

## SWT Scrutiny Committee

Wednesday, 12th June, 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.

Council Chamber - West Somerset  
House

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**Members:** Ian Aldridge, Sue Buller, Norman Cavill, Caroline Ellis, John Hassall, John Hunt, Marcus Kravis, Sue Lees, Libby Lisgo, Dave Mansell, Hazel Prior-Sankey, Phil Stone, Nick Thwaites, Danny Wedderkopp, Keith Wheatley and Gwil Wren (Chair)

### Agenda

**1. Appointment of Vice-Chairman**

**2. Apologies**

To receive any apologies for absence.

**3. Minutes of the previous meeting of the Scrutiny Committee**

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

**4. 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.)

**5. 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

(Pages 5 - 22)

before Councillors debate the issue.

- |  |                   |
|--|-------------------|
| <b>6. Work Programme Scrutiny</b>  | (Pages 23 - 26)   |
| <b>7. District wide Local Plan: Local Development Scheme. Report of the Strategy Specialist (attached).</b>                | (Pages 27 - 62)   |
| <b>8. District wide Local Plan: New Member Steering Group - Nominations. Report of the Strategy Specialist (attached).</b> | (Pages 63 - 70)   |
| <b>9. Statement of Community Involvement (SCI): Draft for Consultation. Report of the Strategy Specialist (attached).</b>  | (Pages 71 - 110)  |
| <b>10. Local Plan Issues Document - Approval for Public Consultation. Report of the Strategy Specialist (attached).</b>    | (Pages 111 - 136) |
| <b>11. Regeneration of Firepool Report. Report of The Head of Commercial Investment (attached)</b>                         | (Pages 137 - 150) |
| <b>12. Confidential Report. Report of The Head of Commercial Investment (attached)</b>                                     | (Pages 151 - 160) |

The following items are likely to be considered after the exclusion of the press and public because of the likelihood that exempt information would otherwise be disclosed relating to the Clause set out below of Schedule 12A of the Local Government Act 1972.



**JAMES HASSETT  
CHIEF EXECUTIVE**

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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](http://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](mailto:governance@somersetwestandtaunton.gov.uk)

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## Shadow Scrutiny - 14 March 2019

Present: Councillor P Murphy (Chairman)

Councillors S Coles, B Maitland-Walker, D Mansell, P Pilkington, R Ryan, N Thwaites, P Watson, R Woods and G Wren

Officers: Shirlene Adam, Neil Anderson, James Barrah, Paul Harding, Matthew Parr, Marcus Prouse and Clare Rendell

Also Present: Councillors P Berry, M Dewdney, A Hadley, L Lisgo and J Warmington

(The meeting commenced at 6.00 pm)

### 57. Apologies.

Apologies were received from Councillors C Booth, R Lillis and F Smith-Roberts.

### 58. Minutes of the previous meetings of the Shadow Scrutiny Committee.

(Minutes of the Meetings of the Shadow Scrutiny Committee held on 4 February 2019 and 5 February 2019 – circulated with the Agenda.)

**Resolved** that the Minutes of the Shadow Scrutiny Committees held on 4 February 2019 and 5 February 2019, with amendments, be confirmed as a correct record.

### 59. Declarations of Interest.

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

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr S Coles	All Items	SCC & Devon and Somerset Fire and Rescue	Personal	Spoke and Voted
Cllr D Mansell	All Items	Wiveliscombe	Personal	Spoke and Voted
Cllr B Maitland-Walker	All Items	Carhampton	Personal	Spoke and Voted
Cllr P Murphy	All Items	Watchet	Personal	Spoke and Voted
Cllr P Pilkington	All Items	Dunster	Personal	Spoke and Voted
Cllr P Watson	All Items	Bishops Lydeard	Personal	Spoke and Voted
Cllr G Wren	All Items	Milverton	Personal	Spoke and Voted
Cllr J Warmington	All Items	Bishops Lydeard & Cothelstone	Personal	Spoke

### 60. Public Participation.

No members of the public had requested to speak on any item on the Agenda.

## 61. Transformation and Implementation Plan

Considered report previously circulated, the purpose of the report was to provide an update on the Transformation Programme and the Implementation Plan.

The Programme Commentary provided an update on:-

- Phase Two Recruitment;
- Transition Resource;
- Workflows;
- Firmstep Training;
- Accommodation (Workstream Completed);
- Website;
- New Council;
- Technology and Process Design;
- People Workstream; and
- Current Roles to fill.

Within the Programme Commentary, an update on the priority tasks was presented to the Committee and included Phase Two Recruitment and Risk Areas.

The Implementation Plan Update highlighted the following for the period:-

- Finalising drafts of the 'phase 3' parts of the new SWT constitution - All chapters to be refined and consolidated before going to Shadow Council on 26 March for approval;
- Approval of 2019/20 budget and Council Tax;
- Council Tax, Non-Domestic Rate and Rent annual billing 2019/20 for SWT has taken place;
- Notified tenants, Council Tax payers, Rate payers and leaseholders of the change of Council;
- Worked with the DWP to ensure smooth transition to SWT with no impact on our customers or our HB subsidy;
- Finalised banking arrangements for SWT along with VAT registration confirmation;
- Car Parking – planning ticketing & Signage alterations;
- Preparations for the May elections; and
- Appointment of external auditor for SWT

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

- Concern was raised on the DLO redundancies and the recruitment process.  
*The DLO work force were only just going through their recruitment stage now and officers hoped that there would be a balance between the amount of redundancies and the retention of knowledge and experienced officers.*

- Further concern was raised on where the money was coming from to fund the redundancies as DLO were mainly from Taunton Deane Borough Council (TDBC), did that mean that TDBC would be paying the total cost. *The cost would be proportioned out between the Housing Revenue Account and the General Account. A full breakdown would be distributed to the Committee.*
- Members queried whether the Id Verde contracted officers were included in the process. *No they were not affected as they were contractors and outside the scope.*
- Concern was raised on the use of agency staff and whether there was a limit to how many the Council would use. Members furthered queried when all the posts would be filled. *There was no set limit for use of agency staff because officer workloads were constantly evolving, so agency staff were used to assist with that. Officers hoped that majority of the vacant posts would be filled by the end of March 2019, but some might take a bit longer.*
- Members hoped that all the vacant posts would be filled no later than the end of June 2019. *Officers agreed with the statement.*
- Member queried whether there were any 'trouble shooting' systems set up to monitor the new technology that had been implemented. *There wasn't a 'trouble shooting' system in place, however, it was part of the process and officers would track and report back with any issues.*
- Concern was raised on why the DLO work force had been included in the Transformation Project. *The DLO work force had been added as part of the authority wide Transformation Project and the DLO work force were a massive part of the front facing function of the Council.*
- Concern was raised on the financial risk reported on the unforeseen reduction in funding. *That risk had been identified earlier in the year and was based on the uncertainty of what the Council grants were likely to be and the impact on the budget. The risk had now been closed since the Council Tax had been set.*
- Concern was raised on the lack of resource in the Planning Department. *Officers would provide a written answer to the Committee.*
- Members requested clarification on the terms waterfall and scrum. *An explanation was given to the Committee.*
- Concern was raised on the technology used for Members and whether it was adequate for the role. *Officers would check on the issues raised.*
- Concern was raised on what information Members could give whilst out canvassing. *Officers suggested that Members used the Member Case Manager for any queries they needed assistance with.*

**Resolved** that the Shadow Scrutiny Committee noted the update report.

## 62. **Revised Corporate Equalities Objectives for the New Council**

Considered report previously circulated, which advised that both TDBC and WSC were partners on the Somerset Equalities Officers Group (SEOG) which had suggested five Equality Objectives which they recommended all the District Councils should consider and sign up to.

The five Objectives were:-

**Objective 1:** Councillors and officers would fully consider the equality implications of all decisions they made.

**Objective 2:** Those with protected characteristics feel empowered to contribute to the democratic process and any Council activity that affected them; their input was used to inform the planning and delivery of services.

**Objective 3:** Communities with protected characteristics were able to access services in a reasonable and appropriate way.

**Objective 4:** Actions were taken to identify and reduce any inequalities faced by our staff or our potential employees.

**Objective 5:** To work in partnership to empower and enable communities to tackle identified inequalities including:

- Improve the opportunities for integration and cohesion.
- Improve understanding of mental health and access to support.
- Work with the Gypsy and Traveller community to improve the provision of pitches.
- Work with communities and voluntary sector groups to address inequalities experienced by low incomes families and individuals.

The Objectives aimed to improve the lives of the residents in the District and support the Council's legal requirements outlined in the Equality Act 2010 and the Public Sector Equality Duty 2011.

During the discussion, the following points were raised:-

- Members requested clarification on whether the Council had a policy and that would include more detailed objectives.  
*Yes that was correct.*
- Members queried the equality implications and when they received reports there would be an equality impact assessment.  
*Yes that was part of the action plan so officers could monitor and implement.*
- Concern was raised on Objection Three and that it could be interpreted in different ways.  
*The Officer was happy to take suggestions on the wording and gave an explanation to the Committee.*
- Members were happy to see the impact assessments included and that they would strengthen the rigour of the reports presented to Members.
- Members queried whether there would be a monitoring officer for each department.  
*No, the Performance and Governance Function would monitor.*

**Resolved** that the Shadow Scrutiny Committee recommended:-



- 1) To adopt the refreshed Corporate Equality Objectives that now included the SEOG Equalities Objectives that had been subject to extensive public consultation;
- 2) That officers of the Council would work together to identify the actions that they would take to deliver the Objectives and those would be reported back to Scrutiny during 2019/20; and
- 3) That officers work on a refreshed 'equalities policy', and that this be brought back to Scrutiny during 2019/20.

63. **Assets of Community Value Policy and Process**

Considered report previously circulated, the purpose of the report was to consider the Asset of Community Value Policy and Process for the New Council.

During the discussion, the following points were raised:-

- Members requested clarification on whether after five years, they would need to renew the asset.  
*Other Members confirmed that yes a renewal needed to take place and should be included as part of the process. The Officer would add that into the document.*
- Members highlighted that a request for Ward Members support had not been included.  
*That would be added to section 6.4 of the report.*
- Members highlighted the timings used within the report and that Ward Members normally had five minutes to speak at meetings.  
*That would be amended.*
- Members queried how the process would work within the unparished area of Taunton.  
*Community groups could submit an application, not just for Parish or Town Councils.*
- Members queried whether the community group had to be from the area the asset was located.  
*No they could apply for any asset.*

**Resolved** that the Shadow Scrutiny Committee reviewed and approved the proposed Asset of Community Value Policy and Process.

64. **Shadow Scrutiny Work Programme.**

Considered the Scrutiny Work Programme previously circulated.

Members were reminded that if they had an item they wanted to add to the agenda, that they should send their requests to the Governance and Democracy Specialist.

During the discussion, the following point was raised:-

- Members had a discussion on whether to hold a meeting in April 2019 to have a formal report presented on the Transformation Project.  
*The recommendation was voted against.*

**Resolved** that the content of the Work Programme be noted.

(The Meeting ended at 7.55 pm)

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## Scrutiny Committee - 5 March 2019

Present: Councillor S Coles (Chairman)

Councillors F Smith-Roberts, N Cavill, E Gaines, A Gunner, R Henley, R Lees and L Lisgo

Officers: Shirlene Adam, Brendan Cleere, Catrin Mathias, Marcus Prouse, Clare Rendell and Andrew Stark

Also Present: Councillors P Berry, C Booth, D Durdan, H Farbahi, R Habgood, J Horsley, I Morrell and F Smith

(The meeting commenced at 6.20 pm)

### 48. **Apologies.**

Apologies were received from Councillors J Blatchford and T Hall.

### 49. **Minutes of the previous meeting of the Scrutiny Committee.**

The minutes of the meeting of the Scrutiny Committee held on 15 January 2019, were taken as read and signed.

### 50. **Declarations of Interest.**

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

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr S Coles	All Items	SCC & Devon and Somerset Fire and Rescue	Personal	Spoke and Voted
Cllr N Cavill	All Items	West Monkton	Personal	Spoke and Voted
Cllr E Gaines	All Items	Wiveliscombe	Personal	Spoke and Voted
Cllr R Henley	All Items	Wellington	Personal	Spoke and Voted

### 51. **Financial Monitoring 2018/19 as at 31 December 2018**

Considered report previously circulated, which provided an update on the projected outturn financial position of the Council for the financial year 2018-19 (as at 31 December 2018). This was expected to be the last progress report to Taunton Deane Borough Council's (TDBC) Scrutiny and Executive this year.

The current revenue forecast outturn for the financial year 2018-19 was as follows:-

- The General Fund Revenue Outturn was forecast a net underspend of £124,000.
- The Housing Revenue Account was forecast an underspend of £356,000.

The current capital forecast position for 2018-19 was as follows:-

- The General Fund capital account was forecast a spend of £9,594,000 against a total Programme budget of £76,082,000 with £49,892,000 forecast to be spent in future years (£16,611,000 spent in previous years).
- The Housing Revenue Account capital account was forecast a spend of £9,086,000 against a budget of £17,686,000 with £8,610,000 forecast to be spent in future years.

The General Fund reserves forecast balance as at 31 March 2019 was projected to be £2,088,000. The balance remained above the recommended minimum reserves level approved in the Council's Budget Strategy.

The Housing Revenue Account Reserve forecast balance as at 31 March 2019 was £2,428,000, which was above the recommended minimum level set within the Council's Budget Strategy and Housing Revenue Account Business Plan.

During the discussion, the following points were made:-

- Members thanked the officer for the final report for TDBC Scrutiny Committee and agreed that it was a moment to celebrate.
- Concern was raised on the figure used for car parks in the summary of significant forecast variance. Further concern was raised that the loss of revenue could be due to equipment malfunction and customers being allowed to exit the car parks for free.  
*The figures were based on the previous financial year. The delay in the introduction of the 'pay by foot' scheme had created a shortfall.*
- Concern was raised that Members had requested the figures for B&B expenditure months ago and had only now received them. Further concern was raised on the figures and the use of agency staff within the housing department.  
*The Interim Finance Manager advised that the Housing Department acknowledged the problems faced by the homelessness section and had contracts with the B&B's in the area but they were aware that they needed to apply for grants and produce new strategies to help reduce homelessness in the area.*
- Members highlighted that there was a national problem with homelessness and requested the figures on how many were being housed in B&B's within the Taunton area and wanted reassurance that TDBC were not housing customers in hotels miles away in other counties.  
*The Interim Finance Manager was not aware of any TDBC customers being housed in B&B's outside the area.*
- Further reassurance was requested by Members that TDBC were not housing customers from outside the area in B&B's in Taunton.  
*The Interim Finance Manager would distribute the figures to the Committee.*
- Concern was raised on the recruitment within the Asset Management Department and queried what would happen in the new structure.

