

SWT Executive

Tuesday, 9th July, 2019,  
6.15 pm

The logo for Somerset West and Taunton, featuring the text "Somerset West and Taunton" in white on a teal background with a white swoosh at the bottom right.

The John Meikle Room - The Deane  
House

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**Members:** Federica Smith-Roberts (Chair), Benet Allen (Deputy Chair),  
Chris Booth, Ross Henley, Marcus Kravis, Richard Lees,  
Peter Pilkington, Mike Rigby, Francesca Smith and  
Alan Wedderkopp

### Agenda

**1. Apologies**

To receive any apologies for absence.

**2. Minutes of the previous meeting of the Executive**

To approve the minutes of the previous meeting of the  
Committee.

(Pages 5 - 12)

**3. Declarations of Interest**

To receive and note any declarations of disclosable  
pecuniary or prejudicial or personal interests in respect of  
any matters included on the agenda for consideration at this  
meeting.

(The personal interests of Councillors and Clerks of  
Somerset County Council, Town or Parish Councils and  
other Local Authorities will automatically be recorded in the  
minutes.)

**4. Public Participation**

The Chair to advise the Committee of any items on which  
members of the public have requested to speak and advise  
those members of the public present of the details of the  
Council's public participation scheme.

For those members of the public who have submitted any  
questions or statements, please note, a three minute time  
limit applies to each speaker and you will be asked to speak  
before Councillors debate the issue.

- 5. District wide Local Plan: Local Development Scheme** (Pages 13 - 48)
- The Council is required to prepare a Local Development Scheme (LDS) which sets out the programme for the preparation of the District wide Local Plan and other development plan documents.
- The current adopted Local Plans by Taunton Deane Borough Council and West Somerset Council are in need of updating.
- 6. District wide Local Plan: New Member Steering Group** (Pages 49 - 58)
- Having commenced the review of the district wide Local Plan, this report seeks to establish a Member Steering Group to support the review process.
- 7. Statement of Community Involvement (SCI): Draft for Consultation** (Pages 59 - 100)
- The Statement of Community Involvement (SCI) sets out how Somerset West and Taunton will involve our community and stakeholders in the preparation, alteration and review of local planning policy and the consideration of planning applications within the Local Planning Authority area.
- This is our first SCI for the new Council and has been prepared to take account of changes to planning policy nationally, as well as learning from elements of the former SCI's for Taunton Deane BC and West Somerset Council respectively.
- 8. Executive Action Plan**
- To update the Executive on the progress of resolutions and recommendations from previous meetings of the Committee.
- 9. Executive Forward Plan** (Pages 101 - 104)
- To receive items and review the Forward Plan.
- 10. Access to Information - Exclusion of the Press and Public**
- During discussion of the following item(s) it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 13 13.02(e) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Executive will need to decide whether, in all the circumstances of the case, the

public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

Recommend that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the ground that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

**11. Laxton Road Housing Development**

(Pages 105 - 114)

**12. Coal Orchard Development**

(Pages 115 - 140)



**JAMES HASSETT  
CHIEF EXECUTIVE**

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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, and Committee agendas, reports and minutes are available on our website: [www.somersetwestandtaunton.gov.uk](http://www.somersetwestandtaunton.gov.uk)

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## SWT Executive - 18 June 2019

Present: Councillor Federica Smith-Roberts (Chair)

Councillors Chris Booth, Habib Farbahi, Ross Henley, Peter Pilkington, Mike Rigby, Francesca Smith and Alan Wedderkopp

Officers: Marcus Prouse, Paul Fitzgerald, James Hassett, James Barra, Tim Bacon, Paul Browning, Nick Bryant, Robert Downes, Laura Higgins, Nicki Maclean and Gerry Mills

Also Present: Councillors Roger Habgood, John Hunt, Libby Lisgo, Brenda Weston, Loretta Whetlor, Catherine Herbert, Marcus Kravis and Janet Lloyd

(The meeting commenced at 6.15 pm)

### 1. Apologies

Apologies were received from Councillors B Allen and R Lees

### 2. Minutes of the previous meeting of the Executive

(Minutes of the meeting of the Shadow Executive held on 26<sup>th</sup> March 2019 circulated with the agenda)

**Resolved** that the minutes of the Shadow Executive held on 26<sup>th</sup> March 2019 be noted.

### 3. Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr C Booth	All Items	Wellington & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr C Herbert	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr J Hunt	All Items	SCC	Personal	Spoke
Cllr L Lisgo	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr J Lloyd	All Items	Wellington	Personal	Spoke
Cllr P Pilkington	All Items	Timberscombe	Personal	Spoke and Voted
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke and Voted

Cllr F Smith	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr F Smith-Roberts	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr L Whetlor	All Items	Watchet	Personal	Spoke

Councillor Smith-Roberts declared a personal interest in Item 10 – Regeneration of Firepool, with a Charity she founded occupying a building on the site.

Councillor Smith declared a personal interest in Item 10 – Regeneration of Firepool in that a family member founded a Charity currently occupying a building on the site.

#### 4. **Public Participation**

(a) Mr Alan Debenham asked the following questions;

Previous Questions put to full SWAT Council 22<sup>nd</sup> May with follow-up put in writing to the Scrutiny Committee meeting of 12<sup>th</sup> June re the undeveloped Firepool site in Taunton. “Can I assume, as do many local residents, that this newly elected Council will now revoke this whole ex-Tory hotel proposal forthwith and replace it with a much more positive and meaningful alternative? In line with the recently resolved declaration of “Climate Emergency” by the Shadow Council, could this be the construction of a visitors’ centre for “PEACE” ( People’s Environmental Action for Climate Emergency ) which would incorporate lively hands-on educational experiences, backed by a full library of publications and displays etc. like the WeTheCurious centre in Bristol harbourside - of course, plus a visitors ‘promotional’ vegetarian cafe-restaurant overlooking the river, a cycling centre, and a general repair and waste reduction-recycling large workshop?”

1. What is the latest state of the Council’s thinking and planning re the above, especially now that the proposal for a hotel appears not to have been deleted as I was led to believe, but merely its financing and operation changed from Council to private provision? And what has happened to my proposed and well thought out inclusion of a very innovative visitors’ PEACE centre as replacement for the hotel, or otherwise?

Previous Question put to full SWAT Council 22<sup>nd</sup> May which has yet to be properly answered, especially with reference to County Gazette’s recent follow-on reports of urgent staff recruitment being necessary to fill vacant Council posts wrongly made so by expensive overdone redundancies. The massacre of staff by the ex-Tory administration has left several departments struggling to efficiently fulfil their duties, especially in Planning and Building Control, and therefore, in the name of good management, I ask the new administration to conduct a thorough staffing review ASAP to redress these failings.

2. What is the latest position in the embarrassing filling of posts related to the overdone redundancies, and what is the total cost to the Council of this whole blunder, and who is taking responsibility for it? Also how is it, in the reported horrendous £5.6 million total redundancy pay-outs – especially for the ex-CEO and other top officers getting six figure amounts – that most of these posts still exist and as such, how on earth can they be treated as redundancies at all and how does this redundancies debauchery tie-in with the Council's suffering severe government imposed austerity for the past decade?
  
3. Now the government at last has released Councils from the previous borrowing cap on funding for new building of Council houses for rent, what does this now mean, both in monetary terms regarding the maximum new funds made available and in the numbers of Council rented houses completed, that the new administration now plans for the current year and those ahead? Also regarding the purchase of land for Council house building - a very worthy community cause at this time of rented housing crisis – will the Council be able to buy this at a very fair 'existing use value' under compulsory acquisition if this proves necessary as final resort AND, if not, why not?
  
- (4) In terms of CO2 concentrations and climate records, nothing higher than 280 ppm (parts per million) existed for the whole of human existence until the industrial revolution. The last time CO2 levels were at their current 415 ppm was 3 million years ago, and sea levels were 10 to 20 metres higher. This might very reasonably suggest a sea level rise of 10 to 20 metres is already locked into the global climatic systems. Given that the Government, as well as this new Council, have declared "Climate Emergencies", surely Planning Committee must now make climate change mitigation an immediate material consideration in all planning and building regulation matters? And with all existing planning and development permissions no longer fit for purpose, surely these MUST be reviewed ASAP for large uplifted sea level rises?

The Leader Councillor Federica Smith-Roberts thanked Mr Debenham for his questions, and allocated his questions various Portfolio Holders and Officers.

In relation to question 1, Councillor Farbahi responded that the concept was disliked in terms of taxpayer funding element, but that didn't mean that the Council could not explore opportunities. In terms of the environment, this was at the top of the Council's Agenda. We were going to work with partners to deliver an Innovation Centre and work with local stakeholders such as Universities on issues such as greenhouse gases and plastics. Firepool has to be financially viable and so all options had to be explored.

In relation to question 2, James Hasset responded that the confirmed figure in the accounts of £5.6 million as reported in the press with a £600,000 contingency which has largely realised for an overall figure of £6.2 million in line with what was reported. The reasoning for this figure was the inclusion of the Direct Labour Organisation in the restructuring programme. This added a large number of staff,

many of whom were in the 55+ bracket which made it more expensive, and more took up the Voluntary Redundancy (VR) scheme than had been expected. The option to go with a VR Scheme was made by the previous Council. The legislation made provision with the dissolution that the Chief Executive of the previous Councils was entitled to redundancy.

In relation to question 3, Councillor Francesca Smith responded that the Council was going to take up the opportunities afforded by the lifting of the borrowing cap to develop existing Council properties using our own land and if necessary purchasing land. 6000 properties in the old Taunton Deane Area were managed by the Council and the housing stock in West Somerset was controlled by Magna. Social Housing would be developed with a view to the whole area, depending on need. A clear steer had been given to the Officers to seeing more Social Housing being developed.

In relation to question 4, Councillor Mike Rigby responded that the thread of Climate Change was running through the manifesto. A review of the Local Plan had been instigated and this would encompass policy for the entire new district. Climate Change would be more centrally focused in the new Local Plan, and will take around two years to come into being. We had very ambitious plans for Carbon Neutrality that will feed into the planning policies being brought forward over the next two years.

#### 5. **Allocation of Hinkley Point C s106 Tourist Information Centre Funds**

Councillor Farbahi introduced the circulated report, which concerned the suggested approach for allocating Hinkley Point C (HPC) Section 106 funds for Tourist Information Centres (TIC) for the next 3 years – 2019/20, 2020/21 and 2021/22.

During the discussion of this item, Members made comments and asked questions which included:-

- Questions were raised on the breakdown of the funding and the Service Level Agreement (SLA). The understanding had been that the original SLA required the Watchet TIC to be open 7 days a week. Had this been revised?
- What would happen after the funding ceased after three years?
- *The SLA's are reviewed annually. Watchet and Minehead TIC's are open for greater hours than the Porlock and there was no specificity to the number of days.*
- *After the three years there would be roughly £67,000 left in funding, and this would be the for Hinkley Tourism Action Partnership to decide how that was spent and would be reviewed nearer the time.*
- It was stated that TIC's would have funding streams available to them from other sources than this specific pot.

**RESOLVED** to agree the allocation of £72,000 of Hinkley Point C (HPC) Section 106 funding over three years to the three West Somerset based Tourist



Information Centres (TIC) in Minehead, Watchet and Porlock that are identified to receive allocations under the Development Consent Order (DCO) Agreement.

6. **Local Plan Issues Document - Approval for Public Consultation**

Councillor Mike Rigby introduced this item which sought approval for the first public consultation stage (the Issues Document) in the Local Plan making process.

**RESOLVED** that the item be deferred to the next meeting of the Executive on 9<sup>th</sup> July to allow for the Scrutiny comments/amendments to be properly circulated and considered.

7. **District wide Local Plan: Local Development Scheme**

Councillor Mike Rigby introduced this item which concerned the Local Development Scheme (LDS) required to be prepared to set out the programme for the preparation of the District wide Local Plan and other development plan documents.

**RESOLVED** that the item be deferred to the next meeting of the Executive on 9<sup>th</sup> July to allow for the Scrutiny comments/amendments to be properly circulated and considered

8. **District wide Local Plan: New Member Steering Group - Nominations**

Councillor Mike Rigby introduced this item which concerned the establishment of a Member Steering Group to support the Local Plan Review process.

**RESOLVED** that the item be deferred to the next meeting of the Executive on 9<sup>th</sup> July to allow for the Scrutiny comments/amendments to be properly circulated and considered.

9. **Statement of Community Involvement (SCI): Draft for Consultation**

Councillor Mike Rigby introduced this item which concerned The Statement of Community Involvement (SCI) and set out how Somerset West and Taunton would involve our community and stakeholders in the preparation, alteration, and review of local planning policy and the consideration of planning applications within the Local Planning Authority area.

**RESOLVED** that the item be deferred to the next meeting of the Executive on 9<sup>th</sup> July to allow for the Scrutiny comments/amendments to be properly circulated and considered.

10. **Regeneration of Firepool**

Councillor Habib Farbahi introduced the circulated report which was considered the next key step to progress delivery of the Firepool site. The report set out a programme of activity to deliver the outline planning consent. The report outlined a little of the history of the site, some lessons learned and the steps undertaken in the past three months to identify the likely most deliverable form of development in a relatively short programme. Appendix 1 consisted of the indicative conceptual block plan for the site which both built on the outline planning approval and accorded with current planning policy. This was not a prescriptive solution but it was a work in progress. The site was to be divided into bite size blocks to assist greater flexibility and certainty of delivery. The intention was that the Council would act as the masterplan developer to deliver the public realm and infrastructure to remove the obvious barriers to progress the site and act as a catalyst to delivery.

During the discussion of this item, Members made comments and asked questions which included:-

- Questions were raised from the Executive around the Block plan scale details and the timing of delivering of the venue being pushed to the back-end and the separate delivery of a cinema?
- *The size was very indicative and the next process would be to fill in that detail but the scale would be adequate for the size of performance venue. The positive around using the Block 4 allocated for the Venue is that other activity is not dependent. The time would be allowed to prove the business case for a venue which was considered the most challenging without holding back the regeneration of the scheme. The Cinema could move ahead more quicker and there would be no conflict in terms of acoustics with the Venue.*
- There were concerns raised around the delivery programme risk and the Housing being easily developed and the rest not following on.
- Design was considered important and this was an opportunity to do something unique and environmentally friendly.
- It was accepted that the mixed use aspect ensured its deliverability but that the non-Housing aspects needed to be delivered.
- Other Members asked questions relating to the earliest deliverability date of the Firepool Site, that the Project Management was adequately resourced, the Brewhouse project considerations, an update on the Design Standards work.
- *In relation to the Brewhouse, all of the considerations were being taken in regard to the site and conversations would continue to maintain that theatre provision.*
- *In relation to Programme Management, to keep up pace and momentum some activities were being twin-tracked creating eighteen potential work streams and the right resources would be in place.*
- *Design standards will sit alongside the Framework Masterplan which will evolve, but developers will be given clear expectations of what is acceptable. The Portfolio Holder would take the point made and pursue this with the Planning team.*

- Further concerns were raised around Social Value being built into the process and the small businesses in and round the site on Station Road and Bridge Street being supported.
- *The Portfolio Holder reassured Councillors that the local businesses would be interacted with via a forum.*

**RESOLVED** that the Executive supported the following recommendations and recommended them to the Full Council to consider:

- (i) That the broad principle of the conceptual block plan design is progressed to Framework Masterplan and that indicative designs for all of the blocks are developed. In-particular Blocks 1, 2, and 5 be progressed to detailed business case and to provide authority to appoint a design team following due process.
- (ii) To endorse the approach that the Council further considers the business case to act as the lead commercial and masterplan developer and to delegate authority to the Head of Commercial Investment in consultation with the Portfolio Holder to enter into relevant transactions. This will include hard market testing of Blocks 1,2 and 5 to inform completion of business cases.
- (iii) To endorse the principle that the Council may also be the developer of some of the plots each being considered on a case by case basis and subject to a detailed business case and further Council approval.
- (iv) To note the review of the Hotel development project, to cease the current Council investment plans and cancel the existing budget approval and instead to seek a development partner/investor to deliver this scheme as an alternative to the previously approved Council development, and on a different part of the site. A specialist property adviser will be appointed to undertake a thorough hard marketing exercise.
- (v) To commission a suitable performance venue expert to establish the business case and conduct soft market testing with suitable operators for such a facility on site.
- (vi) To report back with progress as and when required and set up a project governance Board to oversee the direction of the project.
- (vii) Approval of a total budget of £275,000 to progress these work streams and this to be funded from New Homes Bonus funds.

#### 11. **Exclusion of the Press and Public**

**RESOLVED** that the press and public be excluded during consideration of agenda item 12 on the grounds that, if the press and public were present during the item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended as follows:

The item contained information that could release confidential information that related to the financial or business affairs of any particular person (including the authority holding that information). It was therefore agreed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

12. **Confidential Report - Commercial Asset Management**

The Executive considered this item which was commercially confidential and related to Asset Management.

**RESOLVED** that the Executive supported the following recommendations and recommended them to the Full Council to consider:

- (i) Purchase the property as a commercial investment on the basis of the costs and returns identified in Section 6.
- (ii) Delegate authority to the Head of Commercial Investment together with the S151 Officer to complete the transaction subject to satisfactory due diligence.
- (iii) Approve a Supplementary Budget within the Capital Programme in line with total investment costs summarised within Section 6, to be funded by capital borrowing.

13. **Executive Action Plan**

(Copy of the Executive Action Plan, circulated with the agenda).

**Resolved** that the Executive Action Plan be noted.

14. **Executive Forward Plan**

(Copy of the Executive Forward Plan, circulated with the agenda).

Councillors were reminded that if they had an item they wanted to add to the agenda, that they should send their requests to the Governance Team.

**Resolved** that the Executive Forward Plan be noted.

(The Meeting ended at 8.45 pm)

## Somerset West and Taunton

### SWT Executive– 9th July 2019

#### District wide Local Plan: Local Development Scheme

This matter is the responsibility of Councillor Mike Rigby

Report Author: Paul Browning: Strategy Specialist

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

- 1.1 Somerset West and Taunton has the statutory responsibility to prepare a Local Plan which covers the whole of the new local authority area (excluding Exmoor National Park). It is a requirement that these Plans are kept up-to-date and fit for purpose, with planning policy guidance advising on updating such Plans in whole (or in part) at least every 5 years.
- 1.2 The Council is also required to prepare a Local Development Scheme (LDS) which sets out the programme for the preparation of the District wide Local Plan and other development plan documents.
- 1.3 The current adopted Local Plans by Taunton Deane Borough Council and West Somerset Council are in need of updating.

