

SWT Full Council

Tuesday, 3rd December, 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

Members: Hazel Prior-Sankey (Chair), Simon Coles (Vice-Chair), Ian Aldridge, Benet Allen, Lee Baker, Marcus Barr, Mark Blaker, Chris Booth, Paul Bolton, Sue Buller, Norman Cavill, Dixie Darch, Hugh Davies, Dave Durdan, Kelly Durdan, Caroline Ellis, Habib Farbahi, Ed Firmin, Andrew Govier, Roger Habgood, Andrew Hadley, John Hassall, Ross Henley, Marcia Hill, Martin Hill, John Hunt, Marcus Kravis, Andy Milne, Richard Lees, Sue Lees, Libby Lisgo, Mark Lithgow, Janet Lloyd, Dave Mansell, Chris Morgan, Simon Nicholls, Craig Palmer, Derek Perry, Martin Peters, Peter Pilkington, Andy Pritchard, Steven Pugsley, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Phil Stone, Andrew Sully, Nick Thwaites, Anthony Trollope-Bellew, Ray Tully, Terry Venner, Sarah Wakefield, Alan Wedderkopp, Danny Wedderkopp, Brenda Weston, Keith Wheatley, Loretta Whetlor and Gwil Wren

Agenda

1. Apologies

To receive any apologies for absence.

2. Minutes of the previous meeting of Full Council

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

(Pages 7 - 16)

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. To receive any communications or announcements from the Chair of the Council

6. To receive any communications or announcements from the Leader of the Council

7. To receive any questions from Councillors in accordance with Council Procedure Rule 13

8. Adoption of the international definition of Anti-Semitism

(Pages 17 - 22)

This matter is the responsibility of Councillor Chris Booth, Portfolio Holder for Community.

This report seeks agreement for the council to adopt the International Holocaust Remembrance Alliance's (IHRA) definition of anti-Semitism, in line with central government's decision to do so and its encouragement of local authorities to follow suit. This is intended primarily as a clear signal of the council's intolerance for anti-Semitism and an aid to help our council and our community identify the types of actions that may be anti-Semitic so that these can be robustly challenged.

9. Financial Monitoring - 2019/20 as at 30 September 2019

(Pages 23 - 42)

This matter is the responsibility of Councillor Ross Henley, Portfolio Holder for Corporate Resources.

This report provides an update on the projected outturn financial position of the Council for the financial year 2019/20 (as at 30 September 2019).

10. Council Tax Support Scheme for 2020/21

(Pages 43 - 54)

This matter is the responsibility of Councillor Ross Henley, Portfolio Holder for Corporate Resources.

The purpose of the report is to advise and update

members on the current CTS scheme.

11. Garden Town Charter and Checklist

(Pages 55 - 70)

This matter is the responsibility of Councillor Mike Rigby, Portfolio Holder for Planning and Transportation.

The Taunton Garden Town Charter and Checklist extend from the Garden Town Vision adopted by Executive and Full Council in July 2019. They also link to the National Design Guide and the Council district-wide Design Guide that is being produced, to be available in early 2020 which will illustrate the aims and requirements regarding the general quality of design expected across the whole of the new combined area. It is intended that the Design Guide will be a Supplementary Planning Document.

12. Creech St. Michael Neighbourhood Development Plan

(Pages 71 - 84)

This matter is the responsibility of Councillor Mike Rigby, Portfolio Holder for Planning and Transportation.

Creech St Michael Neighbourhood Development Plan (CSM NDP) is a community led planning document which has been produced by Creech St Michael Parish Council. The document and its evidence base passed an Independent Examination and was put to a local referendum. 95.51% of those voting, voted in support of the Plan and the Plan is now proposed for adoption.

13. 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).

14. North Taunton Woolaway Project - Phase A Update and Home Owner Acquisition Budget

(Pages 85 - 102)

This matter is the responsibility of Councillor Member Francesca Smith, Portfolio Holder for Housing.

The regeneration of the North Taunton Woolaway Project is an essential part of the Council's commitment to offer a choice of good quality homes for our residents, whatever their age and income, in communities where support is available for those in need. The proposals identified in this Report will assist the progression of vacant possession of Phases B – E in a timely manner.



**JAMES HASSETT
CHIEF EXECUTIVE**

Please note that this meeting will be recorded. At the start of the meeting the Chair will confirm if all or part of the meeting is being recorded. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore unless you are advised otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact the officer as detailed above.

Members of the public are welcome to attend the meeting and listen to the discussions. There is time set aside at the beginning of most meetings to allow the public to ask questions. Speaking under "Public Question Time" is limited to 3 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chair will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate. Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, if a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chair will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

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

The meeting room, including the Council Chamber at The Deane House are on the first floor and are fully accessible. Lift access to The John Meikle Room, is available from the main ground floor entrance at The Deane House. The Council Chamber at West Somerset House is on the ground floor and is fully accessible via a public entrance door. Toilet facilities, with wheelchair access, are available across both locations. An induction loop operates at both The Deane House and West Somerset House to enhance sound for anyone wearing a hearing aid or using a transmitter. For further information about the meeting, please contact the Governance and Democracy Team via email: governance@somersetwestandtaunton.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please email: governance@somersetwestandtaunton.gov.uk

SWT Full Council - 8 October 2019

Present: Councillor Hazel Prior-Sankey (Chair)

Councillors Simon Coles, Ian Aldridge, Benet Allen, Lee Baker, Marcus Barr, Mark Blaker, Chris Booth, Sue Buller, Norman Cavill, Dixie Darch, Hugh Davies, Caroline Ellis, Habib Farbahi, Ed Firmin, Andrew Govier, Roger Habgood, Andrew Hadley, John Hassall, Ross Henley, Marcia Hill, John Hunt, Marcus Kravis, Andy Milne, Sue Lees, Libby Lisgo, Mark Lithgow, Janet Lloyd, Dave Mansell, Simon Nicholls, Craig Palmer, Martin Peters, Peter Pilkington, Andy Pritchard, Steven Pugsley, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Nick Thwaites, Anthony Trollope-Bellew, Ray Tully, Terry Venner, Danny Wedderkopp, Loretta Whetlor, Gwil Wren, Sarah Wakefield, Alan Wedderkopp, Brenda Weston and Keith Wheatley

Officers: Lesley Dolan, Paul Fitzgerald, Christine Fraser, Paul Harding, James Hassett, Robert Hillier, Clare Rendell and Amy Tregellas

(The meeting commenced at 6.15 pm)

58. **Apologies**

Apologies were received from Councillors P Bolton, D Durdan, K Durdan, M Hill, R Lees, C Morgan and P Stone.

59. **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 L Baker | All Items | Cheddon Fitzpaine & Taunton Charter Trustee | Personal | Spoke and Voted |
| Cllr M Barr | All Items | Wellington | Personal | Spoke and Voted |
| Cllr M Blaker | All Items | Wiveliscombe | Personal | Spoke and Voted |
| Cllr C Booth | All Items | Wellington and Taunton Charter Trustee | Personal | Spoke and Voted |
| Cllr N Cavill | All Items | West Monkton | Personal | Spoke and Voted |
| Cllr S Coles | All Items | SCC & Taunton Charter Trustee | Personal | Spoke and Voted |
| Cllr H Davies | All Items | SCC | Personal | Spoke and Voted |
| Cllr C Ellis | All Items | Taunton Charter | Personal | Spoke and Voted |

| | | | | |
|-----------------------|-----------|-------------------------------|----------|-----------------|
| | | Trustee | | |
| Cllr A Govier | All Items | SCC & Wellington | Personal | Spoke and Voted |
| Cllr C Herbert | All Items | Taunton Charter Trustee | Personal | Spoke and Voted |
| Cllr Mrs Hill | All Items | Taunton Charter Trustee | Personal | Spoke and Voted |
| Cllr J Hunt | All Items | SCC | Personal | Spoke and Voted |
| Cllr S Lees | All Items | Taunton Charter Trustee | Personal | Spoke and Voted |
| Cllr L Lisgo | All Items | Taunton Charter Trustee | Personal | Spoke and Voted |
| Cllr M Lithgow | All Items | Wellington | Personal | Spoke and Voted |
| Cllr J Lloyd | All Items | Wellington & Sampford Arundel | Personal | Spoke and Voted |
| Cllr D Mansell | All Items | Wiveliscombe | Personal | Spoke and Voted |
| Cllr A Milne | All Items | Porlock | Personal | Spoke and Voted |
| Cllr S Nicholls | All Items | Comeytrove | Personal | Spoke and Voted |
| Cllr C Palmer | All Items | Minehead | Personal | Spoke and Voted |
| Cllr M Peters | All Items | Taunton Charter Trustee | Personal | Spoke and Voted |
| Cllr P Pilkington | All Items | Timberscombe | Personal | Spoke and Voted |
| Cllr H Prior-Sankey | All Items | SCC & Taunton Charter Trustee | 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 V Stock-Williams | All Items | Wellington | Personal | Spoke and Voted |
| Cllr R Tully | All Items | West Monkton | Personal | Spoke and Voted |
| Cllr T Venner | All Items | Minehead | Personal | Spoke and Voted |
| Cllr A Wedderkopp | All Items | SCC & Taunton Charter Trustee | Personal | Spoke and Voted |
| Cllr D Wedderkopp | All Items | Taunton Charter Trustee | Personal | Spoke and Voted |
| Cllr B Weston | All Items | Taunton Charter Trustee | Personal | Spoke and Voted |
| Cllr L Whetlor | All Items | Watchet | Personal | Spoke and Voted |
| Cllr G Wren | All Items | Clerk to Milverton PC | Personal | Spoke and Voted |

60. **Minutes of the previous meeting of Full Council**

(Minutes of the meeting of Full Council held on 30 July 2019 circulated with the agenda)

Councillor Wakefield advised that she had submitted her apologies for the previous Full Council meeting which had not been included in the minutes. The Chair advised Councillor Wakefield that her apologies would be added.

Resolved that the minutes of Full Council held on 30 July 2019, with amendments, be confirmed as a correct record.

61. **Public Participation**

Mr Hincks (Extinction Rebellion) made the following statement in relation to a petition submitted to Full Council:-

Mr Hincks introduced himself to the Councillors and had been a member of Extinction Rebellion for approximately a year. Extinction Rebellion was a fairly new group but had been influential over the past couple of years, rapidly increasing both public and government awareness of the climate and environmental emergency that was confronting the planet. Extinction Rebellion remained concerned, however, that there were still many people who did not fully understand the gravity of the emergency being faced. If they did recognise it, they were failing to act in a manner that reflected that recognition. All those in such power, including those in the room, held a greater degree of responsibility than normal for our future in these precarious times. Unless suitable policies were implemented and fundamental changes were made swiftly, we would simply run out of time. Time was of the essence and action was needed now. Whilst Extinction Rebellion had been running a vigil outside the Deane House, they hoped that some of their concerns had permeated even if only subliminally into the consciousness of the Council, its officers, staff and of course the Councillors themselves. And into the consciousness of the public that passed by. We've not made a nuisance of ourselves, as the vigil had been a more subtle form of protest than they were used to, but they had hoped it had some sort of effect. He also hoped that you had been able to recognise that many members of Extinction Rebellion in Taunton were normal people like yourselves. During the vigil they had collected signatures to a petition from people who had just been passing by, they had not gone out of their way to obtain the signatures and they were real signatures on paper, not just something you could do with a quick click on the internet. The petition demanded that: 1. The creation of a citizen's assembly to hold our local council authorities to account and oversee changes to combat the climate change emergency. 2. Immediate implementation of local policies to reduce net carbon emissions to zero in the Somerset area by 2025 and the reduction overall of consumption levels. 3. Reversal or revision of any existing policies which increased net carbon emissions. There were 23 pages of signatures on the petition and it had been his privilege to present the petition to the Council and thanked the Councillors for allowing him to speak at the meeting. Extinction Rebellion.

The Chair of the Council advised Mr Hincks that the petition would be checked and that he would be advised when the item would be debated at the next available Full Council meeting.

Val Hammond (Brewhouse – Taunton Theatre Association (TTA)) made the following statement in relation to a petition submitted to Full Council:-

She advised the Councillors that she had a petition signed by over 3000 people on behalf of My Theatre Matters, to ask the Council to make a funding decision to enable TTA to continue to provide high quality, accessible and diverse arts events in Somerset's county town. TTA was the largest provider of arts and culture in Somerset West and Taunton and provided a rich and diverse programme at their base and increasingly worked with others across the region on national projects. They were successful and offered 1000 events each year, 6 or 7 days a week, day or night and had welcomed over 75,000 people in the last year alone. The situation that brought them to the point of the petition had arisen solely because the Council had postponed its decision to redevelop the site. Ambitious yet realistic, well researched plans would see a large multi-purpose flexible and sustainable venue with a 7500 seat theatre, cinema, studio theatre, art gallery, community studio and other space. Flexible and sustainable, it would invigorate Taunton and develop the whole region for the people who lived here. The project anticipated that the Brewhouse site could be repurposed to provide a spectacular centrepiece for Firepool, but with the delays to the planned development, it would mean that increased investment would be required in the interim. On the 1 April 2019, the Council itself asked the TTA to request additional funding that would be required over a 5 year period, now 6 months from then, considerable work had been carried out at the Council's request on the financial modelling and business planning, both with the cost implications of the delay and for the future redeveloped Brewhouse, over a 40-55 year period. They had a timetable to present the information for a funding decision to Full Council, however, one week prior to the meeting, they learned from officers that the report would not be presented and that they would not have the opportunity to discuss the papers or to represent the constituent's views. That placed the TTA in a very difficult position. For the last 3 years they had continuously provided the Council with free consultancy at approximately 2 days per week, which was time that would have been spent differently if they had thought that the Council was not fully committed to the Brewhouse development. Instead they had every reason to believe they were in partnership with the Council on how best to develop an effective multi-purpose arts centre for the community. My Theatre Matters petition requested that the Council secured future funding to enable TTA to continue to deliver its current programme of activities and to also invest in and work with the TTA, who resurrected the Brewhouse and had a track record of running a successful multi-purpose arts venue to deliver the much improved sustainable arts venue that the region deserved. TTA also encouraged Councillors to ask why the Leader of the Council promised that this would be a Full Council decision, however, officers had not presented the papers as planned so that the Councillors would have the full appropriate facts and supporting documentation and she hoped that this matter would be brought forward quickly for action. She thanked Councillors for listening and for receiving the petition.

The Chair of the Council advised Val Hammond that the petition would be checked and that he would be advised when the item would be debated at the next available Full Council meeting.

Nigel Behan (Somerset County Council) made the following statement in relation to the Employers Side of SW Provincial Council:-

Notes that had been presented included the following:

- Government had endured central government funding cuts of nearly 50% since 2010.
- Between 2010 and 2020, councils would have lost 60p out of every £1 they had received from central government.
- The 2019 Local Government Association (LGA) survey of council finances found that 1 in 3 councils feared they would run out of funding to provide even their statutory, legal duties by 2022/23. The number rose to almost two thirds of councils by 2024/2025 or later.
- The LGA estimated councils would face a funding gap of £8 billion by 2025.
- Faced with those cuts from central government, the local government workforce had endured years of pay restraint with the majority of pay points losing 22 per cent of their value since 2009/10.
- At the same time as seeing their pay go down in real terms, workers experienced ever increasing had been lost in local government since June 2010 – a reduction of 30 per cent. Local government had arguably been hit by more severe job losses than any other part of the public sector.
- There had been a disproportionate impact on women, with women making up more than three quarters of the local government workforce.

- Our workers were (public service) dedicated staff. They kept our communities clean, looked after those in need and kept our towns and cities running.
- Without the professionalism and dedication of our staff, the council services our residents relied upon would not be deliverable.
- Government funding had been cut to the extent that a proper pay rise could result in a reduction in local government services.
- The government needed to take responsibility and fully fund increases in pay; it should not put the burden on local authorities whose funding had been cut to the bone.

They wanted to approach the Government through the LGA to obtain real funding for council services which were often placed down lower than the national health services because of the way the media presented it. This was about producing work for the local economy and providing social structures to help other parts of the public sector.

The Leader of the Council thanked Mr Behan for his comments and welcomed his views that local government needed to receive more funding from central government and currently we did not, the council's budget had been cut by 64% in recent years and yet we continued to provide the services that the public wanted and would try to continue to do so. The Leader advised she would provide a full written response to his comments.

62. **To receive any communications or announcements from the Chair of the Council**

The Chair had commenced the meeting with a moment's silence in memory of the recent passing of Somerset West and Taunton Councillor Jean Adkins and former Taunton Deane Borough Councillor William Coombes.

The Chair also welcomed the newly elected Councillors Derek Perry and Andrew Sully.

The following announcements were made by the Chair:-

- Councillors were advised on the new procedure to follow during question time on the Portfolio Holder Reports.
- Councillors were reminded about the Mayor's Civic Event.
- The Chair advised Councillors that both the Vice Chair, Councillor Simon Coles and Executive Councillor Richard Lees, would be unavailable for Council business for a few weeks and to contact the Governance Team with any queries for them.

63. **To receive any communications or announcements from the Leader of the Council**

The Leader was pleased to announce that Somerset West and Taunton Council had scored joint second in the Friends of the Earth rankings for Climate Change. The results were based on the Council's eco achievements and policies. She said that it had demonstrated the actions taken so far by the Council and acknowledged there was still more work to be undertaken, but that it was a step in the right direction.

The Leader highlighted the introduction of the new audio/visual equipment and to remind Councillors to be aware of their behaviour during meetings as it was recorded and would be available on webcast in the future.

The Leader also wanted to remind Councillors that it was Mental Health Week and that there were several activities being held in the offices and that she would like to encourage a Councillor to take on the role of Mental Health Champion.

64. **To receive any questions from Councillors in accordance with Council Procedure Rule 13**

The Chair advised that no such questions had been received.

65. **Heart of the South West Joint Committee Governance Review Report**

During the discussion, the following points were raised:-

- Councillors queried whether the Local Enterprise Partnership were due to include any information on climate change.

The next meeting was scheduled for 29 November 2019 and climate change was due to be on the agenda.

- Councillors wanted to use the agenda to lobby Central Government on climate change.

Resolved that Somerset West and Taunton Council:-

- Approved the amendments (shown in red) to the Committee's list of functions in the Arrangements document – Appendix A – and noted the updated budget position for 2019/20; and
- Somerset West and Taunton Council agreed to the reappointment of Somerset County Council as the Administering Authority to the Joint Committee for the period from 22 January 2020 to 21 January 2022.

66. **Corporate Strategy 2020-24**

During the discussion, the following points were raised:-

- Councillors made the following comments on the themes within the Strategy:
 - Theme One: concern was raised that there weren't any measures included.
 - Theme Three: Councillors thought it was a shame that the current administration had declined the opportunity to build a hotel on development land, the theme should include ethical implications and concern was raised that the theme had been developed due to lack of support provided from Central Government.
 - Theme Four: concern was raised that events for those with learning difficulties had not been included.
- Councillors requested that promotion of equality of opportunity be included in the high level report.
- Councillors thanked the officers for their work on the Strategy and supported the publication of the document.

Resolved that Somerset West and Taunton Council:-

- approved the priorities, outcomes and objectives within the attached appendix; and
- authorised the Head of Communications to agree the final design and publication style for the Strategy.

67. **HRA Capital Scheme Recommendation from Executive**

Resolved that Somerset West and Taunton Council approved the Housing Director/Head of Function, in consultation with the Housing Portfolio Holder, to have delegated authority to approve changes to the budgeted spend for all of the HRA capital schemes, whilst remaining within the approved capital programme for 2019/20. The reason for this is help address flexible delivery of the programme in year.

68. **Political Allocation and Committee Membership revised October 2019**

Resolved that Full Council noted the revised Political Allocation and Committee Membership.

69. **Signing of the Armed Forces Covenant**

The Leader and the Chair of the Council along with the Armed Forces Champions spoke in support of the covenant and subsequently the document was signed.

The Armed Forces Champion highlighted the importance of the document and the agreement set out between SWT and the service men and women out in the community along with their families and the people that supported them. He was happy to recommend that the Council continued with the Armed Forces Covenant as it ensured that the service men and women who lived in the district were able to access services and were treated equally.

