

SWT Special Full Council

Tuesday, 1st December, 2020,
6.15 pm



Somerset West
and Taunton

[SWT VIRTUAL MEETING WEBCAST LINK](#)

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

Agenda

1. Apologies

To receive any apologies for absence.

2. Declarations of Interest

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

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

3. Public Participation - To receive only in relation to the business for which the Extraordinary Meeting has been called any questions, statements or petitions from the public in accordance with Council Procedure Rules 14,15 and 16

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

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

Temporary measures during the Coronavirus Pandemic

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will either be answered by the Chair of the Committee, or the relevant Portfolio Holder, or be followed up with a written response.

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

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

6. To receive only in relation to the business for which the Extraordinary Meeting has been called any questions from Councillors in accordance with Council Procedure Rule 13

7. Coastal Protection Works Associated with the B3191

This matter is the responsibility of Executive Councillor for Environmental Services, Councillor Sarah Wakefield.

This proposal follows on from the previously approved request that Somerset West and Taunton Council use their status as the Coastal Protection Authority to deliver a scheme on behalf of Somerset County Council.

8. Staplegrove New Community - Housing Infrastructure Fund

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

(Pages 7 - 24)

(Pages 25 - 34)

A loan arrangement between Somerset West and Taunton Council and the Staplegrove developers will need to be agreed before HIF funding can be drawn down from Homes England. These are subject to ongoing negotiations and officers need to ensure they align with the requirements of the Homes England Grant Funding Agreement.

9. Amendment to the Private Sector Renewal Policy – Disabled facilities Grants, Repairs assistance and new Special Purpose Grant

(Pages 35 - 102)

This matter is the responsibility of Executive Councillor for Housing, Councillor Francesca Smith.
The report seeks Member approval for amendments to the Somerset West Private Sector Renewal Policy.

10. Access to Information - Exclusion of the Press and Public (appendices only)

During discussion of the following items it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 13 13.02(e) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Council will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

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

11. Seaward Way, Minehead - New Build HRA Low Carbon Homes

(Pages 103 - 146)

This matter is the responsibility of Executive Councillor for Housing, Councillor Francesca Smith.
It is proposed to develop the site as an exemplar scheme of 54 new homes for the Council to showcase an innovative approach to house building and its commitment to affordable housing throughout the district and addressing climate change.

12. Oxford Inn New Build HRA Zero Carbon Homes, Taunton

(Pages 147 - 176)

This matter is the responsibility of Executive Councillor for Housing, Councillor Francesca Smith.

The report recommends the development of 11 new council HRA homes on the Oxford Inn site, Taunton.

13. North Taunton Woolaway Project

(Pages 177 - 216)

This matter is the responsibility of Executive Councillor for Housing, Councillor Francesca Smith.

The Report recommends the approval of funding for all future phases of the Project.



**JAMES HASSETT
CHIEF EXECUTIVE**

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

Following Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will be live webcasting our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, but you can also access them on the [Somerset West and Taunton webcasting](#) website.

If you would like to ask a question or speak at a meeting, you will need to submit your request to a member of the Governance Team in advance of the meeting. You can request to speak at a Council meeting by emailing your full name, the agenda item and your question to the Governance Team using governance@somersetwestandtaunton.gov.uk

Any requests need to be received by 4pm on the day that provides 2 clear working days before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Thursday prior to the meeting.

The Governance and Democracy Case Manager will take the details of your question or speech and will distribute them to the Committee prior to the meeting. The Chair will then invite you to speak at the beginning of the meeting under the agenda item Public Question Time, but speaking is limited to three minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group.

Please see below for Temporary Measures during Coronavirus Pandemic and the changes we are making to public participation:-

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will be answered by the Portfolio Holder or followed up with a written response.

Full Council, Executive, and Committee agendas, reports and minutes are available on our website: www.somersetwestandtaunton.gov.uk

For further information about the meeting, please contact the Governance and Democracy Team via email: governance@somersetwestandtaunton.gov.uk

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Report Number: SWT 152/20

Somerset West and Taunton Council

Special Full Council – 1 December 2020

Coastal Protection Works Associated with the B3191

This matter is the responsibility of Executive Councillor for Environment Cllr Sarah Wakefield

Report Author: Chris Hall - Assistant Director Climate Change and Assets

1 Executive Summary / Purpose of the Report

- 1.1 Somerset West and Taunton Council, the Coastal Protection Authority, have received a proposal from Somerset County Council, the Highway Authority, with a view to undertaking works to protect the B3191 at Blue Anchor. If the scheme of work is accepted this council would deliver any agreed coastal protection scheme for the benefit of that community.
- 1.2 This proposal follows on from the previously approved request that Somerset West and Taunton Council use their status as the Coastal Protection Authority to deliver a scheme on behalf of Somerset County Council.
- 1.3 This proposal offers the funding necessary to deliver the scheme and a commuted sum so that Somerset West and Taunton Council may take all future ownership, inspection, and maintenance responsibilities for any newly created asset.
- 1.4 There is no immediate financial liability for Somerset West and Taunton Council.
- 1.5 This report is not a detailed review of the scheme design, this will be finalised with the designers and principle contractor as the project evolves over time. Consultation on any proposed scheme will take place with the appropriate bodies, parish councils, and impacted residents.

2 Recommendations

It is recommended that Full Council supports the following:

- 2.1 That Somerset West and Taunton Council agree in principle to accept responsibility and ownership for the coastal protection structure together with a commuted sum to cover estimated maintenance over the estimated lifecycle of the asset, provided that the new infrastructure is funded entirely by the Highways Authority, Environment Agency and or other external contributors.
- 2.2 Give authority for the Director for External Operations and Climate Change and/or

Assistant Director, Climate Change and Assets, in consultation with the Lead Member for Environment, the authority to negotiate the final funding agreement.

- 2.3 That Executive recommends to Full Council the approval of a Supplementary Capital Budget of £3,550,000 for the delivery of the long-term coast protection capital works, funded entirely by expected contributions from Somerset County Council and the Environment Agency.
- 2.4 That Executive endorses to Full Council an increase in the annual maintenance budget for coastal protection assets is included on the Medium Term Financial Plan, funded by the commuted sum to be received from Somerset County Council, upon completion of the works. The actual budget increases for expenditure and income will offset, with amount to be determined and approved by the budget holder in line with Financial Procedure Rules.
- 2.5 That Executive recommends to Full Council the approval of a Supplementary Capital Budget of £385,000 for the emergency works necessary are Blue Anchor, to be funded by the approved grant from the Environment Agency.

3 Risk Assessment

- 3.1 Progression of this project seeks to mitigate a range of risks associated with coastal erosion and surface water runoff at Blue Anchor which currently present a risk to the road and a wider risk to the communities.
- 3.2 Along with the road there are a number of properties that are also at risk of being lost over the coming years. This scheme will be designed to mitigate these risks on a best endeavours approach.
- 3.3 The negotiated position presented is the best agreement that officers consider achievable with Somerset County Council. If Members are not able to support this it will be unlikely that further negotiation will deliver better results, leading to a risk that the scheme may not progress.
- 3.4 There will be financial risks associated with asset ownership, these are intended to be mitigated by Somerset County Council paying a commuted sum to Somerset West and Taunton Council in advance to cover these inspection and maintenance costs.
- 3.5 The value of the commuted sum will need to be agreed by both parties, this will necessitate an estimate being created. To prevent one party unfairly benefiting from this process it is proposed that the designers of the scheme will propose the value associated with future inspection and maintenance.
- 3.6 In the unlikely event that there is a material change to the offer following approval of this paper SWT will not be bound to deliver the scheme.

4 Background and Full details of the Report

- 4.1 Somerset West and Taunton Council have been working with Somerset County Council and the Environment Agency for a considerable period of time to look for potential solutions regarding B3191 route integrity.
- 4.2 Somerset West and Taunton Full Council met on 7th July 2020 and agreed to use their powers as the Coastal Protection Authority to deliver any schemes that come forward

from Somerset County Council. SCC have now allocated funding to meet with the consultant's recommendation to protect the road in its current location at the Blue Anchor end of the B3191.

- 4.3 The history of the issues and past activity in this location was documented in the previous report (7th July) and remains available as a reference point.
- 4.4 The report only covers the Blue Anchor location of the B3191, there remains a similar erosion challenge at Cleeve Hill. SCC have a recommendation for this area but are not able to pursue this at this time.
- 4.5 This report is not intended to be a detailed review of the process followed by the County Council or their options, or recommendations, instead it seeks a commitment from Somerset West and Taunton to take ownership of the asset that it (SWT) will deliver through the professional contract frameworks.
- 4.6 The scheme is likely to consist of a rock armour revetment, with cliff grading and land drainage. The exact length of the scheme is to be determined by the design.
- 4.7 The cost of the scheme is estimated to be in the region of £4M; to be fully funded by Somerset County Council and the Environment Agency. A Somerset West and Taunton project manager will commission the scheme design and construction and contractors will be aware of the overall budget. Tenders will be limited to within the overall scheme costs.
- 4.8 Somerset West and Taunton have recently been successful in securing £100,000 from the Environment Agency to progress design works for both B3191 protection schemes, Blue Anchor (£50,000) and Cleeve Hill (£50,000).
- 4.9 During the negotiation and as part of a routine inspection of the existing structures at Blue Anchor, council officers and the Environment Agency identified a number of holes in the existing sea defence wall and voids to the rear. This structure is the closest point to the road and was recognised that an emergency repair was needed to prevent the loss of the structure.
- 4.10 A report was taken to Senior Management Team (annex C) setting out the issues and requested £200k of funding to undertake the emergency repairs as risk whilst a bid was made to the Environment Agency. This was approved and the first phase of the works were undertaken in June. The Environment Agency have approved the bid which was requested at £385k. This will allow for a greater level of repair and stability whilst decisions around the main scheme are being considered.

5 The agreement

- 5.1 The outstanding questions of ownership, liability, and maintenance, have all been discussed and a compromise position reached. This was needed as the starting point for each Authority was not acceptable to the other. Whilst the detailed wording of the funding agreement is yet to be concluded the following heads of terms have been agreed at an officer level. These will form the basis of a funding agreement between the authorities.
- 5.2 Somerset County Council will be the primary funders of the work, there may be other contributions that limit their overall costs but they will hold responsibility for funding the scheme. Somerset County Council's contribution cannot be unlimited and we will work

as a project team to design and deliver the defence works within the overall budget. This is to be approved by SCC but is likely to be in the region of £4M. This amount is a reflection of the costs estimates from the consultants.

- 5.3 The assets will be designed and built by Somerset West and Taunton Council under the permissions previously provided by this Council and through the use of professional frameworks.
- 5.4 It is proposed that Somerset West and Taunton Council own the asset. Whilst concerns were expressed at the Full Council Meeting on 7th July 2020 the negotiated proposal would see Somerset County Council provide a commuted sum to the estimated value of the whole life maintenance costs. This figure will be established by the technical designers to be appointed by SWT and will be part of the funding agreement. Once set the commuted sum will be the limit of the maintenance budget for the asset, should costs exceed this amount SWT would have to fund these. It was for this reason that the designers were to set the commuted sum rather than SCC or SWT.
- 5.5 With this commuted sum Somerset West and Taunton Council will undertake inspections and maintenance of the asset and should therefore limit the financial risk to the authority.
- 5.6 Within the funding agreement we will establish a realistic liability that does not place an undue burden on either party. Specifically we will not become liable for the road should it fail despite the best endeavours approach that is proposed.
- 5.7 The asset life expectancy will be established by the final design. Works to date are identifying a scheme predominantly made up of rock armour which will require some maintenance and potentially topping up over the years. These schemes are less susceptible to sudden or complete structural failure as has been seen in sea defence walls. By design the rock armour dissipates wave energy in a more gradual way reducing likelihood of failure of the engineering scheme.
- 5.8 The Memorandum of Understanding has been signed off in accordance with the delegated authority provided at the 7th July Full Council meeting.

6 Next Steps

- 6.1 Somerset County Council published a cabinet decision on the allocation of funds on 16th September 2020, this passed without call in.
- 6.2 Somerset West and Taunton Council will complete the emergency works to the existing sea defence wall and import approximately 1800tonnes of rock armour to buy time for the design and implementation of the main scheme. This work has been awarded funding from the Environment Agency and there are no cost to Somerset West and Taunton Council.
- 6.3 Somerset West and Taunton Council officers would engage with local land owners to secure the use of the private land necessary for access, storage, and construction of the scheme.
- 6.4 Establish a contract with designers to take forward the scheme, and start engagement with the contractors.
- 6.5 Establish a multi-agency project board and timeline of activity.

7 Links to Corporate Strategy

- 7.1 Theme Three of the Corporate Strategy 2020-2024, Objective 6 – Support the delivery of strong and sustainable transport infrastructure links including a greater provision of public transport across the district, as well as solutions which remove barriers to people using public transport to access work, training and leisure opportunities.

8 Finance / Resource Implications

- 8.1 There are no immediate requests for SWT finances attached to this report, and Members are not being asked to make a decision that places the Council as the funders of this project.
- 8.2 It is reasonable to assume that if SWT is to deliver the scheme then it will be SWT that holds the associated project budget, to be funded by contributions from the County Council, the Environment Agency and any other contributors.
- 8.3 It is expected that SWT will be the Accountable Body for this scheme as it is the recipient of the funding and will take all future ownership, inspection, and maintenance responsibilities for any newly created asset.
- 8.4 There are two elements to capital works included within this report, the approvals for which have been shown separately as they will be delivered as discrete projects or phases of work.

Emergency Works:

- 8.5 As described in paragraph 4.10 above, emergency works have been started ‘at risk’ following SMT agreement. The success bid for grant from the Environment Agency funding means there is sufficient external funding to fully cover the costs of works. It is recommended that Council formally approves the budget for these works so the budget and costs are accurately reflected in the Council’s capital programme.

Table 1 – Emergency Works Budget

	2020/21 £
Capital Expenditure – Coastal Protection Emergency Works	385,000
Funded by: Environment Agency Grant	-385,000

Long-Term Coastal Protection Works:

- 8.6 The costs of works are subject to detailed design and procurement, however this major project is estimated to cost £3,550,000. It is recommended to include this sum as a Supplementary Budget within the Council’s capital programme to properly account for and monitor costs. There is a contribution from the EA towards initial costs such as design fees, and the capital funding to be provided by Somerset County Council, which again means the costs are fully covered by external funding. Whilst the funding to be provided from SCC is not unlimited it is expected the total costs of the scheme (less the funding provided by the EA) will be fully funded by SCC. The capital expenditure will be recorded on the SWT balance sheet under infrastructure assets.

Source	2020/21 £	2021/22 £	Totals £
Total Capital Expenditure – Long-Term Coastal Protection Works	2,550,000	1,000,000	3,550,000
Funded by:			
Environment Agency Grant	-50,000		-50,000
Somerset County Council	-2,500,000	-1,000,000	-3,550,000
Total Funding	-2,550,000	-1,000,000	-3,550,000

Ongoing Maintenance:

- 8.7 The ongoing maintenance of the asset will need to be undertaken / commissioned by SWT in future, with the related costs to be included in the revenue budget. The County Council will provide a commuted sum up-front that can be drawn down over the life of the asset to mitigate future maintenance costs. Whilst there is no guarantee given the long term nature of the works, the expectation is that commuted sum will fully mitigate the costs over the long term. The amount of the commuted sum is to be confirmed, and it is recommended the annual maintenance budget is increased within the Medium Term Financial Plan, funded by the commuted sum income.
- 8.8 Advice received relating to the VAT status of this scheme is that as SWT is acting as The Coastal Authority it is not providing a supply so VAT is not chargeable. As the works are being carried out under the 'Coastal Protect Act', supply is deemed to be a statutory non-business transaction which would mean SWT could recover VAT paid in full.

9 Legal Implications

- 9.1 The statutory scheme in relation to coastal erosion is governed by the Coast Protection Act 1949 (“the 1949 Act”), as amended by the Flood and Water Management Act 2010 (“the 2010 Act”).
- 9.2 This Council is the Coastal Protection Authority (CPA) and holds the power but not the duty to deliver coastal protection schemes. The Shoreline Management Plan creates a recommendation to “hold the line”, this means that the Coastal Protection Authority has the power to intervene but places no statutory responsibility upon them to do so.
- 9.3 The council have used its CPA status under section 5 of the 1949 Act to carryout coastal protection work on an emergency basis to the existing wall. This work was notified to the Environment Agency.
- 9.4 The report recommends to Members that the council accept ownership, inspection and maintenance responsibilities for a new coastal protection asset. Were the scheme to fail, it could be argued that the Council had accepted a duty and then failed to discharge that duty properly and reasonably. Once that position had been established, it would be easier to make the claim that the Council should be paying for the costs of any clear up associated with that failure. There is however no assumption that any such challenge would be successful.

10 Climate and Sustainability Implications

- 10.1 Climate change will impact on the sea levels in the coming years. This report does not evaluate the effects of rising sea levels, but we would expect future designs of the engineering schemes to take account of these impacts.

11 Safeguarding and/or Community Safety Implications

- 11.1 It is anticipated that the recommendations of this report improve the position for those immediately impacted and for the wider community through the support to Somerset County Council's scheme.

12 Equality and Diversity Implications

- 12.1 There are no detrimental impacts on any of the protected groups as a result of this report and its recommendations.

13 Social Value Implications

- 13.1 Any future procurement that will come from this will consider social value within the process.

14 Partnership Implications

- 14.1 There are no formal partnerships impacted or created by the content of this report, but a formalised way of working will be agreed through the creating of the Memorandum of Understanding.

15 Health and Wellbeing Implications

- 15.1 Protection of the impacted communities is at the heart of any scheme that may be delivered. Ensuring the safety of home, and connectivity of those homes to the nearby communities is the purpose of this report.
- 15.2 There will be implications for people's health and wellbeing should a scheme not be designed and delivered within a reasonable timeframe.

16 Asset Management Implications

- 16.1 A decision to take on the asset comes with responsibilities for future inspection and maintenance liabilities. It is proposed that an independent party evaluate the costs of this and that evaluation forms a commuted sum transferred to Somerset West and Taunton Council.

17 Data Protection Implications

- 17.1 There are no identified data protection implications

18 Consultation Implications

- 18.1 Somerset County Council and their consultants WSP have undertaken consultation as part of their options appraisal. We will continue to work with other interested parties in an informal manner.

19 Comments from Scrutiny

- 19.1 Scrutiny Committee considered this report on 14th October. They felt unable to support the recommendations that were presented to them and raised concerns over the ongoing costs of the assets in the event that the commuted sum failed to cover the necessary period of time. Additionally they were concerned about the long term liability for the asset at the end of its life and any impact that the design may have on other sections of the

coast line. They provided the following statement that was read out at the Executive committee on 20th October:

- 19.2 *“Whilst the committee wishes to support moves to protect the coastline and coastal communities, the Committee expressed significant concern about the potential for responsibility and long term liability and recommend exec and full council fully understand and request details on the long term liabilities going forward to ensure a full understanding of the longevity of the scheme and mitigate long term liability and risk.”*

20 Comments from Executive

- 20.1 Scrutiny committee’s concerns were discussed by the Executive Members and it was considered that whilst there may be risks in the longer term for asset maintenance the offer presented to Council by SCC and the Environment Agency is more favourable than we could achieve from other sources and requires no financial investment from SWT at this stage or for many years to come.
- 20.2 Executive Committee supported the recommendations as presented by the portfolio holder.