#### 2 Recommendations

- 2.1 With regard to the production of the District wide Local Plan, **Executive recommends to Council to:**
  - Approve the Local Development Scheme (enclosed as Appendix 1); and
  - In consultation with the Portfolio Holder for Planning and Transport delegated authority is given to the Head of Strategy to agree any necessary final amendments prior to its publication.

#### 3 Risk Assessment (if appropriate)

- 3.1 The potential risks that might impact on the preparation and timely delivery of the Local Plan and other Development Plan documents are set out the “Risk Assessment section of the Local Development Scheme (See Appendix 1 – Table 2).

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

- 4.1 We are required under the Planning and Compulsory Purchase Act 2004 (as

amended) (the Act) to prepare a Local Development Scheme (LDS) which sets out the programme for the preparation and review of development plan documents.

- 4.2 The need for Local Authorities to have “up-to-date” Local Plans was recently affirmed in the government’s National Planning Policy Framework (February 2019).
- 4.3 In accordance the Local Government (Boundary Changes) Regulations 2018, we must adopt a local development document under section 23 of the 2004 Act to apply to the whole of the area within a period of 5 years starting with the reorganisation date.
- 4.4 The LDS (enclosed as Appendix 1) thus takes account of national developments in planning policy and legislation and local changes. The aim is to publish:
  - Publication of an “Issues and Options” style document (Regulation 18) in Q3 of 2019/20.
  - Publication (Regulation 19) in Q2 of 2020/21.
  - Submission Plan (Regulation 22) to Secretary of State in Q3 of 2020/21.
  - Examination (Regulation 24) i.e. Public Inquiry with appointed Inspector- Q1 of 2021/22.
  - Adoption Inspector’s Report, approval at Full Council in Q3 of 2021/22.
- 4.5 At this stage the Review is about updating our adopted local plan policies to reflect current the latest position and government advice.
- 4.6 The nature of various aspects of planning policy means that Members have in the past been actively involved in the local plan process. Members will recall that adopted planning polices for Taunton Deane Borough Council and West Somerset Council were informed by regular meetings of a Member Steering Group. To this end, agenda the item gives authority to the Portfolio Holder for Planning and Transport to establish a Member Steering Group to support the review process.

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

- 5.1 Officers are in the process of preparing a new Corporate Strategy to replace those previously prepared for Taunton Deane and West Somerset. The Local Plan is an important document which will help articulate and translate the Council’s emerging strategic objectives into planning policy.

## **6 Finance / Resource Implications**

- 6.1 There is an agreed budget and reserves to support the delivery of the Local Plan process.
- 6.2 The Portfolio Holder for Planning and Transport and the Head of Strategy has reviewed and approved this report with no issues arising. Minor changes to the text were suggested and incorporated.

**7 Legal Implications (if any)**

- 7.1 The Council's Constitution describes how Somerset West and Taunton will discharge its responsibilities, including responsibilities for the preparation and adoption of the Local Plan, which must be considered and endorsed by Full Council, prior to adoption.

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

- 8.1 None at this stage. In order to comply with statutory duties associated a Habitat Regulations Assessment; Sustainability Appraisal will be prepared as part of the plan making process.

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

- 9.1 None at this stage.

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

- 10.1 None at this stage. In order to comply with the public sector equality duty: an Impact Assessments (IA) accompanies this series of reports and agenda items on the Local Plan (enclosed as Appendix 2). Further Impact Assessments will be prepared in due course as part of the plan making process. Further, details of the process are also available from:

<https://www.somersetwestandtaunton.gov.uk/your-council/equality-and-diversity/>

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

- 11.1 None at this stage.

**12 Partnership Implications (if any)**

- 12.1 A revised draft Statement of Community Involvement (SCI) has been prepared as part of the plan making process. To this end, agenda item seeks approval to consult upon the contents of the draft SCI.
- 12.2 The recommendations outlined in the agenda item seek to ensure that Members continue to play an active role in the review of the District wide Local Plan.

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

- 13.1 None at this stage.

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

- 14.1 None at this stage.

## **15 Data Protection Implications (if any)**

15.1 None at this stage.

## **16 Consultation Implications (if any)**

16.1 None at this stage.

## **17 Scrutiny Comments / Recommendation(s) (if any)**

17.1 As per the published Draft Scrutiny Minutes, during the discussion at Scrutiny, the following points were made:-

- Councillors queried once the document had been completed in 2021, how much weight it would hold.  
*In this country there was a plan led system in law, however, we delivered in a 'nuance' system where decisions were made in accordance with the government plan unless material consideration indicated otherwise.*
- Councillors queried whether the document was able to adapt to the continually changing targets set by Central Government.  
*Policy and legislation was constantly changing and officers were used to dealing with that.*
- Councillors requested clarification on the statement 'the plan was to give the local community certainty' and concern was raised over individual planning decisions and that the plan would not carry much weight.
- Councillors queried what the plan's remit was? Concern was raised on issues with local infrastructure.
- Councillors requested that officers incorporated into the plan any expected conditions for planning applications to address climate change matters.  
*The Chair advised that comments could be addressed in the consultation and as part of councillor engagement. The Head of Strategy advised that the policy was positively worded, so it gave information on what applicants could do rather than what they could not do, however, developers worked around that. The Planning Committee would need to be aware of that.*
- Councillors highlighted how infrastructure and climate change were included in the plan. They further queried how community engagement was carried out in the rural areas as they were not mentioned. They suggested that the wording used for climate change was not strong enough and that they needed to include that the Council was working toward carbon neutrality by 2030.
- Councillors requested that points were added to the document about solar panels and electric car charging points.
- Concern was raised that the Government's figures on housing needed to be revised as the original figures were too high.
- Councillors also wanted to amend the recommendation to read that any amendments were made in agreement with the portfolio holder instead of in consultation.  
*That would be addressed when the recommendations were put to the vote.*
- Concern was raised that there was no up to date countywide transport strategy included.



*The Chair agreed that although SWT had no direct responsibility for transport that we should be enabling that.*

- Concern was raised that several stakeholders had not been involved.
- Councillors requested improved religious information was included in the plan.
- Councillors queried when in 2021 would the document be adopted. They further requested that officers could improve the wording used as the whole document was in ‘corporate speak’.
- Councillors requested that the percentage of affordable housing was revised to include an amount of passive housing.
- The Chair advised that although it was a SWT document, that information from the Somerset County Council and Exmoor National Park should not be excluded.

Councillor Mansell proposed the following amendment to the motion:

That the following wording be added to the first bullet point ‘with the addition of working towards carbon neutrality within the key drivers’.

That was seconded by Councillor Buller. The amendment was put to the vote and lost.

Scrutiny supported the recommendations but suggested the following amendment;

- “any necessary final amendments prior to their publication are in agreement with the Portfolio Holder for Planning and Transport”.

**Democratic Path:**

- ~~Scrutiny / Corporate Governance or Audit Committees – Yes / No~~ (delete as appropriate)
- ~~Cabinet/Executive – Yes / No~~ (delete as appropriate)
- ~~Full Council – Yes / No~~ (delete as appropriate)

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

**List of Appendices**

Appendix 1	Local Development Scheme (LDS)
Appendix 2	Impact Assessments

**Background papers (links)**

All documents relating to adopted Local Plans for Taunton Deane BC and West Somerset Council can be accessed via the following link:

<https://www.somersetwestandtaunton.gov.uk/planning-policy/adopted-local-plans/>

Local Government (Boundary Changes) Regulations 2018,  
<http://www.legislation.gov.uk/uksi/2018/1296/contents/made>

Planning and Compulsory Purchase Act 2004 (as amended) (the Act)  
<http://www.legislation.gov.uk/ukpga/2004/5/contents>

Planning Act 2008 as amended by the Localism Act 2011 can be viewed at  
<http://www.legislation.gov.uk/ukpga/2008/29/contents>  
and  
<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

Town and Country Planning (Local Planning) (England) Regulations 2012  
<http://www.legislation.gov.uk/uksi/2012/767/regulation/18/made>

National online planning practice guidance can be viewed on the government web site at:  
<http://planningguidance.planningportal.gov.uk/>

The National Planning Policy Framework (February 2019) can be viewed at:  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Note: For sight of individual background papers and more information on the supporting evidence base please contact the report author.

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### Appendix 1: Local Development Scheme (LDS)

### Appendix 2: Impact Assessments

End

# Somerset West and Taunton

## **SOMERSET WEST AND TAUNTON LOCAL DEVELOPMENT SCHEME**

**July 2019**

Front Cover / Insert pictures and text

This document has been prepared by Somerset West and Taunton.

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Photographs show:

Insert details

Copies of this LDS document are available from:  
Somerset West and Taunton  
The Strategy Team, Deane House, Taunton, TA1 1HE  
Tel: insert  
Email: insert

For further details of the Local Development Framework, and to view and download this and other documents, please visit our website.

Insert details

Accessibility: this document is also available in Braille, large print, on tape and on disc and we can translate it into different languages. We can provide a member of staff to discuss the details. (insert appropriate equalities logos / text)

### Document control record

Name of Document: Local Development Scheme  
Author: Somerset West and Taunton  
Description of content: Outlines the timetable and delivery plan for Development Plan documents

Author: Paul Browning  
Approved by: Nick Bryant  
Head of Strategy  
Date of approval: (insert date) 2019

Version	Date	Comments
1	2 April 2019	New Development Scheme for new Council ( 1 <sup>st</sup> Draft)
2	3rd April 2019	Track changes (1st Draft)
3	3rd April 2019	Track changes (accepted)
4	10th April 2019	Updates: Local Plan end date, separate issues and options stage and revisions to SPD
5	12th April 2019	Typo's and factual updates
6	30 <sup>th</sup> May 2019	Typo's and factual updates.
7	27 <sup>th</sup> June 2019	Issues and Options stage now combined in Q3. Allows Parish Council(s) to respond to consultation

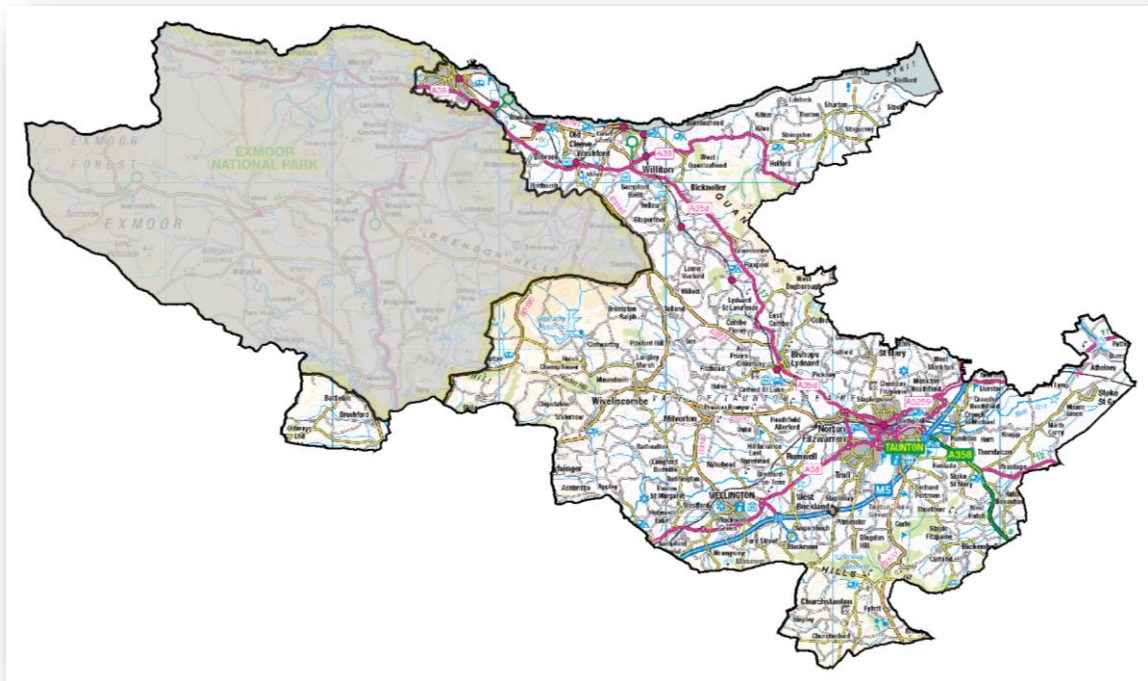
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## Introduction

1. This Local Development Scheme sets out the key planning policy documents that Somerset West and Taunton intend to produce, including Development Plan Documents which make up the District's Local Plan. It is the first Local Development Scheme (LDS) that the Council has produced since the decision to become one Council by Taunton Deane Borough Council and West Somerset Council. The LDS identifies the key milestones in their preparation and sets out the arrangements for their production.
2. Since the 1<sup>st</sup> April 2019, as a new Council, Somerset West and Taunton has a range of responsibilities regarding planning, planning policy and the determination of relevant planning applications.

**Diagram 1: Somerset West and Taunton.** The central area outlined in black represents the area cover by a new district council, serving the residents, businesses and communities of both Taunton Deane and West Somerset.



3. We are required under the Planning and Compulsory Purchase Act 2004 (as amended) (the Act) to prepare and maintain a Local Development Scheme (LDS). The Act also requires every planning authority to prepare a development scheme which sets out the programme for the preparation and review of development plan documents. Furthermore, in accordance the Local Government (Boundary Changes) Regulations 2018, we must adopt a local development document under section 23 of the 2004 Act to apply to the whole of the area within a period of 5 years starting with the reorganisation date.
4. The Council has prepared this LDS in accordance with the Act. This first edition of the LDS brings together the previous Taunton Deane LDS (January 2015) and West Somerset LDS (March 2016)

<https://www.westsomersetonline.gov.uk/Planning---Building/Planning-Policy/Local-Plan-to-2032/Local-Development-Scheme>

5. It was approved by Full Council on **the xx** 2019.
6. The LDS contains a number of abbreviations and technical terms. A glossary of planning terms can be found on our web site. A list of current Development Plan for Somerset West and Taunton is enclosed as Appendix 2.
7. This first edition of the LDS takes account of national developments in planning policy and legislation and local changes. Being the first LDS for the new local authority there is no detailed commentary on changes from the previously agreed LDS's. The new district-wide Local Plan drawing together the adopted planning policies from:

#### **Taunton Deane BC**

- Relevant remaining saved policies of the Taunton Deane Local Plan (2004)
- The Town Centre Area Action Plan (Adopted 2008)
- Taunton Deane Core Strategy (Adopted 2012)
- Site Allocations and Development Management Plan (Adopted 2016).

#### **West Somerset (excluding Exmoor National Park)**

- Relevant remaining saved policies of the West Somerset Local Plan (2006)
- West Somerset Local Plan (Adopted 2016).

8. In addition, the Council produces an Authority Monitoring Report (AMR). This statutory document monitors the effectiveness of policies in the Development Plan. The AMR also contains specific information about expected future rates of housing delivery on a range of sites. This and other documents such as the Community Infrastructure Levy (CIL) are available for download from:  
<https://www.somersetwestandtaunton.gov.uk/planning-policy/evidence-base-and-monitoring/authority-monitoring-report-amr/> and  
<https://www.somersetwestandtaunton.gov.uk/planning-policy/cil/>
9. The Local Development Framework (or LDF) is the name for the collection of development plan documents and other documents which provide the framework for delivering planning policy in Somerset West and Taunton, as shown in the diagram below.

## Diagram 2: Relationships between documents within the Local Development Framework



Note: EiP – Examination in Public

### Future plans for the LDF

10. We are required under the Planning and Compulsory Purchase Act 2004 to prepare a Local Development Scheme (LDS) which sets out the programme for the preparation and review of development plan documents which make up the District's Local Plan. It identifies the key milestones in their preparation and sets out the arrangements for their production.
11. According to Planning Practice Guidance: *“To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. **Most Local Plans are likely to require updating in whole or in part at least every five years.** Reviews should be proportionate to the issues in hand. Local Plans may be found sound conditional upon a review in whole or in part within five years of the date of adoption.” (Bold Somerset West and Taunton emphasis)*
12. The National Planning Policy Framework (NPPF) (February 2019) makes clear that the Government's preferred approach is for each local planning authority to



prepare a single Local Plan for its area (or a joint document with neighbouring areas).

13. The review of the new district wide Local Plan began on the 1<sup>st</sup> April 2019(see <https://www.somersetwestandtaunton.gov.uk/planning-policy/local-development-scheme/>)Key drivers for this work include:

- Statutory requirement for the new Council to maintain an up to date Local Plan (as set out in paragraph 11 above).
- To keep pace with evolving national policy and guidance (eg Revised National Planning Policy Framework (NPPF) February 2019)).
- To maintain a vibrant economy, the provision of objectively assessed need (such as new homes), and protect our local environment.
- To provide a better service to our customers.
- A spatial vision for the new Council, ensuring that the whole Local Plan is effective and up to date.

14. In line with legislation governing the preparation of Local Plans, Table 1 below outlines the work programme going forward on the Somerset West and Taunton LDF. This table lists the production of the following documents:

- A new district wide Local Plan (ie a review of adopted development plan documents, rolling forward the planning time horizon until 2040 and merging them into one document).
- A Legal Compliance document.
- A Statement of Community Involvement (SCI).
- An Authority Monitoring Report (AMR) (which will be updated on an annual basis as before).
- A review of Community Infrastructure Levy (CIL).
- Various Supplementary Planning Documents (SPD).

