

Public Document Pack



Shadow Scrutiny

Monday, 4th February, 2019, 6.00 pm
Council Chamber - West Somerset House

Members: P Murphy (Chairman), F Smith-Roberts (Vice-Chair), G James, C Tucker, S Coles, J Gage, R Henley, R Lillis, B Maitland-Walker, D Mansell, P Pilkington, R Ryan, P Watson, R Woods, G Wren and N Thwaites

Agenda

1. **Apologies.**
2. **Minutes of the previous meeting of the Shadow Scrutiny Committee.** (Pages 3 - 10)
3. **Declarations of Interest.**

To receive and record any declarations of disclosable pecuniary interests or personal or prejudicial interests in respect of any matters included on the agenda for consideration at this meeting.
(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)
4. **Public Participation.**

The Chairman 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.
5. **Non Domestic Rates Discretionary Relief Policy** (Pages 11 - 44)
6. **North Taunton Woolaway Project** (Pages 45 - 74)
7. **Shadow Scrutiny Work Programme.** (Pages 75 - 76)

To consider items to be added to the Work Programme.

Shadow Scrutiny - 14 January 2019

Present: Councillor P Murphy (Chairman)

Councillors F Smith-Roberts, S Coles, R Lillis, D Mansell, P Pilkington, R Ryan, P Watson, R Woods, G Wren and C Booth (In place of R Henley)

Officers: Shirlene Adam, James Barraah, Mark Leeman, Sue Clowes, Chris Gage, Paul Harding, Steve Hughes, Simon Lewis, Paul McClean, Marcus Prouse and Clare Rendell

Also Present: Councillors P Berry, R Clifford, M Dewdney, A Hadley, J Horsley, L Lisgo, K Mills, V Stock-Williams, A Trollope-Bellew and J Warmington

(The meeting commenced at 3.35 pm)

33. Apologies.

Apologies were received from Councillors B Maitland-Walker and N Thwaites.

34. Minutes of the previous meeting of the Shadow Scrutiny Committee.

(Minutes of the Meeting of the Shadow Scrutiny Committee held on 26 November 2018 – circulated with the Agenda.)

Resolved that the Minutes of the Shadow Scrutiny Committee held on 26 November 2018, with amendments, be confirmed as a correct record.

35. 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 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 Parish Clerk	Personal	Spoke and Voted
Cllr A Trollope-Bellew	All Items	Crowcombe	Personal	Spoke
Cllr V Stock-Williams	All Items	Wellington	Personal	Spoke
Cllr J Warmington	All Items	Bishops Lydeard & Cothelstone	Personal	Spoke

Councillor R Clifford declared an interest as the Chairman of the West Somerset Advice Bureau.

Councillor J Warmington further declared an interest as her son was an advisor at Citizens Advice Taunton.

36. **Public Participation.**

Mr P Boyle spoke on Agenda Item 8 Leisure Operators Contract. He raised the following question of the Committee:-

'The current contract provision had caused communication and other service problems and had disenfranchised Council Tax Payers.

One option for the Contract was to have it 'in-house'. He requested that the Committee considered that very carefully and thoroughly, and in particular how it would give Council Tax Payers, who used the provision, a voice for their concerns to be understood and addressed.

The officer thanked Mr Boyle for his question raised at the Shadow Scrutiny meeting.

The Authority decided in 2004 to cease the 'in house' provision and allowed the formation of the Tone Leisure Trust. This led to significant financial savings for the Authority and protected the provision of leisure per se when other authorities were giving consideration to closing facilities.

The Authority had no appetite to re-employ the staff currently employed by GLL in order to deliver the services 'in house' or to bear the significant additional NNDR and VAT costs that would occur as a result.

The Authority then considered the arrangements again and took a conscious decision in 2017, when considering the delivery options for the new contract that it would continue with the 'external delivery' route. The Authority considered that this remained the best way to protect services by ensuring they were delivered in the most cost efficient way. It was anticipated that the new contract would deliver further savings for the Authority.

The procurement route therefore had not included an option for 'in house' delivery.

In terms of listening to customer views, once an Operator was selected for the new contract we would meet with them to discuss the delivery of the services specification which included the requirement to capture customer feedback via a number of routes.

37. **Proposed Financial Support for Citizens Advice Services (2019/20)**

Considered report previously circulated, the purpose of the report was to set out recommendations for how Somerset West and Taunton Council (SWT) might be able to continue to support Citizens Advice Taunton (CAT) and the West Somerset Advice Bureau (WSAB).

Taunton Deane Borough Council (TDBC) and West Somerset Council (WSC) provided core grant funding (via Funding Agreements) and other project funding to the Citizens Advice (CA) services. Core funding was used by the CAs to support their core service that provided free, confidential and independent advice which included:-

- Benefits, debt and money;
- Housing;
- Employment;
- Legal;
- Health; and
- Consumer.

Public Health also provided core grant funding and so did Somerset County Council (SCC) via Adult Social Care (until 31 March 2019).

SCC had recently (12/09/2018) made the decision to cut their funding support to the CA services across the County. There were two elements to those cuts:-

- 100% cut to core grants; and
- 100% cut to Local Assistance Scheme (LAS) administration grant, and 50% cut to the assessment fee. There was also a 10% cut to the LAS client fund (for purchases).

Both CAT and WSAB had lost approximately one third of their grant funding, much of which was used to maintain their core services.

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

- The Chairman highlighted the risk matrix and that the risk was 25 and had been measured as very high. Even with the support from SWT after mitigation measures enacted as in the report, the risk was still 15 which was high. Concern was raised on whether there were any additional measures that would reduce the risk to at least medium.
- Concern was raised on the high cost of administration against the amount of money available in the fund.
The administration cost was high due to the nature of work involved. Officers had to look in many different places to find the help required for customers which took time and could be costly.
- Members understood that most businesses biggest cost was for their accommodation. Members wanted to support the WSAB and CAT and queried what could SWT do to help. Suggestions were made that SWT could rent out office space at a low cost to assist.
WSAB were currently in a dialogue with WSC about renting some space in Alcombe which would be offered at a peppercorn rent for the first year. CAT were locked into a contract for the next two years and had been offered the use of some office space at the Deane House.
- Members understood why the CAT might not want to use office space at the Deane House as they would want to keep a clear separation between them and the Council as members of the public might assume they were a joint service if they operated out of the Council Offices.
- Members suggested that the CAT could place a bid for the Taunton Unparished Area Fund.
Members were reminded that the Taunton Unparished Area Fund could only be used for that area and not the whole of the TDBC area. The funds could be used for project work but it was the core funding that needed assistance.

- Members suggested that the CAT should be able to provide statistics on what area customers lived in so that a bid could be placed for the Taunton Unparished Area Fund.
- Members supported the work that the WSAB and the CAT carried out in the community and agreed that help should be given to them to be able to carry on with their work. Both offered a wonderful service that was open to all.
- Concern was raised that help was only given in the main towns of Minehead and Taunton and Members queried how did they assist those located out in the rural areas.
The WSAB provided telephone and online assistance for those located out of the main towns. Officers were also aware that within the WSAB area, broadband signals could vary and therefore they offered home visits to those that could not make it into Minehead. Other outreach programs were also offered by the CAT in the Taunton area.
- Members supported the outreach programs and wanted to see them continue into the future.
- Members queried whether the WSAB and CAT were actively recruiting for volunteers.
Work was being carried out to hold several roadshows to recruit volunteers. Volunteers were a great resource but required supervision which still meant that a paid employee was required.
- Members queried whether Village Agents were being used.
Yes they were.
- Members highlighted that some Parish Councils had given funding towards the WSAB and CAT.
- Members highlighted that donation boxes would be distributed within the District, along with Parish Councils being approached for assistance. WSAB had contacted the local radio station for some publicity and wanted to reassure the Committee that they had sought help within the community.

Resolved that the Shadow Scrutiny Committee agreed and supported the following:-

- a) A one-off financial package of support, that totalled no more than £45,000, to be made available during 2019-20, to support a citizens advice 'transformation' programme and delivery of the LAS;
- b) That the detail of the expected outputs and outcomes from the 'transformation' programme be discussed and agreed between CAT/WSAB and the relevant portfolio holder/Strategy Specialist;
- c) That SWT continued to work proactively with CAT and WSAB to explore suitable accommodation options/support;
- d) That SWT retained the current level of funding (to support CAT and WSAB core services) through the duration of the current Funding Agreement; and
- e) That the Councils used their maximum endeavours to assist the Advice Services with their accommodation needs where feasible.

38. Transformation Programme Highlight Report and Implementation Plan Update

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:-

- The Deane House Accommodation Project, which was scheduled for completion on 15 February 2019;
- Process Redesign and Technology, which included phased work on the 240+ processes to be incorporated onto Firmstep ;
- People and Change, which included information on the recruitment process; and
- The Programme Finances, which included information on the budget.

Within the Business as Usual Commentary, an update on the priority tasks was presented to the Committee and included Phase Two Recruitment, Member Case Management and Risk Areas.

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

- Branding had been approved by the Shadow Executive on 6 December 2018;
- Bank account details had been confirmed;
- Slight slippage from November but there was no concern raised; and
- Corporate Governance and Standards Committee were due to develop stage two of the SWT Constitution.

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

- Councillors R Clifford and M Dewdney left the room before the discussion of the item.
- Members queried what communications were planned for the New Council and how would the information be distributed to customers and partner organisations.
SWT had a new Communications and Engagement Team who had started work on engagement activity. The Transformation Team were aware that they needed to equip officers with the correct information so that when they communicated with customers and partner organisations, they could give informed updates and advise them of the new ways of contacting the Council which would help alleviate the pressure on the reduced staffing resource.
- Concern was raised that there would not be enough officers in post at the start of April 2019.
- Members suggested that officers needed to manage the customer's expectations and distribute communications properly and in a timely manner.
The Programme Sponsor agreed and they had already started work on communications.
- Members queried what percentage of officers had left and how many had been employed from internal resource along with external applicants.

The figures for who had been employed were not yet known as the recruitment process had not been completed. The current reduction to staff cost was 14% which included the DLO workforce.

- Members queried how were officers going to communicate the new structure with the customers.
The customer did not need to know the structure, they needed to know how to contact the Council. The new structure included case managers who would guide the customer through the processes that were required.
- Members queried what their role was in the new structure.
The Programme Sponsor acknowledged that they needed to engage with Members so that they could help with the delivery of services.
- Concern was raised in the 'dip' in service levels during the delivery of the Transformation Project.
The Programme Director confirmed that was to be expected and that Members had been advised that service levels might be reduced as a result of the recruitment process.
- Concern was raised on the Planning and Enforcement Department and the lack of resource.
The Programme Director agreed that some applications had taken longer than normal to process. Enforcement was being tracked and she hoped that case management activity would enhance enforcement actions and work load.
- Concern was raised on the cost of temporary staff that had been used to assist with service delivery during the Transformation Project.
The Programme Sponsor was aware of the cost of temporary staff and that would be monitored closely.
- Members requested clarification on the figures given for the staff savings. The original figure was 22% and now it was 14%.
The revised figures were due to the DLO workforce being added to the process.
- Concern was raised on damage to the reputation of the Council due to lack of officers and work not being carried out.
The Programme Sponsor agreed and would ensure communications were distributed to minimise the impact on the Council's reputation.
- Concern was raised on 'business as usual' and that it had become more about managing disruption. Members felt that 'Business as usual' had become unattainable.
'Business as usual' was the old work that needed to be covered. The new structure and ways of working would incorporate the work but in a different manner which would achieve results with the reduced staffing resource.
- Concern was raised for the new Councillors elected in May 2019 and how they would navigate through the information on the project.
The structure would be very different going forward and Member Briefings would be arranged for the new Councillors.
- Members queried when would the transition period end.
The Programme Sponsor confirmed there wasn't an end date, the process redesign work was ongoing and they had set a target to ensure they had done enough by April 2019 to manage with the reduced workforce. However, the process redesign work would continue to evolve to reflect the need of the customer.

- Members queried whether they were on target with the process redesign work.
Yes, the main 240 processes should be ready for April 2019.
- Members highlighted that the Member Case Manager role was still available to use and provided a good service.
Members were advised that the Member Case Manager role was how the Customer Case Managers would operate in the new structure.
- Concern was raised on the recruitment process within the DLO workforce.
Clarification was given on the extra support that had been provided for the DLO workforce.
- Concern was raised that when the press release on the Non-Emergency Repairs Line was distributed to Members, no background information was given that explained the reasons why.
The Programme Sponsor apologised that the information had not been distributed to Members. He explained that the Non-Emergency Repairs Line had been introduced to manage customers' expectations whilst the DLO workforce went through their recruitment phase.
- The Chairman highlighted that at the December Shadow Council meeting, Members were reminded of the democratic process for new policies and that Members were invited to attend all the relevant meetings.