70. **To consider reports from Executive Councillors**

Leader of the Council (Councillor Federica Smith-Roberts)

Councillors asked questions on the following topic:-

- Transformation and commitment from the Executive towards to Change Programme.

Communications and Culture (Councillor Benet Allen)

Councillors asked questions on the following topics:-

- Internal communications;
- Improved communication programme; and
- Firmstep processes and procedures.

Community (Councillor Chris Booth)

Councillors asked questions on the following topics:-

- Concern for traders located in the Station Road area;
- Taunton BID;
- CCTV; and
- Rough sleepers check.

Corporate Resources (Councillor Ross Henley)

Councillors asked questions on the following topics:-

- Customer service satisfaction;
- Firmstep processes and procedures;
- Wellington Customer Hub and staffing levels;
- Somerset living wage community;
- Complaint statistics; and

- Staff structure and definitions for job titles.

Asset Management and Economic Development (Councillor Marcus Kravis)

Councillors asked questions on the following topics:-

- Cost implications of the work of the East Quay wall and harbour safety;
- Information on Seaward Way;
- Taunton ice rink; and
- Affordable employment land.

Sports, Parks and Leisure (Councillor Richard Lees)

No question were submitted for the Portfolio Holder.

Climate Change (Councillor Peter Pilkington)

Councillors asked questions on the following topics:-

- Climate change awards;
- Concern on emissions produced by the ice rink; and
- Electric vehicle charging points.

Planning and Transportation (Councillor Mike Rigby)

Councillor Mike Rigby apologised for his report not being submitted. He then presented a verbal update to Full Council, which included an update on the following:-

- Planning staffing levels and the reduction in the backlog on the validation stage of the planning application process.
- A Conservation Officer had been appointed.
- A Local Plan Working Group had been formed and he gave information needed for developments on the Local Plan.

Councillors asked questions on the following topics:-

- Planning staffing levels;
- Government targets set for planning applications and sanctions that might be incurred;
- Park and ride and potential for Saturday operations;
- High Street funds;
- Business developments and infrastructure; and
- Employment land.

Housing Services (Councillor Francesca Smith)

Councillors asked questions on the following topic:-

- Perspective of Housing over time.

Environmental Services (Councillor Alan Wedderkopp)

Councillors asked questions on the following topic:-

- Taxi vehicles checks.

(The Meeting ended at 8.42 pm)

Draft

Report Number: SWT 99/19

Somerset West and Taunton Council

SWT Full Council – 3 December 2019

Adoption of the International Holocaust Remembrance Alliance (IHRA) Working Definition of Anti-Semitism

This matter is the responsibility of the Executive member for Community; Cllr Chris Booth

Report Author: Paul Harding, Strategy Specialist

1 Executive Summary / Purpose of the Report

- 1.1 This report seeks agreement for the council to adopt the International Holocaust Remembrance Alliance's (IHRA) definition of anti-Semitism, in line with central government's decision to do so and its encouragement of local authorities to follow suit. This is intended primarily as a clear signal of the council's intolerance for anti-Semitism and an aid to help our council and our community identify the types of actions that may be anti-Semitic so that these can be robustly challenged.
- 1.2 The definition has already been adopted by the British Government, Police, Crown Prosecution Service and Judiciary, the devolved administrations in Scotland and Wales as well as over 200 local councils.
- 1.3 Adoption of the definition does not imply that the Council believes discrimination of those of the Jewish faith is any more or less acceptable than discrimination relating to other faith groups. All discrimination is abhorrent.
- 1.4 Furthermore, the adoption of the definition, does not limit the right to ongoing debate and discussion over the Israeli /Palestine conflict or the state of Israel itself.

2 Recommendations

Full Council are asked to:-

- 2.1 Adopt the International Holocaust Remembrance Alliance Working Definition on Anti-Semitism, including the examples.

3 Risk Assessment

- 3.1 Failure to adopt the IHRA definition could have a negative impact on the council's reputation and relationship with the Jewish community in our area.
- 3.2 The self-identified Jewish community in the SWT area numbers 87 people, based on the 2011 Census, in which 0.1% of our local population identified as Jewish (compared to 0.5% of people across England and Wales and 0.1% in Somerset).
- 3.3 However, this is likely to be something of an underestimate as completion of the question, 'What is your religion?' was the only voluntary question on the 2011 Census.
- 3.4 Many Jews who do not observe/are secular may not answer this question and there are also historical reasons why Jewish people may be reticent to disclose religion on public surveys, including ongoing anti-Semitism and the legacy of the Holocaust (or Shoah, as it is known in Hebrew).
- 3.5 There is a risk that adoption of the definition, is seen in some quarters as curtailing the right to free speech and, in particular, ongoing debate and discussion over the Israel/Palestine conflict and whether the definition or its examples may restrict legitimate views being expressed in this area.
- 3.6 It is the view of the UK government that this does not restrict debate about the situation in Israel/Palestine or the holding of views supportive of either side in the conflict.
- 3.7 On 15 October 2019, the Secretary of State for Housing, Communities and Local Government wrote to Leaders of all councils in England, in which he strongly urged all Councils to adopt the definition or to explain to him any reluctance to do so. It is unclear what the political consequences, if any, of such a course would be.

4 Background

- 4.1 The International Holocaust Remembrance Alliance (IHRA), founded in 1998, is an inter-governmental body that unites governments and experts to strengthen, advance and promote Holocaust education, research and remembrance and to uphold the commitments to the 2000 Stockholm Declaration.
- 4.2 The United Kingdom has been member of the IHRA since it was founded in 1998.
- 4.3 On 26 May 2016 in Bucharest, the Plenary of the International Holocaust Remembrance Alliance (IHRA) adopted the following non-legally binding working definition of anti-Semitism along with supporting examples that may serve as Illustrations.
- 4.4 Adopting the international definition, and examples, will help ensure that culprits will not be able to get away with being anti-Semitic because the term is ill-defined, or because different organisations or bodies have different interpretations of it.

4.5 The Definition

"Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

“Manifestations of anti-Semitism might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that levelled against any other country cannot be regarded as anti-Semitic. Anti-Semitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.”

- 4.7 The IHRA definition specifies eleven ‘contemporary examples of anti-Semitism’ in public life, the media, schools, the workplace, and in the religious sphere which could, taking into account the overall context, include but are not limited to:
- I. Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
 - II. Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
 - III. Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
 - IV. Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
 - V. Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
 - VI. Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
 - VII. Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
 - VIII. Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.
 - IX. Using the symbols and images associated with classic anti-Semitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
 - X. Drawing comparisons of contemporary Israeli policy to that of the Nazis.
 - XI. Holding Jews collectively responsible for actions of the state of Israel.

5 Links to Corporate Strategy

- 5.1 There is a direct link to Theme 3 (Homes & Communities) objective 3 (‘Reduce anti-social behaviour, through working with residents and our partners as well as tackle economic, social and health inequalities within the groups and communities that need extra support’) of our approved Corporate Strategy.
- 5.2 There is also a direct link to the Council’s approved equality objectives, in particular to ‘Work with Communities to improve the opportunities for integration and cohesion’.

6 Finance / Resource Implications

- 6.1 There are no finance /resource implications arising from this report.

7 Legal Implications

- 7.1 The IHRA definition of Anti-Semitism is not legally binding. However its adoption will support the Council's obligations under the Equality Act 2010, and its responsibilities under the Public Sector Equality Duty, to demonstrate due regard and to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
- 7.2 The IHRA definition serves, therefore, as a complementary measure that addresses equalities issues though seeking to deepen the understanding of anti-Semitism.

8 Climate and Sustainability Implications

- 8.1 There are no carbon/environmental impacts arising from this report.

9 Safeguarding and/or Community Safety Implications

- 9.1 Raising awareness of anti-Semitism among our community, our members and our workforce will help to promote good relations between British Jews and the rest of British society by working towards the elimination of racism, and anti-Semitism in particular.

10 Equality and Diversity Implications

- 10.1 Adoption of the IHRA definition will support our existing commitment to Equality and Diversity and help contribute to the council's compliance with the Equality Act 2010 and Public Sector Equality Duty, particularly in relation to equality for our residents, customers, contractors/suppliers and staff who share the Protected Characteristic of Religion and Belief.

11 Social Value Implications

- 11.1 There are no social value implications arising from this report.

12 Partnership Implications

- 12.1 The Council has an important role in tackling hate crime in partnership with our communities and the local Police force.

13 Health and Wellbeing Implications

- 13.1 Helping to maintain good relations between different members of our community helps keep Somerset West and Taunton a pleasant and positive place in which to live a happy and healthy life.

14 Asset Management Implications

14.1 There are no asset management implications arising from this report.

15 Data Protection Implications

15.2 There are no data protection implications arising from this report.

16 Consultation Implications

16.1 The Somerset Equalities Officers Group, of which SWT are part, made contact with the Somerset Jewish Association and they are supportive of the Somerset local authorities adopting the definition.

16.2 Adoption of the IHRA definition of anti-Semitism has been strongly urged by a number of Jewish organisations nationally.

17 Scrutiny Comments / Recommendation(s)

17.1 Not applicable.

Democratic Path:

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

Contact Officers

| | |
|-------------|---|
| Name | Paul Harding |
| Direct Dial | 01823 218751 |
| Email | P.harding@somersetwestandtaunton.gov.uk |

Report Number: SWT 100/19

Somerset West and Taunton Council

SWT Full Council – 3 December 2019

Financial Monitoring – 2019/20 as at 30 September 2019

This matter is the responsibility of Cllr Ross Henley, Portfolio Holder for Corporate Resources

Report Authors: Paul Fitzgerald (Strategic Finance Advisor and S151 Officer) and Emily Collacott (Finance Business Partner)

1 Executive Summary

- 1.1 This report provides an update on the projected outturn financial position of the Council for the financial year 2019/20 (as at 30 September 2019).
- 1.2 Monitoring the budget is an important part of the Council's performance management framework. Reporting is undertaken regularly to the Senior Leadership Team, with periodic reporting to the Executive Committee. Reporting is primarily 'by exception' and focusses on the forecast position for the year as a whole compared to the Annual Budget. Forecasts are compiled by budget holders, with support and advice as appropriate from finance specialists (accountants) and case officers. Forecasts will take into account known / committed items as well as assumptions about future performance and demand.
- 1.3 The current revenue forecast outturn for the financial year 2019/20 is summarised as follows. These are the best estimates at the mid-point of the financial year based on information currently available:
 - a) General Fund (GF) Revenue Budget = forecast net overspend of £795k. This report includes a request to approve an in-year budget increase to offset the majority of this forecast cost pressure.
 - b) Housing Revenue Account (HRA) Revenue Budget = forecast net underspend of £19k.
- 1.4 The current Capital Programme forecast position for 2019/20 is as follows:
 - (a) The General Fund Capital Programme budget is £53.503m. No significant variations to budget are currently reported.
 - (b) The HRA Capital Programme budget for 2019/20 is £23.093m. As previously reported, it is expected costs will be phased over more than one year so a proportion of the budget will need to be carried forward at the end of the financial year.

The Capital Programmes are shown in detail in Appendices A and B.

- 1.5 The General Fund general reserves balance as at 31 March 2020 is projected to be £2.744m (subject to risks identified). The opening balance has been adjusted due to an accounting error correction in last year's accounts, as explained in this report. The balance is below the operational target of £3m, but above the financial resilience target of £2.4m as approved in the Council's Financial Strategy in September 2019.
- 1.6 The General Fund earmarked reserves balance at the beginning of the year was £18.242m. The net movement in year is currently an increase of £4.721m, mainly contributions to the New Homes Bonus and Business Rates Smoothing earmarked reserves. A number of allocations from reserves are applied at the end of the financial year and will be included in the Outturn report at that stage.
- 1.7 The Housing Revenue Account (HRA) general reserve balance as at 31 March 2020 is projected to be £2.711m (subject to risks identified). This is above the current recommended operational target level (£2.4m) set within the Council's Finance Strategy and HRA Business Plan.
- 1.8 The HRA earmarked reserves balance at the beginning of the year was £2.719m, with £1.379m committed to be spent within the next three years and the remaining £1.340m for the Social Housing Development Fund will be used as required to fund social housing development.

2 Recommendations

- 2.1 It is recommended that Full Council notes the Council's forecast financial performance for 2019/20 financial year as at 30 September 2019.
- 2.2 The Executive recommends that Full Council approves a Supplementary Budget of £747,000 in the General Fund Revenue Budget for transitional and service resilience costs in 2019/20, funded from the New Homes Bonus / Growth earmarked reserve.
- 2.3 It is recommended that Full Council note that the Executive approved a virement within the HRA Revenue Budget of £339,000, from in year underspend and managed savings to transitional and service resilience costs in 2019/20.
- 2.4 That Full Council notes the risk to funding of future growth programme priorities, and commits to reviewing future options through the budget setting process.

3 Risk Assessment

- 3.1 Financial forecasts are based on known information and projections based on assumptions. As such any forecast carries an element of risk. The current forecasts included in this report are considered reasonable, and based on experience it is feasible the year end position could change, where it is reasonable to assume volatility of say +/- £100k compared to the mid-year forecast.
- 3.2 Salient in year budget risks are summarised in sections 8 and 11 in this report. The Council manages financial risk in a number of ways including setting prudent budgets, carrying out appropriate monitoring and control of spend, operating robust financial procedures, and so on. The Council also holds both general and earmarked reserves

which include contingencies to manage budget risk.

4 Background and Full details of the Report

- 4.1 This report provides the Council's forecast end of year financial position for revenue and capital expenditure as at 30 September 2019 for the Council's General Fund (GF) and Housing Revenue Account (HRA).
- 4.2 The regular monitoring of financial information is a key element in the Council's Performance Management Framework. Crucially it enables remedial action to be taken in response to significant budget variances, some of which may be unavoidable. It also provides the opportunity to assess any consequent impact on reserves and the Council's Medium Term Financial Plan.
- 4.3 Members will be aware from previous experience that the position can change between 'in-year' projections and the final outturn position, mainly due to demand-led service costs and income levels. The budget monitoring process involves a detailed review of the more volatile budgets and a proportionate review of low risk/low volatility budget areas.
- 4.4 Budget Holders, with support and advice from their accountants, regularly review the position and update their forecasts based on currently available information and knowledge of service requirements for the remainder of the year. As with any forecast there is always a risk that some unforeseen changes could influence the position at the year-end, and a number of risks and uncertainties are highlighted within this report. However, the following forecast is considered to be reasonable based on current information.

5 General Fund Revenue Budget – 2019/20 Forecast Outturn

- 5.1 The Council is currently forecasting an overall net overspend of £795k (3.5% of £22.3m Net Budget), as summarised below.

Table 1 - General Fund Revenue Outturn Summary 2019/20

| | Current Budget £'000 | Outturn £'000 | Variance | |
|-----------------------------------|-------------------------|------------------|--------------|-------------|
| | | | £'000 | % |
| Performance and Governance | 10,948 | 10,928 | -20 | -0.1% |
| Communication and Engagement | 562 | 562 | 0 | 0.0% |
| Customer | -979 | -788 | 191 | 0.9% |
| Localities | 4,708 | 4,797 | 89 | 0.4% |
| Commercial Investment | 1,880 | 2,041 | 161 | 0.7% |
| Strategy | 662 | 662 | 0 | 0.0% |
| Transition and service resilience | - | 747 | 747 | 100.0% |
| Net Cost of Services | 17,781 | 18,949 | 1,168 | 6.6% |
| Interest and Investment Income | -969 | -1,342 | -373 | -1.7% |
| Transfers from Earmarked Reserves | 7,056 | 7,056 | 0 | 0.0% |
| Transfers from General Reserves | -65 | -65 | 0 | 0.0% |
| Capital and Other Adjustments | -1,471 | -1,471 | 0 | 0.0% |
| Net Budget | 22,332 | 23,127 | 795 | 3.5% |

| | Current Budget £'000 | Outturn £'000 | Variance £'000 % | |
|-----------------|-------------------------|------------------|---------------------|-------------|
| Funding | -22,332 | -22,332 | 0 | 0.0% |
| Variance | 0 | 795 | 795 | 3.5% |

5.2 The table below provides more detail on the significant variance forecast for the year.

Table 2 - Summary of Significant Forecast Variances for the Year

| | Staffing £'000 | Other Expenditure £'000 | Income £'000 | Total £'000 |
|-------------------------------------|-------------------|-------------------------------|-----------------|----------------|
| Members allowances | n/a | 21 | 0 | 21 |
| Operational and Deane Helpline Rota | 16 | 0 | 0 | 16 |
| Operation Clean Sweep | n/a | 50 | 0 | 50 |
| Phase 2 Information Project | n/a | 20 | 0 | 20 |
| B&B/Homelessness | n/a | 82 | 0 | 82 |
| Performance & Governance | n/a | 50 | 0 | 50 |
| Pest Control | n/a | -17 | 46 | 29 |
| Community Grants | n/a | 10 | 0 | 10 |
| Insurance | n/a | -281 | 0 | -281 |
| IT Comms | n/a | 170 | 0 | 170 |
| Community Safety | n/a | 10 | 0 | 10 |
| Pollution Control | n/a | 15 | 0 | 15 |
| Welfare Funerals | n/a | 10 | 19 | 29 |
| Shopmobility | n/a | -28 | 0 | -28 |
| Car parking | n/a | -62 | 129 | 67 |
| Asset Management | n/a | 161 | 0 | 161 |
| Transition and service resilience | 747 | 0 | 0 | 747 |
| Interest Receivable | n/a | 0 | -76 | -76 |
| Interest Payable | n/a | -297 | 0 | -297 |
| TOTAL – over / (-)underspend | 763 | -86 | 118 | 795 |

5.3 The main variances to budget are explained as follows:

- a) **Members Allowances:** The allowance scheme agreed in March 2019 and executive arrangements approved by Members in May 2019 is projected to cost £21k more than the original budget estimate set by the Shadow Council in February 2019.
- b) **Operational and Deane Helpline Rota:** An increase in the standby payments has been applied to ensure that we have the necessary skills and resources available. The payment had not be altered for some time and had fallen behind what is reasonable for the commitment required when undertaking this role.
- c) **Operation Clean Sweep:** Additional costs associated with an intensive clean up, repair and refurbishment of Taunton's street scene and wider public areas, carried out during Spring 2019. The intensive cleaning equipment used as part of this work has also been deployed in other parts of the district.

- d) **Phase 2 Information Project:** This work is required for GDPR compliance and will cost an additional £20k.
- e) **B&B Homelessness:** The cost of Bed and Breakfast expenditure is forecast to exceed the budget by £82k. The inception of the Homeless Reduction Act (HRA), has resulted in a marked increase in approaches for advice and assistance and has extended the timescales under the relief stage of the act. Officers investigate and try to relieve homelessness within 56 days before making a decision to accept or discharge the application for homelessness. Any emergency accommodation offered under our statutory duty to eligible clients will be throughout this 56 day period. A further financial burden are clients assessed as being intentionally homeless (ie no duty owed) who previously would have had a homeless decision made quickly and averting the need for B&B. These families are now placed in B&B until either alternative accommodation is secured or a duty is decided.
- f) **Performance & Governance:** As previously reported, a budget error has been identified that will be corrected for 2020/21 base position but results in a variance this year.
- g) **Pest Control:** The discretionary Pest Control service was previously operated with a subsidy as the cost of delivering it exceeded the income. The historic income budget of £29k remained within the budget approved in February, however the service is no longer providing the service and should be removed, which is why the accounts show a budget variance. This will be corrected for 2020/21.
- h) **Community Grants:** Grants offered have marginally exceeded the budget.
- i) **Insurance:** Following procurement of updated insurance arrangements for the new authority, premiums have significantly reduced. Insurance cover levels have been maintained so this represents a significant saving. The total savings against budget across both the HRA and the General fund is £408k. A provisional assumption has been made that the General fund will benefit from 68% of the savings against the budget. This amounts to £281k.
- j) **IT Comms:** BT costs account for the majority of the overspend, most of which is due to lines no longer being recharged out to individual areas. In addition there are 200 more mobile phone contracts than originally budgeted, and the requirement for 8x8 licences was underestimated with 150 more 8x8 standard users than budgeted. Officers are currently reviewing mobile phone usage with the aim of reducing the number of phones in use as well as working with Vodafone to review contracts to control and reduce costs. We are also updating our policies on the use of mobile phones for different roles and on ICT usage generally. This will help to reduce costs in-year.
- k) **Community Safety:** This is mainly the result of insufficient inflation costs estimate within the budget for the CCTV contract.