**Table 1: LDF Project summary and timeline**

Project	Key stages	Output	Dates
Somerset West and Taunton District wide Local Plan (Development Plan Document)	<b>Legal Compliance<sup>#</sup></b> - to commence Local Plan review within 5 years of the adoption date.	A review style document setting out the significant changes / issues / reasons for the review.	Q2 quarter, 2019/20
	Publish (Regulation 18*)	An “Issues and Options” style document for consultation	Q3 quarter, 19/20

	Publication (Regulation 19*)	Informed by above consultation, an updated evidence base and supported by reasoned justification - this document contains updated policies that Somerset West and Taunton propose to include in the new District –wide Local Plan	Q2 quarter, 2020/21
	Submission (Regulation 22*)	Submission of the District-wide Local Plan to the Secretary of State	Q3 quarter, 2020/21
	Independent examination (Regulation 24*)	Examining the soundness and legal compliance of the submission document	Q1 quarter, 2021/22
	Adoption*	Adoption of the Plan by the Council	Q3 quarter, 2021/22
<b>Review of Taunton Town Centre Area Action Plan (2008)</b>	To be considered as part of District –wide Local Plan Review - see above		
<b>Review of Site Allocations and Development Management Plan (2016)</b>			
<b>Adoption of Statement of Community Involvement (SCI)</b>	Publication & consultation	Consultation on SCI's	Q2 quarter, 2019/20
	Adoption	Review consultation responses and adopt SCI's	Q3 quarter, 2019/20
<b>Authority Monitoring Report (AMR)</b>	n/a	A statutory document monitoring the effectiveness of policies in the adopted Development Plan.	Annually Q3 quarter
<b>Review of Community Infrastructure Levy (CIL)</b>	Publication & consultation	CIL review to be informed by contents of District wide pre-submission Local Plan.  Further government reforms on the horizon for 2019. When there is clarity on arrangements detailed timescales for the CIL review will be set out.	TBC
	Independent examination	Examination of the CIL charging schedule	TBC
	Adoption	Take account of any changes recommended by the examiner and adopt	TBC

<b>Supplementary planning documents (SPD)</b>			
<b>Adoption of Taunton Garden Town Plan: Design Guidance</b>	Adoption	Informed by various forms of community consultation, embeds guidance into the statutory Local Plan	Q3 quarter, 2019/20
<b>Affordable Housing SPD</b>	Publication & consultation	Updates & embeds guidance into the statutory Development Plan	Post Adoption of District wide Local Plan
	Adoption	Informed by various forms of consultation, embeds guidance into the statutory Local Plan	TBC

15. A more detailed timetable for plan preparation of each Development Document' is set out in Appendix 1.
16. The final output of the review of will be termed a Somerset West and Taunton District wide Local Plan (2019 to 2040), to align this with matters outlined in paragraph 13 (above) and to take account of changes in national policy and guidance.
17. Within Table 1 the Council has identified a need to deliver various Supplementary Planning Documents (SPDs) – in effect, embedding them into the statutory planning system. The detailed programmes for these will be finalised in due course.
18. As the Minerals and Waste Authority, Somerset County Council is responsible for preparing the Minerals and Waste Development Framework and are required to prepare a separate LDS. This document can be viewed at the County Council's website at: <http://www.somerset.gov.uk/policies-and-plans/policies/minerals-and-waste/>

### **Ensuring successful delivery**

19. The LDF documents will be largely prepared by Council staff in the Strategy functional area. Delivery depends on various factors, including staffing levels in the Council, which may be subject to change during the life of the Local Development Scheme. The costs for plan-making will be met from Council's budgeting process.
20. The leadership provided by the senior management team helps to ensure the timely delivery of the project and the delivery of outputs that reflect the needs of the Council's customers.
21. External consultants may be used for some aspects of the work, to act as a "critical friend" via sustainability appraisal work and for technical / specialist aspects of retail planning. Subject to necessary approvals such additional support

will be brought in as needed.

22. There will also be costs associated with undertaking consultations with stakeholders and the required Examination in Public (EiP). The costs for consultation and EiP will be kept under review and the allocation of funds for these will take place through the Council's annual budgeting process.
23. Officers will also work with a Member Local Plan Steering Group (which consists of a group of nominated Elected Members (Councillors) who assist in the plan making process.
24. In accordance with the Council's Constitution and governance arrangements (see <https://democracy.somersetwestandtaunton.gov.uk/mgCommitteeDetails.aspx?ID=331>), relevant committees make decisions on specific LDF issues at various stages of the plan making process. Recommendations to adopt new Development Plan Documents are made to Full Council.

### **Risk Assessment**

25. In preparing this LDS consideration has been given to potential risks that might impact on the preparation and timely delivery of Development Plan Documents. Whilst it is difficult to anticipate all potential risks it is important that the key ones are identified and consideration is given to how they can be eliminated, mitigated, minimised or accepted (see Table 2).

Table 2: Basic register of risks and opportunities

Risk	Risk rating	Impact	Mitigating measure
<b>Legal Compliance for a new Council:</b> legislation requires that we must adopt a local development document under section 26 of The Local Government (Boundary Changes) Regulations 2018; Which applies to the whole of the Council area within 5 years of the reorganisation date.	<b>Low</b> (Rare(1) x Major (4))	<b>Major:</b> government intervention in the plan making process and loss of local control. The impact from any such action would be significant.	Ensure a district wide local plan is in place that complies with legislation which has been reviewed via an Examination in Public and found to be legally compliant.
<b>Staff:</b> Availability of experienced personnel. Key staff may leave or become unavailable due to long term sickness.	<b>Medium</b> (Possible(3) x Major(4))	<b>Major:</b> slippage in delivery of one or more elements of the LDF.	Identify resource requirements and undertake necessary forward planning. Where resources allow use consultants for key pieces of work eg Sustainability Appraisal.
<b>Competing work priorities:</b> Key staff involved in other work (eg funding bids to central government, neighbourhood planning) which have potential to redirect resource from delivering LDS milestones.	<b>Medium</b> (Possible(3) x Major(4))	<b>Major:</b> slippage in delivery of one or more elements of the LDF.	Carefully prioritise work / undertake necessary forward planning to ensure input into other work areas does not compromise the LDS. Operational Plans and Corporate Strategy reflect importance.
<b>Lack of up to date evidence base:</b> Key policies <u>not</u> being monitored with an Authority Monitoring Report (AMR) and technical studies.	<b>Low</b> (Unlikely (2) x Moderate (3))	<b>Moderate:</b> Lack of a robust evidence base underpinning plan making is likely to result in one or more elements of the LDF being found to be unsound.	Maintain and up to date evidence base and plan this into the early stages of plan preparation. As evidenced in the AMR, ensure all policies and proposals are justified based on the evidence base.
<b>Funding:</b> There may be insufficient funding or resources allocated to the production of LDF documents and/or cost uncertainties associated with Inspector's time and length of Public Inquiries (EIP's).	<b>Medium</b> (Unlikely(2) x Major (4))	<b>Major:</b> slippage in delivery of one or more elements of the LDF.	LDS informs the Council's financial planning with existing reserves in place. Look to deliver better value for money through joint working or undertaking evidence base work in-house.

	Risk rating	Impact	Mitigating measure
<p><b>Soundness:</b> The Inspector may conclude that one or more elements of a Development Plan Document are 'unsound' at the EIP stage (i.e. the Public Inquiry).</p>	<p><b>Low</b>  (Rare(1) x Major(4))</p>	<p><b>Major:</b> Non delivery / adoption of one or more elements of the LDF / Development Plan Document.</p>	<p>Ensure robust evidence gathering and close engagement with the Planning Inspectorate (PINS), and key statutory stakeholders (e.g. infrastructure providers) on best practice and case law. Take advantage of any training / support provided via the Planning Advisory Service (PAS) and Royal Town Planning Institute (RTPI). Soundness issues could be addressed either within the plan- making process or by "lifting out" the issue that is making the plan unsound and addressing that separately.</p>
<p><b>Duty to Co-operate (DtC):</b> insufficient cooperation with/from key partner. Note requirements have been outlined in SCC's latest Statement of Community Involvement in Planning.</p>	<p><b>Low</b>  (Rare(1) x Major(4))</p>	<p><b>Major:</b> slippage in delivery of one or more elements of the LDF. It is not possible to rectify an issue of DtC at public hearings / EIP stage, so this risk could have a significant impact.</p>	<p>Ensure cross boundary strategic matters are scoped at an early stage and early engagement with adjacent authorities and other key stakeholders is established and maintained. Ensure this is established at both the officer and member levels. Document &amp; maintain audit trail of how this has led to effective policies on strategic matters.</p>
<p><b>Changes to Legislation:</b> There may be changes to national and international legislation, and/or national policy statements and guidance.</p>	<p><b>Medium</b>  (Possible(3) x Major(4))</p>	<p><b>Major:</b> may impact on the one or more elements of the LDF. Ultimately, any Development Plan Document will undergo an EIP to assess its legal compliance (as well as soundness).</p>	<p>Regular monitoring of changes to Government legislation and policy.  Assess legal compliance (self-assessment test) before submission stage.</p>

Risk	Risk rating	Impact	Mitigating measure
<b>Programme slippage / Internal delays:</b> Slippages in gathering data / assessments for the evidence base.	<b>Low</b>  (Possible(3) x Minor(2))	<b>Minor:</b> slippage in delivery of one or more elements of the LDF.	The Councils have sought to minimise risk of slippage by drawing on experience from previous LDS preparation,  Ensure that this LDS is realistic in its programme of delivery, taking into account availability of resources, other anticipated commitments and required information from other stakeholders.
<b>Lack of capacity – external statutory bodies in the plan making process:</b> Slippages in gathering data / assessments for the evidence base.	<b>Medium</b>  (Possible(3) x Major(4))	<b>Major:</b> slippage in delivery of one or more elements of the LDF.  Reduced capacity of the resources of statutory consultees also has potential to impact on their ability to input effectively into the plan making process and satisfy duty to cooperate requirements.	Forward planning to ensure timeline for work is clear. Regular dialogue with consultee's to ensure that consultees are aware of when input will be required. Maintain regular contact with agencies and informal engagement outside of public consultation periods to avoid spikes in workload.  .
<b>Legal challenge:</b> Delays to adopting because of High Court challenges.	<b>Low</b>  (Rare(1) x Major(4))	<b>Major:</b> slippage in delivery of one or more elements of the LDF. Risk of additional legal costs.	Assess legal compliance (self-assessment test) before submission. Obtain internal legal advice.

Notes:

Council's risk assessment matrix.

## **The Evidence Base**

26. It is critical that Local Development Documents are founded on a robust and proportionate evidence base. These are published on the Council's website and reviewed as necessary to inform plan making in the District. The new district wide Local Plan will be underpinned by a number of important key evidence base documents. Key topics include:
- Economy.
  - Employment Need and Land Availability.
  - Housing Market and Housing Land Availability.
  - Settlement Role and Function.
  - Taunton (Garden town status).
  - Historic Environment.
  - Strategic Flood Risk Assessment / Flood Risk Infrastructure.
  - Transport.
  - Green Infrastructure and Green Space.

## **Sustainability Appraisal and Strategic Environmental Assessment**

27. Where appropriate Local Development Documents are subject to Sustainability Appraisal that meet the requirements of the Strategic Environmental Assessment (SEA) Directive. This is to ensure sustainability is at the heart of planning policy formation, with potential social, economic and environmental implications of policies appraised to ensure sustainability issues are identified early and inform the plan making process.
28. The Sustainability Appraisal is an iterative process that is undertaken throughout the whole period of plan preparation. The appraisal process draws heavily upon the Council's evidence base and the plans and programmes of other organisations.
29. At the start of plan preparation the Council updates its Sustainability Appraisal Scoping Report, which pulls together relevant plans, programmes and data to inform Sustainability Appraisal that policies should be tested against. A Sustainability Appraisal report is then published alongside each consultation stages to demonstrate how different policy approaches perform, with a final report produced when the Local Development Document is published.

## **Appropriate Assessment**

30. A number of sites within or near the District have been given European designations based on their importance to wildlife. To protect the integrity of European sites Local Authorities are likely to be obliged to carry out Appropriate Assessment as part of the planning process under the Habitats Directive. This is needed to ensure the policies in the Local Plan, either alone or in combination with other plans or projects, will not lead to an adverse effect on the integrity of the designated sites. In the first instance a 'screening' stage will need to be undertaken to



determine if the plan is likely to have a significant effect on a European designated site. If necessary this is then followed by an Appropriate Assessment.

### **Infrastructure Delivery Plan (IDP)**

31. The Infrastructure Delivery Plan (IDP) will set out the evidence on current and future infrastructure provision in West Somerset and Taunton. It assesses infrastructure capacity and identifies any necessary improvements required as a result of the planned development within the period up to 2040. The IDP's purpose is to show that the new District wide Local Plan can realistically be delivered and that infrastructure will not prevent development occurring.

End

## Appendix 1: Local Development Documents – Detailed Profiles

<b>District wide Local Plan (2019 -2040)</b>	
<b>Scope and content</b>	
<b>Description</b>	<p>Once adopted planning application will be determined in accordance with this Local Plan, unless other material considerations indicate otherwise.</p> <p>Drawing together relevant the adopted planning policies from Taunton Deane BC and West Somerset Council, the new district wide Local Plan will set out the vision and economic, social and environmental objectives to guide and control new development up to 2040.</p> <p>The new district wide Local Plan will plan for the required levels of housing, employment, infrastructure and other forms of development and determine the appropriate distribution of development across the District’s settlements. The new Local Plan will set out clear policies to ensure the objectives of the plan are achieved, including Development Management Policies and if required, allocating strategic sites in sustainable locations.</p>
<b>Status</b>	Development Plan Document
<b>Geographical Coverage</b>	District wide
<b>Council Lead Officer</b>	Head of Strategy
<b>Conformity</b>	NPPF and Planning Practice Guidance
<b>Timetable &amp; Milestones</b>	
<b>Legal Compliance document – to commence Local Plan review</b>	Q1 quarter, 2019/20
<b>Commence work on evidence base and options</b>	Q1 quarter, 2019/20
<b>Plan preparation (Reg 18): Publish an “Issues and Options” style document</b>	Q3 quarter, 2019/20
<b>Publication and consultation on proposed submission DPD (Reg 19)</b> Informed by above issues and options consultation, an updated evidence base and supported by reasoned justification. This document contains updated policies that Somerset West and Taunton propose to include in the new District –wide Local Plan.	Q2 quarter, 2020/21
<b>Submission to Secretary of State (Reg 22)</b> Submission of the District-wide Local Plan to the Secretary of State	Q3 quarter, 2020/21

<b>Examination Hearings Period (Reg 24)</b> Examining the soundness and legal compliance of the submission document	Q1 quarter, 2021/22
<b>Adoption and publication of the Plan by the Council</b>	Q3 quarter, 2021/22
<b>Arrangements for Production</b>	
<b>Resources and management arrangements</b>	Prepared by the Strategy functional area in conjunction with other Council services, statutory consultees and consultant expertise. Members steer provided by a new Member Local Plan Steering Group with key stages agreed at, Executive and Full Council.
<b>Joint working</b>	Joint working with adjacent Local Authorities key on evidence base work (e.g. SHMA, Infrastructure Delivery). Strategic planning issues addressed as part of duty to cooperate.
<b>Community and stakeholder involvement</b>	In accordance with the Town and Country Planning (Local Planning) (England) Regulation 2012 and the Council's SCI.
<b>Post-Production</b>	
The implementation of policies of the Local Plan will be monitored as part of the Authorities Monitoring Report (AMR).	

<b>Authorities Monitoring Report (AMR)</b>	
<b>Scope and content</b>	
<b>Description</b>	Assesses the implementation of the LDS and the extent to which the policies in the Development Plan documents are being achieved.
<b>Status</b>	Statutory but <u>not</u> a Development Plan Document.
<b>Geographical Coverage</b>	District wide
<b>Council Lead Officer</b>	Head of Strategy
<b>Conformity</b>	Must conform with Section 35 of the Planning and Compulsory Purchase Act 2004 as amended by Section 113 of the Localism Act 2011.
<b>Timetable &amp; Milestones</b>	
Annual December publication (ie Q3 quarter)	

<b>Arrangements for Production</b>	
<b>Resources and management arrangements</b>	Prepared by the Strategy functional area in conjunction with other Council services, statutory consultees and consultant expertise. Members steer provided by a new Member Local Plan Steering Group with sign-off at Executive.
<b>Joint working</b>	None.
<b>Community and stakeholder involvement</b>	None.
<b>Post-Production</b>	
Ongoing monitoring of planning applications in annual topic reports (eg Housing, Employment) which feed into the AMR.	

<b>Review of Community Infrastructure Levy (CIL)</b>	
<b>Scope and content</b>	
<b>Description</b>	Taunton Deane BC adopted its Community Infrastructure Levy (CIL) and its charging schedule in 2014. CIL is a levy on new development to fund the timely delivery of infrastructure needed to support development. It is therefore important to the delivery of planned growth in the District.
<b>Status</b>	Local Development Document
<b>Geographical Coverage</b>	District wide
<b>Council Lead Officer</b>	Head of Strategy
<b>Conformity</b>	Local Plan, Infrastructure Delivery Strategy, NPPF, Practice Guidance
<b>Timetable &amp; Milestones</b>	
<p>Following on from the recommendations of the Independent CIL Review Panel and the Autumn Budget 2017, announcements in March 2018, the Government consulted on a series of reforms to the existing system of development contributions. A response is awaited on further consultation on CIL draft regulations that focused on technical implementation of the reforms outlined by the government. Further simplification of this process is just one of the potential reforms on the horizon for 2019.</p> <p>The Council intend to review CIL charging rates following conclusion of Government reforms to developer contributions</p>	
Publication and Consultation	after Q3 quarter, 2020/21
Independent Examination	To be advised
Adoption	To be advised
<b>Arrangements for Production</b>	
<b>Resources and management arrangements</b>	Prepared by the Strategy functional area in conjunction with other Council services, statutory consultees and consultant expertise. Members steer provided by a new Member Local Plan Steering Group with key stages agreed at Executive and Full Council. Emerging charging schedule will be based on development proposals in Local Plan, updated viability assessments and Infrastructure Delivery Strategy.

<b>Joint working</b>	Joint working with adjacent Local Authorities key on evidence base work (e.g. SHMA, Infrastructure Delivery). Strategic planning issues addressed as part of duty to cooperate.
<b>Community and stakeholder involvement</b>	In accordance with the CIL Regulations 2010 (as amended) or any further changes that result of reforms to developer contributions.
<b>Post-Production</b>	
Somerset West and Taunton as both charging and collecting authority will issue liability notices. Reporting of the levy raised and what it is to be spent on will be monitored.	