*The department had used agency staff to assist during the transition phase and hoped that the new job roles would be recruited to within the new structure.*

- Members suggested that potential income from recycling had not been utilised. Plastics were a commodity and could produce additional income. *The Interim Finance Manager highlighted that recycling had shown an additional income. However, it was hoped that in the New Council, the contract could include an increase in plastic recycling, but new vehicles would be required. The Household Waste Recycling Centres had been accepting different types of plastic for a while. The Portfolio Holder for Environmental Services highlighted that Somerset was ahead of the curve on recycling figures but agreed we still had a way to go.*
- Concerns were raised on both the Deane Helpline and the DLO Trading Account and that there were overspends on both. *The Deane Helpline needed to be manned 24 hours a day and had some staff off on long term sick which had been covered by agency staff. The DLO Trading Account overspend was mainly due to the damage to the poly tunnels during the period of bad weather in 2018.*

**Resolved** that the Scrutiny Committee noted the Council's forecast financial performance for 2018-19 financial year as at 31 December 2018.

52. **Spotlight Review into Crime and Anti-Social Behaviour in Taunton Town Centre (Report of the Chairman of the Task and Finish Cllr Ian Morrell)**

Considered the report, that set out the findings of the Task and Finish Group charged to review crime and anti-social behaviour in Taunton's town centre and adjacent urban areas.

During the discussion, the following points were made:-

- Concern was raised on the delay in the report being distributed to the Committee. Further concern was raised that they had not been given enough time to read the report thoroughly enough to be able to debate the subject matter.
- Members suggested that the report be deferred and be taken to the Shadow Scrutiny Committee to allow time to read the documents.
- The Governance and Democracy Specialist advised the Committee that extra time could possibly allow for officer involvement in the report.
- The Chair of the Task and Finish Group understood their concerns and advised the Committee that the report had been included in the agenda because it was the last Scrutiny meeting for TDBC.

**Resolved** that the Scrutiny Committee recommended:-

- 1) To defer the consideration of the report and requested that it be considered at Shadow Scrutiny on 14 March 2019 if possible;
- 2) That the report be further defined with the input of the rest of the Task and Finish Group and Scrutiny Officer, along with other standard reporting conventions such as an Equalities Impact Assessment to be completed if possible; and

- 3) To invite other officers to provide initial feedback on the report if possible in the timescales.

53. **Update on Preventative Measures for Unauthorised Encampments / Incursions on Open Spaces**

Considered the update presented to the Committee on Tackling Unauthorised Encampments.

The Executive Director presented information on the background and activity over the past two years, which included:-

- Number of issues over the last two years;
- Cost of clean-up;
- Actions taken, which included legal notices, bollards being installed, along with other works to prevent vehicular access; and
- Works planned, which included landscaping works along with the above mentioned actions taken.

During the discussion, the following points were made:-

- Members queried whether bollards were the best answer to prevent vehicular access and suggested that a large boulder could be used instead.  
*The local residents had made the same suggestion but it was decided that it was not the best fit because access was still required to maintain the area.*
- Concern was raised on the timescales used for the works to be completed in.  
*The Executive Director advised that they hoped the works would be completed by Easter 2019 and that they were working with residents to ensure that.*
- Members highlighted the alternative access route used at Blackbrook that had caused issues previously.  
*The Executive Director would go back and discuss with officers to find a solution.*
- Members requested assurance that the solutions used were the best fit for the area and to make it as difficult as possible to access the sites.
- Concern was raised about the lack of communication with the residents and Members requested that needed to be improved.
- Members queried how much the scheme had cost and where the money had come from.  
*The scheme had cost approximately £15,000 - £20,000 and it had come from the open spaces budget.*
- Members requested an update on other sites that had previously been used.  
*The Executive Director would give an update at future meetings.*
- Concern was raised that the legal procedures and the development of the strategy could cause displacement.
- Members queried whether there was still an out of hours contact they could use to report unauthorised encampments.

*Yes, the out of hours contact was still in place and was manned by the Deane Helpline. There was extra staff support provided over the bank holidays, but officers were aware that there were still delays in legal support due to the offices being closed over weekend periods.*

- Members acknowledged it was a good start and appreciated the work the officers had done on the scheme.

**Resolved** that the Scrutiny Committee noted the update report.

(The Meeting ended at 8.20 pm)





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WEST SOMERSET COUNCIL  
Scrutiny Committee 14.02.2019

## SCRUTINY COMMITTEE

MINUTES OF THE 14 FEBRUARY 2019

AT 3.30 PM

COUNCIL CHAMBER - WEST SOMERSET HOUSE

### Present:

Councillor P Murphy

Chairman

Councillor N Thwaites  
Councillor R Clifford  
Councillor S Dowding  
Councillor R Lillis

Councillor J Parbrook  
Councillor P Pilkington  
Councillor R Woods

### Members in Attendance:

Councillor M Dewdney  
Councillor A Hadley

Councillor B Maitland-Walker  
Councillor A Trollope-Bellew

### Officers in Attendance:

Marcus Prouse  
Clare Rendell  
Andrew Stark

#### SC32 **Apologies.**

No apologies were received.

#### SC33 **Minutes of the previous meeting of the Scrutiny Committee.**

(Minutes of the Meeting of the Scrutiny Committee held on 6 December 2018 – circulated with the Agenda.)

**RESOLVED** that the Minutes of the Scrutiny Committee held on 6 December 2018 be confirmed as a correct record.

#### SC34 **Declarations of Interest.**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:-

Name	Minute No.	Description of Interest	Personal or Prejudicial or Disclosable Pecuniary	Action Taken
Cllr P Murphy	All items	Watchet	Personal	Spoke and voted
Cllr J Parbrook	All items	Minehead	Personal	Spoke and voted
Cllr P Pilkington	All items	Timberscombe	Personal	Spoke and voted
Cllr B Maitland-Walker	All items	Carhampton	Personal	Spoke
Cllr A Trollope-Bellew	All items	Crowcombe	Personal	Spoke

Councillor P Murphy further declared an interest in Agenda Item 5 as he is the Chair of the Watchet Coastal Community Team.

**SC35 Public Participation.**

No members of the public spoke at the meeting on any items on the agenda.

**SC36 Chairman's Announcements.**

The following items were raised by the Chairman:-

- The Chairman advised Members that the report on the East Quay, which was discussed at Shadow Executive held on Monday 11 February 2019, was on the agenda for West Somerset Full Council scheduled for Wednesday 20 February 2019 and there would be a Member Briefing at 3.00pm prior to the meeting to allow Members to clarify any matters before the public debate.
- The Watchet Coastal Community Team had submitted a bid to Place Based Social Action Work. They secured their bid for £249,000 and were one of the ten groups in the country to be successful out of twenty who got through the first phase. This would deliver benefits for Watchet and the wider district.
- The Chairman highlighted that a question had been raised in Minute Number SC28 from the previous meeting on Invest to Save which had not been answered and the Committee were still awaiting a written answer.

**SC37 Financial Monitoring - 2018/19 as at 31 December 2018**

The report WSC 3/19 was presented by Councillor M Dewdney.

The report provided an update on the projected 'outturn' – end of year – financial position of the Council for the financial year 2018/19 (as at 31 December 2018).

The current forecast outturn for the Revenues Budget was a net underspend of £380,000.

The General Fund reserves forecast balance as at 31 March 2019 was projected to be £964,000. The balance remained above the recommended minimum reserves level approved in the Council's Budget Strategy (£700,000).

The Earmarked Reserves projected balance was £3,748,000 after any transfers to and from earmarked reserves during the year. The majority of

those reserves were allocated to business rates funding volatility (£1,290,000), Strategic Housing Market Area Assessment (£576,000), Planning Policy (£137,000), Asset Maintenance and Compliance (£207,000), Sustainability (£168,000) and Creating a New Council/Transformation (£836,000).

The current forecast position for the General Fund Capital Programme in 2018/19 was projected to overspend by £15,000 against a total approved budget of £13,905,000. Forecast spend during the year was £2,137,000 with £10,037,000 projected to be spent in future years.

During the discussion, the following points were raised:-

- The Chairman highlighted that section h) in paragraph 5.4 of the report needed to be removed as it had been repeated.
- Members requested that the wording be amended in Appendix B from East Wharf to the East Quay.  
*The wording would be amended and clarification was given on why the reserve was required.*
- Concern was raised on Non Domestic Rates (NDR) and that although the rates generated an income, it was stored away. Members queried whether there would be a time when the rates could be used as a business stream for the Council.  
*The Interim Finance Manager advised the Committee that although the Government proposed 100% rates retention, that did not mean that every penny raised would stay within the area. Officers had made assumptions in their calculations but the future was unknown for NDR. The Ministry of Housing, Communities and Local Government had released a consultation document on the future of NDR which the Council would respond to.*
- Members queried why the Server Refresh and JMASS ICT Transformation had still be included in the Capital Programme in Appendix B.  
*The question had been raised at the previous Shadow Scrutiny Committee and a written answer would be distributed.*

**RESOLVED** that the Scrutiny Committee noted the Council's forecast financial performance as at 31 December 2018.

### **SC38 Parking in West Somerset Task and Finish Group**

The report WSC 4/19 was presented by Councillor J Parbrook as the Chair of the Parking in West Somerset Task and Finish Group.

The purpose of the report was to set out the findings of the Task and Finish Group charged by the Scrutiny Committee to review West Somerset Council's Parking Strategy, with the expiry of the previous Strategy in 2011 and to prepare in advance of the work due to take place under the new combined Council to review the Strategy across the entire area.

During the discussion, the following points were raised:-

- The Chairman advised the Committee that the report would go to Cabinet on 6 March 2019 and not Full Council.

- Members congratulated the Task and Finish Group for the work they had achieved.
- Members queried the use of funds to 'up staff' the parking wardens as they were employed by Somerset County Council (SCC).  
*The proposal was to request that SCC employed more officers, not for the New Council to fund them.*
- Members queried the installation of electric vehicle charging points and would there be a charge for their use.  
*Yes, officers would look to charge for their use and generate some income. There were also Government grants available to assist with the cost.*
- Members queried whether the New Council could manage some of the parking areas in Minehead that were currently managed by SCC. Members had noticed a difference in the ability to arrange events in some of those parking areas along with the different charges.  
*There was supposed to be uniformity on the parking charges across the areas managed by SCC and those managed by West Somerset Council (WSC).*
- Members were pleased to see that the majority of car parks were in good condition.
- Members acknowledged there were issues with boundary ownerships, which made it difficult to arrange repair works.
- Concern was raised on the car park expenditure.
- Members were reassured that all the dangerous issues, that had been highlighted through the work of the group, had been addressed.
- Members highlighted that some of the recommendations would depend on the SCC parking review and on-street parking issues.
- Members suggested the introduction of tourist zones when the parking charges were calculated.
- Members acknowledged that some of the parking incentives had not been publicised, which meant that they had not been utilised to their full potential.
- Concern was raised on the size of parking bays as they did not reflect the increase in size of the modern day vehicle.  
*The size of bays had been noted and would be addressed.*
- Members agreed that blue badge holders should be charged a nominal fee for parking, but that it did not help with the on-street parking issues.
- Members highlighted that some car parks were located near campsites and that the recycling bins stored in the car parks should be retained as they encouraged campers/users to recycle.
- Members highlighted that strategic investment was needed.

The Group was aware of the fact that Transformation had impacted on the levels of capacity within the organisation. They hoped that the recommendations would be supported by the Cabinet and that they would be actioned as swiftly as possible and taken forward under the New Council.

**RESOLVED** that the Parking in West Somerset Task and Finish Group recommended the following:-

- 1) The success of car parks in encouraging vehicles to use them and thus take parked vehicles off the main streets of our towns and villages was adversely affected by the regulation or lack of it of on-street parking in the streets around the

perception of the charging regime which was seen as being expensive for users and poor value for money. It was also adversely affected by the haphazard approach to car park facilities including signage which lacked consistency and visibility.

- a) Engage constructively with SCC Highways in their county wide Parking Review and encourage the active involvement of Parish and Town Councils to examine the options for on-street parking to encourage more use, particularly by commuters of off-street parking.
  - b) To review the charging regime to retain seasonal charging where there was a significant difference in usage between summer and winter. To consider the part that reduction in car park charges could make to increasing off-road parking. Both of which to be considered as part of the combined parking strategy review for the New Council of Somerset West and Taunton.
  - c) To reconsider the charging for blue badge holders in car parks in the light of a perceived increase in on-street parking by blue badge holders after the introduction of charging for them. To be considered as part of the combined parking strategy review for the New Council of Somerset West and Taunton.
  - d) As part of the combined parking strategy review for the New Council of Somerset West and Taunton carried out a comprehensive assessment of signage to and signage within car parks so that facilities were identified within the car parks and that directions to town and village centres were clear. Also to ensure that accurate up to date terms and conditions were on both signage and the website as legal requirements of Traffic Regulation Orders.
  - e) As part of the combined parking strategy review for the New Council of Somerset West and Taunton identified suitable locations for electric car charging points within the main car parks of each settlement together with dedicated parking bays. Work with local communities to establish such charging points and to make such efficient arrangements to maintain them as necessary.
- 2) It was likely that the presentation of the car parking account currently did not meet the Government Transparency Code because the recharging of work to the car park account was incomplete which gave a false impression of the expenditure carried out in car parks and thus of the overall surplus or deficit attributable to the car park account. As part of the combined parking strategy review for the New Council of Somerset West and Taunton, carried out the following actions:-
- a) Establish new working and accounting practices such that routine maintenance tasks were commissioned by the car park team and set against car park income;
  - b) Ensure that 26% of car park income derived in Minehead and Watchet car parks was allocated to the Harbours account in the interests of greater transparency to reflect the use of car parks by those that used the Harbours;
  - c) A maintenance strategy was adopted forthwith as set out in Appendix C of the Strategy and a robust inspection regime was put in place to identify maintenance, Health and Safety and other issues which required action in the immediate and short term. Such action to be commissioned by the car park team and recharged to the car park budget.

- d) Where on-street parking abuse was identified which might contribute to the reduction of off-street parking, consideration should be given to funding extra on-street enforcement patrols.
- e) As part of the combined parking strategy review for the New Council of Somerset West and Taunton, consideration should be given to the conclusions and recommendations contained in the area conclusions section which formed a part of the Strategy document attached.
- f) Commence work to establish ownership and responsibilities for car park boundaries and establish contact with boundary owners to agree maintenance duties for the future. If necessary, increase officer capacity to undertake this work in a timely manner. Such work be chargeable to the car park account.
- g) The principle of charging users for our off-street car parks should be levied on a suggested calculation of the following charges being made up of operational costs including capital and put aside for routine and long term expenditure minus the income generated through charges.
- h) The Group recommends the New Council should consider some form of zoning in its charges e.g. urban, rural, tourist.
- i) The New Council as part of its review should look at those Car Parks that were currently free/non charging but owned by the Council to determine whether to bring these into line with charging regime or asset transfer to the community/appropriate responsible body.
- j) Consideration should be given to a “free after 3pm” offer in designated car parks to encourage use/behaviour patterns, help the town centre businesses and discourage on-road commuter parking. Care should be taken when publicising these initiatives.