- l) **Pollution Control:** Private water sampling income is lower than budget as at the end of September as we are a bit behind on our expected delivery of work at the mid-year point. This will be impacted further in the near future due to staff turnover.
- m) **Welfare Funerals:** This is mainly due to income held awaiting a probate claim by relatives which wasn't carried forward from last year, and a predicted overspend on funerals based on last year's number of funerals.
- n) **Shopmobility:** The contract is below the amount budgeted for and no further costs are anticipated, providing a net underspend for the year.
- o) **Car parking:** Income is currently forecast to be under budget and parking enforcement contract costs are also expected to exceed the budget estimate. This is partly offset by a net underspend on maintenance and business rates.
- p) **Asset Management:** The overspend is mainly due to additional security implemented at West Somerset House in Williton for health and safety reasons, costs of business rates negotiations which will yield savings in the longer term, and professional advice on asset based projects and cases such as valuations as backlog cases are addressed and key projects progressed.
- q) **Interest Receivable:** Treasury investment income is forecast to exceed the budget by £76k. The S151 plans to exercise further placement of cash balances in strategic funds planned to be held for the long term and producing higher returns than very low risk alternative investment options. This approach is in line with the approved Treasury Strategy.
- r) **Interest Payable:** The General Fund has had minimal need to externalise its borrowing requirement this year and continues to prioritise use of 'internal borrowing'. The current forecast assumes no additional external borrowing this year, however this may change depending the scale of capital expenditure in the second half of the year. It is likely that any external borrowing will focus on short term inter-authority lending which would keep costs to a minimum.

6 Transitional and Service Resilience – Supplementary Budget Requirement

- 6.1 The new Council was implemented on 1 April 2019, formed as part of the wider transformation plans agreed by its predecessor Councils. The expected financial savings from the transformation business case were factored into the budget and medium term financial plan from this financial year. The predecessor Councils, and Shadow Council for the new authority, approved temporary additional resources to fund transition costs this year as the implementation of programme of change is ongoing. Additional resources have also been previously agreed to support service resilience and quality where the disruption during the change programme has had a deeper impact.
- 6.2 The Council's leadership has identified ongoing pressures this year as some of the expected service process efficiencies and greater customer access to self-service are taking time to be fully delivered, putting service standards at risk. In order to protect

service standards and maintain capacity to manage these changes, additional staff resources have been maintained and are needed for a longer period. Significant detailed analysis of staff costs has been completed in recent weeks to ensure forecasts are robust and financial information is sound. As a result of this, costs are projected to exceed the current General Fund budget provision by £747,000 this financial year, and this is reflected in the forecast outturn within this report. The risk of a cost pressure was highlighted to Members in the previous budget monitoring report earlier this year.

- 6.3 There is insufficient headroom in General Reserves to meet this cost pressure, therefore it is proposed to utilise New Homes Bonus funding currently held in earmarked reserves. As highlighted in the Financial Strategy update to Scrutiny Committee in November 2019, there is a high degree of uncertainty and therefore cautious forecasting in respect of future New Homes Bonus income. It is highly probable NHB income will be lower than previous financial planning assumptions, therefore the leadership team (officers and Executive Councillors) will need to review priorities and plans, and it is recommended that this is considered as part of the budget setting process for 2020/21. The remaining net overspend of £48k will be managed as part of the budget monitoring process.
- 6.4 Similarly, transition and service resilience cost pressures of £339k are forecast within the HRA this financial year. It is expected that this can be offset by underspends in other budget areas within the HRA, as shown section 10 below.

7 General Fund (GF) Reserves

- 7.1 Following the completion of the audit for the final accounts for Taunton Deane Borough Council, and accounting adjustment has been recorded in 2018/19 which amends the General Reserves balance transferred to SWTC on 1 April 2019. This amendment corrects an accounting error in respect of the debtors balance on 31 March 2019, which has reduced by £347k. The reserves balance transferred from Taunton Deane and West Somerset Councils on 1 April is therefore corrected to £2.857m.
- 7.2 Table 3 below summarises the movement in GF General Reserves to 30 September 2019. The forecast balance as at 31 March 2020 is £2.744m, this would be £256k below the recommended operational minimum balance of £3m. The balance is only a forecast and can change which means it must be caveated at this stage. If the position at the end of the financial year remains below the recommended operational balance, plans will need to be implemented to increase reserves in future years.

Table 3 - General Reserve Balance

| | £000 |
|---|--------------|
| Balance Brought Forward 1 April 2019 (as corrected per 7.1 above) | 2,857 |
| Approved Transfers to date | -65 |
| 2019/20 Projected Outturn Variance – Month 6 Forecast (assuming NHB is approved to fund transition and service resilience cost pressures) | -48 |
| Projected Balance 31 March 2020 | 2,744 |
| Operational Minimum Balance | 3,000 |
| Projected Balance below recommended minimum | -256 |
| Financial Resilience Minimum Balance | 2,400 |
| Projected Balance above recommended minimum | 344 |

7.3 The projected balance remains above the minimum requirement for financial resilience purposes, but is projected below the operational target. It is therefore recommended that Members seek to increase General Reserves in future as part of the ongoing financial strategy. It is important that the leadership team and Members consider the need to increase reserves in the short to medium term when considering financial decisions.

Earmarked Reserves

7.4 The General Fund Earmarked Reserves brought forward balance for 2019/20 is £18.242m. In-year movements to date amount to an additional £4.721m, which included the recent approvals to fund the new Director posts and continued subsidy to the park and ride service in Taunton. The current balance as at 31 July is to £22.963m.

7.5 The following table details those reserves with balances greater than £500,000.

Table 4 - GF Earmarked Reserves

| | Opening Balance | Transfers To/From | Closing Balance |
|---|------------------------|--------------------------|------------------------|
| | £'000 | £'000 | £'000 |
| New Homes Bonus | 6,168 | 3,089 | 9,142 |
| Business Rates Smoothing | 3,547 | 2,869 | 6,416 |
| General Funds General Carry Forwards | 1,135 | -1,135 | 0 |
| Garden Town | 944 | 0 | 944 |
| Transformation | 728 | 0 | 728 |
| Transition | 648 | 0 | 648 |
| Strategic Housing Market Assessment | 576 | 0 | 576 |
| Revenue Reserves held for Capital Projects | 888 | 0 | 888 |
| Other; with an individual balance less than £500k | 3,608 | -102 | 3,506 |
| TOTAL | 18,242 | 4,721 | 22,963 |

7.6 Earmarked reserves are reviewed during the year. This is in order to confirm they align to current priorities, and to identify any surplus balances that can be redirected to mitigate in-year financial risks or be returned to general reserves.

8 General Fund - Risk and Uncertainty

8.1 Budgets and forecasts are based on known information and the best estimates of the Council's future spending and income. Income and expenditure over the 2019/20 financial year is estimated by budget holders and then reported through the budget monitoring process. During this process risks and uncertainties are identified which could impact on the financial projections, but for which the likelihood, and/or amount are uncertain. The Council carries protection against risk and uncertainty in a number of ways, such as insurances and maintaining reserves. This is a prudent approach and helps to mitigate unforeseen pressures.

8.2 The following general risks and uncertainties have been identified:

- a) **Fluctuation in demand for services:** We operate a number of demand-led services and the levels of demand do not always follow a recognisable trend. We therefore have to caveat the forecasts in these areas to account for fluctuations.
- b) **Forecasting Assumptions:** It is conceivable that, whilst budget holders are optimistic that they will spend all of their budget, experience shows we could see underspends of £50k-£100k by year-end caused by the cumulative effect of minor underspends in a number of service areas.
- c) **Year-end Adjustments:** Certain items are not determined or finalised until the financial year-end. For example, the final assessment of provisions required for bad debts, and final allocations of support service recharges. These can result in potentially significant differences to current forecasts.
- d) **Business Rates:** There are inherent risks and uncertainties within the Business Rates Retention system. The Council's share of business rates funding is directly linked to the total amount of business rates due and collected in the area, which can fluctuate throughout the year and be affected by the result of Rateable Value changes e.g. as a result of Appeals.
- e) **Recruitment costs:** There is a risk of no savings within salary budgets to take into account these costs – these costs are normally covered by vacancy savings in-year.
- f) **Interest receivable:** This has been forecast on the basis that interest rates will remain as they are currently. However, interest rates are unpredictable and there is a risk that interest rates could decrease further, and investment fund performance is susceptible to financial markets.

9 General Fund Capital Programme

- 9.1 The current capital programme budget is £53.5m, which is to be funded by a combination of Capital Grants and Contributions, Capital Receipts, Revenue Funding, Reserves and Borrowing. No potential overspends have been identified at this stage.
- 9.2 The major growth and regeneration projects account for £36.3m of the total capital budget. Due to the nature of capital projects the costs are likely to be incurred over more than one financial year. Budget Holders are projecting that £11.573m will be spent during 2019/20 with the remainder due to be spent in future years. Within this total, the largest projects are: Coal Orchard regeneration, Great Western Railway development loan, Seaward Way development, Employment Site Enabling, Major Transport Schemes and Watchet East Quay development loan. There is also an amount of up to £7m identified in respect of planned loans to Somerset Waste Partnership, however it is probable that only £5m will be needed in practice.
- 9.3 The following table summarises the current capital programme.

Table 5 - GF Capital Programme Summary

| | SWTC Approved Budget 19/20 | TDBC Schemes Brought Forward | WSC Schemes Brought Forward | Total |
|-------------------------------|-------------------------------------|---------------------------------------|--------------------------------------|---------------|
| | £'000 | £'000 | £'000 | £'000 |
| Growth Programme | 2,027 | 4,190 | 0 | 6,217 |
| IT Projects | 154 | 544 | 354 | 1,052 |
| Major Projects | 7,500 | 16,250 | 6,362 | 30,112 |
| Housing | 1,695 | 2,703 | 567 | 4,965 |
| Other Projects | 398 | 486 | 463 | 1,347 |
| S106 – General | | | 271 | 271 |
| S106 – Hinkley Funded | | | 3,539 | 3,539 |
| CIL – Infrastructure Projects | 6,000 | | | 6,000 |
| TOTAL | 17,774 | 24,173 | 11,556 | 53,503 |

10 Housing Revenue Account (HRA)

- 10.1 The HRA is a ring-fenced, self-financing account used to manage the Council's housing stock of some 5,700 properties, with the Council operating as the Landlord.
- 10.2 The majority of the HRA income is in the form of rent for council dwellings. HRA income is used to meet the costs of managing and maintaining the housing stock, as well as meeting the repayment of capital debt and interest costs.
- 10.3 The HRA budget for 2019/20 is budgeted to break-even (net of approved transfers to/from HRA Reserves).
- 10.4 The current year end forecast outturn position for the Housing Revenue Account for 2019/20 is a net underspend of £19k. The Month 4 forecast was a £17k overspend.

Table 6 - HRA Outturn Summary

| | Budget £'000 | Outturn £'000 | Variance | |
|---|-----------------|------------------|----------|-------|
| | | | £'000 | % |
| Gross Income | -26,217 | -26,217 | - | 0.0% |
| Service Expenditure | 13,814 | 13,387 | -428 | -3.1% |
| Transition and service resilience costs | - | 339 | 339 | - |
| Other Operating Costs and Income | 9,381 | 9,451 | 70 | 0.7% |
| Unearmarked Reserve Transfers | - | - | - | 0.0% |
| Capital Financing and Debt Repayment | 2,992 | 2,992 | - | 0.0% |
| Total | -30 | -49 | -19 | -0.1% |

- 10.5 The variances forecasted for the year are described below.
- 10.6 **Right To Buy:** the original budget estimated that 46 properties would be sold to existing tenants under the RTB scheme. However the current forecast is that there will be only 36 RTB sales (34 sales in 2018/19; 53 sales in 2017/18). Therefore an under-recovery of RTB admin fee grant income is being reported of £13k (although a positive impact on

rental income assumptions is likely as a result).

- 10.7 **Insurance:** following an authority wide re-tender exercise for insurance premiums the new authority has been successful at significantly reducing their annual premiums. Whilst a provisional saving against budget of £66k is being reported. Officers are working through the premiums to identify the actual savings against budget to be realised by the HRA.
- 10.8 **Repairs and Maintenance:** Overall this is a very demand led and reactive service based on the needs of the tenants. There are also a number of uncontrollable variables associated with this service such as the weather (e.g. cold winters causing burst pipes), condition of properties when returned (e.g. void refurbishments), consumer demand on minor internal / external repairs (e.g. broken door or fence) and the type of repair work required. The current forecast is an underspend of £375k based on 6 months' worth of data, however it is highly likely this forecast will change and consequently this variance should be regarded with caution.
- 10.9 **Interest Receivable:** the actual interest receivable in 2018/19 was nil due to internal borrowings exceeding investments. The expectation is that this situation will arise again and therefore a variance of £70k is now being reported.
- 10.10 Transition and Service Resilience: see section 6 above.

11 **HRA Risks and Uncertainty**

- 11.1 Budgets and forecasts are based on known information and the best estimates of the Council's future income and expenditure activity. Income and expenditure over the financial year is estimated by budget holders and then reported through the budget monitoring process. During this process any risks and uncertainties are identified which could impact financial projections, but for which the likelihood and/or amount are uncertain.
- 11.2 There are also a number of areas where the financial impact is not known until the end of the financial year such as depreciation charges and change in provision for bad debt.
- 11.3 The service is in discovery mode and the 2019/20 budgets are still being reviewed for accuracy in relation to the new Somerset West and Taunton operating model and staffing structure. This could result in variances being identified and reported in future reporting cycles.
- 11.4 The current areas of risk and uncertainty being reported include:
- a) **Tenancy Management:** The current year spend to date is low against budget due to the embedding of a new team in a new operating model. There may be an underspend but this will not be known with certainty until later in the year to allow the service time to explore the demands of this service against current budget provision.

- b) **Dwelling Rental Income:** There may be a reduction in general needs dwelling rental income due to the impact of additional voids resulting from the decants in relation to the North Taunton Regeneration scheme. Officers are currently working through the time-tabling of activities to identify when and financially how much this will impact the service.
- c) **Interest Payable:** There is a risk that the HRA may need to externalise its internal borrowing from the General Fund. The HRA may also need to take on more borrowing to finance capital schemes such as buybacks. As a consequence the interest payable may increase on any additional loans taken.

12 HRA Capital Programme

- 12.1 The HRA approved Capital Programme is £23.093m. This consists of £9.586m of new schemes approved for 2019/20 plus £13.507m carried forward from the previous financial year. In addition, a supplementary budget was approved by Full Council on the 16 July 2019 for Laxton Road for £331k funded by RTB Receipts. The Capital Programme relates to schemes which will be completed over the next five years.
- 12.2 The Council is supporting this investment through the use of the Major Repairs Reserve, Capital Receipts, Revenue Funding and Borrowing.
- 12.3 **Appendix B** provides a breakdown of the HRA Capital Programme projected outturn by scheme and the actual spend incurred within the first four months of the year.
- 12.4 **Delegated Authority:** On the 8 Oct 2019 Full Council approved the request for the Housing Director / Head of Function in consultation with the Housing Portfolio Holder to be granted delegated authority to make changes to the profile of budgeted spend for all of the HRA capital schemes, whilst remaining within the approved Capital Programme for 2019-20. Any virements will be reported as part of Appendix A to SLT on a bi-monthly basis and to Members on a 4-monthly basis.
- 12.5 The capital programme can be split into three distinct areas:
- 12.6 **Major Works:** The original budget of £7.322m is funded by the Major Repairs Reserve and relates to spend on major works on existing dwellings such as kitchens, bathrooms, heating systems, roofs, doors and windows.
- 12.7 **Improvements:** The original budget of £2.710m is funded by the Major Repairs Reserve and relates to spend on improvements such as disabled facilities adaptations, asbestos removal and environmental improvements.
- 12.8 Due to timing of spend it is feasible that part of the approved budget will roll forward into 2020/21 for Major and Improvement Works at the end of the current financial year. This is due to the substantial disruption caused by transformation – implementing a new staffing and operational model – and also due to the number of significant contracts for works coming to the end of their contract period during 2019/20 making it necessary to review the delivery of capital works and improvements schemes in the future as part of the HRA Business Plan review.

12.9 **Housing Development:** The remaining budget of £13.061m is for the provision of new housing through schemes such as North Taunton Regeneration, Weavers Arms and other buybacks to increase the Council's housing stock.

13 **HRA Earmarked Reserves**

13.1 The HRA Earmarked Reserves (EMR) at the beginning of 2019/20 were £2.719m (see Table 7 below). Of this, half the funds have been specifically committed to be spent within the next three financial years. The other half relates to the Social Housing Development Fund which will be used as required to fund social housing development feasibility studies and usage approved through the Housing Programme Board.

Table 7 - Balance of HRA Earmarked Reserves held at 1 April 2019

| Description | Balance b/f |
|---|--------------|
| | £'000 |
| HRA Carry Forwards | 186 |
| HRA Electrical Testing | 474 |
| HRA Employment and Skills Dev | 102 |
| HRA One Teams | 50 |
| Leasehold Schemes HRA Advanced Payments | 9 |
| Social Housing Development Fund | 1,340 |
| HRA Contribution to Transformation | 380 |
| HRA Contribution to Transition | 178 |
| HRA Total | 2,719 |

14 **HRA General Reserves**

14.1 The HRA reserves at the start of the year were £2.718m. This is £318k above the recommended operational reserve level of £2.4m, providing a level of resilience in light of the significant contractual risk in relation to North Taunton and other risks identified in this report. On the 30 July 2019 Full Council approved a Structural Change to the Senior Leadership Team and one-off additional funding of £26k from HRA general balances for 2019/20.

14.2 The current outturn position is forecast to be a net underspend of £19k. If this is the position at year end then this will be added to general balances.

Table 3: HRA Reserve Balance

| | £k |
|--|--------------|
| Balance Brought Forward 1 April 2019 | 2,718 |
| Approved In-Year Transfers | -26 |
| Forecast Outturn 2019/20 (as at 30 September 2019) | 19 |
| Forecast Balance Carried Forward 31 March 2019 | 2,711 |
| Recommended Operational Balance | 2,400 |
| Forecast Balance above recommended operational balance | 650 |

15 Links to Corporate Aims / Priorities

15.1 The financial performance of the Council underpins the delivery of corporate priorities and therefore all Corporate Aims.

16 Partnership Implications

16.1 A wide range of Council services are provided through partnership arrangements e.g. SLM for leisure services and Somerset Waste Partnership for Waste and Recycling services. The cost of these services is reflected in the Council's financial outturn position for the year.