## Affordable Housing Supplementary Planning Document (SPD)

### Scope and content

<b>Description</b>	<p>Taunton Deane BC adopted its affordable Housing SPD in May 2014 (See <a href="https://www.somersetwestandtaunton.gov.uk/media/1164/affordable-housing-2014.pdf">https://www.somersetwestandtaunton.gov.uk/media/1164/affordable-housing-2014.pdf</a>) The Council intends to review this SPD after the adoption of the district wide Local Plan.</p> <p>The purpose of the proposed SPD is to provide greater detail on housing policies in the adopted district wide Local Plan. The guidance within the SPD is intended to be used in decision making relating to planning applications that include residential development, where an affordable housing contribution is to be sought. It also updates &amp; embeds current adopted guidance into the statutory Development Plan.</p>
<b>Status</b>	Development Plan Document
<b>Geographical Coverage</b>	Site specific: District wide
<b>Council Lead Officer</b>	Head of Strategy
<b>Conformity</b>	NPPF and Planning Practice Guidance

### Timetable & Milestones

<b>Publication and consultation</b>	Post Adoption of District wide Local Plan
<b>Adoption and publication of the Plan by the Council</b>	To be advised

### Arrangements for Production

<b>Resources and management arrangements</b>	Prepared by the Strategy functional area in conjunction with other Council services, statutory consultees and consultant expertise. Members steer provided by a new Member Local Plan Steering Group with key stages agreed at Executive.
<b>Joint working</b>	<p>Joint working with "Registered housing providers". Further details available at:</p> <p><a href="https://www.somersetwestandtaunton.gov.uk/housing/council-and-social-housing/registered-housing-providers/">https://www.somersetwestandtaunton.gov.uk/housing/council-and-social-housing/registered-housing-providers/</a></p>
<b>Community and stakeholder involvement</b>	In accordance with the Town and Country Planning (Local Planning) (England) Regulation 2012 and the Council's SCI.

### Post-Production

The implementation of policies of the Local Plan will be monitored as part of the Authorities Monitoring Report (AMR).

**Table 3: Summary: LDF Timeline and Key Milestones**

	2019/2020				2020/21				2021/2022			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
District Wide LP		Legal	Issues & Options			Publication	Submission		EIP		Adopt	
SCI		Publish	Adopt									
CIL							Publish (TBC)					
Taunton Garden Town Plan: Design Guidance			Adopt									
Affordable Housing SPD												Publish (TBC)
AMR												



## **Appendix 2: Current Development Plan for Somerset West and Taunton:**

As at (insert approval date) the Development Plan for Somerset West and Taunton consists of the following documents:

### **Taunton Deane BC**

- Relevant remaining saved policies of the Taunton Deane Local Plan (2004).
- The Town Centre Area Action Plan (Adopted 2008).
- Taunton Deane Core Strategy (Adopted 2012).
- Site Allocations and Development Management Plan (Adopted 2016).
- The relevant adopted Neighbourhood Plan.
- Somerset Minerals Local Plan (adopted February 2015).
- Somerset Waste Core Strategy (adopted February 2013).

### **West Somerset**

- Relevant remaining saved policies of the West Somerset Local Plan (2006).
- West Somerset Local Plan (Adopted 2016).
- The relevant adopted Neighbourhood Plan.
- Somerset Minerals Local Plan (adopted February 2015).
- Somerset Waste Core Strategy (adopted February 2013).

## **Neighbourhood Planning and Neighbourhood Plans:**

Following the Localism Act a number of Parish Councils have progressed Neighbourhood Plans for their area. When adopted these identify the key priorities for the community and where homes, commercial premises and other development should be built. When adopted the Neighbourhood Plan also becomes part of the Development Plan.

To date a number of communities have embarked on preparing plans, with four now adopted:

- Bishops Lydeard and Cothelstone NDP adopted 12th July 2016.
- Trull & Staplehay NDP adopted 11th July 2017.
- West Monkton & Cheddon Fitzpaine NDP adopted 23rd April 2018.
- Stogumber NDP adopted 23<sup>rd</sup> November 2017.

A number of other Neighbourhood Plans are currently being developed and will therefore require close collaboration between the District and qualifying body on key issues to ensure plans are complementary. The Council will have a key role in guiding Neighbourhood Plans through the examination and referendum process.

For further information on these and other neighbourhood plans being prepared visit (<https://www.somersetwestandtaunton.gov.uk/planning-policy/neighbourhood-planning/>)

**SPD: Supplementary Planning Documents** build upon the policies and proposals contained within DPD's, providing additional detail and guidance. They are a material consideration in deciding applications for planning permission, but do not themselves have Development Plan

status. They can be used to provide further guidance or detailed advice on policies in the Local Plan. They are not tested through independent examination but they will be subject to community involvement during preparation.

The currently adopted SPDs are:

- Taunton Town Centre Planning Obligations SPD (2008).
- Taunton Town Centre Design Code SPD (2008).
- The Affordable Housing SPD (2014).
- Jurston Farm Development Brief SPD (2014).

The above documents are available on Council website at:

<https://www.somersetwestandtaunton.gov.uk/planning-policy/adopted-local-plans/taunton-town-centre-area-action-plan/>

End

# Draft Somerset Equality Impact Assessment: New district wide Local Plan

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

<b>Organisation prepared for</b>	Somerset West & Taunton		
<b>Version</b>	1	<b>Date Completed</b>	15 <sup>th</sup> May 2019

**Description of what is being impact assessed**

As outlined in the Report, Somerset West and Taunton has a statutory duty to produce a new district wide Local Plan.

The current adopted Local Plans by Taunton Deane BC and West Somerset Council are somewhat dated. They conformed to government advice at that time they were adopted. They are available at : <https://www.somersetwestandtaunton.gov.uk/planning-policy/adopted-local-plans/>

A local plan sets out local planning policies and identifies how land is used, determining what will be built where. As the new district wide local plan progresses through the various statutory stages, the impacts to be assessed are those from the policies proposed within in the new district wide Local Plan. In due course this is likely to involve considering the implications of both strategic planning policies (eg those which aim to secure a significant proportion of affordable housing) and development management policies (eg those associated with the design).

Within the “Customer” function, those within development management and enforcement are responsible for implementing the policies of the Local Plan. For example, when determining planning proposals from developers. Where the Local Plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

## Evidence

**What data/information have you used to assess how this policy/service might impact on protected groups?** Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

A Local Plan must demonstrate it is based on a sound evidence and further Impact Assessments will be prepared in due course as part of the plan making process.

The evidence base associated with adopted local has been collected and developed since 2006. It includes: Equalities Information Reports and Annual Monitoring Reports and "Spatial Portraits" which include specific equalities data such as age, race and gender. It also includes Individual Evidence Base Documents such as Gypsy & Traveller Accommodation Assessments, Strategic Housing Market Assessments, Previous Engagement and Consultation also contain information relating to protected characteristics. The documents which form the evidence base can be found within the related pages to the various adopted local plans on the Councils web site at: <https://www.somersetwestandtaunton.gov.uk/planning-policy/adopted-local-plans/>

As the new local plan progresses through the various statutory stages, new data will be collected by the Council, its stakeholder and partner organisations to identify and monitor equality issues. The Council will also look to other local authorities EIA's to understand how they have identified and addressed Equality.

**Who have you consulted with to assess possible impact on protected groups?** If you have not consulted other people, please explain why?

The Strategy team within Somerset West and Taunton are responsible for drafting, adopting and monitoring new local planning policy. This process requires approval from Full Council informed by recommendations from **xx**

All geographic areas of Somerset West and Taunton could potentially be affected because the new district wide Local Plan covers the whole of the district. However, some areas / parishes / businesses / residents / protected groups / environments have more potential for being affected. For example, communities abutting land allocated for residential development.

The new district wide Local Plan will have to include a revised “Spatial Portrait” that details demographic information relevant to the new district in relation to protected characteristics such as age, sex, disability, race and religion. As explained in the Report, the Council also has legal duty to prepare a Statement of Community Involvement (SCI). This sets out how Somerset West and Taunton will involve the community; stakeholders and protected groups in the preparation, alteration and review of local planning policy and the consideration of planning applications within the Local Planning Authority area.

At this stage of the local plan process, no groups have been consulted on this EIA. Consulting on the draft contents of the SCI is being seen as mechanism to help the Council understand what communities actually want. It also keeps stakeholders, our communities and protected groups informed that a review of adopted local plan policies has commenced.

In due course extensive consultation on the Local Plan will take place at each stage of the plan making process. As required by the law, the economic, environmental, and social effects of a plan from the outset of the plan preparation process will be set out in Sustainability Appraisal (SA) and the Habitats Regulations Assessments (HRA).

It should be noted that the Local Plan will assume that other regulatory authorities will regulate matters within their control effectively. For example, as the Minerals and Waste Authority for Somerset (excluding Exmoor National Park), Somerset County Council will prepare Minerals and Waste Local Plans.

**Analysis of impact on protected groups**

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> <li>• None at this stage of the process.</li> <li>• Previously adopted Local Plans contained measures which improve access to facilities such as schools/hospitals/shops by</li> </ul>	□	⊗	□

	<p>other than the private car. The planning policies also have a focus on placing development in the most sustainable places which benefits all sectors of the community (especially the young and elderly). These Plans also seek education provision, ensuring that the young in society have access to schools. Furthermore, they mention green space and recreation which benefits all in society but particularly the young and reduces health inequalities.</p>			
<b>Disability</b>	<ul style="list-style-type: none"> <li>• None at this stage of the process.</li> <li>• Previously adopted Local Plans have made provision for elderly members of the population. eg Sheltered Housing and there are policy references to Building for Life and Lifetime Homes criteria.</li> </ul>	☐	⊗	☐
<b>Gender reassignment</b>	<ul style="list-style-type: none"> <li>• None at this stage of the process.</li> <li>• No specific reference or mention in previously adopted Local Plans.</li> </ul>	☐	⊗	☐
<b>Marriage and civil partnership</b>	<ul style="list-style-type: none"> <li>• None at this stage of the process.</li> <li>• No specific reference or mention in previously adopted Local Plans.</li> </ul>	☐	⊗	☐
<b>Pregnancy and maternity</b>	<ul style="list-style-type: none"> <li>• None at this stage of the process.</li> <li>• No specific reference or mention in previously adopted Local Plans.</li> </ul>	☐	⊗	☐
<b>Race and ethnicity</b>	<ul style="list-style-type: none"> <li>• None at this stage of the process.</li> <li>• Previously adopted Local Plans have included policies regarding Gypsy and Travellers eg provision for new residential and transit pitches.</li> </ul>	☐	⊗	☐

<b>Religion or belief</b>	<ul style="list-style-type: none"> <li>None at this stage of the process.</li> <li>Previously adopted Local Plans have included reference to such provision within District and Local Centres as part of wider community facility provision.</li> </ul>	□	⊗	□
<b>Sex</b>	<ul style="list-style-type: none"> <li>None at this stage of the process.</li> <li>No specific reference or mention in previously adopted Local Plans.</li> </ul>	□	⊗	□
<b>Sexual orientation</b>	<ul style="list-style-type: none"> <li>None at this stage of the process.</li> <li>No specific reference or mention in previously adopted Local Plans.</li> </ul>	□	⊗	□
<b>Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.</b>	<ul style="list-style-type: none"> <li>None at this stage of the process.</li> <li>Previously adopted Local Plans contain rural exception policies to address those in housing need in rural areas.</li> <li>The Council supports the Somerset Armed Forces Covenant to ensure veterans are treated fairly and not disadvantaged See <a href="https://www.somersetwestandtaunton.gov.uk/community-and-living/armed-forces-covenant/">https://www.somersetwestandtaunton.gov.uk/community-and-living/armed-forces-covenant/</a></li> </ul>	□	⊗	□
<b>Negative outcomes action plan</b>				
Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.				
<b>Action taken/to be taken</b>	<b>Date</b>	<b>Person responsible</b>	<b>How will it be monitored?</b>	<b>Action complete</b>
Initial EIA to be reviewed by Corporate Equalities Officer	07/06/2019			□
Informed by responses on the draft Statement of Community Involvement (SCI): produce a revised “Spatial Portrait” that details the baseline demographic information relevant to the new district in relation to protected	31/12/2019			□

characteristics such as age, sex, disability, race and religion.				
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
<b>If negative impacts remain, please provide an explanation below.</b>				
None at this stage of the process.				
<b>Completed by:</b>	Paul Browning			
<b>Date</b>	15 <sup>th</sup> May 2019			
<b>Signed off by:</b>	Nick Bryant			
<b>Date</b>				
<b>Equality Lead/Manager sign off date:</b>				
<b>To be reviewed by: (officer name)</b>	Paul Browning			
<b>Review date:</b>	Prior to publication of an "Options" style document (Regulation 18) in Q3 of 2019/20.			

End



*Report Number:*

## **Somerset West and Taunton**

### **SWT Executive – 9th July 2019**

#### **District wide Local Plan: New Member Steering Group - Nominations**

**This matter is the responsibility of Executive Councillor Mike Rigby**

**Report Author: Paul Browning: Strategy Specialist**

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

- 1.1 Having commenced the review of the district wide Local Plan, this report seeks to establish a Member Steering Group to support the review process.
- 1.2 To this end, the Portfolio Holder for Planning and Transport and the Chair of Executive are invited to nominate 8 Members to sit on the new Local Plan Member Steering Group. This cross party Member group is to run alongside an officer group (ie the Strategy team), thereby providing suitable governance for the review process.

#### **2 Recommendations**

- 2.1 With regard to the production of the Review of the District wide Local Plan, **Executive** resolves to set up:
  - A cross working party is set up to support the Review Local Plan.
  - 8 Members are nominated to sit on the new Local Plan Member Steering Group.
- 2.2 The Portfolio Holder for Planning and Transport and/or Chair will give a verbal update at the meeting on the nominations to the new Member Steering Group.
- 2.3 The Member LDF Steering Group will run until the District wide Local Plan is adopted by the Council and will meet on average on a quarterly basis. The draft terms of reference are enclosed as Appendix 1.

#### **3 Risk Assessment (if appropriate)**

- 3.1 The potential risks that might impact on the preparation and timely delivery of the Local Plan and other Development Plan documents are set out the “Risk Assessment section of the Local Development Scheme.

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

- 4.1 The reasons for the Review of the Local Plan are set out within the report accompanying the Local Development Scheme. The Review is currently

about updating our local plan policies to reflect current the latest position and government advice.

- 4.2 The nature of various aspects of planning policy means that members have in the past been actively involved in the local plan process. For example, members will recall that adopted planning policies for Taunton Deane Borough Council and West Somerset Council were informed by regular meetings of a LDF Steering Group and the West Somerset Local Development Panel.
- 4.3 Accordingly, with regard to the Review, Appendix 1 highlights the importance of effective, sustained engagement between Council Officers and Members. Thus, this report gives authority to establish a Member Steering Group to support the review process. The draft terms of reference for this member group are enclosed as Appendix 1.
- 4.4 This Member group is to run alongside an officer group (ie the Strategy team), thereby providing suitable governance.
- 4.5 The timetable for the review is outlined in the latest Local Development Scheme. The aim is to publish:
- Publication of an “Issues and Options” style document (Regulation 18) in Q3 of 2019/20.
  - Publication (Regulation 19) in Q2 of 2020/21.
  - Submission Plan (Regulation 22) to Secretary of State in Q3 of 2020/21.
  - Examination (Regulation 24) ie Public Inquiry with appointed Inspector- Q1 of 2021/22.
  - Adoption Inspector’s Report, approval at Full Council in Q3 of 2021/22.
- 4.6 In addition to attending meetings with the aforementioned Steering Group, Member engagement on the Local Plan Review is anticipated to include:
- Other topic-focused meetings - such as workshops attended by Council Members and other stakeholders;
  - Member Information sheets linked with the Council’s evidence base underpinning the Review of the district wide Local Plan;
  - One to one briefings of Members including, but not limited to, relevant Portfolio Holder ; and
  - Member training events and site visits.

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

- 5.1 Officers are in the process of preparing a new Corporate Strategy to replace those previously prepared for Taunton Deane and West Somerset. The Local Plan is an important document which will help articulate and translate the Council’s emerging strategic objectives into planning policy.

## **6 Finance / Resource Implications**

- 6.1 There is an agreed budget and reserves to support the delivery of the Local Plan process.
- 6.2 The Portfolio Holder for Planning and Transport and the Head of Strategy has reviewed and approved this report with no issues arising. Minor changes to the text were suggested and incorporated.

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

- 7.1 The Council's Constitution describes how Somerset West and Taunton will discharge its responsibilities, including responsibilities for the preparation and adoption of the Local Plan, which must be considered and endorsed by Full Council, prior to adoption.

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

- 8.1 None at this stage. . In order to comply with the legislations that govern the local plan process, a Strategic Environmental Assessment and Sustainability Appraisal will be prepared and consulted upon at key points throughout the plan making process.

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

- 9.1 None at this stage.

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

- 10.1 None at this stage. In order to comply with the public sector equality duty: an Impact Assessments (IA) accompanies this series of reports and agenda items on the Local Plan. Further Impact Assessments will be prepared in due course as part of the plan making process. Further, details of the process are also available from:

<https://www.somersetwestandtaunton.gov.uk/your-council/equality-and-diversity/>

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

- 11.1 None at this stage.

## **12 Partnership Implications (if any)**

- 12.1 The recommendations outlined above seek to ensure that Members continue to play an active and important role in considering in the review of the District wide Local Plan, helping to deliver a sound Plan that embeds the Council's policies and priorities' and takes account of community interests.

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

13.1 None at this stage.

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

14.1 None at this stage.

**15 Data Protection Implications (if any)**

15.1 None at this stage.

**16 Consultation Implications (if any)**

16.1 None at this stage.

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

17.1 As per the published Draft Scrutiny Minutes;

17.2 **Resolved** that with regard to the production of the Review of the District wide Local Plan, Scrutiny Committee recommended to Executive that:

- A cross working party was set up to support the Review Local Plan.
- 8 Members were nominated to sit on the new Local Plan Member Steering Group.
- The Portfolio Holder for Planning and Transport and/or Chair would give a verbal update at the meeting on the nominations to the new Member Steering Group.
- The Member LDF Steering Group would run until the District wide Local Plan was adopted by the Council and would meet on average on a quarterly basis. The draft terms of reference were enclosed as Appendix 1.
- To remove the text 'and have in the past been actively involved in this process' from section 5.2 in the report.

**Democratic Path:**

- ~~Scrutiny / Corporate Governance or Audit Committees – Yes / No~~ (delete as appropriate)
- ~~Cabinet/Executive – Yes / No~~ (delete as appropriate)
- ~~Full Council – Yes / No~~ (delete as appropriate)

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

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

Appendix 1	Member Steering Group. Draft Terms of Reference.
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Note: For sight of individual background papers and more information on the supporting evidence base please contact the report author.

