Reform and Work Bill.

Around 8.1% of HRA income – or £2,150,000 – came from non-dwelling rents, charges for services and facilities and contributions to HRA costs from leaseholders and others. It was proposed to increase these budget lines

generally by 0.8%.

A separate review of Sheltered Housing had been undertaken and service charges have been set at a flat rate of £10.93 for 2016/2017.

The Draft Housing Revenue Account Budget was presented to the Corporate Scrutiny Committee on 21 January 2016 for review and comment. No specific amendments to the Draft Budget were formally recommended by the Committee.

On the motion of Councillor Beale, it was

**Resolved** that:-

- (a) The average rent decrease of 0.7% for 2016/17, with increases of 0.9% in Supported Housing and decreases of 1% in General Needs housing be approved; and
- (b) The Housing Revenue Account Budget for 2016/2017 be also approved.

**(g) Taunton Youth and Community Centre Funds**

Before Christmas the Executive considered a report concerning the options for allocating the remaining funding from the sale of the former Taunton Youth and Community Centre (TYCC) site in Castle Street, Taunton which had been received from the Trustees of the TYCC.

In 2013, it had been agreed to accept the Trustees' proceeds from the sale of the site at Castle Street, Taunton on the understanding that the money would be ring fenced by the Council for capital funding of youth projects to be agreed at the appropriate time. This funding amounted to £531,472.84.

Full Council had agreed in August 2014 to allocate £200,000 to the COACH Project in French Weir Park, Taunton and a further £50,000 in March 2015, leaving £281,472.84 to be committed to youth capital projects.

Following detailed consideration, the Executive had agreed that the Somerset Community Foundation should be requested to administer the distribution of the remaining funding by way of a Capital Grant Fund, overseen by a cross party Grants Panel who would agree the application process and grant awards.

On the motion of Councillor Mrs Warmington, it was

**Resolved** that a supplementary estimate of £281,472.84 be approved for the 2015/2016 Capital Programme for Youth Project Capital Grants to be funded by the Taunton Youth and Community Centre allocation arising from the sale of land at Castle Street, Taunton.

## 10. Council Tax Setting 2016/2017

Considered report previously circulated, which made recommendations on the level of Council Tax for 2016/2017.

The Localism Act 2011 had made significant changes to the Local Government Finance Act 1992, and now required the billing authority to calculate a Council Tax requirement for the year.

Submitted details of the Town and Parish Council Precepts that had been received for 2016/2017 which totalled £683,678.

The increase in the average Band D Council Tax for Town and Parish Councils was 16.82% which resulted in an average Band D Council Tax figure of £17.50 (£14.98 for 2015/2016).

Reported that the Precept for the Police and Crime Commissioner (PCC) had approved its tax requirement on 8 February 2016. The precept would be £6,965,063.79 which would result in a Band D Council Tax of £178.26, an increase of 1.99%. The Precept would be adjusted by a Collection Fund contribution of £149,660.

The County Council had approved its Council Tax requirement on 17 February 2016. For 2016/2017 two additional elements of the Council Tax requirement had been introduced. The first which allowed Councils responsible for Social Care to raise an additional 2% from Council Tax, the second being the formation of the Somerset Rivers Authority in January 2015 as a response to the winter floods of 2013/2014 which had resulted in an additional one off precept of 1.25% in 2016/2017.

The total precept for Somerset County Council would be £42,262,776.88 which resulted in total Band D Council Tax of £1,081.64. The Precept will be adjusted by a Collection Fund contribution of £879,660.

Noted that the Devon and Somerset Fire and Rescue Authority had approved its Council Tax requirement on 19 February 2016. The precept would be £3,125,047, which resulted in a Band D Council Tax of £79.98. The Precept would be adjusted by a Collection Fund contribution of £67,150.

As far as Taunton Deane Borough Council was concerned, Members were being asked to approve a total Council Tax requirement of £5,650,717 for 2016/2017. This incorporated an increase of 3.62% in the basic Council Tax rate and also included an additional 1.25% in respect of the Somerset Rivers Authority. Together this equated to a Band D equivalent of £144.62, a total increase of £6.74.

The estimated balance on the Council Tax Collection Fund was forecast on 15 January each year. Any surplus or deficit was shared between the County Council, the Police and Crime Commissioner, the Fire Authority and the Council, in shares relative to the precept levels.

The estimated balance on the Council Tax Collection Fund was a surplus of £1,227,360. Taunton Deane's share of this amounted to £130,890, and this had been reflected in the General Fund Revenue Estimates.

In accordance with Standing Order 18(2)(i), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes.

On the motion of Councillor Williams, the substantive Motion, which is detailed below, was put and was carried with thirty five Councillors in favour, thirteen Councillors voting against and one abstaining:-

**Resolved that:-**

- (1) The formal Council Tax Resolution set out in Appendix A to these Minutes be approved; and
- (2) The total Band D Council Tax would be:-

	2015/16	2016/17	Increase
	£	£	%
Taunton Deane Borough Council	137.88	142.88	3.62
Taunton Deane Borough Council - SRA	0.00	1.74	1.25
Somerset County Council	1,027.30	1,048.00	1.99
Somerset County Council – Social Care	0.00	20.80	2.00
Somerset County Council – SRA	0.00	12.84	1.25
Police and Crime Commissioner	174.78	178.26	1.99
Devon & Somerset Fire Authority	78.42	79.98	1.99
<b>Sub-Total</b>	<b>1,418.38</b>	<b>1,484.50</b>	<b>4.63</b>
Town and Parish Council (average)	14.98	17.50	16.82
<b>Total</b>	<b>1,433.36</b>	<b>1,502.00</b>	<b>4.75</b>

Yes	No	Abstain
Councillor Mrs Adkins	Councillor Coles	Councillor Aldridge
Councillor M Adkins	Councillor Farbahi	
Councillor Beale	Councillor Mrs Floyd	
Councillor Berry	Councillor Mrs Hill	
Councillor Mrs Blatchford	Councillor R Lees	
Councillor Bowrah	Councillor Mrs Lees	
Councillor Brown	Councillor Ms Lisgo	
Councillor Cavill	Councillor Morrell	
Councillor Coombes	Councillor Nicholls	
Councillor Davies	Councillor Prior-Sankey	
Councillor D Durdan	Councillor Miss Smith	
Councillor Miss Durdan	Councillor Mrs Smith	
Councillor Mrs Edwards	Councillor Wedderkopp	
Councillor Edwards		

Councillor Gage		
Councillor Mrs Gunner		
Councillor Habgood		
Councillor Hall		
Councillor Mrs Herbert		
Councillor C Hill		
Councillor Hunt		
Councillor James		
Councillor Martin-Scott		
Councillor Parrish		
Councillor Mrs Reed		
Councillor Ryan		
Councillor Mrs Stock –		
Williams		
Councillor Sully		
Councillor Townsend		
Councillor Mrs Tucker		
Councillor Mrs Warmington		
Councillor Watson		
Councillor Ms Webber		
Councillor Williams		
Councillor Wren		

**11. Reports of the Leader of the Council and Executive Councillors**

Due to the lateness of the hour, the Mayor suggested that responses to questions asked of the Executive Councillors should be made in writing outside of the meeting and circulated to all Members. This was agreed.

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

Councillor Williams’s report covered the following topics:-

- Budget Setting;
- Somerset Rivers Authority;
- Proposed Development of Firepool;
- A358, Junction 25 and Strategic Employment Site Progress;
- Devolution Update;
- Broadband Provision; and
- Work to the Northern Inner Distributor Road.

**(ii) Sport, Parks and Leisure (Councillor Mrs Herbert)**

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

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

(iii) **Corporate Resources (Councillor Parrish)**

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

- Corporate Strategy and Performance;
- Facilities Management;
- HR and Organisational Development;
- ICT and Information;
- JMASS Project and Transformation Project Management;
- Southwest One;
- Democratic Services;
- Law and Governance – Shape Partnership Services;
- Customer Contact Service Report;
- Revenues and Benefits Service; and
- Finance and Procurement.

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

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

- Weekly Bulletin – Additional Section;
- Taunton Deane Citizenship Awards
- National Iese Award Finalist – Think differently, do differently;
- Refugee Aid from Taunton (#raft);
- Syrian Resettlement;
- Improving employability in the long term unemployed;
- Supporting more school and college leavers into jobs;
- Wellington One Team Business Lunch;
- Read Easy Taunton North Group – The story so far;
- Bishops Lydeard and Cothelstone Neighbourhood Plan; and
- Register to Vote.

(v) **Housing Services (Councillor Beale)**

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

- Deane Housing Development – Creechbarrow Road, Taunton, Weavers Arms, Wellington, Extensions, Scooter Storage and Car Parking;
- Affordable Housing; and
- Landlord Health and Safety Compliance.

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

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

- Environmental Health / Licensing;
- Somerset Waste Partnership;
- Deane DLO; and
- Crematorium.

(vii) **Economic Development, Asset Management, Arts and Tourism and Communications (Councillor Edwards)**

The report from Councillor Edwards covered:-

- Supporting Business Investment;
- Taunton Town Centre;
- Assets of Community Value;
- South West Regional Tourism Growth Fund;
- Staff Changes; and
- Asset Management Service General Fund Activities.

(viii) **Planning, Transportation and Communications (Councillor Habgood)**

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

- Planning Policy;
- Regulation 123 List Revision and Community Infrastructure Levy Governance;
- Neighbourhood Planning : Bishops Lydeard and Cothelstone Neighbourhood Plan : Recommendation from Inspector John Mattocks;
- Trull and Staplehay Neighbourhood Plan;
- West Monkton and Cheddon Fitzpaine Neighbourhood Plan;
- Major Applications;
- Regeneration; and
- Transportation.

(Councillors Govier, Horsley and Ross left the meeting at 9.45 p.m. Councillor Mrs Floyd and Farbahi left at 10.23 p.m. and 10.28 p.m. respectively.)

(The meeting ended at 10.30 p.m.)

# Appendix A

## Council Tax Resolution 2016/2017

As per section 10.1 in the main report, the Council is recommended to resolve as follows:

1. That it be noted that on 15 January 2016 the Council calculated the Council Tax Base for 2016/17:
  - (a) for the whole Council area as 39,072.86 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and,
  - (b) for dwellings in those parts of its area to which a Parish precept relates as in the attached Appendix C.
2. Calculate the Council Tax requirement for the Council's own purposes for 2016/17 (excluding Parish precepts) is £5,650,719.
3. That the following amounts be calculated for the year 2015/16 in accordance with Sections 31 to 36 of the Act:
  - (a) £95,434,046 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils. (*Gross Expenditure including amount required for working balance*)
  - (b) £89,099,651 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act. (*Gross Income including reserves to be used to meet Gross Expenditure*)
  - (c) £6,334,395 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act). (*Total Demand on Collection Fund.*)
  - (d) £162.12 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts). (*Council Tax at Band D for Borough Including Parish Precepts and Special Expenses*)

(e) £683,678 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix C). (*Parish Precepts and Special Expenses*).

(f) £144.62 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) 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 Parish precept relates. (*Council Tax at Band D for Borough Excluding Parish Precepts and Special Expenses*)

4. To note that Somerset County Council, Avon and Somerset Police and Crime Commissioner, and Devon and Somerset Fire and Rescue Authority will issue precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area.
5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate provisional amounts shown in the table in Appendix B as the amounts of Council Tax for 2016/17 for each part of its area and for each categories of dwellings (subject to final adjustments to be reported to Full Council).
6. Determine that the Council's basic amount of Council Tax for 2016/17 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

## VALUATION BANDS

### **TAUNTON DEANE BOROUGH COUNCIL**

A	B	C	D	E	F	G	H
£96.41	£112.48	£128.55	£144.62	£176.76	£208.90	£241.03	£289.24

### **SOMERSET COUNTY COUNCIL**

A	B	C	D	E	F	G	H
£721.09	£841.28	£961.46	£1,081.64	£1,322.00	£1,562.37	£1,802.73	£2,163.28

### **POLICE & CRIME COMMISSIONER FOR AVON AND SOMERSET**

A	B	C	D	E	F	G	H
£118.84	£138.65	£158.45	£178.26	£217.87	£257.49	£297.10	£356.52

### **DEVON AND SOMERSET FIRE AND RESCUE SERVICES**

A	B	C	D	E	F	G	H
£53.32	£62.21	£71.09	£79.98	£97.75	£115.53	£133.30	£159.96

### **AGGREGATE OF COUNCIL TAX REQUIREMENTS**

A	B	C	D	E	F	G	H
£989.67	£1,154.61	£1,319.56	£1,484.50	£1,814.39	£2,144.28	£2,474.17	£2,969.00

## APPENDIX B

Valuation Bands								
Council Tax Schedule	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
2016/17	£	£	£	£	£	£	£	£
Taunton Deane Borough Council	95.25	111.13	127.00	142.88	174.63	206.38	238.13	285.76
Taunton Deane Borough Council (Somerset Rivers Authority)	1.16	1.35	1.55	1.74	2.13	2.51	2.90	3.48
Somerset County Council	698.67	815.11	931.56	1,048.00	1,280.89	1,513.78	1,746.67	2,096.00
Somerset County Council (Social Care)	13.87	16.18	18.49	20.80	25.42	30.04	34.67	41.60
Somerset County Council (Somerset Rivers Authority)	8.56	9.99	11.41	12.84	15.69	18.55	21.40	25.68
Police and Crime Commissioner	118.84	138.65	158.45	178.26	217.87	257.49	297.10	356.52
Devon and Somerset Fire and Rescue Authority	53.32	62.21	71.09	79.98	97.75	115.53	133.30	159.96
<b>Totals excluding Parish/Town Precepts</b>	<b>989.67</b>	<b>1,154.61</b>	<b>1,319.55</b>	<b>1,484.50</b>	<b>1,814.39</b>	<b>2,144.28</b>	<b>2,474.17</b>	<b>2,969.00</b>
Average Parish / Town	11.67	13.61	15.55	17.50	21.39	25.27	29.16	35.00
<b>Total including Average Parish/Town Precept</b>	<b>1,001.33</b>	<b>1,168.22</b>	<b>1,335.11</b>	<b>1,502.00</b>	<b>1,835.77</b>	<b>2,169.55</b>	<b>2,503.33</b>	<b>3,004.00</b>
<b>Parish: **</b>								
Ash Priors	989.67	1,154.62	1,319.55	1,484.50	1,814.38	2,144.28	2,474.17	2,969.00
Ashbrittle	1,004.06	1,171.40	1,338.73	1,506.08	1,840.76	2,175.45	2,510.14	3,012.16
Batheaton	993.66	1,159.28	1,324.87	1,490.49	1,821.70	2,152.93	2,484.15	2,980.98
Bishops Hull	1,002.18	1,169.21	1,336.23	1,503.26	1,837.31	2,171.38	2,505.44	3,006.52
Bishops Lydeard/Cothelstone	1,014.34	1,183.40	1,352.44	1,521.50	1,859.60	2,197.72	2,535.84	3,043.00
Bradford on Tone	1,005.22	1,172.76	1,340.28	1,507.82	1,842.88	2,177.96	2,513.04	3,015.64
Burrowbridge	1,008.15	1,176.18	1,344.19	1,512.22	1,848.26	2,184.32	2,520.37	3,024.44
Cheddon Fitzpaine	1,006.16	1,173.86	1,341.54	1,509.24	1,844.62	2,180.02	2,515.40	3,018.48
Chipstable	1,001.83	1,168.81	1,335.76	1,502.74	1,836.67	2,170.63	2,504.57	3,005.48
Churchstanton	1,006.59	1,174.36	1,342.11	1,509.88	1,845.40	2,180.94	2,516.47	3,019.76
Combe Florey	1,003.38	1,170.61	1,337.83	1,505.06	1,839.51	2,173.98	2,508.44	3,010.12
Comeytrowe	997.56	1,163.83	1,330.07	1,496.34	1,828.85	2,161.38	2,493.90	2,992.68
Corfe	1,002.15	1,169.18	1,336.19	1,503.22	1,837.26	2,171.32	2,505.37	3,006.44
Cotford St Luke	1,006.08	1,173.77	1,341.43	1,509.12	1,844.47	2,179.84	2,515.20	3,018.24
Creech St Michael	1,018.12	1,187.81	1,357.48	1,527.17	1,866.53	2,205.91	2,545.29	3,054.34
Durston	996.91	1,163.07	1,329.20	1,495.36	1,827.65	2,159.97	2,492.27	2,990.72
Fitzhead	1,010.52	1,178.95	1,347.35	1,515.78	1,852.61	2,189.46	2,526.30	3,031.56
Halse	1,002.58	1,169.69	1,336.77	1,503.87	1,838.05	2,172.26	2,506.45	3,007.74
Hatch Beauchamp	999.84	1,166.49	1,333.11	1,499.76	1,833.03	2,166.32	2,499.60	2,999.52
Kingston St Mary	998.13	1,164.49	1,330.83	1,497.19	1,829.89	2,162.61	2,495.32	2,994.38
Langford Budville	1,009.62	1,177.89	1,346.15	1,514.42	1,850.95	2,187.50	2,524.04	3,028.84
Lydeard St Lawrence/Tolland	1,002.53	1,169.62	1,336.70	1,503.79	1,837.96	2,172.14	2,506.32	3,007.58
Milverton	1,005.79	1,173.43	1,341.04	1,508.68	1,843.93	2,179.21	2,514.47	3,017.36
Neroche	1,001.64	1,168.59	1,335.51	1,502.46	1,836.33	2,170.22	2,504.10	3,004.92
North Curry	1,005.33	1,172.89	1,340.43	1,507.99	1,843.09	2,178.21	2,513.32	3,015.98
Norton Fitzwarren	1,007.47	1,175.39	1,343.28	1,511.20	1,847.01	2,182.85	2,518.67	3,022.40
Nynehead	1,003.19	1,170.39	1,337.58	1,504.78	1,839.17	2,173.57	2,507.97	3,009.56
Oake	1,000.07	1,166.75	1,333.42	1,500.10	1,833.45	2,166.81	2,500.17	3,000.20
Otterford	989.67	1,154.62	1,319.55	1,484.50	1,814.38	2,144.28	2,474.17	2,969.00
Pitminster	1,000.86	1,167.67	1,334.47	1,501.28	1,834.89	2,168.52	2,502.14	3,002.56
Ruishon/Thornfalcon	1,006.24	1,173.96	1,341.65	1,509.36	1,844.76	2,180.19	2,515.60	3,018.72
Sampford Arundel	1,016.60	1,186.03	1,355.45	1,524.89	1,863.75	2,202.62	2,541.49	3,049.78
Staplegrave	1,000.64	1,167.42	1,334.18	1,500.96	1,834.50	2,168.06	2,501.60	3,001.92
Stawley	1,001.16	1,168.03	1,334.87	1,501.74	1,835.45	2,169.18	2,502.90	3,003.48
Stoke St Gregory	1,008.01	1,176.02	1,344.00	1,512.01	1,848.00	2,184.02	2,520.02	3,024.02
Stoke St Mary	1,000.16	1,166.85	1,333.53	1,500.23	1,833.61	2,167.00	2,500.39	3,000.46
Taunton	991.66	1,156.94	1,322.22	1,487.48	1,818.02	2,148.58	2,479.14	2,974.96
Trull	1,007.66	1,175.60	1,343.53	1,511.48	1,847.36	2,183.25	2,519.14	3,022.96
Wellington	1,016.34	1,185.73	1,355.11	1,524.50	1,863.27	2,202.06	2,540.84	3,049.00
Wellington Without	1,002.81	1,169.95	1,337.07	1,504.21	1,838.47	2,172.75	2,507.02	3,008.42
West Bagborough	1,004.03	1,171.37	1,338.70	1,506.04	1,840.71	2,175.39	2,510.07	3,012.08
West Buckland	1,001.56	1,168.50	1,335.41	1,502.34	1,836.18	2,170.05	2,503.90	3,004.68
West Hatch	1,001.52	1,168.44	1,335.35	1,502.27	1,836.10	2,169.95	2,503.79	3,004.54
West Monkton	1,006.54	1,174.31	1,342.05	1,509.81	1,845.31	2,180.84	2,516.35	3,019.62
Wiveliscombe	1,006.38	1,174.12	1,341.83	1,509.57	1,845.02	2,180.49	2,515.95	3,019.14

## APPENDIX C

## TOWN AND PARISH COUNCIL PRECEPTS

Parish/Town Council	2015/16			2016/17			Council Tax Increase
	Tax Base	Precept Levied	Council Tax Band D	Tax Base	Precept Levied	Council Tax Band D	
	£	£	£	£	£	£	
Ash Priors	80.62	-	-	82.03	-	-	0.00%
Ashbrittle	91.07	1,905	20.92	92.69	2,000	21.58	3.15%
Bathealton	86.75	500	5.76	83.53	500	5.99	3.85%
Bishops Hull	1,098.26	21,000	19.12	1,119.27	21,000	18.76	-1.88%
Bishops Lydeard/Cothelstone	1,075.15	36,176	33.65	1,090.84	40,361	37.00	9.96%
Bradford on Tone	284.52	6,250	21.97	300.13	7,000	23.32	6.17%
Burrowbridge	203.92	5,000	24.52	198.39	5,500	27.72	13.07%
Cheddon Fitzpaine	611.88	13,874	22.67	619.18	15,317	24.74	9.10%
Chipstable	127.21	2,350	18.47	131.43	2,397	18.24	-1.28%
Churchstanton	353.59	8,974	25.38	356.92	9,059	25.38	0.01%
Combe Florey	119.75	2,500	20.88	121.59	2,500	20.56	-1.51%
Comeytrove	1,955.48	23,153	11.84	1,980.74	23,452	11.84	0.00%
Corfe	128.91	2,000	15.51	133.53	2,500	18.72	20.68%
Cotford St Luke	755.37	16,626	22.01	772.68	19,025	24.62	11.87%
Creech St Michael	957.82	29,111	30.39	970.19	41,397	42.67	40.39%
Durstun	58.23	600	10.30	55.23	600	10.86	5.43%
Fitzhead	116.86	2,995	25.63	115.10	3,600	31.28	22.04%
Halse	143.01	2,000	13.99	144.59	2,800	19.37	38.47%
Hatch Beauchamp	257.15	4,000	15.56	262.20	4,000	15.26	-1.93%
Kingston St Mary	428.70	5,508	12.85	433.96	5,508	12.69	-1.21%
Langford Budville	228.61	4,500	19.68	228.59	6,840	29.92	52.01%
Lydeard St Lawrence/Tolland	207.41	3,995	19.26	210.55	4,061	19.29	0.14%
Milverton	574.56	14,000	24.37	579.03	14,000	24.18	-0.77%
Neroche	237.51	4,446	18.72	247.61	4,446	17.96	-4.08%
North Curry	706.54	16,469	23.31	700.82	16,463	23.49	0.78%
Norton Fitzwarren	946.60	25,292	26.72	988.39	26,390	26.70	-0.07%
Nynehead	165.76	3,200	19.31	162.74	3,300	20.28	5.04%
Oake	322.36	5,000	15.51	320.55	5,000	15.60	0.56%
Otterford	166.18	-	-	176.74	-	-	0.00%
Pitminster	459.77	8,400	18.27	473.86	7,950	16.78	-8.17%
Ruishton/Thornfalcon	577.61	14,000	24.24	578.03	14,369	24.86	2.56%
Sampford Arundel	123.72	4,800	38.80	123.79	5,000	40.39	4.11%
Staplegrove	788.65	9,500	12.05	789.84	13,000	16.46	36.64%
Stawley	139.56	2,400	17.20	139.18	2,400	17.24	0.27%
Stoke St Gregory	355.72	9,600	26.99	361.27	9,940	27.51	1.95%
Stoke St Mary	199.43	3,236	16.23	205.69	3,236	15.73	-3.04%
Taunton	14,395.62	42,900	2.98	14,550.91	43,362	2.98	0.00%
Trull	1,004.56	22,000	21.90	1,000.79	27,000	26.98	23.19%
Wellington	4,482.33	122,816	27.40	4,652.51	186,100	40.00	45.98%
Wellington Without	300.18	6,000	19.99	304.45	6,000	19.71	-1.40%
West Bagborough	157.40	3,500	22.24	162.47	3,500	21.54	-3.12%
West Buckland	416.48	7,428	17.84	423.89	7,562	17.84	0.02%
West Hatch	132.29	2,330	17.61	131.14	2,330	17.77	0.88%
West Monkton	1,276.68	28,379	22.23	1,441.55	36,485	25.31	13.86%
Wiveliscombe	1,048.77	25,910	24.71	1,054.25	26,428	25.07	1.47%
<b>Totals</b>	<b>38,348.55</b>	<b>574,623</b>	<b>14.98</b>	<b>39,072.86</b>	<b>683,678</b>	<b>17.50</b>	<b>16.82%</b>

## **Usual Declarations of Interest by Councillors**

### **Full Council**

- **Members of Somerset County Council – Councillors M Adkins, Coles, Govier, Hunt, Prior-Sankey and Wedderkopp**
- **Employee of the Department of Work and Pensions – Councillor Mrs Herbert**
- **Clerk to Milverton Parish Council – Councillor Wren**
- **Tone Leisure Board representatives – Councillors Gage and Stone**
- **Director of Tone FM – Councillor Ms Lisgo**
- **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 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 the owner of an area of land at Haydon, Taunton.**
- **Councillor Richard Parrish declared a personal interest as the District Council’s representative on the Somerset Pensions Committee.**

# Petition to Taunton Deane Borough Council

To: Democratic Services Manager,  
Taunton Deane Borough Council,  
Belvedere Road  
Taunton TA1 1HE

**We the undersigned customers of The Globe Inn, Appley and parishioners of Stawley Parish and surrounding areas, call upon Taunton Deane Borough Council to use its powers under Section 215 of the Town & Country Planning Act 1990 and/or Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to undertake repair works to the listed barn attached to this Grade II listed building which has been derelict for more than two and a half years.**

## **Summary of problem and action already taken:**

Despite repeated attempts by Stawley Parish Council and the landlady of The Globe Inn to persuade the freehold owner of the premises to repair this building, both directly and through liaison with conservation officers at the Council, it remains in a derelict state without a roof or finished walls. The remains of the listed building continue to deteriorate and water is now finding its way into the pub resulting in damp and electrical problems.

The Globe Inn is an historic and popular local pub that is greatly valued by the surrounding rural communities and which has been listed on Taunton Deane's Register of Community Assets since April 2015.

The derelict building is an eyesore which threatens the structural integrity of the pub but is also adversely affecting its long-term commercial viability as potential customers are put off by its external appearance. The landlady of the pub has no power to rectify this situation as the derelict barn does not form part of her tenancy.

The Globe Inn and its associated buildings are under the freehold ownership of an absentee landlord, who has consistently failed to live up to his obligations to repair this historic and listed structure. Taunton Deane Borough Council has the legal power to resolve this situation by serving notice on the freehold owner to undertake repairs, or to undertake the work itself, and send the bill to the freeholder.

## **Lead petitioner:**

Charles St George  
Chair, Stawley Parish Council  
Brookbank  
Kittisford  
Wellington  
TA21 OSA

# Taunton Deane Borough Council

## Full Council – 12 April 2016

### Land at Creedwell Orchard Housing Estate, Milverton

This matter is the responsibility of Councillor John Williams, Leader of the Council

Report Author : Adrian Priest, Principal Estates Surveyor

#### 1 Executive Summary / Purpose of the Report

The purpose of this report is to consider and obtain approval to vary an Option Agreement with S Notaro Limited (SNL) for the purchase of land at Creedwell Orchard Housing Estate by amending the “Trigger Date”

#### 2 Recommendations

2.1 The Council is recommended to approve the amendment of the Trigger Date within the Option Agreement to provide that the option to purchase the Council’s land must be exercised within 120 days (the Option Period) of 12 October 2016 (the new Trigger Date)

#### 3 Risk Assessment (if appropriate)

##### Risk Matrix

Description	Likelihood	Impact	Overall
If the Exercise Period on the trigger date is not amended an appeal against a recent refusal of a planning application may be pursued further by SNL resulting in time and costs to the Council in defending the appeal and a delay in obtaining a potential significant capital receipt	5	4	20
<i>The mitigations for this are to amend the Trigger Date in the Option Agreement, as reported</i>	2	4	8

##### Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)

	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
			<b>Impact</b>				

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

#### 4 Background and Full details of the Report

- 4.1 An Option Agreement was entered in to with SNL on 27 February 2014 for a period of 10 years following Executive approval given at its meeting on 13 July 2013.
- 4.2 The current terms of the Agreement provided that the option has to be exercised by Notaro within 120 days of the Trigger Date which is the later of:-
- the date of determination or withdrawal of the Town & Village Green Application (T&VGA) made by a Local Community Group in respect of the land owned by SNL (which was withdrawn on 3 July 2014)
  - **or** if at the time of the determination or withdrawal of the T&VGA a new planning application has already been submitted by SNL for an alternative development scheme using the Council's land as an access, the date that application has been determined, or appeal concluded, including allowing for any judicial reviews
- 4.3 The absolute longstop date for the exercise of the option is 12 years from the date of the Option Agreement.
- 4.4 Before the T&VGA was withdrawn a planning application for an alternative development scheme was submitted by SNL on 18 March 2014 which has been determined and a Notice of Refusal was issued by the Council as planning authority on

15 October 2015. Statute provides that an applicant has a period of six months in which to submit an appeal against the planning decision and following the determination of any appeal there is a period of up to six weeks in which to apply for a judicial review. The date upon which an appeal against the planning decision should be made by NSL is 13 April 2016.

- 4.5 As the Option Agreement is currently drafted it is considered that the Trigger Date for its exercise could, therefore, be some considerable time in the future if a planning appeal is to be pursued by SNL in order to protect its interests
- 4.6 Since the completion of the Option Agreement it has come to light that the formula for the sale price of the Council's land is based upon an incorrect valuation. This is as a result of incorrect information having been provided by SNL from the outset which was relied upon by both the Council and external valuers.
- 4.7 Further external valuation advice has been sought from the VOA who have been instructed to negotiate a revised option sale price formula with SNL based upon the correct floor areas of the extant scheme, which have been verified by the Council and the VOA.
- 4.8 In the circumstances, therefore, it is considered appropriate for the Council to complete a Deed of Variation to the Option Agreement to provide that the new Trigger Date becomes 12 October 2016 (six months from 12/4/16) with the Exercise Period remaining at 120 days from the trigger date. This will allow time for negotiations to be completed for a revised sale price formula and it should negate the need for the Council to deal with a planning appeal that has been made to effectively delay the establishment of the Option Trigger Date.