Resolved that the Committee noted the update report.

39. **Exclusion of the Press and Public**

Resolved that the press and public be excluded during consideration of item SC40 on the grounds that, if the press and public were present during the item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended as follows:

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

The Chairman adjourned the meeting at 6.00pm for a 10 minute comfort break.

The following Members left when the meeting adjourned:-
Councillors P Murphy, S Coles, P Pilkington, A Trollope-Bellew, A Hadley, K Mills, J Horsley, L Lisgo and J Warmington.

The meeting recommenced at 6.10pm and the Vice-Chair stood in as the Chair for the remainder of the meeting.

40. **Leisure Operators Contract**

The purpose of the report was to update the Committee on the Leisure Procurement Project.

Resolved that the Committee supported the recommendations presented in the report.

41. **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.

Resolved that the content of the Work Programme be noted.

(The Meeting ended at 7.10 pm)

Somerset West and Taunton Council

Shadow Scrutiny 4 February 2019

Business Rates Discretionary Relief Policy

This matter is the responsibility of Executive Councilors: Andrew Sully
& Martin Dewdney

Author: Dean Emery Principal Revenues & Debt Recovery Officer

1 Executive Summary

1.1 Shadow Scrutiny is asked to consider the Discretionary Rates Relief Policy which contains some minor changes and a new relief brought in by the government in the Autumn Statement 2018 called 'Retail Discount'. The Policy has also been reviewed, these changes are shown under the recommendations.

1.2 As part of the policy refresh process the Principal Officer held drop in sessions where Business Rates and the Reliefs were discussed

2 Recommendations

- 2.1 Charity 'Top Up' relief is capped at 10%
- 2.2 Local Newspaper Relief Continues into 2019/20 (fully funded)
- 2.3 Retail Discount from 2019/20 for two years (fully funded)
- 2.4 Local Discretionary Relief for Young/New Businesses/Innovation Centers
- 2.5 Depending on the legal setup either 100% Discretionary Relief, if 80% Mandatory Relief is paid then 20% 'top up' relief would be awarded
- 2.6 Ratable Value Restriction of £200k(RV)
- 2.7 Shadow Scrutiny is also asked to recommend the policy to Shadow Full Council 21/02/2019

3 Risk Assessment (if appropriate)

Risk Matrix

Description	Likelihood	Impact	Overall
There is a risk to the Council's reputation should any reliefs be applied inconsistently or unfairly	3	3	9
<i>The mitigations for this are the proposed changes as set out in the report - A robust policy to provide clear guidelines to staff making such decisions and allow an element of discretion in exceptional circumstances.</i>	2	2	4

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

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

4 Background

4.1 A range of Mandatory and Discretionary Rate Reliefs reduce (in some cases to Nil) the amount of Non-Domestic Rates (commonly known as business rates) a business or organisation has to pay. The qualifying rules and levels of relief for Mandatory Reliefs are set by Government and are the same throughout the country. The rules and levels of award for Discretionary Rate reliefs are set by each Council and as such may vary from Council to Council.

5 Links to Corporate Aims / Priorities

In utilising an effective way to assess and award reliefs it helps achieve consistency and manages financial risks. It maintains good governance and internal control.

6 Finance / Resource Implications

7.1 Unless fully funded by the Government through s31 grant all relief awarded costs Somerset West and Taunton Councils 44% from 01/04/2019.

7.2 The tier split for the Government is 25%, County Council 30% & the Fire Authority 1%

7.3 The Estimate of funded Discretionary Reliefs for 2019/20 is £ 1,547,251

7.4 The Estimate of Un-funded Discretionary Reliefs for 2019/20 is £ 609,733

7.5 The Estimate of Mandatory Reliefs for 2019/20 is £ 10,946,656

8. Legal Implications

8.1 Show there be an appeal this would be subject to an internal review

8.2 Taxpayer have a legal right to seek a 'Judicial Review'

9. Environmental Impact Implications

9.1 There are no environmental implications associated with this report.

10. Safeguarding and/or Community Safety Implications

10.1 Safeguarding and community safety implications have been considered, and there are not expected to be any specific implications relating to this report.

11. Equality and Diversity Implications

11.1 There are no known Equality and Diversity Implications

12. Social Value Implications

12.1 There are no social value implications associated with this report

13. Partnership Implications

13.1 Partnership implications have been considered, and are discussed in the main body of this report.

14. Health and Wellbeing Implications

14.1 There are no Health and Wellbeing implications associated with this report.

15. Asset Management Implications

15.1 There are no asset management implications associated with this report.

16. **Consultation Implications**

16.1 There are no Consultation implications associated with this report.

17. **Scrutiny Comments / Recommendation(s)**

17.1 (enter when known)

Democratic Path:

- 17.1.1 **Strategic Forum - Yes**
- 17.1.2 **Shadow Scrutiny - Yes**
- 17.1.3 **Shadow Full Council - Yes**

Reporting Frequency: **Once only**

List of Appendices (delete if not applicable)

Contact Officers

Name Dean Emery
Direct Dial 01823 219706
Email d.emery@tauntondeane.gov.uk

Somerset Equality Impact Assessment

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

Organisation prepared for	Shadow Council: Somerset West and Taunton Council		
Version	1	Date Completed	27/01/2019
Description of what is being impact assessed			
Business Rates Discretionary Relief Policy 2019/20			
Evidence			
What data/information have you used to assess how this policy/service might impact on protected groups?			
Currently we have no data to evidence any dissatisfaction as a direct result of awarding either Mandatory or Discretionary Reliefs. Government guidance and or statute is applied			
Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?			
There are no Consultation implications associated with this report. The policy is a simple refresh, there are no reported cases that would require a formal consultation.			

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	No Impact	☐	☒	☐
Disability	No Impact	☐	☒	☐
Gender reassignment	No impact	☐	☒	☐
Marriage and civil partnership	No impact	☐	☒	☐
Pregnancy and maternity	No impact	☐	☒	☐

Race and ethnicity	To mitigate this we would look to include a statement on each communication stating the information can be provided in a different language or format on request	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	No impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	No impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	No impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	No impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>

	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				
Completed by:	Dean Emery – Principal Revenues and Debt Recovery Officer			
Date	27/01/2019			
Signed off by:				
Date				
Equality Lead/Manager sign off date:				
To be reviewed by: (officer name)				
Review date:				

DISCRETIONARY RATE RELIEF POLICY

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Appendix A1	Detailed Scoring Matrix (Pink Paper)
Appendix B	Funding
Appendix C	Rural Settlement List
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1. Introduction and scope

Somerset West & Taunton Council recognises that both the community and voluntary sectors make an important contribution to the local economy, health and well-being of the residents who live and work in the District of Somerset West & Taunton Council. However, Discretionary Rate Relief granted by Somerset West & Taunton Council is paid for by the Council Tax Payers and the Council has a duty to ensure that public funds are spent wisely and there is due transparency and accountability.

This policy document outlines the areas of local discretion and Somerset West & Taunton Council approach when awarding Discretionary Rate Relief. This approach has regard to the impact:

- On the Council's wider financial position and how that affects Council Tax payers
- On the organisations and businesses that currently receive or may apply for Relief in the future
- On Somerset West & Taunton Council residents, if relief is awarded and the regeneration benefits to the local community
- Of funding made available by Central Government to provide full financial support for the awarding of relief such as but not restricted to: Revaluation Relief, Rural Rate Relief and Help for Small Businesses, Retail Relief.

The principal consideration when making an award is that any Relief is in the best interests of the taxpayers of Somerset West & Taunton Council and produces a local benefit.

2. Discretionary Rate Relief Scheme

Discretionary Rate Relief is granted in accordance with:

- Section 43 of the Local Government Finance Act (LGFA) 1988; and
- Section 47- 49 of the Local Government Finance Act (LGFA) 1988 as amended by the Localism Act 2011

Clause 69 of the Localism Act amended section 47 of the Local Government Finance Act (LGFA) 1988 to allow local billing authorities to fund their own local discounts entirely as it sees fit within the limits of the primary legislation and European Rules on State Aid. These powers can be used to encourage new business and investment, regeneration projects, as well as to support local shops or community services.

The cost of awarding Discretionary Rate Relief is split between Central Government (50%), Somerset West & Taunton Council (44%) the County Council (9%) and Devon Fire (1%). However in certain circumstances Central Government fund 100% of the cost of awarding relief as detailed in [Appendix B](#)

Regulations state that hereditaments cannot qualify for relief that are occupied by precepting authorities which includes **town and parish councils**. Discretionary relief cannot be awarded in respect of any properties where Somerset West & Taunton Council, town or parish councils are in occupation, unless acting as 'trustee'

Other organisations that would not normally receive discretionary relief

Educational organisations that are not registered charities (including universities, further education colleges, voluntary aided, voluntary controlled, church or grant-aided schools, public schools, foundation schools and academies).

Guidance was given to local authorities in 1990 and 2002 recommending that the authority should have readily understood policies for deciding whether or not to grant relief, and for determining the amount of relief to certain organisations which operate within specified criteria. This criteria covers:

- Charitable bodies already in receipt of Mandatory Relief at 80% the Council has further discretion to “top up” this Relief
- Registered community amateur sports clubs already in receipt of Mandatory Relief at 80% - the Council has further discretion to “top up” this Relief on a case by case basis.
- Not for-profit organisations - the Council has discretion to grant Discretionary Rate Relief in accordance with local policy on a case by case basis.

The Council will consider applications for a Discretionary Rate Relief “top up” on a case by case basis. The principal consideration is that any Discretionary Relief is granted in the best interests of the taxpayers of Somerset West & Taunton Council and produces a local benefit as the Council must bear a percentage of the cost of any Relief granted. However, it is Council policy that no Discretionary Relief will be awarded to National Charity Shops they will only receive the 80% Mandatory Relief.

Discretionary Relief will only be considered where the Rateable Value (RV) is up to and including £200,000(RV). Applications received where the (RV) is above this will be reviewed on a case by case basis not immediately refused, although circumstances would need to be considered to be unique before relief is awarded. Relief will be capped at a maximum of 80% the gross business rates charge with a £200,000(RV), Somerset West Taunton Council recognises that one size doesn't fit all.

2.1 Rural Rate Relief

In all three scenarios listed below 100% Rural Rate Relief should be applied.

The 2016 Autumn Statement confirmed the doubling of rural rate relief from 50% to 100% from 1st April 2017. Local authorities are expected to continue to use their local discount powers to grant 100% rural rate relief to eligible ratepayers.

Local authorities will be compensated in full for their loss of income as a result of this measure. This compensation will be paid by section 31 grant and calculated on the basis of individual council NNDR returns under the rates retention scheme.

The Council may award Rural Rate Relief to qualifying businesses in designated rural settlements (settlements identified with a population of less than 3,000). Qualifying businesses include Post Offices and Food Shops with a rateable value of less than £8,500 or the only Public House, or the only Petrol Filling Station in the designated rural settlements with a rateable value of less than £12,500.

Post Offices

Post Offices are an important component of many local communities, and particularly so in rural areas and qualifying Post Offices, in designated rural areas with an Rateable Value of less than £8,500 will receive 100% Rural Rate Relief.

Village Stores, Filling Stations, Public Houses and Village Halls

Village Stores with a rateable value of less than £8,500, and Filling Stations and Pubs with a rateable value of less than £12,500, will receive 100 % Rural Rate Relief.

It is Council policy that all “Village Halls” will be awarded 100% Discretionary Top-Up relief after any Mandatory Relief has been applied. No applications will be required.

Other Rural Businesses with Rateable Values under £16,500

Such businesses get no Mandatory Relief and can only be considered for Discretionary Rural Rate Relief each case is treated on its own merits by reference to the contribution and importance of the business to the local community.

A maximum of 80% Discretionary Rate Relief can be awarded the Council will assess all applications by using the scoring matrix shown in [Appendix A](#).

Rural Settlements – Maintenance of Lists

It is further agreed that a review is undertaken of qualifying rural settlements 3 months before the new financial year begins. Further information to aid this process will have to be obtained from census records where possible. To help with the review information will be used from Electoral Registration to try and obtain population numbers. The populous of an area doesn't have age boundaries all are included in the 3000 population amount.