Democratic Path:

- **SMT – Yes**
- **Scrutiny –14th October 2020**
- **Executive – 20th October 2020**
- **Full Council – 1st December 2020**

Reporting Frequency: Once only

List of Annexed items

Annex A	Somerset County Council slides: Erosion regression line over the next 100 years Initial designs for engineering solution at Blue Anchor Realignment of B3191 at Cleeve Hill
Annex B	Somerset County Council Proposal to SWT
Annex C	Report to SMT on emergency works

Background:

7th July 2020 Full Council decision to deliver works on behalf of Somerset County Council

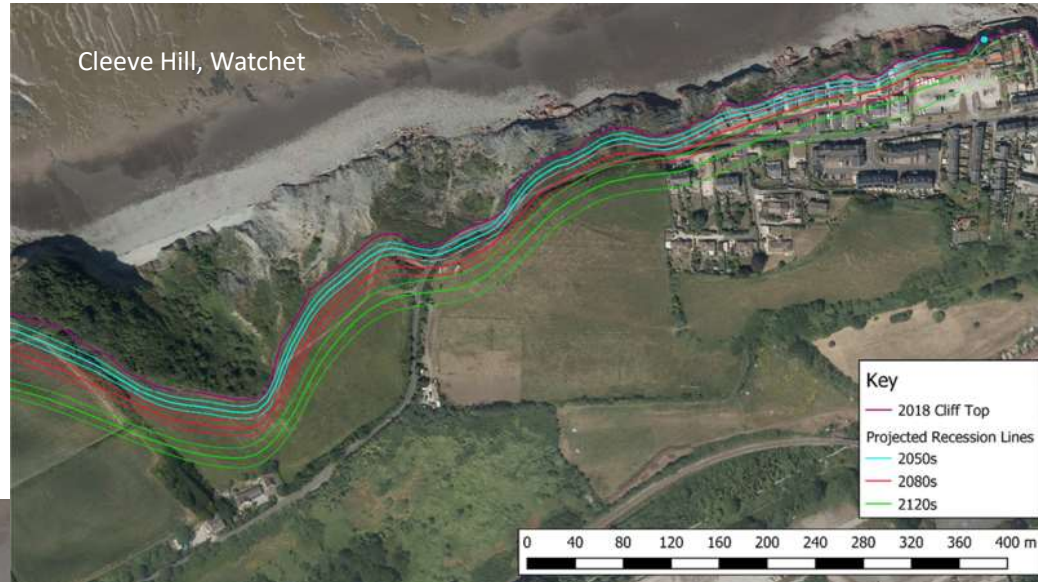
Contact Officer

Name	Chris Hall
Direct Dial	01823 217578
Email	c.hall@tauntondeane.gov.uk

CLIFF EROSION

The coastal cliffs within the study area are actively eroding with further losses anticipated.

Important to quantify how far they can be expected to retreat in the future to understand the impact and the potential benefits of intervention



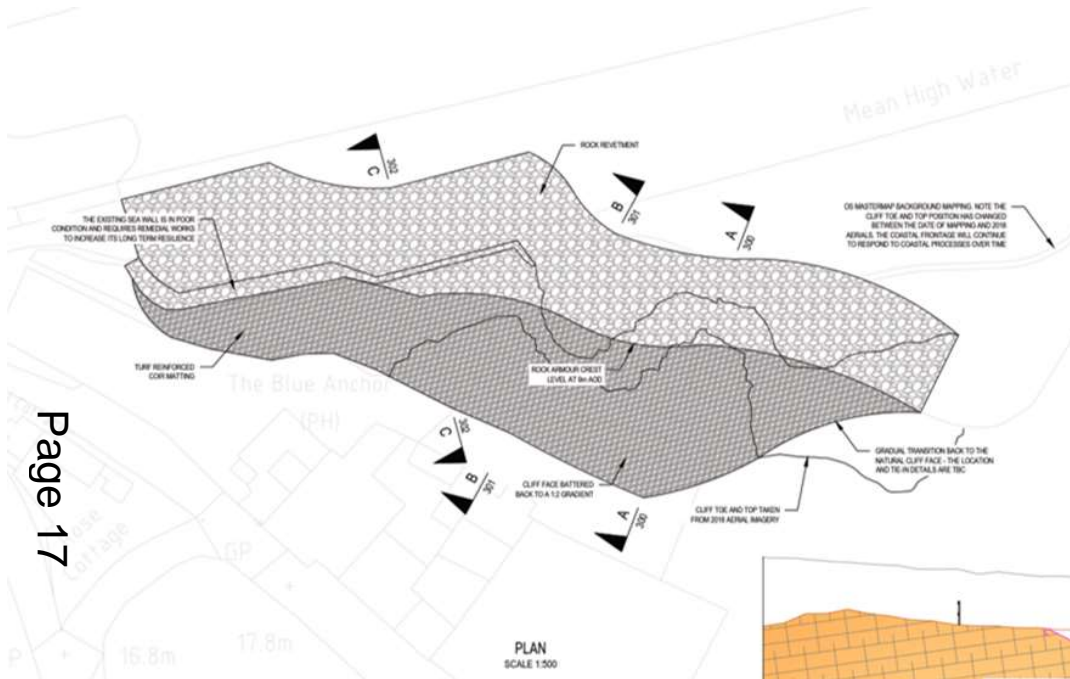
The existing cliff top positions in 2018 are shown in purple, with projected positions for various timescales shown in blue (2050s), red (2080s) and green (2120s).

WSP's projections take into account

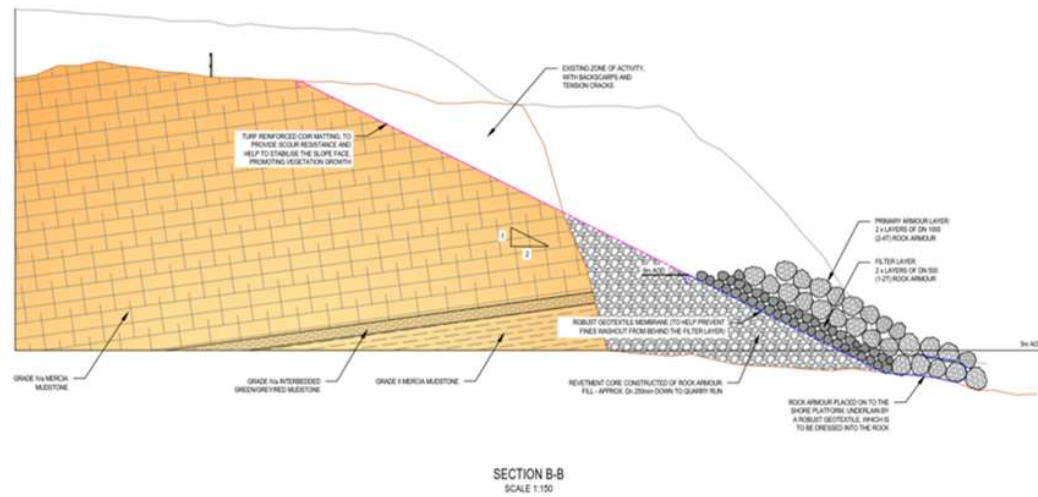
- Historical cliff recession
- Alongshore variations
- Geology
- Sea level rise predictions due to climate change



Preferred Option 2C (Blue Anchor)



- Rock armour approx. 9m high at the toe
- Regraded slope with turf reinforced coir matting to the slope to stabilise it



Chris Hall
Somerset West and Taunton Council
Deane House
Belvedere Road
Taunton
TA1 1HE

Please ask for: Mike O'Dowd-Jones

Email: modowdjones@somerset.gov.uk

Direct Dial: 01823 356238

Date: 27 July 2020

By email to c.hall@somersetwestandtaunton.gov.uk

Dear Chris

Without Prejudice - Funding for construction of coastal defences to mitigate the risk of failure of the B3191 at Blue Anchor

Following our initial proposal on this matter dated 2 July 2020 and our subsequent discussion and email exchange, I am pleased to issue you with a revised proposal which I hope addresses any remaining issues of concern. As discussed, this remains an 'in-principle offer' in outline form and will need to be formalised by way of a detailed funding agreement between the parties.

I would be grateful if you could confirm that this is acceptable in-principle so that the funding agreement can now be prepared accordingly.

Our outline proposal is as follows:

- As per the draft memorandum of understanding between SCC, SW&T and EA on the matter; Somerset West & Taunton Council will take a lead client role and responsibility for the design and construction of the works, undertaking all associated statutory processes and obtaining all necessary land, consents and licenses etc utilising the powers available to you as planning authority and coastal protection authority.
- Somerset County Council will undertake to fund the design and construction of the works and associated scheme development costs with the purpose of protecting the road from risk of failure in the future. We will allocate an initial £2.5m from our highways capital grant for 20/21 to enable you to undertake the works through a funding agreement. Noting that with 60% optimism bias the upper cost estimate for the works is £4m we will allocate up to a further £1m towards the works if necessary in 21/22, which together with other projected partnership funds should be sufficient for you to undertake the

works with minimal risk that any construction cost will fall to your authority. Allocation of funding is subject to a formal Cabinet Member decision.

- Should other funding bids lead to alternative sources of finance being secured for these works prior to completion we will reduce our contribution accordingly.
- The sole reason for SCC funding construction of this coastal protection scheme is to protect the surrounding land from further recession such that it does not put the highway at risk, and to avoid a more expensive alternative road diversion scheme.
- The coastal protection measures clearly also afford protection to land and property in the area outside of SCCs ownership, and the asset itself will be created on land outside of our ownership at some distance from the highway. The asset will therefore not become a highway asset or part of the highway maintainable at public expense.
- Given the wider implications of the new asset for coastal protection we propose that Somerset West and Taunton Council become the owners of the asset and are responsible for ongoing inspection and maintenance. Somerset County Council will provide a one-off commuted sum to Somerset West and Taunton Council to cover projected future inspection and maintenance costs of the asset. This agreement and the associated calculation of the commuted sum will be secured by way of the funding agreement. We would also expect that any relevant landowners would need to be party to an agreement regarding the ownership of the asset, its future maintenance, and rights of access to it.
- As discussed, we will work with you to agree a clause within the funding agreement which will limit your liabilities in respect of the highway were the new coastal asset to fail at some point in the future due to unforeseen circumstances. We anticipate being able to agree a clause such that Somerset West and Taunton is not liable for future costs of repair or replacement of the highway should the coastal asset fail.

Yours sincerely



Mike O'Dowd-Jones

Strategic Commissioning Manager – Highways and Transport

SMT briefing on Blue Anchor Wall

There are existing sea defences at Blue Anchor where the ownership is unknown. These are shown in picture one and are a mixture of walls from the 1920's and 1980's.

The angled slabs are sat on an upright concrete wall and during a site visit with the Environment Agency on Tuesday 2nd June two holes were found at the base of the upright sections.

The visible hole in picture two appears to be small but on inspection from above a large void can be seen to run from the top of the structure to the hole. Void shown in picture three.

The second of the holes is larger, picture four, and it is assumed that the void runs through the rear of the structure to this hole. Only entry into the void would confirm this which we did not do.

The Environment Agency's Area Flood Risk Manager and I both consider that an emergency repair is needed to prevent failure of the existing asset and a collapse of the land behind it. To the rear is the hotel at c10m and the road at c20m distant.

The EA have directed us to bid for the money necessary for the repair but in order to meet their criteria we must recognise this as an emergency and repair it now. If we were to wait until our bid is assessed then they would argue it was not an emergency and therefore cannot be funded. In making this point I am acting on the advice of the EA officer with whom I have built a long standing relationship, and trust.

I propose that SMT support the delivery of the repair using the council emergency powers, at risk but with a concurrent bid to the EA for emergency works funding. The value of the works is estimated as being £100k - £200k. If the bid is approved we would anticipate that the whole cost is recoverable.

The EA haven't confirmed a timeline for bid consideration but it appears to be a case by case basis rather than a formal timeline. My expectation is that any funds agreed would be provided within this financial year.

It is important to note that this is an at risk request and whilst early indications are that the EA would support the funding they will offer no assurance until the bid is assessed, post works completion. It is therefore possible that the bid is unsuccessful and that the council have to stand the entire cost of the works.

The importance of this wall cannot be overstated, its loss would lead to a sudden failure of the cliff and advice from another Agency officer is that the erosion will exceed the point that erosion over time would have created had the wall not been there, i.e. it would be sudden and more damaging.

Somerset County Council have reviewed options for their road and concluded that a protection scheme would be the most cost effective solution. Their

recommendation for this section of road assumes that the existing structure is in place. You might therefore suggest that SCC have the greatest interest in this asset but they do not have the power to deliver a repair on an asset they do not own. We as the Coastal Protection Authority however do, as set out in the Coastal Protection Act.

If SMT approve this, we will source a contractor from the framework and move quickly to the delivery of the scheme, which will involve closing the visible holes and pumping concrete to fill the void.

I would also seek advice on best way to achieve retrospective approval / support from Members.

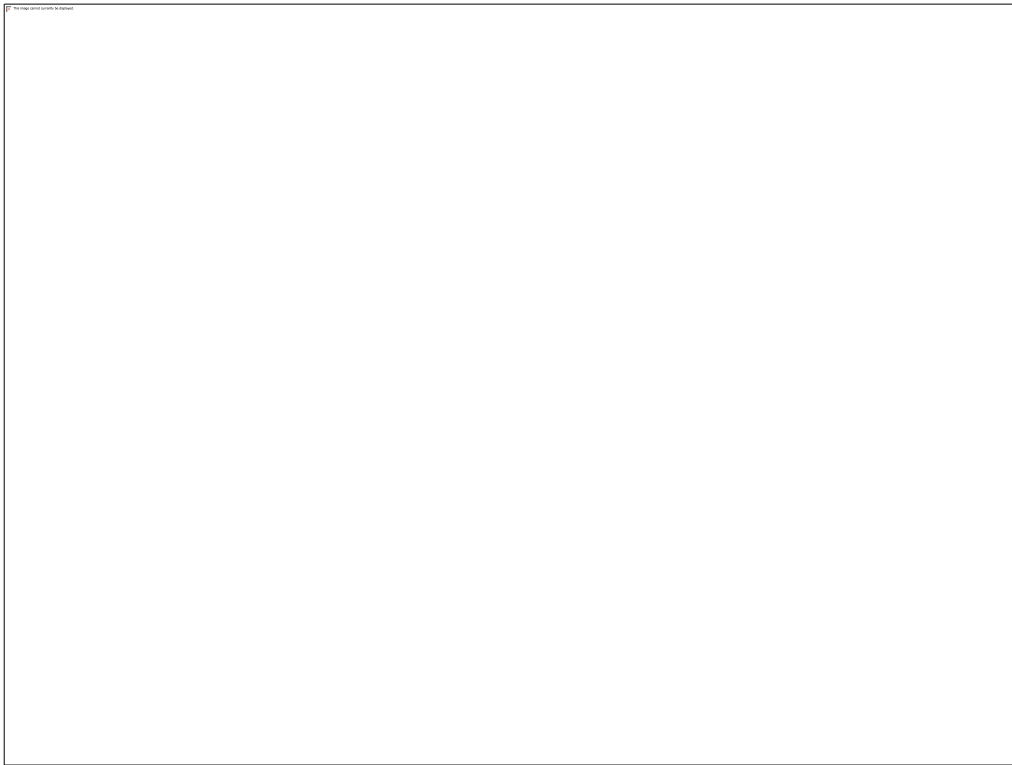
Picture One



Picture Two



Picture Three



Picture Four



Chris Hall

AD Climate Change and Assets

Report Number: SWT 153/20

Somerset West and Taunton Council

Special Full Council – 1 December 2020

Staplegrave New Community - Housing Infrastructure Fund

This matter is the responsibility of Executive Councillor Mike Rigby

Report Author: Kate Murdoch, Strategy Specialist

1 Executive Summary / Purpose of the Report

- 1.1 In March 2019 the Government confirmed £14.2m of Housing Infrastructure Funding (HIF) to deliver the Staplegrave/North Taunton spine road and associated infrastructure early in the development, subject to specific conditions. The Government has confirmed that the HIF funding will operate as recoverable grant to Somerset West and Taunton. SWT will be responsible for loaning the HIF funding to the developers, recovering the funding and recycling it to unlock further housing on other development sites in Taunton.
- 1.2 In order to access this funding Somerset West and Taunton entered into a Grant Funding Agreement (GFA) with Homes England in December 2019 and have been negotiating the Heads of Terms for the loan agreement with the Staplegrave developers.
- 1.3 In January 2020 a late s106 education request for £9.6m, submitted by Somerset County Council, on the Staplegrave East development (ref: 34/16/0014), prevented the outline permission from being issued and HIF loan agreement from being progressed.
- 1.4 Working in partnership with Homes England, Somerset County Council and the developers, officers have negotiated the potential re-profiling of an element of the HIF funding, to ensure the early delivery of the primary school at Staplegrave East. Correspondence from Homes England confirming this new position is attached in Appendix A. On this basis Somerset County Council agreed to withdraw the s106 education request on Staplegrave East.
- 1.5 The delivery of the new spine road and primary school at the Staplegrave development, will be subject to an open book procurement process, to determine accurate construction costs.
- 1.6 A loan arrangement between Somerset West and Taunton Council and the Staplegrave developers will need to be agreed before HIF funding can be drawn down from Homes England. These are subject to ongoing negotiations and officers need to ensure they align with the requirements of the Homes England Grant Funding Agreement.
- 1.7 The Housing Infrastructure Fund needs to be fully drawn down and spent by March 2023 on the approved infrastructure. The Council risks losing this Government funding if this deadline is not met.

2 Recommendations

- 2.1 Approve delegated authority to the Director of Development and Place and s151 Finance Officer, in consultation with the Planning Portfolio Holder, to agree and enter into a suitable loan facility between Somerset West and Taunton and the Staplegrove developers (or alternatively the landowners with appropriate covenants to bind developers when they are appointed), to ensure draw down of the HIF funding in line with the requirements of the Homes England Grant Funding Agreement.
- 2.2 Approve a Supplementary Budget of £14.2m is added to the General Fund Capital Programme for the provision of the loan funding to the developer, dependent on the agreement of terms

3 Risk Assessment (if appropriate)

- 3.1 The £14.2m Staplegrove Housing Infrastructure Funding has to be fully drawn down and spent on the agreed infrastructure provision by 31st March 2023, otherwise parties risk losing the Government funding for infrastructure delivery at the Staplegrove development. If the Housing Infrastructure Funding (HIF) is not drawn down the outline permission and associated s106 has agreed trigger points for the delivery of the spine road and primary school site. The HIF ensures earlier delivery of the spine road and primary school. Officers are working closely with the developers and Somerset County Council to ensure the March 2023 deadline is met. The recommendations in this report delegating authority to the Planning Portfolio Holder and Director of Development and Place should assist with minimising the risk of delay arising from the Council decision making processes.
- 3.2 The £14.2m HIF funding is not sufficient to cover the anticipated costs of the spine road and the delivery of the primary school. The costs of delivering the spine road and primary school will be subject to open book procurement process with the developers, Somerset County Council and Somerset West and Taunton, to approve the contractor's specifications for delivering the spine road and primary school. Current negotiations are seeking to minimise this risk with the developers' cash flowing the balance of the funding required for the completion of the primary school. This is subject to ongoing negotiations.
- 3.3 In the current economic climate and given the associated uncertainty for the UK housing market, there is a risk the developers chose not to draw down the funding to unlock this new community. This in turn will impact on the Council's ability to demonstrate a five year housing land supply and meet the Government's Housing Delivery Test, placing the area at greater risk of unplanned and speculative development (Corporate Risk Register 16). Officers are working closely with Homes England and the developers to minimise this risk.
- 3.4 Following advice from Natural England regarding the unacceptable levels of phosphates in the Somerset Levels and Moors Ramsar site, all affected residential applications awaiting determination are on hold. Natural England have advised that before determining planning applications, which may give rise to additional phosphates within the Somerset Levels and Moors catchment area, a Habitat Regulations Assessment be undertaken to establish the likelihood of any adverse impact, with appropriate mitigation measures where necessary, to ensure a 'nutrient neutrality' approach. This advice applies to the Staplegrove development and presents a risk to the HIF spend programme, officers are working closely with Homes England to seek an extension to the funding spend programme to minimise this risk.