**Contact Officers**

Name	Paul Browning: Strategy Specialist
Direct Dial	01984 600614
Email	<a href="mailto:P.Browning@somersetwestandtaunton.gov.uk">P.Browning@somersetwestandtaunton.gov.uk</a>

## **Appendix 1: Local Plan Member Steering Group**

### **Draft Terms of Reference.**

**Drafted May 2019**

#### **1 Introduction**

1.1 Somerset West and Taunton has statutory responsibility to prepare a Local Plan which must be up-to-date and fit for purpose. Planning Policy Guidance advises updating such Plans in whole or part at least every 5 years.

1.2 The Taunton Deane Core Strategy was adopted in 2012. The West Somerset Local Plan was adopted in 2016. Thus there is now a pressing need to start the process of reviewing both documents and combining them into one Strategy given this process is likely to take 3 to 4 years to complete.

1.3 Member input in planning policy development is essential, offering an opportunity for officers to relay technical information that will inform the decision making process and ensure that adequate oversight is in place to steer development of robust planning policy.

#### **2 Purpose & Key Tasks**

2.1 The Steering Group's key function is to contribute to the production of planning policy documents which form part of the Local Development Framework. Over the period to 2021/22, the primary focus of Steering Group's work will be on the new District wide Local Plan which involves reviewing and updating the following related planning policies:

##### **Taunton Deane BC**

- Relevant remaining saved policies of the Taunton Deane Local Plan (2004).
- The Town Centre Area Action Plan (Adopted 2008).
- Taunton Deane Core Strategy (Adopted 2012).
- Site Allocations and Development Management Plan (Adopted 2016).

##### **West Somerset (excluding Exmoor National Park)**

- Relevant remaining saved policies of the West Somerset Local Plan (2006).
- West Somerset Local Plan (Adopted 2016).

2.3 The broad timetable of work and specific outcomes is detailed within the Council's latest Local Development Scheme (LDS). The role of the Steering Group is to act as a sounding board for policies and proposals as they are drafted and to advise when they consider issues should be reported to Portfolio Holder for Planning and Transport.

2.4 Once adopted, the new district wide Local Plan will form part of the “development plan” and it is the duty of the planning authority to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. Such policies are essential to the Council achieving its aims, such as those within the Council’s Corporate Strategy and plans for boosting our local economy alongside better infrastructure for Somerset.

2.5 Given the potentially contentious nature of housing and employment related development, it is important that Members are kept fully informed of developing policies and proposals.

2.6 In addition to attending meetings with the aforementioned Steering Group, Member engagement on the Review is anticipated to include:

- Other topic-focused meetings - such as workshops attended by Council Members and other stakeholders;
- Member Information sheets linked with the Council’s local plan evidence base; the AMR (Authorities Monitoring Report); infrastructure planning and CIL (Community Infrastructure Levy), which underpin the Review of the district wide Local Plan;
- One to one briefings of Members including, but not limited to, relevant Portfolio Holders; and
- Member training events and site visits.

### **3 Timescales**

3.1 The Council has a statutory duty to prepare such Local Plans under the: Planning Act 2004 (as amended) by the Localism Act 2011; and the Town and Country Planning (Local Planning) (England) Regulations 2012. Furthermore, in accordance the Local Government (Boundary Changes) Regulations 2018, we must adopt a local development document under section 23 of the 2004 Act to apply to the whole of the Council area within a period of 5 years starting with the reorganisation date.

3.2 The broad timetable of work and specific outcomes is detailed within the Council’s latest Local Development Scheme (LDS). The LDS establishes the priority to review adopted planning policies and adopt a revised Local Plan by 2021/22.

3.3 Delivery of the work programme summarised in LDS is the subject of regular monitoring and review to ensure that the strategy team priorities are still appropriate taking into account any change(s) in: local circumstances and national and regional legislation and policy. Any issues with and associated alterations to the adopted LDS are reported to the Local Plan Member Steering Group prior to any recommendations to change the LDS are considered by the Council.

### **4 Monitoring Progress**

4.1 Regular updates in the form of short written highlight reports will be provided for Local Plan Member Steering Group.

## **5 Membership, Chairing and Administration**

5.1 The membership of the LDF Steering group should comprise of 8 members. The members of the Steering Group can be selected from any non-executive Member of the Council and must be agreed by Executive committee.

5.2 The nature of various aspects of this planning policy work means that those selected will have the necessary skills and experience and have in the past been actively involved in this process. Member input is essential, offering an opportunity for officers to relay technical information that will inform the decision making process and ensure that adequate oversight is in place to steer the development of robust planning policy.

5.3 Where possible the membership of the Local Plan Steering Group should reflect the political balance of the Council.

5.4 One of the Members needs to be nominated and endorsed by the remaining members to act as Chair for the Steering Group. Duties of the Chair include chairing the meeting, consensus gathering of members and (if appropriate) briefing the Portfolio Holder for Planning and Transport.

5.5 Unless agreed with the Chair, Members of the Group shall not be entitled to send nominated representatives acting in their absence.

5.6 Unless agreed with the Chair, the venue for Steering Group meeting shall be in rotation between Deane House (Taunton) and West Somerset House (Williton).

5.7 The aim is that the Steering Group usually meets every quarter as a minimum. Meetings are always booked for approximately 2 hours, but usually aim for around an hour's worth of information (plus question time). This format, together with a Forward Plan and short informative papers and power point presentations distributed before the meeting has in the past been an effective way of working.

## **6 Limitations of the Local Plan Steering Group**

6.1 The Steering Group shall act as an advisory and coordinating group. It has to adhere to the Council's governance and constitutional arrangements. For example, declaring member interest.

6.2 Members shall be free to respond to consultation documents in their own right as well to participate in any coordinated Group response.

6.3 The Steering Group cannot direct the actions of any member representative, although it is anticipated that the groups' advice shall be thoroughly considered.

## **6 Invited Representations**

6.1 The Portfolio Holder for Planning and Transport is invited to attend each meeting of the Local Plan Steering Group.



6.2 Other individuals / officers from the Council and/ or stakeholders may be invited from time to time for specific issues on a one off basis. (For example, the Housing Development & Enabling Manager to discuss affordable).

6.3 In all cases invited representatives may be excluded from certain items on the agenda for confidential or commercially sensitive reasons. Such exclusion, if in dispute, is at the sole discretion of the Chair.

**End**



*Report Number:*

## **Somerset West and Taunton**

**SWT Executive– 9<sup>th</sup> July 2019**

### **Statement of Community Involvement (SCI): Draft for Consultation**

**This matter is the responsibility of Executive Councillor mike Rigby**

**Report Author: Paul Browning: Strategy Specialist**

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

- 1.1 The Statement of Community Involvement (SCI) sets out how Somerset West and Taunton will involve our community and stakeholders in the preparation, alteration and review of local planning policy and the consideration of planning applications within the Local Planning Authority area.
- 1.2 The Council also has legal duty to prepare an SCI under section 18 (Part 1) of the Planning and Compulsory Purchase Act 2004.
- 1.3 This is our first SCI for the new Council and has been prepared to take account of changes to planning policy nationally, as well as learning from elements of the former SCI's for Taunton Deane BC and West Somerset Council respectively.

#### **2 Recommendations**

- 2.1 With regard to the production of the Statement of Community Involvement (SCI), **Executive resolves to:**
  - Approve the contents of the draft SCI document (enclosed as Appendix 1); and
  - in consultation with the Portfolio Holder for Planning and Transport delegate authority is given to the Head of Strategy and the Principal Planner Specialist to agree any necessary final amendments prior to its publication for consultation.

#### **3 Risk Assessment (if appropriate)**

- 3.1 The potential risks that might impact on the preparation and timely delivery of the Local Plan and other Development Plan documents are set out the "Risk Assessment section of the Local Development Scheme.

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

- 4.1 We are required under various pieces of legislation (such as the Planning and Compulsory Purchase Act 2004 (as amended) (the Act)) to prepare a Statement of Community Involvement (SCI).
- 4.2 This is our first SCI (enclosed as Appendix1). However, its contents are based upon the SCI's that were adopted by the former Taunton Deane BC and West Somerset Council in 2014.
- 4.3 Planning Practice Guidance (paragraph: 035 Reference ID: 61-035-20190315) states that there is no requirement for local planning authorities to consult when reviewing and updating their Statement of Community Involvement.
- 4.4 Consulting on the draft contents of the SCI is being seen by this Council as a mechanism to help the Council understand what communities actually want. It also keeps stakeholders and our communities informed that a review of adopted local plan policies has commenced.
- 4.5 The SCI will be used by the Council to guide the approach to the consultation undertaken in the preparation of its local plan documents. In line with current legislation, the SCI specifies the organisations which must be consulted on local plan matters.
- 4.6 In addition to meeting its statutory obligations, the Council is committed to ensuring that local groups, organisations and individuals are provided with the opportunity to be involved in the preparation of local development documents. As set out in the draft SCI, a variety of methods will be used at various stages of the planning process to enable community involvement in the preparation of local plans.
- 4.7 The Planning System requires the Council to determine planning applications for changes of use of land and buildings. The Council determines a range of applications (eg household extensions, listed buildings, changes of use, advertisements, major housing and business proposals).
- 4.8 The SCI thus sets out:
- The standards that the Council expects applicants to follow when making an application for planning permission.
  - How the Council will process planning applications and notify and consult the local community and stakeholders about development proposals; and
  - How the Council will consider and determine planning applications within the Local Planning Authority area.
- 4.9 As set out in the draft SCI, Somerset West and Taunton is also responsible for certain regulatory stages of the Neighbourhood Plan and Neighbourhood Development Order process.
- 4.10 These Documents, when successfully completed, form part of the Statutory Development Plan for the area and are used to determine planning applications.
- 4.11 Whilst the Neighbourhood Planning Regulations set out who must be consulted at which stage, the SCI sets out the Council's expectations for all parties at the various stages of the regulatory process.

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

- 5.1 Officers are in the process of preparing a new Corporate Strategy to replace those previously prepared for Taunton Deane and West Somerset. The Local Plan is an important document which will help articulate and translate the Council's emerging strategic objectives into planning policy.

## **6 Finance / Resource Implications**

- 6.1 There is an agreed budget and reserves to support the delivery of the Local Plan process.
- 6.2 The Portfolio Holder for Planning and Transport and the Head of Strategy has reviewed and approved this report with no issues arising. Minor changes to the text were suggested and incorporated.

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

- 7.1 The Council's Constitution describes how Somerset West and Taunton will discharge its responsibilities, including responsibilities for the preparation and adoption of the Local Plan, which must be considered and endorsed by Full Council, prior to adoption.

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

- 8.1 None at this stage. In order to comply with the legislations that govern the local plan process, a Strategic Environmental Assessment and Sustainability Appraisal will be prepared and consulted upon at key points throughout the plan making process.

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

- 9.1 None at this stage.

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

- 10.1 None at this stage. In order to comply with the public sector equality duty: an Impact Assessments (IA) accompanies this series of reports and agenda items on the Local Plan. Further Impact Assessments will be prepared in due course as part of the plan making process. Further, details of the process are also available from:

<https://www.somersetwestandtaunton.gov.uk/your-council/equality-and-diversity/>

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

- 11.1 None at this stage.

## **12 Partnership Implications (if any)**

12.1 The draft SCI is in accordance with the Council's Constitution which describes how Somerset West and Taunton will discharge its responsibilities with regard to joint arrangements and partnerships.

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

13.1 None at this stage.

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

14.1 None at this stage.

**15 Data Protection Implications (if any)**

15.1 None at this stage.

**16 Consultation Implications (if any)**

16.1 None at this stage.

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

17.1 As per the published Draft Scrutiny Minutes;

17.2 During the discussion, the following points were raised:-

- Councillors requested that the list of stakeholders needed to be checked as they had spotted some inaccuracies. Also, there were no provisions mentioned on how they were going to consult in the unparished area of Taunton.

**Resolved** that with regard to the production of the Statement of Community Involvement (SCI), Scrutiny Committee recommended to Executive that:

- Executive approved the contents of the draft SCI document (enclosed as Appendix 1); and
- Delegated authority was given to the Head of Strategy and the Principal Planner Specialist to agree any necessary final amendments prior to its publication for consultation in agreement with the Portfolio Holder for Planning and Transport.

**Democratic Path:**

- **Scrutiny / ~~Corporate Governance or Audit Committees~~ – Yes / No** (delete as appropriate)
- **~~Cabinet/Executive~~ – Yes / No** (delete as appropriate)
- **Full Council – ~~Yes~~ / No** (delete as appropriate)

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

## List of Appendices

Appendix 1	Statement of Community Involvement (SCI): Draft for Consultation
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### Background papers (links)

All documents relating to adopted Local Plans for Taunton Deane BC and West Somerset Council can be accessed via the following link:

<https://www.somersetwestandtaunton.gov.uk/planning-policy/adopted-local-plans/>

Town and Country Planning Act (1990) can be viewed at:

<https://www.legislation.gov.uk/ukpga/1990/8/contents>

Planning and Compulsory Purchase Act 2004 (as amended) (the Act)

<http://www.legislation.gov.uk/ukpga/2004/5/contents>

Planning Act 2008 as amended by the Localism Act 2011. can be viewed at:

<http://www.legislation.gov.uk/ukpga/2008/29/contents>

and

<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

Town & Country Planning (Development Management Procedure) (England) Order (2010) can be viewed at:

<http://www.legislation.gov.uk/uksi/2010/2184/contents/made>

Town and Country Planning (Local Planning) (England) Regulations 2012

<http://www.legislation.gov.uk/uksi/2012/767/regulation/18/made>

The Neighbourhood Planning Regulations (2012) (as amended)

<http://www.legislation.gov.uk/uksi/2012/637/contents/made>

National online planning practice guidance can be viewed on the government web site at:

<http://planningguidance.planningportal.gov.uk/>

Note: For sight of individual background papers and more information on the supporting evidence base please contact the report author.

## Contact Officers

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## **Appendix 1: Statement of Community Involvement (SCI): Draft for Consultation**



# Somerset West and Taunton

## **SOMERSET WEST AND TAUNTON: STATEMENT OF COMMUNITY INVOLVEMENT**

**Draft for Consultation July 2019**

Insert Front Cover / Insert pictures and text

This document has been prepared by Somerset West and Taunton.

© Somerset West and Taunton

Photographs show:

Insert details

Copies of this SCI are available from: Somerset West and Taunton  
The Strategy Team, Deane House, Taunton, TA1 1HE  
Tel: insert

Email: [strategy@somersetwestandtaunton.gov.uk](mailto:strategy@somersetwestandtaunton.gov.uk)

For further details about the Local Development Scheme and the timetable for the production of our New District wide Local Plan: to view and download this and other documents, please visit our website.

<https://www.somersetwestandtaunton.gov.uk/planning-policy/local-development-scheme/>

**Accessibility:** this document is also available in Braille, large print, on tape and on disc and we can translate it into different languages. We can provide a member of staff to discuss the details. (confirm / insert appropriate equalities logos / text)

#### Document control record

Name of Document: Statement of Community Involvement  
Author: Somerset West and Taunton  
Description of content: Sets out how *Somerset West and Taunton* will involve the community and stakeholders in the preparation, alteration and review of local planning policy and the consideration of planning applications within the Local Planning Authority area  
Author: Paul Browning  
Approved by: Nick Bryant  
Head of Strategy  
Date of approval: insert 2019

Version	Date	Comments
1	16 <sup>th</sup> April 2019	New SCI (Track changes version) Based upon content of WSC SCI (2014) ( 1 <sup>st</sup> Draft)
2	16 <sup>th</sup> April 2019	Track changes (accepted), new neighbourhood planning appendix, factual updates.
3	18 <sup>th</sup> April 2019	Track changes accepted
4	30 <sup>th</sup> April 2019	GT comments, further suggested changes
5	10 <sup>th</sup> May 2019	Track Changes accepted.
6	31 <sup>st</sup> May 2019	Track changes. Suggested changes from internal consultees and Executive Member for Planning & Transport

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# What is a Statement of Community Involvement?

1. This Statement of Community Involvement (SCI) sets out how Somerset West and Taunton will involve the community and stakeholders in the preparation, alteration and review of local planning policy and the consideration of planning applications within the Local Planning Authority area. This is our first SCI for the new Council and has been prepared to take account of changes to planning policy nationally, as well as learning from elements of the former SCI's for Taunton Deane BC and West Somerset Council respectively. The Exmoor National Park Authority is the Local Planning Authority for the parts of the former West Somerset District which lie within the Exmoor National Park. The National Park Authority is responsible for publishing its own SCI.

## Why have an SCI?

2. Decisions on where new homes, jobs, shops, services and facilities should go must take account of the capacity of a range of things including infrastructure, environmental and social constraints as well as opportunities. Often, local communities have the best understanding of how their areas work. To this end it is vital that the views of local communities and other stakeholders are taken into account through both plan-making and decision-taking (development management) processes. The Council also has legal duty to prepare an SCI.
3. The Council also has a legal duty to consult in the preparation of local plans and on planning applications. These duties and responsibilities are set out in a number of pieces of legislation including:
  - the Planning and Compulsory Purchase Act (2004),
  - Localism Act (2011),
  - Town and Country Planning Act (1990),
  - Town & Country Planning (Development Management Procedure) (England) Order (2010)
  - the Town and Country Planning (Local Planning) (England) Regulations 2012, and;
  - the Neighbourhood Planning Regulations (2012).

## How can you get involved?

4. There are two areas of planning that you can be involved in:
  - **Planning policy preparation** (The Local Plan and other planning policy documents) - setting the policy framework against which development proposals will be assessed. Decisions on planning applications are made in line with these local planning documents.
  - **Planning applications** (Development Management) - most types of development require a planning application to be submitted and approved. Anyone can view and make comments on a planning application.

## Corporate Context

5. This is the Council's first SCI. It is one of a suite of documents aimed at developing a shared Vision for the future of the Somerset West and Taunton Local Planning Authority area.