If it is found that the population is greater than 3000 and a business no-longer qualifies advice will be given on alternative reliefs that could be claimed. It would be assumed that in most cases the organisation/business would claim Small Business Rates Relief

3. Charitable Organisations

Mandatory Rate Relief of 80% is granted to charities in the following circumstances:

Where the:

- Ratepayer of a property is a charity or the trustees of a charity;
and
- The property is wholly or mainly used for charitable purposes (including charity shops, where the goods sold are mainly donated and the proceeds are used for the purpose of the charity)

Registration under the Charities Act 1993 is conclusive evidence of charitable status. Bodies which, under the 1993 Act, are exempted from registration or are exempt charities are also eligible for Mandatory Relief.

It is agreed that in cases where a charity is in receipt of Mandatory Rate Relief of **80%** the Council will consider applications for a Discretionary Rate Relief “top up” on a case by case basis. If, but for an award of Mandatory Relief, a charity would qualify for 100% small business rate relief, Discretionary Rate Relief “top up” will be awarded at 100% of any remaining business rate bill. This only applies to local charities and not national charities, except for Citizens Advice Bureaux where 100% ‘top up’ will be granted.

The principal consideration is that any Discretionary Relief is granted in the best interests of the taxpayers of Somerset West & Taunton Council and delivers a local benefit as the Council must bear a percentage of the cost of any Relief granted Mandatory and or Discretionary at 44%.

However, it is Council policy that no Discretionary Rate Relief will be paid to National Charity Shops.

For a consistent approach the maximum of relief will be calculated as shown in [Appendix A](#).

4. Registered Community Amateur Sports Clubs (CASC's)

Mandatory Rate Relief of 80% is granted to registered CASC's.

To qualify as a CASC, the club must fulfil ALL of the following criteria. It must be:

- On the CASC register (<https://www.gov.uk/government/publications/community-amateur-sportsclubs-casc-registered-with-hmrc--2>)
- Open to the whole community
- Run as an amateur club
- A non-profit making organisation; and
- Aiming to provide facilities for, and encourage people to take part in, eligible sport

The Council will consider applications for a Discretionary Rate Relief “top up” from CASC's on a case by case basis. If, but for an award of Mandatory Relief, a CASC would qualify for 100% small business rate relief, Discretionary Rate Relief “top up” will be awarded at 100% of any remaining business rate bill. This only applies to local organisations not national companies, however, all applications will be looked at on a case by case basis.

The principal consideration is that any Relief is granted in the best interests of the taxpayers of Somerset West & Taunton Council and produces a local benefit as the Council must bear a percentage of the cost of any Relief granted at 44%. However, it should be noted that sports clubs and other organisations which run a bar will have this assessed along with other criteria. For a consistent approach on the maximum of **10%** Discretionary Rate Relief awarded the Council will assess all applications by using the scoring matrix as shown in [Appendix A](#).

5. Not for-profit making organisations including Community Interest Companies

Such organisations do not qualify for Mandatory Relief and can only be considered for Discretionary Relief each case is treated on its merits by reference to the contribution and importance of the business to the local community.

The main objectives of the organisation must be related to:

Relief of poverty, Advancement of Religion, Advancement of Education, Social Welfare, Science, Literature, Fine arts and Recreation or otherwise beneficial to the community.

A Community Interest Company (“CIC”) is a type of company, designed primarily for social enterprises that want to use their profits and assets for the public good. CIC’s are particularly attractive to those wishing to enjoy the benefits of limited company status and want to make it clear that they are established for the benefit of the community, but are not able, or do not wish to become charities. They vary in size from small community-based organisations to multimillion pound enterprises. CIC’s are relatively easy to set up, with all the flexibility and certainty of the company form, but with some special features which ensure that they work for the benefit of the community.

However, it should be noted that sports clubs and other organisations which run a **bar** will have this assessed along with other criteria.

It is agreed that the Council will consider applications for a Discretionary Rate Relief for ‘Not For-Profit’ Organisations and Community Interest Companies on a case by case basis. The principal consideration is that any Discretionary Relief is granted in the best interests of the taxpayers of Somerset West & Taunton Council and produces a local benefit as the Council must bear a percentage of the cost of any Relief granted of 44%.

Discretionary Relief will only be considered where the Rateable Value (RV) is up to and including £200,000(RV). Applications received where the (RV) is above this will be reviewed on a case by case basis and not immediately refused, although circumstances would need to be considered to be unique before relief is awarded. Relief will be capped at a maximum of 80% the gross business rates charge with a £200,000(RV), Somerset West Taunton Council recognises that one size doesn’t fit all.

For a consistent approach on the maximum of **80%** Discretionary Rate Relief awarded the Council will assess all applications by using the scoring matrix as shown in [Appendix A](#).

6. Hardship Relief (Section 49)

The Council has the power to reduce or remit the Business Rates charged in certain circumstances where the Ratepayer is enduring temporary financial difficulties, this is known as Hardship Relief.

The principal purpose of an award of Hardship Relief is to provide short term assistance to businesses that are suffering “exceptional” hardship arising from circumstances beyond the control and outside of the normal risks associated with running a business of that type to the extent that the viability of the business would be threatened if an award were not made. Applicants must have and be able to demonstrate they have investigated all other avenues of financial assistance prior to making a claim for Hardship Relief.

The Council may grant Hardship Relief if it is satisfied that:

- The Ratepayer would sustain financial hardship if the Council did not do so:
and
- It is reasonable for the Council to grant Relief, with regard to the interests of its residents and Council Tax payers

Hardship Relief will only be applied to the actual balance outstanding in the year the application was made.

No Hardship Relief can be awarded where payment has been made in part or full.

Hardship Relief is a temporary measure which can only be awarded once because it should not be used to artificially sustain a failing business. Hardship Relief may be awarded where the ratepayer is facing temporary financial difficulties and where the community would be significantly disadvantaged if the business were to close. The maximum award period is 12 months.

Applications for Hardship Relief must be accompanied by a full set of audited accounts relating to the two years preceding the date of application. Where audited accounts are not available for the current financial year, projected figures certified as being a 'true and fair view' by the company secretary or company accountants may be used. It is recommended that applicants submit audited accounts dating back further than two years, if such information is available.

For a consistent approach on the amount of Discretionary Rate Relief awarded the Council will assess all applications by using the scoring matrix as shown in [Appendix A](#)

Due to the nature of this relief Somerset West & Taunton Council will not apply the £200,000 (RV) restriction. When reviewing the application all current case law will be taken into account when assessing any award.

7. Section 44a Relief (partly occupied properties)

The Council has discretion under section 44a of the Local Government Finance Act to award Rate Relief where part of a property is unoccupied for a temporary period. The definition of 'temporary period' is not prescribed within the law and therefore Somerset West & Taunton Council has the discretion to decide the period of Relief to be awarded. The amount of Rate Relief that is awarded is determined by statute and is calculated by reference to the Rateable Value attributed to the unoccupied area by the Valuation Office Agency, part of Her Majesty's Revenue and Customs (HMRC).

Applications will only be considered in respect of unoccupied parts of a property and must be made within the year that the reduction was required. Clearly defined and are reasonably segregated from the occupied part of the property must be evidenced.

No award shall be made where it appears to the Council that the reason that part of the property is unoccupied is wholly or mainly for the purposes of applying for Rate Relief.

Rate Relief under this section will not be awarded in respect of partly occupied property where the partial occupation of the property may arise due to the ordinary day to day nature of the business (for example the operation of a warehouse).

Where a backdated application is received, the customer will be required to produce evidence to prove the area was unoccupied for the period the relief relates to. Acceptance of such evidence is at the discretion of Somerset West & Taunton Council. A reason as to why the application wasn't made at the time of need must also be given.

The period of Relief will not exceed either 3 or 6 months depending on the type of property the claim has been made for, in line with the current legislation for part-occupied properties.

8. Temporary Measures (Fully Funded by Central Government)

Supporting Small Businesses

At the Spring Budget, the Chancellor announced that a scheme of relief would be made available to those ratepayers facing large increases as a result of the loss of Small Business or Rural Rate Relief.

The transitional relief scheme does not provide support in respect of changes in reliefs. Therefore, those ratepayers who are losing some or all of their Small Business or Rural Rate Relief may be facing very large percentage increases in bills from 1 April 2017

To support these ratepayers, the Supporting Small Businesses Relief will ensure that the increase per year in the bills of these ratepayers is limited to the greater of:

- a. a percentage increase p.a. of 5%, 7.5%, 10%, 15% and 15% 2017/18 to 2021/22 all plus inflation. Unlike the transitional relief scheme, for the first year of the scheme the percentage increase is taken against the bill for 31 March 2017 after small business rate relief or rural rate relief , or
- b. a cash value of £600 per year (£50 per month). This cash minimum increase ensures that those ratepayers paying nothing or very small amounts in 2016/17 after small business rate relief are brought into paying something.

Those on the Supporting Small Businesses relief scheme whose 2017 rateable values are £51,000 or more will not be liable to pay the supplement to fund Small Business Rate Relief while they are eligible for the Supporting Small Businesses Relief scheme.

Ratepayers remain in the Supporting Small Businesses relief scheme for either 5 years or until they reach the bill they would have paid without the scheme. A change of ratepayers will not affect eligibility for the Supporting Small Businesses Relief scheme but eligibility will be lost if the property falls vacant or becomes occupied by a charity or Community Amateur Sports Club

8.1 Revaluation Relief – Policy Agreed

In the Budget on 8 March, the Chancellor announced that the Government would make available a discretionary fund of £300 million over four years from 2017-18 to support those businesses that face the steepest increases in their business rates bills as a result of the revaluation. Local government is best placed to determine how this fund should be targeted and administered to support those businesses and locations within their area that are in the greatest need

The DCLG published a consultation on the design of the discretionary relief on 9 March, seeking views on the allocation of the fund, arrangements for compensation for local authorities, and the operation of local schemes. This can be accessed at: <https://www.gov.uk/government/consultations/discretionary-business-rates-relief-scheme>. Somerset West & Taunton Council proposed share of the £300m is as follows:

- 2017/18 - £148k
- 2018/19 - £72k
- 2019/20 - £30k
- 2020/21 - £4k

Other Reliefs -

Hereditaments eligible for charity or Community Amateur Sports Club relief or hereditaments which are unoccupied are not eligible for Supporting Small Businesses Relief. And, for the avoidance of doubt, small business rate relief or rural rate relief should not be applied to further reduce the bill found under Supporting Small Business Relief.

All other discretionary reliefs, including those funded by section 31 grants, should be considered after the application of Supporting Small Businesses Relief. Supporting Small Business Relief will be applied after the TR amount.

8.2 Public House Relief

The government has confirmed that this relief will not carry on in 2019/20. However backdating applications can be received up to 30/09/2019

In the Autumn Budget 2017 the Chancellor announced that the pubs relief scheme would be extended by a further year. The existing guidance and terms for the current scheme will continue to apply in the same way – eligible pubs with a rateable value of below £100,000 will receive a £1000 discount on their bill. The relief will have effect for 2018/19.

The discount is subject to European State Aid de minimis rules. This bars a company from receiving more than €200,000 in State Aid across a rolling three year period.

See '**backdating**' for applications received outside of the financial year in which the relief was allowed to be paid.

8.3 Local Newspaper Relief

The Council has the discretion to discount business rate bills by up to £1,500 in 2017/18 2018/19 and 2019/20 for office space occupied by journalists and reporters of local newspapers.

This is a temporary measure to support local newspapers adapting to technological changes within the industry. The relief is only for local newspapers and will be delivered through local authority discretionary powers (under section 47(3) of the Local Government Finance Act.

There is a maximum of one discount for each local newspaper title and premises. The discount is subject to European State Aid de minimis rules. This bars a company from receiving more than €200,000 in State Aid across a rolling three year period.

This relief does not apply to:

- Local council newspapers
- On-line publications
- Local Magazines

See '**backdating**' for applications received outside of the financial year in which the relief was allowed to be paid.

8.4 Retail Discount

The Council has discretion to discount business rate bills by one third of the daily chargeable amount in 2019/20 and in 2020/21 for retail premises with a rateable value below £51,000. Retail premises must be occupied and wholly or mainly used to sell goods, services or food and drink to visiting members of the public.

As a guide, qualifying businesses may include: See Appendix??

These lists are not exhaustive as it is impossible to list the many and varied retail uses that exist. We will consider retail rate relief for businesses that are broadly similar to those above. As retail rate relief is discretionary, we may decide not to award it if doing so will be against our wider objectives for the local area.

How much relief will be available?

Retail rate relief for each property in 2019/20 and 2020/21 will be one third, we will assess eligibility and calculate relief on a daily basis. We will award retail rate relief to the net business rates bill after we have applied any other relief.

Ratepayers occupying more than one property will be entitled to relief for each of their eligible properties, subject to State Aid de minimis limits.