4 Background and Full details of the Report

- 4.1 In March 2019 the Government confirmed £14.2m of Housing Infrastructure Funding (HIF) to deliver the Staplegrove/North Taunton spine road early in the development subject to specific conditions.
- 4.2 The Staplegrove/North Taunton new community is allocated in the Taunton Deane Site Allocations and Development Management Plan (2016). Two outline planning applications were submitted to cover the site referred to as Staplegrove East (ref 34/16/0014) and Staplegrove West (ref 34/16/0007).
- 4.3 Staplegrove West now benefits from outline permission (with all matters reserved except access) for a residential-led, mixed use development to include up to 713 new dwellings, 1 ha of employment land, green infrastructure, landscaping, play areas, sustainable drainage systems and associated works. The site is to be developed by Redrow Homes.
- 4.4 Staplegrove East has outline approval (subject to s106) for a residential-led mixed use development for up to 915 new dwellings, a primary school, 1 ha of employment land, local centre, open space including allotments and sports pitches, green infrastructure, landscaping and woodland planting, sustainable urban drainage systems. The s106 negotiations for this site remain outstanding.
- 4.5 The Staplegrove development will be served by an internal spine road to connect the A358 Staplegrove Road with Kingston Road. Both planning applications included the points of access from Staplegrove Road and Taunton Road as detailed matters, with all other matters reserved, including the detailed design of the spine road. Trigger points for the delivery of the spine road have been agreed with the Highway Authority as part of the outline planning application and require the completion of the road prior to the occupation of 250 dwellings for Staplegrove east and 325 dwellings for Staplegrove west or five years from first occupation, whichever comes first.
- 4.6 For both sites the developers submitted viability evidence. The agreed outcome from the viability negotiations was a reduction in affordable housing provision to 15% rather than the 25% development plan policy affordable housing requirements.
- 4.7 A resolution to grant was secured for both sites in October 2017. This was agreed on the basis of a 15% affordable housing contribution, in the absence of any HIF Marginal Viability grant, with a clause to provide a higher proportion of affordable housing, up to 25%, if HIF Marginal Viability grant was provided.
- 4.8 The HIF grant application was submitted in September 2017 on the understanding that this would deliver grant funding to assist viability on the Staplegrove site, thereby delivering a more policy compliant affordable housing scheme. The funding would also ensure early delivery of the spine road and early access to the primary school site. However following submission of the HIF bid, the Government confirmed that the HIF funding will operate as recoverable grant to Somerset West and Taunton. SWT will be responsible for loaning the HIF funding to the developers, via quarterly claims to Homes England over the construction period for the spine road and the primary school up to March 2023. SWT is then responsible for recovering the HIF Loan at a later date from the development.
- 4.9 As the HIF funding is now a loan to the developers, it does not alter the currently agreed viability position. Evidence has been submitted by the developers to confirm this position and this has been independently verified, on behalf of the Council, by Three Dragons.

However once the HIF loan is drawn down by the Staplegrove developers and recovered back to the Council, Somerset West and Taunton is able to utilise the recovered HIF funding to unlock further housing, on other development sites in Taunton.

- 4.10 In January 2020 a late s106 education request was submitted by Somerset County Council for £9.6m relating to the Staplegrove East development (ref: 34/16/0014). This prevented the completion of s106 negotiations and the issuing of the outline permission for Staplegrove East, both of which are prerequisites for drawing down the Housing Infrastructure Fund grant.
- 4.11 Working in partnership with Homes England, Somerset County Council and the developers, officers have negotiated the potential re-profiling of an element of the HIF funding to ensure the early delivery of the primary school at Staplegrove East. Correspondence from Homes England confirming this new position is attached in APPENDIX A. On this basis Somerset County Council agreed to withdraw the s106 education request on Staplegrove East, thereby enabling the s106 agreement to progress.
- 4.12 Officers are working with Somerset County Council to agree an Education Funding Strategy for Taunton. This seeks to ensure a long term funding plan is agreed between Somerset County Council and Somerset West and Taunton. This should reduce the risk of (1) SCC's future education funding requirements negatively impacting on development viability; and (2) delay to the determination of key housing developments in Taunton due to education infrastructure delivery negotiations, which currently take place on a site by site basis. The draft Education Funding Strategy will be reported to members and will need to be approved by SWT Council.
- 4.13 Officers are now able to progress negotiations on the HIF Loan Agreement between the Council and the developers. Shape Legal are advising officers to ensure the HIF Loan Agreement, between the Council and the developers, complies with the Homes England Grant Funding Agreement.
- 4.14 The Housing Infrastructure Funding needs to be fully drawn down and spent on the agreed infrastructure provision by 31st March 2023.

5 Links to Corporate Strategy

- 5.1 Homes and Communities is a priority strategic theme in the Council's Corporate Strategy. The HIF funding and recommendations outlined in this paper align with the Objective 7: 'seek additional funding for new strategic infrastructure and regeneration projects from developers, investors, Government and other funders, which support or enable existing or new communities without our district'.

6 Finance / Resource Implications

- 6.1 In December 2018 Homes England confirmed that the HIF MV funding would no longer be grant funding but instead would be provided as a loan to the developers through a recoverable grant to SWT. The Council is responsible for agreeing and administering the loan to the developers via the submission of quarterly claims to Homes England up to March 2023. SWT is also responsible for recovering the £14.2m to reinvest in unlocking further housing development sites in Taunton.
- 6.2 The Homes England Grant Funding Agreement requires State Aid advice on the loan terms. This will be sought when the loan agreement have been agreed. The

initial State Aid advice concluded that if SWT satisfies itself that it is entering into a commercially prudent transaction on terms similar to, and available on the open market, it will not be contravening the State Aid rules.

- 6.3 The key point is that this is effectively a recoverable grant to SWT which bears a 0% financing cost to SWT.
- 6.4 Therefore it could be argued that the commercial return SWT should be considering is the difference between the cost and the yield of a loan made on commercial terms to any other entity.
- 6.5 In the draft Heads of Terms with the Staplegrove developers the interest rate is 0% for the first 6 months following the complete draw down of £14.2m of HIF funding, after which interest accrues at 4% per annum (this is subject to ongoing negotiation given an element of the HIF funding is now being utilised to deliver the primary school).
- 6.6 Based on the above, it is submitted that the terms in the emerging loan agreement will not breach the state aid rules as it provides for a commercial return to SWT.
- 6.7 The provision of a loan to a third party for the creation of such assets represents capital expenditure. As such the Council is recommended to approve an additional budget of £14.2m in the capital programme for the loan advance, to be funded by grant income from HE. The budget will be profiled over 2021/22 and 2022/23 financial years, reflecting the anticipated pace of drawdown of loan tranches by the developer.
- 6.8 Where the loan is repaid in cash to the Council this will represent capital receipts which can then be used to finance the reinvestment of 'recycled funds'. Related budget approvals will be needed in due course to include the reinvestment in the future capital programme when the loan is repaid.

7 Legal Implications (if any)

- 7.1 Any Loan Agreement between the Council and the developers must comply with the conditions of funding as set out in the Homes England Grant Funding Agreement. A copy of the Funding Agreement has been provided to the landowners' solicitors and legal advice is being obtained from Shape Legal.
- 7.2 Any monies loaned to landowners or developers under this scheme must comply with State Aid Regulations and this is a funding condition under the Homes England Grant Funding Agreement. The Funding Agreement also requires that independent state aid advice is provided as part of the grant pre-draw conditions and this will be commissioned through Shape Legal prior to any funds being claimed from Homes England.
- 7.3 The promoters of both Staplegrove West and Staplegrove East are requiring that any loan agreement is entered into between the Council and the current landowners, of which there are several. The intention is that once developers have been brought on board for both sites, those developers will enter into covenants to take on the obligations and responsibilities of such loan agreement (although Redrow are already in place with regard to Staplegrove West). This will require further agreements to be entered into at the time when the second developer is appointed. Such a position is preferred, however, to the option of trying to manage and co-ordinate any loan with various different landowners.

8 Climate and Sustainability Implications (if any)

8.1 No direct carbon/environmental impacts arising from the recommendations.

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

9.1 There are no safeguarding and community safety implications.

10 Equality and Diversity Implications (if any)

10.1 There are no equality or diversity implications.

11 Social Value Implications (if any)

11.1 The HIF funding was sought to enable the Staplegrove spine road to be completed early in the development. The £14.2m HIF 'recoverable' grant is provided to the Staplegrove developers as a loan. Somerset West and Taunton is responsible for entering in to the loan arrangements with the developers and recovering the HIF funding. This recovered funding is then available to Somerset West and Taunton to invest in infrastructure to 'unlock' other key housing sites in Taunton.

11.2 Unlocking housing and supporting infrastructure delivery (both the new spine road and the new primary school) at the Staplegrove new community will provide economic and social benefits for the local area. The environmental implications of the proposed works have been considered as part of the determination of the outline planning application.

12 Partnership Implications (if any)

12.1 Officers have been working closely with Homes England and Somerset County Council education and highways colleagues in progressing the HIF Grant Funding Agreement.

12.2 The £14.2m Staplegrove Housing Infrastructure Funding has to be fully drawn down and spent on the agreed infrastructure provision by 31st March 2023, otherwise parties risk losing the Government funding for this development. There is a possibility that Homes England and MHCLG may be willing to consider an extension if, for any reason, the funding could not be drawn down in that time, but there is no guarantee.

13 Health and Wellbeing Implications (if any)

13.1 No health and wellbeing implications arising from the recommendations.

14 Asset Management Implications (if any)

14.1 No asset management implications arising from the recommendation the spine road and the new primary school will be the responsibility of Somerset County Council as the Highway and Education authority.

15 Data Protection Implications (if any)

15.1 No data protection implications arising from the recommendations.

16 Consultation Implications (if any)

16.1 No consultation implications arising from the recommendations.

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

N/a

Democratic Path:

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

List of Appendices (delete if not applicable)

Appendix A	Homes England letter confirming reallocation of HIF funds for provision of a new primary school at Staplegrove new community
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Contact Officers

Name	Kate Murdoch
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Email	k.murdoch@somersetwestandtaunton.gov.uk



Kate Murdoch
Somerset West & Taunton Council
Deane House
Belvedere Road
Taunton
TA1 1HE

Your Ref:

Our Ref:

HIF 29989

Please quote this when replying

Date:

1st June 2020

Direct Dial:

01179 377 296

E-mail:

Liam.Kelly@homesengland.gov.uk

Dear Kate,

Housing Infrastructure Fund (MVF) grant (the "Grant") to Somerset West & Taunton Council (the "Local Authority") for the delivery of the Staplegrove Spine Road Project (the "Project")

Further to ongoing discussions on the matter, we have reviewed your request to reallocate £7,200,000 of the total £14,216,000 HIF MVF funding towards the construction of the primary school on the Staplegrove site and can confirm that this has been approved subject to the following:

- The funding remains recoverable as per the original approval.
- We will require confirmation from Somerset County Council / Education Authority that their additional s.106 ask of £9.6m towards the primary school delivery has been removed and that the s.106 can now be concluded quickly without this.
- We will require confirmation that this does not impact on the state aid position of the scheme.

Whilst we understand this option is the strong preference of the LA, should the option of funding the school construction through the recycling of the recovered grant become beneficial, this is also acceptable subject to confirmation that additional housing outputs will be unlocked (to Homes England's satisfaction).

For the avoidance of doubt, Homes England does not waive any of its rights under the Agreement. Nothing in this correspondence should be regarded to waive any condition or right within the funding agreement or constitute confirmation that a requirement has been fulfilled, unless expressly stated otherwise.

Yours faithfully

.....
Homes and Communities Agency (trading as Homes England)

Report Number: SWT 154/20

Somerset West and Taunton Council

Special Full Council – 1 December 2020

Amendment to the Private Sector Renewal Policy – Disabled facilities Grants, Repairs assistance and new Appendix B Zero % Equity Loan.

This matter is the responsibility of Executive Councillor Member Councillor Francesca Smith

Report Author: Chris Brown, Assistant Director Housing and Development and Christian Trevelyan, Partnership Manager, Somerset Independence Plus

1. Executive Summary / Purpose of the Report

- 1.1 The report seeks Member approval for amendments to the Somerset West Private Sector Renewal Policy to include; increasing the grant ceiling limit for Disabled Facilities Grants from £30,000 to £40,000, widening the eligibility criteria for the Decent Homes Grants to include clients not on a means tested benefit and increasing the limit of the grant from £4,000 to £15,000. This is with the intention of assisting clients who are struggling financially to manage repairs to their home. The grant would be means tested.
- 1.2 There is also extensive revisions made to the energy section of the policy to reflect the current packages on offer, encouraging take up of offers to improve the energy efficiency of people's homes and reduce energy bills in an attempt to reduce the number of fuel poor households.
- 1.3 A new Special Purpose Grant in appendix E of the policy is aimed at tackling areas of social deprivation poor housing and anti-social behaviour. The Council has taken the opportunity to use the tool to support low income owner occupiers in Somerset West and Taunton (SWT) regeneration areas where they could participate and benefit from the same works as are being carried out to local authority homes which are undergoing comprehensive refurbishment. The Council would use the grant available to offer zero % equity loans to individual homeowners who could not afford capital repayments.
- 1.4 This is a joint policy which covers Sedgemoor District Council (SDC) and Somerset West and Taunton Council (SWTC) providing a consistent approach to grant delivery.

2 Recommendations

- 2.1 Full Council is recommended to:
 - (a) Approve the amendments to the Somerset West Private Sector Renewal policy.

- (b) Approve the new Appendix B zero interest equity loan product providing additional support to owner occupiers in regeneration areas where SWT are comprehensively refurbishing HRA homes.
- (c) Approve Phase E of the NTWP as a location and phase where the Special Purpose Grant will be adopted by the Council with a capped Better Care Funding allocation of £600k for 2021/22, reallocated and carried forward from the current year Better Care Funded budget in the 2020/21 capital programme, with a further allocation of £400k carried forward to 2022/23 to provide £1m budget overall. Also support the principle of carrying forward any residual balance to follow years.

3 Risk Assessment

3.1 A risk assessment can be found at appendix B however the main schemes risks are:

Risk	Score out of 25 based on probability x impact	Mitigation
Government funding to support applications is reduced or withdrawn	5 (probability 1 x impact 5)	The scheme uses Better Care funding from government which is eligible for recycling locally on loan repayment. It is likely some level of funding will remain in some form as part of the welfare safety net and recycled funds could supplement a programme. However, should the fund be significantly reduced and not replaced SWT and Sedgemoor DC would need to reconsider the scope of the Policy.
Lack of take up of either the grant or loan products.	6 (probability 2 x impact 3)	The lack of take up of services reduces the opportunity for the private sector stock to improve and limits the opportunity to ask for additional central government grant. The additional services offered, and high cost thresholds reduce the risk of underspend and suffering a reduced government grant in future years. The service has the ability to focus publicity and communication on potential customers to increase demand to manage the risk.
The Policy is not adopted by the one of the partner Councils	8 (probability 2 x impact 4)	The policy changes have been developed by both District Councils with the exception of appendix B of this report which is an adapted version of Appendix E of the policy. An SWT request to tackle the NTWP. Sedgemoor DC executive has approved the report. The service benefits by sharing costs over two

Risk	Score out of 25 based on probability x impact	Mitigation
		Districts and delivering a consistent approach.
There is over demand for the funding and services	5 (probability 2 x impact 10)	Over demand for the services increases the opportunity to request additional Central Government grant. The additional services being proposed, and higher cost thresholds increase the likelihood that the annual grant from Government is maintained or increased. Maximising the amount of works the service delivers and the amount of funding per application increases the amount of recycled grant coming back to the Districts to support future applications. Publicity can be decreased although additional grant and greater delivery capacity would be the first considerations. The Special Purpose Grant budget allocation is set annually and acts as a cap to ensure approved applications can be supported.

4 Background and Full details of the Report

4.1 The Somerset West Private Sector Housing Partnership (partnership) is a partnership between Sedgemoor District Council and Somerset West and Taunton Council to deliver private sector housing services. The local authorities work closely together to ensure consistency across the two Districts and to deliver financial and other benefits to those who live and/or work in the Somerset West area.

4.2 The delivery partner for the partnership is Somerset Independence Plus (SIP). It is a Home Improvement Agency model hosted by Sedgemoor District Council. The service operates across the partnership area of Sedgemoor District Council, and Somerset West and Taunton Council. The service is also provided in Mendip District Council on a purchasing basis

4.3 SIP provide Disabled Facilities Grants to residents to assist with essential adaptations to enable people with disabilities to live more independently in their homes. The service also provides help and advice with essential repairs and energy efficiency for vulnerable people including applying for loans through the Council's preferred loan provider and grants. Providing free energy advice is important to ensure that a client has the right sort of energy measures to remain warm and comfortable and at the same time help to reduce their fuel bills.

4.4 Having warm, decent and affordable housing is a major element of a person's wellbeing. As in most parts of the country, Somerset faces the challenge posed by an expanding population, particularly at the older end of the age spectrum. There are

also an increasing number of households with at least one family member having some form of disability, sometimes with complex medical and health needs particularly in children and young adults.

- 4.5 To put Somerset into perspective, Somerset has an aging population and higher proportion of people with disabilities. Amongst the 65-74 age group, the annual rate of growth is estimated to be 3.4%, five times the average growth rate. One in six of the population identified themselves as having a long-term health problem or disability, which limited their day-to-day activity. (2011 census).
- 4.6 There are many residents in the partnership area who are living in the most rurally isolated areas of Somerset with less access to services for example the Somerset Levels and Exmoor. Many parts of Somerset rank amongst England's lowest population density, meaning that vulnerable households living in these very rural areas have even less mainstream support than households living elsewhere. In addition, there are an estimated 10,310 households in Somerset who are without gas central heating, living within the 25% most deprived areas in the UK, but who could be connected to the gas network.
- 4.7 11.6% (28,000 households) were in fuel poverty in 2015, 0.6% higher than the national average. In some areas the fuel poverty was as high as 27.3%. Puriton, Woolavington, Wellington Rockwell Green and West and Taunton Eastgate being some of the areas most affected.
- 4.8 Linked to fuel poverty is disrepair. Invariably the reason for poor energy efficiency is down to the age of the property and the person's ability to afford or manage to effect repairs. It is estimated that over 65% of the stock across Somerset was built pre 1945 and 70% is owner occupied (6% higher than the national average). It is estimated that 54% of the stock in the partnership area was built before 1945 with the largest proportion being built pre the First World War as is evidenced in the market towns. One in seven properties will have one or more Category One hazards again above the national average.
- 4.9 There is a strong correlation between unsatisfactory housing conditions and households in economic and social disadvantage. Elderly and vulnerable private sector households are over-represented in non-decent housing. There are limited resources available for private sector housing renewal but increasing dependency levels in the private rented sector and among vulnerable owner-occupiers who may be capital rich but revenue poor.
- 4.10 In addition SWT has entered into a large regeneration scheme at North Taunton which includes comprehensive renovation of council dwellings (Phase E NTWP). Although some owner occupiers have the means to fund their own improvement including structural some households are on low income and do not have the means to invest in their homes or take advantage of buying into the Council regeneration initiative. This creates a weakness in the overall impact of the regeneration. Appendix B of the report offers a means for greater inclusion in the Council's regeneration approach. Although Appendix B would apply district wide, eligibility would require the Council to approve a specific scheme or scheme phases.

Current position

- 4.11 The Somerset West Private Sector Housing Renewal Policy is the document which

sets out the types of financial assistance that the Council can offer owner occupiers and landlords to carry out essential repairs on their property, and to bring empty properties back into use. The amendments to the policy reflect the changing needs of the housing market, widening the eligibility for the types of grants and assistance which the Council offer assisting the most vulnerable in society.

- 4.12 The funding for the grants and loans comes from the Council's Better Care Fund allocation. It is the intention that through the funding, Councils can maximise the services they can offer through low level and medium-term interventions which in turn reduces the prospect of a person being admitted to hospital and the costs which this incurs.
- 4.13 The main changes to the policy are.
- Increasing the value of the loan product from the Council's preferred loan provider from £15,000 to £25,000
 - Enabling applicants who are successful in applying for a loan to also be eligible for a grant of up to £10,000 to supplement their loan (non means tested).
 - Increasing the Decent Homes Assistance Grant from £4,000 to £15,000, widening the eligibility criteria to include owner occupiers not on a means tested benefit. The applicant would be financially means tested to determine any contribution towards the work
 - Widening the energy efficiency provision to include renewables and offering a non means tested grant of £4,500 towards the work.
 - For landlords providing a grant of up to £15,000 for repairs to their property in return for nomination rights.
 - Increasing the grant limit for Disabled Facilities Grants from £30,000 (which is the mandatory limit) to £40,000 by applying a discretion of £10,000.
 - Additional discretionary grant for Disabled Facilities Grants of £20,000 where the cost of the scheme will exceed the £40,000 limit. This will require Portfolio Holder and Assistant or Director approval. These tend to be complex cases.
 - Introducing a panel to oversee and make decisions on complex cases which do not fit policy or require substantial amounts of funding.
 - Introducing a new appendix B providing low income household in SWT housing regeneration areas additional financial assistance where their homes are in phases benefitting from comprehensive SWT HRA led refurbishment. The zero % equity loan works in conjunction with the Lendology CIC Loan product and up to a value of £90,000.
- 4.14 The reasons for the above changes are.
- The loan limit of £15,000 has not been found to be sufficient to cover all of the costs of the works yet the applicant could afford to raise more capital.
 - To assist clients who have reached the limit of their ability to borrow on the loan and require supplementary help to ensure that all of the works are completed and the Category One hazards are removed.
 - Some applicants applying for the loan have been declined by Lendology CIC on the basis of bad debt or are not eligible for benefits yet cannot afford repayments on a loan. They have been presenting to the partnership with serious disrepair and Category One hazards, which under the Housing Act 2004, the Council is legally obliged to require remedial action to eliminate or reduce the hazards to a Category Two hazard. Many of those presenting to the Council, the Policy has been found lacking in that the £4,000 limit isn't enough to provide works on the scale proposed. The changes propose lifting the

restriction on a pass ported benefit only instead introducing a means test to capture clients not on benefit.