**SC39 Closing of West Somerset Council Scrutiny Committee.**

As this was the final meeting of West Somerset Council Scrutiny Committee, the Chairman wished to thank all the officers and councillors for their hard work over the four years he had been Chairman of the Committee. He also thanked councillors for the way they had scrutinised the reports in a politically unbiased manner.

The Meeting closed at 5.10 pm

## Scrutiny Committee – Work Programme 2019/20

12 <sup>th</sup> June (WSH)	2 <sup>nd</sup> July (DH)	17 <sup>th</sup> July (DH)	7 <sup>th</sup> August (DH)	4 <sup>th</sup> September (WSH)	9 <sup>th</sup> October (DH)	TBC
Local Plan Issues Document – L. Higgins	Otterford Travellers Site – J Barraha	Voluntary and Community Sector Small Grants Annual Fund Review – C. Gale	Strategic Flood Scheme – Ann Rhodes	HPC Funding Strategy – M. Leeman		Leisure Operator Performance Update
Local Development Scheme – Paul Browning	Statutory Scrutiny Guidance – M. Prouse	2018/19 Financial Performance Report – P. Fitzgerald	Creech St Michael Neighbourhood Development Plan – Ann Rhodes			Social Value (Nov) – M. Leeman
Planning Cross Party Working Group – Paul Browning	Appointments to SRA Joint Scrutiny Panel – A. Randell	East Quay Wall Repairs – C Hall				
Statement of Community Involvement – P. Browning	Coal Orchard – J Barraha – Confidential Item	Insurance Tender – L Pocock				
Firepool – J Barraha	Scrutiny Work Planning Process and Task and Finish Protocol – A. Randell	SHAPE Legal Y3 & Y4 Report – C. Fraser				

Commercial Acquisition Confidential Report	- Appointment to Somerset Climate Change Strategy Task and Finish Group – G. Thompson					







## Somerset West and Taunton

### SWT Scrutiny – 12<sup>th</sup> June 2019

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

This matter is the responsibility of Executive & Full Council

Report Author: Paul Browning: Strategy Specialist

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

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

#### 2 Recommendations

- 2.1 With regard to the production of the District wide Local Plan, **Scrutiny Committee Recommendation to Executive is that:**
  - Executive approve the Local Development Scheme (enclosed as Appendix 1); and
  - in consultation with the Portfolio Holder for Planning and Transport delegate authority is given to the Head of Strategy to agree any necessary final amendments prior to its publication.

#### 3 Risk Assessment (if appropriate)

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

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

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

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

4.2 The need for Local Authorities to have “up-to-date” Local Plans was recently affirmed in the government’s National Planning Policy Framework (February 2019).

4.3 In accordance the Local Government (Boundary Changes) Regulations 2018, we must adopt a local development document under section 23 of the 2004 Act to apply to the whole of the area within a period of 5 years starting with the reorganisation date.

4.4 The LDS (enclosed as Appendix 1) thus takes account of national developments in planning policy and legislation and local changes. The aim is to publish:

- An “Issues” document (Regulation 18) document in Q2 quarter of financial year 2019/20 and consider responses.
- Publication of an “Options” style document (Regulation 18) in Q3 of 2019/20.
- Publication (Regulation 19) in Q2 of 2020/21.
- Submission Plan (Regulation 22) to Secretary of State in Q3 of 2020/21.
- Examination (Regulation 24) ie Public Inquiry with appointed Inspector-Q1 of 2021/22.
- Adoption Inspector’s Report, approval at Full Council in Q3 of 2021/22.

4.5 At this stage the Review is s about updating our adopted local plan policies to reflect current the latest position and government advice.

4.6 The nature of various aspects of planning policy means that Members have in the past been actively involved in the local plan process. Members will recall that adopted planning polices for Taunton Deane Borough Council and West Somerset Council were informed by regular meetings of a Member Steering Group. To this end, the agenda item gives authority to the Portfolio Holder for Planning and Transport to establish a Member Steering Group to support the review process.

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

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

## **6 Finance / Resource Implications**

6.1 There is an agreed budget and reserves to support the delivery of the Local Plan process.

6.2 The Portfolio Holder for Planning and Transport and the Head of Strategy has reviewed and approved this report with no issues arising. Minor changes to the text were suggested and incorporated.

**7 Legal Implications (if any)**

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

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

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

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

- 9.1 None at this stage.

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

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

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

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

- 11.1 None at this stage.

**12 Partnership Implications (if any)**

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

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

- 13.1 None at this stage.

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

14.1 None at this stage.

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

15.1 None at this stage.

**16 Consultation Implications** (if any)

16.1 None at this stage.

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

A verbal update will be given to Executive.

**Democratic Path:**

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

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

**List of Appendices**

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

**Background papers (links)**

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

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

Local Government (Boundary Changes) Regulations 2018,

<http://www.legislation.gov.uk/uksi/2018/1296/contents/made>

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

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

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

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

and

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

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

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

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

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

The National Planning Policy Framework (February 2019) can be viewed at:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

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

### Contact Officers

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

Insert document / attached as separate file

### Appendix 2: Impact Assessments

Insert document / attached as separate file

End





# Somerset West and Taunton

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

**June 2019**

Front Cover / Insert pictures and text

This document has been prepared by Somerset West and Taunton.

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Photographs show:

Insert details

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

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

Insert details

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

**Document control record**

Name of Document: Local Development Scheme  
Author: Somerset West and Taunton  
Description of content: Outlines the timetable and delivery plan for Development Plan documents  
  
Author: Paul Browning  
Approved by: Nick Bryant  
Head of Strategy  
Date of approval: (insert date) 2019

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

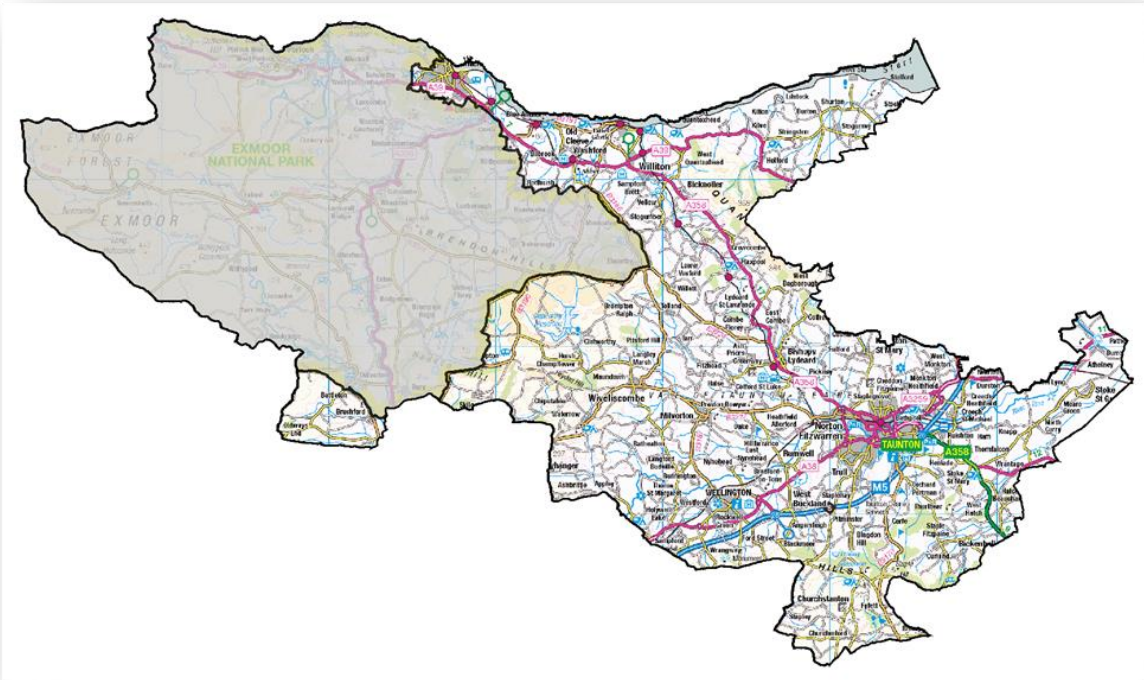
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**Introduction**

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

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



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

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

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

#### **Taunton Deane BC**

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

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

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

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

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



Note: EiP – Examination in Public

### Future plans for the LDF

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

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

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

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

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

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

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

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

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



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

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

### **Ensuring successful delivery**

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

will be brought in as needed.

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

### **Risk Assessment**

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

Table 2: Basic register of risks and opportunities

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

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

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

Notes:

Council's risk assessment matrix.

## **The Evidence Base**

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

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

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

## **Appropriate Assessment**

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

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

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

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

End

## Appendix 1: Local Development Documents – Detailed Profiles

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



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

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

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

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

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

<b>Affordable Housing Supplementary Planning Document (SPD)</b>	
<b>Scope and content</b>	
<b>Description</b>	<p>Taunton Deane BC adopted its affordable Housing SPD in May 2014 (See <a href="https://www.somersetwestandtaunton.gov.uk/media/1164/affordable-housing-2014.pdf">https://www.somersetwestandtaunton.gov.uk/media/1164/affordable-housing-2014.pdf</a>) The Council intends to review this SPD after the adoption of the district wide Local Plan.</p> <p>The purpose of the proposed SPD is to provide greater detail on housing policies in the adopted district wide Local Plan. The guidance within the SPD is intended to be used in decision making relating to planning applications that include residential development, where an affordable housing contribution is to be sought. It also updates &amp; embeds current adopted guidance into the statutory Development Plan.</p>
<b>Status</b>	Development Plan Document
<b>Geographical Coverage</b>	Site specific: District wide
<b>Council Lead Officer</b>	Head of Strategy
<b>Conformity</b>	NPPF and Planning Practice Guidance
<b>Timetable &amp; Milestones</b>	
<b>Publication and consultation</b>	Post Adoption of District wide Local Plan
<b>Adoption and publication of the Plan by the Council</b>	To be advised
<b>Arrangements for Production</b>	
<b>Resources and management arrangements</b>	Prepared by the Strategy functional area in conjunction with other Council services, statutory consultees and consultant expertise. Members steer provided by a new Member Local Plan Steering Group with key stages agreed at Executive.
<b>Joint working</b>	Joint working with “Registered housing providers”. Further details available at: <a href="https://www.somersetwestandtaunton.gov.uk/housing/council-and-social-housing/registered-housing-providers/">https://www.somersetwestandtaunton.gov.uk/housing/council-and-social-housing/registered-housing-providers/</a>
<b>Community and stakeholder involvement</b>	In accordance with the Town and Country Planning (Local Planning) (England) Regulation 2012 and the Council’s SCI.
<b>Post-Production</b>	
The implementation of policies of the Local Plan will be monitored as part of the Authorities Monitoring Report (AMR).	

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

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

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

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

### Taunton Deane BC

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

### West Somerset

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

## Neighbourhood Planning and Neighbourhood Plans:

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

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

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

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

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

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

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

The currently adopted SPDs are:

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

The above documents are available on Council website at:

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

End



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

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

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

**Description of what is being impact assessed**

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

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

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

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

**Evidence**

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

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

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

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

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

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

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

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

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

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

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

**Analysis of impact on protected groups**

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

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

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

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

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

End

## Somerset West and Taunton

### SWT Scrutiny – 12<sup>th</sup> June 2019

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

This matter is the responsibility of Executive

Report Author: Paul Browning: Strategy Specialist

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

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

#### 2 Recommendations

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

#### 3 Risk Assessment (if appropriate)

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

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

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

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

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

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

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



## **6 Finance / Resource Implications**

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

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

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

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

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

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

- 9.1 None at this stage.

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

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

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

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

- 11.1 None at this stage.

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

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

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

13.1 None at this stage.

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

14.1 None at this stage.

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

15.1 None at this stage.

**16 Consultation Implications (if any)**

16.1 None at this stage.

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

17.1 A verbal update will be given to Executive.

**Democratic Path:**

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

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

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

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

**Contact Officers**

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

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

**Drafted May 2019**

#### **1 Introduction**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **3 Timescales**

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

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

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

### **4 Monitoring Progress**

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

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

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

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

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

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

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

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

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

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

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

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

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

## **6 Invited Representations**

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

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

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

**End**

## Somerset West and Taunton

### SWT Scrutiny – 12<sup>th</sup> June 2019

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

This matter is the responsibility of Executive

Report Author: Paul Browning: Strategy Specialist

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

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

#### 2 Recommendations

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

#### 3 Risk Assessment (if appropriate)

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

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

- 4.1 We are required under various pieces of legislation (such as the Planning and Compulsory Purchase Act 2004 (as amended) (the Act)) to prepare a Statement of Community Involvement (SCI).
- 4.2 This is our first SCI (enclosed as Appendix 1). However, its contents are based upon the SCI's that were adopted by the former Taunton Deane BC and West Somerset Council in 2014.
- 4.3 Planning Practice Guidance (paragraph: 035 Reference ID: 61-035-20190315) states that there is no requirement for local planning authorities to consult when reviewing and updating their Statement of Community Involvement.
- 4.4 Consulting on the draft contents of the SCI is being seen by this Council as a mechanism to help the Council understand what communities actually want. It also keeps stakeholders and our communities informed that a review of adopted local plan policies has commenced.
- 4.5 The SCI will be used by the Council to guide the approach to the consultation undertaken in the preparation of its local plan documents. In line with current legislation, the SCI specifies the organisations which must be consulted on local plan matters.
- 4.6 In addition to meeting its statutory obligations, the Council is committed to ensuring that local groups, organisations and individuals are provided with the opportunity to be involved in the preparation of local development documents. As set out in the draft SCI, a variety of methods will be used at various stages of the planning process to enable community involvement in the preparation of local plans.
- 4.7 The Planning System requires the Council to determine planning applications for changes of use of land and buildings. The Council determines a range of applications (eg household extensions, listed buildings, changes of use, advertisements, major housing and business proposals).
- 4.8 The SCI thus sets out:
- The standards that the Council expects applicants to follow when making an application for planning permission.
  - How the Council will process planning applications and notify and consult the local community and stakeholders about development proposals; and
  - How the Council will consider and determine planning applications within the Local Planning Authority area.
- 4.9 As set out in the draft SCI, Somerset West and Taunton is also responsible for certain regulatory stages of the Neighbourhood Plan and Neighbourhood Development Order process.
- 4.10 These Documents, when successfully completed, form part of the Statutory Development Plan for the area and are used to determine planning applications.
- 4.11 Whilst the Neighbourhood Planning Regulations set out who must be consulted at which stage, the SCI sets out the Council's expectations for all parties at the various stages of the regulatory process.