We must be satisfied that awarding discretionary rate relief will not result in a business receiving more than €200,000 of De Minimis aid. This will limit the scope for multi-site retailers to get this retail rate relief for all their shops, especially if their business already gets other forms of State Aid. For more information see:

<https://www.gov.uk/government/publications/state-aid-frequently-asked-questions>

Applications and Review Process- Retail Discount

To enable the relief to be awarded quickly to businesses the Council will invite application by applying the relief and issuing adjustment notices. To retain the relief businesses **must** sign and return the state aide form, or make a declaration by using the online form. Relief will be awarded for the financial years, 2019/20 & 2020/21. Relief will be withdrawn in accordance with regulations should there be a change of circumstances that affect the relief awarded.

New applications for Retail Rate Relief should be made in writing using the Council's the on-line application form,

A nominated officer will consider all applications and will make recommendations based on this policy, on whether to grant an award and if so at what rate.

9. Local Business Rate Discretionary Discount

Section 69 of The Localism Act 2011 amends Section 47 of the Local Government Finance Act 1988 and allows the Council to grant locally determined Business Rate Discounts (in addition to the already available Discretionary Rate Reliefs).

The new power recognises that the current business rates scheme is broadly prescribed by central government and its aim is to provide increased flexibility to local authorities to support organisations, recognising the variations in economic conditions across and within local authority boundaries.

Any ratepayer applying for a Local Business Rate Discount who does not meet the criteria for Discretionary Rate Relief under any other part of this policy, must meet all of the following criteria and any award will be based on these factors:

- The ratepayer must not be entitled to Mandatory Rate Relief (Charity or Rural Rate Relief)
- The Rateable Value must be less than £200,000 (RV)
- The ratepayer must not be an organisation that could receive relief as a non-profit making organisation or as Community Amateur Sports Club.
- The ratepayer must occupy the premises – no relief will be granted for unoccupied properties. The premises and the organisation must be of significant benefit to the taxpayers of Somerset West & Taunton Council.
- Provide facilities to certain priority groups such as elderly, disabled, minority or disadvantaged groups, and OR
- Provide significant employment or employment opportunities to residents of Somerset West & Taunton Council
- Provide residents of Somerset West & Taunton Council with such services, opportunities or facilities that cannot be obtained locally or are not provided by another organisation
- The ratepayer must show that the organisation will comply with all legislative requirements and operate in an ethical, sustainable and environmentally friendly manner at all times

Where a ratepayer can demonstrate that all of the above criteria are met, any award must have due regard to:

- the financial status of the applicant when determining the level of relief to be granted, and the impact and best interests of the Council Tax payers of Somerset West & Taunton Council
- It must be noted that the Council will only pay a maximum of **80%** relief, 100% relief will only be considered in the most exceptional circumstances and via the formal appeals process.

Relief will not be given to those organisations where a bar is the main activity. It would be expected that any bar profits would be used to offset any expenses thus negating the reliance on public funds.

9.1 Local Discretionary Relief for Young/New Businesses/Innovation Centres

There is an expectation that an occupier receiving discretionary relief on their business rates under this criteria would engage and work positively with West Somerset & Taunton Council on helping to support corporate priorities and bring benefits for residents and the local area. Before making the offer of relief, an initial meeting will be arranged between appropriate Council officers (with an economic development and regeneration focus) and the occupier to discuss how both parties can work together going forward to bring value and benefits for local residents

- A new Business in its first year of trading can receive rate relief of 60% in the first year or pro-rata of relief, 30% in second year, from year 3 a full charge would be due, unless agreed otherwise.
- The proposal is to treat communal or co-working space in premises designed for the incubation and growth of young businesses as first year start up space, providing 65% rates relief on such space.

Discretionary Relief will only be considered where the Rateable Value (RV) is up to and including £200,000(RV). Applications received where the (RV) is above this will be reviewed on a case by case basis and not immediately refused, although circumstances would need to be considered to be unique before relief is awarded. Relief will be capped at a maximum of 80% the gross business rates charge with a £200,000(RV), Somerset West Taunton Council recognises that one size doesn't fit all.

9.3 Community Library Partnerships

Where a Library has been set up as a Charity or Community Interest Company Somerset West and Taunton Council will award Mandatory Relief of 80% and 20% top up, as such no business rates would be payable.

As directed by regulation LGFA 1988 Regulation 47(9) should a Parish Council become a 'trustee' to the Library Somerset West and Taunton Council will award 100% relief.

<https://www.gov.uk/government/collections/community-libraries-good-practice-toolkit>

<http://somersetlibraries.co.uk/redesign/community-library-partnerships/>

<http://somersetlibraries.co.uk/wp-content/uploads/2018/10/Process-for-agreeing-and-establishing-Community-Library-Partnerships.pdf>

10. Period of Relief

Where an application is successful, then the following will be notified in writing:

- The amount of relief granted and the date from which it has been granted;
- If relief has been granted for a specified period, the date on which it will end;
- The new chargeable amount;
- The details of any planned review dates and the notice that will be given in advance of a change to the level of relief granted; and
- All change in circumstances should be notified to the Authority

11. Backdating

Section 47 (7) of the Local Government Finance Act 1988 stipulates that a decision to grant relief for a specific day is invalid if it is made more than 6 months after the end of the financial year in which the day falls. This means that:

- Applications decided before 1 October can be backdated to the start of liability or 1 April of the previous financial year (whichever is the most recent)
- Applications decided after 30 September can only be backdated to the start of liability or 1 April of the current financial year (whichever is the most recent).

Applications could be considered, for example, where the property is used for purposes which are of benefit to the local community but do not fall in any other categories for relief, and it would be in the interests of the Council Tax Payer to make an award, as the Council has to meet a percentage of the cost shown at [Appendix B](#). It could also be used to support regeneration projects within Somerset West & Taunton Council to bring empty properties back into use by way of 'staged occupation'.

12. Interaction of Relief Rules

S43 (8B) LGFA 1988 says that where the ratepayer qualifies for both charitable and small business rates relief then the chargeable amount is calculated using the formula for charitable relief not small business rates relief

Certain properties may be eligible for other types of relief. Under section 61(4) of the Local Government Act 2003:-

- If a property is eligible for charitable relief and small business rates relief , it shall receive charitable relief;
- If a property is eligible for rural rate relief and small business rates relief , it shall receive rural rate relief;
- If a property is eligible for all three reliefs it shall receive charitable relief

13. Organisations Receiving Funding from Somerset West & Taunton Council

Funding includes grants, contracts (including funding from joint commissioning arrangements between the Council and other public agencies) and discounted rent under a community building model lease.

The Council will use its discretion on a case by case basis to offer up to 80% relief to organisations receiving funding from the Council.

The case by case assessment for offering 80% relief to organisations that are funded by the Council will be based on the following information that will be requested on the application form, the Council reserves the right not to award any further relief if it feels the funding already received is sufficient.

1. Their funding arrangement with Somerset West & Taunton Council, including the date when the funding arrangement will come to an end, plus amount received.
2. To outline how the additional discretionary relief applied for would directly support and be reinvested in the activities or initiative that Somerset West & Taunton Council is funding the organisation to undertake
3. The social value for local residents and taxpayers

Discretionary Relief will only be considered where the Rateable Value (RV) is up to and including £200,000(RV). Applications received where the (RV) is above this will be reviewed on a case by case basis and not immediately refused, although circumstances would need to be considered to be unique before relief is awarded. Relief will be capped at a maximum of 80% the gross business rates charge with a £200,000(RV), Somerset West Taunton Council recognises that one size doesn't fit all.

14. Applications

A Discretionary Rate Relief form must be completed at all times this can be found on our website at: (enter website address link) – (Firm step)

15. State Aid

State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to State Aid. However the Supporting Small Businesses relief scheme will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)7.

The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a rolling three year period (consisting of the current financial year and the two previous financial years)

To administer De Minimis it is necessary for the local authority to establish that the award of aid will not result in the undertaking having received more than €200,000 of De Minimis aid. Note that the threshold only relates to aid provided under the De Minimis Regulations

The Council will issue a declaration form with all awards of discretionary relief, failure to return will result in relief being removed.

16. Approvals

Any Officer or Councillor involved in the decision-making process for Discretionary Rate Relief or Hardship Relief must declare if they have an interest in or an association with any ratepayer applying.

Upon receipt of the application form the initial assessment to award or refuse Discretionary Rate Relief will be made by a “nominated officer” and their recommendations must be agreed by a “senior nominated officer”

Applicants will be notified in writing of all decisions. A revised Business Rates bill will be issued with an awarding letter informing them of how much relief has been awarded and the dates the relief will be awarded between.

The applicant will be required to apply for further relief when the current period of relief expires

Approvals will not be required for reliefs given under ‘temporary measures’ a “nominated officer” will have the delegated authority to award relief as per local policy and the legal process.

17. Appeals

There is no statutory right of appeal against a decision made by the Council in respect of Discretionary Rate Relief. However, a nominated officer, in consultation with the Portfolio Holder, will review the case where it is believed that the policy has not been applied correctly. The appeal meeting will be supported by either a “nominated officer” or “senior nominated officer”. Matters of policy and law will be confirmed by either of the a “nominated officers”

The applicant will be allowed to submit in writing additional or new information/evidence to support the application.

If an unsuccessful applicant requests an appeal, they will still need to continue to pay their business rates. Once the appeal has been heard, the ratepayer will be informed, in writing, of the decision.

Although the amount of relief is restricted to a maximum of **10%** ‘top up’ if receiving 80% Mandatory Relief and **80%** for Discretionary awards (non-funded), in very exceptional circumstances, **100%** Discretionary Rate Relief may be awarded. This would be assessed on a case by case basis and approved by a “nominated officer” supported by an Executive Member.

Every appeal for Discretionary Rate Relief must be supported by their ward Councillor via letter or email as part of the appeal process. This must be sent for the attention of the “nominated officer” taking ownership of the case.

The right of appeal process does not affect a ratepayer's legal right to challenge the decision by way of a Judicial Review.

18. Policy Review / Amendments

- The Council reserves the right to review the policy at any time.
- All new temporary measures will receive approval from Executive Members or as required by law.
- Reliefs paid under "temporary measures" will not require approval from a "nominated officer"
- Changes to this policy will be approved by an Executive Member/s & S151 or as required by law

19. Communications

The Council will publicise this Discretionary Rate Reliefs available on its Website

21. Fraud

The Council is committed to reducing fraud in all its forms. An organisation which tries to fraudulently apply for discretionary rate relief by falsely declaring their circumstances, or providing a false statement or evidence in support of their application, may have committed an offence under the Theft Act 1968. Where we suspect that such a fraud may have occurred, the matter will be investigated in line with the Council's Anti-Fraud Strategy. This may lead to criminal proceedings being instigated.

One or more of the scoring matrixes, listed below, will be applied to each application:

- | | |
|--|--|
| 1 Reserves as a Percentage of Net Annual Rates | - up to 30% Discretionary Relief |
| 2 Licensed Bar | - up to 30% Discretionary Relief |
| 3 Net Profit | - up to 80% Discretionary Relief |
| 4 Local Community Test | - up to 50% Discretionary Relief |
| 5 Except in the case of National Charity Shops, where an organisation is receiving Mandatory Relief of 80% and would have otherwise qualified for 100% Small Business Rate Relief | - Discretionary Relief up to 100% of the remaining business rate bill |

Failure to supply adequate records will result in no award

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

Document is Restricted

Funding of Reliefs

With the introduction of the Business Rates Retention Scheme from 1st April 2013, local authorities now share in the gains and losses associated with changes in Business Rates income. The Government hopes that localising Business Rates in this way will incentivise Local Authorities to adopt strategies to promote businesses and generate additional Business Rates income. The introduction of Business Rates Retention has a major impact on the funding arrangements for all Reliefs available which are now financed as follows: 50% by Central Government

44% by Somerset West & Taunton Council

30% by Somerset County Council

1% Devon Fire

This excludes Transitional, Local Newspapers Relief, Helping Small Businesses, Revaluation Relief, Rural Rate 50% Relief which are financed at 100% by Central Government.