- There are a multitude of offers in the marketplace to assist with funding energy efficiency measures. The partnership wants to ensure that the client can obtain at least one or more of the offers with the partnership offering a non means tested grant of up to £4,500 for households who are not eligible for either scheme or require additional capital for their project. Highlighting the importance in the ability of the Council to meet the challenge of the climate emergency.
- It is becoming increasingly difficult to house clients from the Housing Options teams in decent accommodation. The offer of £15,000 grant may interest more landlords to accept tenants and include nominations to secure the tenancy. It also brings the offer in line with the Lendology loan product.
- This would be the mandatory £30,000 plus £10,000 discretionary so avoiding the need in most cases to seek charitable funding. This is to reflect increasing costs for the construction of extensions for complex cases.
- The Council appreciates that some cases are extremely complex. With an increase in the limit to £40,000 for DFG's, the policy will look to balance this with a ceiling on the Top Up of £20,000 (where previously there was no limit).
- A major change is that a panel will now decide extremely complex cases which do not fit policy or require substantial amounts of funding.

4.15 The Partnership would continue to look wherever possible for applicants to approach the Somerset Building Control Partnership should they require Building Regulations as part of their application.

4.16 Expenditure will continue to be monitored through the budget requirements of the Council.

4.17 The intention of the revisions to the Private Sector Renewal Policy is to assist more people who are in desperate need to either adapt their property for a disabled member of their household or to effect vital modifications or repairs. The approach is measured, balanced, consistent and transparent in tackling non decent homes in the two partner Council's. Although the partnership has been extremely proactive the Council cannot afford to be complacent in tackling the problem of non-decency and fuel poverty and the tools in the Policy provide a proactive dimension to the Councils range.

Special Projects Grant - Appendix B

4.18 SWT made a decision in February 2019 to regenerate part of the North Taunton due to the structural problems identified within Woolaway non-traditionally built homes. The North Taunton Woolaway Project over will demolish one hundred and sixty-two (162) Woolaway properties including 22 purchased from owner occupiers. SWT will also build two hundred and twenty-seven (227) new affordable council homes. The demolitions and new homes will be in four phases (A-D). The NTWP has a fifth phase (E) which will see 27 Woolaway non-traditional properties comprehensively refurbished which is likely to include a 'walls out approach'.

4.19 NTWP also includes 23 privately owned homes where some residents have invested in the structure of their home but where others have not. The council support and promote the Lendology CIC Loans as an opportunity for households to access

funding to participate in works. However, for very low-income households and due to the scale of work being carried out the repayment of capital and interest or interest only means participation in the regeneration opportunity is not possible.

- 4.20 Appendix B provides a more comprehensive and meaningful package of financial assistance. The new zero equity loan will allow low income households who have applied for a Lendology loan to have their loan topped up by an equity loan under the policy and in some cases where customer cannot afford an interest only Lendology loan will be able to have their application considered for a 100% zero equity loan up to a value of £90k. However, it is thought the zero-equity loan will be taken up only by a small number of residents.
- 4.21 The scale of equity loan is significant and reflects the nature of investment being carried out on adjacent council owned homes. As an equity product the loan is repayable on sale or death of the owner if this is within 20 years of the loan agreement. The zero-equity loan is secured by a legal land charge on the property in the same way a mortgage provider would secure their loan.
- 4.22 The period for repayment of the loan is longer than other policy periods to reflect the scale of loan and amount of funding tied up within the property. As with smaller policy loans the money may be recycled and will add to annual grant income from government in future years.
- 4.23 The availability of this zero-equity product will be limited to and within:
- Regeneration locations/phases which the council has approved at full council and agreed a recommendation to use the Special Project Grant appendix E of the Private Sector Renewal Policy.
 - The grant will be 100% funded by the Better Care Fund or be recycled funding from the Better Care Fund. Should the fund cease the policy will be reviewed. The available annual fund pot will be set by the Director of Housing and Communities and the portfolio holder for Housing. This fund for the period 2021/2022 will be set and capped at £600k. The Better Care Fund has earmarked funds for the following two years should this be required.
 - The policy is only available to owner occupiers in qualifying localities/phases who apply for a loan through the Lendology loan fund and where the financial assessment recognises insufficient income to repay a loan product.
 - The works must meet the council's specification for works and thermal efficiency. Owners are able to deliver works through their own contractor however, specification, quality assurance and payments will be managed by SIP and SWT in line with SWT instructions.
 - SIPs and SWT have agreed a fee for SIP to administer and oversee the equity product.

5 Links to Corporate Strategy

- 5.1 Housing is a top priority for the Council. Success is identified by offering choice of good quality homes for our residents, whatever their age and income, in communities where support is available for those in need.
- 5.2 The policy will ensure that people have the opportunity to finance essential repairs to their home and have adaptations installed which facilitate access to facilities in and around their home.

6.0 Finance / Resource Implications

- 6.1 The policy is supported by the Better Care Fund, which is funding provided by Government to Somerset County Council with a proportion shared between the District authorities. In turn Somerset West and Taunton Council and Sedgemoor District Council use SIP to deliver their services and funding allocation. This approach provides efficiencies.
- 6.2 The proposed Special Purpose Grant fund will be set to ensure sufficient funds are available to support any approved applications. It is proposed to operate a funding cap, which will mean that if the grant budget is oversubscribed some applications will be placed in a waiting list.
- 6.3 It is proposed to include a Special Purpose Grant Fund budget within 2021/22 financial year, capped at £600k, which will currently only be accessible to owner occupiers within phase E of the NTWP. A further fund allocation is proposed of £400k in 2022/23, making the total Special Purpose Grant Fund allocation of £1m over the next two years. The fund is intended to support the delivery of NTWP phase E therefore it is prudent to support the principle of carrying forward any residual fund balance at the end of 2022/23 into future years.
- 6.4 The current approved Capital Programme puts all of the Better Care Fund supported expenditure under the Disabled Facilities Grants heading. The current budget is £3,653,642, which includes £2.380m carried forward from previous years plus the allocation of £1.274m for 2020/21. It is proposed to reallocate £1m from this budget to a separate cost centre for the new Special Purpose Grant Fund over the next two years in line with para 6.3 above. If approved, this will be reflected in the Capital Programme included in the annual Budget report presented to Council in February 2021.

7 Legal Implications

- 7.1 As this report is largely related to changes to the grant and loan thresholds, there are no substantive legal issues to be added.

8 Climate and Sustainability Implications

- 8.1 The policy has significantly extended the opportunity for the private sector to gain financial assistance to improve the thermal efficiency of their home. This will contribute towards, but not deliver, the Council's commitment to net zero carbon by 2030 and the government's commitment by 2050.
- 8.2 The policy does give significant weighting to elevating fuel poverty which in some situations perpetuates reliance on fossil fuels over low carbon energy and heat. However, the policy and service recognise that heat and energy is significantly more efficient when a home is well insulated and therefore the fabric of the building influences the measures supported by the policy.
- 8.3 Appendix B will allow some low-income private sector owners improve the fabric of their homes to the specification desired by SWT. This means a fabric first approach will be adopted for walls, roofs, floors and windows. The fabric first approach allows

additional carbon saving heat and power technologies to be added over time and with greater effect on power consumption and carbon saving.

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

- 9.1 Somerset Independence Plus (SIP) work with many vulnerable customers and therefore place great emphasis on their procedures and standards when they or their contractors are working with clients or within their accommodation.
- 9.2 Adaptations and improvements to people's homes is vital to giving people the opportunity to remain living independently in a safe, warm and secure home, supporting their health and wellbeing. Feeling secure provides assurance for the individual, family members and the community that the household is at a reduced risk of falling prey to or being involved in crime, improves the chances of employment and financial security.

10 Equality and Diversity Implications

- 10.1 Housing with poor energy efficiency can have a considerable negative impact on residents' health and wellbeing in various ways. For example, children living in cold homes are more than twice as likely as those living in warm homes to suffer from a variety of respiratory problems, including asthma. Mental health is also negatively affected by fuel poverty and cold housing for all age groups and existing conditions such as arthritis can be exacerbated.
- 10.2 The majority of the contractors who work on improving the homes of vulnerable people or adapt the homes of disabled people are local building contractors who employ local labour and source materials from local suppliers. Improving the independence of vulnerable people provides them with the opportunity to find employment which they otherwise would not have been able to do by being house bound.
- 10.3 The policy changes have been assessed for equality matters and a summary of the analysis undertaken may be seen at 10.4 table 1.
- 10.4 Table 1 Equality and diversity analysis

Analysis undertaken for:	Date undertaken September 2019 revised February 2020
Scope	The framework aims to fulfil the Council's strategic and statutory housing role in providing and facilitating assistance to those most in need. The framework assists the Council to enable this to happen, by improving the time it takes to fit wet rooms and shower trays, and control quality.
Evidence used	Evidence and Data used for assessment <ul style="list-style-type: none"> • Private Sector housing staff performance data • Joint Strategic Needs Assessment 2017 • ONS data 2018/19 • English House Condition Survey • One month's consultation to key stakeholders.
Key findings and impacts	The Policy is primarily aimed at those who are most vulnerable regardless of tenure. A potential applicant could be anyone of the protected groups defined by: Age; Disability. Gender Reassignment; Pregnancy and Maternity;

	Race; Religion or belief; Sex; Sexual Orientation; Marriage and civil partnership. Several of the proposed products remove some of the restrictions for eligibility from the original policy. In the main a positive impact. The Policy has to be delivered in a transparent and consistent way.
Conclusion drawn	The original EIA was reviewed prior to the Policy being put together. The conclusions of the EIA have been incorporated into the Policy changes with checks and balances put in place to mitigate any potential discrimination.
Actions	Steps to ensure consistency and transparency when making decisions as to grant/loan eligibility.

11 Social Value Implications

11.1 By providing a stable, warm and safe environment free of any serious disrepair has been proven to lead to a persons improved wellbeing and capital contribution to society. This is both in terms of a monetary contribution by buying locally and socially by volunteering, providing time to enrich a society through imparting and sharing their knowledge and life experiences. Works within the policy encourage and facilitate the use of local contractors therefore benefitting reskilling and helping to reduce unemployment.

12 Partnership Implications

12.1 The policy has been revised by joint working between SWT and Sedgemoor DC. The executive of Sedgemoor DC has supported the Policy amendments.

13 Health and Wellbeing Implications

13.1 The policy will better able be able to support private sector households improve their home and their living environment.

13.2 The Better Care Fund is primarily aimed to improve the health outcome of people.

13.3 An improved home leads to a healthier outlook and reduced incidences of GP interaction, hospitalisation and increases the timescale before needing extra care or supported housing so reducing costs on the care system.

14 Asset Management Implications

14.1 None.

15 Data Protection Implications (if any)

15.1 No data protection considerations.

16 Consultation Implications (if any)

16.1 Consultation was conducted over several months prior to drafting the Policy in order to review the Equalities Impact Assessment and the views used to create the framework and tools.

Democratic Path:

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

List of Appendices

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Appendix B	Special Project Grant - New Appendix E PSRP
Appendix C	PSRP – Grant Conditions

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SOMERSET WEST PRIVATE SECTOR HOUSING PARTNERSHIP

Private Sector Housing Renewal Policy

Up to June 2025



A joint policy between Sedgemoor District Council and Somerset West & Taunton Council

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Private Sector Housing Renewal Policy

Summary of the Private Sector Housing Renewal Policy

The Somerset West Private Sector Housing Partnership (partnership) is a partnership between Sedgemoor District Council and Somerset West & Taunton to deliver private sector housing services. The local authorities work closely together to ensure consistency across the three Districts and to deliver financial and other benefits to those who live and/or work in the Somerset West area.

Housing plays an important part in providing vibrant, stable and productive communities. This is by way of enabling generations of families to be able to remain in their own homes contributing to their own communities. Maintaining their homes through the use of local small to medium sized building firms, encouraging them to employ local skill trades where possible, training people where skills are absent. Utilising local suppliers such as building merchants.

The Private Sector Housing Renewal Policy details how the Local Housing Authorities provide financial assistance i.e. grants and other forms of financial help such as low interest loans.

The policy aims to assist the most vulnerable households in the community, owners of empty properties who are looking to invest money in bringing them back into use taking nominations from the Council, and landlords looking for funding to bring their property up to a standard which makes them eligible for the voluntary landlord Accreditation Scheme.

The policy takes into consideration:

- Emerging legislative changes from Central Government
- National, Regional and local policies and targets, in particular the Housing Strategies of the respective partner Council's
- The increased Better Care Fund
- Outside influences such as the new nuclear project at Hinkley Point
- On-going product development

The policy plays a key role in delivering decent affordable homes.

What to expect from the partnership

- Clear information on what financial assistance is available through the partnership, who is eligible and how to apply
- Timescales for the process from making your enquiry to completion of the grant
- Details of the process during the application stage and post approval of financial assistance
- Schedules of work which set out the works that are eligible
- Timely approvals and payment of the grant when works are complete
- Certified date letter which sets out the date the works were complete and from when the Grant Conditions will apply
- For owners of empty properties; timely nominations of households from the Housing Options team
- The low interest loans process from enquiry, to eligibility, approval and completion

What the partnership expects from applicants

- To provide personal and financial information in order to process the application
- To undertake a financial means test in order to determine in the case of a grant or loan whether you are eligible
- To agree to the Grant Conditions. A land charge will be placed upon the property

- To repay proportions of the grant or return equipment as requested as part of the grant and/or loan conditions
- In the case of loans for landlords, to accept nominations from the Council's Housing Options team.

1. Background

The Private Sector Housing Renewal Policy details how the Local Housing Authorities provide financial assistance i.e. grants and other forms of financial help such as low interest loans.

The principle legislation that sets out the provision for financial assistance is the Regulatory Reform (Housing Assistance) Order 2002 and the governance in regard to the condition of properties is the Housing Act 2004.

It is important that the partnership have a comprehensive and effective framework for the delivery of financial assistance. Such a policy will ensure consistency of approach across the partnership and allow members of the public and agencies to know exactly what to expect from the service.

This policy assists;

- Owner occupiers, tenants of private rented and social housing who are looking for assistance to adapt their property due to a disability
- Vulnerable owner occupiers who are seeking help with essential repairs to their property
- Owners of empty homes who are looking for financial help in bringing the property back into use
- Landlords who would like to join the voluntary Landlord Accreditation scheme and need funds to bring the property up to the required standard

2. The Regulatory Reform (Housing Assistance) Order 2002

The Regulatory Reform (Housing Assistance) Order 2002 came into force on the 18th July 2002. The Order provided greater freedom for local authorities to review their private sector renewal policies to enable improvements to the private rented sector, empty properties and privately owned dwellings.

Key areas which the legislation introduced included;

- Repealed sections within the Housing Grants Construction and Regeneration Act 1996 relating to existing grant provision which provided the opportunity for local authorities to tailor future financial assistance to local needs
- Streamlined the provisions relating to area renewal schemes
- Made minor changes to the provisions relating to Disabled Facilities Grants
- Enabled local authorities to give financial assistance to persons directly or to provide assistance through a third party such as a Home Improvement Agency, specialist financial intermediary or other special purchase vehicle
- Gave local authorities wider opportunities to consider priority housing renewal client groups and areas, and for new policies to target these priorities
- Required local authorities to have a Private Sector Housing Renewal Policy in place by July 18th 2003 when existing legislation was repealed.

3. Main priorities

The main priorities of the policy will be;

Priority	Outcome	Those affected
Elimination of risks due to disrepair in all dwellings with prioritisation towards vulnerable groups	Safer homes through removal of Category One hazards and brought up to the Decent Homes Standard	Vulnerable households in the owner occupied and private rented sector
To encourage closer working with key partners; <ul style="list-style-type: none"> Somerset Independence Plus (preferred Home Improvement Agency) Centre for Sustainable Energy Somerset County Council Somerset Clinical Commissioning Group Somerset Local Strategic Partnerships 	<ul style="list-style-type: none"> To seek improvements in the existing stock (regardless of tenure) through a multi-agency approach to advice and use of capital funded loans and grant schemes. Through active involvement with the Neighbourhoods project, increase the capacity of services within the County to reach out to communities and sustain independence for tenants and owner occupiers in their own homes. Improve efficiencies in current grant waiting times and processes for grants and loans, reducing the time it takes to complete adaptations and essential repairs. Respond to the County's climate emergency by improving the energy efficiency of the housing stock through a major retrofit programme of heating, insulation and renewable measures. Increase the capacity for fuel poverty and energy advice through the Warm Homes Fund and other such bidding opportunities. Forge closer links with the mental health, NHS Trusts and GP Federations to improve communication and patient access to services. 	Vulnerable, disabled households and landlords
Provision of Disabled Facilities Grants	To enable people with disabilities to access facilities in and around their home. Improves their living standards, maintains independent living, increases life expectancy and reduces health care costs.	People with disabilities. Tenure blind.
Increase take up in low interest loans through the Council's preferred loan provider Lendology CIC	<ul style="list-style-type: none"> Facilitate essential repairs to the homes occupied by vulnerable households who cannot afford a loan from or are unable to easily access a loan from the high street Provide funds to owners of long-term empty properties to encourage them to 	Vulnerable households, and tenants and landlords.

	bring the property back into use in the return for nominations from the Housing Options teams in the partnership.	
Accreditation Grants	Encourage landlords with private rented properties to join the voluntary Landlord Accreditation Scheme by providing incentives in the form of non means tested grants. Partner Council's secure safe housing for tenants in the private rented sector and bed spaces.	Landlords and private tenants.

There is recognition through the policy that in principal, owners should be responsible for the maintenance of their own properties, but also acknowledges that there are some groups within the population where assistance will be necessary to secure safe and decent housing for Sedgemoor and Somerset West and Taunton residents. The long-term aim of the policy is built on the foundations of improvement of living conditions for residents in existing properties and assistance in creating new accommodation to meet housing need.

The policy endeavours to address community needs and one of the key targets is to develop an area approach to renewal through targeting a community and using the partnerships financial tools through the policy and enforcement tools through sister partnership policies to secure improvements in health.

4. Policy foundations

The policy is strongly rooted in the foundations of the partner Councils Housing Strategies, housing need, ONS data and other associated documents listed in the Appendices. Council priorities also form an important anchor and can be summarised as follows;

Council

Sedgemoor District Council

Priorities

1. Meet the housing, health and housing support needs of local people.
2. Improve the quality of housing across the district.
3. Increase housing supply.
4. Increase housing options – choice.

Somerset West & Taunton: Their Corporate Strategy approved by full Council on the 8th October 2019. The Council's key overarching strategic-planning document. Contains the Council's high-level priority outcomes over the next four years based on local needs, regional and national policies.

1. Our environment and economy
2. Open and customer focused.
3. Homes and communities.
4. An enterprising Council

In addition, the Somerset Housing Strategy 2019 - 2023

1. Strong and effective strategic leadership.
2. Housing and economy – a local economy that provides opportunity for all.
3. Housing and health – homes in Somerset that are good for your health.
4. Housing and society – a society that supports the vulnerable.

5. Housing Health and Safety Rating System (HHSRS)

The HHSRS was introduced as part of the Housing Act 2004. It replaced the fitness standard. The system uses Officers professional judgement to identify hazards within a property and assess the severity of risk associated with each hazard. The Policy takes into consideration the new rating system. This also links to the Governments Decent Homes Standard.

6. Decent Homes

The Government issued guidance to local authorities revised in 2006 requiring them to publish policies on tackling non decent homes in the private owner occupied and private rented sector. A property is considered a decent home if it is;

- Free from Category one hazards
- In reasonable repair
- Has modern facilities
- Is thermally comfortable

Although councils are no longer obliged to set targets, local authorities should still strive to bring properties in the private sector up to the standard. The partnership can achieve the standard in a number of ways; advice, financial assistance and enforcement. The partnership have adopted a Decent Home Policy. The Policy provides guidance to achieve the standard. The Private Sector Renewal Policy sets out how the partners will assist using various tools.

7. Houses in Multiple Occupation (HMO's)

It is recognised that properties accommodating more than one household can pose a significant risk to the occupants should there be Category one and/or lack of fire precautions leading to standards not being met.