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



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

## **6 Finance / Resource Implications**

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

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

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

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

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

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

- 9.1 None at this stage.

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

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

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

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

- 11.1 None at this stage.

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

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

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

13.1 None at this stage.

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

14.1 None at this stage.

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

15.1 None at this stage.

**16 Consultation Implications (if any)**

16.1 None at this stage.

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

17.1 A verbal update will be given to Executive.

**Democratic Path:**

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

Reporting Frequency:  Once only       Ad-hoc       Quarterly

Twice-yearly       Annually

**List of Appendices**

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**Background papers (links)**

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

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

Town and Country Planning Act (1990) can be viewed at:  
<https://www.legislation.gov.uk/ukpga/1990/8/contents>

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

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

Town & Country Planning (Development Management Procedure) (England) Order (2010) can be viewed at:  
<http://www.legislation.gov.uk/uksi/2010/2184/contents/made>

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

The Neighbourhood Planning Regulations (2012) (as amended)  
<http://www.legislation.gov.uk/uksi/2012/637/contents/made>

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

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

### Contact Officers

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

# Somerset West and Taunton

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

**Draft for Consultation June 2019**

Insert Front Cover / Insert pictures and text

This document has been prepared by Somerset West and Taunton.

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Photographs show:

Insert details

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

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

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

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

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

#### Document control record

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

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

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# What is a Statement of Community Involvement?

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

## Why have an SCI?

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

## How can you get involved?

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



## Corporate Context

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

# Community Involvement in Plan Preparation

## The Planning System

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

# Community Involvement in Plan Preparation

## Development Plan Documents

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

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

## Strategic Environmental Assessment and Sustainability Appraisal

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

## Supplementary Planning Documents

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

## Neighbourhood Planning

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

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

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

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

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

## Who we will consult

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

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

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

## Consultation methods

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

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

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

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

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

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

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

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

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

## **Equalities and Diversity**

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

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

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

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

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

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

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

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

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

## **Community Involvement in Development Management**

### **The Planning System**

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



housing and business premises.

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

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

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

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

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

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

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

## **Community Involvement in Development Management**

### **Who we will consult**

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

## **How we will consult**

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

# **Community Involvement in Development Management**

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

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

## **Decisions**

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

## **Post-application (the Council)**

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

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

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

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

## Monitoring and Review

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

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

To be checked and confirmed before publication

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

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

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

# Appendix B – Stakeholders to be involved in development management

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

The statutory consultees for Development Management include:

Local highway authorities

Local planning authorities

Natural England

Town and Parish councils

Rail network operators

Regional development agencies

The British Waterways Board

The Coal Authority

The English Sports Council

The Environment Agency

The Health and Safety Executive

The Historic Buildings and Monuments Commission for England

The National Park Authority

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

The Secretary of State for Transport

The Theatres Trust

The Office for Nuclear Regulation

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



## Appendix C - Definition of application type

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

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

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

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

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

## **General Advice and Support:**

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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## Somerset West and Taunton

**Scrutiny – 12 June 2019**

### Local Plan Issues Document – Approval for Public Consultation

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

**Report Author: Laura Higgins, Strategy Specialist**

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

1.1 The purpose of this report is to seek approval for the first public consultation stage (the Issues Document) in the Local Plan making process.

#### 2 Recommendations

2.1 Recommendations are that Executive resolves to:

- 1) **approve** the Somerset West and Taunton Local Plan Issues Document for public consultation (Appendix A);
- 2) **authorise** the Head of Strategy to make any necessary editorial corrections and minor amendments to the documents, and to agree the final publication style.

#### 3 Risk Assessment

Description	Likelihood	Impact	Overall
Not undertaking this Issues consultation will mean that the Council is less informed about the local issues that are important to residents, businesses and organisations. This would adversely affect the quality and robustness of the next stages in the Local Plan process.	Likely (4)	Moderate (3)	Medium (12)
<i>The mitigations for this are the proposed changes as set out in the report.</i>	Rare (1)	Negligible (1)	Low (1)

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

4.1 There is a statutory requirement for Local Planning Authorities to have an ‘up-to-date’ Local Plan. This is primarily concerned with ensuring Councils have a housing requirement figure based on up-to-date evidence/guidance. The West Somerset Local Plan was adopted in Nov 2016 and is deemed up-to-date at present as it is based upon the most recent housing need assessment guidance and adopted within the past 5 years.

- 4.2 However, the Taunton Deane Core Strategy was adopted in September 2012 and its housing requirement figure was not based on the most recent housing need assessment. The Core Strategy is also more than 5 years old which is a threshold in the National Planning Policy Framework for determining whether a Plan is up-to-date. Given the position of the Taunton Deane Core Strategy, and the introduction of the Government's Standard Method for calculating housing need, there statutory need to produce a new Local Plan.
- 4.3 Furthermore, the creation of the new Council administrative area provides a positive justification to producing a new Local Plan to reflect the aims, aspirations and direction of travel for the new Council. In accordance the Local Government (Boundary Changes) Regulations 2018, we must adopt a local development document under section 23 of the 2004 Act to apply to the whole of the area within a period of 5 years starting with the reorganisation date.
- 4.4 The geographical scope of the new Local Plan is the administrative boundary of Somerset West and Taunton but excludes the Exmoor National Park which has its own Local Planning Authority.
- 4.5 The Local Plan plan-making process must comply with the Town and Country Planning (Local Planning) (England) Regulations 2012. We are at the very first stage of the process where we gather evidence, identify issues and present options for consultation (Regulation 18). Regulation 18 should involve some public consultation but it is up to us to decide what form this consultation takes and what each stage covers before the more formal consultation required at Regulation 19.
- 4.6 We have set out in the Local Development Scheme (for approval at Full Council on 19 June 2019) a proposal for the stages of the Local Plan which is, in summary:
- Consultation on the Issues Document (Reg 18) document in Q2 of 2019/20;
  - Consultation on an 'Options' style for the Local Plan policies (Reg 18) in Q3 of 2019/20;
  - Publication of a Draft Local Plan (Reg 19) in Q2 of 2020/21;
  - Submit the Plan to the Secretary of State (Reg 22) in Q3 of 2020/21.
  - Examination hearings (Reg 24) with appointed Planning Inspector - Q1 of 2021/22.
  - Local Plan adopted in Q3 of 2021/22.
- 4.7 The Issues Document (**Appendix A**) summarises the social, environmental and economic issues we face in Somerset West and Taunton including any differences across the District. It also presents thoughts and ideas for how we could address these issues. In some cases, these ideas are purposely suggestive or bold to generate reaction and discussion. The consultation asks for views on the issues and ideas presented.
- 4.8 Consultation will be in line with our Statement of Community Involvement (see Agenda of this Committee) and will take place for a period of a minimum of 6 weeks starting in July 2019. We also intend to consult on the Sustainability Appraisal Scoping Report at the same time.



4.9 Following the consultation, we will review the comments received and produce a consultation report which will form part of the evidence base for the next stage (Options) of the Plan-making process. We will also be producing an evidence base to inform the next stage as well as Sustainability Appraisal and Habitats Regulation Assessment.

4.10 The Issues document will be desktop published before publication.

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

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

## **6 Finance / Resource Implications**

6.1 There is an agreed budget and reserves to support the delivery of the Local Plan process.

6.2 The Portfolio Holder for Planning and Transport and the Head of Strategy has reviewed and approved this report with no issues arising. Minor changes to the text were suggested and incorporated.

## **7 Legal Implications**

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

## **8 Environmental Impact Implications**

8.1 The Local Plan is ultimately examined against its sustainability credentials as set out in the National Planning Policy Framework. This is tested through an Examination in Public by an independent Planning Inspector and through Sustainability Appraisal, Strategic Environmental Assessment and Habitats Regulation Assessment which will be prepared as part of the plan making process.

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

9.1 None at this stage.

## **10 Equality and Diversity Implications**

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

## **11 Social Value Implications**

11.1 None at this stage.

## **12 Partnership Implications**

12.1 As part of the Duty to Co-operate requirement (Town & Country Planning (Local Planning) (England) Regulations 2012), we will be expected to work with other public bodies, particularly neighbouring planning authorities and the County Council on any cross boundary strategic plan making issues to develop sound Local Plans.

## **13 Health and Wellbeing Implications**

13.1 None at this stage.

## **14 Asset Management Implications**

14.1 None at this stage.

## **15 Data Protection Implications**

15.1 With permission from the consultee in line with the GDPR, personal data will be collected as part of the consultation on the Issues Document.

## **16 Consultation Implications**

16.1 The consultation on this document will be in line with the Statement of Community Involvement (see Agenda of this Committee). This is the first stage of the Local Plan process and no previous consultation on this document has taken place. The results of this consultation will inform the next stage.

### **Democratic Path:**

- **Scrutiny – Yes**
- **Executive – Yes**

**Reporting Frequency: Once only**

### **List of Appendices**

Appendix A	Local Plan Issues Document for consultation
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### **Contact Officers**

Name	Laura Higgins
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**Somerset West  
and Taunton**

# **LOCAL PLAN 2040**

## **Issues document**

Consultation Document

July 2019

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# INTRODUCTION

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## A New Council, a New Local Plan

1. The new Somerset West and Taunton Council came into being on Monday 1 April 2019 and combined the former West Somerset Council and Taunton Deane Borough Council into a brand new District council.
2. This is an exciting time for our area and we are keen to keep up momentum and progress with a new Local Plan which will shape the future of our District for the next 20 years. We need your input to help us make the best decisions for our places.
3. Local Plans contain policies that are used when determining planning applications. Having an up-to-date Local Plan with strong policies means communities can have confidence and certainty about how and where new development can come forward and know what to expect in terms of the scale and type of change and the key locations where new major development will take place. They are also an opportunity to set out ambition and aspirations for the future and tackle the issues of the present.

### What about our existing Local Plan documents?

4. The majority of policies and allocations for new development within our current West Somerset Local Plan and Taunton Deane Core Strategy, Site Allocations and Development Management Plan and Taunton Town Centre Area Action Plan and saved policies are still relevant and go a long way to addressing some of the key issues for our area. They include many allocations for new development, a number of which are now being or have been delivered. However,

some of the policies are dated and we need a coherent Plan covering the whole area.

5. Our existing Plans contain a large number of allocations for new housing and employment. We will use updated evidence to determine whether all of these are retained or if further sites are required. Existing Plans focus development in Taunton, Wellington, Minehead and major rural centres with limited development in villages.

### Get involved

6. This consultation document is the first stage in preparing the Local Plan. A successful Local Plan is informed by local knowledge and an appreciation of what is important to local people and businesses as well as more technical evidence.
7. Whilst change can be daunting, we are not allowed to plan for no new development as we are expected to meet the forecast need for homes and jobs and supporting infrastructure and facilities such as shops and services. The government expects us to have an up-to-date Plan and it will need to go through independent examination by a planning inspector to make sure it is based on robust evidence.
8. Not everyone will get the outcome they want, but making sure your ideas or concerns are understood at an early stage helps make a better Local Plan. This is the first of several chances to have your say and help plan for the District for the next 20 years.



Look out for the question boxes which provide a guide as to what we'd like to hear your views on.

## Have Your Say

We are really keen to hear your views on this consultation document. Your views are important as they will help shape the next stage of the plan.

Comments can be made from xxxx to xxxx.

You can make comments in a number of different ways, the easiest way is likely to be online through our consultation portal [\[link\]](#). Here you can also register your interest to be kept informed of the progress on the project.

Alternatively if you would prefer to send us your written comments you can download a comment form from the website (or phone us for a paper copy) and return to:

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

Strategy Team  
Somerset West and Taunton Council  
Deane House  
Belvedere Road  
Taunton  
TA1 1HE

[\[phone number\]](#)

## A PORTRAIT OF OUR PLACES

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9. The Local Plan area covers the new District area of Somerset West and Taunton but excludes the area covered by Exmoor National Park Authority which has its own separate Local Plan.
10. Whilst we are a new Council covering two former District areas, our new Plan area contains diverse places each with their own character and individual issues and challenges. It is important for the Local Plan to continue to recognise this distinctiveness so that we can determine how the Local Plan should respond to development and community needs.

*Map to be inserted (District boundary; neighbouring authorities; main settlements; main roads and rail)*

## Overview of Somerset West and Taunton District

11. The eastern part of the Plan area contains the main settlements of Taunton and Wellington which have good access to the transport network. The western part of our area is characterised by a series of coastal communities but a poor road network. This has influenced how the settlements have developed over time with housing and employment growth occurring in the more accessible locations.
12. The quality of the landscape and setting of our area is of a particularly high standard including the Blackdown Hills and Quantocks Hills Areas of Outstanding Natural Beauty and the Somerset Levels and Moors to the east and Brendon Hills in the west. Whilst Exmoor National Park is a separate planning authority, the remainder of the district has a close relationship with the Park and its setting.
13. Our area demonstrates a rich tapestry of wildlife habitats and sites. The Severn Estuary and Somerset Levels and Moors are recognised as Special Protection Areas (SPA) and Ramsar sites whilst there are also five Special Areas of Conservation (SAC) at Exmoor and Quantock Oakwoods, Severn Estuary, Hestercombe House, Quants and Holme Moor, Clean Moor. There are 25 Sites of Special Scientific Interest (SSSI) including those referred to above as well as over 480 local/County wildlife sites within the District.
14. Our towns and villages have evolved and developed over centuries, resulting in a rich and diverse local character. This is reflected today by the recognition of 53 Conservation Areas, nearly 3,000 Listed Buildings, over 2,200 recorded archaeological sites, 87 Scheduled Monuments, 9 Registered Historic Parks and Gardens, and 73 areas of High Archaeological Potential.
15. Along the coast there are areas vulnerable to sea flooding between Blue Anchor and Minehead. There is also a risk of fluvial flooding across the District particularly from the Rivers Tone, Exe, Parrett and tributaries and a risk of extensive flooding in the Somerset Levels and Moors.
16. The population structure in the district shows a higher proportion of over 65s (33.7%) compared to the UK (22.2%) and Somerset (31.9%). Notably, within Somerset West and Taunton there is a marked difference between the former District areas. 29.3% of former Taunton Deane population are over 65 whilst 50.8% of former West Somerset are over 65<sup>1</sup>. Population projections indicate that (based on previous trends) all age groups apart from the 65+ group will decline over the period up to 2039<sup>2</sup>.
17. The overall crime rate is below the national average whilst 91% of residents perceive their areas as safe during the day and 59% do so after dark. The District is not particularly deprived in overall terms although there are small and quite pronounced pockets of deprivation both in an urban and rural sense. There are parts of Taunton and Wellington which fall within the most deprived parts of the country when measured against the Indices of Multiple Deprivation, whilst many of the rural areas perform poorly against barriers to services and housing indices.
18. The ratio of house prices to earnings is one measure of how affordable it is to buy a property. 'Lower quartile' price provides an indication of the entry level house price in a local market, typically those purchased by first-time buyers. The ratio of lower quartile house price to lower quartile earnings in 2016 in Taunton Deane was 8.02 and in West Somerset was 10.10, compared to 7.16 nationally<sup>3</sup>. The higher the ratio, the less affordable it is for households to get onto the property ladder.