Somerset West and Taunton Council**Rural Settlement List**

Allerford	Luccombe
Angersleigh/Howleigh	Luxborough
Appley/Kittisford	Lydeard St Lawrence
Ashbrittle	Meare Green
Bathpool	Milverton
Bickenhall	Monksilver
Bicknoller	Monkton Heathfield
Bilbrook	Netherclay/Badger Street
Biscombe	Nettlecombe
Bishopwood	North Curry
Blagdon Hill	Norton Fitzwarren
Blue Anchor	Nynehead
Bossington	Oake
Bradford-On-Tone	Oare
Bratton	Old Cleeve
Bridgetown	Orchard Portman
Brompton Ralph	Otterford/Royston Water
Brompton Regis	Pitminster
Brushford	Poole/Ham
Burnworthy	Porlock
Burrowbridge	Poundisford/Duddlestone
Carhampton	Roadwater
Cheddon Fitzpaine/Goosenford	Rockwell Green
Chipley	Rodhuish
Chipstable	Ruishton
Churchinford	Runnington
Churchstanton	Sampford Arundel
Clatworthy	Sampford Brett
Combe Florey	Sampford Moor
Corfe	Sandyway
Cothelstone/Terhill	Selworthy
Creech Heathfield	Shoreditch
Creech St Michael	Shurton
Crowcombe	Simonsbath
Curload	Skilgate
Cushuish	Slough Green
Cutcombe	Staple Fitzpaine
Doniford	Stapley
Dulverton	Stathe
Dunster	Stawley
Dunster Marsh	Stogumber
East Combe	Stogursey
East Nynehead	Stoke St Gregory
East Quantoxhead	Stoke St Mary
Elworthy	Stringston
Exford	Thornfalcon
Exton	Thurlbear
Fennington	Timberscombe
Fitzhead	Tivington
Ford Street	Tolland/East Town

Greenham/Higher Greenham	Tone Vale
Greenway	Treborough
Halse	Trull/Staplehay
Ham	Upper Cheddon
Hatch Beauchamp	Upton
Hawkridge	Walford
Henlade	Washford
Higher Durston/Lower Durston	West Bagborough
Holford	West Buckland
Hollywell Lake	West Hatch
Holman Clavel/Whitewall Corner	West Quantoxhead
Huish Champflower	Wheddon Cross
Hungerford	Willand
Kilve	Williton
Kingston St Mary	Winsford
Knapp/Lower Knapp	Withycombe
Langford Budville	Withypool
Langley	Wootton Courtenay
Langley Marsh	Wrantage
	Yarford

Retail Discount

Which properties will benefit from retail business rate relief?

We have the discretion to discount business rate bills by one third of the daily chargeable amount in 2019/20 and in 2020/21 for retail premises with a rateable value of £51,000 or less. Retail premises must be occupied and wholly or mainly used to sell goods, services or food and drink to visiting members of the public.

As a guide, qualifying businesses may include:

Premises used to sell goods to visiting members of the public:

- Shops, for example, butchers, bakers, grocers, florists, greengrocers, jewellers, stationers, off-licences, chemists, newsagents, hardware stores
- Furnishing shops or display rooms (for example, carpet shops, double glazing, garage doors)
- Art galleries where art is for sale or hire
- Charity shops
- Opticians
- Car or caravan showrooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Post offices

Premises used to provide the following services to visiting members of the public

- Hair and beauty services such as hairdressers, nail bars, beauty salons, tanning shops
- Shoe repairs or key cutting
- PC, TV or domestic appliance repair
- Ticket offices, for example for theatre
- Dry-cleaners or Launderettes
- Car hire
- Funeral directors
- Travel agents
- Photo processing
- DVD or video rentals
- Tool hire

Premises used to sell food and/ or drink to visiting members of the public:

- Restaurants
- Sandwich shops
- Pubs
- Coffee shops
- Takeaways
- Bars

These lists are not exhaustive as it is impossible to list the many and varied retail uses that exist. We will consider retail rate relief for businesses that are broadly similar to those above. As retail rate relief is discretionary, we may decide not to award it if doing so will be against our wider objectives for the local area.

Which properties will NOT benefit from retail business rate relief?

Premises not reasonably accessible to visiting members of the public, or those not wholly or mainly used for the qualifying purpose will not be eligible. The list below sets out the types of uses the Government does not consider being retail use for this relief.

- Financial services, for example banks, building societies, cashpoints, bureau de change, payday lenders, betting shops, pawn brokers
- Medical services such as vets, dentists, doctors, osteopaths, chiropractors
- Professional services such as solicitors, accountants, insurance agents, financial advisers, tutors
- Other services such as estate agents, letting agents, employment agencies
- Post office sorting office

If we decide premises are occupied by businesses broadly similar to those listed above, we will not award retail rate relief.

How much relief will be available?

Retail rate relief for each property in 2019/20 and 2020/21 will be on third we will assess eligibility and calculate relief on a daily basis. We will award retail rate relief to the net business rates bill after we have applied any other relief.

Ratepayers occupying more than one property will be entitled to relief for each of their eligible properties, subject to State Aid de minimis limits.

We must be satisfied that awarding discretionary rate relief will not result in a business receiving more than €200,000 of De Minimis aid. This will limit the scope for multi-site retailers to get this retail rate relief for all their shops, especially if their business already gets other forms of State Aid. For more information see:

<https://www.gov.uk/government/publications/state-aid-frequently-asked-questions>

Applications and review process

To enable the relief to be awarded quickly to businesses the Council will invite application by applying the relief and issuing adjustment notices. To retain the relief businesses **must** sign and return the state aide form, or make a declaration by using the online form. Relief will be awarded for the financial years, 2019/20 & 2020/21. Relief will be withdrawn in accordance with regulations should there be a change of circumstances that affect the relief awarded.

New applications for Retail Rate Relief should be made in writing using the Council's the on-line application form,

A nominated officer will consider all applications and will make recommendations based on this policy, on whether to grant an award and if so at what rate.

Somerset West and Taunton Council

Shadow Scrutiny – 4th February 2019

North Taunton Woolaway Project

This matter is the responsibility of Executive Councillor Terry Beale

Report Author: Jo Humble – Lead Specialist Place

1 Recommendations Proposed to be put before Shadow Council

- 1.1 The Council approves the project and the progression of the scheme. Council delegates the decisions to progress matters for the scheme to be determined by the Head of Commercial, Investment and Change in consultation with the relevant Portfolio Holder.
- 1.2 The Council approves the proposed funding of the scheme utilising a combination of capital receipts, Social Housing Development Fund revenue contribution, and capital borrowing. Council delegates the final funding arrangement to be determined by the S151 Officer in line with the Council's capital and treasury strategies, prioritising affordability for the Housing Revenue Account.
- 1.3 The Council approves a supplementary budget of £7,200,000 within the HRA Capital Programme for Phase A of the North Taunton Woolaway Project.
- 1.4 Approval is granted to serve Initial and Final Demolition Notices, and for the demolition of properties to enable site clearance to facilitate new development for the whole scheme.
- 1.5 The Council approves in principle to utilise Compulsory Purchase Powers using section 17 of the Housing Act 1985, should Vacant Possession not progress to acquire properties under the regeneration initiative detailed in this report, and to delegate such decision making to the Executive.

2. Corporate Context

- 2.1 The key drivers for the North Taunton Woolway project are in response to the strategic objectives agreed in the updated Housing Revenue Account (HRA) Business Plan 2016-2046:
 - **Providing Quality Homes.** We are committed to investing in our existing homes to deliver good quality of life for residents and value for the money spent, and to developing new homes that meet local needs.

- **Supporting the most vulnerable.** We are committed to letting homes to people who have the fewest housing options, and will provide additional support that helps people who are older, disabled, or socially excluded to live comfortably in their council-owned home.
 - **Better Service.** We are customer and community focused and are committed to improving our services in line with what our residents have said matters to them. Our approach will support people to move through our social housing to cater for their changing needs and aspirations over time.
 - **A Stronger Business.** We will prioritise efficiency to support delivery of our social priorities and objectives. It sets out how we will improve our business practices, drive out value for money and pursue new activities.
- 2.2 The HRA Revenue budget and 30 Year Business Plan has been updated to reflect the additional income and expenditure arising from this investment. The HRA Business Plan was further supported through the adoption in July 2017 of a new Asset Strategy and a new Development Strategy
- 2.3 Just over 22% of Taunton Deane Borough Council (TDBC) stock is of non-traditional construction housing property types. This includes homes that are built with prefabricated reinforced concrete (PRC) panels or other methods such as steel frames.
- 2.4 Most of TDBC non-traditional construction types have been brought up to licensed repair standards and require no significant additional costs in future compared with properties for traditional construction. The exception is the properties of Woolaway construction.
- 2.5 As part of the development of the Asset Management Strategy the financial performance of the TDBC stock was evaluated, based on 30 year income and expenditure associated with the assets, alongside other non-financial measures of broader neighbourhood sustainability.
- 2.6 Through the evaluation, the asset management model identified 4% of the total stock with an average Net Present Value which is negative. These were exclusively for the Council's properties of Woolaway construction, reflecting the anticipated need for major works to these properties in the medium term.
- 2.7 The North Taunton Woolaway project is providing a prudent and proactive approach to address the stock condition issues of TDBC poorest performing assets.
- 2.8 The Development strategy focused on two keys areas of activity:-
- Opportunity led development that may include TDBC land and wider market opportunities such as rural exception schemes.

- Strategic, asset management led developments that addresses the non-traditional or poor performing stock within TBBC's portfolio.

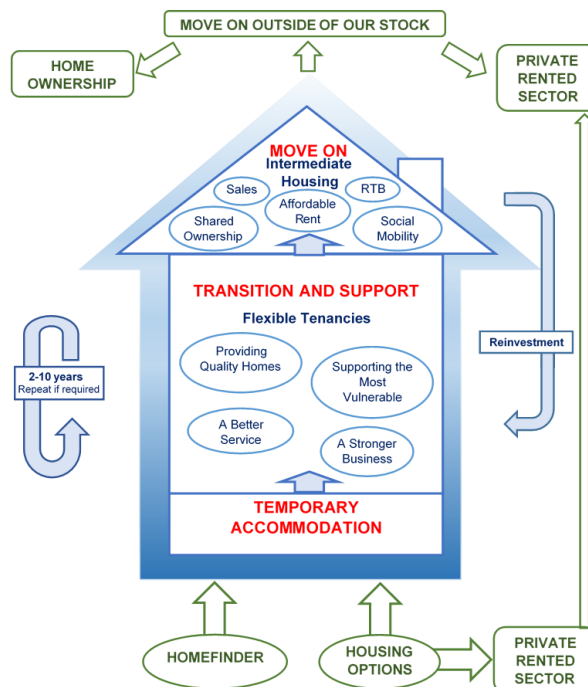
2.9 The Woolaway project fits into the second key area. This strategic focus, combined with learning from previous Council regeneration schemes at Creechbarrow Road and Rockwell Green, have informed the North Taunton Woolaway project's ethos and principles. Engaging and listening to our residents has been a fundamental driver with clear project principles established at project initiation.

2.10 The key project principles include :-

- Existing TDBC Residents within the scheme area will be given the opportunity to remain on a social rent level.
- Existing TDBC Residents within the scheme will be supported to downsize through the scheme design but retain the right to return to the equivalent size property within the new scheme.

2.11 The HRA business plan provides for funding for 15 new homes per annum, which this North Taunton Woolaway project will contribute to. The scheme proposal is underpinned by the TDBC development aspirations and provides additional new, high quality homes.

2.12 The emerging scheme supports the Council's Housing Vision set out in the Housing Revenue Account Business Plan 2016-2046. The following diagram is extracted from the Business Plan and represents the more dynamic service TDBC intends to offer to help people access accommodation that meets their needs at a particular point in their lives.



- 2.13 Within social housing TDBC intends to help people develop stable lives and life skills and then if appropriate, look to help them move into home ownership over time as and when this meets their needs and aspirations. This in turn allows others to begin their social housing journey by freeing up valuable social housing.
- 2.14 Through this scheme TDBC will seek to provide a small supply of alternative housing products. Details of a shared equity arrangement is being developed to offer an alternative low cost homeownership choice. This will complement the Shared Ownership offer which is being piloted at the Weavers Arms, Rockwell Green Development.
- 2.15 Following Taunton's success in becoming a Garden Town the scheme has been an opportunity to embrace Taunton's Garden Town principles and develop a new garden community with the design safeguarding the natural environment, providing areas of planting and open space, and ensuring that people have access to suitable housing and facilities.

3 Risk Assessment

- 3.1 A risk and issues register which has been produced for this scheme is shown in **Appendix A**. The primary risks associated with the scheme both directly and indirectly are the following;

Risk	Mitigation
Insufficient funds for the project	Continue to professionally verify cost estimates. Refresh HRA business plan in line with cost estimates. Explore and secure external funding options
Construction Cost estimate is below Tender prices received following contractor procurement	Value engineering exercise would be undertaken with revised phasing and design to an affordable level or revision of the HRA Business Plan capacity would be undertaken.
Changes in Councils responsibilities and income through changes implemented from Central Government.	Continue to monitor legislative changes from Central Government. The scheme will be delivered in a phased basis and would incorporate any future changes in the Councils responsibilities, meaning each phase is manageable within resources.