## **5 Links to Corporate Aims / Priorities**

- 5.1 The eventual capital receipt obtained from the sale of the land, which is to be reinvested in to affordable housing will greatly assist the Council in fulfilling its Corporate Aim of Quality sustainable growth and development

## **6 Finance / Resource Implications**

- 6.1 Other than costs incurred in varying the Option Agreement and a slight delay in obtaining a capital receipt by extending the Exercise Period there are not considered to be any significant Finance / Resource Implications.

## **7 Legal Implications (if any)**

- 7.1 A formal Deed of Variation to the Option Agreement will need to be completed with each party bearing its own costs incurred

**8 Environmental Impact Implications** (if any)

8.1 None associated with this report

**9 Safeguarding and/or Community Safety Implications** (if any)

9.1 None associated with this report

**10 Equality and Diversity Implications** (if any)

10.1 None associated with this report

**11 Social Value Implications** (if any)

11.1 None associated with this report

**12 Partnership Implications** (if any)

12.1 None associated with this report

**13 Health and Wellbeing Implications** (if any)

13.1 None associated with this report

**14 Asset Management Implications** (if any)

14.1 This report has been generated through Asset Management

**15 Consultation Implications** (if any)

15.1 None associated with this report

**16 Scrutiny Comments / Recommendation(s)** (if any)

16.1 None associated with this report

**Democratic Path:**

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Executive – No**
- **Full Council – Yes**

**Reporting Frequency :**  **Once only**    **Ad-hoc**    **Quarterly**  
 **Twice-yearly**    **Annually**

**Contact Officers**

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Name		Name	
Direct Dial		Direct Dial	
Email		Email	

# Taunton Deane Borough Council

**Full Council – 12 April 2016**

**Community Infrastructure Levy:**

- 1. Clarification of Regulation 123 Infrastructure List (Appendix 1)**
- 2. Proposed draft Payment in Kind Policy (Appendix 2)**
- 3. Proposed draft Charitable Relief Policy (Appendix 3)**
- 4. CIL Exceptional Circumstances Relief policy (Appendix 4)**

**This matter is the responsibility of Executive Councillor Roger Habgood.**

**Report Author : Kate Murdoch (Senior Planning Policy Officer)**

## **1 Executive Summary / Purpose of the Report**

- 1.1 This report outlines proposals for additional text in the draft Regulation 123 list (appendix one). The proposed additional text relates to transport works and green infrastructure. These additions seek to clarify what will be funded from CIL receipts and what will be sought through planning obligations, to ensure a planning application is acceptable in planning terms.
- 1.2 Officers are also proposing the introduction of a Payment in Kind policy in line with section 73 and 73A of the CIL Regulations. Payment in Kind (PiK) enables a developer/CIL liable party to offset the CIL liability against the cost of direct provision of infrastructure. While the introduction of the Policy will allow the Council to accept PiK in appropriate cases, the Council will retain full discretion in such matters and will not be under any obligation to accept PiK in a particular case.). All PiK bids will be assessed against the Council's infrastructure priorities, considered by the CIL/Infrastructure Delivery Board and approved by Full Council before PiK bids are accepted.
- 1.3 This report also proposes the introduction of CIL Policies for Discretionary Charitable Relief, to enable charities to claim CIL relief (appendix 3) and Discretionary Exceptional Circumstances Relief (appendix 4) to enable developers to claim relief from paying CIL in Exceptional Circumstances.

## **2 Recommendations**

- 2.1 To endorse the additional text clarifying the current Regulation 123 infrastructure list (Appendix one).
- 2.2 To endorse the proposed draft Payment in Kind policy (Appendix two).
- 2.3 To endorse the proposed draft CIL Charitable relief policy (Appendix three).

2.4 To endorse the proposed draft CIL Exceptional Circumstances Relief policy (Appendix four).

**3 Risk Assessment** (if appropriate)

**Risk Matrix**

Description	Likelihood	Impact	Overall
In the absence of the clarification provided by the proposed additional text, there is a risk of misinterpretation with the current Reg 123 list.	Medium/ High	Moderate/ Major	

**Risk Scoring Matrix**

<b>Likelihood</b>	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
<b>Impact</b>							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

**4 Background and Full details of the Report**

4.1 The Council has been charging CIL since 1 April 2014. The recent discussions and negotiations for the SW Taunton urban extension application, highlighted the need to

clarify the definitions of infrastructure items in the current CIL Regulation 123 list. This application also raised the need to consider adopting a Payment in Kind policy, to enable developers to offset their CIL liability against the direct delivery of agreed infrastructure items on the Council's Regulation 123 list.

- 4.2 This report outlines proposals for additional text in the draft Regulation 123 list (appendix one). This seeks to clarify what will be funded from CIL receipts and what will be funded through planning obligations, to ensure a planning application is acceptable in planning terms.
- 4.3 The proposed additional text (underlined) seeks to clarify what is meant by 'strategic transport improvements' and will be reworded to read:
- 'Strategic transport improvements associated with the growth of Taunton and Wellington, excluding site specific matters needed to make the development acceptable in planning terms. Site specific matters can include on-site and off-site transport mitigation works and infrastructure improvements, where the need for such measures have been identified in a Transport Assessment.
- 4.4 Further additional text (underlined) has also been incorporated to clarify what is meant by 'green infrastructure' and this item will be reworded to read:
- 'Green Infrastructure (excluding site specific open space requirements necessary to comply with Development Plan policy).
- 4.5 The proposed changes are seeking to clarify the infrastructure items on the Reg 123 list that could be funded through CIL. It is not seeking to add or remove any infrastructure items from the Regulation 123 list and therefore officers consider that it is not necessary to undertake formal consultation on the additional text. The views of County Council officers and Taunton Deane officers have been sought on the proposed approach to the Reg 123 list.
- 4.6 The CIL regulations (Reg 73, 73A, 73B) enable charging authorities to accept land or infrastructure items through Payment in Kind. This approach allows the developer to offset the value of the land or the cost of delivering the infrastructure item against their CIL liability. The CIL regulations require that the value of any land and/or infrastructure, offered through Payment in Kind, should be determined by a suitably qualified independent person.
- 4.7 If it is ultimately decided that the proposed Payment in Kind policy should be adopted the Council will not be obliged to accept land or infrastructure payments in lieu of CIL. All Payment in Kind offers will be assessed against criteria to consider whether the land or infrastructure offer meets the Council's infrastructure priorities. The CIL/Infrastructure Delivery Board will consider all Payment in Kind bids against a set of agreed criteria and will make recommendations to Full Council. Full Council will need to approve the Payment in Kind bids.
- 4.8 The informal view of County Council officers have been sought and they are supportive of introducing a Payment in Kind policy to ensure the direct delivery of CIL infrastructure items. County Council officers are particularly supportive of the early

delivery of the primary school at SW Taunton through Payment in Kind by the development consortium.

4.9 Discretionary Charitable Relief Policy and Discretionary Exceptional Circumstances Relief Policy – The CIL Regulations allow the Charging Authority to offer discretionary charitable relief and discretionary exceptional circumstances relief as follows:

4.9.1 Discretionary Charitable Relief – available to charity landowners where the greater part of the chargeable development will be held as an investment from which the profits are applied for charitable purposes.

4.9.2 The relief can only be claimed by charitable institutions. These are:

- A charity – this is defined as a person or trust established for charitable purposes only.
- A trust of which all the beneficiaries are charities.
- A unit trust scheme in which all the unit holders are charities.

4.9.3 In practice there are three main groups of charities which may benefit from the relief:

- Registered charities: charities which are registered with the Charity Commission.
- Exempt charities: charities which cannot register under the Charities Act 2011 and are not subject to the Charity Commissions supervisory powers. These include educational institutions and national museums.
- Excepted charities: charities excepted from the need to register but which are still supervised by the Charity Commission.

4.9.4 Charitable purposes are defined in Section 2 of the Charities Act 2011. The form for claiming relief requires the claimant to demonstrate its charitable status and what its charitable purposes are (eg through production of its constitution or articles of association).

4.9.5 In the first 2 years of charging CIL we have received one request for discretionary charitable relief. If the policy had been in place, this request would not have been granted, as they did not intend to retain ownership of the development land once the works were completed.

4.9.6 Discretionary Exceptional Circumstances Relief – available where a S106 Agreement has been entered into in respect of the planning permission which permits the development and it is believed that applying CIL to the development would have an unacceptable impact on the economic viability of the development. Claims must be accompanied by an economic viability assessment, an explanation of why the CIL would have an unacceptable impact and evidence that relief would not constitute state aid. Each claim is considered on its own merits and relief can be granted for the whole development or part of a scheme.

## **5 Links to Corporate Aims / Priorities**

- 5.1 Corporate Aim one seeks to deliver 'quality sustainable growth and development. Under this aim objective two seeks to deliver the infrastructure necessary to bring forward development. Both the clarification of the Regulation 123 list and the proposed Payment in Kind Policy will assist the Council in delivering the infrastructure necessary to bring forward development.

## **6 Finance / Resource Implications**

- 6.1 Provisions within CIL governance allow up to 5% of CIL receipts to be 'top sliced' to cover the costs of administration. Payment in Kind could potentially affect the amount of 'top slicing' although the effect is considered negligible.

## **7 Legal Implications (if any)**

- 7.1 The proposals within this report set out proposed refinements to the Council's approach to the operation of CIL within the Borough, and reflect officers' experience in implementing CIL in Taunton Deane since April 2014.

- 7.2 The main legal implications relate to the proposed introduction of the Payment In Kind policy. The broad legal position is that without such a policy having been formally adopted by the Council, payments in kind – in the form of either land payments or infrastructure payments – the Council is not in a position to accept proposed payments in kind even in situations where it wished to do so, or where the provision of a payment in kind would be directly advantageous to the Council (for instance, where it would directly secure the provision of specific infrastructure in the interests of a particular locality). Adoption of the policy will not impose an obligation on the Council to accept payment in kind in any particular case.

- 7.3 The Council's Regulation 123 list effectively sets the ambit of the infrastructure to which CIL is to be applied, and – equally importantly – provides a statement of types of infrastructure which cannot now be secured via Section 106 obligations. The proposed rewording will have the welcome effect within the Borough of clarifying the distinction between (a) CIL infrastructure and (b) matters which can still be addressed via Section 106 Agreements

## **8 Environmental Impact Implications (if any)**

- 8.1 None

## **9 Safeguarding and/or Community Safety Implications (if any)**

- 9.1 None

## **10 Equality and Diversity Implications (if any)**

- 10.1 None

## **11 Social Value Implications (if any)**

11.1 None

**12 Partnership Implications** (if any)

12.1 The Council's Regulation 123 list includes education and strategic highway improvements. Any Payment in Kind bids for the provision of education or strategic highway improvements will require close partnership working with Somerset County Council as the authority responsible for education and highways.

12.2 The Council's Regulation 123 list also includes strategic flood mitigation improvements. Any Payment in Kind bids for the provision of strategic flood mitigation works will require close partnership working with the Environment Agency.

12.3 The Council is in the process of establishing a CIL/Infrastructure Delivery Board that will be responsible for considering Payment in Kind bids. Somerset County, Highways England and the Environment Agency will have representatives sitting on the board to ensure close partnership working on the delivery of critical infrastructure. All Payment in Kind bids will need to be agreed by Full Council.

**13 Health and Wellbeing Implications** (if any)

13.1 None

**14 Asset Management Implications** (if any)

14.1 None

**15 Consultation Implications** (if any)

15.1 The proposed additional text for the Regulation 123 list has been considered by Somerset County Education and Highway officers and Taunton Deane officers to ensure the amendments are fit for purpose.

**16 Scrutiny Comments / Recommendation(s)** (if any)

To be reported at the Full Council meeting.

**Democratic Path:**

- **Scrutiny – Yes**
- **Cabinet/Executive – No**
- **Full Council – Yes**

**Reporting Frequency :**  **Once only**  **Ad-hoc**  **Quarterly**

**Twice-yearly**  **Annually**

**List of Appendices (delete if not applicable)**

Appendix 1	Draft Regulation 123 list with additional text
Appendix 2	Draft Payment in Kind Policy
Appendix 3	Draft Charitable Relief Policy
Appendix 4	Draft Exceptional Circumstances Relief Policy

**Contact Officers**

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Email	k.murdoch@tauntondeane.gov.uk	Email	

# TDBC Draft Regulation 123 List

In accordance with the Planning Act (2008) as amended by the Localism Act (2011) and the Community Infrastructure Levy Regulations (2010) as amended.

The list set out below identifies the types of infrastructure and/or specific infrastructure projects to which CIL receipts raised by Taunton Deane Borough Council as the Charging Authority could be applied:

## Education

Statutory education, including but not limited to

- Early years learning
- Primary School provision
- Secondary School provision, including Post-16 education
- Special Schools

## Transport

- Strategic transport improvements associated with the growth of Taunton and Wellington, excluding site specific matters needed to make the development acceptable in planning terms. Site specific matters can include on-site and off-site transport mitigation works and infrastructure improvements, where the need for such measures have been identified in a Transport Assessment.

## Community Development

- Sport and recreation (excluding children's play)
- Community Halls, places of assembly and other community facilities
- Arts and Culture
- Green Infrastructure (excluding site specific open space requirements necessary to comply with Development Plan policy)

## Taunton Town Centre Regeneration

Schemes as defined in the Taunton Town Centre Area Action Plan, including:

- Firepool Infrastructure
- Town Centre enhancements

## Surface Water and Flood Risk Mitigation

- Strategic works only (i.e. excluding mitigation of surface water run-off back to greenfield)

**This Regulation 123 List will take effect from xxxx. It will be reviewed annually.**

**Taunton Deane Borough Council**  
**Community Infrastructure Levy**  
**Discretionary Payment in Kind Policy**

1. In accordance with Regulations 73, 73A, 73B and 74 of the Community Infrastructure Levy Regulations 2010 (as amended), Taunton Deane Borough Council, as the charging authority for the area, will at its discretion allow in appropriate cases the payment of CIL by land payments or infrastructure payments.
2. This policy is effective from XXXXXXXX
3. The CIL Regulations 2010 (as amended) allow the Council to accept full or part payment of a CIL liability by way of the transfer of land to the Council or the provision of infrastructure. Such arrangements are known collectively as “payments in kind”.
4. Any land provided as a payment in kind must be used for the delivery of infrastructure identified within the Council’s regulation 123 list. Any infrastructure proposed as a payment in kind must be identified within the Council’s Regulation 123 list in order to be regarded as suitable for delivery via a payment in kind
5. The acceptance by the Council of proposals for payments in kind is entirely discretionary. The Council is not obliged to accept any offer of payment in kind by land or infrastructure.
6. Where the Council accepts payment in kind, the equivalent meaningful proportion payment will still be paid to the parish council as a financial payment, unless it has been agreed with the relevant body that the fund is to be included in the value of the land. Alternatively it could be agreed that the community will utilise the meaningful proportion payment to contribute to the delivery of necessary infrastructure on the land or to contribute to associated infrastructure needs.

**Eligibility Criteria**

7. The CIL Regulations specify that payments in kind can only take place where specific eligibility criteria are met. These criteria are as follows.
8. Any application for ‘payment in kind’ will only be considered acceptable where it demonstrates compliance with the CIL Regulations (as amended) and the Council’s adopted Payment in Kind policy.

9. The land or infrastructure proposed as payment in kind is to be acquired either by the Council or by a person nominated by the Council
10. Where the land offered as a payment in kind is to be acquired by a person nominated by the Council, the Council must be satisfied that the person intends to use the land for the delivery of infrastructure and that the infrastructure will be appropriately maintained (and will be publicly accessible).
11. Any land provided as a payment in kind must be used for the delivery of infrastructure
12. The person from whom the land will be acquired, or the person who will be responsible for the provision of the infrastructure, must have assumed liability to pay CIL for the development through completion of the assumption of liability form
13. The amount of CIL payable in respect of the chargeable development must be greater than £50,000.00 in order for a Charging Authority to accept a land payment.
14. In accordance with Regulation 59(A)(3) where Taunton Deane Borough Council accepts land and/or infrastructure as 'payment in kind', the equivalent meaningful proportion must still be paid to the parish council as a financial payment.

### **Process for proposal and securing of a payment in kind**

#### *Pre submission discussions*

15. Prior to any formal submission of a proposal for a payment in kind, parties will be expected to discuss such proposals with the Council's CIL officer and the relevant policy officer, in order establish whether a payment in kind is an acceptable means of proceeding in principle.

#### *Formal application*

16. If it is agreed that the payment in kind mechanism may be suitable in a particular case, the liable party shall be responsible for submitting a formal application for payment in kind. This application should be submitted on the Council's application form prior to commencement of the development and should demonstrate that the land or infrastructure offered as payment in kind complies with the eligibility criteria set out in this Policy.

#### *Review by the Council*

17. Once an application for payment in kind has been received, the Council will determine whether it has been demonstrated that the proposal complies with the eligibility criteria and delivers infrastructure identified within the Regulation 123 list as suitable for delivery via payment in kind.

18. Any applications for Payment in Kind will be considered by the CIL Board and will require agreement from Full Council. Recommendations to the CIL Board will be put forward by the Assistant Director Planning and Environment. Monitoring of the Payment in Kind bids in terms of delivery and compliance will be undertaken by the CIL officer.

#### *Valuation*

19. Any application for a payment in kind must be accompanied by a detailed independent valuation of the land or infrastructure offered as payment in kind. This valuation should be provided by a suitably qualified, experienced and independent person agreed by the Council.

20. The valuation of land shall be based on the price that the land might reasonably be expected to obtain if sold on the open market on the day of the valuation. There shall be no hope value included in the valuation. The price of the land should not be assumed to be reduced on the ground that the whole of the land is to be placed on the open market at the same time.

21. The valuation of infrastructure shall be based on the actual construction cost of the proposed infrastructure and the fees related to the design of the infrastructure. These costs and fees must be agreed with the Council.

22. In the event that the cost of provided infrastructure is less than anticipated, the provider/applicant shall notify the Council, following which the value of the payment in kind shall be reduced by the same amount, thereby potentially requiring (or increasing) a financial CIL payment in relation to the development.

23. In the event that the cost of provided infrastructure is greater than anticipated, it shall be the responsibility of the provider/applicant to bear these additional costs.

#### *Formal agreement and procedural issues*

24. It will be necessary for a formal agreement in respect of the proposed payment in kind to be entered into before the chargeable development has been commenced. The agreement must be in writing, must state the value of the land or infrastructure to be provided (as identified via a process of independent assessment in compliance with the CIL Regulations) and cannot form part of a planning obligation entered into under Section 106 of TCPA 1990.

25. All costs in connection with the preparation and completion of the agreement will normally be borne by the applicant.

26. In the event that the required agreement is not completed within the Council's timescales, the Council reserves the right to withdraw the payment in kind arrangement and require the relevant CIL liability to be paid in money.

27. In addition, if the Council does not receive a completed commencement notice for the development, such notice to be received no later than the day prior to the date on which the development is commenced, the payment in kind as previously agreed will not be accepted, and payment in money will be required

### **Further Guidance**

28. Further guidance on the CIL and the payment in kind provisions are available on the Government's Planning Practice Guidance website:

<http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/collecting-the-levy/payment-in-kind/>

DRAFT

## **COMMUNITY INFRASTRUCTURE LEVY**

## **DISCRETIONARY CHARITABLE RELIEF POLICY**

This statement is made in accordance with Regulation 46 of The Community Infrastructure Levy Regulations 2010 (as amended).

Taunton Deane Borough Council hereby gives notice that discretionary charitable and charitable investment relief is available in its area.

Anyone wishing to claim this discretionary charitable relief must follow the procedure set out in Regulation 47 of The Community Infrastructure Levy Regulations 2010 (as amended).

A relief claim form can be found at:

[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

In accordance with the Community Infrastructure Levy Regulations 2010 (as amended), Taunton Deane Borough Council gives notice that it is offering discretionary charitable relief in its area under Regulations 44 and 45 of the Community Infrastructure Levy Regulations 2010 (as amended).

Taunton Deane Borough Council will be offering this relief from xx/xx/xxxx.

The discretionary charitable relief shall be given at the rate of 50% of the CIL chargeable amount.

#### Who is eligible for discretionary charitable relief?

In addition to the mandatory relief for charitable institutions under Regulation 43, Taunton Deane Borough Council are also offering discretionary relief to a charity landowner where the greater part of the chargeable development will be held as an investment from which the profits are applied for charitable purposes and they meet the requirements of Regulations 44 and 45 of the Community Infrastructure Levy Regulations 2010 (as amended):

To qualify for relief under Regulation 44:

- The claimant must be a charitable institution and own a material interest in the relevant land whether solely or jointly with other charitable institutions.
- The whole or greater part of the chargeable development must be used as an investment from which the profits will be applied for charitable purposes.

To qualify for relief under Regulation 45:

- The claimant must be a charitable institution and own a material interest in the relevant land whether solely or jointly with other charitable institutions.
- The chargeable development must be used wholly or mainly for charitable purposes.
- The chargeable development to be used for charitable purposes must be occupied, or under the control of, a charitable institution.
- The claimant would have been exempt under Regulation 43 but the exemption would constitute State aid.

Discretionary charitable relief under Regulations 44 and 45 can only be granted where Taunton Deane Borough Council are satisfied that the relief would not need to be notified to, and approved by, the European Commission.

#### How do I apply for discretionary charitable relief?

A relief claim form is available at:

[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

Please email completed forms to [cil@tauntondeane.gov.uk](mailto:cil@tauntondeane.gov.uk)

or post them to:

The CIL Officer  
Taunton Deane Borough Council  
The Deane House  
Belvedere Road  
Taunton  
TA1 1HE

#### Further Information

Further information on CIL is available on the Councils website at:

[www.tauntondeane.gov.uk/cil](http://www.tauntondeane.gov.uk/cil)

If you have any questions relating to CIL at Taunton Deane Borough Council please contact:

Email: [cil@tauntondeane.gov.uk](mailto:cil@tauntondeane.gov.uk)

Tel: 01823 356384

## **COMMUNITY INFRASTRUCTURE LEVY**

## **EXCEPTIONAL CIRCUMSTANCES RELIEF POLICY**

This statement is made in accordance with Regulation 56 of The Community Infrastructure Levy Regulations 2010 (as amended).

Taunton Deane Borough Council hereby gives notice that discretionary exceptional circumstances relief is available in its area.

Anyone wishing to claim this discretionary exceptional circumstances relief must follow the procedure set out in Regulation 57 of The Community Infrastructure Levy Regulations 2010 (as amended).

A relief claim form can be found at:

[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

In accordance with the Community Infrastructure Levy Regulations 2010 (as amended), Taunton Deane Borough Council gives notice that it is offering discretionary exceptional circumstances relief in its area under Regulation 55 of the Community Infrastructure Levy Regulations 2010 (as amended).

Taunton Deane Borough Council will be offering this relief from xx/xx/xxxx.

### Who is eligible for discretionary exceptional circumstances relief?

To qualify for relief under Regulation 55:

- The claimant must be an owner of a material interest in the land.
- A S106 Agreement has been entered into in respect of the planning permission which permits the chargeable development.
- It is believed that applying the CIL to the development would have an unacceptable impact on the economic viability of the development.

Discretionary exceptional circumstances relief under Regulation 55 can only be granted where Taunton Deane Borough Council are satisfied that the relief would not constitute state aid.

### How do I apply for discretionary exceptional circumstances relief?

A relief claim form is available at:

[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

A claim must be accompanied by:

- An assessment of the economic viability of the chargeable development carried out by an independent person with the appropriate qualifications and experience (who must be appointed by you in agreement with the Council);
- An explanation of why the payment of CIL would have an unacceptable impact on the economic viability of the development;
- An apportionment assessment where there is more than one owner of the development land;
- Proof that the relief, if granted, would not constitute state aid; and
- A declaration that all owners of the relevant land have been provided with a copy of the completed claim form and advised that copies of the accompanying documents are available on request.

Please email completed forms to [cil@tauntondeane.gov.uk](mailto:cil@tauntondeane.gov.uk)

or post them to:

The CIL Officer  
Taunton Deane Borough Council  
The Deane House  
Belvedere Road  
Taunton  
TA1 1HE

The claim for relief must be made, and the Council's decision on the claim received, prior to the commencement of the development.

This is a discretionary policy and will be considered by the Council on a case by case basis. The circumstances in which such relief can be made available are expected to be genuinely exceptional. Relief can be granted for the whole development or part of a scheme. The amount of relief granted will directly relate to the information contained within the economic viability assessment and explanation document received with the claim.

The Council will provide a decision on the claim as soon as practicable. However, we strongly advise that a discretionary exceptional circumstances claim is submitted as soon as possible to ensure that your project is not delayed.

## Disqualifying Events

A development will cease to be eligible for discretionary exceptional circumstances relief if any of the following Disqualifying Events occur before development commences:

- A claim for any other kind of relief or exemption is granted for the same development.
- An owner of all or part of the development site makes a material disposal of relevant land (meaning transfer of legal estate or grant of a lease for more than 7 years).
- The development does not commence within 12 months of exceptional circumstances relief being granted.

If a Disqualifying Event occurs the landowner must notify the Council within 14 days beginning on the day the Disqualifying Event occurs and send a copy of this notification to all other owners of the relevant land. Failure to notify the Council of a Disqualifying Event will result in a surcharge being levied.

## Further Information

Further information on CIL is available on the Councils website at:  
[www.tauntondeane.gov.uk/cil](http://www.tauntondeane.gov.uk/cil)

If you have any questions relating to CIL at Taunton Deane Borough Council please contact:

Email: [cil@tauntondeane.gov.uk](mailto:cil@tauntondeane.gov.uk)  
Tel: 01823 356384

# Taunton Deane Borough Council

## Full Council – 12 April 2016

### Proposed Changes to Constitution

This matter is the responsibility of Executive Councillor Richard Parrish

Report Author: Bruce Lang; Assistant Chief Executive and Monitoring Officer

#### 1 Executive Summary

- 1.1 This reports seeks the Committee's views on a few detailed changes which are being proposed by the Constitutional Sub-committee to the Council's Constitution which, if approved, will provide greater clarity to timescales by which certain motions/amendments/questions are to be submitted in advance of Council meetings and provide sufficient time for any relevant research/analysis to be undertaken prior to the meeting in question.
- 1.2 The present clauses are somewhat ambiguous and do not always allow sufficient time for the necessary preparation work to be undertaken by Officers.

#### 2 Recommendations

- 2.1 That Full Council be recommended to approve the proposed amendments to the Constitution as set out in Appendix A to this report.

#### 3 Risk Assessment

##### Risk Matrix

Description	Likelihood	Impact	Overall
Members may not be clear as to the deadlines for submitting requests and/or there may not be sufficient time for necessary research to be undertaken in respect of requests received	3	3	9
<i>The proposals provide clarity in regard to timescales and allow more time for research to be undertaken following the receipt of questions</i>	1	3	3

### Risk Scoring Matrix

<b>Likelihood</b>	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
<b>Impact</b>							

<b>Likelihood of risk occurring</b>	<b>Indicator</b>	<b>Description (chance of occurrence)</b>
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

## 4 Background

4.1 The Constitutional Sub-Committee has a standing item on its agenda to consider any potential suggested changes to items in the Constitution that could improve/facilitate efficient and effective governance of the Council.

At its meeting held on 27 November 2015 the Constitutional Sub-Committee considered three detailed proposals.

4.2 On page 84, relating to Notices of Motion, Clause 4 (2) currently states that 8 calendar days' notice are required in order to have a Notice of Motion included in the summons to a Council meeting. This effectively means that a Notice can be delivered anytime up to 12 noon on the Monday week prior to the day in which a council meeting is due to be held. In essence this provides hardly any time at all for Officers to consider the implications of the Motion proposed and undertake any necessary research/analysis to ensure that when the matter is debated/placed on the agenda there is clarity in respect of the implications should the motion in question be approved. This has been a matter of some discussion in regards to recent Notices of Motion that have been considered

by the Council.

It is, therefore, proposed that the clause be reworded as set out in Appendix A to this report which would have the effect of requiring a Notice to be submitted to the Democratic Services Manager by 4.00 pm on the Thursday of the week prior to the week that the summons for the meeting is to be dispatched, which will provide clarity and sufficient time for any required research to be undertaken in relation to the wording of a Notice of Motion prior to it being included in the agenda papers.

- 4.3 On page 86 of the Constitution referring to Amendments, Clause 6 (6) currently states that, if there is to be an amendment to the proposed budget it must be received by the Democratic Services Manager by 12 noon the day before a Council meeting.

This provides very little time for Officers, in particular the Finance Team, to take into account the implications of any proposed amendment and it is, therefore, suggested that this clause be reworded the effect of which will be to require any such amendment to be received by the Democratic Services Manager by 4.00 pm on the Thursday before the council meeting.

This would give at least two clear working days for Officers to do the necessary preparatory work before the council meeting when the amendment would be discussed.

- 4.4 On page 89 of the Constitution, Clause 14 (2) currently states that any Councillor upon giving two working days written notice to the Democratic Services Manager may ask a question of the relevant post holders listed relating to their responsibilities.

The current wording is somewhat ambiguous and has the potential for not allowing sufficient time for responses to be prepared.

It is, therefore, proposed that Clause 14 (2) be amended to give effect that a Councillor should give written notice to the Democratic Services Manager by 4.00 pm of the Thursday before the meeting of such questions. This should provide adequate time for responses to be prepared in advance of the Council meeting.

The members of the Sub-Committee are of the view that, by agreeing to these changes, it would both provide greater clarity for those Members who wish to submit motions/amendments/questions and provides sufficient time for answers to be prepared, which should be of benefit to all parties concerned.

## **5 Links to Corporate Aims / Priorities**

- 5.1 The proposed changes should provide greater clarity and assist the efficient governance of the Council.