# Community Involvement in Plan Preparation

## The Planning System

6. The planning system requires local authorities to produce Local Plans. These set out the spatial strategy for an area - where people will live, work and spend their leisure time - and provide the basis on which planning applications are determined.
7. Planning Legislation, Regulations and Guidance set out what documents must be produced, how they must be developed and examined by an independent examiner.
8. Further information regarding the Council's programme for preparing development plan documents is contained in the Local Development Scheme. Copies of the Local Development Scheme are available from:
  - the Council's website at <https://www.somersetwestandtaunton.gov.uk/planning-policy/local-development->
  - or may be inspected at the Council's offices:
    - West Somerset House, Killick Way, Williton, Somerset TA4 4QA, and;
    - The Council office – Deane House, Belvedere Road, Taunton, TA1 1HE
9. The Statement of Community Involvement will be used by the Council to guide the approach to the consultation undertaken in the preparation of its local plans. There are two types of local plans:
  - Development Plan Documents (such as the West Somerset Local Plan to 2032 and the Taunton Deane Core Strategy to 2028), and;
  - Supplementary Planning Documents (these may include planning obligations SPD, strategic site masterplans etc. which provide more detail for the application of statutory planning policies).
10. The Statement of Community Involvement should be used by those producing the documents to guide the approach to the consultation undertaken in their preparation.

# Community Involvement in Plan Preparation

## Development Plan Documents

11. Development Plan Documents (DPDs) set out policies and proposals for the regulation and use of land within the LPA area. The Taunton Deane Local Plan 2012-2028 and West Somerset Local Plan 2016-2032 are examples of DPDs. Going forward, we will be producing a new Local Plan covering the new Somerset West and Taunton LPA area to 2039. Other DPDs may also be produced for specific sites or issues and these will be set out in the LDS.
12. Each DPD goes through a series of formal stages of production prior to adoption. These involve the consideration of alternative options, public consultation, and a publication stage at which formal representations are made and submission for independent examination.
13. The formal stages in the production of a development plan document are:
  - **Pre-publication consultation** – this could be undertaken once or a number of times. The exact scale and extent of consultation may depend on the scope and content of the Plan being prepared. For a Local Plan, issues, strategy options and preferred strategy consultations are likely to be appropriate, as well as other engagement outside these specific exercises. This gives communities a chance to input early into strategic and policy direction for plans. Representations received will be collated into a report which also says how the issues raised have been addressed.
  - **Publication** – Following further evidence gathering and strategy and policy development, in which comments from previous consultations have been taken account, the plan will be formally published for consultation. At this stage, the DPD will essentially be the Plan that the LPA want to submit it in for Examination. At this point stakeholders and members of the community can make formal representations on the Plan's soundness. These representations are then considered by an Examiner considering the soundness of the Plan.
  - **Submission** – the Council must submit the published plan to the Secretary of State along with all representations received at the publication stage.
  - **Examination** – an independently appointed Inspector will consider the soundness of the Development Plan Document against several tests as well as whether the Council has complied with the relevant Regulations. The Examination will consist of a series of Examination Hearing Sessions where those who have made representations at the Publication stage may be permitted to appear and provide oral representations to the Inspector. The Inspector may then make recommendations for Main (and minor) Modifications to the submitted DPD. Where Main Modifications are recommended, there would be further public consultation.



- **Adoption** – following receipt of the Examiner’s Report (and subject to the Plan being found sound) the Council can formally adopt the Plan as a Development Plan Document.

## Strategic Environmental Assessment and Sustainability Appraisal

14. A Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) Scoping Report is produced when starting the process of DPD preparation; it is consulted on to allow interested parties to make representations on what the SA/SEA should contain.
15. An SA/SEA is an iterative process undertaken when preparing each stage of a DPD, documenting and evidencing decisions taken on options for the DPD in relation to strategies, policies and allocations. A report is consulted on at key points throughout the plan-making process, at the same time as the DPD.
16. Where both these documents are required The Council may combine them into one publication.

## Supplementary Planning Documents

17. Supplementary Planning Documents (SPD) are non-statutory planning policy documents which provide additional information or detail on the how particular policies in a DPD should be applied. Examples include: masterplans, development briefs and design guidance. The process for the preparation of SPDs is simpler than the more formal requirements laid down in the Regulations for preparing DPDs.
18. The 2012 Local Planning Regulations require the following stages for the production of an SPD:
  - **Publication** – at which point stakeholders and members of the community can make formal representations on the draft SPD. Representations received will be collated into a report which also says how the issues raised have been addressed.
  - **Adoption** – following consideration of the consultation responses and the making of any appropriate amendments, the document will be considered by the Council for formal adoption.

## Neighbourhood Planning

19. The Localism Act 2011 introduced a new, locally prepared, tier of statutory planning policy: Neighbourhood Development Plans and Neighbourhood Development Orders. These Documents, when successfully completed, form part of the Statutory Development Plan for the area, used to determine planning applications. The qualifying body (the Town or Parish Council) is responsible for research, drafting and consultation during the development of the document. The District Council is responsible for certain regulatory stages in the process, the details of which are set out in Appendix D.

20. The Council expects the relevant qualifying body to undertake appropriate and effective consultation with the community and stakeholders. Such engagement will identify issues that will shape the form and content of the Neighbourhood Plan or Development Order.
21. Every Neighbourhood Plan or Development Order is individual and therefore the scope and form of consultation will vary. Statutory stakeholders have specialist knowledge, information and expertise which can assist in the development and production of the Neighbourhood Plan. Voluntary Bodies have locally specific knowledge on the range of groups and people in the area. Those who live, work and play in the area may also have specific insights which can be invaluable.
22. The Council expects the town or parish council preparing the Plan to provide details of the engagement undertaken; including a list of organisations, associations and bodies who were consulted, a summary of their input, how the Neighbourhood Planning group have taken account of any relevant issues and how the draft neighbourhood plan has been shaped to take account of them.
23. A number of bodies can advise and provide training and support to neighbourhood plan groups. The Council can assist in identifying appropriate organisations and sources of information.
24. The Council is responsible for notification and facilitating the following regulatory stages in the Neighbourhood Plan process:
- **Designation of a neighbourhood planning area** – Stakeholders and members of the community can make formal representations on the compliance with the regulations of the proposed Neighbourhood Planning Area. In parished areas, the relevant qualifying body for neighbourhood planning purposes will always be the local town or parish council. In unparished areas of the district (i.e. within Taunton itself), the relevant qualifying body may be a neighbourhood forum or other community organisation. Once a neighbourhood area has been designated by the Council the designation must be formally advertised.
  - The Council will check that the Draft Neighbourhood Plan complies with the criteria for a Neighbourhood Plan in the Legislation and Regulations.
  - **Publicising the Draft Neighbourhood Plan** – Stakeholders and members of the community can make formal representations on the plan. These representations are submitted alongside the plan for consideration by the Independent Person appointed to consider the soundness of the neighbourhood plan.
  - **Examination of the Neighbourhood Plan** - The Council will appoint an appropriately qualified Independent Person to consider whether the draft Neighbourhood Plan is in compliance with the relevant Regulations and Legislation.
  - The Council considers the Independent Person's recommendations and amends the plan accordingly where appropriate. Assuming that the draft

Neighbourhood Plan can be made compliant it is subject to a referendum within the Neighbourhood Planning Area.

- **Decision on the Neighbourhood Development Plan proposal:** Following the referendum, if a simple majority of those voting support adoption of the Neighbourhood Plan, then the Council must formally “make” the Neighbourhood Development Plan. Once it has been “made” it becomes part of the Statutory Development Plan for the area.

25. The Neighbourhood Planning Regulations<sup>3</sup> set out who must be consulted at which Stage.

## Who we will consult

26. We will consult people at various stages in the development of local plans. The Town and Country Planning Regulations require Local Planning Authorities to involve the community and stakeholders in Local Plan preparation and specify a number of organisations which must be consulted on local plan matters relevant to them (the Specific Consultation Bodies) and also describes a number of interest group types (General Consultation Bodies) to be included. A list of Specific Consultation Bodies, General Consultation Bodies, and other organisations and groups the Council seeks to involve in plan-making is included in Appendix A.

27. In addition to meeting its statutory obligations, the Council is committed to ensuring that local groups, organisations and individuals are provided with the opportunity to be involved in the preparation of local development documents.

28. The Council has a database of consultees, who have either commented upon, or expressed an interest in being involved with the development of local plans. This database is used to keep individuals, companies and organisations informed on the production of the Local Plan and other planning policy documents. New consultees are added to the consultation database via e-mail or letter to the Strategy Team requesting inclusion on to the database. The General Data Protection Regulations will be followed to ensure that personal data is only required and retained where proportionate and necessary, is only gathered where explicit consent has been provided, is kept securely and is not disclosed to others.

## Consultation methods

29. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the minimum requirements for public participation in the preparation of Development Plan Documents. These are marked in the following list of methods with an “M”. The Council aims to go beyond these requirements; examples of ways we may do this are listed after the statutory requirements.

30. A variety of methods will be used at various stages of the planning process to enable community involvement in the preparation of local plans. These methods include, but are not limited to:

- **The Council’s website (M)** – consultation activities will be publicised through the Council’s website, on the Planning Policy home page at: <https://www.somersetwestandtaunton.gov.uk/planning-policy/> Local plan

evidence base studies and related information are also available to view and download.

- **Inspection Points (M)** – hard copies of documents will be available for inspection at the Council's Offices (at Deane House, Taunton and West Somerset House, Williton) during consultation periods. In addition we will also make them available at selected local libraries in the area. Copies of the evidence base studies are also be available to view on request in these locations.
- **E-mail (M)** – notifications will be sent to statutory bodies, stakeholders, relevant groups and other individuals and organisations on our consultation database. The Council's Strategy t team is contactable via the following generic e-mail address\_- [strategy@somersetwestandtaunton.gov.uk](mailto:strategy@somersetwestandtaunton.gov.uk)
- **Letters (M)** –postal notifications will be sent to statutory bodies, stakeholders, relevant groups and other individuals and organisations on our consultation database where we only have a postal address or they have specifically requested to be contacted by post.
- **Local News Media** – Public Notices will be placed in the Somerset Gazette Advertisements will include details on when and where planning documents can be inspected, how copies can be obtained, the closing date for representations and where to send them. We will also issue a press release to appropriate local news media.
- **Public exhibitions / drop-in sessions** – these events, staffed by planning policy officers, provide information and detail on the emerging proposals. They offer the opportunity for the public and stakeholders to ask questions about the Plan and collect information and literature about the consultation exercise. This helps to target members of the community who may not get involved through electronic media or more formal methods.
- **One-to-one meetings** – with individuals, groups, organisations and stakeholders as appropriate, to provide the opportunity for exchange on information, discussions and problem solving. However, it is the responsibility of the individual, group or organisation to submit written comments after the meeting if they wish.
- **Presentations** – to groups, organisations and stakeholders as appropriate, to target particular people in the community who may be interested in a specific issue.
- **Community and resident meetings and groups** – use of pre-existing community and resident meetings to target people with specific characteristics or interests.
- **Local Plan Newsletter** – this will be published from time to time via the Council's website to provide information about the progress of planning policy document preparation and public engagement opportunities.
- **Local Plan Workshops and Focus Groups** – Round table workshop

sessions and focus groups can provide a valuable opportunity to discuss proposals in some detail and to receive feedback and answer questions. This informal environment may also help to reach people who might not get involved with more formal processes.

- **Social Media** – we may advertise consultations through the Council's Twitter and Facebook accounts with additional tweets if appropriate during the course of the consultation.

31. It is recognised that some of the methods outlined above may not suit everybody, however it is hoped that the variety of methods will enable a wide range of people to get involved in the consultation process.

32. In line with Equalities legislation, all of our publications will be written clearly and concisely, explaining any technical terms or language. A translation facilities box will be included on all consultation and adopted DPDs and SPDs. We will also offer an appropriate timescale for representations to be received to allow everyone to have the chance to participate.

## **Equalities and Diversity**

33. The Equality Act (2010) defines nine “protected characteristics”: age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council will ensure that these characteristics do not affect people’s ability to respond to our consultation and have their views heard.

34. It is recognised that some groups are harder to engage with than others. These can include: those for whom English is not their first language, people with disabilities, children and young people, older people, gypsies and travellers, ethnic minorities, and the homeless. Such groups may not be engaged by or may be unable or unwilling to engage in traditional consultation methods. The Council will endeavour to take account of barriers faced by these groups and try to overcome these by using alternative methods of consultation, or by asking affected groups or individuals how they would like to be involved.

35. A list of community and voluntary organisations operating in Somerset West & Taunton with links to equality and diversity groups is included in Appendix A. This is not an exhaustive list, it provides an indication of the variety of harder to reach groups in the District.

## **What we do with representations received**

36. We will read all representations received and take into account those which are related to planning policy matters. Because we get a large number of responses we cannot always respond individually to them, but we will produce a summary document which will be published on our website.

37. All representations received will be public documents and as such will be available for others to see. In line with the General Data Protection Regulations we will not publish personal data such as personal e-mail addresses, signatures, telephone numbers or postal addresses. We cannot keep your name secret.

38. The Council will not accept or publish comments that are offensive, obscene, racist or illegal. We may pass any such material to the Police.
39. A statement of consultation will be produced containing an overview of the consultation activities undertaken, summary of representations received and how or what the Council will do to take these into account in the final document. This statement will form part of the publication documentation for local planning documents.
40. A response report on the consultation exercise will be presented to the Council's Executive and where appropriate Full Council Local Development Panel. All responses will be considered although not all will justify amendment to the Plan's content. Responses suggesting changes to the Plan's strategy or policies should be supported by appropriate evidence where possible.
41. When submitting a DPD to the Secretary of State, the Council is also required to submit a statement of compliance setting out which bodies and other persons have been consulted, how they have been consulted, the main issues that were raised and how these have been addressed.

### **What we will do if you feel unfairly treated**

42. The level of service you can expect from the Council is set out in our Service Standards. If a person is not happy with the service they have received they should contact the Strategy team in the first instance via the generic email address: [strategy@somersetwestandtaunton.gov.uk](mailto:strategy@somersetwestandtaunton.gov.uk) . If they are dissatisfied with the response they can make a formal complaint through the Council's Complaint Procedure, set out on the website at <https://www.somersetwestandtaunton.gov.uk/contact-us/complaints-and-compliments/>.
43. The Local Government Ombudsman investigates complaints of injustice arising from misadministration by Local Government and certain other bodies. The Ombudsman can investigate complaints about how a Council has done something. However, they cannot question what a Council has done simply because someone does not agree with it. [www.lgo.org.uk](http://www.lgo.org.uk)

## **Community Involvement in Development Management**

### **The Planning System**

44. The Planning System requires Local Authorities to determine applications for changes of use of land and buildings.
45. Planning Legislation, Regulations and Guidance set out what should be in an application and the process for making decisions on its acceptability.
46. Development Management decisions shape the character of an area. The Council determines a range of applications, inter alia, household extensions, fences, listed building applications, changes of use, advertisements to major

housing and business premises.

47. Applications for nationally significant infrastructure projects are considered by the Planning Inspectorate. As Somerset is a two tier local authority area, planning applications for waste, minerals and major highway schemes are considered by Somerset County Council.
48. There are four stages at which the local community and stakeholders may be consulted and/or notified about development proposals:
- pre-application stage - undertaken by the applicant once or a number of times. The exact scale and extent of consultation will depend on the scope and content of the planning application being prepared;
  - application stage - undertaken by the Council this is formal consultation on the application;
  - when a decision has been made - undertaken by the Council; and
  - appeal on a decision - undertaken by the Council on behalf of the Planning Inspectorate (PINS), additional formal comments may be submitted.
49. Planning Acts, Orders and Regulations set out the approach that the Council and applicants are required to undertake in regard to consultation.
50. The SCI will be used by the Council to set expectations for applicant led consultation and guide our approach to consultation in the planning application process.

### **Pre-application (for the applicant to undertake)**

51. Because the Council is rarely the applicant for planning permission, this section of the SCI is primarily focused on setting the standards we would expect an applicant to follow prior to making an application for planning permission.
52. We recommend that all applicants undertake appropriate and effective pre-application consultation with the community before submitting an application. Early engagement with the Council, local community and key stakeholders can identify and address issues before applications are submitted, shape the design of the development and ensure sufficient information is submitted for an application to be registered and a recommendation made.
53. Engagement with the Council is important and can vary from a short conversation with a Council Officer to a number of meetings with various Council Services and Elected Members. Pre-application advice is subject to the payment of an appropriate fee. The fee is based on the size and type of development. Details of the Pre-application advice service and fees are available on the [Council](https://www.somersetwestandtaunton.gov.uk/planning/pre-planning-advice/) web site: <https://www.somersetwestandtaunton.gov.uk/planning/pre-planning-advice/>
54. Open and transparent consultation with Parish and Town Councils as well as members of the public at public meetings is recommended. Advice from the Council and Parish or Town Councils is confidential and will be “without prejudice” to

any eventual decision of an application. Views from a wide number and range of community members; utilising local and community media, publications and knowledge is expected.

55. The Council expects an applicant to provide details of the pre-application engagement undertaken; including a list of the organisations, bodies and people who engaged with the consultation, a summary of their responses and an explanation of how they have taken account of any relevant issues raised as well as how the developer has amended their scheme to take account of them. This should also be presented within the appropriate policy context, relevant national and local policies and links to local strategies.
56. Every planning application is individual therefore the scale of community consultation and techniques used will vary. The Council can advise on relevant issues and suggest ways to involve and inform the community.
57. A number of bodies can advise and provide training to communities on a range of planning issues including pre-application engagement, representations to planning applications and planning policy consultations. Planning Aid England provides a range of advice and support to individuals and communities. See their web site for more information: <http://www.rtpi.org.uk/planning-aid>. The Planning Portal also provides information on the planning system to individuals, developers and Councils: <http://www.planningportal.gov.uk>.

### **Application (for the Council)**

58. When an application is received it will be registered and checked to make sure that all the information the Council expects is submitted. When it has been validated it will be included on the weekly application register. The register as well as all information and correspondence pertaining to the application will be put on the case file. This will be available on the Council's website <https://www.somersetwestandtaunton.gov.uk/planning/find-a-planning-application/>. Paper copies of current planning applications can also be made available to view on request at West Somerset House's Reception in Williton and Deane House Reception, Taunton.

## **Community Involvement in Development Management**

### **Who we will consult**

59. The Town and Country Planning (Development Management Procedure) (England) Order 2010 requires the Council to consult the community. For certain types of application the Council is also obliged to consult with specific groups and organisations, often referred to as statutory consultees, these are listed in Appendix B. Consultation will be proportionate to the application being considered.