4 Background and Full details of the Report

4.1 Background

- 4.1.1 Taunton Deane Borough Council (TDBC) owns a variety of non-traditional construction housing property types across the Borough. A Structural Engineering report was carried out in 2013. The report highlighted through testing that the Woolaway units were showing signs of deterioration. This type of non-traditional unit was Designated Defective under the Housing Defect Act 1984. This did not mean that the Woolaway units were unsafe, it prevented any more of the houses being built.
- 4.1.2 In response to the report findings, TDBC undertook a regeneration scheme in Rockwell Green, Wellington. This scheme involved land assembly through the acquisition of a public house and a redundant toilet block in addition to the demolition of 10 Woolaway homes. The scheme is nearing completion and will deliver 26 new affordable homes.
- 4.1.3 TDBC undertook a further assessment during the demolition of the Woolaway units at Rockwell Green. This confirmed the units were in a worse condition than identified in the 2013 report. These findings have accelerated activity in seeking solutions to address the quality of Woolaway housing elsewhere in the Council's stock.
- 4.1.4 TDBC has approximately 240 Woolaway properties across the Borough with the main concentration being in Pyrland and Rowbarton Ward. In February 2017 TDBC had the opportunity to bid for funding from the Ministry of Housing, Communities and Local Government (MHCLG) designed to accelerate Estate Regeneration planning.
- 4.1.5 TDBC were awarded sufficient funding to enable the creation of a Master Planning Team to include expertise in Architecture, Community Consultation, Engineering and Cost Consultancy to support the Development Team in progressing the North Taunton Woolaway Project.
- 4.1.6 The aims of the project are to engage with the community living in the Woolaway properties in the North Taunton area and to work with the community to bring forward a phased regeneration scheme.

4.2 Community Engagement

- 4.2.1 The project aims to be an exemplar project for Estate Regeneration and reflect the aspirations of the Garden Town. Community Engagement and supporting the residents affected by the scheme, have been at the forefront of the projects ethos to regenerate the area providing high quality, energy efficient properties as well as creating a sustainable and healthy living environment that fosters independent living within a strong and thriving community.

- 4.2.2 TDBC established a community hub in a vacant property within the heart of the affected area, where officers are available for residents to 'drop in' should they have any questions or concerns.
- 4.2.3 TDBC Officers worked with residents through individual appointments in their homes, achieving approximately 90% coverage. This is in addition to hosting four public consultations during the past year to obtain views and comments from those affected by the project. The information gathered has influenced the design of the scheme and specific house types.
- 4.2.4 A Residents Design Group was established to help the Master Planning Team capture the local knowledge and develop a scheme which addresses the wider issues affecting the estate and residents. The Group has provided invaluable community representation for the Master planning team to work with.
- 4.2.5 The Design Group consists of 20 residents with a range of housing and lifestyle requirements and a mix of home owners and Taunton Deane tenants. Ten Resident Design Group meetings have taken place between October 2017 and October 2018. These have been followed up by meetings with individual Design Group members at the community hub.
- 4.2.6 The Pyrland and Rowbarton Ward Councillors, Tenant Services Management Board and Tenants Forum have received briefings and updates during the resident consultation phase. The project principles were presented to Members through a Members Briefing in June 2018 and at Strategic Forum in September 2018.

4.3 Scheme Proposal

- 4.3.1 The existing site comprises of 212 Woolaway homes of which Taunton Deane retain ownership of 167.
- 4.3.2 Following an extensive 12 month resident consultation and a range of detailed site investigations, an Outline planning application and Phase A detailed planning application were submitted in December 2018.
- 4.3.3 The scheme Masterplan currently show five phases, A to E. To continue momentum for this development, this Council paper makes a specific request for funding for Phase A.
- 4.3.4 The indicative outline planning application indicates a broad scheme to provide 226 new build homes and refurbish 27 existing TDBC homes through a phased approach. As a result of the indicative scheme there will be a net increase of 86 new TDBC homes with 149 additional bed spaces.

	In TDBC Ownership	In private ownership	Total
Existing Woolaway Homes	167	45	212
(Acquire) & Demolish	140	22	162
Refurb	27	* See note	27
Newbuilds	226		226
Total Proposed	226	27	253
Net Increase in TDBC stock			86
Existing bed spaces			964
Proposed bed spaces			1113

Note: * There are 23 homes in private ownership within the scheme area which are excluded from planned works. However the Council will be supportive if those private owners wish to undertake their own refurbishment.

- 4.3.5 Subject to planning approval, a tender process would then begin to select the range of professionals, including a build contractor to progress the scheme development with an anticipation to start physical works during our financial year 2020/21.
- 4.3.6 Owing to the complexities and size of the scheme the build period can only be estimated at this time and will range around a 10 year programme. However this will be reviewed as each Phase progresses, seeking opportunity to accelerate and overlap phases where possible.
- 4.3.7 The mix of homes is indicative at this stage and will be reviewed prior to submitting Reserved Matters for subsequent phases. The intention is to undertake the project in five phases, to support the decant requirements of existing residents and enable each phase to be assessed against changes in housing need, affordability and mitigate future unknown changes which may affect the scheme proposal and financing.
- 4.3.8 Each phase will consider the required mix to support the returning decants and provide a range of housing tenures, including affordable rent and a range of options to support residents who aspire to home ownership.

4.3.9 The indicative mix of homes for the whole scheme is:-

Dwelling Type	Occupancy	Number of Units
1B Bungalow	2 persons	2
1B Flat	2 persons	30
2B Flat	3 persons	14
2B Bungalow	3 persons	8
2B House	4 persons	42
3B House	5 persons	94
4B House	6 persons	33
5B House	7 persons	3
Refurb 2B House	3 persons	20
Refurb 3B House	4 persons	7
Community Facility		

4.3.10 From the indicative whole scheme mix, the intended mix for Phase A is:

Dwelling Type	Occupancy	Number of Units
1B Flat over Garage	2 persons	1
1B Bungalow	2 persons	2
1B Flat	2 persons	12
2B Flat over Garage	3 persons	1
2B Flat	3 persons	4
2B Bungalow	4 persons	4
2B House	4 persons	2
3B House	5 persons	5
3B Chalet	6 persons	4
4B House	6 persons	4
Community Facility		

4.3.11 Through the consultation a strong request for a community facility was identified and incorporated into the scheme design, within Phase A. In the event that the community facility is no longer required the facility will be designed to enable conversion to 2 x 2 bed flats. A detailed business case for the operation and revenue funding for a community centre will be developed working with the community through the scheme implementation project plan.

4.3.12 The homes will be built to Nationally Described Space Standards and Housing Quality Indicator layout standards. The homes will be designed predominantly to Building Regulations Part M4 Category 2 with nine anticipated as wheelchair adapted homes at Category 3.

4.3.13 Three design options were developed which considered different levels of refurbishment and new build. A scoring mechanism was established with the Design Group, the external consultant team and TDBC Project Board to score the different options and agree the preferred approach. Each group independently scored option 3 the highest. This option was shown to the whole community at a

consultation event on the 5th October 2018.

- 4.3.14 The scheme has been evaluated by the Design Review Panel prior to submission of the planning application. The Panel considered the design process and community consultation process undertaken to date as extremely rigorous and is considered outstanding, in terms of process the Panel were extremely supportive.
- 4.3.15 The Panel welcomed the presentation of previous design iterations that demonstrated the strategic approach and rationale behind the design decisions taken. The Panel considered that, based on the brief and design parameters set, that the design has the potential to be exceptional.
- 4.3.16 The relatively minor recommendations received from the Design Review Panel are being reviewed and incorporated within the scheme design as appropriate.
- 4.3.17 TDBC Officers continue to work closely with affected residents on a one to one basis. The intention is for the current TDBC residents whose homes are subject to demolition to be given the opportunity to return to a new property at a social rent level.
- 4.3.18 The range of property sizes will help to address existing overcrowding and under occupation which have been identified through the community. In line with the key project principles, residents will be supported to downsize through the design of the proposed scheme but retain the right to return to the equivalent size property within the new scheme.
- 4.3.19 Residents within the refurbished area will return to their newly refurbished home unless there are extenuating circumstances.
- 4.3.20 Existing Homeowners within the redevelopment area are in discussion with TDBC officers regarding their personal options and the reasonable offers made by the Council.
- 4.3.21 Statutory Home loss and Disturbance payments will be made in line with legislative guidance.

5 Links to Corporate Aims / Priorities

- 5.1 The scheme supports the Council's Corporate Strategy 2016-2020 – Key Theme 1 – People. The project will facilitate an increase in the availability of affordable homes for local people to both buy and rent. It will develop a range of additional housing types suitable in particular for single person households and elderly people.
- 5.2 The scheme also supports the Housing Revenue Account Business Plan 2016 – 2046 objectives by providing quality homes and supports the Housing Vision to broaden the housing offer to cater for residents housing needs and aspirations.

6 Finance / Resource Implications

- 6.1 The total cost of the whole North Taunton Woolaway project as presented in this report is estimated to be in the region of £45m. This is based on a number of assumptions and indicative costs.
- 6.2 The scheme remains subject to planning consent being granted. It is worth noting from the outset, that for a proposed scheme of such duration (up to 10 years) there is an obvious risk that costs can potentially change quite significantly e.g. for price inflation and other market factors. Estimates for price inflation have been included in the estimate, and will need to be carefully monitored at each phase of planning and delivery.
- 6.3 The current proposal is to fund the scheme as detailed in Table 1 below, which has been modelled on the basis of delivering the scheme over a 10-year period.

Table 1: Proposed Funding Profile for the North Taunton Woolaway project

	£(000s)
Total Estimated Cost	45,000
Funded by:	
Right to Buy (RTB) Receipts	3,468
Major Repairs Reserve	8,953
External Borrowing	32,579

- 6.4 A number of factors may ultimately influence the funding plan, for example: changes in cost; changes to the proposed build design/mix; and changes to the refurbishment timetable.
- 6.5 It is therefore proposed that the Council agrees to the funding allocations in principle, and delegates' authority to the Section 151 Officer to update this as the programme progresses in line with the Council's capital and treasury strategies, prioritising affordability for the Housing Revenue Account. Any such updates to the funding arrangements would be reported to Councillors through the normal financial reporting process.
- 6.6 The indicative scheme would allow funding from Right to Buy receipts of up to £3.468m to support the increase in dwelling numbers. This is in line with the current Right to Buy policy. If this scheme does not go ahead, and no alternative eligible investment of RTB receipts is made, this would place significant risk on having to hand over these RTB receipts to central Government plus an additional penalty fee of bank base rate plus 4%.
- 6.7 From the overall funding outlined, Phase A is estimated to require a budget of £7.2m. This sum includes a significant contingency sum and may be rolled forward towards subsequent phases if not required.