Each Council in the partnership area have a target to inspect and improve a minimum number of HMO's each year. This is generally achieved through complaint led investigation and proactive HMO inspections. There are approximately 980 HMO's in the partnership area; 600 in Sedgemoor District Council, 380 in Somerset West & Taunton. Each Council have their own Housing Standards enforcement team.

The Housing Act 2004 introduced licensing of larger HMO's with three or more storeys with five or more occupants, revised on the 1st October 2018 to include two storeys or more.

The partnership intends to continue with a mix of advice and enforcement to tenants and landlords. Financial assistance is available to landlords to upgrade HMO's which form part of the Voluntary Landlord Accreditation Scheme in the Sedgemoor area. The grant is an incentive to encourage the landlord to bring their properties up to the decent homes standard. It is recognised that this category of housing provides important affordable accommodation, mainly to young, socially or economically disadvantaged occupants.

8. Voluntary Landlord Accreditation Scheme

Landlord Accreditation is a voluntary scheme. It is a free service open to all landlords in the Sedgemoor area to encourage them to raise the management and physical standards of their properties up to the decent homes standard. There are Landlord Accreditation grants up to a maximum of £15,000 to assist with small and medium repairs. The only requirement is that the landlord is either already part of the scheme or would be interested in becoming accredited.

9. Housing Assistance

It is the intention of the partner Council's to continue to facilitate improvements in private sector stock condition to protect the health of residents. It is widely recognised that maintaining and improving the private sector stock reduces the pressure on other areas such as social housing resources by enabling people to remain in their own home and reduce the risk of people being admitted to hospital.

The partner Councils' agree that with regard to the implementation of the policy:

- a) Resources and capital supporting the policy are inherently limited and will be appropriated with due fiscal prudence and control
- b) Resources should not be directed to those who can reasonably afford to undertake work for themselves
- c) Resources should be directed fairly in relation to the home owner's capacity to help themselves, this takes into account safeguarding with regards to ensuring they can manage their financial affairs and most grants are subject to an approved form of means testing
- d) That in order to obtain enhanced benefit from the private sector housing capital programme, certain categories of financial assistance will be repayable on the sale of the property (within 10 or 20 years depending on the type of grant awarded) to provide a revolving fund for assistance
- e) There will be an element of recycling of capital to enable greater numbers of households to benefit from financial assistance in future years
- f) The loans with Lendology CIC will be used to the maximum benefit and have the added advantage of being recycled through loan repayment.

10. Housing assistance delivery by working with partners

Sedgemoor and Somerset West & Taunton Council's consider that the greatest impact in the community can be achieved by working in partnership where appropriate. The Local Authorities have key partnerships with the following organisations;

Lendology CIC	<p>The Regulatory Reform (Housing Assistance) Order 2002 enables local authorities to provide assistance on their behalf. The partnership have been working with Lendology CIC to bridge the gap between local authority financial assistance and householder's ability to fund improvements themselves. Lendology CIC operate in the area to provide homeowners the ability to access Council funds to repair their homes. As a CIC it means that the partnership can be assured that the organisation operates with integrity, and not for profit. There are few organisations able to offer financial loans/equity release to low or moderate income homeowners on a non-commercial basis. Those in existence operate over a limited geographical area and have not been found to be suitable for use in the partnership area. The partnership is part of a larger consortium of eighteen local authorities in the south west. The comprehensive suite of loan products is incorporated into the policy.</p>
Somerset Independence Plus	<p>Somerset Independence Plus (SIP) is the County wide preferred Home Improvement Agency. They are an arm's length organisation hosted by Sedgemoor District Council and commissioned by three of the four District Councils in Somerset (excluding South Somerset), Somerset County Council and Health. They play a key role in the delivery of the policy by assisting our more vulnerable households. The agency works on behalf of its client group, the elderly and disabled to access financial assistance from the local authority and other charitable sources. They also provide the following range of services to the client group to support them in remaining in their own home;</p> <ul style="list-style-type: none"> • Assist owner occupiers, Registered Providers and private tenants to apply for a Disabled Facilities Grant and charitable assistance, loans and grants for repairs. • Assist with funding Housing Options Occupational Therapists whose role is to work with clients with more complex needs and assist in informing strategic improvement and adaptations programmes in stock owned by the Council and Registered Providers • Independent Living Officers (ILO's) undertake comprehensive property audits to check home safety, repair and advise on the best solutions. • Assist with chronic hoarding through clearance and support services. • Assist with supporting the mental health teams by providing housing support solutions. • Assist with whole house solutions to assist with moving house and settling in a new home. • A Handihelp scheme to carry out minor works. • A hospital discharge coordinator post funded by the partnership, to assist with discharge plans and obstacles to hospital discharge in general.

Centre for Sustainable Energy	<ul style="list-style-type: none"> • Advice and signposting to other voluntary and statutory agencies. Provide advice to householders on energy efficiency and fuel saving, mainly accessed through the advice line call centre. They also assist the Councils with advice when drafting policies and represent Councils as a key advisor to Government. They are a key partner in the Warm Homes Fund (a fund successfully awarded to the Districts in Somerset), managed by Sedgemoor as the main strategic partner and intended to assist with providing enhanced energy and fuel debt advice as well as retrofitting first time boilers to households who are currently not on the gas main.
Forum 21	Provide outreach services to the community of West Somerset. Advice on fuel saving and energy efficiency.
Homes First Plus (Formerly Somerset Care & Repair)	A charitable, not-for-profit, home improvement agency which works with the Councils to bring empty properties back into use through accessing the Hinkley funds. The agency offers a management service to take the hassle away from the landlord.
YMCA	Their aim is to assist the Councils with providing support to young people by helping to develop key skills to enable their clients to secure accommodation, develop employment skills in order to pay their bills and control their own future.
Homes in Sedgemoor, Somerset West & Taunton and Magna Housing	Key delivery partners. Homes in Sedgemoor are an ALMO who manage the Council houses in Sedgemoor. Somerset West & Taunton have retained their own council stock. Magna are a Registered Provider who own and manage the ex-Council stock in West Somerset as a result of stock transfer. The partnership works closely with all three organisations to provide the adaptations in their stock.

11. Assistance Available

The assistance available through the policy aims to ensure that all residents within the partnership area have access to a decent affordable home.

The policy and the assistance detailed within it will operate until the end of March 2025. The policy will be constantly reviewed and updated as and when up to date housing data or legislation is available and new products are ready to come on stream. Any amendments will be subject to agreement by the Portfolio Holder for Housing.

11.1 Area Based Renewal and Regeneration

Sedgemoor District Council and Somerset West & Taunton have had a good track record for delivering area-based Group Repair schemes, having completed three successful Group Repair projects. The partner Councils have identified several locations which may benefit from an 'Area Renewal based approach.' One of which is the Woolaway project beginning in the Priorswood area of Taunton. Further appraisal is underway to determine whether area action is appropriate for other sites across the partnership with a view to including group repair with other housing renewal options. The emphasis is on future projects being linked to Wards identified as deprivation priority areas. To be of significant value, any area renewal scheme has to see an uplift in health, property

improvement and community/environmental benefits as well as a significant reduction in crime and poverty. It has been found through various studies the linkages between health and wellbeing and good housing conditions. **Appendix E** details the criteria for area-based assistance.

11.2 Assistance to Individual Householders

Area based projects have targeted resources in areas with the greatest concentration of poor housing. However, this does not eliminate the incidence of residents outside these areas requiring support for disrepair problems to their properties. **Appendix B** illustrates the structured response to individual requests for repairs assistance.

i) Financial Assistance

This assistance is based on targeting resources to those unable to fund repairs themselves and who are at greatest risk. The three types of financial assistance available are;

- Low Interest Loans – To assist clients living in non-decent homes who have a minimum amount of disposable income to finance a low interest loan from the local authority to remedy non decency. Maximum loan £25,000 which includes fees.
- The partnership will also consider additional support in the form of a grant to support the loan where the client can raise some but not all the loan capital to complete the eligible works. Maximum £10,000 plus fees.
- Decent Homes Assistance – Available to elderly, disabled or vulnerable clients living in non-decent homes who are not eligible for a loan through Lendology CIC. The grant is means tested. Those on a means tested benefit will be passported i.e. have no contribution to pay towards the eligible works as they have already been deemed to be on a low income. Maximum grant £15,000 plus fees.
- Special Grant Exemption – Available to eliminate acute health risks to owner occupied properties. Exemption can be made to the grant or loan limits above in exceptional cases. Each grant is awarded by the Portfolio Holder for Housing in whose District the resident resides based upon a recommendation from the Partnership Manager. In order to access the grant only option, the applicant has to be ineligible for a Wessex Loan due to their lack of disposable income.

Appendix B, C, and D details the criteria relevant for each type of assistance. A professional Officer will assess the works that are eligible.

In order to make improved use of the capital available for private sector renewal, conditions are applied to all forms of assistance (except loans which have their own criteria) for repayment of the grant in full if the property is sold within 20 years of completion. The reclaiming of assistance will allow capital to be recycled on an on-going basis, to provide investment in the housing stock in future years. Exceptions for the condition of repayment are;

- Where the occupier is moving into residential care as his or her main residence.
- Where there is insufficient equity in the property to enable repayment and that the relevant person would suffer financial hardship if the assistance was repaid.
- Where the occupier is moving for medical reasons.

All exceptions to repayment to be assessed and agreed by the Partnership Manager in conjunction with the Portfolio Holder for Housing. Applicants cannot reapply for assistance towards repairs within the time scales specified for any particular assistance regardless of a change in Policy except in the case of applying for loans.

ii) Advice

It is acknowledged that where financial assistance is not available, the local authority is in a position to assist more able households with repair advice. This advice is also relevant to successful applicants who receive financial assistance as part of the works package. The advice package includes;

- A Home Maintenance advice pack provided to every enquirer, containing advice on basic home maintenance to prevent the onset of disrepair.
- A bespoke property specific maintenance service is being developed in conjunction with the other advice-giving agencies or services.

iii) Energy Efficiency

The Somerset Local Authorities have declared a climate emergency. They are putting together a package of measures to reduce net carbon to zero by 2030. This includes provision for free fuel and energy advice to all householders, retrofitting renewables and deploying the more traditional and non-traditional insulation methods.

In order to achieve this target, every opportunity must be taken to promote and provide energy efficiency measures within the households of Sedgemoor and Somerset West & Taunton.

Appendix F illustrates how individual enquirers receive energy efficiency advice and assistance.

The partner Council's will continue to fund a Freephone helpline, Energy Advice Officers and a postal service for property specific energy advice for residents within the partnership catchment area. The service signposts enquirers to any financial assistance which may be relevant and provides advice on local installers. The service provides advice to in excess of 3,000 households a year in the partnership area.

Renewables also play a significant part in the policy with the partner Councils offering low interest loans through Lendology CIC for the installation of solar hot water systems. There is the option for householders off gas and reliant on oil to apply for a loan to assist with purchasing the fuel.

11.3 Assistance within the Private Rented Sector

The Private Sector Housing Renewal Policy aims to assist comprehensively across all tenures within the partnership area. This includes services relating to empty properties, housing standards and the Voluntary Landlord Accreditation Scheme.

Despite the alleviation measures put in place by EDFe to reduce pressure on the private rented sector such as the purpose-built campuses, there is still ongoing demand for good quality rented properties for staff working on the new nuclear project at Hinkley Point. This in turn increases the pressure on the existing low-income earning members of the community to find properties where reasonable quality accommodation is scarce. EDFe have provided long-term funding through the Section 106 Agreement to assist with increasing capacity in terms of bed spaces throughout Sedgemoor and West Somerset.

a) Advice

The YMCA provides a comprehensive advice service to landlords and young tenants in the private rented sector. An important part of this role is the dissemination of information to new and existing landlords on the current housing legislation and minimum standards. Privately rented accommodation provides homes for many residents who are unable or choose not to enter into owner occupation. It is therefore essential to work with landlords to ensure the accommodation does not pose a health risk to the occupiers.

b) Landlord Accreditation

The Landlord Accreditation Scheme plays a vital part in Sedgemoor in maintaining standards in the private rented sector and encourages landlords to understand the management regulations in respect of private sector renting. It is a voluntary self-certifying scheme aimed at encouraging landlords to comply with the Decent Homes Standard. It also recognises and awards good management. In return Landlords receive:

- A Membership certificate indicating that their property is up to the Accredited standard
- Use of the Accredited logo to use on tenancy agreements, letter heads, empty let adverts etc.
- Access to the Bond Guarantee Scheme
- Access to a Management Service
- An offer of tenants from the Housing Needs Register
- Advertising empty lets on the Homefinder Somerset website
- Support and advice from the Landlord Accreditation and Housing Standards Officer such as management which is above that provided for landlords outside of the scheme
- Small grant incentives to help with minor decent homes upgrades
- Low cost loans offered by Wessex Home Improvement Loans up to £30k
- A website which provides up to date legislation and information for landlords
- Regular email updates keeping landlords informed

These are examples of just some of the offers which landlords can expect to receive in the Sedgemoor area. The advantages of Accreditation are the safe knowledge that tenants from the Housing Needs Register are going to be housed in good quality, well managed accommodation. The support which Accreditation offers will also reduce the risk of tenants being evicted as safeguards will be in place to improve the relationships and understandings between landlords and tenants.

c) Enforcement

Local Authorities in the partnership have duties under the Housing Act 2004 to take action on properties with serious hazards (Category One) and license certain types of Houses in Multiple Occupation. A summary of both Sedgemoor's and Somerset West & Taunton's enforcement policies can be found in **Appendix G**. The complaints initially come through the relevant contact telephone number within the Council in whose area the complaint has been made and are then allocated to the Officers in the Housing Standards Team.

d) Empty Properties

The Local Authorities in the partnership have an aim to bring back into use empty properties. Each Council has an agreed target.

Unused properties within the district are a valuable resource. In conjunction with the Local Housing Authority, the policy will assist private sector landlords and key partners such as Homes First Plus to provide much needed affordable housing for our local residents. There are many households seeking this accommodation type.

The policy provides for the following assistance;

- Sedgemoor District Council and Somerset West & Taunton; via funding from the Section 106 Hinkley Housing Fund, are offering the following products for empty properties in the priority areas;
- A non-means tested grant of up to £15,000 towards the cost of eligible works to bring an empty property back into use.
- A low interest loan of up to £30,000 at 4% through the Council's preferred loan provider Lendology CIC.

The grant is subject to the conditions that the owner brings the property up to the decent homes standard and works with our nominated Partner Agency who will manage the property on a seven-year leasing agreement. The terms and conditions of which will be determined between the landlord and the Partner Agency. The Council would also look to foster relationships between the landlord, Partner Agency and other agencies such as the Probation service as part of a social enterprise project including ex-offenders. This would involve ex-offenders assisting with the refurbishment of the properties and their time managed by the agencies. The property will also be accredited.

- The partnership also offer a loan of up to £15,000 at 4% intended for landlords who want to manage the property themselves. On the condition that they accept nominated tenants.
- Living Over the Shops grant of up to £15,000. The grant is aimed at owners of empty flats above shops as an incentive to assist towards essential repairs to bring the flat up to a decent standard to rent. Many of the empty flats are in key areas of the high street, and with a little assistance would improve the street scene. More can be found in **Appendix H**

e) Financial Assistance to Landlords

The Voluntary Landlord Accreditation Scheme offers small grants to landlords in Sedgemoor to help bring their properties up to the minimum Decent Homes standard. The grant can assist with obtaining an EPC, assist with essential repairs, fire controls identified through a Fire Risk Assessment. The grant is subject to availability and is capped at £15,000 and subject to nominations from the Council.

The Loan product from Lendology CIC is available in Sedgemoor and Somerset West & Taunton from £1k to £15k at an interest rate of 4% which is a competitive rate compared to high street rates. In addition;

- There are no arrangement fees
- There is a fixed one off £20 Land Registry Fee
- There are no early repayment charges

More information can be found in **Appendix H**

11.4 Disabled Facilities Grants

The Regulatory Reform (Housing Assistance) Order 2002 did not repeal legislation relating to mandatory Disabled Facilities Grants. There is a continuing Government commitment to providing funding to Council's to provide for adaptations. This is reflected by the increased funding through the Better Care Fund (BCF), introduced in 2014. The BCF is a programme spanning both the NHS and local government. It has been created to improve the lives of some of the most vulnerable in society, placing them at the centre of their care and support, and providing them with 'wraparound' fully integrated health and social care, resulting in an improved experience and better quality of life.

An ambitious programme, taking the form of a local, single pooled £5.3bn budget that aims to fund ways that the NHS and local government throughout England can work more closely together.

Appendix J outlines the criteria for grant eligibility. The Councils have made the decision to increase the mandatory grant from £30,000 to £40,000 by applying £10,000 discretionary grant on top of the £30,000 mandatory grant.

Disabled Facilities Grants are available to all people with disabilities living in the catchment area of the Local Authorities in the partnership. The grants are subject to an assessment of need by the Occupational Therapist from Somerset County Council. The works have to be necessary and appropriate, reasonable and practicable as specified by legislation and guidance. Disabled adaptations assist in fulfilling the Care and Support element to enable a disabled person to maintain their independence and live as full a life as is possible.

“To ensure that the residents have access across all tenures to care and support to enable independent living.”

It should be noted that due to the demand for Disabled Facilities Grants, all recommendations from the Occupational Therapists will continue to be point scored in terms of priority need to target the limited resources to those in most need first.

In addition to the continuation of mandatory Disabled Facilities Grants the local authority will allow an application for assistance falling outside of the mandatory categories of works in limited circumstances. **Appendix K** details the policy for such discretionary Disabled Facilities Grants.

11.5 Hospital Discharge, Prevention & Minor Works Grants

A non-means tested grant. Designed to assist a disabled person with minor adaptations, prevention and/or adjustments to their home to assist with hospital discharge and generally maintaining independent living. The grant is available to owner occupiers, tenants of social housing, council properties, and private rented accommodation. The grant does not cover modifications or adaptations to common parts of rented accommodation such as shared stairs and access. Eligibility is based upon an assessment and Recommendation by an Occupational Therapist from Somerset County Council, Trusted Assessor or from the hospital. The referral for assistance would be coordinated via a duly appointed officer at Somerset County Council. Funding can also be used to assist with clearing properties for acute hoarding. More details can be found in **Appendix J**.

Maximum:

- £2,500 minor works and hospital discharge
- £10,000 prevention

11.6 Specialist Equipment

a) Ramps

It is no longer a policy of the partnership to automatically accept Recommendations from Occupational Therapists for concrete ramps. In the first instance modular ramping is the preferred method. All ramping requests have to be agreed by the duly appointed officer and Quality Assurance Officers at Somerset County Council. Concrete ramps will only be considered where it is not practicable to install modular ramps. **Appendix J**

b) Stairlifts

It will be a policy of the partnership that any urgent request for a straight run stairlift via an Occupational Therapist will be sourced from the recycled stock. Failing that, a new one subject to tenders from two stairlift companies. All stairlifts will be subject to a land charge to ensure that the equipment is recovered when it is no longer required.

11.7 Management and Delivery

The implementation of this policy will be undertaken by the partnership on behalf of Sedgemoor District Council and Somerset West & Taunton Council reporting through the Partnership Board. Our key partners will be essential in its delivery. The structure for delivery is illustrated in **Appendix M**. The policy builds on the service provision provided under previous Private Sector Renewal Policies. Appendix M details the commitment of the partner Council's to customer satisfaction and reflects the level of service the partnership aims to achieve.

There are key responsibilities in the delivery of this policy, these are detailed below:

a) Information and Advice

Officers within the partnership and our preferred partner Home Improvement Agency Somerset Independence Plus will be responsible for providing home maintenance advice to householders. In addition, specific property standards advice will be provided to landlords via the Officers within the Housing Standards Team, and officers responsible for supporting Empty Homes, Landlord Accreditation and Energy Efficiency.

b) Eligibility for Financial Assistance

Officers within the partnership and Somerset Independence Plus will be responsible for ensuring residents access the most suitable form of assistance relevant to their financial circumstances and the condition of the property.

c) Enquiries Falling Outside the Requirements for Financial Assistance

Any request for consideration to approve financial assistance outside of the criteria set in this policy must be considered by the Partnership Manager in conjunction with the Councillor responsible for the Housing Portfolio in whose area the resident resides. Only in exceptional circumstances will any such request be considered.

d) Financial Assistance, Approval of Works over the Specified Grant Limit

Any request for approval of financial assistance over the limits set in this policy must be considered by the Partnership Manager in conjunction with the Councillor responsible for the Housing Portfolio in whose area the applicant resides. Only in exceptional circumstances will any such request be considered.

e) Approval of Unforeseen Items of Work within Financial Assistance

Once works have commenced on site it is sometimes the case that work items which could not have been foreseen on initial inspection are identified. In this circumstance, provided the Technical Officer is satisfied that the additional work items are genuine unforeseens, additional financial assistance can be approved by the Technical Officer up to £1,000 for all works except for extensions where the approval limit is £5,000. This is to recognise the balance of risk compared to the scale and gravitas of the work involved. Over £1,000 or £5,000 in the case of extensions will need approval by the Operations Manager.