## **6 Finance / Resource Implications**

- 6.1 None

## **7 Legal Implications**

- 7.1 None

**8 Environmental Impact Implications**

8.1 None

**9 Safeguarding Implications**

9.1 None

**10 Equality and Diversity Implications**

10.1 None

**11 Social Value Implications**

11.1 None

**12 Partnership Implications**

12.1 None

**13 Health and Wellbeing Implications**

13.1 None

**14 Asset Management Implications**

14.1 None

**15 Consultation Implications**

15.1 None

**Democratic Path:**

- **Corporate Governance – Yes**
- **Executive – No**
- **Full Council – Yes**

**Reporting Frequency:**  **Once only**  **Ad-hoc**  **Quarterly**  
 **Twice-yearly**  **Annually**

**Contact Officers**

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## APPENDIX A

### POSSIBLE AMENDMENTS TO THE TAUNTON DEANE BOROUGH COUNCIL CONSITUTION

REF.	CURRENT	PROSED
Notices of Motion (page 84) 4 (2)	8 calendar days' notice are required in order to have a Notice of Motion included in the summons to a Council meeting.	Seven clear working days' notice is needed in order to have a Notice of Motion included in the summons. This means that written notice must be delivered to the Democratic Services Manager by 4.00 pm on the Thursday of the week prior to the week that the summons for the meeting is to be dispatched or by 4.00 pm on the day that provides seven clear working days before the council meeting (excluding the day of the meeting itself).
Amendments (page 86) 6 (6)	If there is to be an amendment to the proposed budget then it must be received by the Democratic Services Manager by 12 noon the day before the Council meeting.	If there is to be an amendment to the proposed budget then it must be received by the Democratic Services Manager by 4.00 pm on the Thursday before the Council meeting or by 4.00 pm on the day that provides two clear working days before the Council meeting (excluding the day of the meeting itself).
Questions from Councillors (page 89) 14 (2)	Any Councillor upon giving two working days written notice to the Democratic Services Manager may ask ....	Any Councillor, upon giving written notice to the Democratic Services Manager by 4.00 pm on the Thursday before the Council meeting or by 4.00 pm on the day that provides two clear working days before the Council meeting (excluding the day of the meeting itself) may ask.....

# Taunton Deane Borough Council

## Full Council – 12 April 2016

### Electoral Review of Taunton Deane Borough Council

This matter is the responsibility of Executive Councillor Richard Parrish

Report Author: Bruce Lang, Assistant Chief Executive and Monitoring Officer

#### 1 Executive Summary

- 1.1 The report sets the context for the process and timetable associated with the Electoral Review (ER) of the electoral review of the Taunton Deane Borough Council (TDBC) which is to be undertaken by the Local Government Boundary Commission for England (LGBCE). The first task for the Council in this process is to consider authorising an agreed submission to the LGBCE on the size (number of Councillors) of the Council and the report provides a draft submission to be considered for recommendation to the meeting of the Corporate Governance Committee in this respect.

#### 2 Recommendations

- 2.1 To agree the draft submission, attached as Appendix 1 to this report, with or without amendments, to the LGBCE in respect of Council size for recommendation to Full Council.

#### 3 Risk Assessment

##### Risk Matrix

Description	Likelihood	Impact	Overall
If no submissions are made by TDBC then the LGBCE will impose a solution that may not be fit for purpose or popular locally	4	4	16
<i>To develop a proposal to submit on behalf of TDBC to influence the LGBCE recommendations</i>	2	4	8

### Risk Scoring Matrix

<b>Likelihood</b>	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
<b>Impact</b>							

<b>Likelihood of risk occurring</b>	<b>Indicator</b>	<b>Description (chance of occurrence)</b>
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily/weekly/monthly)	> 75%

## 4 Background and Full details of the Report

- 4.1 On 9 July 2013, the LGBCE agreed that there should be an electoral review of TDBC. The review was triggered as 42% of wards currently have 10% more or fewer electors in them than the average (in the region of 1400 per councillor) for the authority (the trigger figure is 30% of all wards).
- 4.2 Where the LGBCE considers that such imbalance is unlikely to be corrected by foreseeable changes to the electorate within a reasonable period, then they instigate an ER. The last review of TDBC’s electoral arrangements was undertaken in 2006 when it was agreed to increase the council size from 54 to 56 members and to make some adjustment to the warding patterns.
- 4.3 Due to a busy schedule of work nationally, the LGBCE have not been able to commence the ER for TDBC until now and following an introductory meeting on 24 November 2016 commenced their work with briefings for TDBC Members, officers and parish councils on 29 February 2016. Going forward, the first formal stage of the process is for the LGBCE to make a proposal regarding the size (number of councillors) and there is an opportunity for TDBC to submit its own proposal as part for consideration. The deadline to do this is by 6 May 2016 and so the intention is for any recommendation to go from the sub-committee to the Corporate Governance Committee on 21 March 2016 and then on to full Council on 12 April 2016.

- 4.4 The LGBCE will consider all submissions on Council size and then issue their recommended option after 21 June 2016. There will then be a period of consultation from 28 June 2016 until 5 September 2016. Once again, TDBC will have the opportunity to put forward a submission in this regard and it may be necessary to schedule a special meeting of council to meet this deadline.
- 4.5 After considering any submissions received, the LGBCE will then issue their draft recommendations on 8 November 2016 and allow a period for consultation until 9 January 2017 (and so it may be possible for TDBC to agree a response at its full council meeting scheduled for 13 December 2017). The final recommendations will be made on 14 March 2017 with an order then being laid in Parliament with any new electoral arrangements coming into force for the May 2019 local elections.
- 4.6 It has been agreed that the sub-committee should lead on co-ordinating the work in TDBC to support this process and has already had progress reports at its November 2015 and February 2016 meetings. Officers have commenced work on providing the latest electoral data and developing electoral forecasts for the middle of 2022 as requested by the LGBCE.
- 4.7 The ER has two distinct parts. The first is consideration by the Council of its future size. This refers to the number of elected members required for effective conduct of council business corporately and by individual Members. In determining size, the LGBCE will consider not only any proposal from this council but also any other submissions it receives. This is the main purpose of this report.
- 4.8 The second part of the process is consideration of new polling districts and, in turn, new ward boundaries. This occurs after the LGBCE publishes its initial conclusions on council size. A further report on this phase will be produced in due course.
- 4.9 In terms of Council size, the LGBCE guidance indicates that in exercise of its judgement on this issue, it will consider three key areas:-
- (i) The Council's governance arrangements, and how it takes decisions across the range of its responsibilities;
  - (ii) The Council's scrutiny functions relating to its own decision-making and the Council's responsibilities to outside bodies; and
  - (iii) The representational role of TDBC Councillors in the local community, and how they engage with residents, conduct casework and represent the Council on wider partnerships.
- 4.10 At the request of the sub-committee all Group leaders were contacted and requested to submit any proposals or views in regard to the size of the council and a representation was received from the Conservative Group which suggested that consideration be made to aiming for a figure in the early 40s which would represent a reduction from the current figure of 56.
- 4.11 This representation was subsequently discussed at the meeting of the sub-committee held on 4 February 2016 when there was a general consensus that the suggestion was

probably in the right area and that there was merit in exploring an option in this quantum. The representation was then circulated to all political groups for comment and officers have continued to work on documenting current and proposed governance arrangements and fine tuning the electorate forecasts. This work has resulted in the draft submission attached for consideration at Appendix One.

## **5 Links to Corporate Aims / Priorities**

- 5.1 Aim 4 of the Corporate Strategy relates to Transforming the Council and Objective 10 of that Aim makes reference to transforming the way the council works. The democratic process is key to how any council functions effectively and by actively participating in the ER, the Council will help future proof the authority in terms of seeking to identify the optimum number of councillors and most equitable warding pattern, having regard to advances in technology and changes in legislation. This particular report aims to recommend a council size that allows the council to take decisions effectively, manage the business and responsibilities of the authority successfully and provide effective community leadership and representation.
- 5.2 An ER is a statutory process in which the Council is required to participate, at least by the provision of information requested by the LGBCE.

## **6 Finance / Resource Implications**

- 6.1 There are no direct financial implications arising from this report other than officer and member time taken to work on and support the review.

## **7 Legal Implications**

- 7.1 An ER is undertaken by the LGBCE in accordance with Section 56 of the Local Democracy, Economic Development and Construction Act, 2009 and under sub section 56(9), the Council is required to provide such information as is requested by the LGBCE in support of the ER.

## **8 Environmental Impact Implications**

- 8.1 None in respect of this report.

## **9 Safeguarding and/or Community Safety Implications**

- 9.1 None in respect of this report.

## **10 Equality and Diversity Implications**

- 10.1 *The three aims the authority must have due regard for are:-*
- *Eliminate discrimination, harassment, victimisation;*
  - *Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
  - *Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
- 10.2 Whilst the report is not directly addressing eliminating discrimination relating to the

protected characteristics, the aim of improving electoral equality is laudable in terms of perceived fairness from a public perspective.

**11 Social Value Implications**

11.1 None in respect of this report

**12 Partnership Implications**

12.1 None in respect of this report.

**13 Health and Wellbeing Implications**

13.1 None in respect of this report.

**14 Asset Management Implications**

14.1 None in respect of this report.

**15 Consultation Implications**

15.1 The LGBCE undertook briefings for Members and Officers of TDBC and for Parish Councils on 29 February 2016 and the ER process allows for full public consultation on size and warding recommendations as explained in section 4 of the report.

**Democratic Path:**

- **Corporate Governance – Yes**
- **Executive – No**
- **Full Council – Yes**

**Reporting Frequency:**    **Once only**    **Ad-hoc**    **Quarterly**  
 **Twice-yearly**    **Annually**

**List of Appendices (delete if not applicable)**

Appendix A	Draft Submission on Council Size
Appendix B	
Appendix C	

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# APPENDIX 1

## ELECTORAL REVIEW

### DRAFT COUNCIL SIZE SUBMISSION

#### TAUNTON DEANE BOROUGH COUNCIL

April 2016

##### Introduction

On 9 July, 2013, the LGBCE agreed that there should be an electoral review of TDBC. The review was triggered as 42% of wards had 10% more or fewer electors in them than the average (in the region of 1400 per councillor) for the authority (the trigger figure is 30% of all wards).

The first stage of the review is for the LGBCE to make a proposal regarding the future size of the Council i.e. the number of Councillors to comprise the future of the Council. This matter was the subject of debate at the Council on 12 April, 2016 where the following was resolved:-

‘To put forward to the LGBCE that 43 was the preferred number of Councillors to constitute the Council following the implementation of the electoral review’.

##### Background to the Process

The LGBCE’s technical guidance document sets out the following key criteria for determining the size of the Council:-

- (i) The Governance arrangements for the Council and how it takes decisions across the broad range of its responsibilities;
- (ii) The scrutiny functions relating to its own decision making, and the Council’s responsibilities to outside bodies; and
- (iii) The representational role of Councillors in the local community and how they engage with people, conduct casework and represent the Council on local partner options.

In considering the issues around Council size, the authority did not want to lose sight of the statutory criteria of delivering electoral equality for local voters whilst balancing the interests and identities of local communities and delivering effective and convenient local government.

The LGBCE aims to recommend a Council size that allows the Council to take decisions effectively, manage the business and responsibilities of the Council successfully and provide effective community leadership and representation.

A summary ‘at a glance’ document – see Appendix 1 – provides a high level local context for the Taunton Deane area including the main challenges and opportunities

relating to the Borough.

TDBC currently has 56 Councillors; this was last reviewed in 2006 when the number was increased to 56 from 54. In terms of comparing this figure, using the Nearest Neighbour model prepared by the Chartered Institute of Public Finance and Accountancy, TDBC has the equal second largest number of Councillors with only South Somerset (with 60) having more and Wyre Forest the smallest number with 33 – see Appendix 2.

As at April 2016, TDBC had an overall electorate of 81,154 with an average electorate per councillor of 1,449, with a large proportion of the wards exhibiting variances from the average by more than plus or minus 10%. In addition, a comparison with the three hundred plus local authorities in England shows that the electorate per Councillor figure to be in the lowest 10% across the country.

The LGBCE are also required to take into account any changes in the number and distribution of electors that is likely to take place within five years following the end of the review. So in this case, with the review due to be completed during 2017, the LGBCE have asked for electorate forecasts for the period until 2022. This is not a straightforward process as in addition to taking into account birth and mortality trends, proposed new housing developments need to be estimated, including type and size of dwellings and inward and out ward migration. The output from this work is set out in Appendix 3 from which it can be seen that it is estimated that as at mid 2022, the total number of electorate is estimated to be in the region of 85,565.

#### (i) Governance and Decision Making

The Council currently operates Executive decision making arrangements with 8 portfolios. The controlling group is the Conservatives with 36 Members, with 13 Liberal Democrat Members, 3 Independent Members, 2 Labour Members and 1 UKIP Member and one seat currently vacant with a by-election scheduled for 14 April, 2016.

A Borough Charter was granted on the 10 March, 1975 and every year the Councillors elect one of their number to be Mayor of Taunton Deane. The two main roles for this job is to Chair the Full Council meetings and be the First Citizen of Taunton Deane.

A summary of the decision making structure is provided in the attached diagram – see Appendix 4 – which sets out the numbers of members on each committee.

In addition to the formal decision making structure there are also a series of sub-groups as follows:-

Local Development Steering Group (5 Members)

Growth Steering Group (8 members)

Taunton Economic Advisory Board (2 members)

River Tone Task and Finish Group (5 members)

Parishing the Unparished Area of Taunton Task and Finish Group (5 members)

Taunton Unparished Area Advisory Group (7 members)

The Deane House Re-location Project Steering Group (8 members)

Deane DLO Re-location Steering Group (4 members)

Joint Partnership Advisory Group (4 members)

South West One Working Group (4 members)

These groups tend to meet 3 or 4 times each year and some will disband if they are linked to a particular project with new ones getting established. The current number of groups is fairly typical and attendance rates tend to be fairly high as Members often volunteer to serve on the groups and are therefore very committed to the subject matter.

All Member Briefings on topics of interest are also held; usually around 4 to 6 in a year and although attendance can vary, they are a valued way of keeping Members informed and engaged on topical issues.

Appendix 5 lists all the Councillors (one current vacancy) by political party, sets out the portfolios, the Mayor and Deputy Mayor and lists which Councillors sit on which committees.

Appendix 6 lists the attendance records of all Councillors over the period since the May 2015 local elections. This demonstrates that, broadly speaking, the percentage attendance records for members is very high with the majority of Councillors attending at least 75% of meetings of Council/Committees on which they hold a seat. It also shows that 5 of the Members do not sit on any Committees other than Full Council (noting that one of these is the serving Mayor).

Appendix 7 provides details of the various roles of Councillors as referenced in the Constitution.

Appendix 8 sets out a list of Outside Bodies upon which the Council provides a representative(s) and the names of those representatives.

Appendix 9 sets out the meetings timetable for TDBC in respect of the 2016 calendar year.

There are extensive delegation provisions in the Constitution for Executive Councillors and Officers with the over-arching principles set out in Appendix 10.

The use of Executive Councillor Decisions has become an important part of the decision making process; since the May 2015 elections, there have been 40

Executive Councillor Decisions made; over the same period there have been 32 substantive items considered at the monthly Executive meetings. In the 12 month calendar year of 2015, there were 66 individual Executive Councillor Decisions taken and 38 substantive items determined at meetings of the Executive over the same period.

One of the key operational principles that underpins the current governance arrangements at TDBC is an 'evening culture' of holding the majority of the key decision making meetings after the close of the 'normal working day'.

This is seen as extremely important to encourage persons of working age to both stand for the Council and successfully operate as Councillors if elected; it is anticipated that this culture will continue going forward post 2019 when any new electoral arrangements would be introduced.

#### (ii) Scrutiny functions

TDBC has an extensively used scrutiny function with three elements – Corporate Scrutiny, Community Scrutiny and Co-ordinating Scrutiny – Appendix 11 sets out the respective terms of reference for these three elements.

The majority of key decisions that are to go to the Executive and/or Full Council get previewed by the appropriate scrutiny committee; in addition, quarterly performance reports are considered in respect of the Council's services and reviews are carried out on ongoing/completed key corporate projects.

In addition, both Committees consider relevant 'call ins' of Executive decisions as and when they occur.

Both Scrutiny Committees meet monthly and have busy workloads; their workloads are managed by the Co-ordinating Scrutiny Committee which meets quarterly to manage the forward plan of the two main Committees.

There is provision for the establishment of Task and Finish Groups to be set up to consider specific issues/topics and report back to the main Committees although with such busy and regular main Committees, this mechanism is not currently frequently used.

#### (iii) Representational Role of Councillors

The key roles for TDBC Councillors are listed in Section 2.3(a) of the Constitution – see Appendix 7.

These include being policy makers, contributing to good governance and representing the interests of their ward/individual constituents. Members receive extensive induction and ongoing training to support these roles - Appendix 12 sets out the Induction Training Programme following the May 2015 elections.

There is no specific guidance for how Councillors should undertake their

representational role as 'one size fits all' would not be appropriate as TDBC consists of a wide variance in the nature of its electoral wards. These can vary from extremely urban densely populated wards to large sparsely populated rural wards. Councillors covering the rural areas often attend the relevant parish/town council meetings as one means of communicating with their communities whereas this option is not available in the unparished area of urban Taunton. To balance this, in the absence of a town council for Taunton, those TDBC Councillors which represent this part of the Deane will probably devote some of their time to administering and distributing the Unparished Area Fund. Some Councillors do already use different aspects of the social media to communicate with constituents alongside more traditional methods such as visiting people in their own homes, holding surgeries, writing an article in a local magazine etc.

As Appendix 8 demonstrates, the Council appoint representatives onto in the region of 30 outside bodies with about a third being Executive Councillors and two thirds non-Executive Councillors.

Including the Leader, there are 8 portfolio holders who will need to spend extra time fulfilling their roles as will the various Chairs of Committees. The role of the Mayor is fairly time intensive with, in the busier times, more than one engagement per day to attend.

Taking the above factors into account, it would follow that, depending on their roles, individual members would be required to spend different amounts of time to meet their obligations as a Councillor at TDBC.

As part of the work led by the Independent Remuneration Panel, a survey was sent to all TDBC Members in December 2015 asking them to indicate, on average, over the course of a week, how many hours (including meetings, travel, dealing with constituent problems etc) do they spend on borough council duties. 15 responses were received ranging from 4 hours to 45 hours with the median point being 20 hours per week.

Given the relatively small number of responses, these figures cannot be considered statistically significant or be relied upon to be representative of the whole current cohort of councillors. For example, given the survey was anonymous, there is no way of knowing whether those that responded were portfolio holders or backbenchers etc. Never-the-less, given that the information is based on real recent responses, a figure of up to 20 hours may represent a reasonable approximation of the scale of commitment needed to properly carry out the role of a Councillor of a principal local authority such as TDBC.

#### (iv) The Future and proposal for Council size

As part of preparing for the Electoral Review, all TDBC political groups were requested to submit any views they might have in respect of the size of the Council. A submission was subsequently received on behalf of the Conservative Group – attached as Appendix 13. Their view was the Council's size should be in the region

of the low 40s due to TDBC currently having one of the lowest electors to Councillor ratio in its nearest neighbours group (see Appendix 2) and that with some Councillors already not sitting on any Committees, this implies that there were currently too many Councillors and they were of the view that existing Committee sizes could be reduced and still operate effectively.

There is clearly a trend nationally for councils to be reducing in size with the majority having electorate per Councillor ratios above 2000.

Never-the-less, it is important to test that such a smaller size model would be fit for purpose for TDBC.

In terms of decision making, there are extensive delegated powers available to Members and officers to enable more decisions to be taken swiftly and transparently without needing to wait for the holding of formal meetings - see Appendix 10. This is particularly well demonstrated by the effective use of individual Executive decision making by individual portfolio holders - Appendix 14 shows that recent trends are for there to be more Executive decisions taken by individual portfolio holders than at full Executive meetings. No transparency is lost as all such individual decisions are publicised to all Members and can be called in the same way as if they had been considered and made at a full Executive meeting.

In terms of the non-Executive Committee process, there are currently 80 seats to be covered by 48 non-Executive members which works out at 1.6 seats per Councillor. If, for example, it was agreed that size of the Council in future was set at 43 and there was still an Executive consisting of eight Members, this would leave 35 non-Executive Members. If the number of seats on non-Executive Committees were reduced as shown below, resulting in a total of 56 seats to be filled, then that would still work out at a ratio of 1.6 seats per Councillor. This demonstrates that the existing governance arrangements could be accommodated/maintained without creating any significant burden on a reduced membership.

	Current non-executive members (48 out of 56)	Proposed non-executive members(35 out of 43)
Community Scrutiny	15	10
Corporate Scrutiny	15	10
Corporate Governance	15	10
Licensing Committee	15	10
Planning Committee	15	12
Standards Advisory	5	4
Total committee places	80	56

Ratio of members to committee places(excluding executive)	1.6	1.6
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By not having to change the overall governance structure as indicated above, the Council could still retain two Scrutiny Committees and be confident that the scrutiny function should not suffer in comparison with current arrangements. In terms of relative profile, there are currently 30 scrutiny seats for 48 non-Executive Members representing a ratio of seats available for 0.6 of non-Executive Councillors whereas in the 43 Councillor model, there are 20 seats available for 35 non-Executive Members, giving a similar ratio of seats available for 0.6 of non-Executive Councillors; therefore retaining the relative profile/balance of the scrutiny function within the Council.

In terms of the Executive, the above table shows no reduction in the number of portfolios which, coupled with the increasing use of individual executive decision making powers should ensure that this aspect of the Council's governance should be sustainable with a smaller number of overall Councillors.

A smaller number of Councillors would obviously result in a higher electorate to Councillor ratio and some wards covering a larger geographical area than at present. For example, if there were 43 Councillors with a total electorate of 85,565, then the ratio would increase from the current 1,449 to 1,990. Never-the-less, a figure of around about 2000 would not look unrealistic when comparing with trends nationally.

It should be stressed that the suggested numbers shown in the right hand column is but one possible variant that could be adopted should the size of the Council be set at a lower figure of 43. There could be other options/elements to be adopted/accommodated depending on precisely what is needed/considered to work best. For example:-

- i) recent indications are that the Licensing Committee does not need to meet very regularly (already it is only quarterly at most) and so the number on this Committee could be reduced from the 10 shown in the table;
- ii) the provision of scrutiny could be reviewed and modified by having one main Committee instead of two whilst making more use of Task and Finish groups; and
- iii) if the size was reduced to 43 then the retention of an Executive of eight could be considered top-heavy and so a reduced Executive consisting of say six portfolios may be sufficient to cover what business is needed.

It is not considered necessary or appropriate to be prescriptive of such detail at this stage but rather to recognise that there are other detailed options that would fit the proposed model of a more stream-lined, smaller Council for the future to reflect the

priorities and demands of the time.

The Council is involved in a wide range of partnerships as illustrated by the list of representations on outside bodies; never-the-less, as long as this list did not dramatically increase above the current 30 or so, it would not be unreasonable to expect a Council with size of say 43 Members to be able to cope with this. There should also still be sufficient members to attend the various standing and ad hoc Working and Task and Finish groups that will be needed.

Representing a larger number of electors and, in some cases, covering a larger geographic area could present some challenges; however, the role of technology is having an increasing influence on all walks of life, including the working of local authorities and how they interact with their communities. An obvious example is that the use of e-mail reduces the need for face to face contact with residents and improvements to the Council's offer, particularly its web-site to help customers 'self-service', will undoubtedly reduce some of the workload for elected Members. There are therefore more efficient and less time-consuming ways in which Councillors can manage their contacts with local residents.

Earlier in the submission, there was reference to an average of 20 hours per week needed for TDBC Councillors to undertake their Borough duties and whilst under a model of 43 Councillors this is unlikely to decrease, the analysis above illustrates that such a smaller size model should not necessarily result in individual Councillors having to attend more meetings and the smart use (and availability of good quality) technology should enable members to meet the needs of their larger constituencies (in terms of both numbers and area) without having to significantly devote more hours into the role.

By having a smaller Council with the suggested size of 43, this would be more typical of what is happening within TDBC's nearest neighbour group of Councils and reflect the general trend for Councils to become more streamlined. Although it should be not be a driving factor, obviously, a smaller number Councillors will reduce the cost of democracy in times when limited resources should always be focussed on direct service delivery. The current basic allowance paid per councillor at TDBC is £4,344 per annum and so reduce the number by 13 (from 56 to 43) would represent a minimum ongoing saving of £56,472 per annum with effect from May 2019.

### Other Options

In reaching a view to put forward a Council size of 43, consideration has been given to other options both larger and smaller.

In terms of recommending a size that was in the region of the current number of 56, the analysis has clearly demonstrated that from a governance point of view, there appear to be very credible options to show that good governance can continue to be delivered with a smaller number of Councillors. The main argument for keeping a higher number of Councillors relates to being assured that there will be sufficient member representation of local communities and vulnerable individuals. The

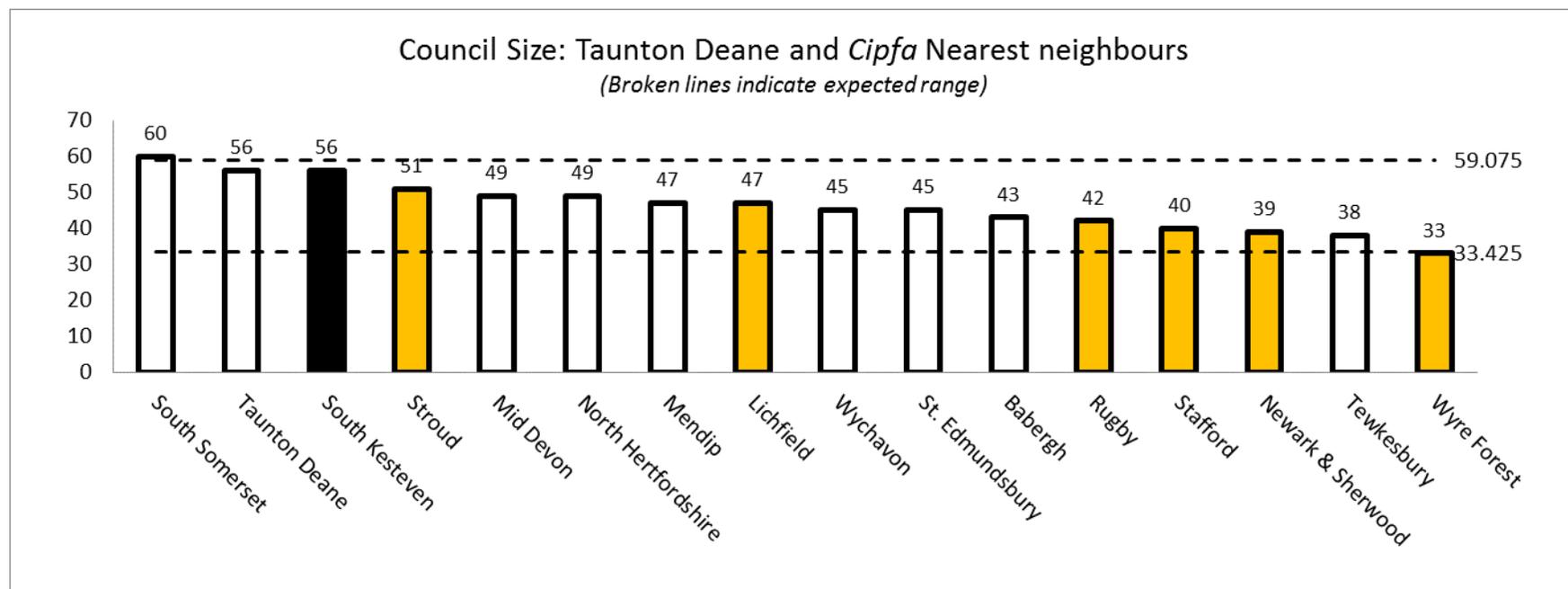
arithmetic shows that a size of 43 will increase the electors to Councillor ratio from 1,449 to 1,990.

This does appear to be a significant increase; nevertheless, as indicated above, the changes in modes of communication and advances in technology should increase the efficiency of dealing with constituents and indeed, eradicate many of the current reasons why constituents feel they have to contact their Councillor (as they can access council services and information themselves virtually). So base on the 80/20 rule, then the 80% of contacts should be either greatly reduced or very easy and not time-consuming to deal with. It is therefore considered that a figure around 43 should be large enough to meet the needs of local communities/individuals.

Turning to the possibility of recommending that the size of the Council be reduced below 43, the main argument in favour of this would be to establish a more streamlined and business like Council and reduce further the cost of democracy. It is, however, considered that the right balance needs to be identified. In addition to a smaller number of Councillors resulting in having a larger number of electors to be responsible for, those electors would be spread over larger geographical areas and possibly in some instances less cohesive local communities. Furthermore, the flip side to the 80/20 rule is that there will always be a proportion of people who will be genuinely vulnerable and need significant support to properly and safely access Council services and Members will continue to have a key role to ensure this happens. It is therefore considered that to go below the size of 43 would be to raise the risk of not being able to properly serve the needs of the people of the area to an unacceptable level.

### Conclusion

In conclusion, taking all the above factors into account, the Council would commend that the LGBCE consider recommending a size of 43, as the analysis demonstrates that this will still allow the Council to take decisions effectively, manage the business and responsibilities of the Council successfully, and provide effective community leadership and representation.



Authorities shaded in Gold have been reviewed by the Commission since 2010. The council size numbers shown for each are those determined by those respective reviews.

**Potential number of electors per ward in  
Mid-2022**

**Appendix 3**

Number of councillors **Apr-16**  
56

Overall electorate 81,168  
Average electorate per  
cllr 1,449

**Important note:**

The table below does not take in to account type of housing, size of dwellings. The data has not been calibrated with ONS population projections. The housing trajectory (the source of projected additional dwellings) is currently being updated.