6.8 Table 2 below details the breakdown of the proposed funding.

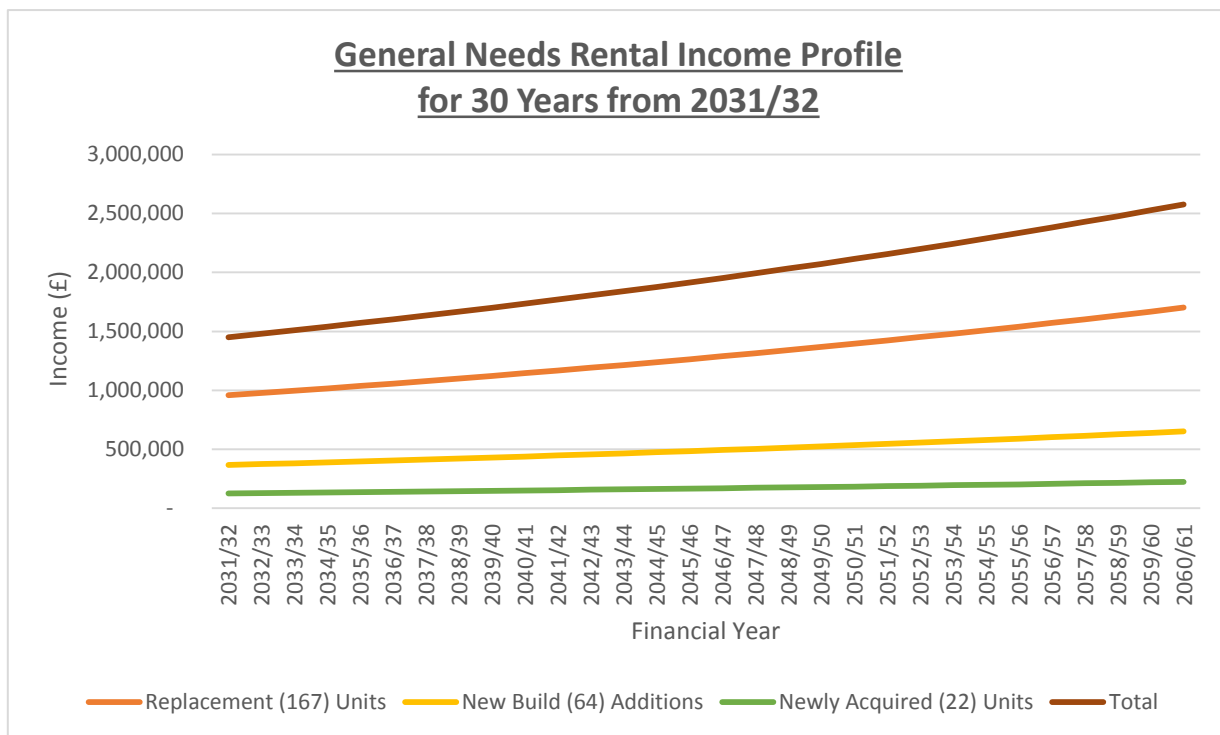
Table 2: Proposed Funding Profile for Phase A

	£(000s)
Total Estimated Cost	7,200
Funded by:	
Right to Buy (RTB) Receipts	534
Major Repairs Reserve	0
External Borrowing	6,666

- 6.9 Phase A is predominately social rented properties, providing new homes to existing residents within the regeneration area and includes the Community Centre. Both these factors result in the Phase A scheme requiring more subsidy than future phases which may include a broader range of tenure and income generation.
- 6.10 The Council is required to maintain the Major Repairs Reserve, which controls the application of the Major Repairs Allowance (MRA). The MRA is restricted to being applied to new capital investment in HRA assets or the financing of historical capital expenditure by the HRA. The balance shows the MRA has yet to be applied at the year-end.
- 6.11 The 30 year Business Plan includes the use of the Major Repairs Reserve to fund the Woolaway replacement. The overall Major Repairs investment/maintenance programme will be re-phased to ensure the affordability of this scheme.
- 6.12 The HRA borrowing cap position has changed in October 2018, in that the original HRA capital debt cap of £115m imposed by government has now been removed. This provides greater freedom to the Council to borrow to fund further investment in viable and affordable social housing development. However it is worth noting that this scheme does enable us to remain within the original debt cap based on the current estimates.
- 6.13 The borrowing will ultimately be executed through external borrowing such as taking out a loan from Public Works Loans Board (PWLb) or another financial institution.
- 6.14 The eventual financing arrangements will be handled through the Council's treasury operations, in line with the Treasury Management Strategy and Policies. Arlingclose, the Council's treasury advisors, will be consulted on appropriate borrowing arrangements to deliver the optimum financing of the scheme.
- 6.15 The financial appraisal and business case has assumed a borrowing rate of 2.99% for financial modelling purposes. This is based on the external rate of borrowing over 50 years which is the maximum loan term available from the PWLB.

- 6.16 At the time of preparing this report the rate available to the Council is lower than 2.99%, building some contingency on the financing cost estimates in the financial model. Financing rates will be closely monitored and arrangements made to secure the most beneficial borrowing rate at the appropriate times.
- 6.17 The cost of the repayment of the principle borrowing can be, and will be, funded within the Business Plan, alongside historical debt repayment. The financial modelling assumes that each phase of additional borrowing for this scheme will be repaid in full over a 50 year period. The Council can borrow at fixed rates, which will provide some certainty for financial planning and manage interest rate risk.
- 6.18 The cost of the repayment of the associated interest costs have been included in the financial modelling for the HRA and are shown as affordable without impacting on HRA reserves. However as the financing arrangements will flow from the phasing of works there is a risk that the cost of borrowing undertaken in future years will vary from business model assumptions.
- 6.19 On completion of the project, from 2031/32 onwards, the estimated income generated by this project over the following 30 years is anticipated to be a total of £58.9 m, of which £38.9m relates to the 167 units remaining rentable, £14.9m to the 64 additional units, and £5.1m to the 22 newly acquired units from private owners, as shown in table 3 below:

Table 3: Projected income



- 6.20 Of the additional 86 units, this income of £20m would need to be offset by the additional maintenance costs of £5.2m and would leave net income of £14.8m from the whole project over 30 years from 2031/32. This additional income would provide a positive contribution to the overall business plan, helping to offset housing stock management overheads as well as offset any underperforming properties.
- 6.21 The project to date has received £270,375 of external funding through MHCLG Estate Regeneration Funding and £54,270 through Garden Town funding. This has covered a large proportion of the Resident Consultation phase of the project. Opportunities to secure additional external funding are being explored. In the event additional funding is secured the funding requirement for TDBC will be adjusted as appropriate.
- 6.22 It is reasonable to conclude that, based on what we know now and the reasonable assumptions made, the investment in the North Taunton Woolaway Project is affordable over the long term, as the properties should have a useful life well in excess of 50 years if maintained as planned.
- 6.23 The HRA Revenue Budget and 30 Year Business Plan has been updated (**see Appendix B**) to reflect the additional income and expenditure arising from this investment. A number of assumptions and high level estimates have been made that will need to be reviewed and the Business Plan updated accordingly, as the project progresses through each of the phases of the overall scheme and where more detailed information becomes available.
- 6.24 Whilst reviewing the affordability of Phase A (total phase cost of £7.2m), we have considered the affordability of the whole scheme (£45m) in its entirety, as well as ensuring that other schemes elsewhere can be delivered financially.
- 6.25 The overall scheme, once completed, will maintain and bring online additional units to the housing stock and the generation of £58.9m rental income over 30 years.
- 6.26 There may also be the opportunity of capital receipts depending on the development to offer alternative low cost homeownership choice through a shared equity arrangement. The outcome will be dependent on the details of the scheme and subsequent take-up. This impact of this alternative option will need to be modelled into the Business Plan.
- 6.27 The repayment of the principle borrowing and associated interest costs, and the new income streams and associated maintenance costs will need to be built into the Business Plan as it is extended over the next 50 years accordingly.
- 6.28 National and Local housing policy can influence the position (regardless of this proposal) and usual management of resources and risks will be applied.

7 Legal Implications

- 7.1 The decanting of tenants in the Woolaway houses will require due process to be followed pursuant to the Housing Act 1985 (as amended), including (but not limited to) the publication of a demolition notice under the Act.
- 7.2 Statutory Homeloss and Disturbance payments will be made in line with legislative guidance. As properties are anticipated to be purchased under, or 'under the threat of' the exercise of Compulsory Purchase Order (CPO) powers there is scope for utilisation of the HMG guidance on compensation payments.
- 7.3 The Council is requested also to approve the issue and service of Demolition Notices under the Housing Act 1985.
- 7.4 Whilst the Council intends to work closely with each household and seek agreement to achieve Vacant Possession in the event an acceptable agreement cannot be sought, the Council approves the principle to utilise Compulsory Purchase Powers should Vacant Possession not progress. The CPO will be delegated to Executive in the event this is required.

8 Environmental Impact Implications

- 8.1 New build homes will be constructed to Part L of the Building Regulations which will improve the thermal performance of the dwelling compared to the existing dwelling.
- 8.2 The thermal fabric of the refurbished homes will be improved by upgrading the external wall construction and increasing the insulation. Replacing the windows will also improve the environmental performance of the refurbished dwellings.
- 8.3 More energy efficient central heating will be installed to both the refurbished and newbuild dwellings.
- 8.4 Energy efficient lighting can be installed in the refurbished and new build dwellings and water saving taps will reduce the water consumption.
- 8.5 Externally we aim to increase the Biodiversity opportunities in the neighbourhood. This will include the planting of street trees and creating a new public open space. The project will demonstrate Garden Town Principles.

9 Safeguarding and/or Community Safety Implications

- 9.1 The Crime Prevention Design Advisor was consulted in the development of the Masterplan. Housing has been positioned along streets to provide overlooking of pedestrians.
- 9.2 The former open space at the rear of the flats that was not overlooked presented a security risk and has been removed and replaced by a central overlooked green space.

- 9.3 Courtyard parking has been provided in two locations, but this mixed with dwellings to ensure that the areas can be observed by residents.

10 Equality and Diversity Implications

- 10.1 An initial Equality Impact Assessment (EIA) has been undertaken. Copy attached in **Appendix C**.
- 10.2 The new housing will offer a range of tenure and will be affordable to families of different sizes, older people and disabled people.
- 10.3 The quality of the new housing being provided will help create and encourage better living environments for everyone. As a consequence, it is expected the health outcomes for the area will be improved as well as opportunities for reaching better educational outcomes for households.
- 10.4 Tenants and residents will feel safe in the public realm and feelings of safety and security in the home will improve for all due to the adoption of crime prevention measures in the new development. Compliance with such crime prevention measures have been proven to reduce the opportunity for crime and fear of crime.
- 10.5 The community space and open space will be accessible for all groups in the community reflecting the diversity of the local population, helping to bring people together and foster good relations between different groups.

11 Social Value Implications

- 11.1 The resident consultation phase of the project has delivered social value through providing the opportunity for residents to be actively involved in the scheme design process and provide valued and informed contributions.
- 11.2 Working with a group of residents with no development experience, the Design Group experience has provided the individuals with the necessary skills to comment and critique the scheme design and house types in an informed manner. This has led to a deeper appreciation of the environment they live in.
- 11.3 Social Value will be part of the selection criteria when undertaking the procurement process during the delivery phase.

12 Partnership Implications

- 12.1 Any project opportunities for partnership working with different organisations and agencies that enhance the benefits of the scheme would be explored as they arise, particularly with a focus on the Garden Town status.

13 Health and Wellbeing Implications

- 13.1 Many of the existing dwellings have slopes and steps to the front door. The outline application will review the finished floor levels of the proposed dwellings to comply with Building Regulations Part M.
- 13.2 Nationally Described Space Standard guidance specifies storage provision, floor to ceiling heights, and minimum room widths. These features go some way to futureproofing properties, allowing residents' scope to benefit from some of the principles of lifetime homes.
- 13.3 The improved space standards including the provision of a ground floor WC will contribute to the improve health and wellbeing of the residents.
- 13.4 A wider range of house types will be re-provided. This will provide greater opportunities for families to live in the neighbourhood as their children grow.
- 13.5 Ten bungalows are proposed which will assist elderly and disabled residents to live in the neighbourhood. Seventeen chalets are proposed which are family homes with a ground floor bedroom and open plan living space to accommodate families with specific access requirements. The ground floor bedroom provides an opportunity for residents to continue to live independently by allowing greater privacy and dignity for individuals wishing to be cared for at home and supported by the local community.
- 13.6 Existing routes have been maintained and improved including permeable pedestrian connections to Lyngford Lane to promote walking and cycling, an opportunity for exercise and links to local facilities.
- 13.7 The location of the North Taunton Woolaway Project allows residents to access existing services and local facilities such as Priorswood Shops and Lyngford Park, as well as a regular bus service.
- 13.8 Community facilities provide a focal point for local people to get together facilitating and enhancing community spirit and interactions.

14 Asset Management Implications

- 14.1 TDBC as a provider of social housing, is faced with a stock of older houses and they continue to need a large programme of investment to keep them up to date. With changing tastes and preferences, accommodation that is no longer suitable or acceptable to tenants will need to be replaced.
- 14.2 Dwellings, such as Woolaways, which are 'Designated Defective' under the Housing Act 1984. Unless action is taken to address the structural defects, the properties will continue to deteriorate increasing the problems of a poor environment and an unsustainable community.

- 14.3 Providing the properties with modern, energy efficient, affordable homes will vastly improve the living standards for residents with a balanced range of tenures and property sizes to provide a sustainable community of high quality homes. In addition, increasing the scheme density will generate greater income.
- 14.4 From an Asset Management perspective, being proactive by taking a commercial approach to the long term investment needs of the housing stock, is widely acknowledged as being good practice and making 'best use of assets'.
- 14.5 The HRA Asset Strategy 2016 recognised the Woolaway house type as TDBC's lowest performing stock with a limited life expectancy and high future maintenance costs.