17 Other Implications

17.1 None for the purpose of this report.

Democratic Path:

- **Scrutiny – No**
- **Executive – 20 November 2019**
- **Full Council – 3 December 2019**

Reporting Frequency: 4 Monthly

List of Appendices

| | |
|------------|---|
| Appendix A | General Fund Capital Programme |
| Appendix B | Housing Revenue Account Capital Programme |

Contact Officers

| | |
|-------------|--|
| Name | Emily Collacott |
| Direct Dial | 01823 218742 |
| Email | e.collacott@somersetwestandtaunton.gov.uk |

| | |
|-------------|--|
| Name | Jackie Evans |
| Direct Dial | 01823 219483 |
| Email | j.evans@somersetwestandtaunton.gov.uk |

| | |
|-------------|--|
| Name | Kerry Prisco |
| Direct Dial | 01823 218758 |
| Email | k.prisco@somersetwestandtaunton.gov.uk |

| | |
|-------------|--|
| Name | Paul Fitzgerald |
| Direct Dial | 01823 217557 |
| Email | p.fitzgerald@somersetwestandtaunton.gov.uk |

APPENDIX A

General Fund Capital Programme

| Code | Project | Approved Budget for 2019/20 |
|--------|------------------------------------|-----------------------------|
| | Growth Programme | |
| XX032G | GF C Town Centre Improvements | |
| XX037G | GF C Firepool Land Assembly | |
| XX068G | GF C Major Transport Schemes | |
| XX069G | GF C Flooding Alleviation | 500,000 |
| XX078G | GF C Town Centre Regeneration | 991,000 |
| XX079G | GF C Emp Site Enabling Innova | 536,000 |
| XX081G | TD C Broadband SEP | |
| XX091G | TD C Parking, Access & Signage | |
| XX126G | Firepool Development | |
| XX129G | Lisieux Way Site Masterplanning | |
| | Total Growth Programme | 2,027,000 |
| | IT Projects | |
| XX001G | GF C Members IT Equipment | 4,000 |
| XX054G | GF C PC Refresh Project | 50,000 |
| XX056G | GF C Cemetery IT System | |
| XX070G | GF C Transformation | |
| XX106G | GF C IT Offsite Backup Facilit | |
| XX107G | GF C IT Annual Hardware Replac | |
| XX108G | GF C IT Server Refresh | |
| XX131G | GF C Committee Rooms AV Kit | |
| | Microsoft Migration | 100,000 |
| | Total IT Projects | 154,000 |
| | Major Projects | |
| XX035G | GF C PT Coal Orchard | |
| XX036G | GF C Lisieux way | |
| XX047G | GF C Blackbrook Swimming Pool | |
| XX052G | GF C SCC Waste Vehicle Loan | |
| XX060G | GF C Paul Street Car Park Maj | |
| XX074G | GF C Creech Castle Improvement | |
| XX094G | GF C Firepool Hotel (now cancelled | |
| XX095G | GF C Waiting Room | |
| XX111G | GF C Seaward Way | |
| | Watchet - East Quay Development | 1,500,000 |
| | Great Western Railway | 5,000,000 |
| | Leisure | 1,000,000 |
| | Total Major Projects | 7,500,000 |
| | Housing | |
| XX020G | GF C Grants to RSLs | 495,000 |
| XX028G | GF C DFGs Private Sector | 1,200,000 |

APPENDIX A

| | | |
|--------|--|------------------|
| | Total Housing Projects | 1,695,000 |
| | Other Projects | |
| XX002G | GF C Special Expenses grants | |
| XX019G | GF C Youth Project Cap Grants | |
| XX021G | GF C Gypsy Site | |
| XX029G | GF C PT Longrun Meadow Bridge | |
| XX040G | GF C DLO Vehicles Acquisition | 152,000 |
| XX041G | GF C Waste Containers | 100,000 |
| XX048G | GF C Grants to Halls & Sports | |
| XX049G | GF C Grants to Parishes Play | 15,000 |
| XX050G | GF C Replacement Play Equipme | 76,740 |
| XX051G | GF C GF Community Alarms | 31,000 |
| XX057G | GF C DLO Plant | 23,000 |
| XX073G | GF C Brewhouse | |
| XX090G | GF C Crematorium Project | |
| XX097G | GF C Norton Fitzwarren Hillfor | |
| XX098G | GF C West Monkton Country Park | |
| XX099G | GF C East Wharf | |
| XX101G | GF C Superfast Broadband | |
| XX102G | GF C 7 The Esplanade | |
| XX109G | GF C Steam Coast Trail | |
| XX113G | GF C Cuckoo Meadow Play Area | |
| XX116G | GF C CASA | |
| XX118G | GF C Minehead Esplande | |
| | Total Other Projects | 397,740 |
| XX%%% | GF C S106 Various | |
| | S106 Funded - Hinkley Schemes | |
| XX001K | HK C Westfield Street Caf | |
| XX003K | HK C South B/W & North Pethert | |
| XX004K | HK C Bridgwater Town Centre Su | |
| XX005K | HK C Holford & Dis VH - Fit fo | |
| XX006K | HK C Minehead TC - New Changin | |
| | Watchet Bowling | |
| | Williton Shooting Club | |
| | Cheddar PC | |
| | Bos & HB Council | |
| | Victoria Ward Green | |
| | North Petherton RFC Gym | |
| | Empty Homes & LOTS | |
| | Stogursey Leisure | |
| | Enterprising Minehead | |
| | Total S106 Funded - Hinkley Scher | |
| | Externally Funded Projects | |
| XX083G | GF C CIL Grant | |
| | CIL - Cycle & Pedestrian Improveme | 1,000,000 |
| | CIL - Education Provision | 4,000,000 |
| | CIL - Public Transport Improvements | 1,000,000 |

APPENDIX A

| | | |
|--|---|-------------------|
| | Total Externally Funded Projects | 6,000,000 |
| | GF TOTAL | 17,773,740 |

APPENDIX B

HOUSING REVENUE ACCOUNT CAPITAL PROGRAMME

AS AT END OF SEPTEMBER 2019

| Project | Slippage from 2018/19 | Original Approved Budget for 2019/20 | Final Budget for 2019/20 (ROUNDED) | Supplements / Returns | Proposed Virements for 2019/20 | Revised Budget for 2019/20 | Spend YTD |
|---|-----------------------|--------------------------------------|------------------------------------|-----------------------|--------------------------------|----------------------------|------------------|
| Major Works | | | | | | | |
| HRA C Major Repairs & Improvem | 68,489 | | 68,490 | | 772,990 | 841,480 | 880 |
| HRA C Kitchens | 5,312 | | 5,310 | | 344,690 | 350,000 | (21,953) |
| HRA C Bathrooms | 421 | 1,400,000 | 1,400,420 | | (950,420) | 450,000 | (13,403) |
| HRA C Roofing | 61,638 | | 61,640 | | 38,360 | 100,000 | 1,961 |
| HRA C Windows | 4,678 | | 4,680 | | 645,320 | 650,000 | 0 |
| HRA C Heating Improvements | 9,401 | 1,625,000 | 1,634,400 | | (354,400) | 1,280,000 | 442,559 |
| HRA C Doors | 160,052 | | 160,050 | | (111,050) | 49,000 | 8,383 |
| HRA C Fire Safety Works Commun | 590,615 | 1,172,000 | 1,762,620 | | (1,452,620) | 310,000 | 118,698 |
| HRA C Cladding | 0 | | 0 | | 0 | 0 | 0 |
| HRA C Fascias and Soffits | 122,603 | 1,200,000 | 1,322,600 | | (572,600) | 750,000 | 268,153 |
| HRA C Air Source Heat Pumps | 51,747 | | 51,750 | | 28,250 | 80,000 | 16,384 |
| HRA C Door Entry Systems | 2,107 | | 2,110 | | 334,890 | 337,000 | 104,327 |
| HRA C Community Alarms | 2,297 | | 2,300 | | (2,300) | 0 | 0 |
| HRA C Insulation | 1,775 | 800,000 | 801,780 | | (251,780) | 550,000 | 26,679 |
| HRA C Ventilation | 39,567 | | 39,570 | | 60,430 | 100,000 | 47,745 |
| HRA C Kitchen rep'd due to dam | 2,834 | | 2,830 | | 97,170 | 100,000 | 55,038 |
| HRA C Bathroom rep'd due to da | 1,503 | | 1,500 | | 98,500 | 100,000 | 32,331 |
| HRA C Underground Drainage | 0 | | 0 | | 350,000 | 350,000 | 0 |
| Total Major Works | 1,125,039 | 6,197,000 | 7,322,050 | 0 | (924,570) | 6,397,480 | 1,087,782 |
| Improvements | | | | | | | |
| HRA C Building Services Vehicl | 105,879 | 121,000 | 226,880 | | 0 | 226,880 | 0 |
| HRA C Environmental Improvemen | 100,624 | 321,000 | 421,620 | | 78,380 | 500,000 | 16,900 |
| HRA C Extensions | 38,928 | 502,000 | 540,930 | | 0 | 540,930 | 3,188 |
| HRA C Electrical Testing | 0 | 0 | 0 | | 300,000 | 300,000 | 4,333 |
| HRA C Parks | 0 | 0 | 0 | | 150,000 | 150,000 | 0 |
| HRA C Meeting Halls | 77,349 | | 77,350 | | (27,350) | 50,000 | 14,887 |
| HRA C Garages | 5,054 | | 5,050 | | 94,950 | 100,000 | 0 |
| HRA C Sewerage Treatment Plant | 20,000 | | 20,000 | | 0 | 20,000 | 0 |
| HRA C Unadopted Areas | 30,000 | | 30,000 | | 0 | 30,000 | 0 |
| HRA C Related Assets | 80,000 | | 80,000 | | 0 | 80,000 | 0 |
| HRA C Scaffolding | 0 | | 0 | | 200,000 | 200,000 | 0 |
| HRA C Asbestos Works | 221,406 | | 221,400 | | 128,600 | 350,000 | 120,857 |
| HRA C Aids and Adaptations | 28,272 | | 28,270 | | 311,780 | 340,050 | 1,351 |
| HRA C DFGs | 311,791 | 376,000 | 687,790 | | (311,790) | 376,000 | 81,821 |
| HRA C IT Development | 371,046 | | 371,050 | | 0 | 371,050 | 30,839 |
| Total Improvements | 1,390,349 | 1,320,000 | 2,710,340 | 0 | 924,570 | 3,634,910 | 274,177 |
| Social Housing Development Programme | | | | | | | |
| HRA C Social Housing Developme | 3,048,020 | 2,069,000 | 5,117,020 | | (772,870) | 4,344,150 | 0 |
| HRA C Creechbarrow Road | 246,202 | | 246,200 | | 0 | 246,200 | (1,596) |
| HRA C Buybacks | 3,920 | | 3,920 | | 0 | 3,920 | 3,436,435 |
| HRA C Weavers Arms | 493,804 | | 493,800 | | 0 | 493,800 | (2,880) |
| HRA C TD North Taunton Phase A | 6,923,307 | | 6,923,310 | | 0 | 6,923,310 | 97,047 |
| HRA C North Taunton Phases B-E | 0 | | 0 | | 0 | 0 | 0 |
| HRA C 12 Moorland Close | 227,951 | | 227,950 | | 0 | 227,950 | 0 |
| HRA C Outer Circle | 45,106 | | 45,110 | | 0 | 45,110 | 72,452 |
| HRA C Laxton Road | 61 | | 60 | 331,230 | 772,870 | 1,104,160 | 6,936 |
| HRA C Oake | 3,601 | | 3,600 | | 0 | 3,600 | 27,990 |
| Total Social Housing Development Programme | 10,991,972 | 2,069,000 | 13,060,970 | 331,230 | 0 | 13,392,200 | 3,636,383 |
| HRA TOTAL | 13,507,360 | 9,586,000 | 23,093,360 | 331,230 | 0 | 23,424,590 | 4,998,342 |

Report Number: SWT 101/19

Somerset West and Taunton Council

SWT Full Council – 3 December 2019

Council Tax Support scheme for 2020/21

This matter is the responsibility of Executive Councillor Ross Henley

Report Author: Simon Doyle (Benefits Specialist)

1 Executive Summary / Purpose of the Report

1.1 Executive summary

- 1.1.1 Council Tax Support (CTS) is an income-related local discount scheme that helps people on low incomes to pay their Council Tax.
- 1.1.2 Local arrangements have been in place since 1 April 2013 following the abolition of the former nationally prescribed scheme known as Council Tax Benefit (CTB).
- 1.1.3 The rules for pension age people are set in regulations prescribed by the Government (the 'prescribed regulations'). The Council is responsible for designing a CTS scheme for working age people.
- 1.1.4 The prescribed regulations are updated each year to take into account change to the Department for Work and Pensions (DWP) Housing Benefit regulations and wider policy measures. Apart from including the amended prescribed regulations each year, there is **no statutory obligation** for a billing authority to revise or replace its local CTS scheme.

1.2 Purpose of the report

1.2.1 To advise and update members on the current CTS scheme.

1.2.2 To propose no changes to the CTS scheme for working age customers for 2020/21 other than to ensure continued alignment and uprating with national allowances and regulations for pensioners.

2 Recommendation

2.1 That the current CTS scheme for working age customers is retained for 2020/21.

3 Risk Assessment

Risk Matrix

| Description | Likelihood | Impact | Overall |
|---|------------|--------|---------|
| Risk: Potential growth in the number of claimants. | 4 | 4 | 16 |
| <i>Mitigation: Realistic assumption on caseload growth based on trends.</i> | 3 | 4 | 12 |
| Risk: Council incurs an unacceptably high level of debt because of people's inability to pay their Council Tax bill | 3 | 3 | 9 |
| <i>Mitigation: Ensure adherence to robust recovery timetable. Maximise take-up of all discounts/exemptions/ hardship relief. Monthly monitoring of performance against targets.</i> | 3 | 2 | 6 |

Risk Scoring Matrix

| | | | | | | | |
|------------|---|---------------|---------------|-------------|-------------|----------------|----------------|
| Likelihood | 5 | Very Likely | 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 | Feasible | Low (3) | Low (6) | Medium (9) | Medium (12) | High (15) |
| | 2 | Unlikely | Low (2) | Low (4) | Low (6) | Medium (8) | Medium (10) |
| | 1 | Very Unlikely | Low (1) | Low (2) | Low (3) | Low (4) | Low (5) |
| | | | 1 | 2 | 3 | 4 | 5 |
| | | | Negligible | Minor | Moderate | Major | Catastrophic |
| | | | Impact | | | | |

| Likelihood of risk occurring | Indicator | Description (chance of occurrence) |
|------------------------------|---|------------------------------------|
| 1. Very Unlikely | May occur in exceptional circumstances | < 10% |
| 2. Unlikely | 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 Local Council Tax Support (CTS) came into effect on 1 April 2013, as one of the measures brought in under the Local Government Finance Act 2012. CTS replaced the means-tested Council Tax Benefit (CTB) with local schemes, designed by local billing authorities, and was accompanied by a 10% reduction in central government funding.
- 4.2 Government has ensured local authorities provide CTS for the most vulnerable in society. The localisation of CTS took place within a wider programme of welfare reform that helped move people back into work. Low income pensioners are protected from any reductions, so that they would pay no more towards their Council Tax under local CTS.
- 4.3 The Council has an obligation, under paragraph 5 of Schedule 1A to the Local Government Finance Act 1992, as inserted by Schedule 4 to the Local Government Finance Act 2012 to **consider** whether to revise or replace its scheme. The same scheme (with the exception of any changes to the prescribed regulations) could therefore remain in place for multiple years, as long as the authority considers each year whether to revise or replace it.
- 4.4 Both Taunton Deane Borough Council (TDBC) and West Somerset Council (WSC) adopted local CTS schemes largely based on the former CTB scheme, while reducing support but taking into account customer's ability to pay and the collectability of the resulting Council Tax liability.
- 4.5 A summary of the key elements of our CTS schemes since 2013/14 can be found in Appendix 1.
- 4.6 Appendix 2 provides a summary of the current CTS scheme in operation for 2019/20.
- 4.7 Appendix 3 provides comparative data for each year since the introduction of CTS on 1 April 2013. The table provides information on caseloads and expenditure.
- 4.8 As at 17 September 2019, 10,799 customers were in receipt of reduced Council Tax charges through CTS discounts.

| Claimant type | Caseload | % of total caseload | CTS costs | % of total spend |
|---------------|---------------|---------------------|-------------------|------------------|
| Working age | 6,199 | 57.4% | £4,020,130 | 43% |
| Pension age | 4,600 | 42.6% | £4,627,634 | 57% |
| Total | 10,799 | 100% | £8,647,764 | 100% |

- 4.9 Costs for 2019/20 were forecast at £8,198,601 in the report to full Shadow Council on 17 December 2018. The same report recommended a notional budget estimate of £8,780,342.
- 4.10 Actual expenditure to date is £8,647,764 (£449,163 over the original forecast). This is largely due to a significant increase in the working age caseload from 4,760 on 31 March 2018 to 6,199 (an increase of 1,439 or 30%). However, the current expenditure is £132,578 under budget.
- 4.11 In summary, expenditure is difficult to accurately forecast due to the many variables however, despite expenditure being higher than forecast, we still anticipate this being within the notional budget by year end.

5 Links to Corporate Strategy

- 5.1 The provision of a CTS scheme is a statutory duty and helps the Council meet its objectives for the strategic themes of 'a transparent and customer-focused Council' and 'homes and communities'.

6 Finance / Resource Implications

- 6.1 In 2013/14, the first year of CTS, TDBC and WSC received a grant towards CTS, equivalent to 90% of their spend on CTB in 2012/13.
- 6.2 Funding for CTS was incorporated into Revenues Support Grant (RSG) funding allocated through the Finance Settlement in 2013/14. In subsequent years the funding amount was not separately identified, but annual reductions in the Finance Settlement since that time mean that SWTC's share of the costs are fully funded from local resources with Revenue Support Grant reduced to nil. Whilst the amount received through the RSG has reduced to nil, our caseload and costs is increasing.
- 6.3 By running the CTS scheme as a discount, we share the risk of financing the costs with the other precepting authorities through the Tax Base calculation. The first financial impact is on the collection fund that is used to manage all Council Tax income, before that funding is shared between the various preceptors.
- 6.4 In 2019/20, Somerset West and Taunton Council's share of the collection fund is 9.17%, the major element of the risk falls on the other preceptors. (Note: if there is a surplus/deficit in the Collection Fund at the end of the year SWTC receives or pays for the town and parish surplus/deficit share also).

| Preceptor | 2019/20 share of Collection Fund |
|---|----------------------------------|
| Somerset West and Taunton | 9.17% |
| Parishes | 2.15% |
| Somerset County Council | 71.20% |
| Police and Crime Commissioner for Avon and Somerset | 12.51% |
| Devon and Somerset Fire & Rescue Authority | 4.97% |
| Total | 100% |

- 6.5 The costs of the scheme in 2020/21 will be affected by the rate at which the preceptors increase their Council Tax charges next year, as well as volatility in customer entitlement to discounts under the scheme.
- 6.6 The estimated total costs for CTS next year that has been included in the provisional tax base calculation for 2020/21 is £8,628,545, which is based on the current policy and caseload. This will be reflected in the calculations for the Council's draft 2020/21 Budget and Medium Term Financials Plan.

7 Legal Implications

- 7.1 Paragraph 5 of Schedule 1A to the Local Government Finance Act 1992, as inserted by Schedule 4 to the Local Government Finance Act 2012, requires the authority to consider whether, for each financial year, the CTS scheme is to be revised or replaced.

8 Climate and Sustainability Implications

8.1 There are no direct carbon/environmental impacts arising from the recommendations.

9 Safeguarding and/or Community Safety Implications

9.1 There are no safeguarding or community safety implications arising from the recommendations.

10 Equality and Diversity Implications

10.1 An Equality Impact Assessment (EIA) was carried out last year and an action plan was produced and formed part of the report to full shadow council last year on the CTS scheme for 2019/20. With the recommendation to continue with the current scheme for 2020/21, this EIA is still valid.

11 Social Value Implications

11.1 There are no social value implications arising from the recommendations.

12 Partnership Implications

12.1 Changes to the CTS scheme will need collaborative working between Somerset West and Taunton and the major precepting authorities.

13 Health and Wellbeing Implications

13.1 There are no health and wellbeing implications arising from the recommendations.

14 Asset Management Implications

14.1 There are no asset management implications arising from the recommendations.

15 Data Protection Implications

15.1 There are no data protection issues arising from the recommendations.

16 Consultation Implications

16.1 If the Council wishes to revise or replace its current scheme, it must consult with precepting authorities (Somerset County Council, Avon and Somerset Police, and Devon and Somerset Fire and Rescue Authority), publish a draft scheme and then consult with such persons as are likely to have an interest in the operation of that scheme prior to determining the scheme. If any proposed revision is to reduce or remove a reduction to which a class of person was entitled, the revision must include such transitional provision as the Council sees fit.

16.2 Case law has confirmed that consultation must

- be undertaken when proposals are at a formative stage;
- include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response;
- give consultees sufficient time to make a response; and
- be conscientiously taken into account when the ultimate decision is taken.

16.3 We last carried out a public consultation between 16 July 2018 and 10 September 2018 before the adoption of the current CTS scheme. As well as the public, we sought views from the major preceptors, welfare support agencies and advisory groups.