Name of ward	Number of cllrs per ward	No of electors <sup>1</sup>	% variance <sup>2</sup>	Projected additional dwellings <sup>3</sup>	Adjustment for moves within TDBC <sup>4</sup>	Potential additional voters <sup>5</sup>	Potential Ward Total 2022 <sup>6</sup>	% variance <sup>1</sup>
Bishops Hull	2	3,277	13%	70	28	48	3,325	15%
Bishops Lydeard	3	4,628	6%	299	120	198	4,826	11%
Blackbrook and Holway	3	4,364	0%	47	19	27	4,391	1%
Blackdown	1	1,797	24%	20	8	14	1,811	25%
Bradford on Tone	1	1,842	27%			0	1,842	27%
Comeytrove	3	4,290	-1%			0	4,290	-1%
Eastgate	2	2,745	-5%	152	61	67	2,812	-3%
Fairwater	3	4,175	-4%	210	84	111	4,286	-1%
Halcon	3	3,942	-9%	87	35	46	3,988	-8%
Killams and Mountfield	2	2,948	2%	210	84	146	3,094	7%
Lyngford	3	3,910	-10%	436	174	222	4,132	-5%
Manor and Wilton	3	4,072	-6%				4,072	-6%
Milverton and North Deane	1	1,657	14%	20	8	13	1,670	15%
Monument	1	1,737	20%				1,737	20%
Neroche	1	1,803	24%				1,803	24%

North Curry and Stoke St Gregory	2	2,458	-15%	75	30	50	2,508	-13%
Norton Fitzwarren	2	2,175	-25%	402	161	215	2,390	-18%
Pyrland and Rowbarton	3	4,316	-1%				4,316	-1%
Ruishton and Creech	2	3,251	12%	122	49	80	3,331	15%
Staplegrove	2	3,050	5%	913	365	592	3,642	26%
Trull	1	1,549	7%	815	326	524	2,073	43%
Wellington East	2	3,053	5%	571	228	289	3,342	15%
Wellington North	2	2,817	-3%	419	168	247	3,064	6%
Wellington Rockwell Green and West	3	4,595	6%	52	21	31	4,626	6%
West Monkton	3	3,743	-14%	2,090	836	1,207	4,950	14%
Wiveliscombe and West Deane	2	2,968	2%	163	65	103	3,071	6%
<b>TOTAL</b>	<b>56</b>	<b>81,162</b>		<b>7,173</b>	<b>2,869</b>	<b>4,231</b>	<b>85,393</b>	

No of electors<sup>1</sup>  
% variance<sup>2</sup>

Source: TDBC electoral register 01 April 2016  
Formula taken from Electorate proforma supplied by  
LGBCE

Projected additional  
dwellings<sup>2</sup>

Source: TDBC Housing Trajectory January 2016, however it is currently being updated

Adjustments for moves  
within TDBC<sup>4</sup>

40% of projected additional dwellings. Source: TDBC SHMA 2009 calculates that 60.2% of household moves are within the Borough. 2011 Census analysis gives a national figure of 59%. Further analysis required to determine a TDBC figure from the 2011 Census data.

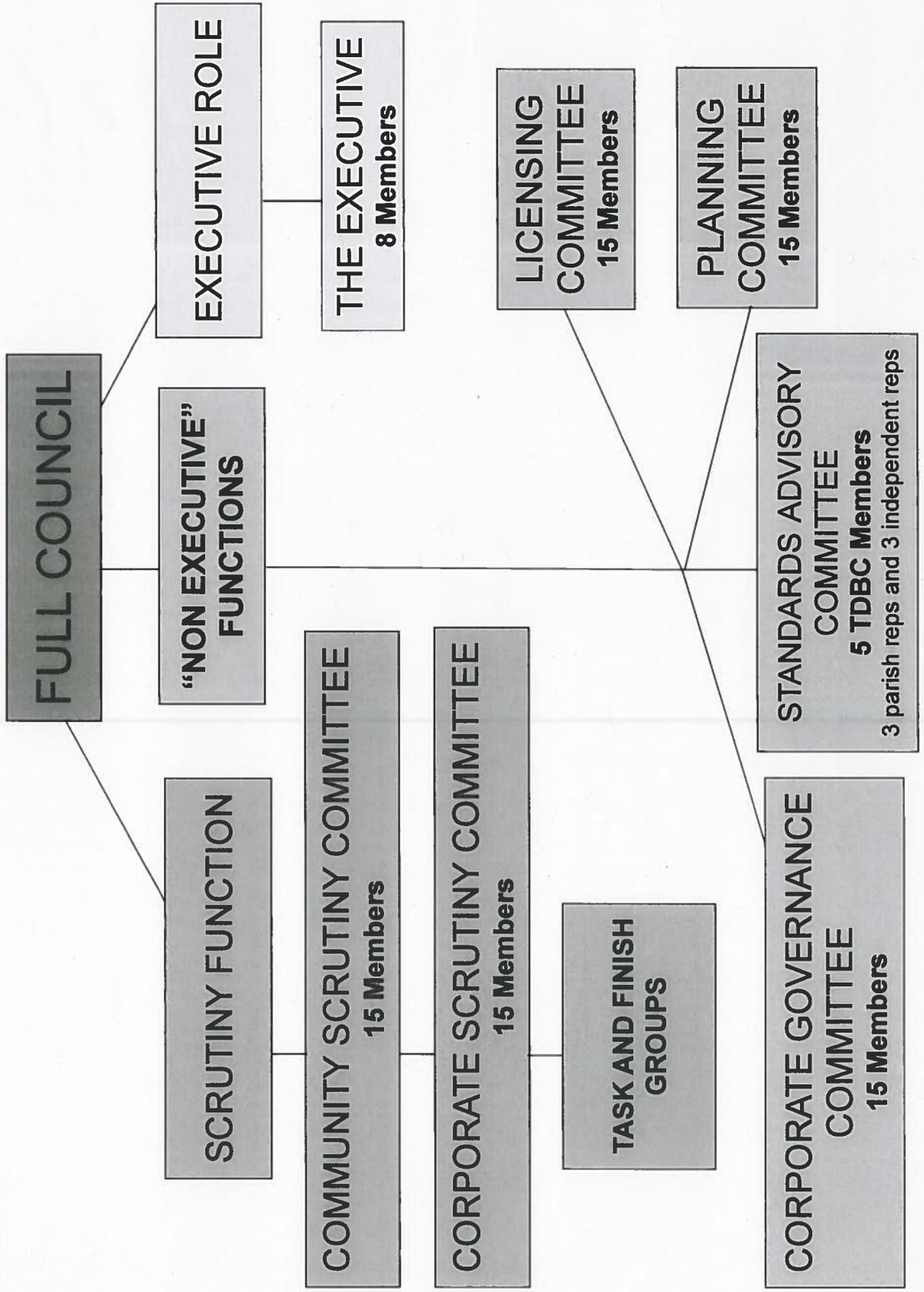
Potential additional voters<sup>5</sup>

Calculated by multiplying the additional number of dwellings by the average number of electors per property for that ward, as at April 2016. See Tab: Dec 2015 Ward Property\_Electors for breakdown figures.

Potential Ward Total mid-  
2022<sup>6</sup>

Number of electors as at April 2016 plus potential additional voters.

# TDBC COMMITTEE STRUCTURE



## Taunton Deane Borough Council – 56 Members

Member	Group	Position
Cllr M Hill	Liberal Democrat	Chairman and Mayor of Taunton Deane
Cllr V Stock-Williams	Conservative	Deputy Mayor
Cllr J Adkins	Conservative	
Cllr M Adkins	Conservative	
Cllr T Aldridge	UKIP	
Cllr T Beale	Conservative	
Cllr P Berry	Conservative	
Cllr J Blatchford	Conservative	
Cllr R Bowrah, BEM	Conservative	
Cllr W Brown	Conservative	
Cllr N Cavill	Conservative	
Cllr S Coles	Liberal Democrat	
Cllr W Coombes	Conservative	
Cllr D Cossey	Conservative	
Cllr T Davies	Conservative	
Cllr D Durdan	Conservative	
Cllr K Durdan	Conservative	
Cllr C Edwards	Conservative	
Cllr M Edwards	Conservative	
Cllr H Farbahi	Liberal Democrat	
Cllr M Floyd	Liberal Democrat	
Cllr J Gage	Conservative	
Cllr E Gaines	Independent	
Cllr A Govier	Labour	
Cllr A Gunner	Conservative	
Cllr R Habgood	Conservative	
Cllr T Hall	Conservative	
Cllr C Herbert	Conservative	
Cllr C Hill	Conservative	
Cllr J Horsley	Liberal Democrat	
Cllr J Hunt	Conservative	
Cllr G James	Conservative	
Cllr R Lees	Liberal Democrat	
Cllr S Lees	Liberal Democrat	

Cllr L Lisgo, MBE	Labour
Cllr S Martin-Scott	Conservative
Cllr I Morrell	Independent
Cllr S Nicholls	Liberal Democrat
Cllr R Parrish	Conservative
Cllr H Prior-Sankey	Liberal Democrat
Cllr J Reed	Conservative
Cllr S Ross	Independent
Cllr R Ryan	Conservative
Cllr F Smith	Liberal Democrat
Cllr Miss F Smith	Liberal Democrat
Cllr P Stone	Liberal Democrat
Cllr A Sully	Conservative
Cllr N Townsend	Conservative
Cllr C Tucker	Conservative
Cllr J Warmington	Conservative
Cllr P Watson	Conservative
Cllr D Webber	Conservative
Cllr D Wedderkopp	Liberal Democrat
Cllr J Williams - Leader of the Council	Conservative
Cllr G Wren	Conservative

## Appointments

### Executive Members:

Cllr T Beale – Housing Services

Cllr P Berry – Environmental Services & Climate Change

Cllr M Edwards – Business Development & Asset Management & Communications  
(Deputy Leader)

Cllr R Habgood – Planning Policy & Transportation

Cllr C Herbert – Sports, Parks and Leisure

Cllr R Parrish – Corporate Resources

Cllr J Warmington – Community Leadership

Cllr J Williams – Leader of the Council

**Standards Advisory Committee**

Cllr Mrs J Adkins

Cllr T Davies

Cllr E Gaines

Cllr Miss F smith

Cllr G Wren

**Tenant Services Management Board**

Cllr R Bowrah

Cllr S Coles

**Community Scrutiny Committee Members**

Cllr S Coles – Chairman

Cllr Ms L Lisgo, MBE – Vice-Chairman

Cllr Mrs J Adkins

Cllr Mrs J Blatchford

Cllr D Cossey

Cllr T Davies

Cllr Mrs C Edwards

Cllr Mrs M Floyd

Cllr S Martin-Scott

Cllr H Prior-Sankey

Cllr R Ryan

Cllr N Townsend

Cllr P Watson

Cllr Ms D Webber

**Constitutional Sub-Committee Members**

Cllr W Brown

Cllr J Horsley

Cllr S Ross

Cllr Mrs V Stock-Williams

**Co-ordinating Scrutiny Committee Members**

Cllr S Coles

Cllr Ms L Lisgo, MBE

Cllr Miss F Smith

Cllr Mrs F Smith

**Corporate Governance Committee Members**

Cllr Mrs V Stock-Williams – Chair

Cllr Mrs J Blatchford – Vice-Chair

Cllr N Cavill

Cllr S Coles

Cllr D Cossey

Cllr A Govier

Cllr T Hall

Cllr J Hunt

Cllr R Lees

Cllr R Ryan

Cllr Miss F Smith

Cllr A Sully

Cllr Mrs C Tucker

Cllr Ms D Webber

Cllr D Wedderkopp

**Corporate Scrutiny Committee Members**

Cllr Miss F Smith – Chair

Cllr Mrs F Smith – Vice-Chair

Cllr M Adkins

Cllr N Cavill

Cllr W Coombes

Cllr E Gaines

Cllr Mrs A Gunner

Cllr T Hall

Cllr J Horsley

Cllr G James

Cllr R Lees

Cllr Mrs J Reed

Cllr Mrs V Stock-Williams

Cllr Mrs C Tucker

Cllr G Wren

**Licensing Committee Members**

Cllr Miss K Durdan – Chair

Cllr G James – Vice-Chairman

Cllr Mrs J Adkins

Cllr W Brown

Cllr T Davies

Cllr Mrs C Edwards

Cllr Mrs M Floyd

Cllr J Gage

Cllr Mrs A Gunner

Cllr J Hunt

Cllr Mrs S Lees

Cllr S Nicholls

Cllr S Ross

Cllr Miss F Smith

Cllr A Sully

**Planning Committee Members**

Cllr R Bowrah, BEM – Chairman

Cllr S Coles – Vice-Chairman

Cllr M Adkins

Cllr W Brown

Cllr Mrs M Floyd

Cllr J Gage

Cllr C Hill

Cllr S Martin-Scott

Cllr I Morrell

Cllr S Nicholls

Cllr Mrs J Reed

Cllr N Townsend

Cllr P Watson

Cllr D Wedderkopp

Cllr G Wren

Members Attendance Summary

Appendix 6

Party	Committee	Actual	Possible	%	Subs	Full Council - 5 actual attendance
C	Community Scrutiny					
	Licensing					
	Standards	4	8	63	1	4
C	Corporate Scrutiny					
	Planning	18	19	100	1	5
UKIP						5
C	Executive	5	7	71		4
C	Executive	7	7	100		5
C	Community Scrutiny					
	Corporate Governance	4	7	57		3
C	Planning	10	12	83		4
C	Licensing					
	Planning	14	14	100		5
C	Corporate Governance					
	Corporate Scrutiny	7	9	78		3
Lib. Dem.	Community Scrutiny					
	Corporate Governance					
	Planning	19	19	100		5
C	Corporate Scrutiny	5	7	100	2	5
C	Corporate Governance					
	Community Scrutiny	2	7	28		2
C	Community Scrutiny					
	Licensing					
	Standards	10	10	100		3
C						4
C	Licensing	1	1	100		3
C	Community Scrutiny					
	Licensing	4	6	83	1	5

C	Executive	4	7	57		5
C						4
Lib. Dem.	Community Scrutiny					
	Licensing					
	Planning	15	19	100	4	2
C	Licensing					
	Planning	9	14	76	2	5
Ind.	Corporate Scrutiny					
	Standards	7	7	100		5
Lab.	Corporate Scrutiny					5
C	Corporate Scrutiny					
	Standards	5	8	63		4
C	Executive	7	7	100		5
C	Corporate Governance					
	Corporate Scrutiny	7	9	89	1	5
C	Executive	4	7	57		3
C	Planning	9	12	100	3	4
Lib. Dem.						5
Lib. Dem.	Corporate Scrutiny	6	7	100	1	4
C	Corporate Governance					
	Licensing	3	4	75		5
C	Corporate Scrutiny					
	Licensing	8	9	89		5
Lib. Dem.	Corporate Governance					
	Corporate Scrutiny	5	9	100	4	5
Lib. Dem.	Licensing		2	50	1	4
Lab.	Community Scrutiny	3	5	60		4
C	Community Scrutiny					
	Planning	13	17	100	4	4
Ind.	Planning	12	12	100		5
	Licensing					
Lib. Dem.	Planning	10	12	100	2	5

C	Executive	6	7	85		5
Lib. Dem.	Community Scrutiny	5	5	100		4
C	Corporate Scrutiny					
	Planning	13	19	84	3	4
Ind.	Licensing		1	100	1	2
C	Communtiy Scrutiny					
	Corporate Governance	5	7	100	2	5
Lib. Dem.	Corporate Governance					
	Corporate Scrutiny					
	Licensing					
	Standards	11	12	92		5
Lib. Dem.	Corporate Scrutiny	5	7	100	2	5
C	Corporate Governance					
	Corporate Scrutiny	6	7	100	1	4
Lib. Dem.						5
C	Corporate Governance					
	Licensing	3	4	75		5
C	Community Scrutiny					
	Planning	17	17	100		5
C	Corporate Governance					
	Corporate Scrutiny	8	9	89		3
C	Executive	7	7	100		5
C	Community Scrutiny					
	Planning	15	17	100	2	5
C	Community Scrutiny					
	Corporate Governance	7	7	100		2
C	Corporate Governance					
	Planning	10	14	79	1	3
C	Executive	7	7	100		5
C	Corporate Scrutiny					
	Planning					
	Standards	14	20	80	2	4

		Actual	Possible	Subs
Overall		423	523	41
	C	230	294	28
	L	3	5	
	Lib.Dem	76	92	14
	Ind	19	20	1



## Article 5 Chairing the Council

### 5.1 The Mayor

The councillor elected to fulfil the role of chairing meetings of the Borough Council shall have the title of "Mayor". The Mayor is elected by the Council annually.

### 5.2 Role and Function

The Mayor (and in his or her absence- the Deputy Mayor) shall have the following roles and functions:-

- (a) to be the first citizen of the Borough and to represent and symbolise the Council on all formal and ceremonial occasions;
- (b) to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
- (c) to preside over meetings of the Council so that its business can be carried out efficiently and having full regard to the rights of councillors and the interests of the community;
- (d) to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and where (in addition to the Overview and Scrutiny Committees) members- who are not on the Executive - are able to hold the Executive to account;
- (e) to promote public involvement in the Council's activities;
- (f) to attend such civic and ceremonial functions as the Council and he/she determines appropriate; and
- (g) to use the powers created elsewhere in this Constitution for the resolution of disputes and, in exceptional cases, where approval of urgent action is needed.

## Article 6 The Executive

### 6.1 Role

The Executive will carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution.

### 6.2 Form and composition

The Executive will consist of the Leader, Deputy Leader and six councillors ("Executive Councillors") appointed to the Executive by the Leader with the agreement of the controlling Party Group or Groups.

### 6.3 Leader

The Leader will be a councillor elected to that position by the Full Council. Subject to the exceptions in Article 6.5 below, the Leader will hold office for the duration of his/her four year term which will be extended until the Annual Meeting after the election where his/her successor will be appointed.

### 6.4 Deputy Leader

The Leader must appoint a Deputy Leader from one of his members of the Executive. The Deputy Leader, unless he resigns as Deputy Leader or ceases to be a member of the authority, is to hold office until the end of the term of office of the Executive Leader. The Leader may, if he/she thinks fit, remove the Deputy Leader from office.

Where a vacancy occurs in the office of Deputy Leader, the Leader must appoint another executive member in his place.

If for any reason the Leader is unable to act or the office of Leader is vacant, the Deputy Leader must act in his/her place.

If for any reason:

- (a) the Leader is unable to act or the office of Leader is vacant, and
- (b) the Deputy Leader is unable to act or the office of Deputy Leader is vacant, the Executive must act in the Leader's place or must arrange for a member of the Executive to act in his place.

### 6.5 Term of Office- Exceptions

Events which will result in the Leader's term of office ending prematurely are:-

- (a) he or she resigns from the office; or

- (b) he or she is suspended from being a councillor (under Part III of the Local Government Act 2000); or
- (c) he or she is no longer a councillor; or
- (d) he or she is removed from office by special resolution of the Council (using the procedure set out in Article 6.9.

#### 6.6 **Other Executive members**

Other Executive members shall hold office until:-

- (a) the happening of any of the events set out in Article 6.5; or
- (b) they are removed from office by the Leader who must give written notice of any removal to the Chief Executive and to the Executive Councillor. The removal will take effect two working days after receipt of the notice by the Chief Executive.

#### 6.7 **Proceedings of the Executive**

Proceedings of the Executive shall take place in accordance with the Executive Procedure Rules set out in Part 4 of this Constitution.

#### 6.8 **Responsibility for functions**

##### (a) **The Executive**

It shall be the function of the Executive meeting together to design and allocate Portfolios to each of their number.

##### (b) **The Leader**

It will be the duty of the Leader to:-

- (1) Redefine, clarify and update the list of these Portfolios set out in Part 3 of this Constitution.
- (2) Similarly note the names of those Executive Councillors to whom those portfolios have been allocated by him/her.
- (3) Note those Executive functions which have been similarly allocated to the officers, to any Area Committees or to joint arrangements.

#### 6.9 **"Special Resolution"**

This is the process referred to in 6.5 and 6.6 above whereby - in exceptional circumstances- the Leader or a member of the Executive may be removed by full Council.

## Article 2 Members of The Council

### 2.1 Who are your Councillors?

(a) **Composition.** The Council is made up of 56 members or councillors. One or more of these councillors is elected by the voters of each of our 26 wards. Our current warding map- which dates from May 2007- (see Part 8) was drawn up by the independent Boundary Committee and approved by the Secretary of State. The sizes of electorates in these wards are regularly reviewed by the Boundary Committee to make sure that all voters are fairly represented.

(b) **Eligibility.** Only registered voters of the Borough or those living or working here are legally eligible to hold the office of councillor.

### 2.2 Election and terms of councillors

(a) The regular election of councillors is held every four years- 2007, 2011 etc. Sometimes a seat will become vacant, leading to a by election being held.

(b) Details of the current 56 councillors and the wards they represent are set out in Part 8 of this Constitution .

### 2.3 Roles and functions of all councillors

#### (a) Key roles

All councillors are expected to:-

- (i) collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;
- (ii) contribute to the good governance of the area and actively encourage community participation and the involvement of local people in decision making;
- (iii) effectively represent the interests of their ward and of individual constituents;
- (iv) respond to constituents' enquiries and representations ,fairly and impartially;
- (v) participate in the governance and management of the Council ;
- (vi) maintain the highest standards of conduct and ethics .

(b) **Rights and duties**

- (i) Councillors have legal rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions.
- (ii) Councillors will not make public any information, which is either "confidential" or "exempt", without the consent of the Council, nor will they divulge information given in confidence to anyone - other than to a councillor or officer entitled to know it.
- (iii) For these purposes, "confidential" and "exempt" information have special meanings, which are defined in the Access to Information Rules in Part 4 of this Constitution.

(c) **Conduct**

Councillors must at all times observe the Members' Code of Conduct and the protocol on Member/Officer Relations set out in Part 5 of this Constitution.

(d) **Allowances**

Councillors are entitled to receive allowances in accordance with the Members' Allowances Scheme set out in Part 6 of this Constitution.

List of Outside Bodies

Body	Member Appointed
Blackdown Hills Joint Advisory Committee	Cllr Mrs Charlotte Edwards
Brewhouse Theatre	Cllr Norman Cavill
Cycle Somerset	Cllr Roger Habgood
Friends of Konigslutter	Cllr Dave Durdan
Friends of Vivary Park	Cllr Terry Hall
Hestercombe Gardens Trust	Cllr Mrs Marcia Hill
Hinkley Point Site Stakeholder	Cllr Roger Habgood
Local Government Association General Assembly	Cllr Roger Habgood Cllr Mrs C Herbert
Parrett Catchment Project Management Committee	Cllr Gwil Wren
Parrett Internal Drainage Board	Cllr Dave Durdan Cllr Phillip Stone
Quantock Hills Joint Advisory Committee	Cllr Nick Townsend
Safer Somerset Partnership	Cllr Mrs Jane Warmington
Somerset Armed Forces Community Covenant Champion	Cllr Bob Bowrah
Somerset Biodiversity Steering Group	Cllr Gwil Wren
Somerset Health and Wellbeing Board	Cllr Mrs Vivienne Stock-Williams
Somerset Levels and Moors Leader Executive Group	Cllr Dave Durdan
Somerset Playing Fields Association	Cllr Dave Durdan
Somerset Primary Care Trust	Cllr Richard Parrish

Somerset Public Transport Forum	Cllr Roger Habgood
Somerset Rivers Authority	Cllr John Williams Cllr Norman Cavill
Somerset Waste Board	Cllr Patrick Berry Cllr Steve Ross
Somerset Water Management Board	Cllr Dave Durdan
Somerset Waterways Committee	Cllr Dave Durdan
South West Audit Partnership Board	Cllr Mrs Julia Blatchford Cllr Vivienne Stock-Williams
South West Councils Employers Panel	Cllr Richard Parrish
South West Councils Membership	Cllr John Williams
Taunton Deane Bowling Club	Cllr Terry Hall
Taunton Heritage Trust	Cllr N Cavill Cllr Terry Hall Cllr Ms Libby Lisgo

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
MON								1				
TUES		2 Community Scrutiny 6:15 pm	1 Comm Scrutiny 6:15					2 Corporate Scrutiny AS 5:30 pm			1 Community Scrutiny 6:15 pm	
WED			2 Licensing 6:15 pm				1 Licensing Committee 6:15 pm	3			2 Planning 5:00 pm	
THUR		4 Constitutional Sub-Committee 11:00 am Executive 6:15 pm	3 Taunton Unparished Area Advisory Panel 6:00 pm				2 Corporate Scrutiny 6:15 pm	4 Executive 6:15 pm	1 Constitutional Sub-Committee 11:00 am Co-ordinating Scrutiny 5:30 pm		3	1 Constitutional Sub-Committee 11:00 am Co-ordinating Scrutiny 5:30 pm
FRI	1 Bank Holiday	5	4	1		3	1	5	2		4	2
SAT	2	6	5	2		4	2	6	3	1	5	3
SUN	3	7	6	3	1	5	3	7	4	2	6	4
MON	Executive AS 5:30pm	8	7	4	2 Bank Holiday	6	4	8	5	3	7	5
TUES	5 Community Scrutiny 6:15 pm	9 Corporate Scrutiny Agenda Setting 5:30pm Informal Council 6:30pm	8	5 Community Scrutiny 6:15 pm	3 Co-ordinating Scrutiny 5:30 pm Tenant Services Managem't Board 6 pm	7 Corp Gov AS 11 am Comm Scrutiny 6:15pm	5 Standards Committee 2:30 pm	9	6 Corp Gov AS 11 am Standards 2:30 pm	4 Council 6:30 pm	8 Corporate Scrutiny Agenda Setting 5:30pm	6 Corporate Governance 6:15 pm
WED	6 Planning 5:00 pm	10	9 Executive 6:15 pm	6 Planning 5:00 pm	4	8	6	10 Planning 5:00 pm	7 Taunton Unparished Area Adv Panel 6 pm	5	9 Executive 6:15 pm	7 Planning 5:00 pm
THUR	7 Members' Briefing 6:15 pm	11 Co-ord Scrutiny 5:30pm	10	7 Members' Briefing 6:15 pm	5 PCC ELECTION	9 Executive 6:15 pm	7 Executive 6:15 pm	11 Corporate Scrutiny 6:15 pm	8 Executive 6:15 pm	6 Executive 6:15 pm	10	8 Corporate Scrutiny 6:15 pm
FRI	8	12	11	8	6	10	8	12	9	7	11	9
SAT	9	13	12	9	7	11	9	13	10	8	12	10
SUN	10	14	13	10	8	12	10	14	11	9	13	11
MON	11	15	14	11 Executive AS 5:30 pm	9	13	11 Corporate Scrutiny Agenda Setting 5:30pm	15	12	10	14 Tenant Services Managem't Board 6pm	12
TUES	12 Corporate Scrutiny AS 5:30 pm Members' Briefing 6:15 pm	16	15 Standards Committee 2:30 pm	12 Council 6:30 pm	10 Corporate Governance Agenda Setting 11:00 am	14 Corporate Scrutiny AS 5:30 pm	12 Council 6:30 pm	16	13 Corp Scrutiny AS 5.30	11 Corporate Scrutiny AS 5:30 pm	15 Standards Committee 2:30 pm	13 Council 6:30 pm
WED	13	17	16 Planning 5:00 pm	13	11	15	13 Planning 5:00 pm	17	14	12 Planning 5:00 pm	16 Licensing 6:15 pm	14 Tenant Services Managem't Board 6pm
THUR	14 Corporate Scrutiny 6:15 pm	18 Community Scrutiny Agenda Setting 5:30pm Corp Scrutiny 6:15 pm	17	14 Community Scrutiny Agenda Setting 5:30pm	12 ANNUAL COUNCIL 6.30 pm	16 Community Scrutiny Agenda Setting 5:30pm	14 Community Scrutiny Agenda Setting 5:30pm	18 Community Scrutiny Agenda Setting 5:30pm	15 Community Scrutiny Agenda Setting 5:30pm	13	17 Community Scrutiny Agenda Setting 5:30pm Corporate Scrutiny 6:15	15 Community Scrutiny Agenda Setting 5:30pm
FRI	15	19	18	15	13	17	15	19	16	14	18	16
SAT	16	20	19	16	14	18	16	20	17	15	19	17
SUN	17	21	20	17	15	19	17	21	18	16	20	18
MON	18	22	21 Corporate Governance 6:15 pm	18	16	20 Armed Forces Day	18	22 Tenant Services Managem't Board 6 pm	19 Corporate Governance 6:15 pm	17	21 Corporate Governance AS 11 am Executive AS 5:30 pm	19
TUES	19 Standards Committee 2:30 pm	23 Corporate Governance AS 11 am Council 6:30 pm	22 Corporate Scrutiny Agenda Setting 5:30pm	19 Corporate Scrutiny Agenda Setting 5:30pm	17	21 Corporate Governance 6:15 pm	19	23	20 Tenant Services Managem't Board 6 pm	18	22	20
WED	20	24 Planning 5:00 pm	23	20	18	22 Planning 5:00 pm	20	24 Licensing 6:15 pm	21 Planning 5:00 pm	19	23 Planning 5:00 pm	21
THUR	21 Community Scrutiny Agenda Setting 5:30pm Corp. Scrutiny 6:15 pm	25 Tenant Services Managem't Board 6 pm	24 Comm Scrutiny AS 5.30	21 Executive 6:15 pm	19 Constitutional Sub-Committee 11:00am	23 Corporate Scrutiny 6:15 pm	21 Corporate Scrutiny 6:15 pm	25 Executive Agenda Setting 5:30 pm	22 Corporate Scrutiny 6:15 pm	20 Community Scrutiny Agenda Setting 5:30pm Corp. Scrutiny 6:15 pm	24	22
FRI	22	26	25 Bank Holiday	22	20	24	22	26	23	21	25	23
SAT	23	27	26	23	21	25	23	27	24	22	26	24
SUN	24	28	27	24	22	26	24	28	25	23	27	25
MON	25 Executive AS 5:30 Tenant Services Managem't Board 6 pm	29 Executive AS 5:30 pm	28 Bank Holiday	25	23	27 Executive Agenda Setting 5:30 pm Tenant Services Managem't Board 6 pm	25 Executive AS 5:30 pm Tenant Services Managem't Board 6 pm	29 Bank Holiday	26 Executive Agenda Setting 5:00 pm	24 Tenant Services Managem't Board 6pm	28 Community Scrutiny 6:15 pm	26 Bank Holiday
TUES	26 Special Council 6.30		29	26 Community Scrutiny 6:15 pm	24 Standards 2:30 pm Corp Scrutiny AS 5.30 Corp. Governance 6:15	28 Community Scrutiny 6:15 pm	26	30 Community Scrutiny 6:15 pm	27 Community Scrutiny 6:15 pm	25	29 Corporate Scrutiny Agenda Setting 5:30pm	27 Bank Holiday
WED	27 Planning 5:00 pm		30	27 Planning 5:00 pm	25 Planning 5:00 pm	29 Members' Briefing 6:15	27 Comm Scrutiny 6:15pm	31 Planning 5:00 pm	28	26	30 Executive 6:15 pm	28
THUR	28		31 Corporate Scrutiny 6:15 pm	28 Corporate Scrutiny 6:15 pm	26 Comm Scrutiny AS 5.30	30	28		29 Members' Briefing 6:15	27		29
FRI	29			29	27		29		30	28		30
SAT	30			30	28		30		31	29		31
SUN	31				29					30		
MON					30 Bank Holiday					31 Executive AS 5.30		
TUES					31 Executive AS 5.30 Tenant Services Managem't Board 6 pm							

School Holidays are highlighted in yellow. AS = Agenda Setting PAG = Policy Advisory Group (not open to press or public) AP = Area Panel March meeting of Tenant Services Management Board – date TBC

## Section 4 Delegations to Executive Councillors and Officers

### 7.1 Principle 1

The overriding principle upon which the Council's Delegation Scheme is founded is:-

All the Council's statutory powers and duties in relation to the functions and activities (listed in the following table) are delegated to the Executive and from there (as shown) to the Leadership Team. Those listed include all such incidental and ancillary powers as are needed in order to carry out those functions together with all statutory powers delegated to the Executive by another Local Authority by virtue of an agreement under the Local Government Acts.