19. Unemployment is low in both the former Taunton Deane (3.8%) and West Somerset (3%) areas over the plan period. Estimate for 2016 indicate that unemployment in both districts is below the national (4.89%) and regional rates (3.9%)<sup>4</sup>.

## Taunton

20. Taunton is the major administrative, economic, cultural and retail centre in the county, as well as being the focus for many other services including health, education and leisure. Taunton has a wide retail catchment, including much of Somerset and north and east Devon.
21. Taunton town centre is characterised by an extended shopping centre that stretches from the railway station to the north, High Street to the south and East Reach to the east. The centre contains a good mix of national retailers and local independent traders. The town centre is generally very busy with low vacancy rates and good pedestrian footfall, although some vacancy clusters are emerging due to the challenges that high streets are facing from changing retail behaviours, including online shopping. Leisure and arts facilities are limited, restricting the range of evening activity within the town centre.
22. Traffic in the town centre can be particularly heavy, especially during the morning and evening peak hours. This can lead to congestion and delays also impact on the reliability and efficiency of local bus services. Taunton has two Air Quality Management Areas and congestion could adversely affect these areas. The town is served by the national rail network, with a station located on the northern fringe of the town centre.
23. The town centre is rich in built and natural heritage. There are many historically important buildings within the town centre, as well as Conservation Areas and areas of archaeological importance. Open spaces are abundant, with several parks and open areas within or adjacent to the town centre. The River Tone and the Bridgwater and Taunton Canal are home to several nationally protected species of wildlife. Green Wedges make access to open countryside easy and



convenient from the town centre, through either French Weir Park or Vivary Park.

24. Taunton's economy is broadly typical of the sub-region, but over the past 15 years it has experienced weaker growth than other nearby towns despite the locational advantages provided by junctions on the motorway network (M5). The former Taunton Deane area has significant reliance on public sector jobs with 37%<sup>5</sup> of workforce jobs in public sector health, residential care, social work, education and public administration. There has been a large reduction in office based local government jobs and increases in non-office based education and healthcare jobs.
25. The Employment, Retail and Leisure Study<sup>6</sup> concluded that if past trends were to be projected forward this would deliver continued stagnation for the size of Taunton's office and industrial economy in jobs and floorspace terms. Industrial stock reduced significantly in 2006, and this does not appear to have been replaced.
26. Taunton was designated by the Government as a 'Garden Town' in early 2017. The town is undergoing significant change with key developments like Monkton Heathfield, Staplegrove new community, Comeytrove/Trull/South West Taunton new community. The Local Plan will help support the delivery of the Garden Town Vision and help enable the Delivery Plan. A Town Centre Design Guide, Supplementary Planning Documents and Masterplans will shape new development in the town and their content will inform and be informed by the ongoing development of the Local Plan. The green wedges between built-up areas are a key principle of the Garden Town Vision and potentially one for the Local Plan as a whole.

#### **Main issues in Taunton:**

- The limited development that has taken place on regeneration sites within the town centre, particularly Firepool, and to understand why

commercial and industrial development has not taken place as envisaged;

- Rising levels of traffic congestion and the need to increase the use of public transport;
- The need to enhance the river corridor for its biodiversity and leisure value;
- The need to redefine the purpose of the town centre and the lack of a multi-purpose venue to enhance Taunton's function as a destination in the sub-region;
- The need to ensure new development is of high quality design to respect local character and heritage as well as of sustainable design and construction;
- The need to enhance the public realm, accessibility and enjoyment of the retail environment and enhancement of the night-time economy.

#### **What is already happening in Taunton:**

- Successfully awarded Garden Town status in 2017 attracting significant Government funding to support infrastructure and 13,000 homes. A draft Vision<sup>7</sup> has been published. Approval of the Delivery Plan anticipated by the end of 2019;
- Adoption of a Local Development Order that streamlines the planning process for the Nexus 25 strategic Employment site at Junction 25 of the M5 that could deliver more than 3,500 jobs;
- Delivery of over 900 homes so far at the Monkton Heathfield Garden Community;
- Land purchased between the New Garden Communities of Monkton Heathfield and Nerrols Farm for the creation of a Green Country Park;
- £14.2m of Government funding secured for a new link road as part of the Staplegrove planned new Garden Community.

## Wellington

27. Wellington is the sixth largest town in Somerset and the market town serves a rural hinterland which extends into Devon. The town occupies an attractive setting at the foot of the Blackdown Hills Area of Outstanding Natural Beauty.
28. The settlement benefits from a rich heritage with a historic centre laid out around burgage plots, it also grew significantly during Victorian times with the construction of the Great Western Canal and with a thriving woollen trade. There is a high proportion of listed buildings which avoided demolition in the post-war years. It also benefits from high quality green spaces within the urban area, and there is a green wedge separating the town from its associated settlement of Rockwell Green and Westford.
29. Wellington contains a number of important heritage assets which are featured on Historic England's Risk Register. In 2017 a project officer was employed to work specifically on the heritage assets at risk within the town. This includes the Tonedale Mill, Toneworks, Wellington Monument and the Conservation Area. The Council are working in close liaison with Historic England to safeguard these assets into the future.
30. The town centre is characterised by numerous specialist independent shops and has fostered an image as a 'food town'. However it lacks the presence of many national retailers.
31. The economy of the town is still heavily influenced by manufacturing with two major local employers: Swallowfield and Relyon operating. There are new business parks situated on the fringes of the town, with the Chelston Business Park located to the east of the town in close proximity to Junction 26 of the M5.
32. There is a preference from office and industrial occupiers in the rural area to locate around Wellington as this area benefits from ease of access to the M5 motorway allowing good connectivity to the wider south west region. Demand is on a small scale and tends to be from existing businesses with space taken by local business such as solicitors and accountants and small industrial units.
33. Despite being a substantially sized settlement and being on the main railway line between Exeter and Bristol, Wellington does not currently have a mainline rail station. The aspiration to re-open the station is at an advanced stage and would bring wider sustainability benefits.

### **Main issues in Wellington:**

- A risk posed to heritage assets in the town through development pressures;
- The need to improve the self-containment of the town to reduce the need to travel to Taunton by car;
- New employment development not coming forward;
- Improvements needed for walking and cycling to Chelston and Foxmoor employment sites and beyond to Taunton.

### **What is already happening in Wellington:**

- The re-opening of a railway station in Wellington is at an advanced stage;
- All planned urban extensions are completed or under construction;
- A Wellington Place Plan is being considered.

## Coastal communities

34. The largest settlement along the coast is the Victorian seaside resort town of Minehead together with the smaller adjacent settlement of Alcombe. It is the main service centre in the local area, having a community hospital, a community college, middle school and a

substantial shopping centre. It is the location of a Butlins holiday centre, which in the peak holiday season is home to up to c.6,000 visitors at a time. It serves a wider area including much of Exmoor and parts of North Devon. The historic port of Watchet and nearby Williton provide some local services.

35. Road links along the A39 from Minehead to Bridgwater, and the A358 from Taunton to Williton are both relatively narrow A roads with points of restricted headroom and narrowing.
36. Many parts of the minor road network, besides being narrow and winding, are severely constrained by the local geography. Walking is restricted in some of the local settlements by the lack of safe footways in key locations. Minehead however has a good level of access to its services and facilities by a range of transport modes including walking and cycling.
37. The area's economy has considerably less traditional office and industrial employment space compared to the neighbouring authorities. This reflects the area's relative remoteness compared to Taunton and South Somerset. The biggest job sectors in the area are tourist related accommodation, food and recreation, the public sector and Hinkley Point. There is also a strength in the coastal towns as a result of their historic role as tourist resorts.

#### **Main issues in our Coastal Communities:**

- A very high proportion of older people and low proportion of young people;
- Enhanced risk of flooding and coastal change from the sea due to the climate crisis;
- Importance of retaining attractiveness of coast to increase tourism, whilst encouraging development to improve service levels and employment opportunities;

- Poor road, public transport, digital and mobile infrastructure networks;
- Lack of affordable housing;
- High reliance on tourism, food and retail sectors.

#### **What is already happening in our Coastal Communities:**

- The Council will be developing a Coastal Communities Strategy to bring together initiatives for the area;
- The Minehead Coastal Community Team created an Economic Plan<sup>8</sup> to inform the development of future projects for the town and will be taking forward a development which aims to significantly raise the quality of the visitor offer in the town;
- The Watchet Coastal Community Team published an Economic Plan<sup>9</sup> aims to secure a stronger future for Watchet through a series of regeneration projects, small and large, short and long term.

## Rural communities

38. The majority of our area is rural. Minor rural centres have a basic range of facilities including shop(s), public house(s), a community centre / village hall, school and doctors' surgery but there villages and hamlets with no such facilities. Services are relatively thinly spread amongst the rural communities although some settlements are almost of a size that could support additional services.
39. Our rural communities are best characterised by the geographical diversity of the areas in which they sit. This diversity has greatly influenced not only the landscape character and setting of villages and hamlets but also the building materials used within them. The quality of both the natural and built environment in many of our rural communities contributes greatly to the quality of life enjoyed by its residents.

40. Our rural areas have a high quality natural and built environment which leads to high house prices. Coupled with low wages, this means that many local people are priced out of the housing market and find it necessary to move out of their communities to cheaper urban areas when moving out of home or requiring a bigger home.
41. Whilst the rural economy has diversified to a degree, many jobs remain unskilled and poorly paid. The mobile and broadband network in our rural areas is poor. Rural households are less able to access information and online services and businesses are less able to keep up with competitors, widen their customer base and are less attractive to new employees.
42. These accessibility issues mean that many rural villages are amongst the most deprived areas nationally when considered against barriers to housing and services indicators. For example, the rural area around Milverton falls within the top 10% of the country for barriers to access to housing and service provision whilst many smaller rural communities have extremely limited or no public transport provision.

#### **Main issues in our Rural Communities:**

- Poor road, public transport, digital and mobile infrastructure networks;
- Lack of affordable housing;
- Fuel poverty especially in off-gas grid areas;
- The need to balance the need for more housing to support the viability of local facilities/public transport against its impact on the landscape and environment.

#### **What is already happening in our Rural Communities:**

- Four adopted Neighbourhood Plans: Bishops Lydeard and Cothelstone; Trull & Staplehay; West Monkton & Cheddon Fitzpaine;

Stogumber. Four in preparation: Creech St Michael; Oake; Ruishton and Thornfalcon; Wiveliscombe

- A Rural Communities Place Plan is being considered.

**Q1** Have we reflected the key **characteristics and issues of our places** in the District?

## THE SCOPE OF THE NEW LOCAL PLAN

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43. The Local Plan will need to consider changes in national policy since the current Local Plan documents were produced and other changes such as population growth, health, economic, climate, environmental, behavioural and technological changes.
44. The Local Plan will cover many land uses such as the need for and location of new homes, businesses, shops and leisure; the need for supporting community services, transport and infrastructure; how such developments should be designed to conserve and enhance our heritage, respect local character and deliver gains in biodiversity; and how we can adapt to and mitigate the climate crisis and flood risk through the location and design of development and through providing opportunities for infrastructure and behavioural change. These issues are set out in the National Planning Policy Framework (NPPF).
45. The Local Plan will contain a vision for our District with objectives setting out our priorities which will link to the Corporate Plan objectives of the Council. It will proactively plan for new development where this is needed and contain new policies that planning proposals will be assessed against. Once adopted, the policies of the new Local Plan will replace those of the current Taunton Deane Core Strategy, SAADMP, old Local Plan saved policies and TTCAAP and the West Somerset Local Plan.

## NATIONAL ISSUES

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### National Planning Policy Framework (NPPF)

44. The NPPF sets out the government's planning policies for England and how these are expected to be applied. Local Plans which are expected to be in line with the NPPF. There have been recent updates to the NPPF<sup>10</sup> and our new Local Plan will be expected to address these:
  - A new method for calculating housing need;
  - A strict housing delivery test making evidence of deliverability of sites very important;
  - The need to use land more effectively and review allocations that are no longer deliverable, particularly employment land;
  - A requirement for 10% of housing to be on small sites (<1 hectare) to improve delivery rates;
  - Removal of the ability to seek affordable housing and other contributions from sites of 10 or fewer, except in designated rural areas;
  - The need for stronger policies to achieve high quality design;
  - The need to facilitate enough self-build housing plots to meet demand;
  - An emphasised protection for Areas of Outstanding Natural Beauty;
  - To ensure all new development delivers a net gain in biodiversity;
  - Emphasis on identifying improvements and mitigation to air quality issues.

## Other national issues

45. There is also an increased awareness and evidence that has strengthened the public and political awareness on key topics which cut across many of Local Plan issues including:

- The urgent and critical need to address our climate crisis and mitigate global heating<sup>11 12</sup>;
- The impact of our behaviour and lifestyles on biodiversity including the need to reduce plastic waste<sup>13</sup>;
- The inaccessibility of 'millennials' to home ownership<sup>14</sup>;
- The importance of people's mental health<sup>15</sup>;
- The need to keep working at improving equality, opportunity and accessibility for disadvantaged groups<sup>16</sup>;
- The impact of poor air quality on our health, especially children<sup>17</sup>.

- 1.5 million jobs at risk of automation<sup>22</sup>;
- The need to decarbonise the national electricity and gas grids and increase their capacity and resilience through development of smart energy infrastructure<sup>23</sup>;
- The need for residents, businesses, energy and transport infrastructure to access high quality, speed, capacity and resilient digital connectivity<sup>24</sup>.

**Q2** Have we captured all the key **national issues** that are relevant to our Local Plan?

**Q3** How do you think the new Local Plan should respond to these issues?

## Behavioural and technological changes

46. There will continue to be changes in our behaviour and technology that will impact on how we live our lives and interact with our places. The Local Plan needs to recognise these changes and consider in what ways it could:

- The impact of online shopping and other factors on the health and vitality of our town centres<sup>18</sup>;
- The decrease in car ownership and driving licences especially in young people<sup>19</sup>;
- The increase in electric car ownership with all new cars and vans effectively zero emission by 2040 and the fast-paced development of connected autonomous vehicles (CAV)<sup>20</sup>;
- Improved mobility through real-time bus monitoring, ticketing apps, contactless payments, wifi on public transport and an increase in dockless bikes, on-demand and ride sharing services<sup>21</sup>.