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: **Annually**

List of Appendices (delete if not applicable)

| | |
|------------|---|
| Appendix 1 | The evolution of the CTS scheme since 1 April 2013 |
| Appendix 2 | Summary of the 2019/20 CTS income band scheme for working age customers |
| Appendix 3 | Comparative data |

Contact Officer

| | |
|-------------|---------------------------------------|
| Name | Simon Doyle |
| Direct Dial | 01823 219467 |
| Email | s.doyle@somersetwestandtaunton.gov.uk |

Appendix 1 – The evolution of the CTS scheme since 1 April 2013

From 1 April 2013, the CTS scheme for people of working age included the following key elements:

- Maximum support reduced to 80% (TDBC) or 85% (WSC) of Council Tax - everyone of working age had to pay something
- Increased non-dependant deductions
- No second adult rebate
- Increased earned income disregards to provide an additional work incentive

Between 2014/15 and 2018/19, the CTS schemes for both TDBC and WSC for working age people were amended by:

- Removing entitlement to customers with capital or savings over £6,000
- Applying a minimum income for self-employed applicants
- Paying CTS at a level that would be no more than for a Band D property for Taunton Deane residents and no more than for a Band C for West Somerset residents
- Disregarding maintenance received for children
- Reducing the maximum backdating of a CTS award from 6 months to 1 month
- Removing the family premium in the applicable amount for new applicants, or existing recipients who would otherwise have a new entitlement to the premium
- Removing the Work Related Activity component in the applicable amount for new claimants of Employment and Support Allowance
- Removing the child allowance in the applicable amount for third and any subsequent children born after 1 April 2017 (some customers were protected)
- Reducing the allowable period of temporary absence outside Great Britain from 13 weeks to 4 weeks

In 2018/19, both TDBC and WSC decided to change their scheme for working age customers by removing applicable amounts and instead awarding CTS in the form of a discount based on 'income bands'. The scheme recognised the additional needs of multi-person households and families. The scheme also allowed for:

- a flat rate deduction of £5 a week for each non-dependant
- disregarding carers' allowance from the income used to work out CTS
- providing extra assistance for single young people who had left local authority care

The new 'income bands' scheme also mitigated the challenges presented from being within an area that saw the roll out of full service Universal Credit (UC). In particular:

- UC claimants not making a prompt claim for CTS, leading to loss of financial assistance
- The number of changes to UC awards received through the DWP's data hub requiring a change to CTS awards. Approximately 40% of UC customers have between 8 and 12 changes to their award each year. These changes result in changes to Council Tax liability, the re-calculation of instalments, delays and the demonstrable loss in collection

Both these issues would have increased the costs of administration. The income bands are wide enough to ensure small changes to UC awards do not result in changes to CTS awards and subsequent changes to Council Tax liabilities and the issuing of new bills.

Appendix 2 – The current income band CTS scheme for 2019/20

Further changes to the income band scheme were made for 2019/29, namely:

- Disregarding the Housing Element of UC in working out income
- Additional income disregards for families with more than 2 children and those customers with a disability
- Reducing the maximum award of CTS to 80% for those falling in the lowest income band

| Band | | Household composition | | | | | | Discount (%) |
|------|------------------------|-----------------------|-------------------------|-----------------------|----------------------------|----------------------------------|---------------------------------------|--------------|
| | | Single person | Couple with no children | Couple with one child | Lone parent with one child | Couple with two or more children | Lone parent with two or more children | |
| 1 | Assessed weekly income | £0 to £74.99 | £0 to £114.99 | £0 to £164.99 | £0 to £124.99 | £0 to £214.99 | £0 to 174.99 | 80 |
| 2 | | £75.00 to £124.99 | £115.00 to £164.99 | £165.00 to £214.99 | £125.00 to £174.99 | £215.00 to £264.99 | £175.00 to £224.99 | 70 |
| 3 | | £125.00 to £174.99 | £165.00 to £214.99 | £215.00 to £264.99 | £175.00 to £224.99 | £265.00 to £314.99 | £225.00 to £274.99 | 55 |
| 4 | | £175.00 to £224.99 | £215.00 to £264.99 | £265.00 to £314.99 | £225.00 to £274.99 | £315.00 to £364.99 | £275.00 to £324.99 | 40 |
| 5 | | £225.00 to £274.99 | £265.00 to £314.99 | £315.00 to £364.99 | £275.00 to £324.99 | £365.00 to £414.99 | £325.00 to £374.99 | 25 |
| 6 | | £275.00 to £324.99 | £315.00 to £364.99 | £365.00 to £414.99 | £325.00 to £374.99 | £415.00 to £464.99 | £375.00 to £424.99 | 10 |

Appendix 3 – Comparative data

Caseload and expenditure

| Year | Caseload | Working age caseload | Pensioner caseload | Total expenditure | Discretionary support |
|-----------|----------|----------------------|--------------------|-------------------|-----------------------|
| 2012/13 * | 11,455 | - | - | £10,001,604 | - |
| 2013/14 | 11,540 | 5,739 | 5,801 | £8,759,233 | £38,174 |
| 2014/15 | 11,000 | 5,494 | 5,506 | £8,360,408 | £50,156 |
| 2015/16 | 10,468 | 5,147 | 5,321 | £8,101,902 | £36,300 |
| 2016/17 | 9,974 | 4,938 | 5,036 | £7,917,814 | £54,723 |
| 2017/18 | 9,698 | 4,760 | 4,938 | £7,854,233 | £56,107 |
| 2018/19 | 10,751 | 6,026 | 4,725 | £7,872,789 | £62,384 |
| 2019/20 ^ | 10,799 | 6,199 | 4,600 | £8,647,764 | £25,792 |

*final year of Council Tax Benefit

^year to date figures

Report Number: SWT 102/19

Somerset West and Taunton Council

SWT Full Council – 3 December 2019

Taunton Garden Town Charter and Checklist

This matter is the responsibility of Executive Councillor Mike Rigby

Report Author: Fiona Webb - Placemaking Specialist

1 Executive Summary / Purpose of the Report

- 1.1 The Taunton Garden Town Charter and Checklist extend from the Garden Town Vision adopted by Executive and Full Council in July 2019. They also link to the National Design Guide and the Council district-wide Design Guide that is being produced, to be available in early 2020 which will illustrate the aims and requirements regarding the general quality of design expected across the whole of the new combined area. It is intended that the Design Guide will be a Supplementary Planning Document.
- 1.2 In the interim, the Checklist and associated Charter will provide a concise summary of both the Vision and Design Guide. They have been prepared to help the Local Planning Authority assess the quality of proposed developments and to clearly set out the standard expected for well-designed homes and neighbourhoods. These have been produced as a 'stop-gap' in the short-term ahead of the Design Guide being adopted due to the number of major development coming forward. The topics and requirements will set an agenda for discussion between applicants and planning officers and will form the basis for assessment of emerging development proposals.

2. Recommendations

- 2.1 The Council resolves to:
 - a) Formally adopt the Taunton Garden Town Charter and Checklist as Council policy and technical guidance for development control purposes to help the Local Planning Authority assess the quality of proposed developments and to clearly set out the standard expected for well-designed homes and neighbourhoods in the Garden Town area.
 - b) Authorise the Head of Strategy in consultation with the relevant Portfolio Holder to make any necessary minor editorial corrections and minor amendments to the document, and to agree the final publication style.

3. Risk Assessment

Risk Matrix

| Description | Likelihood | Impact | Overall |
|--|------------|--------|---------|
| Failure to adopt the Garden Town Charter and Checklist may reduce the certainty for developers of the standard expected for well-designed homes and neighbourhoods and reduce the Local Planning Authority effectiveness in negotiating and assessing the quality of proposed developments in the Garden Town. | 4 | 5 | 20 |
| The mitigations for this are the proposed changes as set out in the report | 4 | 4 | 4 |

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 |
| | | | Impact | | | | |

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

4. Background and Full details of the Report

Taunton is one of the designated Garden Towns of England. As such, the Council is committed to ensuring that new development should contribute towards a carbon neutral future through sustainable forms of development, healthy neighbourhoods and distinctive places.

The document, 'The Vision for Our Garden Town' (approved by Executive and Full Council in July 2019) expands on these aims and should be consulted by all those wishing to undertake development projects within the Garden Town area.

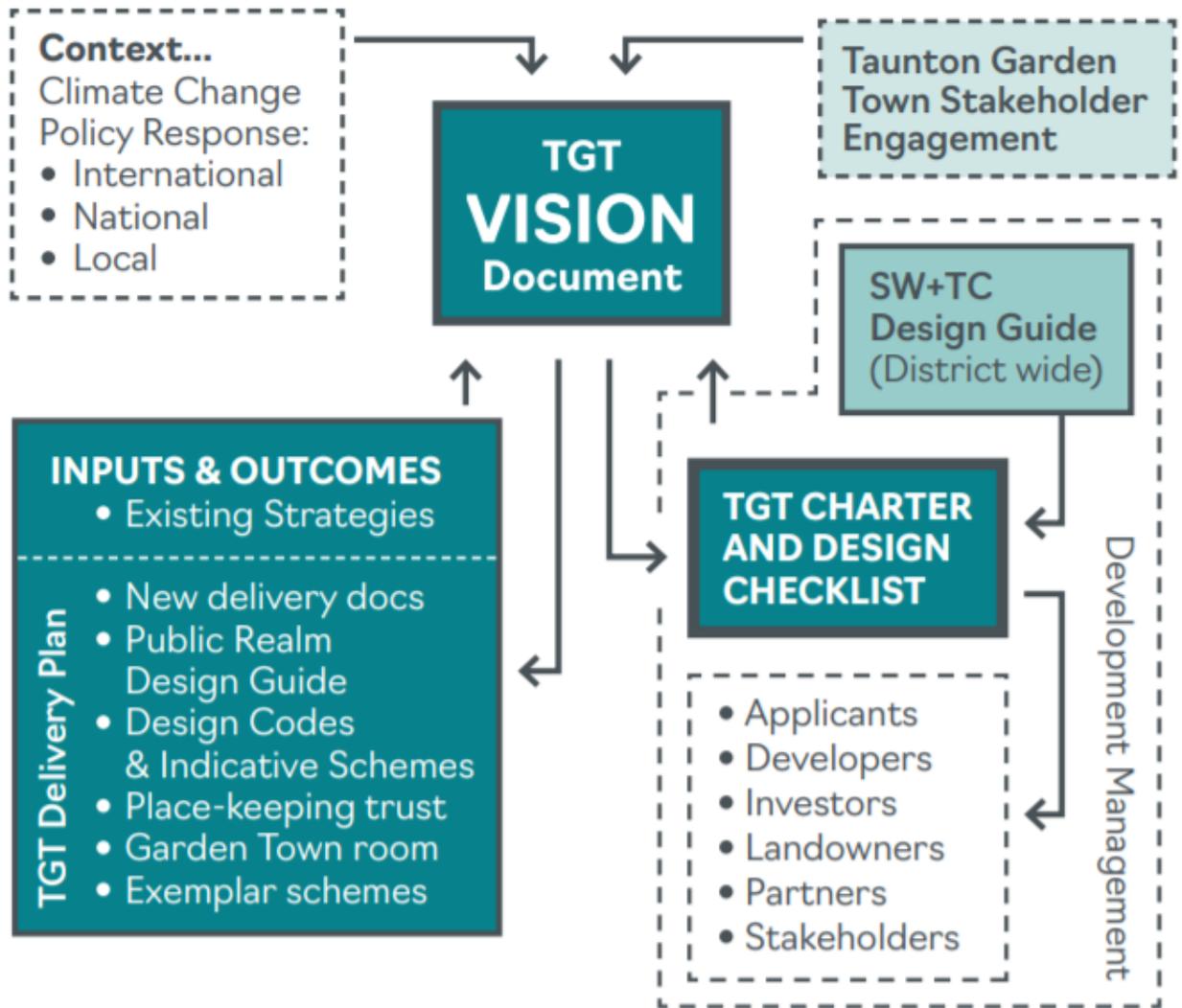
Additionally, a district-wide Design Guide is being produced, draft to be reported to Executive in early 2020 for approval for the purposes of public consultation. This will illustrate the Council's aims and requirements regarding the quality of design expected and will indicate how these aims can be achieved. The purpose of the guide will be to encourage developers and designers to be creative and responsive in the achievement of the Taunton Garden Town Vision. It is intended that the Design Guide will be a Supplementary Planning Document.

In the interim, Charter and associated Checklist (shown in Appendix 1 and Appendix 2 of this report) have been prepared to help the Local Planning Authority assess the quality of proposed developments and to clearly set out the standard expected for well-designed homes and neighbourhoods. It is intended that the Garden Town Charter and Checklist will be technical guidance for development control purposes by the council and as such provide an agenda for discussions between applicants and planning officers for assessment of major development proposals which are coming forward ahead of the Design Guide. The diagram on the next page shows the relationship between the Vision for Our Garden Town, Design Guide, Charter and Checklist and proposed Garden Town Delivery Plan. During the preparation of the Charter and Checklist a 'soft testing' workshop was carried out with developers and their agents to encourage buy-in and support for the documents.

The Checklist and Charter provide a concise summary of both the Vision and Design Guide. The documents will be applicable to all Garden Town neighbourhoods, but will be particularly important within those places that are being newly-created. The Checklist and Charter have been produced as a 'stop-gap' in the short-term ahead of the Design Guide being adopted due to the number of major development coming forward. Local communities, architects, agents and developers will be encouraged to use the Checklist and sign up to the Charter in order to guide discussions about creating good places to live.

The Charter and Checklist have been based on the Building for Life 12 framework, and its methodology in use, which is a government-endorsed industry standard for well-designed places and has been tailored for the Garden Town. They reflect the National Planning Policy Framework's commitment not only to build more homes, but better homes, such as can be achieved in the place-making process, they will also help identify how development can be shaped to accommodate both new and existing communities.

The Charter and Checklist are the sign of a good (or better) place to live and the ambition of the Council to encourage developments built in Taunton Garden Town to use this standard for their design. It is envisaged that those exemplary developments that are then delivered will be conferred with a local 'Garden Town Quality-Mark' award – allowing projects to demonstrate a commitment to the Garden Town initiative and celebrate their achievement to potential purchasers and other key audiences.



5. Links to Corporate Strategy

- 5.1 Officers are in the process of preparing a new Corporate Strategy to replace those previously prepared for Taunton Deane and West Somerset.
- 5.2 A review of the District wide Local Plan has also commenced, and the Charter and Checklist , TGT Vision and Design Guide (currently in preparation) will influence this important document which in turn will help articulate and translate the Council's emerging strategic objectives into planning policy.

6. Finance / Resource Implications

- 6.1 An Earmarked Reserve for 'Garden Town' work has been established following receipt of external Government funding through its Garden Town Capacity Fund. This funding provides budgets for ongoing work on the Garden Town programme, such as:
- Masterplanning alongside detailed design and delivery work, to inform the updated Taunton Garden Town Plan
 - Specialist support/officer roles to inform/assist a Garden Town Delivery Team e.g. urban design, community engagement, expertise/assistance with legal, acquisition, financing and land assembly issues. This support will also need to explore and outline the options for ensuring long term stewardship of the Taunton Garden Town programme.

7. Legal Implications

7.1 None at this stage.

8. Climate and Sustainability Implications

8.1 The Garden Town Charter and Checklist are predicated on the need to mitigate climate change through the creation of quality sustainable places and neighbourhoods. This is based on the adopted Garden Town Vision and is the first deliver step in making this happen through the decision making process of the Local Planning Authority. The Design Charter and Checklist provides more detail on the standards of design and sustainability aimed for within the Garden Town area through the following themes:

- Grow our town greener – giving our town a green makeover, joining up our green spaces, waterways, parks and play spaces, planting more street trees and woodlands and managing our water more imaginatively with wetlands and rain gardens
- Moving cleaner and smarter – integrating our transport network with much improved bus and appropriate vehicle links to our main destinations and make much better prioritised provision for walkers and cyclists encouraging healthier and more sustainable journey choices as attractive alternatives to travelling by car
- Creating a quality town centre, new and existing neighbourhoods - delivering an outstanding built environment focused on places and spaces with high quality neighbourhoods, green streets and public spaces and with homes and buildings that are distinctly local in appearance. Our houses, offices, employment areas, public services and road infrastructure will embrace innovation, will be energy efficient and will exploit the latest sustainable technologies.
- Providing a dynamic and prosperous community - nourishing partnership, prosperity and growth in social value, germinating and growing sustainable arts and cultural venues as hubs that foster excellence. Pursuing low carbon and digital infrastructure that connects businesses and markets well, drawing on our University Centre and growth industries in digital, land, marine informatics, health and nuclear.

9. Safeguarding and/or Community Safety Implications

9.1 The Garden Town Charter and Checklist are guidelines for the design of new development as well as the refurbishment of existing places. Designing for community safety is integral to the Garden Town Charter and Checklist since these requirements need to be considered at the beginning of the design process to achieve well designed buildings and places that minimises the opportunity for crime. The checklist adheres to the principles relevant to crime prevention – natural surveillance (spaces around buildings open to public view from adjoining properties, front entrances clearly visible from the street, well used illuminated routes); access and movement (direct routes, choice of routes, clear routes, permeability); activity (levels of activity provide natural surveillance together with a mix of uses); sense of ownership (clear definition of public/private space, activity in public spaces, sociable places, perception of space); defensible space (buffer zones, spill out spaces, restricting access to private areas); physical protection (boundaries sensitive to context, building materials and security features); management and maintenance (allocated resources, design quality and detail, community management).

10. Equality and Diversity Implications

10.1 None at this stage, however as projects and initiatives are developed and implemented, full consideration to Equality and Diversity impact will be given at that time.

11. Social Value Implications

11.1 The Garden Town Charter and Checklist is intended to have a positive influence on the quality of life, resulting in economic, social value and environmental benefits for the community.

12. Partnership Implications

12.1 As part of the development and preparation of the Garden Town Charter and Checklist 'soft testing' has taken place with a sample of developers and agents in order to ensure that these documents are fit for purpose.

13. Health and Wellbeing Implications

13.1 The Garden Town Charter and Checklist is intended to have a positive influence on the quality of life, resulting in health and wellbeing benefits for the community.

14. Asset Management Implications

14.1 None at this stage, however the Council will consider opportunities for use of its assets to contribute to the delivery and promotion of the Garden Town Vision.

15. Data Protection Implications

15.1 None at this stage.

16. Consultation Implications (if any)

16.1 As part of the development and preparation of the Garden Town Charter and Checklist 'soft testing' has taken place with a sample of developers and agents in order to ensure that these documents are fit for purpose.