The consequent powers to make all operational decisions as to the Council's services are delegated to the Head of Paid Service, to the S.151 Officer and the Monitoring Officer (these are referred to as the "statutory officers"), together with the Directors and the Assistant Directors ( the "Leadership Team"), so long as the decision:-

- (a) falls within the Council's Policy Framework; and
- (b) is otherwise within our approved policies; and
- (c) complies with the law, Financial Regulations, Standing Orders, Contract Standing Orders and the other controls within this Constitution; and
- (d) is wholly in accordance with the budget for the current and following year, and
- (e) has not been disapproved by any of the "statutory officers"; and
- (f) has not been the subject of a request from the responsible Executive Councillor for the decision to be remitted to the Executive.

### 7.2 Principle 2

Even where a statutory power has been delegated, the delegatee still retains a discretion as to how the decision is to be taken. Either:-

- (a) to deal with it him/herself;
- (b) to "remit" the decision - "upwards" (that is - in order to seek endorsement of a proposed decision) -in the case of "executive matters" to the Executive, or in the case of a non-executive matter to the Council or to the Planning Committee or to an Overview and Scrutiny Committee ;
- (c) to further delegate that power;
- (d) to consult others before exercising the power;
- (e) to take the decision jointly with other Executive CounCillors or officers.

### 7.3 Principle 3

It is expected that, within these delegations, the officers will keep Executive Councillors fully briefed as to the services for which they are responsible and that they will consult with the relevant Executive Councillor on issues where either believe that this is needed. Built upon this foundation, It is anticipated that this will mean that a number of otherwise delegated decisions will, in practice, be taken either by, or in consultation with, the Executive Councillor where s/he believes the matter to be one of particular sensitivity or corporate significance.

### 7.4 Principle 4

So as to avoid any misunderstandings as to the exercise of these powers, each member of the Leadership Team will agree with the appropriate Executive Councillor a general approach towards the working arrangements they intend to adopt between them as to:-

- (a) service briefing;
- (b) decision-making;
- (c) consultation with the Executive Councillor;
- (d) the scope for joint decisions;
- (e) the way those decisions will be formally recorded.

### 7.5 Principle 5

Any further general delegation of specific statutory powers by Corporate Management Team to an officer under Principle 2 shall be made in writing and shall record its extent and any limitations on the exercise of those powers.

A copy of any such delegation shall be provided to the Monitoring Officer who, as "proper officer", when so required has the duty to formally certify the existence and validity of those statutory powers, in any legal proceedings, or to sign formal agreements on the Council's behalf giving effect to those decisions.

**7.6** Within these principles the following table lists the range of functions for which all the Council's statutory powers and duties are delegated to the Executive and thence to the Leadership Team. The table shows the current services portfolios, each of which is held by an Executive Councillor as responsible for the overall policy direction for that service. The table also shows the "lead officer" who is primarily responsible for the delivery of that service. Any limits upon the delegations to the officers (other than those listed above) are shown here.

**(Note:** Both the extent of the portfolio held by an Executive Councillor and the identity of the "lead officer" are subject to change at the discretion of the Leader and the Chief Executive respectively. The electronic version of this Constitution will show the position as is then current.)

## 9.10 Terms of Reference for the Overview and Scrutiny Committees

### **Community Scrutiny Committee**

To examine the issues that impact on all segments of the community in respect of all services delivered by the Council and/or other public bodies or partnerships;

To examine the performance and management of the Council's services in delivering the Corporate Strategy;

To undertake consideration of the achievement of value for money in partnership working;

To develop policies and initiatives to provide the service delivery needed by community and the promotion of neighbourhood renewal;

To encourage public participation in assessing the standards and level of service desired by the community and the performance of the Council in achieving the desired outcomes for its service delivery;

To consider such decisions of the Executive as are within the remit of the committee and have been called-in by Members;

To review or scrutinise decisions made, or other action taken, in connection with the discharge of the Council's crime and disorder functions and to make such reports or recommendations as deemed appropriate.

### **Corporate Scrutiny Committee**

To examine the planning, performance and management of the Council's services in undertaking the key tasks to achieve the objectives of the Corporate Strategy priorities including monitoring compliance with budget, achievement

of desired outcomes and customer satisfaction (where appropriate), best value and value for money reviews;

To monitor the Council's financial performance and allocation of all resources in accordance with the corporate plan priorities, and the management of its assets and capital programme;

To assess the attainment of performance measurements and overall performance of the Council in achieving the aspiration of the community it serves;

To consider such decisions of the Executive as are within the remit of the committee and have been called-in by members;

To consider matters which have come to the committee's attention.

### **9.11 Co-ordinating Scrutiny Committee**

This committee shall consist of the chairman and vice chairman of each of the Overview and Scrutiny committees and shall meet on a quarterly basis or as deemed necessary. The Committee shall also invite the Proper Officer and Leader of the Council to these meetings.

The purpose of these meetings is to manage the Forward Plan for both committees to ensure that there is an even distribution of work. Where a matter for consideration by an Overview and Scrutiny Committee also falls within the remit of another Overview and Scrutiny committee the decision as to which Overview and Scrutiny Committee will consider it will be resolved by this committee in consultation with the Proper Officer.

# New Councillor Induction Programme 2015

## Taunton Deane Borough Council

**All sessions will be held in the John Meikle Room, The Deane House unless otherwise stated**

- Tuesday, 12 May- 1.30 p.m. to 4 p.m.- **Welcome session**- Introduction to the Council by the Joint Chief Executive and the other members of the Joint Management Team (To include the background to the Sharing of Services). "If I knew then what I know now" .....Re-elected Councillors to share some of their experiences with newly appointed Members. Mock Council Meeting. Issue of Information Packs/Photographs for IDbadges/Members IT.
- Wednesday, 13 May-6.15 p.m.- **The Corporate Strategy of the Council and its Financial Position.**
- Friday, 15 May – 2 p.m.- **A brief introduction to the Council** – Its Committee Structure, Procedures including Scrutiny, the Mayoralty, the Constitution, the Members' Code of Conduct and reputational issues.
- Monday, 18 May- 6 p.m.- **The Role of a Councillor**- Outside facilitator to cover the roles and responsibilities of the new Councillor- The same session is being offered at West Somerset House on Tuesday, 19 May at 10.30 a.m. (both open to all new Councillors)- so if the Monday evening session is not convenient, feel free to come along to the Williton session.
- Wednesday, 20 May- 6.30 p.m.- **Annual Council Meeting** at the Somerset County Cricket Club, Priory Bridge Road, Taunton.
- Thursday, 21 May – 6.15 p.m.- **The Role of a Councillor on the Planning Committee** - \*Mandatory training for all new Councillors appointed to the Planning Committee. The same session is being offered at West Somerset House at 2.30 p.m. (both open to all new Councillors appointed to one of the Planning Committees) – so if the evening session is not convenient, feel free to come along to the Williton session.
- Tuesday, 2 June- 5.30 p.m. – **Licensing Training** for Members of both Councils at The Deane House- to coincide with the scheduled meeting of the TDBC Licensing Committee. \*This too is essential training for all new Councillors appointed to the Licensing Committee.

- Friday, 19 June- Essential Skills for the 21st Century Councillor- Taster Day- See flyer attached. This event, being arranged by South West Councils, promises to be a very useful and informative day. Interest in this Taster Day will be sought after the elections, to enable a booking to be made.
- June Onwards (Dates to be agreed) :-
  - An introduction to Local Government Scrutiny
  - Audit Training -facilitated by the South West Audit Partnership Ethical Governance -Code of Conduct; Disposable Pecuniary Interests and other Interests; Standards Committee ; Freedom of Information; Data Protection; Fraud and Corruption; Whistleblowing
  - Risk Management; Dealing with Conflict
  - Equalities and Diversity; Health and Safety Briefing Growth and Development
  - ICT
  - Service Planning Social
  - Media
  - Development of Local Plans
  - Safeguarding Training
  - Getting Things Done; Casework Partnership
  - Working
  - The Taunton Unparished Area
  - Tour of the District (including a visit to West Somerset House in Williton)

Ethical Governance Training for the Parish

## Local Government Boundary Review Taunton Deane

The review of Taunton Deane Borough Council is due to be implemented at the 2019 Council Elections

The timetable for this is submission of electoral data forecasts etc. and submission of draft council size proposals by 29<sup>th</sup> April 2016.

Formal submission of draft council size proposals by 6<sup>th</sup> May to be agreed at Council size meeting on 21<sup>st</sup> of June 2016.

Draft recommendations published 8<sup>th</sup> November consultation between 8<sup>th</sup> November and 9<sup>th</sup> January 2017.

Final recommendations published 14<sup>th</sup> March 2017 and order laid April 2017.

Council size is the starting point in any electoral review since it determines the average number of electors per Councillor to be achieved across all wards of the authority.

TDBC have the third largest number of cllrs in the CIPFA nearest neighbour's comparison. South Somerset have 60. We and South Kesteven have 56, Mendip have 47 and mid Devon 42.

We are aiming to get to low 40s.

The LGBC are requiring us to show the council will be able to continue to perform its responsibilities with the number of cllrs we propose. These responsibilities are scrutiny and quasi-government like licensing, planning etc.

We expect an average of about 10 on committees down from 15 each.

Some of our cllrs currently do not have any committee responsibility and some only attend others that meet infrequently e.g. licensing. This would seem to imply we have too many cllrs.

The LGBC require details of our community roles outside the Council, so the PFH will be asked to supply this information and to know about PFH roles

Officers will draw up warding proposals.

The LGBC are required to take into account changes to the number and distribution of electors likely to take place within five years following the end of the review. The end of our review is March 2017 so the design date is March 2022. So it is this date our forecasts of electors should be based on.

Broadly the LGBC will look at the governance arrangements of the Council how it takes decisions across the broad range of its responsibilities, including scrutiny functions and the Council's responsibilities to outside bodies and the representational role of Councillors in the local community.



Record of Decisions	
Since May 15	12 months, Jan – Dec 2015
40	66

Executive agenda items			
Since May 15		12 months, Jan – Dec 15	
May	No Meeting - elections	January	3
June	1	February	6
July	4	March	4
August	No Meeting	April	No Meeting
September	4	May	No Meeting - elections
October	5	June	1
November	5	July	4
December	6	August	No Meeting
January 2016	No meeting	September	4
February 2016	7	October	5
		November	5
		December	6

# Taunton Deane Borough Council

## Council Meeting – 12 April 2016

### Part I

To deal with written questions to, and receive recommendations to the Council from, the Executive.

### (i) Councillor Mark Edwards

#### Community Asset Transfer Policy

The Executive had recently considered a report concerning details of the recent consultation exercise completed in respect of the Council adopting a Community Asset Transfer (CAT) Policy.

The draft Policy had been consulted upon between 9 November 2015 and 15 January 2016 to a wide list of consultees which comprised:-

- o Councillors: County, Town and Parish as well as the Member of Parliament;
- o Education Organisations;
- o Faith Groups/Churches;
- o Internal Officers;
- o Partner Organisations; and
- o Voluntary and Community Organisations.

The Council had received a total of 27 responses giving a response rate of 7.9%.

The key themes of the consultation concerned:-

- (i) Whether the consultee believed that the Policy would deliver wider public benefits as part of a CAT process;
- (ii) Whether the consultee believed the Policy would achieve the Council's Corporate Aims and Values;
- (iii) Agreement as to the principles underlying the Policy which sought to involve local communities, to provide a pro-active asset management programme as well as giving clear transparency in decision making. Consultees were asked whether these principles would help the Council achieve a successful CAT Policy; and
- (iv) Acceptance of the application criteria set out in the CAT Policy.

Each of these key themes had attracted support in excess of 60%.

Although it was generally apparent that the majority of the consultees were supportive of the Council transferring assets, there was concern about continuing liabilities, lack of ongoing support from the Council but a continuing 'interest' in the land by the Council. Others believed that assets should be retained by the Council. As a result of the consultation, a number of amendments have been made to the proposed CAT Policy.

Noted that the transfer of assets to community groups would have the potential to create opportunities for these groups to commission Deane DLO or other services to support them post transfer.

This matter had been considered by the Community Scrutiny Committee on 1 March 2016 where the CAT Policy was supported.

**Resolved** that the Community Asset Transfer Policy and the Initial Expression of Interest Form - copies of which are attached – be adopted by the Council.



## TAUNTON DEANE BOROUGH COUNCIL COMMUNITY ASSET TRANSFER POLICY

### 1.0 INTRODUCTION

1.1 Taunton Deane Borough Council (TDBC) believes community asset transfer is about giving local people and community groups control in the future of their area. In England the idea was introduced through the Quirk Review (DCLG 2007) and now has legislative force via the provisions of the 2011 Localism Act. If local groups own or manage community buildings and land it will help foster a sense of belonging and bring together people from different backgrounds. Community ownership and management of buildings can also play a part in raising local people's aspirations, in enhancing the local economy, environment and have the capacity to strengthen the community, voluntary and social enterprise sector.

### 2.0 PURPOSE OF THE POLICY

2.1 This policy outlines the Council's approach to Community Asset Transfer (CAT). The term 'community asset transfer' relates primarily to granting long-leases or passing on the freehold of property assets at potentially less than best financial consideration to voluntary, community organisations, Parish Councils, Town Councils and social enterprises (Community Groups).

### 2.2 Benefits to the local community, Community Groups and the Council:

- Devolving power to neighbourhoods or locally based Community Groups with an interest in the neighbourhood, in an effort to enable citizen involvement and community action.
- Act as a catalyst for social, environmental and economic regeneration (including the development of community enterprise).
- Stimulate the involvement of local people in shaping and regenerating their communities.
- Catalyst for local volunteering and increasing community cohesion and integration.
- Support the creation of community leaders, social capital and inspire others to improve their community.
- Enhance and promote economic activity at a local level.
- Potential to create stronger, more sustainable Community Groups, providing financial security, recognition and management capacity.
- Ability to lever in additional resources, which would be unavailable to the Council acting independently.
- Enabling the 'up-scaling' of activities that promote social – economic wellbeing within community.

- Working in partnership with Community Groups can help the Council to achieve its outcomes set out in its Corporate Plan.
- Contribute towards efficiency savings and drive the diversification of public services in an era of austerity.
- Help to rationalise the Council portfolio and facilitate more effective and efficient use of its asset base.
- A stimulus for partnership working between Community Groups and the Council and improving the provision and accountability of services within communities.

2.3 The Council recognises the many benefits of CAT and will be proactive in using asset transfer as one of the tools at its disposal. The Council, therefore, aims to create a transparent, positive and proactive framework to enable asset transfer from the Council to Community Groups to happen and be successful in the long term.

2.4 Where the Council is to work in partnership with Community Groups post transfer, in some instances the Council might consider formalising this aspect contractually as part of any transfer.

### **3.0 LOCAL POLICY CONTEXT AND LINKS TO OTHER COUNCIL STRATEGIES**

3.1 The operation of this Policy will need to have regard to the desired outcomes of other relevant Council policies and strategies and is set out in the Council's Corporate Business Plan 2013-2016.

#### **Our Vision**

Taunton Deane is known nationally and locally as a quality place that is growing and sustainable, with a vibrant economic, social and cultural environment.

#### **Our Corporate Aims**

Taunton Deane Borough Council has four corporate aims, they are:

- Quality & Sustainable Growth and Development
- A Vibrant Economic Environment
- A Vibrant Social, Cultural and Leisure Environment
- A Transformed Council

#### **Our Key 'Business Principles'**

- **Quality Services** - ensuring the delivery of accessible, quality services that provide good value for money (either as direct providers or through partnership)
- **Customer Driven** - we will put the needs of our customers at the heart of all that we do
- **A dynamic organisation** - innovative, forward-looking and focused on results

- **Environmentally Responsible** - we will minimise the environmental impact from our operations

#### **4.0 PRINCIPLES UNDERPINNING THE ASSET TRANSFER POLICY**

4.1 The CAT Policy will be underpinned by the following principles:

##### **Commitment to a thriving Community & Voluntary Sector**

- The Council recognises that community led solutions can sometimes achieve better outcomes than central initiatives.
- Use asset transfer as a means of supporting Community Groups to become sustainable on a long term basis.
- CAT will require a long term partnership commitment on the part of the Council and the Community Group. This is the best way of minimising the risk of failure.
- Flexible lease terms to enable Community Groups to adapt and achieve long term sustainability or the transfer of the freehold interest.
- Measurable and accountable benefits to local people.
- The Council expects that the benefit from this Policy will encourage openness, conversation and understanding between groups and wider community.

##### **Pro-active and strategic asset management intent**

- CAT will become integrated in Council practice as an option for dealing with surplus property assets.

##### **Clarity and transparency in decision-making**

- A single gateway approach is taken, providing a clear point of contact for Community Groups with CAT enquiries.
- The Council will encourage Community Groups to consider taking on an asset.
- Community Groups will not be required to undertake a detailed feasibility work until an 'in principle' decision has been taken by the Council.

#### **5.0 WHO CAN APPLY**

5.1 Interest will be welcome from Community Groups which may be area based around communities of geography, identity or shared interest. Ideally, all applicants should meet the following criteria:

- Be community led and demonstrate support for the CAT and have clearly defined objectives which would be enhanced through the addition of the asset in question.

- The primary purpose must be non-commercial or with profits invested back into local communities.
- Must have a clear vision of the activities they wish to deliver, demonstrating positive measurable impacts.
- Demonstrate good governance operating open and accountable processes, a constituted governing board who follow clear Terms of Reference.
- Meet statutory requirements and demonstrate an inclusive approach in its policies and practices including a commitment to promoting community cohesion and integration.
- Have the skills to deliver services and manage the asset to be transferred.
- Demonstrate the asset will be run without Council subsidies or support.
- A sustainable operating model for revenue requirements, use and maintenance will be needed.
- Demonstrate how asset transfer will support the aims and priorities of the Council.

## **6.0 BASIS OF TRANSFER**

- 6.1 Community Groups may need to provide contractual assurances to ensure that the asset is retained for community benefit. If this is not possible a detailed explanation of Memorandum and Articles of Associations should be provided. It is standard practice for the Council to place a restriction on use although there might be exceptions.
- 6.2 The Council will offer legal agreements to enable Community Groups to manage and develop the property as an asset ensuring the use of the asset as a community asset is retained by the applicant. Consideration to payment of professional fees and whether the Council seeks reimbursement for its own costs will be on a case-by-case basis.
- 6.3 The Council will pursue Freehold or Leasehold arrangements with the term being set after carefully considering the needs of the Community Group, the position of the Council, the condition of the asset and the requirements of potential funders or lenders. As a guide:
- 6.4 Freehold Transfer – will be considered if preferred. Any transfer proposal will need to make a strong case that freehold is a necessity for success and provide reassurance that community benefit will be maintained in the long term and is beneficial to the Council.

Transfer by Lease - A lease for a term of up to 35 years (a lease longer than 35 years may be granted if appropriate and if a business case demonstrates special circumstances or requirements from funders/lenders).

- 6.5 Community Groups will be expected to produce a statement of community benefit on an annual basis – annual report accompanied by accounts as

appropriate will usually suffice. The benefits to be realised shall be agreed in advance and incorporated into a Service Level Agreement with the Council.

- 6.6 When there are a number of interested parties in an asset the Council will aim to encourage collaboration. When this is not possible and as a last resort a competitive process will be used to decide the organisation which will become the Council's preferred partner in the transfer process.
- 6.7 The Council will ensure that information relating to the condition of the property and running costs is passed to the applicant to support decision making.

## **7.0 HOW TO APPLY & HOW WE WILL ASSESS**

7.1 Community Groups should in the first instant submit an Expression of Interest Form to the Council for an in principle decision on the proposed Transfer. The Expression of Interest Form is found here:- [Link to CAT EOI Form](#).

7.2 If after submitting an initial Expression of Interest, the Council deems the application to be unsuccessful the applicants will be advised directly. If successful at this initial stage the Council will then request a further detailed and more robust business case to enable the Council to make an informed decision whether to agree to the proposed Transfer. The expected content of the detailed business case is detailed below. This is only a guide and will be dependent on each particular case.

- About your organisation - Track record, current plans, partnerships and people, governance, legal structure.
- Summary of the project - Project objectives and expected outcomes, proposed programme for delivery, proposed impact/benefits of the project to the local community, together with proposals for management and operation of the asset (staff, volunteers).
- Market Need – what local needs will the project be responding to (who will be the beneficiaries)?
- Pricing – what is the rationale for pricing (for services, renting space etc.)?
- Sustainability – how the performance of the asset will contribute to sustainability through its life cycle.
- Equality, Diversity & Community Cohesion – evidence the project will meet all the relevant requirements of the Equality Act 2010 and assist the Council in promoting community cohesion.
- Resources/Financial projections - Cash flow for first year, should include budget (3-5 years), should include examination of profit and loss and capital expenditure (if capital is required to redevelop the building). The long term financial sustainability of the proposal should be clearly demonstrated along with recognition of implication of any reduction in income stream.
- Risk assessment/management/mitigation - Identification of the different risks and a description of the implications of those risks occurring.

Risks should be evaluated in two ways – the likelihood that the risk item will occur and the level of impact if the risk item does occur. A description of what the organisations strategy will be to prevent the risk items from occurring, or coping with them if they do, should also be provided.

- The organisation will also be expected to submit copies of governing documents, any evidence of external advice provided, expressions of support from partners/customers, copies of accounts (where available).

## **8.0 KEY STAGES AND INDICATIVE TIMESCALES**

8.1 In considering the potential for asset transfer the Council will follow the process already detailed with the following indicative timescales.

8.2 The Executive Portfolio Holder will retain an overall responsibility for Executive guidance to ensure a strategic decision is taken supporting community needs and Council objectives.

8.3 The timeline set out below is purely indicative and will vary depending upon the complexity of each application. It is also envisaged some of the points below will run concurrently with the process becoming more proficient as each application is considered. The process of Asset Transfer takes time and therefore must be fully understood by the Council and reflected in decision making in respect of budget settlement.

### **8.4 1. Request – from Community Group**

Submit a request for a transfer by completing an initial Expression of Interest Form. If an application is deemed unsuccessful after this stage the Council will inform the applicant of its decision and reasons. A response will be provided within three months. This decision will be made by the relevant Executive Portfolio Holder in consultation with others as deemed appropriate and following an Officers recommendation.

### **8.5 2. Preparation and consideration of Full Business Case**

If the application is considered for progression then the body making the application will be asked for a Detailed Business Case. The Council will verify the credentials of the Community Group and ensure that if appropriate other parties in the area are aware, consulted and have been able to make representation. An officer recommendation will be made to the relevant Executive Portfolio Holder and the matter taken to Members for a decision. This step is expected to take no longer than six months. If unsuccessful the applicant will be informed. If successful then the process will move to the next step. In all cases the Ward Member will be informed and views sought

### **8.6 3. Processing detailed Heads of Terms**

The decision above will be 'in principle' and will be a decision to proceed and consider (if not already done so) the basis and terms of the asset transfer and

determine potential level of market discount, length and condition of lease or if appropriate the transfer of the freehold interest. Concluding this step will result in completion of documentary and legal formalities.

#### **8.7 4. Ongoing Partnership and Support**

It is recognised that a pre-requisite of transfer success is an ongoing partnership between the Council and the Community Group. This may take the form of technical support and advice. It may also be a commitment to ongoing dialogue, which will last far beyond the transfer event itself.

#### **9.0 COMMUNITY RIGHT TO CHALLENGE & COMMUNITY ASSET LIST**

9.1 The Localism Act 2011 created the Community Right to Challenge, which gives community and voluntary sector organisations the right to challenge the Council by putting forward an 'expression of interest' in running their services. The Localism Act 2011 also requires local authorities to maintain a list of assets of community value within the locality Register of Community Assets which have been nominated by the local community. There is clearly a 'cross-over' between both these initiatives and the Community Asset Transfer Policy. Whether delivering a service or managing/owning an asset of community value the Act does not give an automatic right to the organisation expressing an interest, nor is it guaranteed the organisation will be successful in any procurement exercise.

9.2 The Community Right to Challenge processes are separate from the Community Asset Transfer Policy process.



## Taunton Deane Borough Council

### Transfer of an Asset owned by the Council to a Community Group by way of Community Asset Transfer Initial Expression of Interest Form

Please fill in this Initial Expression of Interest (EOI) if you want to be considered by Taunton Deane Borough Council (TDBC) to take over a building or area of land owned by TDBC to run a service of benefit to your community.

Before you start.....

#### Helpful tips:

In completing your EOI it is important for you to consider:

- the real purpose behind your activity – any benefit to the community – and not just describe the activity you want to do;
- how you will demonstrate there is real local need for what you intend to offer;
- if there are other assets within your community which already offer the same activities;
- what skills and experience you need to have to reach your goals;
- how you will raise the funds to meet your expenses.

**N.B. if you do not want to run a community service from the building or land it does not mean that you will not be considered – it only changes the type of transfer which applies.** (see Type of Asset Transfer below)

#### Please indicate the type of transfer you are considering:

The Council can transfer a building or land it owns to an individual or group in a number of ways. You can consider what would suit you best for consideration by the Council. *(it is possible to select more than one box)*

- Sale – at full market price (the “going rate”)
- Sale – at a discounted price (subject to approval and conditions)
- Lease – taking all responsibility for the building for a set period of time. A rent – on top of the running costs – may be charged.
- Hire – casual use paying only for the time occupied.
- Transfer, subject to conditions (also known as a Community Asset Transfer) – can be below the “going rate” or free. **Only available for community use.**

Please email this Initial Expression of Interest form to: [XXXXXXXXXXXXXXXX](#) or alternatively, post it to: Assistant Director – Property and Development, c/o The Deane House, Belvedere Road, Taunton, Somerset, TA1 1HE.

If you have any further questions, please call: 01823 356534

### Asset Transfer - Initial Expression of Interest

#### 1. You or Your Organisation's name and address:

Name of group:	
Address: (include Postcode)	

#### 2. Who is the main point of contact for this application?

Name:	
Position in group:	
Phone number:	
Email address:	
Address: (include Postcode)	

#### 3. Your status

- Parish or Town Council
- Registered Charity
- Company Limited by Guarantee
- Community Interest Company
- Development Trust Association
- Private individual
- If other please state: \_\_\_\_\_.

**4. Please provide further information to confirm that your organisation is a relevant body** (e.g. company registration number or charity registered number). If your organisation is not formally constituted, please give details of the type of organisation/legal structure you intend to use and timescales involved in setting this up (N/A if proposal is from a Town or Parish Council).

--

#### 5. Please outline name and location of Council asset identified?

Name and Address:	
-------------------	--

(include Postcode)	
--------------------	--

**6. Who is your local Councillor and have they been informed of this proposal?**

--

**7. Which Council services does your organisation support/work with:**  
(please provide manager name if known)

--

**8. Why do you want this asset?**

--

**9. Please describe your vision for the future use of this asset:**

--

**10. Please explain why this asset is suitable for the intended purpose:**

**11. How will this benefit the local community?**

**12. Please describe any evidence of community need undertaken to-date:**

**13. How do you propose to ensure the financial sustainability of the asset:**

The information you provide in this form and any referenced supporting material will be the basis upon which the Council decides whether to progress to asking you to provide a full business case. If any information provided is beyond the scope of the information requested here, it will not be used as grounds to accept or reject your EOI and may not be considered.

- All information provided should be clear and concise.
- Responses to the questions and supporting materials can either be:
  - Inserted in the boxes below each question;
  - Attached as a Schedule to the form; or
  - A link to an embedded Word document can be inserted in each box
- All responses and supporting materials must be fully cross-referenced.
- Information and supporting materials will not be accepted on CD roms, flash drives or any other portable device.
- The Council will not accept an EOI submission by fax.
- If a possible transfer is identified as a result of completing this form, a more detailed business case will then need to be completed.

**Please note:** We will process all information received in accordance with the Data Protection Legislation for the purposes of administering this procedure. The Council is subject to the Freedom of Information Act 2000 and therefore any information provided by you may have to be disclosed in response to a request unless we decide that one of the statutory exemptions applies.

By signing your name here (if submitting by post) or typing it (if submitting electronically) you are confirming that:

- The responses to the questions set out in this form and the supporting materials are accurate.
- The information provided will be used to assess your organisation's proposal to provide or assist in providing the relevant service.
- You are authorised to sign on behalf of your organisation.