11.8 The Future

It is recognised that the commitment to improving private sector living conditions in the partnership area is an on-going process, responding to changing stock, legislation and housing needs.

The Regulatory Reform (Housing Assistance) Order 2002 has provided local authorities with greater flexibility to deliver housing renewal services to address local issues.

During the period of this policy, on-going development work will continue in the partnership, in conjunction with its partners, to ensure the development of the Private Sector Renewal Policy.

Key areas of review include:

- On-going accreditation of the private rented sector in the Sedgemoor area
- Growth of loans through Lendology CIC
- Responding to the requirements of the S106 with EDFe
- Working alongside the Economic Development Teams to identify areas for regeneration
- Contribute to the on-going process of developing services provided by Somerset Independence Plus across the County
- Support the growth in the private rented sector
- Continue to increase the number of decent homes owned and occupied by vulnerable households
- Improve the hospital discharge rates

The work under this policy area will continue to reflect the overall key priorities for the partner Local Authorities and will provide assistance in meeting the housing needs of our communities.

11.9 Contacts

Anyone wishing to apply for assistance under this policy should contact the Somerset West Private Sector Housing Partnership by:

Telephone: 0300 303 7794

Website www.Somersetindependenceplus.co.uk

In writing Somerset West Private Sector Housing Partnership, Strategic Housing, Sedgemoor District Council, Bridgwater House, King Square, Bridgwater, Somerset, TA6 3AR

Email www.Somindplus@sedgemoor.gov.uk

Any person or organisation wishing to comment on the contents of this policy please do so in writing to the Partnership Manager at the above address.

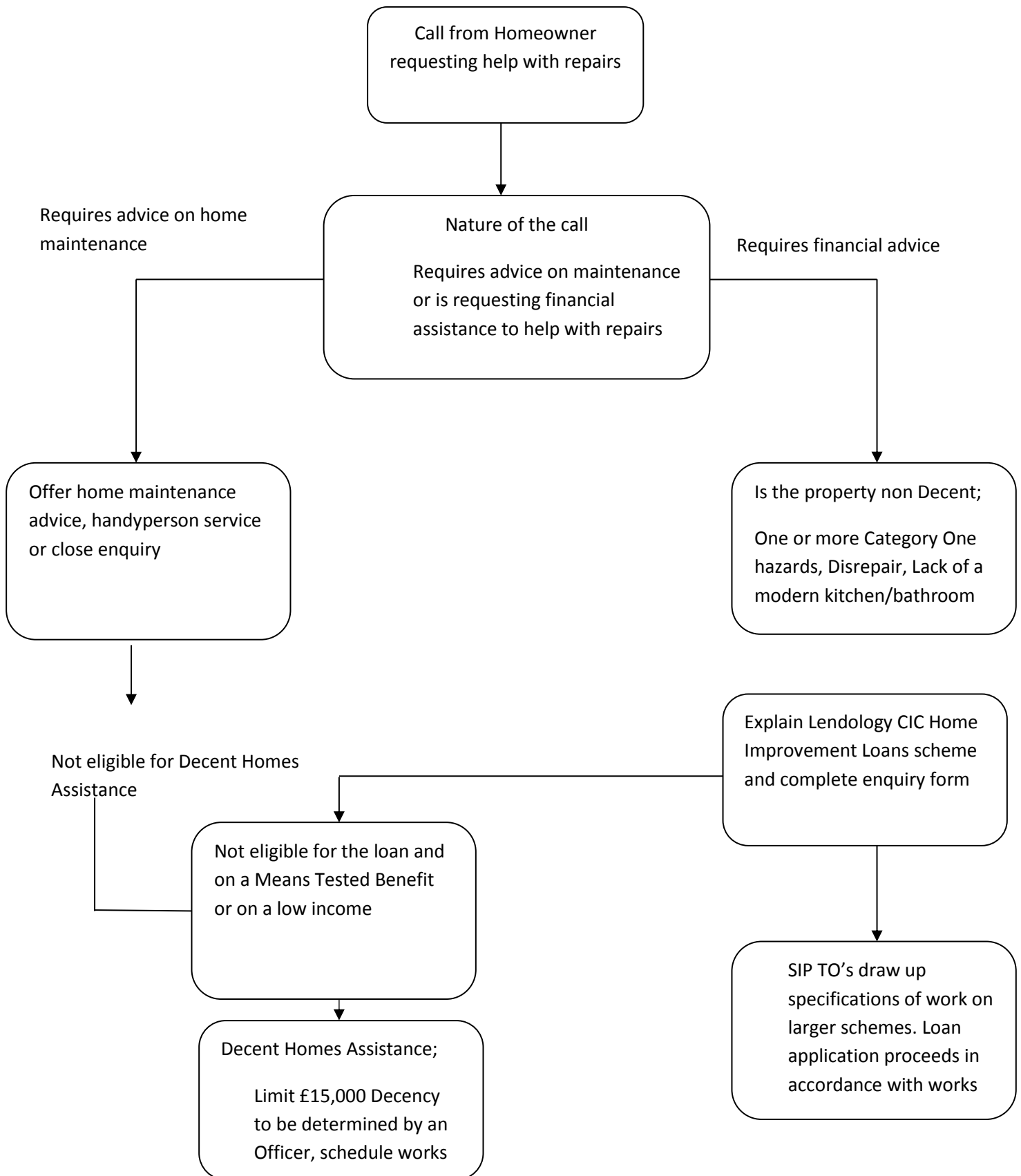
APPENDIX A

CONSULTEES

Centre for Sustainable Energy
Lendology CIC
Somerset Independence Plus
Sedgemoor District Council Housing Options Team
Somerset West & Taunton Council Housing Options Team
Exmoor National Parks
Adult Social Care; Somerset County Council
Children and Young People; Somerset County Council
Sedgemoor District Council
Somerset West & Taunton Council
EDFe
ARK
Tenant Support Groups; Social Housing
Homes in Sedgemoor, Magna Housing Association
Private Sector Landlords
National Landlords Association
Homes in Sedgemoor District Council
Magna Housing Association
SHAL

APPENDIX B

ASSISTANCE TO INDIVIDUAL HOUSEHOLDERS



LOW INTEREST LOANS FOR VULNERABLE HOUSEHOLDS

ALL LOANS ARE CURRENTLY ADMINISTERED AND MANAGED BY LENDOLOGY CIC ON BEHALF OF THE COUNCIL AND SUBJECT TO THEIR TERMS AND CONDITIONS, AFFORDABILITY AND ELIGIBILITY ASSESSMENT. LOANS LARGER THAN THE AMOUNTS STATED ABOVE OR FOR OTHER WORKS/HOME IMPROVEMENTS WILL BE CONSIDERED SUBJECT TO AVAILABLE FINANCING.

To qualify for assistance and applicant must;

- 1) Be aged 18 or over on the date of the application;
 - 2) Be an owner occupier;
 - 3) Be living in a non-decent home as defined in i) below;
 - 4) Be subject to a financial assessment by Lendology CIC to determine eligibility, type and level of loan if any;
 - 5) Certificates will be required to confirm the ownership of the property.
 - 6) The Council will also consider additional support in the form of a grant to support the loan where the client can raise some but not all the loan capital to complete the eligible works. Maximum £10,000 plus fees. The grant is non means tested.
- i) A Decent Home is defined as;
- a) A property free from Category One Hazards as defined in the Housing Act 2004
 - b) It is in reasonable repair
 - c) It has reasonably modern facilities and services
 - d) It provides a reasonable degree of thermal comfort (The partnership now include renewable energy packages as part of the thermal comfort criteria).
- iii) Examples of Category One Hazards include;
- Dangerous electrical installations
 - Structural failure – walls, floors, stairs
 - Severe dampness
 - No sanitary provision
 - No hot water provision
 - Lack of heating and/or thermal efficiency
 - Serious disrepair – roofs, windows.

Failures for reasonable repair include;

- One or more of the key building components are old, and because of their condition need replacing or major repair
- Two or more of the other building components are old, and because of their condition, need replacing or major repair.

Building components are structural parts of the dwelling, external elements such as the chimney, and internal services i.e. kitchens, heating systems etc.

Modern facilities are classified as;

- A new kitchen
- A kitchen with adequate space and layout
- A new bathroom
- An appropriately located bathroom and WC
- Adequate noise insulation

Thermal comfort includes;

- Efficient heating
- Effective insulation
- Options for renewables * including the installation of:
 - Ground or air source heat pump
 - Solar PV panels
 - Solar hot water
 - Wind turbine

* Renewables can be a combination of renewable measures or in conjunction with other more conventional energy measures.

Please contact Somerset Independence Plus if you require more detail or the full definition of a Decent Home. A qualified Officer from Somerset Independence Plus will assess whether or not the property fails the Decent Homes Standard.

Conditions relating to the loans scheme include;

- a) Eligibility for the loans scheme as determined by Lendology CIC and the property is non-decent as determined by the Council in accordance with the definition in i) above.
- b) The maximum loan that an applicant can apply for is £25,000 towards the cost of the eligible works. Eligible works are those considered by the Council which fulfil the criteria under the Decent Homes standard in ii) above. In addition to the loan, the Council may offer additional assistance in the form of a discretionary grant up to a maximum of £10,000. This is to assist with costs for any eligible works over and above the maximum loan that the client can borrow. It is strictly on the condition that the client takes out the loan and Lendology CIC have confirmed that the loan value offered is the maximum that the client can afford with a repayment plan.
- c) The applicant may apply for multiple loans and grants over a three-year period to bring the property up to the Decent Homes standard subject to any financial restrictions placed upon them by the Council and Lendology CIC.
- d) If the property is sold within the lifetime of the loan and grant where applicable following completion of the works, then the full repayment is required on the amount of any loan outstanding as deemed by Lendology CIC and the Council. The grant will also need to be repaid. The Council will apply a sliding scale to determine the amount of grant to repay. The sliding scale being based upon the number of years left on the loan as deemed by Lendology

CIC. For example, if the client needed a £10,000 grant and Lendology CIC determined that there was five years of repayments remaining on the loan then the client would repay the Council £5,000 of the grant money.

- e) A Title Restriction will be placed on the property on draw down of the loan.
- f) Any loan awarded under this policy is subject to conditions imposed by the Council and Lendology CIC at the time of the application.

DECENT HOMES ASSISTANCE

To qualify for assistance an applicant must;

- 1) Be aged 18 or over on the date of application
 - 2) Be an owner-occupier
 - 3) Have owned or lived in the property subject to assistance for a period of more than 12 months
 - 4) Be elderly (over 66 years), disabled, vulnerable or be part of a household in which there are children under the age of 16
 - 5) Be subject to a means test to determine what if any contribution may need to be made towards the cost of the eligible works;
 - 6) Or be in receipt of one of the following means tested benefits:
 - a) Income Support
 - b) Council Tax Benefit
 - c) Housing Benefit
 - d) Income-based Employment and Support Allowance (not contribution-based ESA)
 - e) Income-based Jobseekers Allowance (not contribution-based JSA)
 - f) Guaranteed Pension Credit (not Saving Pension Credit alone)
 - g) Working Tax Credit and/or Child Tax Credit provided that the annual income for the purposes of assessing entitlement to the tax credit is less than £15,050
 - h) Universal Credit (this includes any amount of Universal Credit – progressively introduced from 2013 onwards as a replacement for working age benefits and tax credits.
 - 7) Not be eligible for/or refused a loan product from Lendology CIC. See note 5) below.
 - 8) Have the power or duty to carry out the works
- i) The type of items that can be considered for grant aid include;
- a) Repairs; where there could be a cause for an acute health risk to the occupants resulting from a Category One or Category two hazard as defined in the Housing Act 2004. The hazard(s) to be assessed by a professional officer from the Council or preferred Home Improvement Agency
 - b) Reasonable repair;
 - c) Modern facilities
 - d) Thermal comfort which includes renewable technology
- 8) Conditions relating to Decent Homes Assistance include:
- a) The maximum limit is £15,000 for eligible works on any one application subject to any contribution which the Applicant may be required to make towards the cost of the eligible works. The applicant will also be required to obtain an EPC.
 - b) The applicant can also claim ancillary fees and charges. Ancillary fees include architects' fees of up to 12% plus VAT on the cost of the eligible works and the cost of the EPC. The Council will only consider charges which are incurred as a result of making the application and the costs have to be reasonable as determined by the Local Authority.

- c) There can be no further Decent Homes Assistance within 3 years of completion of a previous grant
- d) If the property is sold within 20 years following completion, the full Decent Homes Assistance amount is repayable to the Local Authority. All receipts being recycled into the private sector housing capital programme
- e) A land charge will be placed on the property to this effect following the completion of the grant. There are exceptions to repayment:
 - Where the occupier is moving into residential care as his or her main residence
 - Where there is insufficient equity in the property to enable repayment and that the relevant person would suffer financial hardship if the assistance was repaid
 - Where the occupier is moving for medical reasons

Notes:

- 1) The Decent Homes standard, Category One and Two hazards under the Housing Act 2004 to be assessed by a professional Officer using the Somerset West Private Sector Housing Partnership Decent Homes Guidance. Works will be to secure compliance with the standard.
- 2) No maintenance or decoration works will be covered by this form of assistance.
- 3) With regard to the land charge, all exceptions to repayment to be authorised by the Strategic Housing Manager for Sedgemoor or the Assistant Director for Housing and Communities Somerset West & Taunton in consultation with the Council's Portfolio Holder for Housing.
- 4) All Decent Homes Assistance applicants will be referred to the Centre for Sustainable Energy for energy advice and direction to any further energy grants available.
- 5) Where an applicant has been declined a loan offer from the Councils preferred loan provider Lendology CIC, and the cost of the works are in excess of £15,000 then the partnership may only grant a Decent Homes Assistance grant to reduce Category One hazards in the property under the Housing Act 2004. The grant will not include general disrepair, thermal comfort or a replacement bathroom or kitchen. This is to ensure that the property is made safe for occupation.

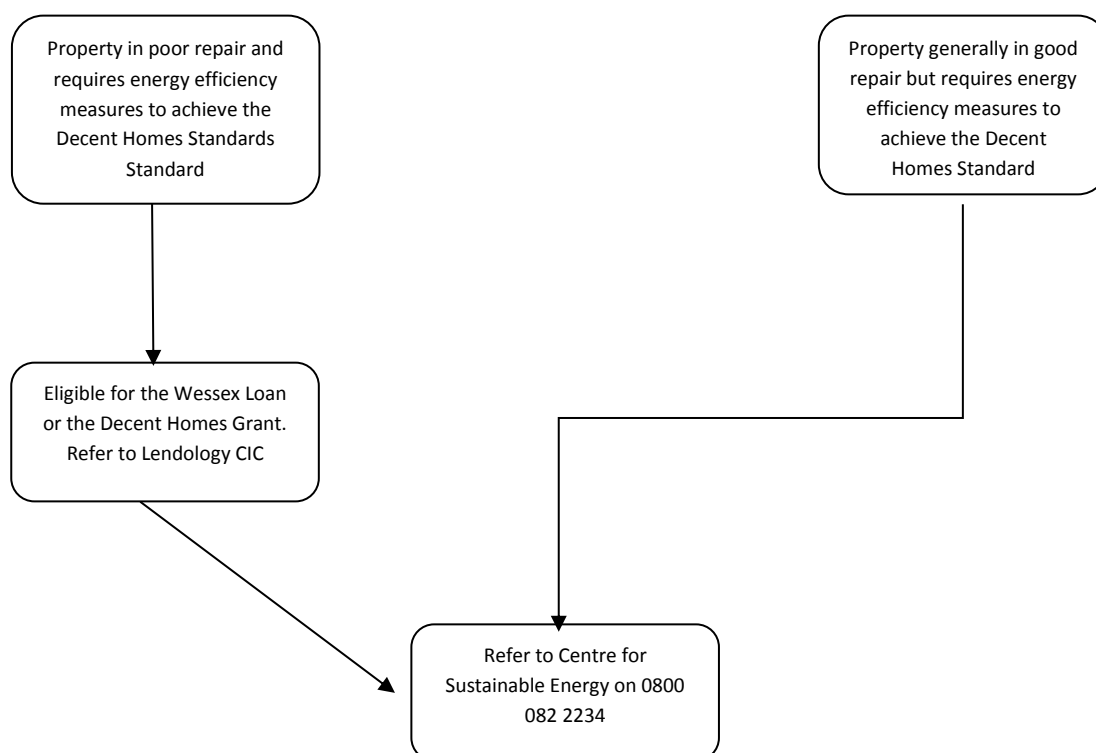
SPECIAL PROJECTS GRANT

1. Introduction
 - 1.1 As statutory Housing Authorities, the Local Authorities in the partnership have varying responsibilities. These include providing affordable housing, ensuring Category One hazards are eliminated or reduced in the private sector housing stock and energy efficiency.
 - 1.2 Within this remit, there may be from time to time a requirement by the authority to tackle a particular issue. For example, there may be a need to propose a regeneration area to tackle several issues such as fuel poverty, social deprivation, poor housing and anti-social behaviour. This would require an injection of funds to assist the home owners and landlords to bring their properties up to a reasonable standard, or a change in legislation or circumstances which requires the partnership to react responsively. Special Project Grants are for such situations.
2. Eligibility for Special Project Grants
 - 2.1 In order for a project to attract funding, the scheme has to meet the following criteria;
 - a) Has to fulfil one or more of the relevant Council's priorities. (Relevant means the Council in whose area the project is proposed.)
 - b) Has to provide valid outcomes at minimum cost
 - c) The scheme has to be able to be practically completed within the financial year. If it is a large project spanning more than one year, then this will need to be set out as part of the business case which will lead to a project plan and stage payments
 - d) Has to be within the budget available
 - e) Has to be approved by the Partnership Board and if necessary, by the relevant Executive Members of the Council in which the Special Project will operate
 - f) Eligibility criteria, mechanisms for delivery and any conditions will need to be provided
 - g) End date for completion of the project.

A briefing paper has to be prepared by the Partnership Manager, to be presented to the Partnership Board, outlining all of the above. Once approved, the Special Project will proceed. The Board will be furnished with regular monitoring reports informing Members of progress including and potential risks of over/under spends and slippages.

Energy Advice

Members of the public who enquire regarding energy advice and fuel poverty will follow the process below.



There are several ways which owner occupiers, tenants and landlords can get help with making their home warmer and more energy efficient in the partnership area.

- 1) ECO3 – The Local Authorities in Somerset have jointly signed an ECO3 Statement. Energy Company Obligation (ECO) is available to encourage energy companies to improve the energy performance of domestic homes occupied by vulnerable or low-income households. ECO3 is a new additional facility called Flexible Eligibility. Within ECO3 the Local Authorities have set certain criteria to direct resources towards local owner occupied homes at risk of fuel poverty but falling outside of the normal rules of ECO (usually qualifying benefits). An applicant may be eligible subject to signposting by the partnership's preferred energy partner the CSE and a favourable survey report carried out by the obligated supplier or their agent/contractors.
- 2) Warm Homes Fund (WHF) – For the purposes of this policy, available to owner occupiers and private sector landlords who require first time central heating, specifically with electric storage heaters and solid fuel systems; are located in the 25% most deprived Lower Output Areas (LSOA's); have a current EPC Band E,F or G; and are considered to be in fuel poverty or

receive qualifying benefits under Home Heating Cost Reduction Obligation (HHCRO). All properties that are eligible are 'off gas', but close enough to the nearest gas main to qualify for FPNES funding by location.