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

17.1 Not applicable.

Democratic Path:

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

Reporting Frequency: Once only Ad-hoc Quarterly

Twice-yearly Annually

List of Appendices (delete if not applicable)

| | |
|------------|-------------------------------|
| Appendix A | Taunton Garden Town Charter |
| Appendix B | Taunton Garden Town Checklist |
| Appendix C | |

Contact Officers

| | |
|-------------|--------------------------------------|
| Name | Fiona Webb – Place-making Specialist |
| Direct Dial | 01823 219458 |
| Email | f.webb@somersetwestandtaunton.gov.uk |

| | |
|-------------|--|
| Name | Nick Bryant – Head of Strategy |
| Direct Dial | 01823 219529 |
| Email | n.bryant@somersetwestandtaunton.gov.uk |

Taunton Garden Town - Design Checklist:

Integrating into the Neighbourhood

Vision Theme

Bfl 12 primary + secondary questions

assessment



Garden Town Characteristics

Branching Out

| | | | | | |
|--|--|--|--|--|---|
| 1 Connections Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones whilst also respecting existing buildings and land uses along the boundaries of the development site? | | | | | The new and regenerated neighbourhoods of the Garden Town should be well-connected and integrated yet respectful neighbours to adjacent sites - encouraging movement by sustainable modes as a priority. |
| 1a Where should vehicles come in and out of the development? | | | | | Bfl 12 advice applies |
| 1b Should there be pedestrian and cycle only routes into and through the development? If so, where should they go? | | | | | The Garden Town should have streets suitable for all modes of travel, but to encourage commuting and other essential journeys by active travel (cycling + walking) then specific direct routes may be considered, where these are safe, well-overlooked and lit. |
| 1c Where should new streets be placed, could they be used to cross the development site and help create linkages across the scheme and into the existing neighbourhood and surrounding places? | | | | | The wider movement network within the context of the development site should be recognised and responded to in the layout of the Garden Town project. |
| 1d How should the new development relate to existing development? What should happen at the edges of the development site? | | | | | The 'integration of town and country' is a crucial characteristic of the Garden Town. Private drives rarely provide an appropriate edge condition and Edge Lanes that are public and link together to provide continuous perimeter access and a positive recreational route for active travel are strongly endorsed. Developments that contribute to forming a new threshold or gateway into and out of Taunton alongside a major route will need to promote a strong visual quality. |

Growing Quality Places

| | | | | | |
|---|--|--|--|--|--|
| 2 Facilities and Services Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes? | | | | | Garden Towns should wherever possible reduce the need to travel long distances to gain access to essential everyday facilities. Full fibre broadband connectivity is required. |
| 2a Are there enough facilities and services in the local area to support the development? If not, what is needed? | | | | | Bfl 12 advice applies |
| 2b Where are new facilities proposed: Are these facilities what the area needs? | | | | | Bfl 12 advice applies |
| 2c Are these new facilities located in the right place? If not, where should they go? | | | | | Bfl 12 advice applies |
| 2d Does the layout encourage walking, cycling or using public transport to reach them? | | | | | The networks for walking and cycling need to be explicitly considered/illustrated and well-conceived, reflecting the needs of local and longer-distance trips by these 'active-travel' modes. Networks that assure strong access to Taunton Town Centre, any new local centre, schools and other 'destinations' (such as employment sites + public transport stops) need to be provided. |

Branching Out

| | | | | | |
|---|--|--|--|--|---|
| 3 Public transport Does the scheme have good access to public transport to help reduce car dependency? | | | | | Development form (layout and density) and transportation should be considered to be interdependent within the Garden Town. |
| 3a What can the development do to encourage more people (both existing and new residents) to use public transport more often? | | | | | The location of stops needs to be fully integrated with the design approach to localised density and character of urban form in order to create a series of clear and legible 'places' within the neighbourhood where public transport can be readily accessed. |
| 3b Where should new public transport stops be located? | | | | | Ideally, radial streets and paths would place stops in the centre of a strong local network of walking routes. |

Growing Quality Places

| | | | | | |
|--|--|--|--|--|---|
| 4 Meeting local housing requirements Does the development have a mix of housing types and tenures that suit local requirements? | | | | | The ambition for all Garden Town Communities is to create a good mix and broad range of good quality housing types / sizes in order to promote a mixed community which has a varied and diverse demography. |
| 4a What types of homes, tenure and price range are needed in the area (for example, starter homes, family homes, or homes for those downsizing)? | | | | | Optical fibre broadband infrastructure should be provided. Homes shall include types that are suitable (possibly after minor adaptation) to provide good home-working conditions. |
| 4b Is there a need for different types of home ownership (such as part buy or part rent) or rented properties to help people on lower incomes? | | | | | Garden Town neighbourhoods should have a range of tenures / ownerships that might encourage a diverse demographic amongst residents. |
| 4c Are the different types and tenures spatially integrated to create a cohesive community? | | | | | The careful assembly of building groupings that combine different dwelling types within good architectural and urban compositional principles should be a key characteristic. |

Taunton Garden Town - Design Checklist: Creating a Place

Vision Theme

Bfl 12 primary + secondary questions

assessment



Garden Town Characteristics

| | | | | | |
|------------------------|---|--|--|--|---|
| Growing Quality Places | 5 Character Does the scheme create a place with a locally-inspired or otherwise distinctive character? | | | | The primary generator of appropriate character will be a sensitive understanding and response to the underlying landscape character of the site. |
| | 5a How can the development be designed to have a local or distinctive identity? | | | | Analysis and appraisal of positive examples of vernacular / local buildings should inform the architectural approach, which may therefore be grounded but innovative. Urban form should, similarly, be created that has reference to some key characteristics drawn from the surrounding context but respond to contemporary lifestyle demands/needs. |
| | 5b Are there any distinctive characteristics within the area, such as building shapes, styles, colours and materials or the character of streets and spaces that the development should draw inspirations from? | | | | Anonymous national housetypes and standard palettes of materials / details are not supported - simple, honest, well-constructed buildings should be aimed for. Modest patterns and textures which are derived from the constructional techniques employed are endorsed. Architectural design should pursue and share common proportions and be well-ordered, with elements (doors / windows / porches / etc) that clearly celebrate human scale and occupation. |
| Growing Quality Places | 6 Working with the Site and its Context Does the scheme take advantage of existing topography, landscape features (including water courses), trees and plants, wildlife habitats, existing buildings, site orientation and microclimate? | | | | See 5 above - it is vital that the key characteristics and assets are recognised and celebrated. |
| | 6a Are there any views into and from the site that need to be carefully considered? | | | | Long distance impacts on views from Quantocks and Blackdown Hills, as AONB, are very important considerations. |
| | 6b Are there any existing trees, hedgerows or other features, such as streams that need to be carefully designed into the development? | | | | Retained vegetation and other ecological assets need to be able to be carefully maintained - inclusion within the layout as rear private boundaries to gardens will not normally be acceptable. |
| | 6c Should the development keep any existing building(s) on the site? If so, how could they be used? | | | | Bfl 12 advice applies |
| Growing Quality | 7 Creating well-defined Streets and Spaces Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well? | | | | New Garden Town Neighbourhoods should have layouts that allow for the inclusion of significant building groupings which are memorable as 'set piece' compositions within the general arrangement. |
| | 7a Are buildings and landscaping schemes used to create enclosed streets and spaces? | | | | Bfl 12 advice applies |
| | 7b Do buildings turn corners well? | | | | House types fulfilling this role need to be specifically designed - standard types merely adapted will rarely be acceptable. |
| | 7c Do all fronts of buildings, including front doors and habitable rooms face the street? | | | | Bfl 12 advice applies |
| Growing Quality | 8 Easy to find your way around Is the scheme designed to make it easy to find your way around? | | | | The Garden Town should have excellent legibility. |
| | 8a Will the development be easy to find your way around? If not, what could be done to make it easier to find your way around? | | | | Bfl 12 advice applies |
| | 8b Are there any obvious landmarks? | | | | Specimen trees, when mature (not just significant buildings) can provide good focal incidents within the layout. |
| | 8c Are the routes between places clear and direct? | | | | Bfl 12 advice applies |

Taunton Garden Town - Design Checklist: Street + Home

Vision Theme

Bfl 12 primary + secondary questions

assessment



Garden Town Characteristics

| | | | | | |
|--------------------------|--|--|--|--|--|
| Growing Quality Places | 9 Streets for All Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces? | | | | In the Garden Town, the place quality of streets will be as equally important as their movement function. |
| | 9a Are streets pedestrian friendly and are they designed to encourage cars to drive slower and more carefully? | | | | The design principles of Manual for Streets 1 + 2 shall be fully applied - pedestrians and cycles should always take priority and the 'place quality' of streets should be fully considered alongside their functionality. |
| | 9b Are streets designed in such a way that they can be used as social spaces, such as places for children to play safely or for neighbours to converse? | | | | Doorstep play and other informal stimulation for younger children to interact with the street environment should be provided within the public realm, in addition to formal play provision elsewhere. Threshold spaces and boundary conditions mediating between the private and public realm and engaging with the approach to smaller groups of dwellings should be included to promote social interaction between neighbours/residents. |
| Growing Quality Places | 10 Car parking Is resident and visitor parking sufficient and well-integrated so that it does not dominate the street? | | | | The relationship between the public realm / main pedestrian route and the individual front door to each dwelling shall not be impeded or hidden from view by vehicles. |
| | 10a Is there enough parking for residents and visitors? | | | | Electric car-charging must be provided for each dwelling / allocated space and ducting should be installed to allow visitor spaces in the public realm to be retro-fitted with a supply, if not immediately provided. Car-charging at local centres and other public 'destinations' should be provided. |
| | 10b Is parking positioned close to people's homes? | | | | Bfl 12 advice applies |
| | 10c Are parking courtyards small in size (generally no more than five properties should use a parking courtyard) and are they well overlooked by neighbouring properties? | | | | Parking Courts are not generally supported in any form and should only be used in exceptional circumstances, Parking Squares may be an acceptable alternative in certain locations. |
| | 10d Are garages well positioned so that they do not dominate the street scene? | | | | Bfl 12 advice applies |
| Growing our Town Greener | 11 Public and Private Spaces Will public and private spaces be clearly defined and designed to be attractive, well managed and safe? | | | | The quality of public, shared and private open space are a key determinant of the character of the Garden Town. In general terms, the use of public art/craft dispersed throughout the public realm is endorsed rather than a few major interventions in specific locations. |
| | 11a What types of open space should be provided within the development? | | | | The inclusion of open swales, rain gardens and other sustainable urban drainage features should be celebrated as part of the public realm and landscape design. Allotments should be located in order to promote maximum use and be well-integrated with the urban layout, not located in an inaccessible distant position on the edge of the site. Opportunities for informal edible landscaping / micro-allotments should be provided as part of private threshold spaces and within the public realm wherever possible. |
| | 11b Is there a need for play facilities for children and teenagers? If so, is this the right place or should the developer contribute towards and existing facility in the area that could be made better? | | | | The Garden Town will provide strong and appropriate provision for all age groups. Doorstep play for young children should be integrated within the design of the public realm. |
| | 11c How will they be looked after? | | | | Management arrangements that have the capacity, over time, to involve and empower the future residents are strongly endorsed. |
| Growing Quality | 12 External Storage and Amenity Space Is there adequate external storage space for bins and recycling as well as vehicles and cycles? | | | | Secure cycle storage is best located in close proximity to the front / approach to the dwelling. Cycle stores in rear gardens will not be adequate to strongly promote cycle use. |
| | 12a Is storage for bins and recycling items fully integrated, so that these items are less likely to be left on the street? | | | | Where storage solutions are proposed in rear gardens then specific attention needs to be paid to the layout of the front curtilage of those dwellings in order to deter their use as alternative casual storage, wherever possible. Well-designed enclosures at the front of dwellings are endorsed and certainly necessary in terraced typologies with limited access to rear amenity space. |

Taunton Garden Town - Design Checklist:

Climate + Planet Positive

Vision Theme

TGT primary + secondary questions

assessment



Garden Town Characteristics

Growing our Town

| 13. Building with Nature | | | | | |
|--|--|--|--|--|--|
| Have the Core Standards been met? | | | | | This is essential as a base standard |
| Have the Wellbeing Standards been met? | | | | | Accessibility to good quality greenspace is a key characteristic of the Garden Town. |
| Have the Water Standards been met? | | | | | Water quality within the landscape of the Garden Town should be excellent. |
| Have the Wildlife Standards been met? | | | | | Bio-diversity increases are an essential theme |

Growing our Town Greener

| 14. Energy Conservation + Carbon Reduction | | | | | |
|---|--|--|--|--|---|
| Is energy demand minimised across the development? | | | | | Garden Town project are expected to significantly reduce energy consumption |
| Does the development achieve a carbon reduction improvement of at least 19% over Part L of the Building Regulations 2013? | | | | | Garden Town projects are expected to be consistently performing better than the national standards for carbon reduction. |
| Is energy demand minimised within the buildings? | | | | | A 'fabric first' strategy for energy conservation is strongly encouraged including 'passiv-haus' standards where appropriate. |

Growing our Town Greener

| 15. Renewable Energy | | | | | |
|--|--|--|--|--|---|
| Are opportunities for site-wide energy solutions being effectively harnessed? | | | | | Where reasonable and opportunities exist for site-wide energy solutions (e.g low carbon heat networks, private wire renewable energy generation etc.) then these should be explored and pursued unless more effective and viable solutions exist. |
| Does the development maximise opportunities to meet energy demands from renewable or low carbon sources? | | | | | Any remaining carbon reduction requirements should be met by on-site renewable or low carbon energy generation (e.g. roof-mounted solar PV panels). |
| Does the development perform as expected? | | | | | Post-occupancy evaluation and monitoring is expected. |

Growing our Town

| 16. Resources + Resilience | | | | | |
|---|--|--|--|--|---|
| Is there evidence of recycled / locally-sourced materials being used? | | | | | Specifications should fully explore whether alternative low-environmental impact options are available without reducing build quality. |
| Can rainwater be actively conserved? | | | | | The Garden Town should attempt to be self-sufficient in terms of water used for irrigation / gardening purposes. |
| Has whole life-cycle material performance influenced the specification? | | | | | Robust and resilient / durable materials are encouraged, or where these have a limited lifespan, that they can be obtained from renewable sources. |
| Are systems in place to minimise landfill waste during construction? | | | | | The process of construction should be carefully controlled to be as efficient in resource use as possible and may include off-site construction techniques, MMC, etc. |

Report Number: SWT 103/19

Somerset West and Taunton Council

SWT Full Council – 3 December 2019

Creech St Michael Neighbourhood Development Plan (CSM NDP)

This matter is the responsibility of Executive Councillor Mike Rigby

Report Author: Ann Rhodes (Strategy Specialist)

1 Executive Summary / Purpose of the Report

- 1.1 Creech St Michael Neighbourhood Development Plan (CSM NDP) is a community led planning document which has been produced by Creech St Michael Parish Council. The document and its evidence base passed an Independent Examination and was put to a local referendum. 95.51% of those voting, voted in support of the Plan and the Plan is now proposed for adoption.

2 Recommendations

- 2.1 That Full Council consider the CSM NDP and that it be formally made as a Somerset West and Taunton Development Plan Document.

3 Risk Assessment (if appropriate)

- 3.1 N/A. There are no links with the Draft Corporate risk register June 2019:

4 Background and Full details of the Report

- 4.1 The Localism Act introduced Neighbourhood Development Plans to the planning system, giving communities direct power to develop a shared vision for their neighbourhood and shape a locally distinctive development plan which reflect the growth needs and priorities of their communities.
- 4.2 The Localism Act, the National Planning Policy Framework, Town and Country Planning Act 1990, Neighbourhood Planning Act 2017, Housing and Planning Act 2016 and various Neighbourhood Planning and Development Management Regulations provide the regulatory framework for neighbourhood planning.
- 4.3 A Neighbourhood Development Plan must be predominantly land-use based (i.e. use of land, type and scale of development, allocate land for development).

It cannot be contrary to National Planning Policy (i.e. National Planning Policy Framework) and be in broad conformity with Local Planning Policy (i.e. Taunton Deane Borough Council Core Strategy), nor can it conflict with European Legislation (Equalities, Environmental and Ecological). A Neighbourhood Plan cannot restrict development but it can shape development that has been allocated through local Planning Policy and allocate land for development itself.

- 4.4 Creech St Michael Parish Council began the process of developing a Neighbourhood Plan in early 2016. An application was received from them on 9 March 2016 to produce a neighbourhood plan and for the designation of the Neighbourhood Plan Area. The application was published for statutory consultation in accordance with Regulation 6 of the Neighbourhood Plans (General) Regulations. On the 26 May 2016 under Section 61G of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) TDBC designated the Creech St Michael Neighbourhood Area.
- 4.5 A parish council are authorised to act in relation to a neighbourhood area if that area consists of or includes the whole or any part of the area of the council. In accordance with Section 61F of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) Creech St Michael Parish Council are therefore a “relevant body” for the purpose of producing a neighbourhood development plan.
- 4.6 Creech St Michael Parish Council as the Qualifying Body (QB) submitted the Creech St Michael Neighbourhood Development Plan and associated documents to TDBC on 25 April 2017. Following submission; CSM NDP and its associated documents, with details of how representations might be made was published. Representations were invited between Thursday 8 May and Friday 22 June 2018.
- 4.7 In accordance with Town and Country Planning Act 1990 (as amended) and in the Neighbourhood Plans (General) Regulations 2012 an Independent Examiner, Ann Skippers, was jointly appointed by TDBC and Creech St Michael Parish Council in July 2018 to carry out an independent examination of the Plan.
- 4.8 Examination commenced in July 2018 and was conducted by written representations. During the course of the examination the new council came into being. The Independent Examiners report was received on 8 July 2019. The report concluded that:

- Creech St Michael Parish Councils are qualifying bodies; and

That the modified CSM NDP, as published for the referendum:

- complies 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 designated Neighbourhood Plan Area;
- date for the period for which it is to have effect it is clearly indicated;

- does not include excluded development;
- relates to the development and use of land;
- meets 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;

and that,

- As such the plan can progress to referendum and the referendum area should not extend beyond the Neighbourhood Area to which the Plan relates.

- 4.9 Neighbourhood development plans are subject to similar legal tests as the District's planning policy documents and in terms of evidence, viability, being positive and not restricting development. The recommendations made in the Examiner's report were to make the plan compliant with planning legislation, and thereby enable it to be effectively applied to development proposals in the Parishes of Creech St Michael and reduce the risk of challenge.
- 4.10 Having considered each of the recommendations made in the Examiner's report, and the reasons for them, SWT through an Executive Decision of a Portfolio Holder, accepted the Independent Examiners report for the CSM NDP and supported a modified CSM NDP's progression to referendum. This decision and reasons for it was published on 24 July 2019.
- 4.11 The Creech St Michael Neighbourhood Development Plan, post examination, contains 10 policies
- Cycle and footpath network;
 - Parish Traffic Management Plan;
 - Housing to meet local needs;
 - Quality of design;
 - Employment (Start-up Units, and Enhancing and upgrading existing);
 - Community cohesion;
 - Public Realm Improvement;
 - Sports, leisure and recreational facilities;
 - Protection of Community Assets;
 - Local Green Wedge.
- 4.12 There is also a number of Community Actions. Whilst as policies these do not meet the Basic Conditions legal tests required for Neighbourhood Development Plans

they were seen as important to the parish and could be retained as Community Actions, aims for the Parish Council to promote and support.

- Establish and manage a 20 mph speed limit through Creech St Michael Village;
- Traffic calming scheme through Creech St Michael Village;
- Introduce measures to reduce noise from M5 motorway;
- Secure Asset of Community Value;
- Canal enhancement scheme;
- Creech St Michael Village centre enhancement scheme;
- Promote opportunities for public transport improvements;
- Provision of access from Hyde Lane to West Monkton Relief Road;
- Improve the range of clubs, activities and events for all community;
- Provision of age specific recreation areas;
- Establish a Youth Council;
- Establish a community café;
- Promote opportunities for volunteering;
- Provision of additional allotments;
- A strategy to help new member of the community to integrate and feel part of CSM;
- Provision of an open access youth club.

- 4.13 In accordance with the Localism Act 2011, Neighbourhood Planning (Referendum) Regulations and Neighbourhood Planning (Prescribed Dates) Regulations the CSM NDP was subject to a referendum, on 10 October 2019, which poses the question *Do you want Somerset West and Taunton Council to use the neighbourhood plan for Creech St Michael to help it decide planning applications in the neighbourhood area?*
- 4.14 Persons within the neighbourhood area were entitled to vote if they were on electoral register and were eligible to vote in a local election. There are 2,222 electorates in the Creech St Michael Neighbourhood Plan Area. 731 persons voted and 95.51% of those eligible to vote voted in support of the neighbourhood plan, 4.49% voted against and 0 ballot papers were rejected.
- 4.15 The Planning Guidance states that following a referendum SWT, as the local planning authority, must decide whether the Neighbourhood Plan should be made (brought into legal force). There are a narrow circumstances where the local planning authority is not required to make the neighbourhood plan. These are where it considers that the making of the neighbourhood plan would breach, or otherwise be incompatible with, any EU or human rights obligations.
- 4.16 The Portfolio Holder recommends to members of the Full Council that the CSM NDP be made. The Independent Examiner's report said that the CSM NDP was compliant and compatible, subject to changes, which the Portfolio Holder accepted and those recommendations were applied. The correct processes and procedures have been complied with in the preparation, submission, examination and referendum for the plan.

5 Links to Corporate Strategy

5.1 The 2020-24 Corporate Strategy:

Strategic Theme 1 – Our Environment and Economy: A low carbon, clean, green and prosperous district that attracts high quality employment opportunities and encourages healthy lifestyles.

- Objective 2 – shape and protect out built and natural environment
- Objective 5 - Provide and maintain green open spaces and parks, enhanced public spaces, as well as additional opportunities to safely walk or cycle in order to encourage active and healthy lifestyles

Strategic Theme 3 – Homes and Communities: A district which offers a choice of good quality homes for our residents, whatever their age and income, in communities where support is available for those who need it.

- Objective 1 – increase the number of affordable and social homes...