<b>Signature:</b>		<b>Date:</b>	
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# Council Meeting – 12 April 2016

## Report of Councillor John Williams – Leader of the Council

### 1. Devolution

- 1.1 This is a very hot topic nationally at present and in conjunction with all of the Somerset and Devon Authorities, we are part of a joint bid to Government for the Devolution of powers and funds as part of a “Combined Authority”. Our Local Enterprise Partnership, Heart of the South West is also an integral part of this partnership.
- 1.2 Taunton Deane Borough Council have been active participants in the preparation of the Devolution Prospectus which has been prepared and submitted to Government for their consideration. The prospectus as submitted was approved by Full Council 23 February 2016.
- 1.3 We need a ‘devolution revolution’ but it is critical we deliver for our respective communities to improve the lives of people in Somerset and Devon.
- 1.4 The prospectus has been submitted to Government after being separately endorsed by every local authority in the two counties. The changes proposed would result in higher productivity, better-paid jobs, improved road, rail and broadband links and more homes for the region’s growing population.
- 1.5. There would be radical reforms to integrate health and social care to allow the ageing population to be better looked after, tailored support for growing businesses and the creation of a centre of excellence for skills development.
- 1.6 The submission of the bid follows months of concentrated work by all organisations involved across Somerset and Devon. These are the two Unitaries, 13 District Councils, Dartmoor and Exmoor National Parks, three local NHS organisations and the Heart of the South West Local Enterprise Partnership.
- 1.7 It was unanimously agreed more powers and finance were wanted and to be devolved from Westminster to the region so we are in control to work towards closing the productivity gap that exists so allowing local people to benefit from economic growth.
- 1.8 Our Devolution Prospectus has been accepted by Government and we await advice when negotiations can commence.
- 1.9 Currently productivity in the South West is running at less than 80 per cent of the national average. The promise is that if local councils have greater freedom to act, by 2030 they will help deliver:
  - A £4 billion uplift to the economy (per annum);

- 163,000 new jobs;
- 179,000 more homes;
- Higher wage levels which are above the national average;
- Apprenticeship starts up by 400%;
- Every young person in education, employment or training;
- A better qualified workforce;
- Faster, more reliable rail services with greater capacity;
- Faster road journeys with less congestion;
- 100% superfast broadband coverage; and
- A UK centre of excellence for skills development

## **2. Shared Services and Management with West Somerset Council (WSC)**

- 2.1 Following the approval to proceed with preparation of the various business cases at Full Council recently I am pleased to say that work is underway with a view to these being reported back to Members for consideration in June or July 2016.
- 2.2 I welcome this opportunity to take stock and review the different ways forward and that WSC were equally fully behind this. Once the business cases for the three proposals have been prepared then it is for Members to decide the best way forward.
- 2.3 For the avoidance of doubt adequate resources and funds are available to both Councils to prepare the various business cases as already budgeted. Hopefully this allays some Members concerns that there may be cross subsidisation of costs.
- 2.4 Equally I stress, no decisions as to the best way forward were made, and it was only a decision to explore which of the three options proposed offered the best way forward, as noted above, it will then be for Members to decide.

## **3. Proposed Firepool Development**

- 3.1 This is engendering some good debate which I am pleased to see but one thing is certain we need to develop this site sooner rather than later. It is a strategically located central site adjacent the railway station and I believe in an extremely sustainable location. In addition it is a brownfield site which combined with the East Goods Yard will deliver in the order of 800 dwellings when completed.

- 3.2 Add to this that it will still provide substantial employment space, provide necessary retail space to protect us from “out of town” applications for retail and develop further the “in town” leisure and recreation activities whilst tidying up an eyesore that has existed for many years!
- 3.3 There have been some representations against the scheme recently but prior to that the overwhelming majority of representations have been positive and welcoming the refreshed proposals. Why have we had a “rethink”? Simply because the original concept as a strategic employment site, although perfectly sound at the time, failed through lack of demand caused by the worst peace time recession in living memory. We are now emerging from that recession and have amended our proposals to what is commercially desirable and most important, deemed viable to deliver.
- 3.4 Coupled with the delivery of new development on Firepool is the completion of the Northern Inner Distributor Road (NIDR) which truly opens the site for business and the planned redevelopment of Taunton Railway Station. This latter development is a huge vote of confidence for our own plans as they have near £10 million earmarked for a station upgrade, multi-storey car park and bus interchange, all to deal with a projected 40% growth in rail passengers through Taunton station by 2020. That is enormous growth that will obviously feed into the proposed development on Firepool.
- 3.5 Based on this I do hope that Members can be supportive of the development or we risk the ire of our community if it takes yet longer to develop an already derelict site that will deteriorate even further. A salutary reminder for those that call for it to remain solely an employment led development, we all had high hopes for just such a development back in 2008 but then recession hit and demand evaporated, not just for us but all towns and cities in the area. We still have substantial employment opportunity on the site but it is not employment led, a mixed development to provide for diverse uses.

## **4. Broadband Provision**

- 4.1 The Superfast Extension programme is currently in the procurement phase. Each District Council is finalising its commitment to the project which will enable the Invitation to tender to be issued by Connecting Devon and Somerset (CDS). The procurement and appointment of a contractor will move forwards over the next 4 -6 months. The aim is to get the phase 2 completed by the end of 2017 which is in fact the original target date. If successfully delivered it will be on time and a minimum of 95% coverage at Superfast speed, is the aim of this programme.
- 4.2 In terms of phase 1, rollout is due for completion by the end of 2016 and the target is for 90% coverage. CDS are presently working with BT to establish the likely outcome.

- 4.3 CDS are introducing a voucher scheme which will be opening soon. This is for individual householders/businesses to apply for up to a £500 voucher as a contribution towards securing a better service. This can be spent with any provider that can deliver a better service than currently being received. It is not limited to BT or via landlines, and a wireless system can be commissioned if it performs better. There is £2 million to spend so do encourage your users that are presently in “not spots” to apply soonest. Remember the allocation is for the whole of the CDS area so the likelihood is that demand will be great.

## **5. Road Works, Taunton**

- 5.1 Work on the NIDR is continuing and at long last we have been notified of the programme of works to remove the existing Kingston Loop Bridge across Station Road. The planned re-construction of the Station Road Bridge, is to close Station Road from Monday, 23 May to Thursday, 26 May, working hours 06.30 to 23.30 each day and Friday is a reserve date if works do not go as planned. This will be a major milestone passed and when rebuilt and replaced around August 2016 will denote significant progress towards the opening of this all important link road and access to Firepool.
- 5.2 Although the closure of the road for one week as planned will not be welcomed - as it will cause huge disruption and congestion across the town - what does have to be welcomed is that once reinstated it will form a critical stage in the opening of the new road.
- 5.3 Planned for shortly after removal of the old bridge are major works the other end of town at the top of East Reach. Apparently the traffic lights are in danger of imminent failure and are not working to full efficiency as they should. Therefore, major works are planned to renew lights and controls whilst revising the junction layout to improve flow for users.
- 5.4 Whilst this work is being carried out the whole of East Street will be closed to through traffic which will be of great concern to many but at least this has been planned and advance notice given for works that are necessary and unavoidable. Better to have a planned closure to allow a full upgrade of the junction than unplanned closures causing inconvenience through failure of the existing equipment.
- 5.5 It will be difficult for road users while both these schemes are being carried out but hopefully with planning and patience it will minimise disruption and we reap the benefits of improvements for years to come.

## **6. Deane DLO Relocation**

- 6.1 I am pleased to say that work has commenced on the new Deane DLO premises at Junction 26 and Summerfield, the developers, are confident all

can be finished to ensure occupation before the end of 2016 so vacation of the present site at Toneway by 31 December 2016 is assured.

- 6.2 This ensures we are clear for Helston Motors to redevelop the site and integrate their three motor agencies on the one site so the development and continuing business provides economic benefit for Taunton Deane.

## **7. The Deane House Relocation Project**

- 7.1 As circulated to all Members in February an update was provided, which in essence stated that we are taking a pause in our plans to relocate to County Hall as the plans have changed considerably since the original decision to relocate was taken. We are now evaluating our options as we have various alternatives including reviewing remaining at The Deane House in co-occupation with others. This process is continuing and will be reported back to Members when conclusions have been reached with the options open to us.
- 7.2 This is a major decision and one that we must ensure is right for our community, staff and Members.

## **8. Halcon One Team Award**

- 8.1 Finally, may I offer my sincerest congratulations to the whole of the One Team for the fantastic achievement of securing Silver in the public sector's annual efficiency awards. I am aware that this is as a result of tremendous team work which has been duly recognised because of the improvements on the front line. This makes for savings for all agencies involved but also provides tangible improvements for the communities being helped. That ultimately is the test that it is better for the community we serve and it is good this has been recognised by the award from this national prestigious body.

Well done to all.

Councillor John Williams

# **Council Meeting - 12 April 2016**

## **Report of Councillor Roger Habgood – Planning Policy and Transportation**

### **1. Planning Policy**

#### **Site Allocation and Development Plan (SADMP)**

- 1.1 The Inspector's examination continues. Hearings conclude on Tuesday, 5 April 2016.
- 1.2 Hearings were held between Wednesday, 30 March and Tuesday 5 April 2016. A series of Main Modifications have been identified to date that will be necessary for the Plan to be found sound and capable of adoption. There may well be other changes identified by the Inspector in the coming weeks.
- 1.3 Substantive changes to the Plan will be subject to a six week consultation after which point the Inspector will draft his final report which will take into account comments received on the Proposed Changes. It is anticipated that consultation on modifications may start towards the end of April / early May and that the final Inspector's Report will be received by the end of June with the Plan hopefully being adopted thereafter.

### **2. Core Strategy Review**

- 2.1 The Core Strategy Review has begun with the commissioning of an updated Strategic Housing Market Assessment which is part of the evidence base required to inform the Plan.

### **3. Regulation 123 Review**

- 3.1 The proposed introduction of additional Community Infrastructure Levy Policies and amendments to the current Regulation 123 list will be presented to the Community Scrutiny Committee for comment on 5 April 2016 with a report also being submitted to Full Council for consideration.

### **4. Neighbourhood Planning**

- 4.1 The Bishops Lydeard and Cothelstone Neighbourhood Plan is the first in the Borough to go to referendum following successful independent examination.
- 4.2 The referendum is scheduled for 5 May 2016, where all those eligible to vote in the Parish of Bishops Lydeard and Cothelstone will be able to have their say on the Plan.

- 4.3 Creech St Michael Parish Council have applied for their Parish to be designated as a Neighbourhood Plan Area. Consultation on the area is open until 6 May 2016 - details on Councils website.

## **5. Custom/Self-Build Register**

- 5.1 The Council will be updating its register of those interested in Custom/Self-Build. Taunton Deane is required to keep a register of persons and associations in the area interested in such projects.
- 5.2 The Register is used to help identify demand and inform future policy work across departments. Applications to register will be accepted from May to mid-June. Further details will be made available on the Councils website in due course.

## **6. Technical Consultation on implementation of Planning Changes**

- 6.1 The proposed response to the Department of Communities and Local Government is also being presented for Scrutiny on 5 April 2016.
- 6.2 The response covers the following areas:-
- Changes to Fees;
  - Permission in principle;
  - Brownfield register;
  - Small sites register;
  - Neighbourhood Planning;
  - Local Plans;
  - Expanding the planning performance regime;
  - Testing completion in the processing of planning applications;
  - Information about financial benefits;
  - Section 106 Agreement dispute resolution;
  - Permitted development rights for state funded schools; and
  - Changes to statutory consultation on planning applications.

## **7. Quarterly Policy Update**

- 7.1 Officers are working on a short electronic newsletter to inform Members of the public and organisations about the development of the Council's Planning Policy and its evidence base. It is hoped that the quarterly circular will help people understand the role of Planning Policy, learn about the different types of evidence base behind it, and provide advanced notice of engagement/consultation.

## **8. Major Applications**

### **Local Development Order (LDO)**

- 8.1 Work on an LDO for the Junction 25 employment site will progress in the coming months

### **Staplegrove**

- 8.2 The second application is expected to arrive during the week commencing 4 April 2016 and will progress through validation and, as always intended, will be heard with the first application at the same Planning Committee meeting.

### **Regeneration - Firepool**

- 8.3 The Saville's Retail Report commissioned by the Council has been received and has subsequently been sent to St Modwens for consideration.
- 8.4 A Planning Committee date for this application has not yet been set.

### **Transportation - Twenty Year Infrastructure**

- 8.5 Transport Policy Development discussions with the Highways Authority (Somerset County Council) and other partners continues. Progress is being made and a paper is anticipated to be brought to Members in June 2016.

### **Transportation - Variable Message Signing (VMS)**

- 8.6 A scrutiny report is scheduled for May which will include the Parking Strategy and Fixed Sign review.

## **9. Parking**

- 9.1 The new Off-Street Parking Order introducing a variation to parking charges and the requirement for Blue Badge Holder to pay was brought into effect on the 4 April 2016.
- 9.2 Shopmobility have moved to Level 2 of the Orchard Multi-storey Car Park and are now contained in one building.
- 9.3 The re-surfacing of Level 1 above the Orchard Shopping Centre has been completed and is now re-opened.
- 9.4 The refurbishment of the Orchard Multi-storey Car Park is continuing in "Stair Area 3.

Councillor Roger Habgood



# **Council Meeting – 12 April 2016**

## **Report of Councillor Mrs Catherine Herbert - Sports, Parks and Leisure**

### **1. Community Leisure and Play**

#### **Bandstand Concerts**

- 1.1 We are fully booked up for the Sunday concerts this year with 12 concerts between 8 May and 4 September 2016. Again I invite any school, college or other youth group who would like to use the bandstand to hold a musical or artistic event the opportunity to do so for free. The schools and groups who have done this on the last 2 years have really enjoyed the experience! Just make contact with Debbie Arscott to organise the time and date.

#### **Blackbrook Pool**

- 1.2 The project continues on schedule. I hope those who attended the site visits found it interesting. Due to the large number of trades now on site there will not be any more visits until the project is complete. We are working with Tone to organise the details for an official opening and a goodbye for St James Street pool.

### **2. Parks and Open Spaces**

#### **Vivary Cafe**

- 2.1 Following advertising the opportunity, three parties were interested in running a café from the building near the miniature railway and playground. A preferred bidder has been selected and negotiations are being worked on at present.

#### **Hanging basket deals for town centre traders**

- 2.2 Following last Council we have worked up an offer to traders to encourage them to order hanging baskets from us, with a discount if they order by a certain date. As part of this we have also built in an offer to order a shop front Christmas tree now for an excellent price.

#### **Grass Cutting**

- 2.3 We have just received confirmation that Somerset County Council will be continuing with their verge cutting at 2 per year, so along with our renewed commitment that means there will 7 cuts again this year.

### **3. Tone Leisure (Taunton Deane) Limited Activities**

Tone continues to develop and support a number of community outreach programmes:

### **Health Development**

#### Quit and Get Fit

- 3.1 A Quit and Get Fit project is being run at Wellsprings Leisure Centre in partnership with NHS Smoking Cessation. There are currently eight people on the programme and one of Tone's Fitness Instructors is supporting this by leading a one hour exercise class for those on the scheme. There are plans to replicate this at Wellington Sports Centre.

#### Health Walks

- 3.2 Health Walks were held between January and March, with the following participation: Taunton - 696 walkers, with 16 new walkers; Wellington - 789 walkers, with 17 new walkers; Creech and Ruishton - 23 walkers, with two new walkers.

#### FANS (Free Access for National Sportspeople)

- 3.3 12 talented sportspeople have been members of the FANS Scheme in Taunton Deane this quarter, getting free swimming and free access to the gym.
- 3.4 Greenwich Leisure Limited's (GLL) Sport Foundation grant applications were opened on 20 December, 2015 and closed on 20 February, 2016. Talented sportspeople from Taunton Deane were able to apply and successful applicants will be notified by GLL in April.

### **Active Lifestyles**

- 3.5 Knightstone Creating Active Communities Projects are being held as follows:- Walking Football at Wellington Sports Centre; Beginners' Circuit Classes at St. John's School, Wellington; Beginners' Ladies' Running Group at Priorswood; and Boot Camp sessions at Lyngford Park.
- 3.6 Community transport is provided on Wednesdays to transport older adults from sheltered housing in Bishops Hull to Taunton Pool for Over 50s swimming sessions; currently five people attending.

#### Sportivate

- 3.7 14 students (aged between 16 and 18 years) from Taunton Academy are engaged in Tone's "Gym for £1" project, which runs for eight weeks. Five of the students have been given a free one month's voucher for good attendance.

#### This Girl Can

- 3.8 This Girl Can fitness classes will commence in April 2016 for 14-18 year old girls; this will link in with Taunton Academy students.

#### Project Wellington

- 3.9 Tone supported half-term activities for families/children's centre families in Wellington; 130 people attended.

#### One Team Family Swim Vouchers

- 3.10 Taunton Deane Borough Council is providing a £4,000 grant for One Team families to have free swimming (this will include families from Halcon, North Taunton and Wellington). The vouchers will be launched in July 2016, following the opening of the new Blackbrook Pool and in time for the summer holidays.

### **Facility News**

#### Wellsprings Leisure Centre

- 3.11 Vibe Youth Nights continue to run on Friday evenings between 6 pm and 8 pm. Parkour is still a massive hit and the girls enjoy the street dance. The plan is to start a number of outdoor activities (weather permitting), with a key focus on rounders and tennis. The average number attending in March was 80, with a 50/50 gender split.

#### Taunton Tennis Centre

- 3.12 Taunton Tennis Club will be the venue for the Davis Cup Tour during the Somerset County Championships on Friday, 26 August 2016 between 10 am and 1 pm. During the event the club will be open to the public for a chance to see the iconic trophy. Visitors will be given the opportunity to have a go, take part in Mini Tennis, Cardio Tennis and Touch Tennis and have fun in the Children's Zone.
- 3.13 Glenn Clarke (Taunton Apprentice) has been accepted as one of the Davis Cup Legacy Coaches who will be delivering free tennis courses in 2016.

#### Vivary Golf Course

- 3.14 The golf course had been recovering well after the flooding and bad weather since December. Unfortunately the recent storm closed the course again at the end of March, but it was re-opened on 1 April 2016. This is one of the worst years on record for closure at Vivary.
- 3.15 The High Ropes are still receiving excellent feedback from customers and it was nice to see the facility come alive again over the Easter period.

## Blackbrook Pavilion

3.16 The Fitness Wellness Studio has a new flooring area with functional equipment which has enabled more interactive members' sessions to be held, with kettlebells plyometric boxes and slam ball classes. These new additions to the centre have been greatly received by all members within the gym.

## Sport Relief

3.17 On Thursday, 10 March 2016, 13 staff, including two Tone members, embarked on a 60 mile charity ride for Sport Relief across the Somerset Levels, starting and finishing at Blackbrook Pavilion; £1,942 was raised in sponsorship.

3.18 Taunton Tennis Club raised £300 after completing a 'tennisathlon' from 8 am to 6 pm on Friday, 18 March 2016.

3.19 Blackbrook also held a Sport Relief Mile which saw 140 runners (ranging from children to grandparents) all participating in the fun filled morning of 1, 3 and 6 mile runs.

3.20 Taunton Pool held a swimathon during the evenings of 18 and 19 March and 60 swimmers took part in the event.

Councillor Catherine Herbert

# **Council Meeting – 12 April 2016**

## **Report of Councillor Richard Parrish – Corporate Resources**

### **1. Corporate Strategy and Performance**

- 1.1 The draft Internal Audit Plan has been agreed with South West Audit Partnership and was reviewed and approved by the Corporate Governance Committee on 21 March 2016.
- 1.2 We are in the process of replacing the Strategy and Performance Officer, Hannah Stevenson, who left our employ at the end of March. We are likely to be without anyone in place throughout April due to notice periods required of a replacement.
- 1.3 Preparation is underway for Quarter 4 outturn performance reporting. Performance data is now being correlated.
- 1.4 Actions are being identified that will support the delivery of the Corporate Strategy aims during 2016/2017. These will be captured in a 2016/2017 Corporate Plan and reported on in due course.
- 1.5 A revised (and more focused) suite of corporate performance measures have been identified and discussions with individual Portfolio Holders are being undertaken by Assistant Directors to agree targets for 2016/2017.

### **2. Facilities Management**

- 2.1 The team are continuing to provide the day-to-day facilities and business support service. There are no specific issues to report.

### **3. HR and Organisational Development**

- 3.1 Terms and Conditions Review – work is continuing to implement elements of the review.
- 3.2 Absence – we continue to support Managers to manage absence within their services but the number of employees on long-term absence has had a significant impact on absence levels (as previously reported and discussed) which are expected to exceed the target of 8.2 days per employee in 2015/2016. 70% of the workforce is currently aged 41 or above and reasons for absence include age related ailments and personal stress. The term personal stress is not to be confused with work related stress.
- 3.3 Organisational Development – 44 master classes and face to face workshops

have been held during the year and feedback from employees has been positive.

- 3.4 The Institute of Learning and Management (ILM) 3 and ILM 5 management development courses will finish next month and we continue to add new content to our E-Learning library.

#### **4. ICT and Information**

- 4.1 The team continue to be heavily involved in supporting the ICT elements of the Southwest One (SWO) Succession Project. In particular this involves preparing for the return of the ICT Service and the migration away from the SAP systems.
- 4.2 The formation of a SWO Steering Group as agreed by Council is well underway and the inaugural meeting is to take place in April 2016 on a date to be agreed.
- 4.3 The team are also supporting the ICT elements of the Deane DLO relocation project which is progressing satisfactorily.
- 4.4 The new Intranet Project is progressing well. Elements are already live and the completion of the move to the new platform should be done by the end of this month.
- 4.5 We have achieved Public Service Network compliance for 2016/2017 in relation to our Information Security Standards.
- 4.6 Additionally, the team remain heavily involved in developing the ICT Strategy and Implementation Plan to support the forthcoming Transformation Programme.

#### **5. Joint Management and Shared Services Project and Transformation Project Management**

- 5.1 The Mandate Report has now been agreed by both Councils and so the team are gearing up to undertake the work to model the options and produce the business case for the Council's consideration.
- 5.2 As part of this work we are in the process of completing the Customer Access Strategy and will be undertaking detailed work in a number of services to model the impact of the implementation of the Customer Access Strategy.
- 5.3 The Building Control Partnership has now been signed-off and will go live this month.

#### **6. Southwest One (SWO)**

- 6.1 Discussions and negotiations with SWO are progressing well. Much detailed information has been provided. We are currently undertaking due diligence on this in order to understand in detail the costs of repatriating services. This exercise needs to be completed before we will be in a position to finalise any deal with SWO.
- 6.2 At the time of writing discussions are continuing with Somerset County Council regarding the potential for continuing shared services in some areas (Customer Contact and HR Admin and Payroll).
- 6.3 We are continuing with work to replace the SAP systems and intend to commence procurement in April 2016

## 7. Democratic Services

- 7.1 In order to enhance the efficient running of the support service, there have been some minor changes made to job descriptions to more clearly align the roles that support the Mayor, Leader, Chief Executive and Assistant Chief Executive.
- 7.2 Elections - The Halcon by-election is to be held on 14 April, 2016, followed by the Police and Crime Commissioner elections on 5 May, 2016 (with a Neighbourhood Planning Referendum in Bishops Lydeard on the same day) and the EU referendum on 23 June 2016 – so a busy time ahead! Thankfully a new two day a week post will be joining the Elections Team in April which will be a great help.
- 7.3 In terms of the Electoral Review of Taunton Deane, a report is elsewhere on the agenda with a recommendation in relation to the size of the Council going forward for submission to the Boundary Commission. The process is open to anyone to make submissions. The Commission will reach a view on the Council's size on 21 June, 2016 following which there will be another public consultation process on the warding pattern. The Council's proposed response to this phase will also be co-ordinated by the Constitutional Sub-Committee.

## 8. Law and Governance SHAPE Partnership Service

- 8.1 Generally the partnership seems to be working well. The latest figures for the use of this service are set out below. Report on Instructions Received from Taunton Deane:-

Category	Sub-Category	No. of Referrals
		TDBC
Commercial, Contracts and	• Advice – existing contracts	2
	• Drafting and negotiation of new	

Procurement	contracts	4
Employment		
Enforcement/	• Planning enforcement	1
Prosecutions	• Statutory and other nuisance	1
	• Housing	1
Governance	• Constitution	1
	• Corporate/Policy advice	5
Housing	• General advice on all aspects of housing including policy and tenancy agreements	8
	• Homelessness	1
Information and Complaints	• Legal advice on FOIA, DPA SAR and EIR requests and policies	
	• Corporate complaints and Ombudsman investigations	1
Licensing	• Advice	1
	• Attendance at licensing committee and sub-committees	2
Litigation	• Trespass	3
	• Debt recovery	5
	• Housing/property repossessions & advice	5
Planning	• Advice on town and country planning matters	5
	• Section 106 Planning Obligations, Enforcement Notices and Stop Notices	12

	<ul style="list-style-type: none"> <li>• Conservation Areas (Order and enforcement) plus Article 4 Directions</li> <li>• Public Inquiries and Appeals</li> <li>• Tree Preservation Orders</li> <li>• Lawful Development Certificates (CLUEDs and CLOPUDs)</li> </ul>	1 4
Property	<ul style="list-style-type: none"> <li>• Property law advice</li> <li>• Right to buy</li> <li>• Sales</li> <li>• Leases</li> <li>• Agreements</li> <li>• Licences</li> </ul>	17 12 1 1 2 2

Instructions received from TDBC	98
<b>Total</b>	<b>117</b>

8.2 Roy Pinney is leaving for a new job with the Environment Agency in June 2016 and will be a big pair of shoes to be filled. Mendip District Council is in the process of making arrangements to cover for his departure. I should like to place on record, on behalf of the Council, my appreciation for his sound advice and guidance in his role as Solicitor to the Council and to wish him every success for the future.

## 9. Customer Contact Service Report

### 9.1 Highlight Report

- KPIs achieved – No fails for 2015-2016;
- SPIs achieved – No fails for 2015-2016;
- Client CSAT results – 75% of client responses rated our services as good or very good – Only four responses;
- 96% of external customers rated the service they received to be good or very good;
- 98% contacts received resolved at 1st Point of Contact;
- Year 2016 to date only one complaint received;
- Business Controls – continued SWO compliance;

- Preparation for 2016 Customer Contact Association Version 6; and
  - Working with Client Team on SWO End of Contract planning
- 9.2 The service has continued to perform exceptionally well in line with its contractual performance indicators with no failures since the last update, and consistently exceeding targets.
- 9.3 Although formally no arrangements yet in place, Customer Contact is assisting Taunton Deane in their SWO succession planning. Further updates to be provided as progress made during the year.
- 9.4 Global Standard Accreditation for 2015/2017. The CCA Global Standard is a set of key principles, which have been defined and agreed by industry experts and stakeholders. It was first adopted in 2001 by leading brands across the country and has been designed to increase the reliability and effectiveness of the customer contact operation. It has been created by combining the experience of interested parties such as customer service directors, regulatory bodies and other appropriate partners. On-going review and assessment of the criteria and key principles has ensured that the framework maintains credibility across the customer contact sector, and is reflective of today's current customer service operating models. We first achieved accreditation to the standard in 2012 and have maintained it ever since.

## **10. Revenues and Benefits Service**

- 10.1 Annual billing has been carried out with 52,052 Council Tax and 4,258 Business Rates bills hitting the mats during the week of 14 March 2016. Benefit notifications have accompanied the Council Tax bill, thereby reducing customer enquiries as well as saving on postage costs.
- 10.2 At 23 March 2016, the Revenues Team had recovered £55.7 million in Council Tax, with collection at 97.65%, meaning that we need to collect a further £100,000 by the end of the financial year to meet our in-year target of 97.8%. Current Business Rates collection at 97.66%, means we are likely to just miss our annual in-year target of 98.4%.
- 10.3 At the end of February, the average time for the Benefits Team to work out a new claim and changes in circumstances for Housing Benefit or Council Tax Support was 8 days. It looks likely we will have distributed the entirety of the funding of £118,000 provided by the Department of Work and Pensions (DWP) for Discretionary Housing Payments by 31 March 2016.
- 10.4 We have refreshed our Anti-Fraud and Corruption Policy and Strategy in recognition of procedural and legislative changes and to reflect current best practice. Our revised policy now provides guidance on the options available to deal with people committing Council Tax fraud as well as those who negligently make incorrect statements, or fail to notify a change affecting their entitlement to a Council Tax discount, exemption or reduction.

## **11. Finance and Procurement**

- 11.1 We continue to monitor the delivery of the Procurement Transformation Project and day-to-day procurement service by SWO.
- 11.2 Latest information, as at February 2016, reports that £2,600,000 savings have been delivered to the Council through the signed-off procurement related initiatives. A further £900,000 of savings are scheduled to be delivered by the end of 2017.
- 11.3 The Strategic Procurement Service continues to review the 'pipeline' of further possible initiatives for Taunton Deane to provide a clearer forecast of likely savings at the end of the current SWO contract in 2017.
- 11.4 At the Full Council meeting in February 2016 the Council's budgets, Council Tax and Housing Rents were approved and this saw the culmination of a significant piece of work for the service and has been an achievement for all involved in the process.
- 11.5 Alongside the preparation of next year's budget, the service has also been supporting managers to pull together the latest forecasts for the current financial year.
- 11.6 Our forecasts at Quarter 3 suggest we are heading for a net underspend of approximately £83,000 on the General Fund and in respect of the Housing Revenue Account there is a projected overspend of £72,000. Both of these variances remain within 1% of the respective approved budgets. Our total capital programme spending remains on track.
- 11.7 Details of the financial position were reported to the Corporate Scrutiny Committee on 18 February 2016 and as an information report to Executive Members in March. The high risk areas are being carefully monitored in the final weeks of the year to ensure forecasts remain reliable.
- 11.8 Turning attention to the preparation of the Statement of Accounts for the current year, work is well underway within the team to complete this major piece of work. The "interim audit" work has been successfully completed on 19 February 2016 and as a result of this work no major issues are being reported by the external auditor.
- 11.9 Year-end processes will continue, with a thorough work programme scheduled in the coming weeks and months to produce the outturn reports and annual Statement of Accounts which must be completed by the end of June 2016. The Finance Team have planned and are working towards closing the Statement of Accounts by mid-June this year in preparation for the fact that the statutory deadline is to be brought forward to the end of May from 2017/2018 onwards.

Councillor Richard Parrish

# Council Meeting – 12 April 2016

## Report of Councillor Mrs Jane Warmington - Community Leadership

The strategic vision for Taunton Deane's most disadvantaged areas, is that residents lives will improve significantly and that these priority areas will look better, feel safer and in the future place a more proportionate demand on public services. These services will be delivered in urban areas through integrated, frontline, problem-solving, multiagency teams of individuals, already working in the areas, providing early help and based together. Rural parishes with more scattered communities will be helped to access services through community centres and local village agents identifying, signposting and supporting isolated residents to get the help they need. Urban priority areas need excellent education and health facilities on the doorstep which are then accessible to all, if we are to build independence, resilience and raise aspirations in individual people, families and communities, to sustain improvements and continue to reduce the need for and costs of intervention in the future.