## Local issues

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47. Considering the characteristics of our areas and the national issues discussed, we have set out what we believe are the key issues for our Local Plan. It is important to note that we have not made any decisions on how we deal with these issues but have presented ideas to stimulate discussion and comment. The next stage of the Local Plan will contain options for how we address these issues and your comments will help develop the options
48. We have a lot of background evidence relating to our existing Plans that remain relevant but we will need to update and gather further evidence to inform the new Local Plan. This list is not exhaustive but new evidence is likely to relate to:
- An assessment of housing need including an option for higher economic growth scenario;
  - Sustainability Appraisal;
  - Habitats Regulation Assessment;
  - Gypsy and Traveller Needs Assessment update;
  - Strategic Flood Risk Assessment;
  - Whole Plan viability assessment (to also inform the Community Infrastructure Levy Charging Schedule review);
  - Infrastructure Delivery Plan;
  - Issue-specific evidence.

## Protecting and Enhancing our Environment

49. Over the past 3 years, more housing was built on greenfield land compared to brownfield land across our District<sup>25</sup> as we needed greenfield land to meet our housing targets in sustainable locations. Development on greenfield land has enabled the delivery of some

key sites, such as the Monkton Heathfield Garden Community, which provides a significant proportion of housing to meet our targets on the edge of Taunton. If the new Local Plan maximised development on brownfield sites, which could mean higher housing densities, this may **reduce the need for any new allocations on greenfield sites**, although the impact of higher densities on heritage assets and local character will need to be carefully considered.

50. Our existing Local Plan documents promote the mitigation of the climate crisis as a key issue. Whilst our level of carbon dioxide emissions have been reducing slightly overall and on a per capita basis, much of this has been as a result of national decarbonisation of the electricity grid in particular. Efforts to deliver renewable and low carbon technologies and improve rates of walking, cycling and public transport use must be improved. Our Local Plan could be stronger to give us the ability to **require low carbon developments**. We could push the boundaries to demonstrate how serious we are about tackling the climate crisis with **challenging targets for decarbonisation** within new development and ensure we have the infrastructure to support clean modes of transport.
51. The consequences of the climate crisis and global heating include increasing the threat of overheating and water stress, more flooding and stronger, more damaging wind speeds. We are updating our Strategic Flood Risk Assessment to ensure we avoid siting new development in areas of greatest flood risk. High quality design could **maximise opportunities for Sustainable Urban Drainage Systems (SuDS)** to store surface water using permeable surfaces, grey water recycling and flood storage measures such as balancing ponds. We could ensure that **new developments are built to be resilient to climate change** that is already in motion, particularly the risks of overheating, and work on enabling our existing communities and buildings to be adapted.

52. Rising sea levels and increased storm violence as a result of the climate crisis gives rise to a greater flood risk from the sea posing an increasing threat to new and existing development close to the parts of the coast which are low-lying and/or which are unstable and vulnerable to rapid erosion. We can continue to **focus development away from the areas at most risk of flooding**.
53. The natural beauty of the coast is an essential factor in driving our tourism industry. It is therefore important to ensure that it retains its attractiveness. Some development may be required to enhance the tourism offer so careful planning, siting and mitigation measures could **ensure coastal development can take place without causing unacceptable damage to the coastal environment**.
54. The Quantock Hills and Blackdown Hills Areas of Outstanding Natural Beauty have recently adopted Management Plans<sup>26</sup> and AONBs are afforded significant protection by the NPPF. However, the Somerset Levels and Moors, which is internationally significant for wildlife, has a dramatic and unique landscape characterised by flat, wet meadows bordered by rhynes and ditches with low hills shaped by human history, farming and natural processes. The **landscape and heritage value of the Somerset Levels and Moors could be better recognised** through the Council's planning policy to reflect its significance.
55. The NPPF expects **net gains in biodiversity from new development** and so our new Local Plan will need to be as strong in this regard. Net gains could be closely linked to the Somerset Pollinator Action Plan, Guidance on Development for Hestercombe House SAC and the Exmoor and Quantocks Oak Woodlands SAC; Somerset Habitat Action Plans<sup>27</sup>. Somerset County Council and Natural England are working on Great Crested Newts mapping and zoning for use in Plan making and decision taking so we can identify opportunities to improve and widen their habitats. This approach could be extended

to other protected species too. Trees provide habitats and wildlife corridors as well as shade, particularly in our towns, so opportunities could be explored to ensure further **tree planting**, of appropriate species, in new development.

56. Our natural environment should be accessible for everyone to enjoy to provide benefits to our mental health and wellbeing. Improving **access to the natural environment** could be achieved through the site development and the focus of Community Infrastructure Levy, grants and S106 funds to improve footpaths and cycleways and address physical barriers, such as improving access to the River Tone frontage for people with disabilities and access across the M5 and beyond.

**Q4** What are your views on how we could address **environmental** issues?



## Boosting our Prosperity

### Employment and retail

57. For many years we have had high aspirations for attracting new businesses to the area but this has not been as successful as we hoped. The new Local Plan, along with the emerging Prosperity Strategy could try to understand and address this issue. The Local Plan needs to provide the right conditions to attract new businesses to move into our District which may include **ensuring that employment sites are affordable** to potential businesses and being proactive to **encourage refurbishments** as a cost-effective solution in bringing more modern space into the market. We could ensure high quality infrastructure and digital connectivity and to carve out a niche for the **green knowledge industry and research and innovation sectors** to base themselves here.
58. District-wide, we could be bolder in terms of our aspirations to demonstrate that we are a place that wants to **drive up productivity** and is highly supportive of new and existing businesses, particularly the knowledge and industrial sector to compete with neighbouring towns and Districts. We are developing a Prosperity Strategy which will help to deliver the Heart of the South West Local Enterprise Zone (HotSW LEP)'s Productivity Strategy<sup>28</sup> that seeks to double the size of our economy over 20 years.
59. The Employment, Retail and Leisure Study<sup>29</sup> concluded that we have too much land allocated for employment compared to demand. The NPPF expects us to assess our employment sites and allocation for deliverability so that we focus employment on those that are deliverable and **release poor employment sites for housing** whilst retaining or allocating new ones. This might result in fewer employment sites but those that remain would be of the highest quality, or have potential for modernisation and be most attractive to

employers. Often though the most attractive sites to employers are those with good car parking and road access so we will need to **ensure that employment sites have good access to public transport** otherwise this could increase car-borne traffic.

60. **Maintaining a range of site sizes and locations** will provide opportunities for local businesses to grow and stay in the area. Providing **small start-up units** as new build or subdivision of larger buildings will encourage enterprise and entrepreneurship (micro business and small and medium enterprises - SMEs) particularly in the rural and coastal areas.
61. We have a higher proportion of older people here compared to the national average. Fewer young people also means businesses find it more of a challenge to attract the talent and workforce that they demand and may choose not to locate here. A lack of labour over the forecast period is likely to act as a constraint to growth<sup>30</sup>. The Local Plan could look at ways to **encourage young people to stay or move here**. Improving the local education and skills pathway and career prospects within the knowledge economy, as well as building on the leisure and cultural offers of the area may encourage our highly skilled young people to stay here rather than seeking advancement in their careers elsewhere in the region or country.
62. With the proportion of those aged 17-20 holding a driving licence having fallen by almost 40 per cent in recent years<sup>31</sup> the need for **excellent public transport links** to access jobs and leisure activities is more critical than ever. Locating **smaller and more affordable housing in our town centres**, improving the food, leisure and entertainment offer in our towns and attractive walking and cycling networks provide more incentive to attract and keep younger people in our area.

63. The existing Hinkley Point nuclear power station lies within the north-eastern part of the District. Hinkley Point B remains an operational power station and the development of Hinkley C is underway. It involves the influx of a substantial additional workforce (with an estimated peak of c.5600 workers). Working jointly with our neighbouring districts, the Local Plan will need to consider **how new workers at Hinkley Point C will be housed and ensure that we provide opportunities to maximise the use of sustainable transport.**
64. With increased online shopping and people choosing to travel to out of town stores, our high streets may need to be less dependent on traditional retail shops in order to thrive. Our policies could be more flexible to **allow vacant retail units to be used in a more diverse way** by creative trades, pop-ups, libraries, exhibitions, markets, cultural events. If our High Streets regularly offer something new they could attract more regular visits. This would need to be progressed in conjunction with town centre management. Encouraging **empty storage areas above vacant shops to be converted to flats or start up offices** and **resisting out of town retail stores and expansion** would add to the vibrancy of our towns and increase local spend.

**Q5** What are your views on how we could address **employment and retail** issues?

## Housing

65. The NPPF expects us to follow the Government's 'Standard Method' to calculate our Local Housing Need figure which is a minimum (incorporating the average annual housing growth and an affordability ratio). For the former Taunton Deane area this is currently 614 dwellings per year and for former West Somerset this is currently 88 dwellings per year. Over the past 5 years, on average, these figures have been exceeded in both areas.
66. Through the Local Plan process we need to consider **whether we use the Standard Method figure as our housing target or propose a higher requirement figure** in our Local Plan. Past high housing delivery rates, economic growth aspirations and/or a request to accommodate unmet housing need from other nearby Local Planning Authorities are potentially reasons why we might consider a higher housing target. A higher housing requirement may require some further site allocations combined perhaps with an increase in densities particularly in Taunton Town Centre. Using the minimum housing target may potentially not require further allocations beyond reviewing the appropriateness of existing uses. Whether we need additional allocations will be better understood as we progress through the Local Plan process.
67. The NPPF sets out a range of tenures deemed 'affordable housing'. However, a combination of high local house prices and low incomes mean some tenures are not actually affordable in our area or do not meet the needs of many households. We could have a clear **policy requirement only for affordable tenures** that we can evidence need for in order to maximise opportunities for people, especially young people, to access affordable housing.
68. The Authority Monitoring Report's<sup>32</sup> for the former Taunton Deane and West Somerset areas show that affordable housing completions

have been falling short of targets. In the former Taunton Deane area over the past five years, the average proportion of affordable housing delivered was 21.3% compared to a 25% target. The former West Somerset area achieved 24.4% compared to a 35% target. If affordable housing is to be a priority, we could ensure we have **stringent site requirements across the District rather than overall targets**. Developers can only argue non-viability in exceptional circumstances as we would make sure we had a robust whole plan viability assessment to reduce incidences of developers arguing down their affordable housing provision on viability grounds.

69. We could consider **increasing the affordable housing requirement on individual sites** now that we may lose some affordable housing due to our inability to take contributions from sites of 10 dwellings or fewer (NPPF) in areas which are not Designated Rural Areas (which are generally speaking our more urban areas).
70. The amount of affordable housing to be sought via Local Plan policies relates closely to the viability of development as well as the amount of Community Infrastructure Levy (CIL) we ask for from developers. Neither requirement can be too high that it makes developments unviable so if one is raised, the other is likely to need to reduce. **We need to strike the right balance between affordable housing provision and infrastructure funding**.
71. We may also consider whether financial contributions from some sites would help **deliver affordable housing on Council owned land**. We will use the most up to date evidence on the need for affordable housing and viability to inform how much and of what tenures the Local Plan could deliver.
72. Affordable housing must currently meet the needs of those with a local connection to the area who cannot afford to access the open housing market. We may need to **review the how the local**

**connection policy should be applied** given the physical extent of the District is larger.

73. We are expected to have **regard to the demand for self-build and custom housebuilding plots** for people who want to build their own homes and we maintain a register of those who are interested. We are delivering enough sites to comply with the requirement although we are not actively going above and beyond this requirement. With the right materials and builder a self-build house could be cheaper than a standard house but self-build housing does not need to be affordable housing (as defined in the NPPF) and is exempt from providing a Community Infrastructure Levy.
74. The NPPF requires 10% of housing to be on small sites (<1 hectare) to improve delivery rates. Our delivery rates are high so potentially we might be able to make a case for being exempt on this basis. Nevertheless, **proactively identifying small sites** can help support local building firms and may deliver a wider range of housing products and sites that better respect local character. We can continue to positively promote windfall sites, rural exception sites and for Neighbourhood Plans to proactively identify small sites. The former West Somerset area has a number of small sites identified but not allocated so we could consider allocating these to provide more certainty. We could also consider whether any larger sites could be appropriately subdivided to create smaller sites.
75. In terms of delivering housing in rural areas, we will **look at our approach to settlement boundaries**. Different approaches are used in the former council areas. The West Somerset area does not have settlement boundaries and determines the suitability of housing proposals on a site by site basis<sup>33</sup> based upon the proximity of the contiguous built-up area with a number of further criteria that need to be met (relationship to facilities and pedestrian access; respecting character; traffic generation; and effect on the amenity of the area).

The Taunton Deane area has defined settlement boundaries<sup>34</sup> where new housing should be focussed. Sensitive additional development could help support the introduction of local services and facilities in rural communities.

76. We will look at evidence of need for student accommodation and consider whether there is any need to identify suitable sites for student accommodation.

**Q6** What are your views on how we could address **housing** issues?

## Infrastructure

77. Our towns and some larger villages typically have access to superfast broadband, however, connection outside of these areas is extremely limited. Connecting Devon and Somerset (CDS) has been set up to deliver superfast broadband infrastructure to areas where the market has failed to invest. In addition to this, the Government's policy has shifted in recent years towards supporting rollout of full-fibre (or Fibre to the Premises) connectivity which provides far greater levels of reliability, resilience and speed of internet connections compared to traditional copper wire connections. Enabling such connectivity in Somerset West and Taunton will be essential to attracting high quality employment to the area and driving up productivity. To complement CDS, the Local Plan could support full-fibre in all new homes and businesses by **ensuring developments are required to provide sufficient ducting space for multi-operator full-fibre connectivity**.
78. The Government wants the UK to be a world leader in 5G mobile technology but this is frustrating for our rural areas, some of which have no mobile signal at all, or are only served by a single operator. The Local Plan can continue to support fixed mobile network infrastructure. However, our Local Plan is looking to 2040 and the Government wants the majority of the population covered by a 5G signal by 2025. Our Local Plan could therefore **support the effective use of rooftops and street furniture to accommodate mobile digital infrastructure**, including small cells for 5G so that we are ready for the new technology. This will create significant advantages for local business. In the early stages this is most likely to be cost effective in our towns but we can work with CDS so that the benefits are felt more widely across the District. 5G rollout will rely on full-fibre connectivity and may potentially enable us to develop smarter transport and energy solutions in particular.

79. Infrastructure that makes a new development proposal acceptable in planning terms will continue to be sought using s106 legal agreements. These can include things like junction improvements, public transport contributions and new play space. Infrastructure which is required to serve a wider need is funded, in part, through the Community Infrastructure Levy (CIL) and can include strategic transport improvements, school places, community facilities, flood mitigation etc). CIL is currently in place in the former Taunton Deane area but not West Somerset. We will start to **review the geographical scope of CIL, the amount of the levy and the items which CIL can be spent on** (the Regulation 123 list) to align with the latter stages of the Local Plan production because the issues are closely linked.
80. If we want to mitigate the climate crisis we could provide more **opportunities for people to reduce their need to travel, as well as walk, cycle and use public transport as an alternative to the private car**. Public transport must be convenient in terms of destinations, routes and timetables and frequent enough to meet as many people's needs as possible. It must have benefits over using the car in terms of cost and/or journey time otherwise people won't use it. New or improved routes usually take many years to become self-financing, if at all, so routes need to be 'pump-primed' by s106 funding from developers.
81. There is no up-to-date County-wide Transport Strategy at present so the Local Plan could **take the lead in developing strong policies for public transport provision** to require financial contributions towards bus services; support bus priority measures including smart bus infrastructure; consider the proximity of new development to bus routes; and consider high density development at public transport nodes. We could also consider how to improve strategic bus links through working with the County Council and our neighbouring

authorities, for example to support a bus service from Williton to Bridgwater.