- 3) Renewables loan - A low interest loan from the partnership's preferred loan provider Lendology CIC specifically tailored to renewables. Open to most people to apply for to encourage growth in the renewables market and assist the partnership's contribution towards the Climate Emergency in reducing carbon.
- 4) Renewables Grant – A grant of up to £4,500. Available to vulnerable owner occupiers who were refused a renewables loan, require additional capital above the amount that can be borrowed via Lendology CIC to complete a renewables project or for renewables as part of a Decent Homes Grant.
- 5) Oil buying advice – The scheme allows to borrow up to £500 towards the cost of the fuel oil

Notes:

- a) Eligibility for ECO3, Warm Homes Fund, Renewable Loan or Renewables Grant are subject to an assessment by the Councils preferred energy advisor the Centre for Sustainable Energy (CSE). The CSE provide expert local knowledge about how to improve the energy efficiency of your home; from basic loft insulation to more complex solid wall retrofitting; as well as help with improving heating, lowering gas and electricity bills and receiving the right benefits. The CSE also provide advice sheets with valuable information on reducing fuel bills and tailored advice to specific queries.
- b) ECO3, Warm Homes Fund, Renewable Loan and Renewable Grant can be offered as a combination of products to an applicant dependent upon eligibility and a satisfactory survey.
- c) ECO3, Warm Homes Fund and the Renewable Grant can be in addition to a Decent Homes Grant where the cost of the eligible works for the Decent Homes Grant are only sufficient to cover the repairs and bathroom/kitchen replacement.
- d) ECO3, Warm Homes Fund and the Renewable Grant can be in addition to a Low interest loan from Lendology CIC where the cost for the eligible works for Decent Homes are only sufficient to cover the repairs and bathroom/kitchen replacement and the applicant cannot afford to raise additional capital by applying for a Renewable Loan.
- e) There will not be a landcharge for the Renewable Grant. This is to encourage owner occupiers to take up the incentive and work towards a carbon free community.
- f) An administration fee of will be applied to the renewables grant.

Winter Heating Packages

The Council offer temporary heaters to vulnerable clients who lack any form of fixed heating or their heating system has broken down and they are waiting for repairs to be carried out by a competent engineer. The Trigger point for assistance is temperature based and is the same as the winter fuel payment trigger.

ENFORCEMENT POLICY

Both Council's in the partnership have Private Sector Enforcement Policies. The Enforcement Policy details how the Local Authority will regulate standards in private sector housing.

The policy aims to raise standards in housing through working with owners, landlords, letting agents and tenants. It is however recognised that there are circumstances where enforcement action is necessary to protect tenants, owner occupiers, the public and the environment.

The following applies to both Sedgemoor's and Somerset West & Taunton's enforcement policies.

Equalities Statement

Enforcement decisions will be fair, independent and objective and will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or sexual orientation of the suspect, victim witness or offender. Such decisions will not be affected by improper or undue pressure from any source.

Data Protection

The Local Authorities will comply with the Data Protection Act 1998 and subsequent legislation. Any personal data will only be disclosed in accordance with the provisions of the act. All information gathered during the course of carrying out duties under the policies will be treated confidentially. Confidential information will only be divulged if required by law or by some other significant reason that is in the public interest.

What to expect from the Local Authorities:

Landlords/Owners

- When requested, Housing Standards Officers will advise landlords of the legislation and help them understand how they can comply with it.
- Housing Standards officers will advise landlords as to the action required to comply with the legislation within a specified time period.
- If the landlord agrees to undertake this action, the Housing Standards Officer will monitor the progression of the works to ensure it is carried out within the agreed timescale.
- If the landlord fails to agree to undertake the work to an agreed satisfactory standard, the Housing Standards Officer will initiate formal action by the service of a Notice, and/or by carrying out Works in Default. Failure to comply may result in the Council recommending prosecution.

In making the decision to prosecute, the Council will have due regard to the Code for Crown Prosecutors and whether some other action would be more appropriate.

Where specified, a charge will be made for the service Notices.

Emergency enforcement action will be taken if the Council considers there is an imminent risk to a person's life.

Tenants

- The Housing Standards Officer will inform tenants about the action they can take and the timescales that they think it will take.
- The Housing Standards Officer will keep tenants informed at all key stages of the case.

What the Local Authorities expect from tenants and owners or letting agents

Tenants

- Tenants must inform their landlord either in writing, email or a text about issues within their property before contacting the Council. The Council will provide template letters to assist tenants to inform their landlord.
- Tenants must cooperate with their landlord at all times to get the works carried out and tell the Council of any action taken by the landlord.
- If the tenant fails to cooperate with their landlord, the Council may consider withdrawing their assistance.

Owners/letting agents

- The Council expects owners to maintain the properties they own and let. The Council expects owners to cooperate and carry out any works required within a specified time period.

Owners of Empty Homes

- The Council will expect owners of empty homes to maintain them and bring them back into use within a specified timescale.
- Enforcement action (Compulsory Purchase Order, Empty Dwelling Management Order, and Enforced Sale) will be considered if an owner does not co-operate, and the empty home has an impact on their neighbourhood.

For more information, please refer to the respective Council's enforcement policy in the area where your rented accommodation is situated:

- Sedgemoor District Council: www.sedgemoor.gov.uk
- Somerset West and Taunton Council: www.somersetwestandtaunton.gov.uk

EMPTY HOMES AND FINANCIAL ASSISTANCE TO LANDLORDS

- 1) The assistance for owners of empty homes will vary depending upon which district the landlord's properties are situated. The detail below sets out the type of assistance and eligibility criteria for each district;

Sedgemoor District Council, Somerset West & Taunton Council; a loan of up to £15,000 fixed at 4% to encourage landlords to bring their properties back into use. A condition of the loan is to take people from the Council's Housing Needs Register. The only downside of this scheme is there is no mechanism to encourage the maximisation of units within the property.

Sedgemoor and the West Somerset area of Somerset West and Taunton: In addition, via funding from the Section 106 Agreement for the Hinkley project, Sedgemoor and clients in the West Somerset area are able to apply for the following products for empty properties in the priority areas;

- a) A non-means tested grant of up to £15,000 towards the cost of eligible works to bring an empty property back into use.
- b) A low interest loan of up to £30,000 at 4% through the Council's preferred loan provider Lendology CIC.
- c) The grant is subject to the conditions that the owner works with our nominated Partner Agency who will manage the property on a seven-year leasing agreement. The terms and conditions of which will be determined between the landlord and the Partner Agency. The Council would also look to foster relationships between the landlord, Partner Agency and other agencies such as the Probation service as part of a social enterprise project. This would involve ex-offenders assisting with the refurbishment of the properties and their time managed by the agencies. The property will also be accredited.
- d) Living Over the Shops grant of up to £15,000. The grant is aimed at owners of empty flats above shops as an incentive to assist towards essential repairs to bring the flat up to a decent standard to rent. Many of the empty flats are in key areas of the high street, and with a little assistance would improve the street scene.

- 2) Financial Assistance to landlords

Sedgemoor: The Voluntary Landlord Accreditation Scheme offers small grants to landlords to help bring their properties up to the minimum Decent Homes standard. The grant is subject to availability and is capped at £15,000 subject to nominations from the Council. Grants of up to £5,000 are also available without nominations. This does not include fees and charges which can be added in addition.

The Loan product from Lendology CIC is available from £1k to £15k at an interest rate of 4% which is a competitive rate compared to high street rates. In addition;

- a) There are no arrangement fees

- b) There is a fixed one off £40 Land Registry Fee
- c) There are no early repayment charges

All the loan products and grants are dependent on the landlord's track record and how the property is to be let. On completion of the works, the accommodation must comply with the Decent Homes Standard. The landlord will be required to repay the grant in full to the partnership if they sell the property within the five years of the length of term for the Accreditation scheme.

DISABLED FACILITIES GRANTS, PREVENTION GRANTS AND SPECIALIST EQUIPMENT

- 1) **Disabled Facilities Grant:** The disabled person must be registered or registerable with Adult Social Care or the Children's Services as disabled. A Recommendation is required from the Occupational Therapist that works are necessary and appropriate for one of the following purposes;
 - a) Facilitating access to and from the dwelling or building by the disabled occupant
 - b) Making the dwelling or building safe for the disabled occupant
 - c) Access to the principal family room by the disabled occupant
 - d) Access to or providing a bedroom for the disabled occupant
 - e) Access to or providing a room containing a bath or shower for the disabled occupant or facilitating the use by the disabled occupant of such a facility
 - f) Access to or providing a room containing a WC for the disabled occupant or facilitating the use by the disabled occupant of such a facility
 - g) Access to or providing a room containing a wash hand basin for the disabled occupant or facilitating the use by the disabled occupant of such a facility
 - h) Facilitating the preparation and cooking of food by the disabled person
 - i) Improving or providing a heating system for the disabled person
 - j) Facilitating the use of power, light or heat by the disabled person by altering same or by providing additional means of control
 - k) Facilitating access and movement around the dwelling to enable the disabled person to provide care for someone
 - l) Making the dwelling or building suitable for the accommodation, welfare of employment of the disabled person
 - m) Providing access and egress to and from the garden safely

The Applicant must be either an owner or a tenant.

The disabled person and any other partner or spouse are means tested to determine the amount of their contribution towards the cost of the works. Children's applications are exempt from means testing. An application is only approved if it is considered reasonable and practicable to carry out the relevant works having regard to the age and condition of the dwelling or building.

There is a limit of £40,000 for each grant approval. (£30,000 mandatory grant and £10,000 discretionary)

- 2) **Minor adaptations:** – Up to £2,500, non means tested. Designed to assist a vulnerable person with minor adaptations, equipment and/or adjustments to their home to assist with hospital discharge or generally maintaining independent living. The grant is intended to support Somerset County Council under their duties within the Care Act 2014. Assistance is available to owner occupiers, tenants of social housing, Council properties, and private rented accommodation. Eligibility is based upon an assessment and Recommendation by an Occupational Therapist from Somerset County Council or from the hospital. The referral for

assistance would be coordinated via a duly appointed officer at Somerset County Council or a Trusted Assessor.

- 3) **Prevention:** Maximum £10,000 non-means tested. Designed to complement duties required by Somerset County Council under the Care Act 2014 where additional funding is required, or the client is not eligible under the Care Act, but financial assistance would be beneficial to enable the person to remain independent. Assistance is available to owner occupiers, tenants of social housing, Council properties, and private rented accommodation. The grant does not cover modifications or adaptations to common parts of rented accommodation such as shared stairs and access. Eligibility is based upon an assessment and Recommendation by an Occupational Therapist from Somerset County Council or from the hospital. The referral for assistance would be coordinated via a duly appointed officer at Somerset County Council. Assistance can also be used to assist with extensive hoarding cases where funding is required to declutter and clean a property.
- 4) **Disabled Equipment:**
 - a) **Ramps** - It is no longer a policy of the partnership to automatically accept Recommendations from Occupational Therapists for concrete ramps. In the first instance modular ramping is the preferred method. All ramping requests have to be agreed by the duly appointed officer and Quality Assurance Officers at Somerset County Council. Concrete ramps will only be considered where it is not practicable to install modular ramps. The partnership has provided adequate funding to conjointly procure modular ramping with Somerset County Council as part of the Community Equipment Service. Somerset County Council will cover up to a maximum of £1,000 including install. Over £1,000 the Local Authority will cover the additional cost up to the value of £2,500 including install.
 - b) **Stairlifts** - It will be a policy of the partnership that any urgent request for a straight run stairlift via an Occupational Therapist will be sourced from the recycled stock. Failing that, a new one will be subject to tenders from two stairlift companies. All stairlifts will be subject to a land charge to ensure that the equipment is recovered when it is no longer required. The longer-term plan is to simplify the stairlift process by procuring a stairlift company to offer a 'stairlift lending' service to clients. So, removing the majority of stairlifts from the Disabled Facilities Grant process, ensuring that recycled stairlifts are regularly serviced and maintained.

DISCRETIONARY DISABLED FACILITIES GRANTS

- 1) The Policy for discretionary Disabled Facilities Grants for disabled occupants is anticipated to assist a small number of disabled people with exceptional circumstances.

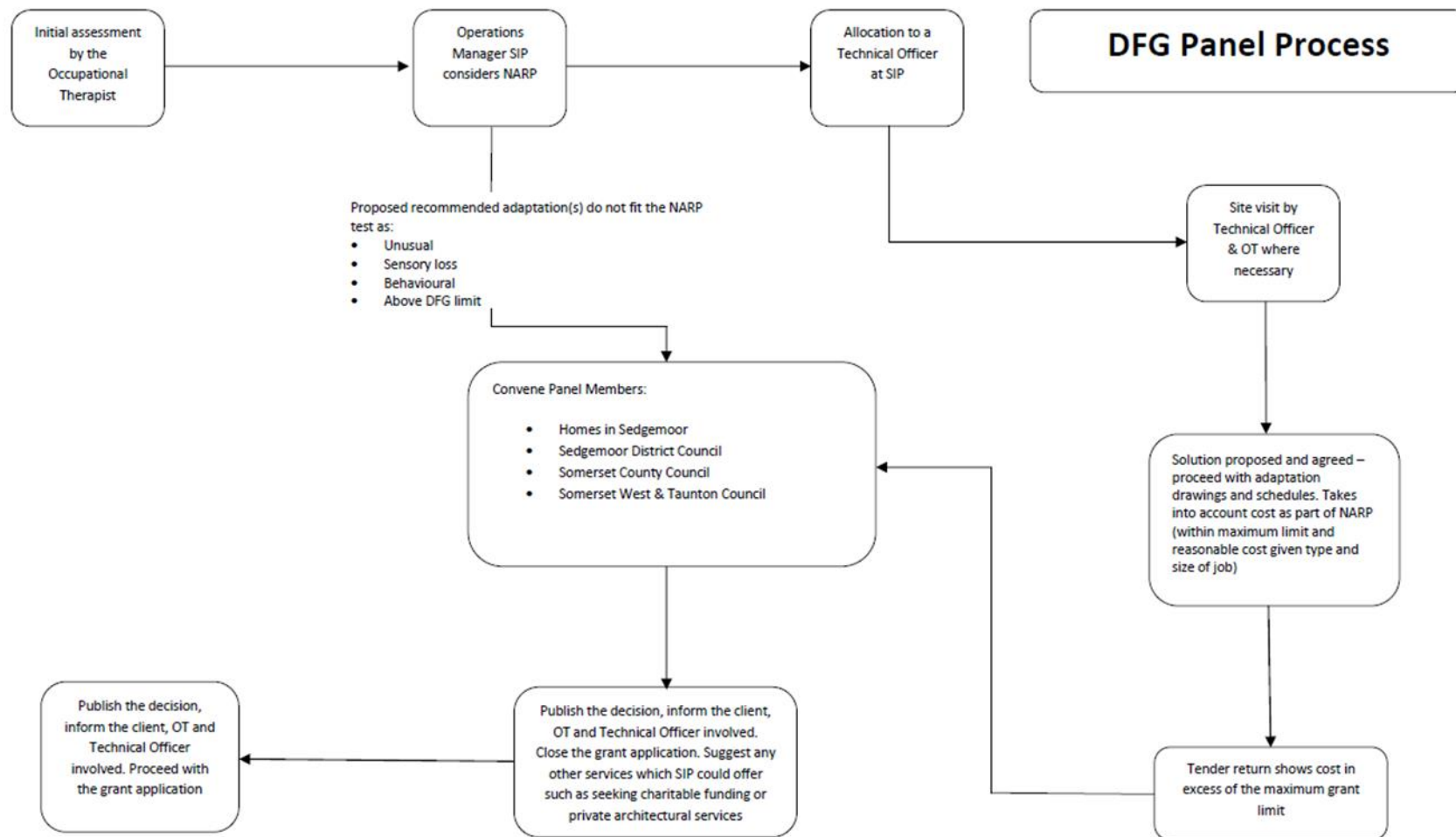
The Policy will include consideration of disabled occupants:

- a) Whose needs do not fall within the mandatory criteria;
- b) Whose needs have been approved by a Senior Occupational Therapist at Adult Social Care or the Children's Directorate;
- c) Who cannot raise sufficient funds by other means (e.g. charitable funding) and;
- d) Where there is no realistic probability of the persons needs being met other than by a discretionary Disabled Facilities Grant.

The maximum grant limit is £4,000 for any application.

The decision to award the Discretionary Disabled Facilities Grant will be made by the appropriately appointed Manager in the District Council along with the Portfolio Holder for Housing. The decision will be based upon a recommendation by the Partnership Manager.

- 2) **Top up's** – The partnership will offer a discretionary top up of up to £20,000 where the cost of the eligible works exceeds the grant award limit of £40,000 for a Disabled Facilities Grant. The applicant will have had to satisfy the partnership that they have explored and exhausted all other funding routes first such as a Lendology. CIC loan or charitable funding. The top up may also be used to supplement any shortfall in the DFG, the loan and/or charitable funding in order to meet the eligible expense for the scheme. The decision to award the top up will be made in the first instance by the Portfolio Holder for Housing and the appropriate Assistant or Director of the Council in whose area the application is for. Complex cases which fall outside of the DFG criteria will be decided by the appropriately appointed DFG Panel consisting of representatives from the District Council's in the partnership, Somerset County Council and Homes in Sedgemoor. The decision will be based upon a report provided by the case officer. Any further shortfall would have to be found by the applicant. The DFG Panel Process is contained below.



Note: The Panel is not a complaints panel. All complaints in relation to the quality of the works or the final decision by the Local Housing Authority or responsible health body should follow their particular complaints procedure.

DFGPanelProcess23.06.20/v1

SOMERSET WEST PRIVATE SECTOR HOUSING PARTNERSHIP

Discretionary Top Up – Disabled Facilities Grant

Case Officer	
Case No.	
Applicant name	
Applicant address	
Value of eligible works	
Wessex Loan	
Charitable funding	
Funding from Adult/Children's Services SCC	
Top up grant required	

	Comments/Justification	Officer initials	Signature	Date
Stage One – Justification to the appropriate delegated level or Panel (To be completed by the Technical Officer)				
Stage Two – Decision by the manager or Panel				

Agreed <input type="checkbox"/>			Manager/Chairperson	
Rejected <input type="checkbox"/>			Manager/Chairperson	

LAND CHARGE CONDITION FOR DISABLED ADAPTATIONS

All grants and loans will be placed as a land charge on the property. This is to ensure that the Council can recover the funds and/or equipment in the event that the property is sold. The recovered funds can be recycled to assist other applicants over a longer period should the Better Care Fund end. The funds will be recovered in the following proportions;

- i) Major Disabled Adaptations which include the discretionary top up; The Council will register a local land charge on properties in relation to applications for a Disabled Facilities Grant.
 - a. The charge will only apply to any home owner receiving a Disabled Facilities Grant of more than £5,000.
 - b. The charge will be the amount of grant received over £5,000 up to a maximum charge of £10,000.
 - c. The charge will be registered for 10 years.
 - d. Subject to particular exceptions the charge would have to be repaid if the property is disposed of within the 10-year period.
 - e. If the grant is less than £5,000 then there is no charge.
 - f. The Council will recover in full any discretionary and top up grant awarded.
- ii) Equipment such as ramps, stairlifts and through floor lifts will be recovered by the Council
- iii) For all repair grants; 100% of the funding will be recovered including any ancillary fees/charges. This will be a 20-year land charge.
- iv) All loans through Lendology CIC are subject to a charge placed by them.
- v) Land charges - exceptional circumstances for Disabled Facilities Grants
 - a. When a property is disposed of, repayment of the land charge may be exempt in the following circumstances *:
 - b. If a client moves to another property within the ten-year period that does not require adaptations to be carried out; the new property is more appropriate to their needs (as confirmed by an occupational therapist) repayment will be waived.
 - c. If the client is moving into an enhanced or extra care accommodation.
 - d. If the client's death results in a child inheriting the whole of the property whose financial position is such that they could not raise a mortgage or a loan to repay the charge. This is intended to be a safeguard for children who have a mental impairment or who have acted as a carer for their parent.

*This condition does not apply in the case of specialist equipment such as ramps, stairlifts and throughfloor lifts as the Council will want to recover the equipment.

CUSTOMER SATISFACTION

The partnership is committed to maintaining and improving the level of service provided to residents.

The partnership continually monitors the service which Somerset Independence Plus is providing to our customers. The agency uses customer satisfaction surveys to measure satisfaction of the service and the impact that the adaptation or works have had on the client's life. Later this year, Somerset Independence Plus will be publishing the results of overall customer satisfaction in various media formats including the Somerset Independence Plus and Council websites.

It is the intention that the service delivery of this Policy will be maintained at a high level. The results are used to improve the service to the customer through our Customer Standards Charter.

GLOSSARY OF TERMS**DFG (Disabled Facilities Grant)**

A grant from the Council to provide specialist aids and other facilities for disabled people

HECA (Home Energy Conservation Act)

This act places responsibility on Council's to produce HECA reports outlining practical, cost effective measures for achieving energy saving in homes in their area.