6 Finance / Resource Implications

6.1 There are no known resource implications if the CSM NDP is made (brought into legal force) by SWT.

6.2 SWT receives a DCLG grant to assist it in discharging its NDP duties. £20,000 will be received which will cover the cost incurred to date for the Examination and Referendum.

6.3 If the CSM NDP is not made SWT would be open to Judicial Review, with its associated financial and recourse costs, because the Plan is deemed compliant and compatible with The Localism Act, the National Planning Policy Framework, Town and Country Planning Act 1990 and the various Neighbourhood Planning Regulations.

7 Legal Implications (if any)

7.1 There are no legal reasons not to formally have the CSM NDP made, therefore to not do so fails to implement Legislation and risks Judicial Review.

7.2 If there are no reasons not to formally have the CSM NDP made, to not do so risks the credibility of TDBC with the Qualifying Body undertaking the Neighbourhood Plan, and the community supporting it.

7.3 The CSM NDP would become a statutory SWT Development Plan Document and therefore given material weight in the Development Management process. Applications for planning permission in the Neighbourhood Plan Area would be determined in accordance with it, unless (as any other development plan document) material considerations indicate otherwise.

8 Climate and Sustainability Implications (if any)

8.1 N/A. There are no policies directly related to climate change, but there are policies supporting a sustainable community. Policies supporting a balance of housing and employment; protecting community assets; community cohesion; cycle and footpath networks.

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

9.1 N/A.

10 Equality and Diversity Implications (if any)

10.1 The CSM NDP contains a number of policies which have a positive impact on protected characteristics of Age and Disability. There are a policies which provide positive impact for other situations which SWT wishes to see addressed such as low income, rurality and isolation.

11 Social Value Implications (if any)

11.1 N/A. The proposal does not involve a procurement of a service.

12 Partnership Implications (if any)

12.1 N/A

13 Health and Wellbeing Implications (if any)

13.1 The CSM NDP supports the Somerset Health & Wellbeing Strategy 2013-2018

- Priority 1: People, families and communities take responsibility for their own health:

Action: Community Action;

Action: Healthy planning and policy.

- Priority 2: Families and communities are thriving and resilient:

Action: Well-connected, vibrant communities;

- Priority 3: Somerset people are able to live independently:

Action: Housing for independence.

14 Asset Management Implications (if any)

- N/A

15 Data Protection Implications (if any)

15.1 N/A

16 Consultation Implications (if any)

16.1 N/A. There is no consultation post referenda on Neighbourhood Plans. The CSM NDP has been through a number of rounds of consultation during its production and progression to this stage of the process

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

17.1 N/A. Due to timescales set out in legislation Neighbourhood Plans progress straight to Full Council to be made after they have been through the local referendum.

Democratic Path:

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

Reporting Frequency: Once only

List of Appendices (delete if not applicable)

| | |
|------------|---|
| Appendix A | Creech St Michael Neighbourhood Development Plan – https://www.somersetwestandtaunton.gov.uk/media/2017/re01-creech-st-michael-ndp.pdf |
|------------|---|

Contact Officers

| | |
|-------------|--|
| Name | Ann Rhodes |
| Direct Dial | 01823 219522 |
| Email | a.rhodes@somersetwestandtaunton.gov.uk |

Somerset Equality Impact Assessment

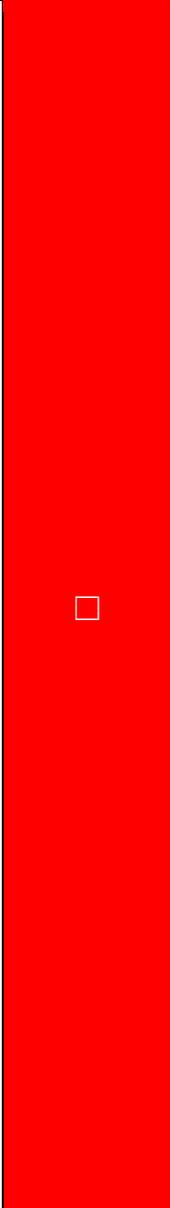
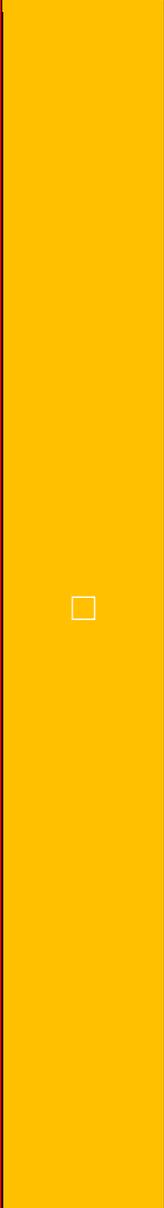
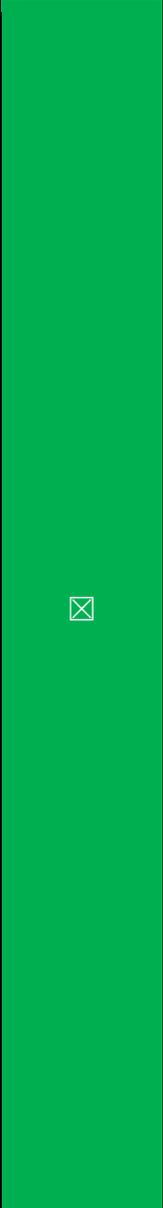
Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

| | | | |
|--|---------------------------|-----------------------|------------|
| Organisation prepared for | Somerset West and Taunton | | |
| Version | 1 | Date Completed | 14/11/2019 |
| Description of what is being impact assessed | | | |
| Creech ST Michael Neighbourhood Development Plan (CSM NDP) | | | |
| Evidence | | | |
| <p>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</p> | | | |
| <p>The Creech St Michael Neighbourhood Development Plan used the following sources of information for its development: Community Profiles; Housing Needs Survey; ONS Census, Community engagement and consultation.</p> | | | |
| <p>Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?</p> | | | |
| <p>During the development of the Creech St Michael Neighbourhood Development Plan community engagement and consultation was undertaken including: Primary and Secondary Schools; Youth Groups; Community of Creech St Michael (including: residents and businesses, religious communities); Statutory and Recommended consultees (including: Compass, Association for Homeless, MIND, etc.);</p> | | | |

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"> • Policy on Housing to meet Local Need - The Housing Needs Assessment (August 2017) suggested a need for low cost and shared ownership housing, as well as smaller, 2 bed properties and bungalows. This is mainly due to a high percentage of existing single and two person households (making up around 74%) and an almost equally high number of those living in 3+ bed properties (73%). Therefore, whilst a high need for affordable housing may not currently exist, there is clearly a demand for a more appropriate mix of house types to cater for local demand. This would enable elderly persons, young persons and young families to remain in the village supporting a mixed community. • Public Realm Improvements – policy enables delivery of community facilities and public realm improvements. This includes young person’s play, outdoor gym, Skate Park, street furniture (allowing person of all ages and abilities to enjoy public open space). Facilities promote health and inclusion. • Protection of Community Assets – policy includes protecting a number of open spaces and a community building. They can be used by all ages. | □ | □ | ☒ |

| | | | | |
|--------------------------|--|--|--|--|
| <p>Disability</p> | <ul style="list-style-type: none"> • Quality Design – policy includes requirement to create legible, accessible and quality usable public open space that can be used for recreational needs. Accessibility to open space is important for physical and mental wellbeing; moderate activity improves physical health and reduces risks associated with poor health. Legible and accessible spaces may assist those with conditions including those associated with: physical impairments such as sight, dementia and mobility issues. • Cycle and footpath network – policy will help to improve the safety and capacity of the existing network of walking and cycling routes and as a result, increase levels of cycling and walking. This will improve road safety, reduce traffic, improve the opportunities for leisure and exercise and have a positive impact on the health and well-being of the community; providing opportunity to improve health and reduce ill-health. • Community Cohesion – policy includes requirement for development to demonstrate how it will create high quality walking and cycling links between new development and existing educational, social and community facilities. Enabling persons to use sustainable modes of travel, improving health and wellbeing. • Public Realm Improvements – policy enables delivery of community facilities and public realm improvements. This includes: pavilion, young person’s play, outdoor gym, Skate Park, street furniture (allowing person of all ages and abilities to enjoy public open space). These facilities provide opportunities to improve physical and mental health; reduce risk associated with poor health. • Sports, leisure and recreational facilities – includes enhancement, improvement and extending facilities. These facilities provide opportunities to improve physical and mental health; reduce risk associated with poor health. |  |  |  |
|--------------------------|--|--|--|--|

| | | | | |
|---------------------------------------|---|---|---|---|
| | <ul style="list-style-type: none"> • Protection of Community Assets – policy includes protecting a number of open spaces and a community building. These facilities provide opportunities to improve physical and mental health; reduce risk associated with poor health; reduce isolation and promote inclusive environments. • Parish Traffic Management Plan - measures to ensure that any effects on the local highway network are acceptable and will not adversely affect highway safety. Potentially encourages walking and cycling, promoting activity and positively impacting on health. • | | | |
| Gender reassignment | <ul style="list-style-type: none"> • No specific policies that have positive or negative effect | □ | ⊗ | □ |
| Marriage and civil partnership | <ul style="list-style-type: none"> • No specific policies that have positive or negative effect | □ | ⊗ | □ |
| Pregnancy and maternity | <ul style="list-style-type: none"> • No specific policies that have positive or negative effect | □ | ⊗ | □ |
| Race and ethnicity | <ul style="list-style-type: none"> • No specific policies that have positive or negative effect | □ | ⊗ | □ |

| | | | | |
|---|--|---|---|---|
| Religion or belief | <ul style="list-style-type: none"> No specific policies that have positive or negative effect | □ | ⊗ | □ |
| Sex | <ul style="list-style-type: none"> No specific policies that have positive or negative effect | □ | ⊗ | □ |
| Sexual orientation | <ul style="list-style-type: none"> No specific policies that have positive or negative effect | □ | ⊗ | □ |
| Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc. | <ul style="list-style-type: none"> Quality Design – policy includes requirement to utilise where practicable to take advantage of opportunities for on-site small scale renewable energy production e.g. solar thermal and voltaic panels and rainwater harvesting. This may be linked with reducing fuel poverty. Community Cohesion – policy includes requirement for new development to demonstrate how it will positively integrated with the existing community. This may help reduce isolation. Employment – enhance and upgrade existing employment sites; and create new start-up units. Diversifying the local economy and providing a range of employment opportunities. Provides opportunities for local employment reducing need to travel; enabling new businesses to develop. Public Realm Improvements – policy enables delivery of community facilities and public realm improvements. These help to reduce isolation, promote inclusion and good health. Local Green Wedge – policy prevents coalescence, maintains open character, wildlife corridor, landscape and visual amenity. | □ | □ | ⊗ |

| Negative outcomes action plan | | | | |
|---|--------------------------------------|---------------------------|----------------------------------|--------------------------|
| 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. | | | | |
| Action taken/to be taken | Date | Person responsible | How will it be monitored? | Action complete |
| N/A | Select date | | | <input type="checkbox"/> |
| If negative impacts remain, please provide an explanation below. | | | | |
| N/A | | | | |
| Completed by: | Ann Rhodes (Strategy Officer) | | | |
| Date | 14 November 2019 | | | |
| Signed off by: | | | | |
| Date | | | | |
| Equality Lead/Manager sign off date: | | | | |
| To be reviewed by: (officer name) | | | | |
| Review date: | | | | |

Report Number: SWT 104/19

Somerset West and Taunton Council

SWT Full Council - 3 December 2019

North Taunton Woolaway Project

This matter is the responsibility of Executive Councillor Member Francesca Smith

**Report Author: Jane Windebank – Development Manager, Commercial Investment
Richard Wiseman – Programme Manager, Commercial Investment**

1 Executive Summary / Purpose of the Report

- 1.1 The regeneration of the North Taunton Woolaway Project is an essential part of the Council's commitment to offer a choice of good quality homes for our residents, whatever their age and income, in communities where support is available for those in need. The proposals identified in this Report will assist the progression of vacant possession of Phases B – E in a timely manner.
- 1.2 This Project is the most substantial regeneration scheme of the Council's stock in many years. Not only is this scheme land led by us (rather than a partnering HA), it is larger in scale (number of homes, m2 of land) and tackles some of our worst performing stock in one of the most socially deprived areas in our County. It is the flagship housing project of our entire housing development programme.
- 1.3 The estimated proposed funding of the regeneration of the North Taunton Woolaway Project is in the region of £45 million and was approved by Shadow Council in February 2019. This was based on a number of assumptions and indicative costs. These assumptions include:
 - 1.3.1 Development Programme of 5 phases over 10-12 years to support the decant of existing residents and enable each phase to be assessed against housing need, affordability and mitigate any future changes which may affect the scheme proposal and financing;
 - 1.3.2 Estimate for Price Inflation and other market factors such as construction costs, rental income, interest rates, rise in house prices etc.
 - 1.3.3 Costs of indicative designs subject to planning approval;
 - 1.3.4 No allowance for contamination or remediation works
 - 1.3.5 Indicative housing type and tenure mix, estimated budget including provision of a range of affordable housing tenures including social rent, affordable rent

and options for residents who aspire to home ownership.

- 1.4 A supplementary budget of £7.2 million was approved by Shadow Cabinet in February 2019 for Phase A based on estimated and indicative costs. Phase A is completely social rented tenure type properties, providing new homes to existing residents within the regeneration area. It also includes the Community Centre; a shared facility for tenants to meet and a space for community activity.
- 1.5 The Project is providing a prudent and proactive approach to addressing the stock condition issues of the Councils' poorest performing assets.
- 1.6 This Report seeks approval for a further supplementary budget drawn down from the £45 million to:
 - 1.6.1 Acquire the remaining private owned homes in the Project area to achieve vacant possession of the scheme, thus alleviating the requirement for timely and costly Compulsory Purchase Orders;
 - 1.6.2 Progress the enabling works and Reserved Matters planning submission for the remaining phases to decrease the time in which it takes to complete the regeneration, and;
 - 1.6.3 To fund the additional costs in Phase A which are explained further in this Report.

2 Recommendations

The Executive recommends to Full Council to:

- 2.1 Delegates the decisions to progress the enabling works for the remaining Phases to the Director of Housing in consultation with the Portfolio Holder for Housing;
- 2.2 Delegates authority to the Director of Housing to negotiate and agree the purchase of the 19 private owned homes within Phases B – E of the North Taunton Woolaway Project area;
- 2.3 Approves a supplementary budget of £5.7 million for Phases B – E of the North Taunton Woolaway Project;
- 2.4 Approves an additional supplementary budget of £1.5 million for Phase A of the North Taunton Woolaway Project increasing the budget for Phase A from £7.2 million to £8.7 million.
- 2.5 The budgets will be funded utilising a combination of capital receipts, Social Housing Development Fund revenue contribution, and capital borrowing. Council delegates the final funding arrangement to be determined by the S151 Officer in line with the Council's capital and treasury strategies, prioritising affordability for the Housing Revenue Account set out in Table 2 below.

3 Risk Assessment

Phase A

- 3.1 Additional funding is required to cover the higher than originally estimated costs associated with gaining vacant possession of the site, additional professional services to provide expert reports required to clear planning conditions and likely increase (compared with original cost consultant estimates) in build costs for Phase A. If the additional funding is not provided, there will be insufficient funds to complete this phase of the project. Cost estimates will continue to be professionally verified by our appointed cost consultant. Value engineering is not preferred but would be undertaken as part of the contractors duties with client approval, and any underspend would be carried forward to future phases.

Phases B – E

- 3.2 Should the Council not wish to purchase the private properties now but insist home owners wait until their home is required under the phasing programme, this would increase the risk of not being able to provide a vacant site. The home owners would be subject to the conditions of the housing market at that time which could include changes in interest rates, availability of mortgage finance, open market value of homes, choice of homes on the market etc. By providing a longer period of time to find their new home, home owners are able to purchase a home of their choice and take advantage of market conditions. This could also reduce the risk of having to apply for a Compulsory Purchase Order and will provide vacant possession of these properties in a timelier manner.
- 3.3 The viability and success of a development site depends on major issues such as planning permission, highways agreements and environmental investigations and other issues that may cause significant delay, or even preclude successful development, such as obtaining vacant possession of the site. Failure to provide vacant possession could leave the Council open to a contractor seeking specific performance, litigation, damages, and rescission of the build contract or significantly delays in the build programme.
- 3.4 A home loss payment is a statutory payment made to compensate tenants for having to permanently move out of their home. Tenants must submit a claim to the Council for their home loss payment within 6 years of their move. The Decant Policy states that home loss payments will be paid within 3 months of an eligible tenant making a claim, in line with good practice. Tenants are likely to submit their claim immediately after they have moved home and the Council would not be able to meet their statutory obligations for payment.

4 Background and Full details of the Report

4.1 Background

- 4.2 The Shadow Council in February 2019, approved the redevelopment of the North Taunton Woolaway Project (the Project) following the Structural Engineering report carried out in 2013 and the Report Addendum dated 2016. The 2013 report highlighted that the Woolaway units were showing signs of deterioration. The Addendum Report, following further investigations during the demolition of the Woolaway units at Rockwell Green, confirmed the units were in a worse condition than identified in the 2013 report.
- 4.3 Woolaway homes were Designated Defective under the Housing Defect Act 1984. This does not mean Woolaway units are unsafe, it just prevents any more of this house type being built.

- 4.4 The existing site comprises of 212 Woolaway homes of which the Council retain ownership of 167 and 45 have been purchased through the Right to Buy. A breakdown of the properties is set out below in Table 1:

Table 1: Tenure of North Taunton Woolaway Project Area

| | In TDBC Ownership | In private ownership | Total |
|---------------------------|--------------------------|-----------------------------|--------------|
| Existing Woolaway Homes | 167 | 45 | 212 |
| (Acquire) & Demolish | 140 | 22 | 162 |
| Refurb | 27 | * See note | 27 |
| Newbuilds | 226 | | 226 |
| Total Proposed | 253 | 23 | 276 |
| Net Increase in SWT stock | | | 86 |

*23 homes in private ownership excluded from planned works

- 4.5 The aim of the Project is to work with the community to bring forward a phased regeneration scheme, reducing the time to final completion of all phases. Detailed planning permission for Phase A and outline planning permission for Phases B – E was approved by the Planning Committee in March 2019.
- 4.6 Phase A will deliver 47 new homes and the outline planning permission will deliver up to 230 new build Council homes and refurbish 27 existing Council homes. The indicative scheme will provide a net increase of 86 Council homes.
- 4.7 The mix of homes is indicative at this stage for Phases B - D and will be reviewed prior to submitting Reserved Matters applications for subsequent phases. The intention is to undertake the Project in five phases (Phases A – E), to support the decant requirements of existing residents and enable each phase to be assessed against changes in housing need, affordability to mitigate against any future changes which may affect the scheme. Phase E is the refurbishment of Councils' Woolaway properties rather than new build.
- 4.8 The total cost of the whole North Taunton Woolaway project as presented in the February Report is estimated to be in the region of £45m. This was based on a number of assumptions and indicative costs which are explained in 1.3 above.
- 4.9 A budget of £7.2M to deliver Phase A was approved in February 2019.
- 4.10 Owing to the complexities and size of the scheme the build period was estimated at around a 10 – 12 year programme. However this is currently being reviewed and a further report will be presented to the Council next year setting out options to accelerate the delivery of the development for consideration.

4.11 **Key Achievements**

North Taunton Woolaway Project Masterplan (Phases B – E) Update

- 4.12 Outline planning permission with all matters reserved was granted unanimously by

Planning Committee on 27th March 2019 for the replacement and refurbishment of 186 Woolaway homes and the erection of additional dwellings to provide up to 230 dwellings within Phases B - E.