**Q7** What are your views on how we could address **infrastructure** issues?

## A Better Quality of Life

82. The ability for people to come together through leisure, sport, family and cultural activities builds strong and healthy communities and can reduce the sense of isolation in rural areas. The Local Plan could seek to **strengthen the self-containment of our settlements** through the boundaries allocation of sites to include multi-purpose community uses and to resist their loss.
83. Our population is aging and the Local Plan could also respond in a way to **help older people enjoy a better quality of life** particularly better rural public transport and the self-containment of settlements. Further measures could be more strongly required through the Local Plan. This could include high expectations for the design of new housing regarding adaptability and wheelchair standards; design the public realm to be safe, accessible and include seating and public toilets; bus stops with seating and handrails; locating housing close to community facilities; develop housing of a size and type to encourage downsizing to housing that is cheaper to heat and maintain.
84. We want to create balanced communities. Primarily this means retaining our younger people and encouraging other younger people to move to our area. To this end we could **create places attractive for younger people**. Leisure, entertainment and cultural offers are key to this as well as suitably affordable, sized and located housing/apartments. The Local Plan could look to boost economic prospects through encouraging improvements in access to education and skills development and aspiring towards inward investment from high quality employers; ensure its housing mix and tenures are affordable to young households; and that new houses are served by the best digital connectivity they can be.
85. We also want to encourage **young people to stay in the area if they start a family**. The Local Plan could ensure homes have sufficient internal space for quiet homework areas and sufficient play space and natural light; play facilities located in the centre of neighbourhoods with good natural surveillance; multi-purpose venues suitable for toddler and parent groups; a public realm that encourages use by all ages rather than being purely 'adult' spaces; improve access to recreation, leisure, open space especially by public transport; providing safe walking and cycling routes. Providing support for childcare facilities, schools and healthcare in locations accessible to employment helps households, and particularly women, be able to get back into work whilst managing childcare logistics.
86. Through good design the Local Plan could also try to **reduce inequalities in the built environment experienced by people with physical disabilities and mental health issues**. It could ensure the public realm is designed so that the physical environment is accessible and free from obstructions (particularly important considering the likely push for on-street electric charging points); parks and playgrounds are accessible by level walkways; public spaces are overlooked, with direct and clear routes, well designed transport interchanges, and good lighting to help people with physical disabilities and mental health issues feel more confident at navigating the urban environment. Such design would also help provide an environment where women feel safer, particularly at night. To create a sense of place and local identity, policies could be developed to **avoid the over-engineering of streets** in new developments so that we don't see out-of-a-catalogue streets.
87. The Local Plan could **continue to regenerate Taunton town centre** and build on what has been achieved through the Area Action Plan. The Local Plan should reflect on why some sites in the Plan have not come forward and adapt its policies to improve the prospects of

development taking place. We could **review the uses on the site allocations** to determine if alternative uses or mix of uses are more appropriate and more deliverable to avoid sites sitting empty for many years. This could mean introducing **more housing on town centre sites and perhaps student accommodation if there is an identified need** given that we have an over-supply of employment land. There are a number of development sites in the town centre which place great emphasis on the need to deliver high quality urban design to respect local character, the heritage, biodiversity and open spaces in the town. We are going to produce a Design Guide during 2019 for the town centre and wider District to provide direction for developers.

88. Our environment goes a long way to determining the quality of our health and wellbeing. Local Plans are encouraged by the NPPF to do more in terms of **supporting healthy lifestyles**. In reality, this approach isn't new as for decades Local Plans have sought to encourage walking and cycling, provide sport and recreational facilities, play parks and open spaces, enable accessible primary healthcare among other measures that are inherent in good Plan-making. However, we could try to bring health and well-being to the forefront of our Local Plan policies. We could also **identify areas of the district where there are inequalities in health and actively try to deliver improvements in those areas**. The Council will be producing a Health and Wellbeing Action Plan and the Local Plan will be developed alongside this.

**Q8** What are your views on how we could create a **better quality of life** for local people?

## What Happens Next?

89. This Issues document is part of Stage 1. All the comments received before the consultation closes will be analysed and a summary report produced and published on our website. The responses will be carefully considered and used to help prepare the Options stage of the Local Plan (also part of Stage 1).

Stage 1	Evidence gathering (Reg 18)	This includes a number of sub-stages including the consultation on this issues document, consultation on options, sustainability appraisal of options and evidence base studies produced
Stage 2	Draft Plan (Reg 19)	Consultation on draft policies, potential development locations and supporting information, based on the previous stage and evidence gathering
Stage 3	Publication version of the Plan	Consultation on the revised plan, changed in light of the previous stage and further evidence gathering. Plan and comments go to the Planning Inspector
Stage 4	Planning Inspector's hearings	An independent Planning Inspector examines the plan, evidence and comments made. The Inspector holds hearing sessions to discuss the 'soundness' of the plan
Stage 5	Plan is adopted	The plan is adopted and is used to inform local planning policy and decisions on planning applications

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- <sup>4</sup> Para 5.4.9 [Employment, Retail and Leisure Study](#) (Oct 2018) Peter Brett Associates
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- <sup>6</sup> [Employment, Retail and Leisure Study](#) (Oct 2018) Peter Brett Associates
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- <sup>23</sup> [Net Zero: The UK's contribution to stopping global warming](#) (May 2019) Committee on Climate Change
- <sup>24</sup> [Future Telecoms Infrastructure Review](#) (July 2018) Department for Digital, Culture, Media and Sport
- <sup>25</sup> Taunton Deane 36.1% and West Somerset 31.7% on brownfield between 2015/16-2017/18 ([Authority Monitoring Reports](#))
- <sup>26</sup> [Quantock Hills AONB Management Plan 2019-2024](#); [Blackdown Hills AONB Management Plan 2019-2024](#)
- <sup>27</sup> [Somerset Pollinator Action Plan 2018-28](#); [Hestercombe House SAC Guidance on Development \(April 2018\)](#); [Exmoor and Quantocks Oak Woodlands SAC Guidance on Development \(April 2018\)](#); [Somerset Habitat Action Plans](#)
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- <sup>29</sup> Section 5.5 [Employment, Retail and Leisure Study](#) (Oct 2018) Peter Brett Associates
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- <sup>32</sup> [Authority Monitoring Report](#) (2018) Taunton Deane Borough Council, West Somerset Council
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## Somerset West and Taunton Council

Scrutiny Committee - Wednesday 12<sup>th</sup> June 2019

### Regeneration of Firepool

This matter is the responsibility of Cllr Habib Farbahi

Report Author: James Barrah, Head of Commercial Investment

#### 1 Executive Summary

This report is the next key step to progress delivery of the Firepool site. It sets out a programme of activity to deliver the outline planning consent. The report outlines a little of the history of the site, some lessons learned and the steps undertaken in the past 3 months to identify the likely most deliverable form of development in a relatively short programme.

Appendix 1 consists of the indicative conceptual block plan for the site which both builds on the outline planning approval and accords with current planning policy. This is not a prescriptive solution but it is work in progress. The site is to be divided into bite size blocks to assist greater flexibility and certainty of delivery. The intention is that the Council will act as the masterplan developer to deliver the public realm and infrastructure to remove the obvious barriers to progress the site and act as a catalyst to delivery.

The report seeks support for the broad direction of travel set out and the key recommendation is to seek authority to appoint a professional design team to help progress the masterplan delivery and to work up detailed business cases for Blocks 1,2 and 5. The report also sets the way forward for the hotel and to identify the market and commercial appetite for a performance venue together with the potential space requirements.

Key to the regeneration of the site is to build on the extensive consultation already undertaken with the previous planning applications but to focus now on delivery.

Our intention is to get the public realm and infrastructure elements on site next year and to have 2 or 3 Blocks started on site as well. The decisions within this report are a key and essential stage in the process and sets up the next key steps as follows:

June – September

- Design team appointed to further develop and cost the conceptual delivery block plan and create a Framework Masterplan ready for approval
- Commission expert studies into a performance venue
- Hard market test Hotel, Leisure and Residential blocks and seek commercial occupiers

Post October

- Review detailed business case for Blocks 1,2 and 5
- Council decision to work up, consult and submit planning applications as required
- Review business case for Performance Venue
- Review and decide on alternate delivery approach for Hotel
- Consult and submit planning applications in late 2019, early 2020 potentially in conjunction with plot developers
- Secure detailed planning approvals, conclude developer deals
- Major start on site mid 2020

## 2 Recommendations

For scrutiny committee to comment on the report and in particular the following recommendations that will be presented to Executive and Council for approval:

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

- Approval of a total budget of £275,000 to progress these work streams and this to be funded from New Homes Bonus funds

### 3 Risk Assessment

#### Risk Matrix

Description	Likelihood	Impact	Overall
The council is unable to decide on the right, viable solution for the site and there is no activity	3	5	15
Council selects a single developer for the whole site whom is unable to perform	3	5	15
Lack of progress will mean lack of investment and job creation plus loss of potential Council Tax and Business Rates income	2	5	10
Poor quality scheme could undermine future of Town and area	1	5	5

#### Risk Scoring Matrix

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

## **4 Background**

The redevelopment of Firepool has been an element of Council plans for the centre of Taunton for a very significant period of time. The intention to create a new development in this location is described in the Council's Town Centre Action Plan adopted in 2008. This was further reinforced by the Taunton Rethink adopted in late 2014 which confirmed the importance of this site as a central point in the town centre growth plans

St Modwen were appointed in 2010 and whilst some progress has been made in regards to Firepool South. The development agreement with St Modwen came to an end in late 2018. St Modwen submitted an outline planning application in 2016 that was recommended for approval and the S106 for this was signed in March of this year. The permission is live.

## **5 Enabling Works**

The initial enabling package of works is well underway within budget and programme. Concrete has been broken up, site fencing enhanced and some interim landscaping completed. The principle of the boulevard established with part of the interim footpath created and for the moment the whole site looking better cared for and feeling safer for the public. The grassed area is a temporary solution but is intended to make the area an attractive area for the public to use and enjoy pending development.

Further work utilising the existing budget approval over the coming weeks will address some further demolitions, completing the temporary footpath connection to the station and completion of the vehicular access from Trenchard Way by Somerset County Council on the Council's behalf.

The intention is that these works create considerable temporary improvement to the area and help make an underused public car park feel more welcome and useable as a long stay car park outside of cricket matches. That should help grow car park revenue. The enabling works are also intended to help build momentum a vital part of all projects and importantly to help illustrate to investors and occupiers the true value of the site.

## **6 Constraints and Vital Issues**

The site presents various constraints and issues to be addressed. In summary key issues to be addressed are:

- Flood Risk – To reassess and ensure compliance with the flood risk strategy for the site which involves raising the level of the site
- Weir – Working with partners to consider some essential repairs to the Weir and Lock and to improve the appearance of the Lock area
- Utilities – To relocate services that severely restrict the optimum layout for the site and to provide services to each block
- Highway Access – To provide the optimum access to the site from the NIDR and as required Canal Road and resolve the level change

These issues will be addressed and solutions identified and costed for the next stage.

## **7 Title**

The final acquisitions have now been made to deliver all of the site although legal completion of the acquisition of one property has not yet been achieved but is expected by end August. It has been exchanged though. This is the last remaining obstacle to complete control of the site.

## **8 Value of the Site to the Area**

There is enormous economic and social regenerative benefits from bringing this site forward and quickly. This site could reasonably be producing £1,500,000 of Business Rates Income per year and in the region of £500,000 per annum in Council Tax. Then you add in the GVA of any business uses on site, employment created is a direct and indirect income to the area and wider Public Sector including the Council of at least £3m per annum. There is every reason to move on a regeneration scheme on this site quickly to capitalise on these considerable benefits.

## **9 Hotel – Background**

Previous Council approvals supported the business case for the delivery of a 120 bed hotel. This project went through a long process of due diligence and an open tendering exercise. The Council hoped to find a developer to undertake the scheme but after market testing undertaken a few years ago there was little interest. There were some submissions but they were far from straight forward and involved adding in other sites and land of value plus loans and financial commitments. However the investment market changes quickly and we have been advised by specialist hotel agents that there is an increasing appetite in investors and developers for franchised type premium hotels and this may well extend to Taunton. The advice is clear enough to suggest that it is worth re-examining the potential for a third party to take all or some of the financial risk.

There have been a number of hotels developed by other Councils up and down the country. Council's have developed, owned and operated these hotels and have made a decent return from them. Generally this sort of franchised hotel does not have a simple lease arrangement and the market has moved towards a handful of specialist hotel operators whom occupy only on a management basis. There is also an emerging investment market for existing hotels run solely under management agreements. We have been advised that new build hotels have been sold within 6 months at prices comfortably above the costs.

## **10 Hotel – Way Forward**

The original Firepool Hotel business case was well considered and had some considerable merit. However, a detailed review has been undertaken and there is specific concern over a number of key issues:

- Operating Risk with public funding albeit with strong independent advice that the demand is solid from third party specialist advisers
- Capital lockup – that is it may prove difficult to sell the Hotel given the lack of a traditional lessee paying a traditional rent
- Moreover the opportunity cost of committing significant amounts of capital to the Hotel project when the rest of Firepool will certainly require additional considerable Council investment

A Four star hotel brand would be good for Taunton, particularly one that is an internationally recognised brand. It is recommended that we should re-review options to secure a direct developer/lessees /investor on the best possible terms but with the minimum financial commitment from the Council. There was clear evidence of a need for a circa 100 bed hotel in Taunton Town Centre to provide a much more sustainable, town centre alternative to a successfully trading Holiday Inn at Blackbrook Gate and the other motels and hotels in the Town.

Our recommendation is that a premium hotel is needed for the Town Centre and that Firepool is the perfect location. We though need to further test the appetite for a third party to fund and take on the operator risk. A specialist hotel agent will be appointed to further test the market. The results of this exercise and a recommended way forward will be reported back to Council.