### 1. One Teams

- 1.1 Here at Taunton Deane Borough Council we have been working with partners to support our most vulnerable communities. Most of this work has been focused at Halcon, Priorswood and Wellington through the One Team initiative. This work is progressing well and is generally well supported.
- 1.2 The One Team process is simple in theory but much more complex in practice. Much has been achieved over the last three years with a shared vision, leadership, hard work, determination and the support of many, which reassuringly continues to grow.
- 1.3 Several other areas in Somerset now have fledgling One Teams and a virtual One Team pilot is about to get underway in Mendip. Initial funding for these is coming from the Police and Crime Commissioner supported by the Safer Somerset Partnership, the District Councils and Avon and Somerset Police.
- 1.4 In April 2013 the Council restructured its Housing Management function to complement and harness the collective energy of the local community, statutory and voluntary partners under the Halcon One Team initiative. We worked closely with the Police and other partners to find a new way of working to improve service delivery to families and individuals living in this community. This is beginning to break the cycle of deprivation by taking a long term, holistic view by thinking and doing things differently, supporting them to be more independent and self-sufficient.
- 1.5 We were delighted to secure a National iESE silver award celebrating public sector innovation and transformation, on behalf of our three One Teams for the tremendous work they do.

### 2. Rural Reach

- 2.1 For some time we have been aware of the need to rethink how we may support our rural communities, particularly individuals and families who may be vulnerable, isolated and perhaps lonely. Village Agents are a great help, and thankfully their

network is expanding and providing support to more residents in our scattered rural communities.

- 2.2 In October 2015, we undertook a consultation of partners within the Taunton Deane Strategic Partnership (TDSP) and the focus of the consultation was rural deprivation. The responses generated a number of themes specific to supporting families and communities. These were consistent with other recent rural consultations undertaken by Somerset Advice Network and in the production of the Joint Strategic Needs Assessment (JSNA) Rurality theme.
- 2.3 Rural areas are expansive with relatively few people living in them which makes providing any sort of service expensive and inefficient. So people tend to be more self-sufficient because they need to be and they rather just get on and do things. There are fewer useful things about such as people, housing, jobs, transport, shops, pubs, vicars, surgeries, phone aeriels and broadband. There is generally a lot less to do so rural pastimes are often very different to the town's.
- 2.4 People tend to set useful things, such as Wiveliscombe's vibrant Community Office, North Curry's Community Coffee Shop and Blackdown Hills Support Group. People share things such as community transport and they make their own entertainment because otherwise there is not very much to do. Rural areas can make you independent but as you get older this can become a problem when you cannot quite manage as you used to.
- 2.5 If you have broadband then much more information is available but connecting can be difficult and the subsequent service very slow. This also hampers rural businesses especially those outside villages. For example most returns farmers have to make now have to be submitted on line.
- 2.6 Parish Councils are widening their view and considering what they can do to support local initiatives and keep particular valued services going by registering community assets, retaining public loos, employing lengthsman, paying for grass cuts and producing Neighbourhood Plans. Local precepts have increased to pay for these but local people benefit and do not seem to mind.
- 2.7 Smaller parishes support each other or link with a larger one and a good example of this is Wiveliscombe and the 10 Parishes (and more) it supports through a thriving Community Office and strong local leadership. A recent invitation to senior officers and Executive Members to visit from its two Ward Councillors, provided insight into what works well, the other opportunities being considered.
- 2.8 What's going on can be relevant and shared between both urban and rural areas. The Wellington Community Worksheet was shared with Wiveliscombe. We would like to thank Councillors Steve Ross and Eddie Gains for our visit and officers have requested a second meeting.
- 2.9 Key agencies plan to get together for half day workshop to discuss what else might be done in rural areas and agree some actions between them to improve access to services in rural communities.

### **3. Let's Make Loneliness History**

- 3.1 Sharing good practice and good ideas is important. Following a successful event in West Somerset last year, we are repeating the 'Lets Make Loneliness History event' in Wellington on Friday, 3 June 2016 at St John the Baptist Church, High Street, Wellington at 9 am. Speakers will give short talks on interesting projects during the morning and there will be lots of stands to have a look at.

#### **4. Taunton Welcomes Refugees**

- 4.1 We are pleased that after four months of working with this wonderful local community group who have quietly got on and organised support to complement what the local authorities are doing, we have our first few Syrian refugee families settling down in Somerset. Most have been displaced for a few years in camps near the border of their country which must have been difficult to bear with so much having been destroyed.
- 4.2 In Taunton Deane over thirty volunteers with various skills have completed half a days training so as to be ready to offer direct support to families. Volunteers have helped prepare the private homes for the first two families and met the first at the airport after their arrival from the Middle East. They are accompanying the family around to familiarise them with the area, their new home and other things they need to know. They are also making themselves available after-hours and at weekends in case of any problems. There are several Arabic speakers amongst the volunteers.
- 4.3 Community group lead Chris Waddilove has written that "as a result of our really positive and harmonious collaboration with Members and officers of Somerset and Taunton Deane Councils, who have been so heartened and reassured by the level of community support [that you have] shown, [I am sure that] there will be more families arriving in Taunton. You have already achieved so much but this is a crisis that is going to continue for years, [I'm afraid], and [your] practical help is going to be required."
- 4.4 The Government have now sensibly relented and have agreed to accept unaccompanied young people with families in the United Kingdom from Calais and other camps in Europe, which will reunite them with their families here.

Councillor Jane Warmington

# **Council Meeting - 12 April 2016**

## **Report of Councillor Terry Beale – Housing Services**

### **1. Creechbarrow Road, Taunton**

- 1.1 A further eight homes were handed over on 23 March 2016 (total completions 2015/2016 for Taunton Deane were 12). Four more homes were handed over last week (5 April 2016). The remaining homes will be handed over during 2016 and discussions are still on continuing with Galliford Try regarding progress on site.
- 1.2 Work has started on the construction of Moorland House (previously called The Hub).

### **2. Weavers Arms, Wellington**

- 2.1 Vacant possession of the site has now been achieved. A “meet the contractor” day has been arranged with WRW Construction on the 12 April 2016 to provide an opportunity for local residents to find out more about the forthcoming development. Build contracts are being signed and works should begin on site during April 2016.

### **3. Scooter Storage**

- 3.1 During 2016 12 scooter stores were delivered across a range of schemes with more installations in the pipeline.
- 3.2 Kilkenny Court residents will have further consultations shortly regarding the proposed scooter store installation on site.

### **4. Car Parking**

- 4.1 A planning application for the proposed additional parking at Bulford, Wellington has been submitted and a resident update is being arranged. Parking solutions are also being investigated at Polkesfield, Stoke St Gregory.

### **5. Right to Buy Social Mobility**

- 5.1 Six families have benefited from the Right to Buy Social Mobility Grant successfully secured from the Department of Communities and Local Government in April 2016.
- 5.2 There was a tight timescale to introduce the homeownership cash incentive scheme

as the whole process needed to be complete by 31 March 2016. This has enabled the six families to enter into private home-ownership and release six council homes to those in housing need. The families have been delighted with the opportunity to be able to achieve their aspiration of home ownership, which without this grant would have been either unachievable or taken many more years of saving.

## **6. Affordable Housing Delivery**

- 6.1 At the time of writing the Year End total will exceed the annual target of 200 homes with a strong affordable housing pipeline continuing to come forward. In addition to the Council's start on site for the 26 homes at the Weavers Arms Site, Rockwell Green, Knightstone are anticipating starting on site shortly at Parmin Close, Taunton to deliver 66 homes for extra care and 12 homes for people with learning difficulties.
- 6.2 Stonewater have started on site at the Craftex site on Priory Bridge Road, Taunton to deliver nine affordable homes adjacent to their existing 16 unit Abbey House scheme. All these schemes are 100% affordable housing and would not have come forward without the assistance of Taunton Deane Borough Council.
- 6.3 Housing Enabling are preparing for the 11th Affordable Housing Open Day to be hosted at Somerset County Cricket Ground on Wednesday, 8 June 2016 between 3pm – 7pm – all are welcome. This is a one stop shop to find out more about affordable housing opportunities in Taunton Deane.

## **7. Insulation and Energy**

- 7.1 External Wall Insulation (EWI) – The EWI installation programme is now complete with 48 Cornish units receiving EWI. A further programme may be considered later in the year dependent on resources and outcomes of the HRA Business Plan Review.
- 7.2 Photovoltaic (PV) – In total 248 properties were installed with solar PV with a continuing management and maintenance contract in place through Low Carbon Exchange. The final two properties could not be identified within the contract period owing to limited suitable properties and tenant refusals.

## **8. Rent Arrears**

- 8.1 Last April a target was set for tenant rent arrears for the fiscal year 2015/2016 at £360,000. The collection of arrears can be very difficult and challenging and needs to balance the requirement to obtain the payments with the social and economic realities of people being evicted and made homeless.
- 8.2 Having regards to both the needs and the difficulties, Managers and officers set themselves up a 'stretch target' of £345,000 for the fiscal year 2015/2016. All three One Teams have worked tremendously hard and I am delighted to report that their hard work has paid off!
- 8.3 The year end figures are not yet available but to the 11 March 2016 the figure stood at £325,476.55.
- 8.4 My congratulations to all the teams and indeed everyone involved. Once again the

value of the One Team vision is being demonstrated!

## **9. Welfare Reform Visits**

9.1 The number of tenants affected this month are 330, however this is subject to change on a daily basis due to tenants moving in and out of employment.

9.2 The breakdown of tenants that have now downsized are:-

- 2 Direct Match approved and completed;
- 49 Successful moves on Choice Based Letting (CBL) completed;
- 1 Successful bids pending a move on CBL;
- 0 Mutual Exchange's being processed;
- 24 Mutual Exchanges Completed; and
- 1 Moved to private sector

## **10. Discretionary Housing Payments (DHP)**

10.1 All affected tenants are being offered advice on DHP's and assistance to help them complete the application form. Since the start of this financial year 71 DHP's have been awarded to Taunton Deane's tenants.

## **11. Universal Credit**

11.1 To date Taunton Deane has very few tenants who have submitted a claim and officers have been working closely with these tenants as the level of help and support needed is substantial and needs to be tailored to each of their personal circumstances.

11.2 The roll out of Universal Credit will accelerate as time advances and there will be significant challenges for this Authority which will need to be met.

## **12. Pathway for Adults P4A**

12.1 We continue to work closely with the Taunton Association for the Homeless and partners to find solutions to the cuts from Somerset County Council and to ensure that we are able to provide sufficient levels of service for vulnerable adults at risk of homelessness in Taunton Deane.

## **13. Housing Revenue Account**

13.1 The Business Plan continues to be developed despite challenges from policy and budgetary constraints. Further clarification from the Government is needed before

the final plan can be formalised however the current progress has been extremely good and my thanks to all for the extremely hard work currently being undertaken.

#### **14. Pre-Void inspections and Tenancy Enforcement**

- 14.1 This is an extremely important area of work and I am pleased to report that significant progress is being made. The number of inspections has increased and the ability to look at tenant enforcement has proved to be very successful not only in fiscal terms but also letting people know that these matters will be progressed.

Councillor Terry Beale

# Council Meeting – 12 April 2016

## Report of Councillor Patrick Berry – Environmental Services

### 1. Environmental Health / Licensing

#### Environmental Health

- 1.1 A new Guidance Pack for Event Organisers is now available for all event organisers planning to hold events in the Taunton Deane area. The pack contains information and advice on what documents are required and links to application forms to use council owned land. A pdf version is available on the Taunton Deane website.
- 1.2 The team is currently on target to complete all statutory routine food hygiene inspections for the year. This is statutory work reported to the Food Standards Agency on an annual basis. Food Hygiene Inspections are carried out by highly trained and competent officers who have experience in providing advice on food safety to food businesses from your local Indian or Chinese takeaway to food manufacturers such as dairies and specialist cheesemakers.
- 1.3 The team has carried out 274 routine inspections including 56 visits to new food premises during the 2015/2016 year. The officers have completed 57 revisits, two advisory visits and a total of 12 reassessments for the Food Hygiene Rating Scheme in the Taunton Deane Borough Council area. In addition to this they have carried out five food sampling visits, four partial food hygiene inspections and processed 222 food questionnaires at low risk food businesses.
- 1.4 The routine visits are undertaken at intervals set out by the Food Standards Agency and according to the risk rating of the premises. We provide a 'scores on the doors' assessment as a result of the conditions we find at the time of the inspection. The information gathered at the inspection includes the type of food that is handled or produced, the number of people served and the standards of hygiene and structure found at the time of the inspection.
- 1.5 The Environmental Health Team have received a total of 270 service requests (complaints) since 1 January 2016 in Taunton Deane. These include the investigation of the following issues:- complaints regarding contamination of foodstuffs, noise from barking dogs, excessive bonfires, overgrown gardens and rat sightings. The team also investigate complaints regarding drainage, smoke and odour and also respond to the Planning Department regarding planning applications and queries relating to contaminated land and air quality.
- 1.6 Air Quality: New technical guidance is available for local authorities to use

when drafting the Council's Annual Status Reports on air quality, this will be put into effect by June 2016. The Council will be required to set out any measures they are taking to reduce small particulate matter emissions in our areas e.g. the scrutiny applied to large biomass boilers.

- 1.7 Officers have completed 20 inspections across premises in the district that require an environmental permit. Premises such as petrol filling stations, dry cleaners and waste operations may require a permit. There are charges associated with these permits.
- 1.8 It should also be noted that on 6 April 2016 it became mandatory for all dogs to be micro-chipped. The dogs trust is micro-chipping for free and theirs is a useful website to visit <https://www.dogstrust.org.uk/helpadvice/microchipping/microchipping-faq-page>

## **Licensing**

- 1.9 Performance: For Quarter 4 (January to March) of 2015/2016, the service has determined 91% of applications within a 14 day timescale. Whilst not quite the full 95%, it is still a massive achievement for the team, considering the performance fell as low as 60% for Quarter 2. The figures for the year are Quarter 1: 75%, Quarter 2: 60%, Quarter 3: 71%, and Quarter 4: 91%.
- 1.10 Backlog: At the beginning of Autumn 2015, there were some 259 incomplete applications in an isolated backlog. This was reduced to 100 by January 2016 and is now currently 18 with work continuing to reduce this to zero by the end of April.
- 1.11 Taxi Forum: In the past few months the Taxi and Private Hire Trade Forum has been reinvigorated and since the turn of the year, officers are progressing a number of projects such as a geographical knowledge test for new drivers, introduction of a practical driving test and guide for drivers on how to identify and report child sex exploitation.

## **2. Somerset Waste Partnership (SWP)**

- 2.1 The Cashless Trial at Chard Recycle Centre, in which a no cash, card only trial was put into effect, was very successful. It will now be rolled out at Priorswood Recycle Centre on 3 May 2016. If that goes well it will be rolled out at all SWP Recycle Centres later in the year.
- 2.2 With effect from Monday, 4 April 2016 the SWP Recycle Centres will be charging for asbestos and plasterboard disposal. The charges for these are £12 per sheet (or equivalent) of asbestos containing materials and £4 per sheet of plasterboard or plaster with payment by debit or credit card. Asbestos must be sealed in thick plastic before taking to a recycling site. More advice on handling these materials is available on the SWP website.

- 2.3 The range of waste services provided by SWP were promoted on BBC Radio Somerset on Monday, 22 February 2016. Pre-recorded features were slotted in throughout the day and included interviews with collection crews on the Breakfast Show, an audio tour with Steve Read at the anaerobic digestion plant at Walpole mid-morning and a look at the work of the Taunton Recycling Centre, including the Reuse Shop, on the Drive-time show. Thanks go to both Viridor and Kier for their assistance.
- 2.4 The author of this report attended a conference/workshop hosted by SWP titled 'Somerset Waste Action Conference'. As well as the provision of the background on the amounts of waste recycled and not recycled, there were some very interesting talks from local community groups including:-
- Turning Waste into art with Scrapstore;
  - Furniture Reuse with Sedgemoor Furniture Store;
  - Sharing repair skills with the Tiverton Repair Café;
  - Making better compost with Carymore Environmental Trust;
  - Using cloth nappies instead of disposables by Somerset and West Somerset Cloth Nappy Library;
  - Reducing the wastage of food (the cost of unused and wasted food to the average family is £700 per annum) and that is just in the home!
  - Recycling with Green Wedmore;
  - Diverting surplus food to the community by FareShare and Surplus Supper Club. This was about the food wasted by supermarkets.
  - A full list of contacts is available with the author.

### **3. Deane DLO**

#### Street Sweeping and Toilet Cleaning

- 3.1 The preparation of all tender documents for this work for a possible combined contract (West Somerset and Taunton Deane) is almost complete. The target dates for this exercise are:-
- Issue Tender documents to bidders – mid April;
  - Bids returned by end of May;
  - Detailed evaluation complete and preferred bidder identified and, subject to final decisions by Taunton Deane and West Somerset Councils, award by late July with a start date of 1 October 2016.

#### Relocation of Deane DLO

- 3.2.1 During the preparation for the DLO move to its new base in Wellington, the current site is being cleared. Among other things, there are a number of used but not unusable litter bins. Unless any local use can be found they will be disposed of through Ebay.

### **4. Crematorium**

- 4.1 The copper sheathed roof inspection was completed and a section of copper has been replaced. The previously recorded leaks have stopped.
- 4.2 The brickwork repairs to the No 1 Cremator have been completed. The amount of repair work necessary was slightly less than anticipated.
- 4.3 The staff numbers at the Crematorium are being reviewed as for most of the time the staffing is considered to be at “bare minimum” and during busy periods or at times of sickness or annual leave there is the potential to severely affect essential operational delivery.

Councillor Patrick Berry

# Council Meeting – 12 April 2016

## Report of Councillor Mark Edwards - Economic Development, Asset Management, Arts and Tourism and Communications

The first part of this report presents a review of the Economic Development Team's work in 2015/2016, outlining the main services provided and some of the main achievements, and it outlines plans for the forthcoming year, as identified in the emerging Service Plan.

The service covers the following key areas of work for the Council:-

1. Creating, commissioning and supporting Local Business Networks;
2. Supporting inward investment and investor fulfilment;
3. Improving employment opportunities and enhancing the skills of the workforce;
4. Supporting place based regeneration projects and initiatives; and
5. Marketing the areas as business and lifestyle destinations with links to Tourism and Culture.

### **1. Creating, Commissioning and Supporting Local Business Networks**

- 1.1 In December 2015 the first Taunton Deane Business Conference was held very successfully at the County Ground. This year's event had Connectivity as a theme, and it presented speakers on Taunton's current and planned connectivity across road, rail, internet and town centre. 130 delegates attended from local businesses and partner organisations, and we were extremely pleased to welcome Sajid Javid, Secretary of State for Business, Innovation and Skills as the keynote speaker.
- 1.2 The conference formed a central plank of the team's ambition to work closer with our larger and higher profile businesses. During the year we introduced an Account Management programme for Taunton Deane's top 50 employers. Through an annual visit, the annual conference, marketing and other support initiatives during the year, it is my intention to strengthen the links that the Council has with our main employers so that we can continue to meet their needs and enable their investment.
- 1.3 The team has commissioned or given financial support to a strong programme of learning and networking events for small businesses over the past year, including a series of social media workshops, which were attended by 40 businesses, and new business start-up workshops, which were attended by a further 39 businesses. The latter covered self-employment, finance, marketing and online trading. In addition Cornerstone Mentoring, which

delivers mentoring support to small businesses across the County is currently helping businesses in Taunton Deane.

- 1.4 The Taunton Deane Business Initiative was established by the Council in Spring 2015, and 80 applicants submitted entries for the two award categories. The scheme has been redesigned and renamed as the Taunton Deane Business Awards in 2016, and is currently open for applications to the seven categories. The awards will be presented to the seven winners at a prestigious dinner next month.
- 1.5 During the year officers continued to provide small grants for start-ups and rural businesses, and this year the Council supported eight such businesses. The team also worked with many other businesses to provide advice on subjects such as vacant property, development, funding, business support, and other Council services.
- 1.6 Various publications were produced and distributed during the year with the intention of promoting the services available from the Council to support business investment and growth. These included:-
  - Taunton investment flyer;
  - Taunton Deane Business Directory, produced at no cost to the Council;
  - Pocket Guide to services available from Taunton Deane;
  - Guide to funding within the Wiveliscombe and 10 Parishes Area; and
  - Map of Independent retailers in Taunton Town Centre.
- 1.7 The Council provided funding to the Creative Innovation Centre (CICCIC) in Taunton to support the establishment of the centre and to enhance the services available to creative and cultural businesses in Taunton Deane. Over the course of the year CICCIC directly supported 65 small businesses and many more within the sector through workshops, forums and clubs.
- 1.8 Over the forthcoming year the team plans to continue to support local businesses, prioritising those that will deliver investment, job creation and service provision in our rural communities. The team will work with partner agencies and businesses to develop facilities that will stimulate innovation, particularly amongst digital and creative businesses, working towards developing bespoke facilities and space. We will also support the County Council in the development of new enterprise space in Wiveliscombe.
- 1.9 The roll out of the Government's new Business Growth Hub service commenced in March, providing impartial business support and advice to small and medium sized enterprises along the lines of the former Business Link service. The team will ensure that Taunton businesses are aware of the service through enhanced promotional workshops and events.

## **2. Supporting Inward Investment and Investor Fulfilment**

- 2.1 During 2015/2016 the Economic Development Team continued to market the

Taunton Deane as an investment location through its own services and through Into Somerset:-

[www.taunton.uk.com](http://www.taunton.uk.com) is the Council's own investment website, presenting the advantages of investing in Taunton Deane and the support available from the Council and its partners. It is backed up by a proactive fulfilment service offered by the team, providing support and advice to find premises, labour, funding and to overcome the other challenges involved in investing.

- 2.2 **Into Somerset.** During 2015 Somerset County Council took on the delivery of the Into Somerset inward investment service, supported by each of the Districts in the County. The website at [www.intosomerset.co.uk](http://www.intosomerset.co.uk) has been refreshed and a protocol has been established to clarify the distinction of promotional and fulfilment roles between the County and each District Council. The service complements and enhances the Council's own investment activities and, in due course, should lead to new enquiries.
- 2.3 Over the course of the year the team worked with 71 potential investors, both local and inward investors.
- 2.4 Following a positive review of the Council's Growth programme by the Local Government Association last summer the Council was advised to put more focus on its investment support activities. We were invited to bid for funding for a specialist advisor to advise the team on its inward investment strategy. That advisor has been appointed, at no cost to the Council, and he will start to work with officers during April.

### **3. Improving Employment Opportunities and Enhancing the Skills of the Workforce**

- 3.1 The Economic Development Team's work in this area is through its extensive liaison with employers and investors, encouraging new start-up businesses, stimulating demand for employees and enabling the recruitment of local people. The team maintains regular liaison with Job Centre Plus and Somerset College to enable those agencies to better target their services to the needs of employers, and has facilitated job shops and recruitment events for new employers.

### **4. Supporting Place Based Regeneration Projects and Initiatives**

- 4.1 **Firepool** - The marketing and drafting of a commercially viable scheme for Firepool progressed significantly during 2015/2016. Following public consultation in Autumn 2015 a scheme has been submitted for outline planning consent for a mixed use development including a supermarket, retail, residential, hotel and leisure uses.
- 4.2 **Coal Orchard** - In April 2015 MACE were appointed to progress a design brief for this key town centre site, which presents an opportunity to improve

the link between Firepool and Somerset Square with the main part of the town centre. Consultation was carried over the summer, amongst businesses and local stakeholders, and recommendations were agreed by the Executive in October 2015. Officers are currently working on an outline planning application for a mixed use regeneration scheme.

#### **4.3 Market House**

- (a) The refurbishment and disposal of the Market House progressed extremely well during 2015/2016, improving this important property asset in the heart of the town. The restaurant chain Wildwood opened in the summer, and has been well received by visitors and other businesses in the town, driving up the quality of food in the town and enhancing the evening economy. Similarly the Taunton Visitor Centre was relocated in August 2015 – see below. Discussions are continuing with other tenants in the property.
- (b) The area outside the Market House on Fore Street has been ‘de-cluttered’, with benches and other street furniture removed (mostly relocated to elsewhere in the town) to create a new town centre soft square. This space is appreciated by the public and has been used to good effect by event organisers, such as Somerfest and was used in November for the final stage of Day 3 of BBC’s Children in Need Rickshaw Challenge.

- 4.4 **Town Centre WiFi** - An invitation to tender was issued in December 2015 for the contract to install the WiFi scheme in Taunton, Wellington and Wiveliscombe Centres. The selection process is continuing and officers aim to engage a contractor early in the new financial year. This will enable rollout in the Summer 2016.

### **5. Marketing the Areas as Business and Lifestyle Destinations with Links to Tourism and Culture**

- 5.1 **Taunton Visitor Centre** - The former Tourist Information Centre in the Library relocated in July 2015 to the Market House and became the Taunton Visitor Centre. Since opening in the western wing of the building, over 47,825 visitors have come through the centre doors. Feedback has been very positive and our contractors SWH Build have been nominated for a Considerate Constructor Award for the project. The Visitor Centre Team continue to innovate and develop their service. This includes the recent addition of a promotional rolling screen in the office.

#### **5.2 Town Centre Rotunda, promotional lamp-post and Castle Bow banner site**

- (a) Administered by the Visitor Centre Team we offer the opportunity to rent space to promote events and businesses in 5 rotunda units located in:-
- Fore Street (outside of the Visitor Centre);
  - North Street (outside Lloyds Bank);

- North Street (outside Monsoon);
  - Coal Orchard Car Park; and
  - Goodland Gardens.
- (b) We have repaired the wires to the Castle Bow banner site and have now taken over the administration of this space from Somerset County Council Highways.
- (c) During 2016 we will be seeking advertising consent for the hanging basket brackets in the town centre and will be seeking space for the remaining rotunda unit, plus seeking further at height banner sites in the town centre.

5.3 **Town Centre Marketing Contract** - During the year, the Marketing and Visitor Centre Manager has been working with Destination CMS to promote the town centre through social media and our destination website. The company organised several successful marketing campaigns promoting Somerfest, Christmas, Valentines and Easter, backed-up with support from our retail community and event organisers. In 2016, we intend to bring this service in-house which will enable the Marketing Team to spend even more time engaging with town-centre businesses to enhance this promotional service.

#### 5.4 **Social Media and e-newsletters**

- (a) Our Marketing and Visitor Centre Teams actively use various social media channels to promote the area, events, news and business stories to local residents, visitors and the business community, as of the 1 April:-

@moreTaunton on Facebook has 4,436 likes;  
 @moreTaunton on Instagram has 524 followers;  
 @moreTaunton on Twitter has 4,911 followers; and  
 @TauntonBusiness on Twitter has 1,846 followers.

- (b) Monthly e-newsletters and e-shots are circulated on business stories and events taking place in the area.

#### 5.5 **Visit Somerset and South West Tourism Growth Fund**

- (a) The team gave active support to the trade-led Visit Somerset with the aim of enhancing its ability to draw visitors and tourists to Taunton Deane.
- (b) This includes commissioning a portal from the popular county destination website, [www.visitsomerset.co.uk/taunton](http://www.visitsomerset.co.uk/taunton), this website has had 331,338 unique page views during the year.
- (c) Since January, we have represented the County on the South West Tourism Growth Fund, which has given us an opportunity to promote the district, County and region to journalists, travel-trade buyers, international language schools and consumers. This has included attendance at Travel Shows in Belgium, Germany, Ireland and Netherlands and networking events in

Torquay and London. During February we hosted five international travel-trade buyers who toured Taunton Deane and West Somerset.

**1.7 Promotional Literature** - Amongst current leaflets produced by the team are:-

- Circular walking leaflets from Taunton Town Centre;
- Inspected Accommodation lists for Taunton Deane;
- Taunton Heritage Trail;
- Town Centre Map;
- Welcome to Taunton leaflet; and
- Welcome to Wiveliscombe leaflet.

**1.8 Cultural Events in Taunton**

- (a) The Taunton Events Group continue to flourish as a co-ordinating forum for the organisers, funders and enablers of larger events in Taunton. Now comprising 40 members the group meets quarterly to review and plan future festivals and events, and to coordinate the marketing of the events programme. The Economic Development Team is currently inviting applications to the Council's new Arts and Events Grant, which incorporates the former Arts Development Grant with the funding previously given to event organisers.
- (b) 2015/2016 saw some excellent events in the Borough, raising our good reputation as a destination for visitors looking for family-friendly, creative arts and culture. I would particularly point to Taunton Live 2015 as a first class collaboration between the Taunton Association of Performing Arts and Go Create, giving Taunton a week of varied entertainment of international standards. Go Create will be raising the bar this year with another packed programme during July in open spaces across the town centre, and I am pleased that the Council will support the festival financially.
- (c) FUSE Performance also deserves high praise for Somerfest in June. Delivered with various partners and funded by the Council, the event provided a day-long celebration of Taunton's arts and culture, involving hundreds of young people and local community arts organisations. This year's event will be extended into the evening of 21 June 2016, encouraging visitors to stay on in the town centre to enjoy our burgeoning evening economy.
- (d) This summer will see a busy schedule of events across the town, including within our open spaces. I am particularly keen to welcome Somerset Rocks to Vivary Park in August with its three international rock and pop artists. Also within Vivary Park I am looking forward to the Somerset CAMRA Real Ale festival in September, which has relocated to Taunton from Minehead and will hopefully become an annual fixture.
- (e) The three towns of the Borough each saw successful Christmas festivities and lighting displays, each funded in a large part by this Council. In Taunton our investment in festive lights was enhanced by a programme of events

delivered through the second half of November and December. The lights switch-on event itself was again supported by an enormous street market and I would congratulate TIME4 as well as the numerous other organisations involved, in pulling of a successful visitor event.

- (f) The Brewhouse Theatre continues to grow from strength to strength since its reopening in 2014. Having recruited a Chief Executive last summer the Taunton Theatre Association is building up its complement of professional staff to continue to grow the quality of the offer and the regional reputation of the theatre.
- (g) This year the Council awarded grants to Hestercombe House and to Arts Taunton. The former contributed towards the installation of a new gallery in the house and was a strong gesture of support towards Hestercombe's ambitious plans to invest heavily in the future of the historic house. Two grants were awarded to Arts Taunton during the year - the first to support the marketing of the partnership and the progression of key, early projects, and the second to fund a feasibility study into the multi-purpose venue proposed by the partnership. The consultant that produced the study is currently consulting with stakeholders on the findings, and when completed, it will be shared with other interested parties.