## **How we will consult**

60. The Council has a duty to ensure applications and decisions are properly publicised in order that the public and stakeholders can meaningfully influence the process. The Council is required to publicise the application, either by site notice or by writing to neighbours. Site notice/s will be placed in a prominent position on or near the site. For some larger developments, applications contrary to the local plan and some statutory applications, such as those affecting Listed Buildings or Conservation Areas, a Public Notice will also be placed in that section of the local newspaper<sup>7</sup>.
61. The letter, notice or advert will contain details of the planning application and information on where plans and any supporting documents accompanying the application can be viewed. It will also explain where to make representations and when they have to be returned to the Council.
62. Sometimes planning applications are revised after they have been submitted; this could be as a result of matters of concern or items raised in objections. In these cases, the Council may re-consult those people originally notified of the application to give them the opportunity to comment on the amendments. The Council has a statutory time limit within which SWT has to determine most applications. Given this a 14 day response period will usually apply for re-consultation.
63. Parish and town councils are consulted on the planning applications within their area, other than those that are determined by them Under the Council's Delegated Scheme – Milverton, Pitminster and Wellington.

# **Community Involvement in Development Management**

## **What we do with representations received**

64. Representations received will be put in the case file and published on the Council's website. The Council will only be able to consider matters relating to planning and the planning application. The Council will not accept comments that are offensive, obscene, racist or illegal. We may pass such material to the Police.
65. Where appropriate, comments may result in changes to an application, conditions attached to an application decision to address particular issues or refusal of an application. There are nearly always differing views and competing interests, we are required to make informed decisions having regard to national and local planning policies, development impacts and what will be in the best interest of the community.

## Decisions

66. For most minor and householder applications decisions are made by Principal Planner Specialist under powers delegated and set out in the Somerset West and Taunton Council Constitution (April 2019). Ward Councillors may request that any application be determined by the Planning Committee. Such requests received within 14 days of validation will be considered by the Chair & Vice Chair of the Committee.
67. For major, significant and controversial applications decisions are made by Councillors on the Planning Committee. The Development Management Officers prepare a report for committee outlining the proposal, issues raised and recommendations of either approval, approval with conditions or refusal.
68. Any person who has made a representation will be notified when the application is to be reported to the Planning Committee for determination.
69. On occasion the Secretary of State will call in an application rather than let the Local Authority decide. If this happens the Council will provide copies of all correspondence to the Secretary of State and publicise the call-in on its website.

## Post-application (the Council)

70. Once a decision has been made on an application, the Council will publish it on the weekly decision register and in the local newspaper. For locations in the former district of West Somerset, a copy of the decision notice for all applications since 1974 is available on the Council's website. For location in Taunton Deane they are available from 1986.
71. Where an applicant is unhappy with the Council's decision they have the right to appeal. Applicants must lodge an appeal with the Planning Inspectorate who will determine its validity before initiating proceedings and setting a start date. When an appeal is accepted the Council has one week from the start date to notify all statutory consultees and interested persons. Statutory consultees and interested persons may have the opportunity to make any additional comments on the application. Within five weeks the Council will submit all relevant information, including further representations received, and an appeal statement to the Planning Inspectorate. The Inspectorate will re-evaluate the information and determine whether the Council's decision was correct or if it should be overturned. The Council will publish the decision on its website.

## What we will do if you feel unfairly treated

72. The level of service you can expect from the Council is set out in our Service Standards. If a person is not happy with the planning service they have received they should contact either the Head of Strategy or the Principal Planner Specialist in the first instance. If they are dissatisfied with the response they can make a formal complaint through the Council's Complaint Procedure at: <https://www.somersetwestandtaunton.gov.uk/contact-us/complaints-and-compliments/>
73. The Local Government Ombudsman investigates complaints of injustice arising

from misadministration by Local Government and certain other bodies. The Ombudsman can investigate complaints about how a Council has done something. However, they cannot question what a Council has done simply because someone does not agree with it. [www.lgo.org.uk](http://www.lgo.org.uk)

## Monitoring and Review

74. The contents of the Statement of Community Involvement will be regularly reviewed in order to keep up to date with any changes in policy, to update consultee groups, where necessary, and to review the relative success of the various community involvement measures undertaken.

# Appendix A – Stakeholders to be involved in local planning policy

To be checked and confirmed before publication

<b>Specific Consultation Bodies - These are the statutory consultees defined in the Regulations</b>	
Marine Management Organisation	The Highways Agency
English Heritage	Parrett Internal Drainage Board
Natural England	Somerset County Council
Environment Agency	Devon County Council
Sedgemoor District Council	British Telecom PLC
East Devon District Council	Commpro Telecommunications
Exmoor National Park Authority	Mobile Operators Association (MOA)
North Devon District Council	Mono Consultants Ltd.
Mid Devon District Council	T-Mobile (UK) Ltd
South Somerset District Council	
Homes and Communities Agency	O2 (UK) Ltd
Somerset Supporting People Partnership	Orange Personal Communications
NHS Clinical Commissioning Group and NHS Commissioning Board	Vodafone Ltd
Somerset Health & Wellbeing Board	South West Water
RWE npower renewables	Wessex Water
EDF Energy	Network Rail Infrastructure Limited
National Grid UK Transmission	Avon and Somerset Constabulary
National Grid	British Transco
Western Power Distribution	Wales and West Utilities
Blackdown Hills and Quantocks AONB's	Heart of South West LEP.
Local Nature Partnership (LNP)	
Town and parish councils	
Town and Parish Councils in and adjacent to the new Council area.	

<b>General Consultation Bodies – The Regulations also require the Council to consult such general consultation bodies as it considers appropriate, this lists below are not exclusive and additional organisations can be added on request.</b>	
<b>a. Voluntary bodies some or all of whose activities benefit any part of the authority's area</b>	
The West Somerset Initiative	Seaward Way Community Group
Minehead Conservation Society	Somerset Activity & Sports Partnership
POPP team leader, Age Concern Somerset	West Somerset and Exmoor Bridleways Association
Somerset Playing Fields Association	Community Council for Somerset
Rural Women's Network c/o Council for Somerset	Somerset Gay Health
Age Concern Somerset	Forum 21
Ecos Trust	Friends of Watchet Station
Single Parent Action Network	Scout movement and over 60 club
Cycle Somerset	Engage (formerly W Somerset CVS)
West Somerset Seniors' Forum	Transition Minehead and Alcombe
Somerset Wildlife Trust	Somerset County Federation of Womens' Institutes

The Woodcombe Society	Somerset Association of Local Councils
West Somerset LETS Group	West Somerset Citizens Advice Bureau
Williton Regeneration Partnership	CPRE, West Somerset District Committee
The Ramblers	CPRE South West
Magna Tenants Panel	RSPB SWRO
FWAG South West England Office	The Exmoor Society
10 Parishes	Artlife
Friends of the Earth	SUSTRANS
The Council's Registered housing providers	House Builders Federation
Transition Town Taunton	Onion Collective CIC
<b>b. Bodies which represent the interests of different racial, ethnic or national groups in the authority's area.</b>	
Equality South West	Traveller Education Service
Somerset Racial Equality Council	Friends, Families and Travellers
<b>c. Bodies which represent the interests of different religious groups in the authority's area</b>	
Faithnet South West	Property Officer and Secretary of the Houses and Glebe Committee of the Bath and Wells Diocesan Board of Finance
Minehead Baptist Church	West Somerset Methodist Circuit
Somerset Circuit of Jehovah Witnesses	Catholic Church, Clifton Diocese
<b>d. Bodies which represent the interests of disabled persons in the authority's area</b>	
Compass Disability Services	Taunton and District Mencap Society
Open Daws - Disabled Activities in West Somerset	Somerset Cancer Care, Minehead West Somerset Group
	Mind in West Somerset
<b>e. Bodies which represent the interests of persons carrying on business in the authority's area</b>	
Somerset Chamber of Commerce	West Somerset Business Forum
Federation of Small Businesses, Taunton and District	Minehead Chamber of Trade
Country Land and Business Association – South West	Road Haulage Association Bristol/Avonmouth, Cornwall, Dorset, Devon, Somerset, Wiltshire
South West Tourism Ltd	Regen
Business Link Somerset	WACET

# Appendix B – Stakeholders to be involved in development management

The Regulations require the Council to consult specific consultation bodies when considering some planning applications.

The statutory consultees for Development Management include:

Local highway authorities

Local planning authorities

Natural England

Town and Parish councils

Rail network operators

Regional development agencies

The British Waterways Board

The Coal Authority

The English Sports Council

The Environment Agency

The Health and Safety Executive

The Historic Buildings and Monuments Commission for England

The National Park Authority

The Secretary of State for the Environment, Food and Rural Affairs

The Secretary of State for Transport

The Theatres Trust

The Office for Nuclear Regulation

The statutory consultees which need to be consulted vary depending on the type of application submitted, and the specific site circumstances. Therefore, the detailed table within Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010 should be referred to for more detailed information.

## Appendix C - Definition of application type

The following is a general guide. As sites and applications are uniquely individual there may be deviations from these categories.

Application type	Description	Examples
<b>Significant applications</b>	Applications where there are considerable issues of scale and controversy	<ul style="list-style-type: none"> <li>• Strategic Site Allocations</li> <li>• Large scale retail or residential development, i.e.:               <ul style="list-style-type: none"> <li>○ 10 or more dwellings or where the site is more than 0.5 hectares;</li> <li>○ All uses where floor space is more than 1,000m<sup>2</sup> or the site is more than 1 hectare.</li> </ul> </li> <li>• Applications requiring a full transport assessment</li> <li>• Proposals to remove community facilities – such as development on playing fields</li> <li>• Schedule 1 and 2 developments under Environmental Impact Assessment Regulations<sup>9</sup></li> <li>• Applications are normally determined within 13 weeks</li> </ul>
<b>Departure applications</b>	Applications contrary to or out of line with the Development Plan	<ul style="list-style-type: none"> <li>• Applications considered to be in breach of and/or may significantly compromise the delivery of Local Planning Policy, i.e.               <ul style="list-style-type: none"> <li>○ Core Strategy;</li> <li>○ Local Plan;</li> <li>○ Site Allocations and Development Management Plan;</li> <li>○ Town Centre Area Action Plan.</li> </ul> </li> <li>• Applications which must be submitted to DCLG for their consideration.</li> </ul>
<b>Small Scale applications</b>	Applications for sites that are of local significance or are sensitive to development pressures and allocated sites that have not generated significant objection in the Development Plan Document process.	<ul style="list-style-type: none"> <li>• Less than 10 dwellings</li> <li>• For all other uses where floor space is less than 1,000m<sup>2</sup></li> <li>• Normally determined within 8 weeks</li> </ul>

<p><b>Other minor applications</b></p>	<p>Applications for minor items which are of local significance or are sensitive to development pressures and allocated sites that have not generated significant objection in the Development Plan Document process.</p>	<ul style="list-style-type: none"> <li>• Applications which impact on a local landmark</li> <li>• Applications in the Area of Outstanding Natural Beauty (AONB) or Site of Special Scientific Interest (SSSI)</li> <li>• Applications which propose the loss of a community facility - such as post office, public house</li> <li>• Applications for: <ul style="list-style-type: none"> <li>○ Advertising consent</li> <li>○ Tree works</li> <li>○ Conservation Area Consent</li> <li>○ Listed Building Consent</li> <li>○ Householder applications</li> <li>○ Change of use for non-major developments where no building or engineering works are proposed</li> </ul> </li> <li>○ Normally determined within 8 weeks</li> </ul>
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# Appendix D – Neighbourhood Planning

In accordance with legislation set out in the Neighbourhood Planning Act 2017 Local Planning Authorities (LPA's) have to set out in their Statements of Community Involvement (SCI) their policy for discharging their duty to:

- give advice or assistance to neighbourhood development plan Qualifying Bodies (QB's) on proposals for making neighbourhood development plans (NDP's);
- the process for making neighbourhood development plans;
- give advice or assistance to neighbourhood development plan QB's in regard to proposals for modification of NDP's);

## **General Advice and Support:**

To this end, West Somerset and Taunton will provide general information about Neighbourhood Planning on its website and specific information about Neighbourhood Planning for a defined areas on request. The type of information may include, amongst other things:

- Advice on setting up Qualifying Bodies (including Neighbourhood Forums, where applicable);
- Advice on designating the Neighbourhood Plan Areas;
- Advice on context such as: the Councils local planning policy, national designations (i.e. AONB's), Permitted Development Rights and national legislation such as what Neighbourhood Plans can and cannot do, and how these may affect the scope and content of a Neighbourhood Plan;
- Advice on engagement and consultation;
- A copy of any surveys, assessments, monitoring or mapping information that the Councils hold which is of relevance;

The LPA will also support QB's as they develop their community-led neighbourhood development plans by, amongst other things:

- Advice on due process, such as: regulation 14 consultation (undertaken by the qualifying body), submission documentation, Independent Examination, Referendum and the Neighbourhood Plan being made;
- Advice on compliance with the provision concerning neighbourhood development plans made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011):
  - relates to the development and use of land;
  - date for the period for which it is to have effect it is clearly indicated;
  - does not include excluded development;
  - relates to the designated Neighbourhood Plan Area.
- Advice on meeting all the Basic Conditions (as set out in Schedule 4B to the Town & Country planning Act 1990):
  - has regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contributes to achieving sustainable development;
  - is in general conformity with strategic policies in the TDBC development plan;
  - is compatible with EU Environmental Obligations and does not breach European Convention Rights;

The LPA have obligations at various stages of the neighbourhood plan process. There are

eight stages in statute where the LPA has responsibility. These are:

- Designation of a neighbourhood plan area;
- Designation of a neighbourhood forum;
- Publication of all documentation submitted to the LPA for a neighbourhood plan and consultation on those documents;
- Appointment of Independent Examiner;
- Submission to Independent Examiner;
- Publication of Examiners report;
- Referendum on a neighbourhood plan;
- Decision to make a neighbourhood plan.

To provide transparency of procedures, the LPA has set out what is required of it at each stage, any prescriptive timescales for this, how this is brought to people's attention, and who makes any decisions (if relevant).

Stage	LPA's Legal Obligations	Decision taken by	Notification
Neighbourhood plan area	<p>Following receipt of an application to designate a neighbourhood plan area the LPA must make and publish a decision on the designation:</p> <p>Where a Qualifying Body (QB) is a Parish Council, within 8 weeks from the date on which the area application is first publicised;</p> <p>In Forum Areas 13 weeks;</p> <p>If the area straddles two LPA's 20 weeks;</p> <p>Note: if consultation is required this must be a minimum of 6 weeks.</p>	<p>Officer technical decision in consultation with Portfolio Holder.</p> <p>If consultation is required a decision will also involve the Local Development Framework Steering Group.</p>	<p>The LPA will make the proposed designation, and its decision on it, available as:</p> <ul style="list-style-type: none"> <li>• a hard copy at the Councils building and at location(s), as agreed with the QB, in the neighbourhood plan area;</li> <li>• a digital copy on the Councils website;</li> <li>• issue notifications via e-mail to statutory bodies, elected members and anyone who has asked to be kept informed of the plans in the LPA area.</li> </ul> <p>If consultation is required notification will include where documents can be viewed, how representations can be made, and timescale for those.</p> <p>The LPA may also publicise this via Press Release (includes local news organisations), TDBC website, and Weekly Bulletin.</p>

Neighbourhood forum	<p>Following receipt of an application to designate a neighbourhood forum the LPA must make and publicise a decision on the application as soon as possible. The Secretary of State has powers to set timescales, or to intervene in the process.</p> <p>Note: A minimum of 6 weeks consultation</p>	Officer technical decision in consultation with Portfolio Holder and Local Development Framework Steering Group.	<p>The LPA will make the proposed designation, and its decision on it, available as:</p> <ul style="list-style-type: none"> <li>• a hard copy at the Councils building and at location(s), as agreed with the QB, in the neighbourhood plan area;</li> <li>• a digital copy on the Councils website;</li> <li>• issue notifications via e-mail to statutory bodies, elected members and anyone who has asked to be kept informed of the plans in the LPA area.</li> </ul> <p>If consultation is required notification will include where documents can be viewed, how representations can be made, and timescale for those.</p> <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
Voluntary withdraw of designation of a neighbourhood forum*	Following receipt of an application to withdraw of designation of a neighbourhood forum the LPA must, as soon as possible, acknowledge and publish the request.	Not applicable.	<p>The LPA will publish:</p> <ul style="list-style-type: none"> <li>• a hard copy at the Councils building and location(s), as agreed with the QB, in the neighbourhood plan area;</li> </ul>

<p>*whilst there is no decision to make the LPA must publish and acknowledge the request.</p>			<ul style="list-style-type: none"> <li>• a digital copy on the Councils website;</li> <li>• via e-mail to statutory bodies, elected members and anyone who has asked to be kept informed of the plans in the LPA area.</li> </ul> <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
<p>Publication of plan or order proposals (Reg16)</p>	<p>As soon as possible the LPA must publicise on its website and in such other manner as it considers likely to bring to the attention to those who live, work out carry on business in the Neighbourhood Area:</p> <ul style="list-style-type: none"> <li>• The Plan/Order proposal;</li> <li>• Details of where and when the Order/Plan proposal may be inspected;</li> <li>• Details of how to make representations;</li> <li>• A statement that any representations may include a request to be notified of the Council's decision;</li> <li>• A deadline for the representations; and</li> <li>• Notify any consultation body which is referred to in the Consultation Statement that the proposal has been received.</li> </ul> <p>The Secretary of State has powers to set timescales, or to intervene in the process. Note: A minimum of 6 weeks consultation from the date the proposal is first published.</p>	<p>Officer technical decision in consultation with Portfolio Holder.</p>	<p>The LPA will publish:</p> <ul style="list-style-type: none"> <li>• a hard copy at the Councils building and at location(s), as agreed with the QB, in the neighbourhood plan area;</li> <li>• a digital copy on the Councils website;</li> <li>• issue notifications via e-mail to statutory bodies, elected members and body or person referred to in the Consultation Statement submitted by the QB and anyone who has asked to be kept informed of the plans in the LPA area.</li> </ul> <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>