## **11 Performance Venue**

There has been a long held ambition for a major performance venue for Taunton. Firepool could be the ideal location. The Council wishes to review the market for a Performance Venue. This will likely be a multi-functional space that sits in Taunton and possibly at Firepool. Although there is no precise definition for what a Performance Venue should consist of in terms of this project it is probably easiest to define it as:

1. A space for live performances in all media
2. A covered seating arena to allow ideally tiered seating
3. A flexible space that could also accommodate conferences, events and fayres

A suitable expert in the field will be appointed to review the market for such a facility. They will also advise on likely size and car parking requirements. They will be asked to speak to suitable operators and assess the likelihood of securing commercial investment for such. It is noted that both Cardiff and Bristol have live schemes of between 12,000 and 15,000 capacity and these facilities can cost many tens of millions and often also require significant revenue support. It is expected that if this sort of proposal is viable then it would be possible to have such a facility fully funded by private commercial investment but a positive business case will be very challenging.

Once the expert consultant has reviewed the market place a report will be brought back to Council with a recommended way forward.

## **12 Recommended Delivery Block plan. (Please also refer to Appendix 1)**

The proposed Block plan has the following key components, each individual block could be developed as follows. The site would be developed on the basis of six individual and distinct areas as shown on the attached plan but with these plots being connected through the principles established in the Master Plan and site high level business case. This plan is nothing more than indicative at this stage but follows some of the principles contained within the outline planning approval. It is important to note that the Block plan is very similar to the Town Centre Action Plan and subsequent design codes that are current Local Plan policy.

Block 1 - There is strong interest from residential developers for this part of the site this could be a start on site next year

- One block of apartments between the Acorn development and Viridor but positioned to create a gap to allow the space behind to enjoy the river aspect

- This first site is on the back of the river which should be 2 bed apartments with living spaces facing the river view and it is expected to achieve around 20 units
- The L shaped block shown on the plan is also apartments and is intended to enjoy a courtyard that faces out over the river and also over Somerset County Cricket Club

Block 2 – there is strong interest from residential developers for this part of the site – this could be a start on site next year

- We are potentially looking at a contemporary modular Terraced Town House building with some apartments.
- Town House types would be on a 4m, 4.5 and 5m width modules on 3 or 4 stories.

Block 3 – Not market tested as yet but will likely be a follow on to Block 2

- Office uses to complement the proposed innovation centre on Block 6 New access to turn into the site from the new access into NIDR/Trenchard Way
- Refurbishment of the Great Western Goods office into Food and Beverage
- Line the boulevard with buildings probably apartments above active ground floor space for cafes/bars/food related and possibly a local supermarket such as a Tesco Metro/Simply Food of say 4,000 sqft

Block 4 – There will be interest in this but not at the same time as Blocks 1 and 2

- The eastern block is a continuation of Block 2 so it will be housing led exactly as the brief listed above
- Where this block meets the boulevard it should be housing on its eastern and northern edge
- The southern and western edge will have active ground floor space possibly 2 storey in height in places with upto 4/5 stories above of apartment space above
- Parking for the apartments to be in the courtyard
- Block 4 could also be the best possible space for the Performance venue

Block 5 – There is good interest from occupiers – this could be a start on site next year

- The western edge to take a standard rectangular block for a Hotel
- The eastern edge to have a 5 screen cinema with each screen being somewhere around 10m wide by 20 m with a ground floor access foyer taking customers to a first floor reception space with screens beyond or something similar

Block 6 – there is good interest from occupiers but may take a little longer to put together

- Innovation Centre of circa 4,000 sqm
- Possible retention of no 9 Canal Road and providing a terrace of new houses next to it say 4 houses in total

The Block design approach will be further developed and indicative and costed designs worked up for decisions to proceed later in the year.

Blocks 1 and 2 will be taken to the market. The intention is that Block 5 could be easily developed by the Council and further work will be undertaken on bringing forward pre-lets and working up the detailed business case. The hotel part of this report also relates to this block.

## **Transport/Public Realm/Infrastructure requirements.**

This is the key element in the scheme. This is the element that all members of the public can use and enjoy. This will include all of the main public areas of the scheme to include. The quality of the scheme is as much about the spaces around the buildings as the buildings themselves. Key components of this work stream are:

- Creation of the landmark boulevard linking train station with river and onto the Town Centre via Coal Orchard
- It includes all of the public realm area alongside the river and up into the scheme
- It delivers vehicles and pedestrian routes around the site

### **Service Strategy**

- Need to create a surface water culvert along Canal Road until it outflows into Lock – this helps manage floods from Taunton Town Centre
- Review positioning surface water and mains drainage into the road/boulevard to clear the site for clean development
- Gas and power to run in main roads where possible to minimise land take
- Review well designed, high quality service duct approach to make it easier for utility companies to access infrastructure without digging up roads and pathways and leaving unmatched patches

Therefore it is recommended that the public realm and infrastructure elements should be taken forward for conceptual design by the Council together with development of the delivery masterplan to establish the required level of detail and retain the level of control required to deliver the best possible scheme, we will complete this over the next three months.

## **13 Recommended Masterplan Delivery Approach**

It is recommended that a new single developer for the site is not the best way to proceed. This is because the St Modwen experience was a clear example of putting too many eggs into the one basket. The best possible solution is to look at the site not as one large development site but on a master plan basis where the site is shaped by the public realm, the boulevard the Lock and bridges and public spaces and the 400m of waterfront on both River and Canal. These elements can be enjoyed by all residents of Taunton. They should be delivered to the best possible quality and the only organisation that can honestly undertake that task to the benefit of all residents and visitors to the area is the Council. This route will also retain the greatest flexibility to respond quickly to changes in our operating environment.

The Council will produce a Framework Masterplan for the Firepool site. This Masterplan will be presented to the Council for approval and adoption in its role as landowner but also importantly as the Local Planning Authority. Upon adoption, the Masterplan will be a material planning consideration that can be taken into account in the determination of detailed planning applications for the individual plots within the site. It will also provide confidence to the Council in its planning authority role that detailed proposals sit within a broader framework for the wider site which is an important consideration in terms of securing an appropriate mix of uses across the site and in ensuring that there is a coordinated approach to design and place-making.



Professional officers will provide technical planning and urban design input and guidance to the Team preparing the masterplan in order that the document can be recommended to the Council for adoption in late Summer / early Autumn.

## **14 Governance - Key Principles**

The intention is that a handful of key principles will guide the regeneration of this key site. The masterplan has been broken down into logical blocks each individual block will have its own business case.

It is proposed that all components of the project will be tested by clearly drawn parameters to provide the structure to keep the project focussed and deliverable in quick time. The intent is to have a mechanism to sift proposals that balances market interest, deliverability, viability and quality. The suggested parameters are light touch and are as follows:

- |                        |   |     |
|------------------------|---|-----|
| 1. Financials          | : | 30% |
| 2. Delivery            | : | 20% |
| 3. Fits the Masterplan | : | 15% |
| 4. Regeneration        | : | 15% |
| 5. Design              | : | 20% |

The intention is that every use proposal that comes forward either promoted internally or proposed externally is tested against these parameters. Those proposals that score well will enter a traffic light system to assess likely deliverability and resource allocation.

Red is stop this proposal will not achieve the projects objectives. Amber is this is marginal and needs more work. Green is go to business case.

### **Parameters in a little more Detail**

#### **Financials**

The intention is to agree a basic block plan that creates some order on the site but keeps flexibility. Each block will have a likely use although not definitive certainly indicative. For the optimum use and block a likely density is assumed. From this data and the wider understanding of the site in relation to infrastructure costs a financial appraisal is produced. Each Block will have its own business plan and delivery plan which will include selling to a developer, a JV or Council self-development. The risks and rewards will be considered block by block.

#### **Delivery**

This assesses the deliverability in the following measures:

- i. Likelihood of planning success
- ii. Covenant – ability of occupier to deliver, track record etc
- iii. Funding – proof of funding and level of conditionality of that funding
- iv. Appetite and evidence for pace of delivery

## Fits the Plan

The base masterplan is produced as part of the action plan. This will fit with the strategic context of the outline approval from 2018, the Town Centre Action Plan from 2008 and design codes that are current Local Plan Policy. This should also fit the emerging conceptual block plan which will form the conceptual masterplan. Options that do not accord with these plans risk a refusal at planning or compromise key objectives such as the boulevard and will be scored accordingly.

## Regeneration

Key drivers are uses that produce highly skilled jobs, general employment, complimentary commercial space (complimentary to the Town), driving GVA. Delivering enhanced and quality and accessible waterfront areas and a significant area of increased public realm. Creating secure space that creates an enhanced environment for locals and visitors to enjoy is an essential outcome.

## Design/Quality

The Town and the scheme demands high quality architecture and scoring will reflect this. This will also include issues of sustainability. It is essential that the scheme reflects all of the qualities of our Garden Town status and our emerging waterfront first strategies. We want a Firepool that both respects the architecture in Taunton but also helps to take it forward as well.

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

The Council is currently preparing a new Corporate Plan. The regeneration of Taunton Town Centre with Firepool as a key component will undoubtedly be a key feature for the benefits and reasons as set out in the main body of this report.

## **16 Finance / Resource Implications**

The Finance implications are to be further considered at business case stage. The budget of £275K allows for the continued funding of the project management team, architect and urban designer, engineers, quantity surveyors and specialist advisers for the Performance Venue and the Hotel and commercial agents together with a suitable contingency.

## **16 Legal Implications**

The decision relating to this report will enable the commencement of legal work to deliver the necessary development approach.

The choice of option will also enable procurement processes to commence, which delivers that option and ensure that the council is fully compliant with the appropriate legislation.

## **17 Environmental Impact Implications**

The environmental implications will be addressed through the planning process which runs parallel to this decision, and our core delivery principles set out above.

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

None related directly to this report. As stated above these issues will be dealt with through the planning process and final design considerations within the build.

## **19 Equality and Diversity Implications**

This report relates to financing the development. The equality and diversity implications of the development are addressed through the design and planning process.

## **20 Social Value Implications**

At this stage we have not carried out a detailed analysis in this area. However we are aware that when we seek a delivery partner there will be opportunities to explore social value within the procurement and building elements of the project. We will ensure social value is taken fully into account in later stages of the project whichever option is taken.

## **21 Partnership Implications**

There are no direct implications for this report at this stage but maybe later in the project.

## **22 Health and Wellbeing Implications**

No known implications in this report

## **23 Asset Management Implications**

The land which is proposed for development is in the ownership of the Council, with one remaining land transaction due to complete imminently. This detailed business case and the chosen development option will therefore be key to future management or disposal of the asset. The asset management team will be involved in the project and have acted as advisors throughout the production of the outline planning application.

## **24 Consultation Implications**

This report relates to the choice of method for delivery of the scheme by the council. The decision is therefore one for councillors to determine so does not require consultation outside of the Council at this stage. Any subsequent planning application will be subject to proper consultation which will be a full and thorough exercise later in the year. There has already been considerable consultation in past years and the content of this proposal is similar to both the outline consented scheme and the preceding Town Centre Action Plan.

## **25 Scrutiny Comments**

This report is for Scrutiny Committee and comments will be recorded and carry forward into the Executive report.

**Democratic Path:**

- **Executive – Yes**
- **Full Council – Yes**

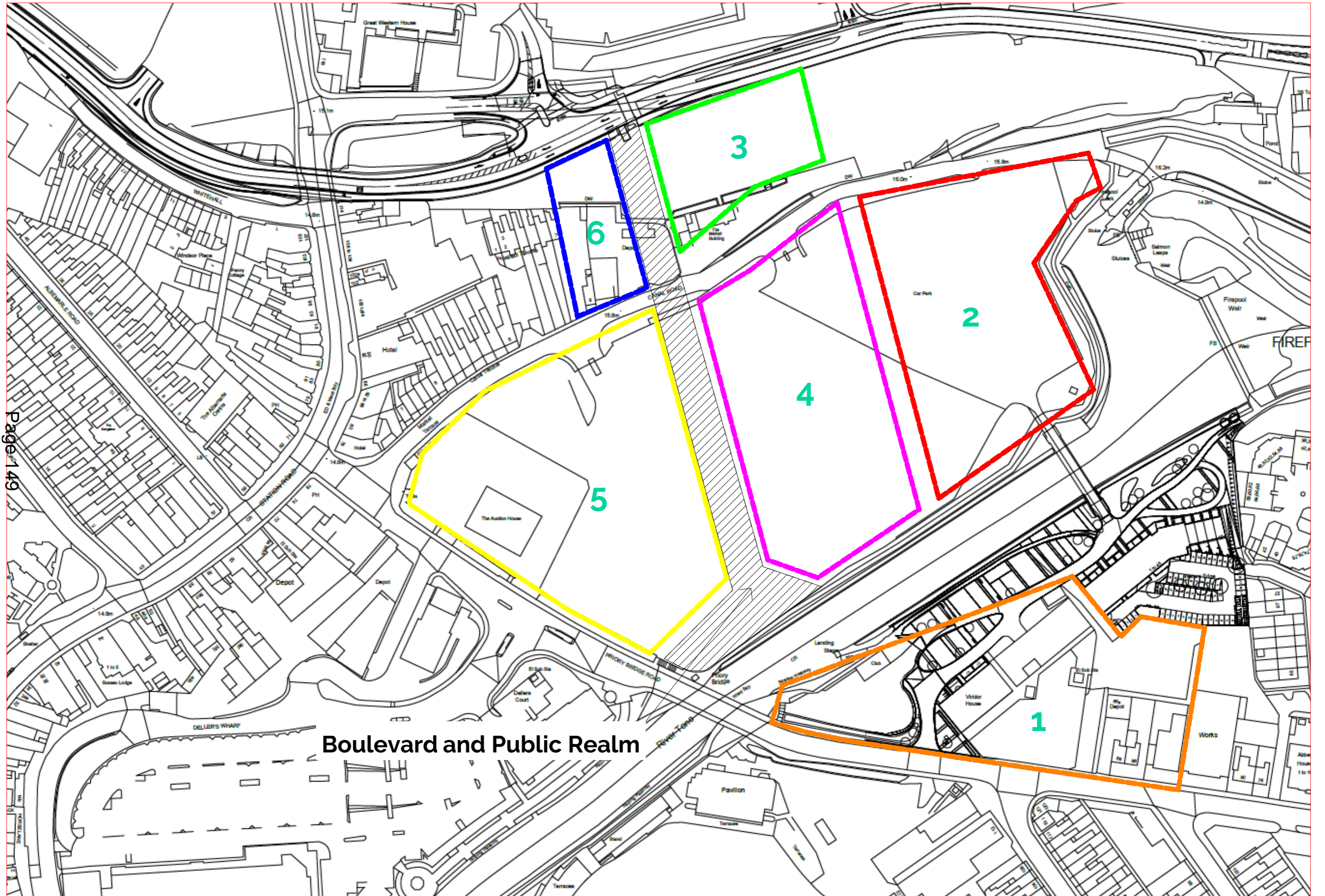
**Reporting Frequency: Once only**

**List of Appendices**

Appendix 1	Block Masterplan
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**Boulevard and Public Realm**



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

Document is Restricted