- 4.13 The proposed scheme has been based on extensive consultation with the community, involving every household as far as possible. A Design Group was formed consisting of 20 residents comprised of home owners and tenants to review the design of the scheme and house types.
- 4.14 The indicative housing mix includes a range of property sizes and types in line with the results of the consultation. The inclusion of 1 bedroom and 5 bed roomed properties, along with an appropriate level of fully adapted disabled units, provides a broader mix than the current housing types to meet the current and future local need.
- 4.15 The Design Group has now evolved into the Implementation Working Group which used to meet monthly but since October 2019 meets bi-monthly with the Project Team. This was at members' request due to the increased trust that the members had in the project team to deliver the Phase A project. Terms of Reference have been agreed with the purpose of the Group being to review the implementation of the Project and to provide feedback to the Project team, helping to shape the way that the Project is delivered and maximising the positive impact upon the community.
- 4.16 The Project has been shortlisted by the Royal Town Planning Institute for a regional award in planning excellence for Community Involvement. These awards celebrate projects and people who have helped create exceptional places and improved the lives of those who live and work there; highlighting how planning and planners work to create a safe, healthy and sustainable future. Just to be nominated for this prestigious award is a clear demonstration of the quality of the Project. A site visit and presentation took place in September 2019 where three members of the Implementation Working Group attending and supporting the Project.
- 4.17 Various skip days have been arranged for residents to be able to prepare for their decant to another property and to assist vulnerable tenants who are unable to remove their rubbish by themselves. The last skip day was in August 2019 where 2 x industrial sized Viridor skips were filled and removed; 3 x van loads of metal was recycled and the DLO cleared 3 x van loads for vulnerable tenants.

Phase A Update

- 4.18 Planning permission was granted for Phase A unanimously by Planning Committee on 27th March 2019. The scheme was presented to the Design Review Panel and received very positive comments. The Panel considered that the design and community consultation process undertaken had been extremely rigorous and is considered to be outstanding and the design has the full potential to be exceptional.
- 4.19 Vacant possession of Phase A has almost been secured. This has involved decanting 23 council tenants and purchasing 3 privately owned properties. Only one privately owned property remains but acquisition of this home is almost complete.
- 4.20 As part of the decant process, 10 tenants have downsized and 2 tenants to have moved to more accessible accommodation whether it has been a move to a bungalow or a property with better level access. This has improved their quality of life as they were previously only able to enjoy part of their home or unable to easily access their

community due to stepped access to their home.

4.21 Procurement for the demolition and construction of the homes and community centre build of Phase A is well advanced. We have completed our specification, employers' requirements, detailed drawings and procurement strategy. We are now in the process of appointing a main contractor and demolition contractor through competitive procurement exercises.

4.22 **North Taunton Woolaway Masterplan Budget Details**

Private Homes

4.23 There are 22 homes in private ownership requiring acquisition to achieve vacant possession of the Project Scheme area. Table 2 below sets out the number of private owners in each Phase.

Table 2: Number of Private Home requiring Acquisition within each Phase of the North Taunton Woolaway Project

| Phase | No of Private Homes |
|----------------------------------|----------------------------|
| Phase A | 3 |
| Phase B | 1 |
| Phase C | 7 |
| Phase D | 11 |
| Phase E (Refurbishment Phase) | 0 |

4.24 The Phase A private homes are in the process of being purchased. The Council has also purchased 7 additional private homes in future phases of the Project together with purchasing additional homes from the open market in the North Taunton area to assist with the decant process. These additional purchases have been secured via the buy backs programme funded by the Social Housing Development Fund (SHDF) to ensure the Council could benefit from these opportunities as they presented themselves within an approved Council process.

4.25 The benefit of the Council purchasing these additional private properties and the remaining private homes within the Project, prior to them being required under the phasing programme, reduces the risk of not achieving vacant possession of the site and identifies early within the process whether a Compulsory Purchase Order may be required. It will also reduce the financial risk for the Council should property prices increase in the future or as a result of the earlier phases of the regeneration.

4.26 Home owners in later phases (B – D) wish to sell their homes once they have found a suitable property to take advantage of the current market conditions. If they wait until their phase is being developed, they may not be suitable properties on the market

which they can afford. Funding is requested to reimburse the SHDF for the 7 private home purchases already completed (these costs were included within the £45M agreed estimated scheme budget) and enable the purchase of the 12 remaining homes together with the statutory home loss, disturbance allowance and relevant legal and professional fees which have been set out in Appendix B attached to this Report.

4.27 Once purchased the vacant homes can be used either as decant homes for North Taunton Woolaway Project tenants or temporary short lets. This will enable the Council to progress the regeneration of North Taunton sooner, enabling tenants to remain in the area during the development of the scheme and reduce security costs. The Council is currently working with voluntary agencies and the Customer Function who could make use of short term lets for individuals in housing need providing care packages to support their tenants' needs.

4.28 Council Tenants

4.29 A home loss payment is a statutory payment made to compensate tenants for having to permanently move out of their home and is fixed by Section 30 of the Land Compensation Act 1973. This figure is reviewed each September and at 2018/19 the payment amount was £6,300, from 1st October 2019 the payment amount is £6,400.

4.30 Under the Decant Policy for the North Taunton Woolaway Project, tenants are awarded gold banding in accordance with the phasing programme; that is, when their home is likely to be demolished within 12 months. The gold banding enables the tenant to bid on Homefinder Somerset for their permanent home or a decant home if they wish to return to a new build in the Project.

4.31 Some tenants, who are not in the current decanting phase, have been allocated new homes under Homefinder Somerset by virtue of their current status. The Decant Policy states that :

4.31.1 *'If a decision in principle has been agreed to refurbish, remodel, redevelop or dispose of a property, the Council may assist a tenant to move prior to a formal Council decision. In this situation where the Council has asked the tenant to move and a Council Officer is assisting a tenant to move, the tenant will be eligible for disturbance compensation payments. Also once the Council has made a formal decision then the tenant will become eligible for a home loss payment.'*

4.32 To date, 23 tenants who were in properties in Phases B – D have moved to a new home and are seeking payment of their home loss. Funding is requested for payment of these discretionary home loss payment and a provisional estimated sum for an additional 10 tenants who may move before they are awarded gold banding prior to the Report regarding the next Phase of North Taunton Woolaway Project due before Council next year.

4.33 For these tenants on limited income, financial hardship could be caused by having to wait until a formal Council decision regarding the next Phase of development. To mitigate this it is requested that Council approves the discretionary payment of 33 x home loss payments.

4.34 **Phase A Budget Request**

- 4.35 An additional supplementary budget of £1.5 million from the estimated total scheme budget is requested to cover the additional costs associated with the first phase of this flagship scheme. These costs were not included as part of the estimated costs for Phase A agreed in February 2019. The additional estimated costs are set out in Appendix A attached to this Report and include:
- 4.35.1 Expenses incurred in relation to the costs of the master-planning application for Phases B – E, which were not included in the original estimated budget for Phase A.
 - 4.35.2 An estimated increase in build costs based on revised cost estimates compared to those used to obtain the original estimated budget. These costs will remain an estimation until the tenders are returned for the Phase A scheme.
 - 4.35.3 The actual total acquisition costs of the 3 private owned properties within Phase A exceeded the estimated acquisition costs forecasted in the original budget but acquisition of those properties has been achieved without the requirement for Compulsory Purchase Orders. The purchase of these properties were in accordance with the appropriate processes and valuations.
 - 4.35.4 Increased costs in disturbance compensation as homeowners were entitled to claim compensation in accordance with the new Decant Policy which was not considered in the original budget. The level of disturbance compensation will vary from claim to claim and is dependent on the home owner's specific circumstances. The Council is required to pay for special adaptations previously assessed and required in the new property and the Council has incurred costs for significant disabled adaptations.
 - 4.35.5 Additional funding to cover expenditure that were not identified at the time of formulating and seeking approval for the original estimated budget. This includes the extension of consultant appointments and the appointment of new consultants to assist the internal Project team to resolve outstanding issues which require specialist knowledge. For example, the appointment of a Highways Consultant to resolve outstanding Section 278 Highway design and an Ecologist to produce a Wildlife Strategy to discharge a pre commencement condition for planning application 38/18/0465.
 - 4.35.6 Costs associated with preparation of replacement homes for tenants decanted from the scheme and the requirement to keep the Project area maintained to an acceptable standard in terms of appearance, community morale and security of properties that were not identified previously.
 - 4.35.7 The Project team is required to maintain the Project area to a suitable standard and to ensure the experience for households living in the area is not diminished as a result of the Project. As such, expenditure was required to provide suitable measures to secure the void properties and to cover the cost of security inspections via an external organisation during more problematic times of the year e.g. school holidays.
 - 4.35.8 Running costs associated with the Project Office at Rochester Road, including the planning application fees.

- 4.35.9 Increasing the amount of contingency for Phase A to better protect the financial integrity of the phase against further potential costs like those aforementioned and those that could be experienced during construction e.g. increased material costs, increased labour costs etc.

5 Links to Corporate Strategy

- 5.1 The scheme compliments the Council's Corporate Strategy 2020 - 2024 - Homes and Communities – to offer a choice of good quality homes for our residents, whatever their age and income, in communities where support is available for those in need.
- 5.2 The Project significantly increases the number of affordable and social homes in Taunton and will be built by the Council including a range of housing types to cater for single person, family, vulnerable and elderly households.
- 5.3 The Project compliments that strategy objectives within the Housing Revenue Account Business Plan 2016 – 2046 objectives:
- 5.3.1 **Providing Quality Homes.** We are committed to investing in our existing homes to deliver good quality of life for residents and value for the money spent, and to developing new homes that meet local needs.
- 5.3.2 **Supporting the most vulnerable.** We are committed to letting homes to people who have the fewest housing options, and will provide additional support that helps people who are older, disabled, or socially excluded to live comfortably in their council-owned home.
- 5.3.3 **Better Service.** We are customer and community focused and are committed to improving our services in line with what our residents have said matters to them. Our approach will support people to move through our social housing provision to cater for their changing needs and aspirations over time.
- 5.4 **A Stronger Business.** We will prioritise efficiency to support delivery of our social priorities and objectives. It sets out how we will improve our business practices, drive out value for money and pursue new activities.
- 5.5 Engaging and listening to our residents has been the primary driver and embedded in the project principles established at the initiation of this project. The key project principles are:-
- 5.5.1 Existing SWT residents within the scheme will be given the opportunity to remain on a social rent level.
- 5.5.2 Existing SWT residents within the scheme will be supported to downsize through the scheme design but retain the right to return to an equivalent size property within the new scheme.
- 5.5.3 The Project is underpinned by the SWT development aspirations and provide new, high quality and energy efficient homes.
- 5.6 The new development compliments The Vision for Taunton as a Garden Town, specifically the themes:-
- 5.6.1 Growing our town greener – quality of the environment. The scheme incorporates green spaces and play spaces and provides more street trees.

- 5.6.2 Growing Quality Places – quality of our places and neighbourhoods. The design of the scheme focuses on places and spaces with high quality homes, green streets and public spaces. The homes will be energy efficient and aim to incorporate sustainable technologies.

6 Finance / Resource Implications

- 6.1 The total cost of the whole North Taunton Woolaway Project as presented in the Report in February 2019 was estimated to be in the region of £45m as set out in Table 3 below modelled on the basis of delivering the scheme over a 10-year period.

| | North Taunton Woolaway project | Phase A (current approval) | Revised supplementary Approval requested | Total Revised approval |
|-----------------------------|--------------------------------|----------------------------|--|------------------------|
| | £ 000's | £ 000's | £ 000's | £ 000's |
| Total estimated cost | 45,000 | 7,200 | 7,165 | 14,365 |
| Funded by: | | | | |
| Right to Buy (RTB) receipts | 3,468 | 534 | 61 | 595 |
| Major Repairs reserve | 8,953 | 0 | 0 | 0 |
| External borrowing | 32,579 | 6,666 | 7,104 | 13,770 |

- 6.2 The Council agreed the estimated funding allocations in principle, and delegated authority to the Section 151 Officer to update this as the programme progresses in line with the Council's capital and treasury strategies, prioritising affordability for the Housing Revenue Account. Any such updates to the funding arrangements would be reported to Councillors through the normal financial reporting process.

| | Phase A approved Budget | Phase A forecast | Phases B - E Acquisition & enabling | Total revised budget Phases A-E |
|--|-------------------------|------------------|-------------------------------------|---------------------------------|
| | £ 000's | £ 000's | £ 000's | £ 000's |
| Build & Infrastructure | 5,666 | 6,371 | 0 | 6,371 |
| Vacant possession | 627 | 804 | 3,682 | 4,486 |
| Planning, Decant, enabling costs & professional fees | 257 | 828 | 1,759 | 2,587 |
| Contingency | 650 | 650 | 272 | 922 |
| Total | 7,200 | 8,652 | 5,713 | 14,365 |

- 6.3 The original Phase A budget required was based on high level estimates. The revised

costs, as identified in Confidential Appendix A, are the result of a more detailed Works cost provided by the Employers Agents, higher acquisition costs and clarity regarding professional fees and other on costs.

- 6.4 The supplementary budget relating to the Acquisition and Enabling costs for Phases B to E, are identified in Confidential Appendix B.
- 6.5 The revenue implications of the above have been included in the revised 30 year HRA business plan.

7 Legal Implications (if any)

- 7.1 Statutory Home loss and Disturbance payments will be made in line with legislative guidance and the North Taunton Woolway Decant Policy. As properties are anticipated to be purchased under, or 'under the threat of' the exercise of Compulsory Purchase Order (CPO) powers there is scope for utilisation of the HMG guidance on compensation payments.
- 7.2 Whilst the Council intends to work closely with each household and seek agreement to achieve vacant possession in the event an acceptable agreement cannot be sought, the Council approved in February 2019 the principle to utilise Compulsory Purchase Powers should vacant possession not progress. The CPO will be delegated to Executive in the event this is required.
- 7.3 If vacant possession cannot be provided to a contractor by the long stop date in the build contract, the Council will be at risk of litigation for specific performance under the contract and this will potentially have associated financial implications.
- 7.4 Section 11 (6) of the Local Government Act 2003 relates to the Council's ability to retain and use Right to Buy receipts to fund affordable housing.

8 Climate and Sustainability Implications

- 8.1 New build homes will be constructed to Part L of the Building Regulations which will substantially improve the thermal performance of the dwellings compared to the existing dwellings. Some dwellings currently have EPC ratings as low as band E.
- 8.2 The external wall construction will be upgraded and windows replaced to the refurbished homes which will increase the insulation, upping their fabric energy efficiency and improving the environmental performance of the dwellings.
- 8.3 The new development has been designed to take advantage of biodiversity opportunities in the neighbourhood such as planting trees and creating a new public open space.
- 8.4 The Project has enabled the Council to embrace and design a new garden community to incorporate the Garden Town Principles and safeguard the natural environment, providing areas of planting and open space whilst ensuring residents have access to suitable homes and facilities.
- 8.5 More energy efficient central heating will be installed to both the refurbished and new build dwellings.
- 8.6 Energy efficient lighting can be installed in the refurbished and new build dwellings and

water saving sanitary ware such as aerating taps and dual flush water cisterns will reduce the water consumption.

- 8.7 Progressing the Reserved Matters for Phases B – E will provide the Council with a further opportunity to review the plans to consider the impact of climate change and explore modern methods of construction and further built environment energy efficiency initiatives. Phases B – E already include the provision of electric vehicle charging points.

9 Safeguarding and/or Community Safety Implications

- 9.1 Through the design of the Project, tenants and residents will feel safe in the public realm and feelings of safety and security in the home due to the adoption of crime prevention measures in the new development.
- 9.2 Consultation with Police and other statutory authorities has already been undertaken as part of the planning application process. No implications arose thanks to the meticulous design and resident consultation that was undertaken to achieve planning permission.

10 Equality and Diversity Implications

- 10.1 An initial Equality Impact Assessment (EIA) was previously provided in February 2019.
- 10.2 The quality of the new housing being provided will help create and encourage better living environments for everyone. As a consequence, it is expected the health outcomes for the area will be improved as well as opportunities for reaching better educational outcomes for households.
- 10.3 The community space and open space will be accessible for all groups in the community reflecting the diversity of the local population, helping to bring people together and foster good relations between different groups.

11 Social Value Implications

- 11.1 The resident consultation phase of the Project has delivered social value through providing the opportunity for residents to be actively involved in the scheme design process and provide valued and informed contributions.
- 11.2 Social Value forms part of the selection criteria for the procurement of Phase A main contractor, and for future phases.

12 Partnership Implications

- 12.1 Any Project opportunities for partnership working with different organisations and agencies that enhance the benefits of the scheme will be explored as they arise. For example, NHS Talking Therapies have worked in partnership with us to provide a local presence for resident mental health and well-being. This has improved our tenant access to services, enabling them to receive support that they might not have otherwise accessed if not for the regeneration of the scheme.

13 Health and Wellbeing Implications

- 13.1 The Project as a whole has been designed to Nationally Described Space Standards to ensure properties are futureproofed and residents can benefit from some of the principles of lifetime homes and will contribute to the improve health and wellbeing of the residents.
- 13.2 Phase A includes a new community building to provide a focal point for local people to meet and enhance community spirit and interactions.

14 Asset Management Implications

- 14.1 The Housing (HRA) Asset Management Strategy 2016 reflects the challenges the Council faces and improving its focus on value for money for the Council and for our residents:
 - 14.1.1 **To promote sustainable local communities** through coordinated capital investment and housing management.
 - 14.1.2 **To work closely with residents** to ensure that their homes meet their needs and aspirations.
 - 14.1.3 **To invest in stock**, to achieve good quality and environmental standards and to ensure that all statutory obligations are met.
 - 14.1.4 **To ensure that stock secures and strengthens the financial viability** of the business plan and safeguards its long term future and the income stream it generates.
 - 14.1.5 **Deliver Value for Money** through targeting investment where it will have the best financial and social return.
 - 14.1.6 **To carry out options appraisals** on stock that does not meet the above criteria, exploring the widest range of alternative options to improve outcomes for residents and for our business plan.
 - 14.1.7 **To deliver investment programmes in an effective way**, achieving agreed quality and value for money.
- 14.2 Through the evaluation, the asset management model identified 4% of the total stock with an average Net Present Value which is negative. These were exclusively for the Council's Woolaway constructed properties, reflecting the anticipated need for major works to these properties in the medium term.
- 14.3 The HRA Asset Strategy 2016 recognised the Woolaway house type as the Council's lowest performing stock with a limited life expectancy and high future maintenance costs. Unless action is taken to address the structural defects, the properties will continue to deteriorate, increasing the problems of a poorly performing dwelling.
- 14.4 Providing new energy efficient, affordable homes with a range of property sizes will improve the living standards for residents to create a sustainable community of high quality homes. In addition, increasing the scheme density will generate greater income and make best use of the Council's assets.

15 Data Protection Implications

15.1 All personal data is held in accordance with GDPR regulations.

16 Consultation Implications

16.1 Community Engagement and supporting the residents affected by the scheme, have been at the forefront of the Project's ethos to regenerate the area.

16.2 Officers have held 1 to 1 interviews with residents achieving approximately 90% coverage. This is in addition to attending the Implementation Working Group monthly meetings to provide updates on the progression of the scheme. The Implementation Working Group comprises a group of local residents who are affected by the Project.

16.3 The Project office has been a very effective tool in breaking down barriers with the community and encouraging communication.

17 Scrutiny Comments / Recommendation(s)

17.1 The North Taunton Woolaway Project report was presented to Shadow Scrutiny on the 4th February 2019 and Shadow Executive 11th February 2019. At each meeting the Project and the report recommendations have been supported unanimously.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – Yes / No** (delete as appropriate)
- **Cabinet/Executive – Yes / No** (delete as appropriate) **20th November 2019**
- **Full Council – Yes / No** (delete as appropriate) **3rd December 2019**

Reporting Frequency: Once only Ad-hoc Quarterly

Twice-yearly Annually

List of Appendices (delete if not applicable)

| | |
|------------|---|
| Appendix A | CONFIDENTIAL Phase A Forecast Costs Compared to Approved Budget |
| Appendix B | CONFIDENTIAL Phases B – E Forecast Pre-Construction Acquisition and Enabling Costs |

Contact Officers

| | | | |
|-------------|---|-------------|---|
| Name | Rich Wiseman | Name | Jane Windebank |
| Direct Dial | 01823 217542 | Direct Dial | 01823 219520 |
| Email | r.wiseman@somersetwestandtaunton.gov.uk | Email | j.windebank@somersetwestandtaunton.gov.uk |

| | |
|-------------|--|
| Name | James Barrah |
| Direct Dial | 01823 217553 |
| Email | j.barrah@somersetwestandtaunton.gov.uk |

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

Document is Restricted