15 Data Protection Implications

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

16 Consultation Implications

- 16.1 An extensive resident consultation has been undertaken over the previous 12 months, providing a detailed understanding and demographic profile of the existing community, and its potential future needs has been created. This information has been captured through the Equality Impact Assessment.
- 16.2 The consultation included four public consultation events, the opportunity for home visits from the project team alongside the project team being based in an office hub to provide a 'drop in' facility for the residents.
- 16.3 The scheme proposals have evolved in consultation with a project Design Group. The Design Group consists of 20 residents with a range of housing and lifestyle requirements and a mix of home owners and Taunton Deane Tenants.

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

(To be included usually in reports which are submitted for consideration by the Executive / Cabinet or Full Council.)

Democratic Path:

- **Shadow Scrutiny**– Scheduled for 4th February 2019
- **Shadow Executive** – Scheduled for 11th February 2019
- **Shadow Full Council** – Scheduled for 21st February 2019

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

List of Appendices

Appendix A	Risk Register
Appendix B	HRA Business Plan extract
Appendix C	Equality Impact Assessment

Contact Officers

Name	Jo Humble Lead Specialist Place		
Direct Dial	07808 847 361		
Email	j.humble@tauntondeane.gov.uk		

Risk no.	Date raised	Risk/issue description and effects	Risk Owner	Existing Control Measures	Current Assessment		Score	Proximity	Consequence	Mitigation Measure	Target score		Score
					Probability	Impact					Probability	Impact	
Corporate Risk													
1	May-18	Failure to secure Council approval for project recommendations	TDBC - JH/RS	Members informed and updated through transparent and clear communications. Portfolio Holder member of Project Board	Possible (3)	Major (4)	12	October to December 2018	- Housing Asset remains in state of disrepair - Reputational damage - Loss of community trust - Financial loss through abortive works	Governance of the Project is followed. Internal and external communications are transparent, clear and informative. Outline of project presented to Members Briefing and Strategic Forum	Unlikely (2)	Moderate (3)	6
2	May-18	Lack of continuity in staff dedicated to the project	TDBC - JH/RS	Dedicated project team with range of skills embedded within the community.	Possible (3)	Major (4)	12	April 2019	- Loss of project specific and development knowledge/expertise. - Insufficient resource to progress development and support community	Project Sponsor and Transformation Lead to be kept informed of project progress and resource requirements. The project has been identified as a major project with in the new CIC functional area. Four officers associated with the scheme have secured roles in the new Council.	Possible (3)	Moderate (3)	9
3	May-18	Reputational damage from project delays and failure to deliver	TDBC - JH/RS	Robust project management with achievable and realistic milestones within the programme	Possible (3)	Major (4)	12	Duration of project	- Loss of community trust and support for the project and Council - Financial Loss through abortive works	Continuation of robust project management and retaining skilled resource with development expertise	Unlikely (2)	Moderate (3)	6
4	May-18	Resident opposition to scheme proposal	TDBC - JH/RS	Extensive resident engagement, including resident design group, 121 resident visit and public consultation, dedicated project team	Possible (3)	Major (4)	12	Duration of project	- Loss of trust of the community - Financial Loss through abortive works	Continue with project team embedded within the Community to support each resident	Unlikely (2)	Moderate (3)	6
Planning Risk													
5	May-18	Refusal of Planning Permission	TDBC - JH/RS	Continuous consultation with planning officers, Highways and local residents to inform the scheme proposal	Possible (3)	Major (4)	12	November 2018 to April 2019	- Housing Asset remains in state of disrepair - Reputational damage - Loss of community trust - Project delay and possible increase in project costs	Continue to work with planning officers, Highways and local residents to agree a financially viable and deliverable scheme proposal.	Possible (3)	Moderate (3)	9
6	Aug-18	Failure to meet Scheme Design Requirements	TDBC - JH/RS	Architect and planning officer working closely on design and incorporating Garden Town Principles and TDBC design standards	Possible (3)	Major (4)	12	November 2018 to April 2019	- Failure to obtain planning permission	Agree design principles with Architect and planning officer to develop sustainable, exemplar Garden Town scheme Submit scheme to Design Review Panel	Unlikely (2)	Moderate (3)	6
7	Aug-18	Change in planning legislation	TDBC - JH/RS	Architect and planning officer working closely to ensure scheme design meets revised planning requirements	Possible (3)	Major (4)	12	November 2018 to April 2019	- Failure to obtain planning permission	Identify planning legislation changes and amend the scheme design to meet the changes or justify where changes can not be made.	Unlikely (2)	Moderate (3)	6
Financial Risk													
8	Aug-18	Insufficient funds for the project	TDBC - JH/RS	Professional appraisal of cost estimates. Close working with Finance, particularly in relation to HRA funding capacity. External funding secured for pre application resident consultation and progressing to planning application stage.	Likely (4)	Major (4)	16	Duration of project	- Housing Asset remains in state of disrepair - Reputational damage - Loss of community trust - Project delay and possible increase in project costs	Continue to professionally verify cost estimates. Refresh HRA business plan in line with cost estimates explore and secure external funding options	Possible (3)	Moderate (3)	9

9	Aug-18	Construction Cost estimate is below Tender prices received following contractor procurement	TDBC - JH/RS	Professional appraisal of cost estimates provided. Procurement to be undertaken through existing Framework	Likely (4)	Major (4)	16	2019/2020	Scheme exceeds estimated costs	Value engineering exercise would be undertaken with revised phasing and design to an affordable level or a revision of the HRA Business Plan capacity would be undertaken.	Possible (3)	Moderate (3)	9
10	Aug-18	Changes to Statutory Home loss and Disturbance allowance criteria	TDBC - JH/RS	Financial estimates based on 2018 allowance levels	Likely (4)	Moderate (3)	12	Duration of resident decant	Additional cost to scheme	Contingency increase included within scheme profiling	Unlikely (2)	Moderate (3)	6
11	Aug-18	Changes in Councils responsibilities and income through changes implemented from Central Government.	TDBC - JH/RS	Working within current guidelines and Statutory responsibilities	Likely (4)	Major (4)	16	Duration of project	Additional cost to scheme or restriction in funding owing to changes implemented	Continue to monitor legislative changes. The scheme will be delivered in a phased basis and would incorporate any future changes in the Councils responsibilities, meaning each phase is manageable within resources.	Likely (4)	Moderate (3)	12
12	May-18	Failure to obtain vacant possession as required	TDBC - JH/RS	Identify and develop future housing options for existing residents. .	Possible (3)	Major (4)	12	Duration of project	- Financial loss through abortive works and project delays - Reputational damage	- work with each resident on their housing options - Implement Compulsory Purchase Orders	Unlikely (2)	Moderate (3)	6

Risk Scoring Matrix

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

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

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

Document is Restricted

Somerset Equality Impact Assessment

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

Organisation prepared for	Taunton Deane Borough Council		
Version	1	Date Completed	December 2018

Description of what is being impact assessed

Taunton Deane Borough Council - North Taunton Woolaway Project.

The main purposes of the project are:-

- To refurbish and replace stock deemed defective under the 1984 Housing Act
- To provide housing where there is a 'need' within the Borough
- Provide housing that is sustainable and energy efficient
- Replace housing stock which decreases annually through Right to Buys

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

Through the extensive resident consultation undertaken over the previous 12 months a detailed understanding and demographic profile of the existing community and its potential future needs has been created.

This consultation included four public consultation events in a venue selected for its close proximity and accessibility to the affected residents, the opportunity for home visits from the project team alongside the project team being based in an office hub to provide a 'drop in' facility for the residents.

The scheme proposals have evolved in consultation with a project Design Group. The Design Group consists of xxx residents with a range of housing and lifestyle requirements and a mix of home owners and Taunton Deane Tenants.

In addition to information gathered through the resident consultation, the community profile has been further populated through information held by the Somerset Intelligence Partnership, specifically the area Indices of Multiple Deprivation results.

Housing needs have been further informed by data held within the Choice Based Lettings System 'Homefinder Somerset'.

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

The demographic profiles includes every single household within the projects redline area. The information gathered, particularly through 1-2-1 home visits included completing questionnaires to help identify vulnerable and protected groups.

The project team have worked across a range of agencies and partners within the Priorswood 'One Team' area.

To assist with Skills and Learning, Somerset Academy and Skills and Learning Council have been invited to discussions. The local primary school and doctors surgery have been provided with progress updates.

Taunton Deane Borough Council Tenants Forum and Tenant Services Management Board have received regular feedback on the project and provided views and considerations.

Taunton Deane Members have been briefed on the purpose of the project at a Members Briefing and a Strategic Forum where initial views, comments and suggestions were given.

Analysis of impact on protected groups				
<p>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.</p>				
Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> The increased choice of affordable housing type, size and tenure provides housing options for all age groups. For rented properties Lettings will be taken from the choice based lettings system 'Homefinder Somerset' which has equality and diversity policies in place to ensure protected groups are not disadvantaged. 	□	□	☒
Disability	<ul style="list-style-type: none"> Specific provision for a range of adapted properties has been made within the scheme proposal to provide a housing choice for those with a disability For rented properties Lettings will be taken from the choice based lettings system 'Homefinder Somerset' which has equality and diversity policies in place to ensure protected groups are not disadvantaged. 	□	□	☒
Gender reassignment	<ul style="list-style-type: none"> The increased choice of affordable housing type, size and tenure provides housing options that will not negatively impact on this protected group. 	□	□	☒

	<ul style="list-style-type: none"> For rented properties Lettings will be taken from the choice based lettings system 'Homefinder Somerset' which has equality and diversity policies in place to ensure protected groups are not disadvantaged. 			
Marriage and civil partnership	<ul style="list-style-type: none"> The increased choice of affordable housing type, size and tenure provides housing options that will not negatively impact on this protected group. For rented properties Lettings will be taken from the choice based lettings system 'Homefinder Somerset' which has equality and diversity policies in place to ensure protected groups are not disadvantaged. 	□	□	☒
Pregnancy and maternity	<ul style="list-style-type: none"> The increased choice of affordable housing type, size and tenure provides housing options that will not negatively impact on this protected group. For rented properties Lettings will be taken from the choice based lettings system 'Homefinder Somerset' which has equality and diversity policies in place to ensure protected groups are not disadvantaged. 	□	□	☒
Race and ethnicity	<ul style="list-style-type: none"> The increased choice of affordable housing type, size and tenure provides housing options that will not negatively impact on this protected group. For rented properties Lettings will be taken from the choice based lettings system 'Homefinder Somerset' which has equality and diversity policies in place to ensure protected groups are not disadvantaged. 	□	□	☒

Religion or belief	<ul style="list-style-type: none"> • The increased choice of affordable housing type, size and tenure provides housing options that will not negatively impact on this protected group. • For rented properties Lettings will be taken from the choice based lettings system 'Homefinder Somerset' which has equality and diversity policies in place to ensure protected groups are not disadvantaged. 	□	□	☒
Sex	<ul style="list-style-type: none"> • The increased choice of affordable housing type, size and tenure provides housing options that will not negatively impact on this protected group. • For rented properties Lettings will be taken from the choice based lettings system 'Homefinder Somerset' which has equality and diversity policies in place to ensure protected groups are not disadvantaged. 	□	□	☒
Sexual orientation	<ul style="list-style-type: none"> • The increased choice of affordable housing type, size and tenure provides housing options that will not negatively impact on this protected group. • For rented properties Lettings will be taken from the choice based lettings system 'Homefinder Somerset' which has equality and diversity policies in place to ensure protected groups are not disadvantaged. 	□	□	☒
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> • 	□	□	□

Negative outcomes action plan Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.				
Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
No adverse equality impact identified. These have been mitigated through an extensive 12 month resident consultation process and the resultant scheme design. Any negative outcomes which may emerge during the scheme development will be addressed through strong project management and identifiable workstreams.	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				

Completed by:	Jo Humble – Lead Specialist Place
Date	11 December 2018
Signed off by:	
Date	
Equality Lead/Manager sign off date:	
To be reviewed by: (officer name)	
Review date:	

Shadow Scrutiny Committee – Work Programme 2018/19

4 th February (WS)	5 th February (T)	11 th March (WS)	16 th April (TD)	June	TBC
NDR – Discretionary Relief Policy – D. Emery/ J. Collins	2019/20 General Fund Revenue Budget & Capital Programme – A. Stark	Transformation and Implementation Plan – J. Barrahan			Leisure Operator Performance Update
North Taunton Woolaway Project – J. Humble/ R. Walsh	2019/20 Housing Revenue Account Budget and Capital Programme – A. Stark	Assets of Community Value Process – M. Parr			Environmental Strategy for a New Council – N. Bryant
Page 75	2019/20 Treasury Strategy and Investment Strategy – A. Stark	New Council Equalities Policies – M. Leeman/ N. Anderson			Appointments to SRA Joint Scrutiny Panel
	2019/20 Capital Strategy – A. Stark				