## **6. Asset Management Service General Fund Activities**

6.1 During recent months the following projects are particularly worthy of mention:-

- Blackbrook Leisure Centre – Asset Management supporting the Pools Project at Project Board level.
- Former Mike Chedzoy premises off Greenbrook Terrace, Taunton – Council approval in place for sale, preferred bidder and Shape Partnership progressing the conveyancing. Purchaser given access under licence for unobtrusive site survey works.
- Community Asset Transfer Policy – Community consultation on this draft Policy now complete, some amendments made as a consequence. Ready for adoption this evening at Full Council.
- Blackdown Business Park, Wellington – A significant number of vacant units which Greenslade Taylor Hunt, Chartered Surveyors and the Council are jointly marketing.
- Former Park Keepers Cottage, 277 Cheddon Road, Taunton – Declared surplus and works now progressing in respect of disposal of open space and registration of land to enable the site to then be marketed. A report will be taken forward with recommendations of which offer to accept.
- Land at Frobisher Way – Exploring developing this site and retaining the asset or sale of asset.

- Continuing Asset Management support through dedicated Asset Projects Surveyor towards the Firepool Redevelopment Scheme. Positive progress has been made in respect of due diligence and general land assembly.
- Asset Strategy Surveyor post dedicated to Taunton Deane General Fund work has been vacant since January. New agency appointment made and takes up appointment on 4 April 2016.
- Statutory Compliance – Asset Management are leading on collating key statutory compliance data from other sources across the Council to demonstrate compliance and if non-compliance is identified, capturing and prioritising works. This project sits alongside similar work taking place across the Housing Revenue Account.

## **7. Communications**

- 7.1 With elections at local, regional and national level on the horizon, the communications team is working closely with Electoral Services, particularly on the “register to vote” message.
- 7.2 While the by-election in Halcon and the Police and Crime Commissioner Election on 5 May 2016 are tried and tested events, we also have two referendums – the Bishops Lydeard Neighbourhood Plan and the EU Referendum in June. The level of media interest in the EU poll is likely to be extremely high!
- 7.3 Working with partners is increasingly important – Taunton Deane will be represented at a communications seminar on devolution on 13 April 2016, hosted by Somerset County Council, with some excellent speakers due to present.
- 7.4 We are working with other authorities on a number of projects including the proposed flood alleviation scheme, highways improvements, the relocation of Deane DLO and the new swimming pool at Blackbrook.
- 7.5 Deane Dispatch continues to be published regularly, giving the Council the opportunity to publicise initiatives from the current Boundary Commission Review to the popular ‘Clean for the Queen’ that saw real community support.
- 7.6 The Council also contributes a monthly Business Column to the County Gazette, another valuable opportunity to highlight some of the economic development work that is continuing.
- 7.7 Social media continues to provide a way of communicating quickly and easily with the public and our partners and our following continues to increase – now standing at around 2,200. This is in line with expectations.

Councillor Mark Edwards



## **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 2016 at 6.30 p.m.

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

Mrs A Elder – Chairman of the Standards Advisory Committee

### **1. Minutes**

The minutes of the meetings of Taunton Deane Borough Council held on 23 February 2016 and 17 March 2016, copies having been sent to each Member, were signed by the Mayor.

### **2. Apologies**

Councillors Coombes, Cossey, Farbahi, Mrs Floyd and Ross.

### **3. Communications**

The Mayor reported that Charles Groom, the Sergeant-at-Mace / Mayor's Driver had recently undergone a knee operation. She would send the best wishes of the Council to Mr Groom for a speedy recovery.

The Mayor also reminded Councillors of the forthcoming Civic Service on Sunday, 17 April 2016 at St Peter's Church, Priorswood, Taunton at 10.30 a.m.

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

Councillors M Adkins, Coles, Govier, Prior-Sankey and Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Mrs Herbert declared a personal interest as an employee of the Department of Work and Pensions. Councillor Wren declared a personal interest as the Clerk to Milverton Parish Council. Councillors Gage and Stone declared prejudicial interests as Tone Leisure Board representatives. Councillor Ms Lisgo declared a personal interest as a Director of Tone FM. Councillor Edwards declared a personal interest as the Chairman of Governors of Queens College. 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, Taunton. Councillor Parrish declared a personal interest as the District Councils' representative on the Somerset Pensions Committee.

5. **Receipt of Petition from Stawley Parish Council concerning The Globe Inn, Appley**

Councillor Charles St. George, Chairman of Stawley Parish Council, presented a petition containing over 200 signatures to the Council which called upon Taunton Deane to use its powers under Section 215 of the Town and Country Planning Act 1990 and/or Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to undertake repair works to the listed barn attached to The Globe Inn, Appley – a Grade II listed building – which had been derelict for more than two and a half years.

Councillor St. George went on to say that despite repeated attempts by the Parish Council and the landlady of The Globe Inn to persuade the freehold owner of the premises to repair this building, both directly and through liaison with the Conservation Officers at the Council, it remained in a derelict state without a roof or finished walls. The remains of the listed building continued to deteriorate and water was now finding its way into the pub resulting in damp and electrical problems.

The Globe Inn was an historic and popular local pub that was greatly valued by the surrounding rural communities and which had been listed on Taunton Deane's Register of Community Assets since April 2015.

The derelict building was an eyesore which threatened the structural integrity of the pub but was also adversely affecting its long-term commercial viability as potential customers were put off by its external appearance.

Councillor St. George hoped the Council would use the legal power it had at its disposal to resolve the current situation.

In response, Councillor Habgood suggested that as the saga relating to The Globe Inn was long and complicated, a detailed report should be submitted to the Council's Planning Committee. This was the correct place for the matter to be considered.

Other comments received related to the Parish Council's stance being supported and that the Council owed it to the local community to bring about the necessary repairs to the public house.

Councillors agreed that the matter highlighted by the petition concerning The Globe Inn, Appley should be referred to the Planning Committee for consideration.

6. **Land at Creedwell Orchard Housing Estate, Milverton**

Considered report previously circulated, concerning a proposal to vary an Option Agreement with S Notaro Limited (SNL) for the purchase of land at Creedwell Orchard Housing Estate by amending the "Trigger Date".

An Option Agreement had been entered into with SNL on 27 February 2014 for a period of 10 years following Executive approval on 13 July 2013.

The current terms of the Agreement provided that the option had to be exercised by SNL within 120 days of the Trigger Date, details of which were included in the report.

Noted that the absolute longstop date for the exercise of the option was 12 years from the date of the Option Agreement.

A planning application for an alternative development scheme had been submitted by SNL on 18 March 2014 which was subsequently refused on 15 October 2015. Statute provided that an applicant had a period of six months in which to submit an appeal against the planning decision. The date upon which an appeal against the planning decision had to be made by NSL was 13 April 2016.

It was considered that the Trigger Date for the exercise of the Option Agreement could be some considerable time in the future if a planning appeal was to be pursued by SNL.

Reported that since the completion of the Option Agreement it had come to light that the formula for the sale price of the Council's land was based upon an incorrect valuation. This was as a result of incorrect information having been provided by SNL from the outset which was relied upon by both the Council and external valuers.

Further external valuation advice had been sought from the Valuation Office Agency (VOA) who had been instructed to negotiate a revised option sale price formula with SNL based upon the correct floor areas of the extant scheme.

In the circumstances, it was considered appropriate for the Council to complete a Deed of Variation to the Option Agreement to provide that the new Trigger Date became 12 October 2016 with the Exercise Period remaining at 120 days from the trigger date. This would allow time for negotiations to be completed for a revised sale price formula which should negate the need for the Council to deal with a planning appeal that had been made to effectively delay the establishment of the Option Trigger Date.

**Resolved** that the amendment of the Trigger Date within the Option Agreement to provide that the option to purchase the Council's land must be exercised within 120 days (the Option Period) of 12 October 2016 (the new Trigger Date), be approved.

## 7. **Community Infrastructure Levy:-**

### 1. **Clarification of Regulation 123 Infrastructure List;**

- 2. Proposed draft Payment in Kind Policy;**
- 3. Proposed draft Charitable Relief Policy; and**
- 4. CIL Exceptional Circumstances Relief Policy**

Considered report previously circulated which outlined proposals for additional text in the draft Regulation 123 list. The proposed additional text – details of which were submitted - related to strategic transport improvements and green infrastructure. These additions sought to clarify what would be funded from Community Infrastructure Levy (CIL) receipts and what would be sought through planning obligations, to ensure a planning application was acceptable in planning terms.

It was not seeking to add or remove any infrastructure items from the Regulation 123 list and therefore it was considered unnecessary to undertake formal consultation on the additional text.

Also proposed to introduce a Payment in Kind (PiK) Policy in line with Sections 73 and 73A of the CIL Regulations. PiK enabled a developer / CIL liable party to offset the CIL liability against the cost of direct provision of infrastructure. Whilst the introduction of the Policy would allow the Council to accept PiK in appropriate cases, the Council would retain full discretion in such matters and would not be under any obligation to accept PiK in a particular case. All PiK bids would be assessed against the Council's infrastructure priorities, considered by the CIL/Infrastructure Delivery Board and approved by Full Council before PiK bids were accepted.

The introduction of CIL Policies for Discretionary Charitable Relief, to enable charities to claim CIL relief and Discretionary Exceptional Circumstances Relief to enable developers to claim relief from paying CIL in Exceptional Circumstances were also proposed.

This matter had been discussed at the meeting of the Community Scrutiny Committee on 5 April 2016 where Members had generally been supportive of the endorsement of the changes to the text of the Regulation 123 list and the three new policies.

However, the Committee had expressed concern that the current wording of the PiK Policy made no reference to how this would relate to the Unparished Area of Taunton. As a result, the Committee had agreed that a suitable form of additional wording should be approved by the Chairman and Vice-Chairman of the Community Scrutiny Committee for inclusion in the Policy.

Members were concerned that although this form of words had not yet been agreed, Full Council was being asked to endorse the PiK Policy as it stood. It was therefore agreed that the Executive Councillor for Planning Policy and Transportation be granted delegated power to agree an appropriate form of words for inclusion in the policy.

**Resolved** that it be agreed to endorse:-

- (1) The additional text clarifying the current Regulation 123 infrastructure list;
- (2) The proposed draft Payment in Kind Policy, subject to the Executive Councillor for Planning Policy and Transportation – Councillor Habgood –

being granted delegated authority to approve the additional wording as recommended by the Community Scrutiny Committee;

- (3) The proposed draft CIL Charitable Relief Policy; and
- (4) The proposed draft CIL Exceptional Circumstances Relief Policy.

## 8. **Proposed Changes to the Council's Constitution**

Considered report previously circulated, concerning a number of proposed changes to the Council's Constitution.

If approved, the proposed changes would provide greater clarity to timescales by which certain motions / amendments / questions were to be submitted in advance of Council meetings and provided sufficient time for any relevant research / analysis to be undertaken prior to the meeting in question.

The present clauses were somewhat ambiguous and did not always allow sufficient time for the necessary preparation work to be undertaken especially in terms of preparing responses to formal questions submitted.

The proposed changes had been considered and approved by both the Constitutional Sub-Committee and the Corporate Governance Committee.

**Resolved** that the proposed amendments to the Council's Constitution as set out in Appendix A to these minutes, be approved.

## 9. **Electoral Review of Taunton Deane Borough Council**

Considered report previously circulated, which set out the context for the process and timetable associated with the Electoral Review (ER) of Taunton Deane Borough Council (TDBC) which is to be undertaken by the Local Government Boundary Commission for England (LGBCE).

On 9 July 2013, the LGBCE had agreed that there should be an ER of TDBC. The review was triggered as 42% of Wards currently had 10% more or fewer electors in them than the average (in the region of 1400 per Councillor) for the authority (the trigger figure was 30% of all Wards).

Where the LGBCE considered that such imbalance was unlikely to be corrected by foreseeable changes to the electorate within a reasonable period, then an ER was instigated. The last review of TDBC's electoral arrangements had been undertaken in 2006 when it had been agreed to increase the Council size from 54 to 56 members and to make some adjustment to the warding patterns.

Due to a busy schedule of work nationally, the LGBCE had not been able to begin the ER for TDBC until now and following an introductory meeting on 24 November 2016 commenced its work with briefings for TDBC Members, officers and Parish Councils on 29 February 2016. Going forward, the first formal stage of the process would be for the LGBCE to make a proposal

regarding the size of the Council (number of Councillors) in the future and there would be an opportunity for TDBC to submit its own proposal for consideration. The deadline to do this was by 6 May 2016.

The LGBCE would consider all submissions on Council size and would then issue their recommended option after 21 June 2016. There would then be a period of consultation from 28 June 2016 until 5 September 2016. Once again, TDBC would have the opportunity to put forward a submission in this regard and it might be necessary to schedule a special meeting of Full Council to meet this deadline.

After considering any submissions received, the LGBCE would then issue their draft recommendations on 8 November 2016 and allow a further period for consultation until 9 January 2017. The final recommendations would be made on 14 March 2017 with an Order then being laid in Parliament with any new electoral arrangements coming into force for the May 2019 Local Government Elections.

It had been agreed that the Constitutional Sub-Committee should lead on co-ordinating the work in TDBC to support this process and had already received progress reports at its most recent meetings. Work had commenced on providing the latest electoral data and developing electoral forecasts for the middle of 2022 as requested by the LGBCE.

The ER had two distinct parts. The first was consideration by the Council of its future size. This referred to the number of elected Members required for the effective conduct of Council business corporately and by individual Members. In determining size, the LGBCE would consider not only any proposal from this Council but also any other submissions it received.

The second part of the process would be consideration of new Polling Districts and, in turn, new Ward boundaries. This would occur after the LGBCE published its initial conclusions on Council size. A further report on this phase would be produced in due course.

In terms of Council size, the LGBCE guidance indicated that in exercise of its judgement on this issue, it would consider three key areas:-

- (i) The Council's governance arrangements, and how it took decisions across the range of its responsibilities;
- (ii) The Council's scrutiny functions relating to its own decision-making and the Council's responsibilities to outside bodies; and
- (iii) The representational role of TDBC Councillors in the local community, and how they engaged with residents, conduct casework and represented the Council on wider partnerships.

Reported that all Group Leaders had been contacted and requested to submit any proposals or views with regard to the size of the Council and a representation was received from the Conservative Group which suggested that consideration be made aiming for a figure in the early 40s which would represent a reduction from the current figure of 56.

This representation was subsequently discussed at the meeting of the Constitutional Sub-Committee on 4 February 2016 when there was a general consensus that the suggestion was probably in the right area and that there was merit in exploring an option in this quantum.

The representation was then circulated to all political groups for comment and work had continued on documenting current and proposed governance arrangements and fine tuning the electorate forecasts. This work had resulted in the draft submission which was submitted with the report for the information of all Councillors.

**Resolved** that the draft submission, attached as an Appendix to the report, be submitted to the Local Government Boundary Commission for England in respect of the proposed size of the Council in the future.

## 10. **Written Questions to Members of the Executive**

- **To Councillor John Williams from Councillor Simon Coles**

**(i) Electoral Review of Taunton Deane – Regarding the proposed changes to the number of Councillors and the make-up of the Council Committees thereafter**

(a) Whilst I am not opposed to a reduction in the number of Councillors elected to the Council, per se, I am concerned as to how we ensure that Democracy is served via new ward boundaries. Before agreeing to any number I would need to be satisfied regarding ensuring there is no Democratic Deficit. There is still a lot of work to do to reach a consensus on this matter. I welcome the debate and look forward to the discussion. Can Councillor Williams please outline the process he intends to follow?

**Reply** - *As the report explains, an Electoral Review is a two stage process as laid down by the Local Government Boundary Commission for England (LGBCE). The issue of agreeing ward boundaries forms the second stage and with the report being debated tonight dealing with the first stage which is to determine the size of the Council.*

*Once the LGBCE has agreed what the size should be in June 2016, there will be an opportunity for the Council to put forward any proposals in regard to ward boundaries reflecting the recommended size of the Council. It is intended that the Constitutional Sub-Committee will again lead on seeking a consensus submission from the Councillors. As in stage one, it is intended that all political groups will be given the opportunity to input into this process which will happen over the summer months. It is important to note that whatever Taunton Deane proposal comes forward (whether by consensus or not), it will be the LGBCE who will make the final decision.*

(b) It is wholly unacceptable that two Scrutiny Committee's are reduced to just one Committee.

I believe that, we should, as part of this review, discuss the re-introduction of the "Committee System".

I would also ask why there is the suggestion that the Planning Committee is to be a different size to all the other Committees. It strikes me that we should maintain the same numerical composition of these five statutory Committees. Therefore, again, I will not support the suggestion made.

**Reply** - *The suggestions set out on pages 12 and 13 of the report are in the context of demonstrating options that could be applied should a lower size of say 43 be determined by the LGBCE. On page 13 it states that 'it should be stressed that the suggested numbers shown in the right hand column is but one possible variant that could be adopted should the size of the Council be set at a lower figure of 43'. Examples of other options are listed at the bottom of page 13, after which it is clearly stated that 'It is not considered necessary or appropriate to be prescriptive of such detail at this stage'.*

*Therefore, the issues referred to have been referenced to demonstrate that there are options that would enable the Council to operate an effective decision making process with a smaller number of Councillors. By agreeing the recommendation, the Council is not committing itself to any specific option at this stage. Once the LGBCE have completed the Electoral Review and the future size of the Council is known, that will be when such detail will need to be reviewed and properly debated.*

## **(ii) Devolution**

Despite all the fine words that the Prospectus has been submitted to Central Government and accepted, Councillor Williams does not even acknowledge that the Government dictat requires acceptance of the Mayoral structure or the bid will go to the back of the pile. Does Councillor Williams's assertion in item 1 of his report signify a change from the previously held view that a "Mayor" for Somerset and Devon was wholly unacceptable? And if so, when and how and by whom was this fundamental change agreed?

**Reply** - *I refer you to Minute No 6 of the meeting held 23 February 2016 and forming part of this agenda on pages 4 and 5, Heart of the South West Devolution. The last paragraph on page 4 is clear that no decision on Governance had been made but that a form of Combined Authority was proposed. In the resolution recorded on page 5, part (b) it is also clear that any devolution "deal" negotiated with Government would come back to Full Council for approval.*

*Also in my report to Council tonight item 1.1 clearly refers to a "Combined Authority" so I am not seeing any fundamental change in my position as is suggested. Final proposals negotiated with the Government, will be brought back to Full Council for approval or otherwise as resolved at our meeting on 23 February 2016.*

## **(iii) Shared Services and Management with West Somerset Council**

It is a given that the costs incurred will be scrutinised to ensure that there is no cost shunting to the taxpayers of Taunton Deane. Can Councillor Williams

please outline the record keeping he proposes to use to ensure due diligence on costs for this stage of the project?

**Reply** - *Costs for the Business Case will be split 80:20 unless there is evidence to suggest this should be varied for any particular piece of work required to complete this stage of the project.*

*In terms of ongoing work by the One Team, costs splits are kept under review by individuals, Managers and the Corporate Centre. Our auditors are satisfied with our current arrangements.*

#### **(iv) Broadband Provision**

I am given to understand that not only will the 90% threshold not be met by the target date (December 2016) but that it is most unlikely that the phase two target of 95% by the end of 2017 will be met. What actions does Councillor Williams propose to counteract this likelihood?

**Reply** – *Connecting Devon and Somerset is hosted by Somerset County Council and therefore it would be best if Councillor Coles directs his question there in his role as a County Councillor. I am on the Board as the Somerset Districts representative for phase 2, so can enquire progress in that wider role, not just as Leader of Taunton Deane. As far as I am aware we are not at the end of Phase 1 works yet so final coverage has not been calculated.*

*In terms of Phase 2 that has not been let or started yet, so how any conclusion can be drawn is difficult to understand as it is planned to run to at least the end of 2017.*

- **To Councillor John Williams from Councillor Simon Nicholls**

Would Councillor Williams please explain to Members what he expects from Councillors in terms of time frames when responding to residents' questions?

I raise this as a resident within my Ward has recently experienced a four month delay from a question that was directed to Councillor Habgood at November's Full Council meeting. You, along with senior officers, recently highlighted the need for better communication between Taunton Deane and the Parish Councils, and this was recorded at a recent meeting with Bishops Hull Parish Council which features in their minutes of the 17 December 2015.

As Leader of the Council you will be well aware of the poor perception this causes. Could you please share with Members what action you have taken since your statement in November - And if action has been taken, why it has not been followed by a senior Member of your Group?

**Reply** - *I of course support and promote prompt responses to any queries and can only apologise for the inadvertently delayed response from Councillor Habgood.*

*Councillor Habgood finds it very regrettable that his response was delayed, however dealt with it very quickly once brought to his attention. As it is always*

*our aspiration to improve communication, it is a clear intention to respond quickly to any queries raised. If by chance we do not respond promptly, it is helpful if a timely reminder can be provided.*

- **To Councillor Catherine Herbert from Councillor Simon Nicholls**

Would Councillor Mrs Herbert share with Members in broad terms the new "Master Plan" for reinstating the Green Flag status for Victoria Park?

I raised this question late last year. Hopefully Members can now be briefed.

I attended Victoria Park Friends Group meeting earlier this year and considerable disappointment existed regarding lack of leadership and Council engagement. Presumably this has been addressed within the new "Master Plan".

**Reply** – *An Action Plan for Victoria Park, Taunton for 2016 has been produced with a series of proposed actions under the following 'Aims':-*

- (1) A Welcoming Place;*
- (2) Healthy, Safe and Secure;*
- (3) Clean and Well Maintained;*
- (4) Sustainability;*
- (5) Conservation;*
- (6) Heritage;*
- (7) Community Involvement;*
- (8) Marketing; and*
- (9) Management.*

*A copy of the detailed Action Plan had already been circulated to Members for information.*

- **To Councillor Richard Parrish from Councillor Richard Lees**

(a) HR and Organisational Development (Paragraph 3.2 of Councillor Parrish's Report)

With regard to Personal and Work Related Stress - Are we providing any counselling support for staff?

**Reply** - *Yes. This is an area of staff wellbeing which Managers and Members regard with the utmost importance. Managers and key staff have had stress management awareness training and mental health awareness training and employees have access to a confidential external counselling help line service called Care First. I have sent Councillor Lees the Council's Wellbeing and Sickness Absence Policy by email for his information.*

(b) ICT and Information (Paragraph 4.2)

Who makes up the Southwest One Steering Group, as some Councillors may not know?

**Reply** - *The first meeting of this Steering Group is scheduled for 20 April 2016. It is comprised of the following Members; Councillors Parrish, Gaines, Mrs Herbert and R Lees. Minutes will be taken and disseminated to Members.*

(c) Southwest One (SWO) (Paragraph 6.2)

When do you expect the due diligence as to the costs of repatriating services to be completed?

**Reply** - *This issue is a complex one and has resulted in requiring more time to analyse responses from SWO. I am advised by officers that it is anticipated to have the full analysis during May. The Council will then be in a position to formalise an agreement with SWO by 31 May 2016.*

(d) Revenues and Benefits Service (Paragraph 10.3)

The Department of Work and Pension's £118,000 is reported to have been distributed. How many people throughout Taunton Deane has this assisted?

**Reply** - *We assisted 303 customers with Discretionary Housing Payments. There were a total of 375 awards meaning that some customers received more than one award.*

(e) Law and Governance SHAPE Partnership Service (Paragraph 8.2)

I would just like to reiterate your kind words about Roy Pinney, and say a personal thank you to him for the work he has done for Taunton Deane and wish him well in his new appointment.

**Reply** - *I will invite Councillor Lees to make his comments to Mr Pinney at the Full Council Meeting.*

## 11. Recommendation to Council from the Executive

### Community Asset Transfer Policy

A consultation exercise had recently been completed in respect of the Council adopting a Community Asset Transfer (CAT) Policy.

The consultees had comprised:-

- o Councillors: County, Town and Parish as well as the Member of Parliament;
- o Education Organisations;
- o Faith Groups/Churches;
- o Internal Officers;
- o Partner Organisations; and
- o Voluntary and Community Organisations.

The Council had received a total of 27 responses giving a response rate of 7.9%.

The key themes of the consultation concerned:-

- (i) Whether the consultee believed that the Policy would deliver wider public benefits as part of a CAT process;
- (ii) Whether the consultee believed the Policy would achieve the Council's Corporate Aims and Values;
- (iii) Agreement as to the principles underlying the Policy which sought to involve local communities, to provide a pro-active asset management programme as well as giving clear transparency in decision making. Consultees were asked whether these principles would help the Council achieve a successful CAT Policy; and
- (iv) Acceptance of the application criteria set out in the CAT Policy.

Although it was generally apparent that the majority of the consultees were supportive of the Council transferring assets, there was concern about continuing liabilities, lack of ongoing support from the Council but a continuing 'interest' in the land by the Council. Others believed that assets should be retained by the Council.

As a result of the consultation, a number of amendments had been made to the proposed CAT Policy a copy of which had been circulated to all Members along with a copy of the Initial Expression of Interest Form.

The transfer of assets to community groups would have the potential to create opportunities for these groups to commission Deane DLO or other services to support them post transfer.

On the motion of Councillor Edwards, it was

**Resolved** that the Community Asset Transfer Policy and the Initial Expression of Interest Form be adopted by the Council.

## 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:-

- Devolution;
- Shared Services and Management with West Somerset Council;
- Proposed Firepool Development;
- Broadband Provision;
- Road Works, Taunton;
- Deane DLO Relocation;
- The Deane House Relocation Project; and
- Halcon One Team Award.

(ii) **Planning, Transportation and Communications (Councillor Habgood)**

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

- Planning Policy – Site Allocation and Development Plan (SADMP);
- Core Strategy Review;
- Regulation 123 Review;
- Neighbourhood Planning;
- Custom / Self-Build Register;
- Technical Consultation on implementation of Planning Changes;
- Quarterly Policy Update;
- Major Applications – Local Development Order; Staplegrave; Regeneration – Firepool; Transportation – Twenty Year Infrastructure; Transportation – Variable Message Signing; and
- Parking.

(iii) **Sport, Parks and Leisure (Councillor Mrs Herbert)**

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

- Community Leisure and Play – Bandstand Concerts and Blackbrook Pool;
- Parks and Open Spaces – Vivary Café; Hanging basket deals for town centre traders; and Grass Cutting;
- Tone Leisure (Taunton Deane) Limited Activities – Health Development; Active Lifestyles; and Facility News.

(iv) **Corporate Resources (Councillor Parrish)**

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

- Corporate Strategy and Performance;
- Facilities Management;
- HR and Organisational Development;
- ICT and Information;
- JMASS Project and Transformation Project Management;
- Southwest One;
- Democratic Services;
- Law and Governance – Shape Partnership Services;
- Customer Contact Service Report;
- Revenues and Benefits Service; and
- Finance and Procurement.

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

Councillor Mrs Warmington presented the Community Leadership

report which focused on the following areas within that portfolio:-

- One Teams;
- RuralReach;
- Let's Make Loneliness History! and
- Taunton Welcomes Refugees.

(vi) **Housing Services (Councillor Beale)**

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

- Deane Housing Development – Creechbarrow Road, Taunton, Weavers Arms, Wellington, Scooter Storage and Car Parking;
- Right to Buy Social Mobility;
- Affordable Housing Delivery;
- Insulation and Energy;
- Rent Arrears;
- Welfare Reform Visits;
- Discretionary Housing Payments;
- Universal Credit;
- Pathway for ASDults P4A;
- Housing Revenue Account; and
- Pre-Void Inspections and Tenancy Enforcement.

(vii) **Environmental Services and Climate Change (Councillor Berry)**

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

- Environmental Health / Licensing;
- Somerset Waste Partnership;
- Deane DLO; and
- Crematorium.

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

The report from Councillor Edwards covered:-

- Creating, Commissioning and Supporting Local Business Networks;
- Supporting Inward Investment and Investor Fulfilment;
- Improving Employment Opportunities and Enhancing the Skills of the Workforce;
- Supporting Place Based Regeneration Projects and Initiatives – Firepool; Coal Orchard The Market House and Town Centre WiFi;
- Marketing the Areas as Business and Lifestyle Destinations with

Links to Tourism and Culture – Taunton Visitor Centre; Town Centre Rotunda, promotional lamp-post and Castle Bow banner site; Town Centre Marketing Contract; Social Media and e-newsletters; Visit Somerset and South West Tourism Growth Fund; Promotional Literature and Cultural Events in Taunton;

- Asset Management Service General Fund Activities; and
- Communications.

(Councillors Davies left the meeting at 8.52 p.m. Councillors Miss Durdan, Stone, Ms Webber, Wedderkopp and Wren left the meeting at 8.55 p.m. Councillor Govier left the meeting at 9.12 p.m. Councillors D Durdan and Gage left at 9.25 p.m.)

(The meeting ended at 9.29 p.m.)

## APPENDIX A

### APPROVED AMENDMENTS TO THE TAUNTON DEANE BOROUGH COUNCIL CONSITUTION

REF.	CURRENT	PROSED
Notices of Motion (page 92) 4 (2)	Eight calendar days' notice are required in order to have a Notice of Motion included in the summons to a Council meeting.	Seven clear working days' notice is needed in order to have a Notice of Motion included in the summons. This means that written notice must be delivered to the Democratic Services Manager by 4 pm on the Thursday of the week prior to the week that the summons for the meeting is to be dispatched or by 4 pm on the day that provides seven clear working days before the council meeting (excluding the day of the meeting itself).
Amendments (page 94) (6)	If there is to be an amendment to the proposed budget then it must be received by the Democratic Services Manager by 12 noon the day before the Council meeting.	If there is to be an amendment to the proposed budget then it must be received by the Democratic Services Manager by 4 pm on the Thursday before the Council meeting or by 4 pm on the day that provides two clear working days before the Council meeting (excluding the day of the meeting itself).
Questions from Councillors (page 98) 14 (2)	Any Councillor upon giving two working days written notice to the Democratic Services Manager may ask ....	Any Councillor, upon giving written notice to the Democratic Services Manager by 4 pm on the Thursday before the Council meeting or by 4 pm on the day that provides two clear working days before the Council meeting (excluding the day of the meeting itself) may ask.....