Appointment of Independent Examiner	As soon as possible, with the provision that the Secretary of State has powers to set timescales, or to intervene in the process.	Officer technical decision with the Qualifying Body, in consultation with Portfolio Holder.	<p>The LPA will publish this:</p> <ul style="list-style-type: none"> <li>• on the Councils website;</li> <li>• via e-mail to statutory bodies, elected members and anyone who has asked to be kept informed of the plans in the LPA area.</li> </ul> <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
Submission to Independent Examiner (Reg 17)	As soon as possible, with the provision that the Secretary of State has powers to set timescales, or to intervene in the process.	Officer technical decision in consultation with Portfolio Holder and Local Development Framework Steering Group.	<p>The LPA will publish this:</p> <ul style="list-style-type: none"> <li>• on the Councils website;</li> <li>• via e-mail to statutory bodies, elected members, body or person referred to in the Consultation Statement submitted by the QB and anyone who has asked to be kept informed of the plans in the LPA area.</li> </ul> <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>

<p>Publication of examiners report (Reg 18)</p> <p>LPA's decision on examiners report (Reg 19)</p>	<p>A decision must be taken by the LPA on whether to submit a neighbourhood plan or order to a referendum within 5 weeks from the date the LPA receive the examiner's report.</p> <p>The LPA must publicise on its website and in such other manner as it considers likely to bring to the attention to those who live, work out carry on business in the Neighbourhood Area:</p> <ul style="list-style-type: none"> <li>• The examiner's report;</li> <li>• The Council's decision in light of the report and reasons for it; and</li> <li>• Details of where the decision may be inspected.</li> </ul> <p>The Secretary of State has powers to set timescales, or to intervene in the process.</p>	<p>Portfolio Holder decision. Officer technical advice, in consultation with the Local Development Framework Steering Group, to the Portfolio Holder.</p>	<p>The LPA will publish:</p> <ul style="list-style-type: none"> <li>• a hard copy at the Councils building and at location(s), as agreed with the QB, in the neighbourhood plan area;</li> <li>• a digital copy on the Councils website;</li> <li>• issue notifications via e-mail to statutory bodies, elected members and body or person referred to in the Consultation Statement submitted by the QB and anyone who has asked to be kept informed of the plans in the LPA area.</li> </ul> <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
<p>Referendum</p>	<p>LPAs should hold a referendum within 56 days* of the decision that a referendum should be held, or 84 days weeks where it is cross-boundary, not arranged by the LPA or there is a business referendum; unless the Qualifying Body agree the referendum need not be helped by the prescribed date or the poll is taken on the same day as another poll.</p> <p>The LPA must publish:</p> <p>at least 28 days* before the referendum date (56 working days when a business referendum is also to be held):</p>	<p>For the decision to hold the referendum: Portfolio Holder decision. Officer technical advice, in consultation with the Local Development Framework Steering Group, to the Portfolio Holder.</p> <p>For the referendum result: the Counting Officer, or in cross-</p>	<p>In regards to the information statement and specified documents, the LPA will publish:</p> <ul style="list-style-type: none"> <li>• a hard copy at the Councils building and at location(s), as agreed with the QB, in the neighbourhood plan area;</li> <li>• a digital copy on the Councils website;</li> <li>• issue notifications via e-mail to statutory bodies, elected</li> </ul>

	<p>Information statement , specifying:</p> <ul style="list-style-type: none"> <li>• that a referendum will be held;</li> <li>• the date on which the referendum will be held;</li> <li>• (the question to be asked in the referendum;</li> <li>• a map of the referendum area;</li> <li>• where the referendum area is not identical to the neighbourhood area, a map of the neighbourhood area;</li> <li>• a description of persons entitled to vote in the referendum;</li> <li>• the referendum expenses limit that will apply in relation to the referendum and the number of persons entitled to vote by reference to which that limit has been calculated;</li> <li>• that the referendum will be conducted in accordance with procedures similar to those used at local government elections; and</li> <li>• the address and times at which a copy of the specified documents can be inspected;</li> </ul> <p>and specific documents:</p> <ul style="list-style-type: none"> <li>• draft neighbourhood plan/order;</li> <li>• independent examiners report;</li> <li>• summary of any representations submitted to the independent examiner;</li> <li>• a statement that the local planning authority are satisfied the order meets the basic conditions;</li> <li>• a statement that sets out general information as to town and country planning (including neighbourhood planning) and the referendum.</li> </ul> <p>and, in the case of a community right to build order:</p>	<p>boundary referendum the Chief Counting Officer.</p>	<p>members and body or person referred to in the Consultation Statement submitted by the QB and anyone who has asked to be kept informed of the plans in the LPA area.</p> <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
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	<ul style="list-style-type: none"> <li>• that the independent examiner has recommended that the draft order is submitted to a referendum;</li> <li>• a statement that sets out details of any enfranchisement right which are not to be exercisable in relation to land the development of which is to be authorised by the draft order, and the properties, or types of properties, in relation to which, the qualifying body proposes that right is not exercisable.</li> </ul> <p>At least 25 days* before the referendum date publish the notice of referendum;</p> <p>At least 6 days* before the referendum date publish the notice of poll;</p> <p>After the referendum the counting officer must: declare the result, inform proper officer of the relevant Council and publicise:</p> <ul style="list-style-type: none"> <li>• the result of the referendum;</li> <li>• the number of ballot papers counted;</li> <li>• the total number of votes cast for each answer; and</li> <li>• the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.</li> </ul> <p>Note: * timescales are excluding Bank Holidays, weekends and public morning.</p>		
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<p>Decision to make plan (Reg 20)</p>	<p>A neighbourhood plan or order should be brought into force 8 weeks from the date of the referendum, unless there are unresolved legal challenges.</p> <p>The LPA must, as soon as possible after making the Order/Plan:</p> <p>publicise on its website and in such as manner to bring to the attention of the who live, work and carry out business in the Neighbourhood Area:</p> <ul style="list-style-type: none"> <li>• The decision and reason(s);</li> <li>• Details of where the decision can be inspected;</li> <li>• If made, the Plan/Order and details where it can be inspected.</li> </ul> <p>send a copy of the decision to the QB, any person who has asked to be notified of it and notify any person who has asked where and when the Plan/Order may be inspected.</p>	<p>Member decision. Portfolio Holders recommendation to Full Council with Officer technical advice in consultation with the Local Development Framework Steering Group.</p>	<p>The LPA will publish this:</p> <ul style="list-style-type: none"> <li>• on the Councils website;</li> <li>• issue notifications via e-mail to statutory bodies, elected members and body or person referred to in the Consultation Statement submitted by the QB and anyone who has asked to be kept informed of the plans in the LPA area.</li> </ul> <p>The LPA may also publicise this via Press Release (includes local news organisations) and Weekly Bulletin.</p>
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End

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## SWT EXECUTIVE FORWARD PLAN - May 2019 to September 2020 FOR THE PERIOD 6 MAY 2019 TO 30 SEPTEMBER 2019

Subject / Decision	Decision Maker	Decision Due Date	Consultation	Likely Exemption	Background documents	Member / Officer Contact
Hinkley Tourism Action Partnership Allocations	SWT Executive	18 Jun 2019				
Regeneration of Firepool	SWT Executive	18 Jun 2019				Asset Management and Economic Development Portfolio Holder <i>James Barrah</i> <i>j.barrah@somersetwestandtaunton.gov.uk</i>
Commercial Asset Management - Confidential Item	SWT Executive	18 Jun 2019				Asset Management and Economic Development Portfolio Holder <i>James Barrah</i> <i>j.barrah@somersetwestandtaunton.gov.uk</i>
Statement of Community Involvement - Draft For Consultation	SWT Executive	9 Jul 2019				Planning and Transportation Portfolio Holder
District Wide Local Plan: New Member Steering Group - Nominations	SWT Executive	9 Jul 2019				
District Wide Local Plan: Local Development Scheme	SWT Executive	9 Jul 2019				

<b>Subject / Decision</b>	<b>Decision Maker</b>	<b>Decision Due Date</b>	<b>Consultation</b>	<b>Likely Exemption</b>	<b>Background documents</b>	<b>Member / Officer Contact</b>
Coal Orchard Development	SWT Executive	9 Jul 2019				Asset Management and Economic Development Portfolio Holder
2018/19 Financial Performance Report	SWT Executive	23 Jul 2019				Corporate Resources Portfolio Holder
Taunton Garden Town Vision	SWT Executive	23 Jul 2019				
Strategic Flood Scheme	SWT Executive	20 Aug 2019				
IPC Strategy	SWT Executive	10 Sep 2019				
Otterford Traveller's Site	SWT Executive	10 Sep 2019				
Corporate Plan	SWT Executive	10 Sep 2019				
East Quay Wall Repairs						
Local Plan Issues Document - Approval for Public Consultation						

<b>Subject / Decision</b>	<b>Decision Maker</b>	<b>Decision Due Date</b>	<b>Consultation</b>	<b>Likely Exemption</b>	<b>Background documents</b>	<b>Member / Officer Contact</b>
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## Somerset West & Taunton Council

**Executive – 9<sup>th</sup> July 2019**

### Laxton Road Redevelopment

This matter is the responsibility of Executive Councillor Fran Smith

**Report Author: Shane Smith – Development Manager – Commercial Investment**

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

- 1.1 This project proposes the redevelopment of a Somerset West & Taunton garage site containing 16 garages at Laxton Road Taunton, TA1 2XA. The scheme was presented to Council in July 2016 as part of the HRA Business Plan Review. The report recommended increasing the Social Housing Development Fund (SHDF) budget in order to include further funding for this scheme.
- 1.2 The scheme has now come forward for delivery but it has been proposed to part fund the scheme with Right to Buy receipts, therefore a further technical approval is required from Council as set out in the full detail of this report.

#### 2 Recommendations

- 2.1 Executive recommends that Full Council approves a supplementary budget as set out in confidential appendix 2 within the Housing Revenue Account Capital Programme to deliver the scheme, funded by Right to Buy receipts.

#### 3 Risk Assessment

- 3.1 The below risks are a summary of the comprehensive risk register held as part of the wider governance for this project.

Description	Likelihood	Impact	Overall
<p><b>Risk:</b> A flawed procurement process results in an appointment which is not best value.</p> <p><b>Mitigation:</b> Project Manager, EA &amp; Procurement advisor design and progress the procurement process to achieve best value.</p>	2	3	6
<p><b>Risk:</b> The chosen contractor is unable to complete the works for example, due to insolvency.</p> <p><b>Mitigation:</b> Financial checks have been undertaken for the preferred contractor. SWT Finance have obtained a credit safe report which has returned a rating on 90 indicating a very low risk. The contractor will provide a parent company guarantee. The contractor will provide a 10% (of the contract value) performance bond.</p>	3	4	12

<p><b>Risk:</b> The chosen contractor is unable to complete the works by the contractual completion date.</p> <p><b>Mitigation:</b> The contract entitles the Council to LADs should the contractor fail to complete works by the completion date. The PM &amp; EA will monitor progress against the programme throughout the duration of the works.</p>	3	3	9
<p><b>Risk:</b> Health &amp; Safety – The risk of injury or death to individuals (employees, other stakeholders &amp; members of the public).</p> <p><b>Mitigation:</b> Any and all contractors appointed as part of this project will provide satisfactory evidence of their competency. The PM will ensure that client duties are carried out in accordance with CDM regulations. The contractor/s will provide appropriate H&amp;S plans prior to start on site and this will be reviewed regularly. Site visits will be carried out by the project team and the Principal Contractor will hold appropriate levels of employers and public liability insurance.</p>	2	4	8
<p><b>Risk:</b> That unidentified issues could cause the cost of the redevelopment works to rise.</p> <p><b>Mitigation:</b> Thorough site investigations have been completed and reported on including ecology, ground investigation, engineer's technical constraints, asbestos and a report of title.</p>	3	3	9

### 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>							

<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 This project proposes the redevelopment of a Somerset West & Taunton garage site containing 16 garages at Laxton Road Taunton, TA1 2XA. A number of options have been considered and the current scheme of 8 x 1 bed flats in blocks of 3 storeys was chosen in order to;

- Maximise the number of achievable units.
- Avoid costly diversion of drainage.
- Comply with planning constraints in regard to overlooking neighbouring properties, access and parking arrangements.

4.2 On 7th July 2016 the scheme was presented to Council as part of the HRA Business Plan Review, as part of a range of pipeline schemes approved to progress to next stage. For the purposes of forward financial planning, the report recommended increasing the Social Housing Development Fund (SHDF) budget in order to include funding for this scheme.

4.3 The scheme has now come forward for delivery, but it is now proposed to part fund the scheme with Right to Buy receipts, therefore a further technical approval is required from Council for the Right to Buy proportion as set out below. As described above the other portion of expenditure from the Social Housing Development Fund was approved in July 2016, and there are currently funds available to cover this.

#### **Scheme Overview**

4.4 This redevelopment will provide 8 new and affordable 1 bed housing units ensuring that future residents of the scheme will benefit from new, high quality, energy efficient housing. Redeveloping this poor performing Council asset will also visually improve the local area.

4.5 The scheme provides the maximum number of units on the site, allowing for site constraints and the added benefit of the provision of one bed flats, which is high priority.

4.6 The scheme will enable use of Right to Buy receipts avoiding the potential for receipts to be returned to Central Government together with an onerous interest provision.

## Next Steps

Award Contract	17 <sup>th</sup> July 2019
Contractor Lead in	6 weeks – 30th August
Start on Site	September 2019
Contract Period	40 weeks
Practical Completion	July 2020

## 5 Links to Corporate Aims / Priorities

The report supports the Housing Revenue Account Business Plan objective of increasing our stock of affordable homes.

## 6 Finance / Resource Implications

- 6.1 This business case has assumed that the properties are fully occupied. As this is a 100% social housing scheme all of the rents are 'affordable rents' based on 80% of market value. The rental income is net of void/bad debt provision, maintenance and service costs.
- 6.2 The business case is also built on the basis that all of the capital costs are financed upfront without the need for capital borrowing, by using Right to Buy receipts and the Social Housing Development Fund (SHDF) resources.
- 6.3 From an investment business case perspective the scheme is relatively expensive. Due to the high capital redevelopment cost of returning affordable rents, the discounted cash flow analysis returned negative Internal Rates of Return (IRR) and negative Net Present Value (NPV) indicating that the financial returns generated by this project over the long term are lower than the implementation costs. However it is felt that the social value added and the more appropriate and beneficial use of a Council asset justifies delivering the scheme.
- 6.4 The sole purpose of this project is therefore to re-develop a dilapidated, SWT Council owned garage site, into social housing. The Executive should not consider it a scheme to generate commercial returns, and recognise that – as is often the case – the provision of social housing requires a degree of subsidy.
- 6.5 Key Indicators:

<i>Period of return</i>	<i>30 years</i>	<i>45 years</i>	<i>60 years</i>
NPV: based on discounted cash flow	-£430,115	-226,101	-£68,491
IRR: based on discounted cash flow	-3.33%	-1.14%	-0.26%
Payback Period: based on net cash flow from rental	30		

- 6.6 Perhaps more importantly in terms of affordability to the Housing Revenue Account, the annual budget implications are positive because the upfront cost is fully funded from existing cash resources. The initial revenue implications indicate a net income of over £33,300 in Year 1, increasing year on year due to assumed inflationary up-lifts each year. The business case also includes an allocation to Major Repairs Reserve from Year 11 onwards, reflecting the need to maintain the properties as they age. An extract of projected budget implications are summarised below:

Revenue Account:	Year 1 £	Year 2 £	Year 3 £	Year 4 £	Year 5 £	Year 10 £	Year 11 £
Rent Income	-38,293	-39,059	-39,840	-40,637	-41,449	-45,763	-46,679
Void/Bad Debt Provision	1,915	1,953	1,992	1,016	1,036	1,144	1,167
Maintenance	1,944	1,993	2,042	2,093	2,146	2,428	2,488
Major Repairs							10,497
Services	1,081	1,103	1,125	1,147	1,170	1,292	1,318
Net Cash Flow	-33,353	-34,010	-34,681	-36,380	-37,097	-40,899	-31,209

(Note: minus figures = income)

- 6.7 As the table shows, the development should be affordable and present a positive impact on the overall HRA budget. This does not take into account the loss of interest income on cash balances on the basis the HRA does not intend to hold RTB and SHDF reserves for the long term. This 'treasury' impact is considered negligible.

## **7 Legal Implications**

- 7.1 The proposed redevelopment needs to be in accordance with the planning permission.
- 7.2 The proposed works need to be in accordance with current building regulations.
- 7.3 RTB receipts to be spent in accordance with the one for one retention agreement with Central Government.

## **8 Environmental Impact Implications**

- 8.1 Whilst there are no negative environmental impacts, the properties will be built in line with NHBC standards. The units provide high quality, energy efficient housing.

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

- 9.1 There are no safeguarding implications to note and community safety is a key feature of our risk mitigation.

## **10 Equality and Diversity Implications**

- 10.1 There are no equality & diversity implications to note specifically arising from this report.

## **11 Social Value Implications**

- 11.1 The procurement process will consider any social value implications that may arise.

## **12 Partnership Implications**

- 12.1 SWT will be contracting out the build of this project and all partnership implications will be considered during the procurement process.

## **13 Health and Wellbeing Implications**

- 13.1 Consideration has been given to the local community. This project not only re-develops a poor performing asset but in doing so improves the local community and provides the community with new, high quality, energy efficient housing. The provision of one bed flats is also a high priority. There are no negative health & wellbeing implications.

## 14 Asset Management Implications

14.1 Bringing a dilapidated garage site back into use as residential accommodation is considered a better use of HRA assets.

## 15 Consultation Implications

15.1 The Planning process included a statutory consultation exercise in addition the development team undertook consultation regarding the site in the early feasibility stage. Updates were also given to the Lane Estate Residents group, TSMB and Tenants Forum. Prior to start on site we will engage again with the community to keep them informed.

## 16 Scrutiny Comments / Recommendation(s)

16.1 Not applicable as this report was not taken to Scrutiny.

### Democratic Path:

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

### Reporting Frequency: Once only

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

Appendix A	Location & Site Layout Plan
Appendix B	Confidential Appendix

### Contact Officers

Name	Shane Smith	Name	
Direct Dial	01823 217523	Direct Dial	
Email	s.smith2@somersetwestandtaunton.gov.uk	Email	

# Appendix A; Location and Site Layout Plan



shown dotted See tree survey dwg no. spp2030p01

Planting as Shown (Species to be agreed)

species To Be Agreed)

(Species To Be Agreed)







By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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