HMO (House in Multiple Occupation)

Property occupied by more than one household, sharing basic amenities (e.g. bedsits). Regulations exist to control the repair standards and provision of fire precautions in these properties.

Home Improvement Agency

A local not for profit organisation funded and supported by local authorities and Central Government. They provide advice, support and assistance to elderly, disabled and vulnerable people who own and live in their own property. They help people to repair, improve, maintain or adapt their home to meet their changing needs. The purpose of the service is to help people to remain independent, in their own homes, warm, safe and secure.

Registered Providers

A non-profit making organization that provide low-cost 'social housing' for people in need of a home. Any trading surplus is used to maintain existing housing and to help finance new homes. Although independent they are regulated by the state and commonly receive public funding. They are the United Kingdom's major provider of new housing for rent, while many also run shared ownership schemes to help those who cannot afford to buy a home outright.

Housing Needs

The requirements that individuals and households have for housing.

Housing Strategy

A document produced by the Local Housing Authority usually covering a three-year period setting out strategic aims and objectives across all tenures within the district.

Local Authority

Elected Councils which provide local services.

Homes in Sedgemoor

A not-for-profit Arm's Length Management Organisation (ALMO) responsible for managing Sedgemoor's Council housing.

CCG – Clinical Commissioning Group

Provides community and primary care services to the population of Somerset.

Private Sector

Property or finance not controlled by, for example, Local Authorities, central Government agencies, voluntary organisations or Registered Providers.

Registered Providers

Landlords who claim Social Housing Grant.

YMCA

Local voluntary organisation actively involved in improving young people's lives particularly around housing and homelessness.

Lendology CIC C.I.C

A home improvement loan charity who deliver loans across the three districts, they are a registered as a Community Interest Company.

Special Purpose Grant - Private Sector Renewal Policy – (New) Appendix B

1. Introduction

- 1.1 As a statutory Housing Authority, Somerset West and Taunton Council (SW&T) have varying responsibilities. These include providing affordable housing, preventing homelessness and providing accommodation for Homeless people, ensuring Category One hazards are eliminated or reduced in the private sector housing stock, enforcing the private rented sector and energy efficiency.
- 1.2 Within this remit, there may be from time to time a requirement by the authority to tackle a particular issue. For example, there may be a need to propose a regeneration area to tackle several issues such as fuel poverty, social deprivation, poor housing and anti-social behaviour. This would benefit from an injection of funds to assist the homeowners and landlords to bring their properties up to a reasonable standard, or a change in legislation or circumstances which requires the Council to react responsively.
- 1.3 To be of significant value, any area renewal project has to see an uplift in health, property improvement and community/environmental benefits as well as a significant reduction in crime and poverty. It has been found through various studies, the linkages between health and wellbeing and good housing conditions. Special Project Grants are for such situations.

2. Background

- 2.1 SWT made a decision in February 2019 to regenerate part of the North Taunton due to the structural problems identified within Woolaway non-traditionally built homes. The North Taunton Woolaway Project (NTWP) will demolish one hundred and sixty-two (162) Woolaway properties including 22 purchased from owner occupiers. SWT will also build two hundred and twenty-seven (227) new affordable Council homes. The demolitions and new homes will be in four phases (A-D). The NTWP has a fifth phase (E) which will see 27 Woolaway non-traditional properties comprehensively refurbished which is likely to include a 'walls out approach'.
- 2.2 NTWP also includes 23 privately owned homes where some residents have invested in the structure of their home but where others have not. The Council support and promote the Lendology Loans as one opportunity for households to access funding to participate in works. However, for very

low-income households and due to the scale of work being carried out the repayment of capital and interest or interest only means participation in the regeneration opportunity is not possible.

2.3 Appendix E of the Private Sector Renewal Policy provides an opportunity to offer financial assistance for homeowners in regeneration areas where the Council is comprehensively refurbishing its own properties. The Council would use the grant available to offer zero % equity loans to individual homeowners who could not afford capital repayments.

2.4 Although the only regeneration scheme which involves comprehensive refurbishment of HRA homes is phase E of NTWP, equity loans could be applied by the Council to other regeneration areas should proposals come forward to the Council and gain approval.

3 How will the equity loan work

3.1 The zero% equity loan will enable low income households who cannot afford the repayments on a capital and interest repayment basis loan through Lendology to be able to access a zero % equity loan up to a value of £90k. The capital will be recovered on the sale of the property.

3.2 In order for a zero % equity loan to be awarded, the Council has to be satisfied that there is sufficient equity in the property when the works are complete in order that the capital can be recovered on the sale of the property.

3.3 The scale of the zero % equity loan is significant and reflects the nature of investment being carried out on adjacent Council own homes. As an equity product the loan is repayable on sale of the property or death of the owner if this is within 20 years of the loan agreement commencement date. The Council will secure the loan against the property by a title restriction/charge. The Council will have the power to waive repayment on sale of the property if there is sufficient evidence by the owner of financial hardship. There shall also be the option of buying the property back from the owner to put the property back into Council ownership in order to recover its funds. The decision to waive repayment is the responsibility of the Portfolio Holder for Housing and the Director for Housing at the Council.

3.4 The period in which repayment of the loan is longer than most other PSRP periods is to reflect the scale of loan and amount of funding tied up within the property. As with smaller policy loans the money may be recycled and will add to annual grant income from government in future years.

3.5 The availability of this zero % equity loan product will be limited to and within:

- Regeneration locations/phases which the Council has approved at full Council and agreed a recommendation to use the Special Project Grant appendix E of the Private Sector Renewal Policy.

- The grant funding used for the zero % equity loan product will be 100% funded by the Better Care Fund or be recycled funding from the Better Care Fund. Should the fund cease the policy will be reviewed.
- The available annual fund pot will be set by the Director for Housing and the portfolio holder for Housing. This fund for the period 2021/2022 will set and capped at £600k. The fund has earmarked further tranches of funding for years 2022/23 and 2023/24 should this be required.
- The policy is only available to owner occupiers in qualifying localities/phases who apply for a loan through the Lendology CIC loan fund and where the financial assessment recognises insufficient income to pay the interest and capital repayments.
- The works must meet the Council's specification for works and thermal efficiency. Owners are able to deliver works through their own contractor however specification, quality assurance and payments will confirm to SIP and SWT requirements.
- SIPs and SWT have agreed a fee for SIP to administer and oversee the zero % equity loan product.

4 Qualification for assistance

- 4.1 To qualify for assistance an applicant must;
- a) Be aged 18 or over on the date of application
 - b) Be an owner-occupier
 - c) Have owned or lived in the property subject to assistance for a period of more than 6 months
 - d) Have been considered for a low interest loan through the Council's preferred loan provider Lendology CIC and not have the available income to be able to finance the capital and interest repayments
 - e) Have sufficient equity in the property when it is sold in order that the Council can recover its capital. (The Council will make an assessment of the value of the property as part of the application)
 - f) Have the power or duty to carry out the works
 - g) The property has to be considered non-decent (see notes below) and works must be to the Council's specification.
 - h) The recipient must agree prior to loan approval, the specification, quality assessment and any planning conditions set down by SWT
 - i) Qualifying works which would include any item within the Council's specification or required by any planning permission or building regulation
 - j) Include but is not limited to, structural works, walls, roofs, rainwater goods, foundations, window, doors, floors, works to ensure appropriate sewerage, water, electricity services, rainwater goods, heating, power and installations,

kitchen fittings but not white goods, bathrooms, internal finishes, decorations, painting, internal walls and doors

- k) Accept that the Council will set maximum values for kitchen, bathrooms and decoration expenditure within the agreement. This aims to ensure the main purpose of the loan product remains in supporting the health needs for customers
- l) Accept that the zero % equity loan will not include any items which are able or assumed to be fundable through other funding sources

4.2 Conditions relating to the zero % equity loan include:

- a) The maximum limit is £90,000 for eligible works on any one application subject to any contribution which the Applicant may be required to make towards the cost of the eligible works through their own finances.
- b) There will be an administration charge of £(TBC) for the Council to process the application. This will be in addition to the maximum loan assessed to undertake the eligible works.
- c) The applicant may appoint their own contractor or use a contractor approved by SWT
- d) Any contractor appointed by the loan recipient will be the responsibility of the loan recipient to manage.
- e) The Council will require all contractors to register with SIP and confirm that they can achieve the required specification, health and safety requirements and agree a programme and payment profile.
- f) Where works require specialist contractors, evidence will need to be provided that contractors are suitably qualified.
- g) There can be no further application for this type of assistance once the works have been completed and signed off by the Council's authorised Officer or their representative.
- h) If the loan recipient has used the Council's contractor any defects identified following completion of the work or after sign off must be reported immediately to the contractor and the Council in accordance with any defect's liability requirements. Not reporting defects may result in nullifying any certificates. Any defects liability requirements will be included as part of the loan Conditions.
- i) As an equity product the loan is repayable on sale of the property or death of the owner if this is within 20 years of the loan agreement commencement date. All receipts being recycled into the private sector housing capital programme.
- j) A title restriction/ and or charge will be placed on the property to this effect following the completion of the works. There are exceptions to repayment:
 - Where the occupier is moving into residential care as his or her main residence
 - Where there is insufficient equity in the property to enable repayment and that the relevant person would suffer financial hardship if the assistance was repaid
 - Where the occupier is moving for medical reasons

The decision on repayment of the grant will be the responsibility of the Director for Housing in conjunction with the Portfolio for Housing.

Notes:

- 1) The Decent Homes standard applies to Social Housing and will be applied to this loan product. A Decent Home is one which;
 1. Is free from any Category 1 hazards under Part 1 of the Housing Act 2004;
 2. It is in a reasonable state of repair;
 3. It has reasonably modern facilities and services;
 4. It provides a reasonable degree of thermal comfort;
 5. More guidance can be found at <https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance>
- 2) SWT has set a target to achieve net carbon by 2030. The specification required by the Council will include measures aimed to move the Council closer to carbon neutrality. This is likely to include a fabric first emphasis in particular significant SAP and U value ratings for structural elements, doors and windows.
- 3) Decoration works will be covered by this form of assistance up to an agreed specification and financial limit.
- 4) With regard to the title restriction/charge, all exceptions to repayment to be authorised by the Director for Housing in consultation with the Council's Portfolio Holder for Housing.
- 6) If a shortfall remains in funding towards the eligible works once the loan has been applied, then the loan will not be consented by the Council until they are satisfied that the applicant can source additional funding to fully complete the works or;
 - a) To a standard which satisfies the Council
 - b) The specification for the works is reduced in scale to an agreed level between the applicant and the Council which fits the funding levels that can be applied to the works through the grant and or loan plus any other funding mechanisms.

STRATEGIC HOUSING – PRIVATE SECTOR HOUSING

SUMMARY OF GRANT CONDITIONS

HOUSING GRANTS, CONSTRUCTION AND REGENERATION ACT 1996 THE REGULATORY REFORM (HOUSING ASSISTANCE) ORDER 2002

This is a summary only of the legislation relating to the conditions applying to assistance made by the Council under the Housing Grants, Construction and Regeneration Act 1996 and The Regulatory Reform (Housing Assistance) Order 2002 and is intended as a general guide, not a complete statement of the law. For more detailed information, you should refer to the Act and/or Order and to any relevant Regulations made under the Act and/or Order.

APPLICABLE TO ALL GRANTS

Carrying out and Completion of works

1. In approving an application for assistance the Council may require as a condition of the assistance that the eligible works are carried out in accordance with any specification they decide to impose.
2. It is a condition of grant that the eligible works are carried out within twelve months from the date of approval of the application. This period may, however, be extended by the Council if they think fit, particularly where they are satisfied that the eligible works cannot be, or could not have been, carried out without carrying out other works which could not have been reasonably foreseen when the application was made.

Availability for letting

In a case where a certificate of intended letting accompanies the application.

3. It is a condition of the grant that, throughout the initial period (that is five years beginning with the date on which the Council certify the eligible works to have been completed to their satisfaction) -
 - a) the dwelling will be let or available for letting as a residence, and not for a holiday, on a tenancy which is not a long tenancy (except in the case of a disabled facilities grant), by the owner for the time being of the

- a) dwelling, to a person who is not connected with him (generally speaking, this means not a member of his family), or
 - b) the dwelling will be occupied or available for occupation by a member of the agricultural population under a service contract, and otherwise than as a tenant.
4. It is also a condition of the grant that the Council may by written notice require the owner to provide within 21 days a statement showing how the property is occupied.
 5. The conditions for assistance remain in force throughout the initial period and are binding not only on the person who provides the certificate but also on any subsequent owner of the dwelling (except for a housing authority or registered housing association).
 6. In the event of a breach of the conditions, the Council may demand the repayment of any assistance with interest, but they do have the discretion either not to demand repayment, or to require payment of less than the full amount.
 7. It is a further condition of the grant that if, within the initial period, an owner makes a relevant disposal (other than an exempt disposal) of the dwelling he is obliged to repay to the Council the entire amount of any assistance. An owner is required to notify the Council forthwith in writing of his intention to make a relevant disposal and to give the Council any information reasonably requested by them in that connection.

Notes:

- (i) *If neither 3 (a) nor 3(b) above applies during any part of the initial period, but the dwelling is occupied by a person who is a protected occupier under the Rent (Agriculture) Act 1976 or is occupied under an assured agricultural occupancy, within the meaning of Part 1 of the Housing Act 1988, the condition will not be breached.*
- (ii) *In a case where personal representatives or trustees are the owner, the letting must not be a person who has a beneficial interest under the will, intestacy or trust, in the property or the proceeds of its sale.*
- (iii) *“Relevant disposal” means the sale of the freehold or assignment of the lease, or the grant of a long lease (one of over 21 years, otherwise than at a rack rent).*
- (iv) *“Exempt disposal” means a disposal which is:*
 - (i) *of the whole of the dwelling to the owner or one of the joint owners of the dwelling or to a wife or husband or former wife or husband of one of the joint owners, or a member of that person’s family, or, in the case of a company, to an associated company;*
 - (ii) *of the whole of the dwelling by Court order in the course of a domestic breakdown;*
 - (iii) *compulsorily, or by agreement, to a public body with compulsory purchase powers;*
 - (iv) *of land which is “included land” under section 184 of the Housing Act 1985; or*

- (v) *of a defective house under part XVI of the Housing Act 1985 and the owner is exercising his entitlement to assistance by way of repurchase.*

Owner-occupation

In a case where a certificate of owner accompanies the application,

8. It is a condition of the grant that, where an owner makes a relevant disposal of the dwelling, other than an exempt disposal, within a period of ten years from the date on which the Council certify that the eligible works have been carried out to their satisfaction (“the certified date”), he will be required to repay the grant to the Council on demand. This condition remains in force for the whole of the relevant period and is binding not only on the person who gives the certificate, but also on any person who is for the time being an owner of the dwelling, except that where an exempt disposal is made, the conditions as to repayment cease to have effect. An owner is required to notify the Council forthwith in writing of his intention to make a relevant disposal and to give the Council any information reasonably requested by them in that connection.
9. The Council may decide not to make any demand for repayment in a case where they are satisfied that the owner is elderly or infirm and is disposing of the property with the intention of going to live in sheltered housing or a residential care home.

Note: The meanings of “relevant disposal” and “exempt disposal” are set out in notes (iii) and (iv) above.

Additional Grant Conditions Adopted By The Relevant Housing Authority

Insurance claims

10. The Council imposes a condition requiring the applicant to take reasonable steps to pursue any relevant claim and to repay the grant, so far as appropriate, out of the proceeds of such a claim. The claims apply to:-
- a) an insurance claim, or legal claim against another person, in respect of damage to the premises to which the grant relates, or
 - a) a legal claim for damages in which the cost of the works to premises to which the grant relates is part of the claim;
- and a claim is a relevant claim to the extent that works to make good the damage mentioned in paragraph (a), or the cost of which is claimed as mentioned in paragraph (b), are works to which the grant relates.

Notices of relevant disposal

11. The applicant shall forthwith notify the authority of his intention to make a relevant disposal of any dwelling, building or house in multiple occupation with

respect to which there is in force, as a grant condition, any condition under sections 45 to 52 of the Act and shall furnish to the authority any information reasonably requested by them in connection with such notification.

This condition shall have effect during the grant condition period.

Insurance for grant-aided property

12. Where the applicant has an insurable interest in the grant-aided property, he shall arrange and maintain in effect adequate insurance for the property, subject to and with the benefit of the completed works, throughout the grant condition period.

Repair of grant-aided property

13. Where the applicant has a duty or power to carry out works of repair to the grant-aided property, he shall ensure that, to the extent that his duty or power allows, the property remains fit for human habitation throughout the grant condition period.

Special Projects Grant

14. In Condition 8 above, within a period of 10 years will be substituted within a period of 20 years. The administration fee which is the cost to the Council for processing the grant application will be included as part of the landcharge. Any defects identified following completion of the work or after sign off must be reported immediately to the Council in accordance with any defects liability requirements. Not reporting defects may result in nullifying any certificates. Any defects liability requirements will be included as part of the Grant Conditions.

APPLICABLE TO MAJOR WORKS ASSISTANCE

Energy efficiency survey

15. Where an application for assistance under section 1(2), (3), or (5) of the Act has been approved the authority requires the applicant to have an energy efficiency survey on the grant-aided property, and to execute such works as the authority considers practical, cost effective and likely to result in significant improvement in the energy efficiency of the grant-aided property (any costs incurred for energy survey to be included in the grant calculation).

APPLICABLE TO LANDLORD GRANTS

Additional Grant Conditions Adopted by The Relevant Housing Authority

Nomination of tenants to the property

16. In the case of an application to which any of paragraph (a), (c) and (d) of section 31(1) of the Act (determination of amount of grant in case of landlord's application for Major Works Assistance, Disabled Facilities Grant or HMO grant) applies, the authority shall be entitled to nominate tenants to the property (or a relevant part of the property) throughout the grant condition period.
17. It is also a condition that the applicant agrees not to offer the property (or a relevant part of the property) for letting, and the authority agrees not to make nominations to it, in such manner (including as to timing and the terms of any offer or nomination) as would prevent this condition being, or continuing to be, operable fairly and reasonably.
18. Without prejudice to the generality of condition 16, the applicant agrees:
 - a) if the property (or part of it) is or becomes vacant on the date of approval of the application, or
 - a) if (and every time that) the property (or part of it) becomes vacant between that date and the end of the grant condition period, forthwith to hold the property (or the vacant part of it) available for letting by persons nominated by the authority and to notify the authority of its availability for that purpose and of the terms upon which it is so available.
19. Subject to the applicant's strict compliance with condition 17, this condition shall not have effect while the property (or each of its several parts) is occupied under a tenancy or tenancies satisfying the requirements of such certificate of intended letting, owner's certificate or certificate of future occupation as was submitted with the application (or, in a case where the requirement for such certificate was waived by the authority, would meet that certificate's requirements had one been so submitted)
20. Where the authority approve a conversion application for a Major Works Assistance, they may apply this condition to one or more only, or to a proportion, of the total number of dwellings to be provided by the conversion; provided that the dwellings, or the proportion of dwellings, in the house or other buildings and to which this condition is to apply shall be identified to the applicant in writing when the application is approved.
21. Where the authority approve landlord's application for a disabled facilities grant for adaptations to the common parts of a building containing one or more flats, and the application is for the benefit of more than one flat in the building, they may apply this condition to one or more only, or to a proportion, of the flats which the application is intended to benefit; provided that the flats, or the proportion of the flats, to which this condition is to apply shall be identified to the applicant in writing when the application is approved.

Note: *In this condition:-*

“a relevant part of the property” means a part of the property which is or becomes vacant as described in condition 17;

“tenancy” includes a licence arrangement satisfying the certificate of intended letting, owner’s certificate or certificate of future occupation in question, and related expressions shall be construed accordingly.

APPLICABLE TO COMMON PARTS GRANTS ONLY

In a case where a landlord’s Common Parts Grant has been approved by the Council,

22. It is a condition of the grant that if, within the initial period, (that is, a period of ten years) beginning with the date on which the Council certify that the eligible works have been carried out to their satisfaction) an owner makes a relevant disposal (other than an exempt disposal) of the building he is obliged to repay to the Council the entire amount of the grant. An owner is required to notify the Council forthwith in writing of his intention to make a relevant disposal and to give the Council any information reasonably requested by them in that connection.
23. The grant conditions remain in force throughout the initial period and are binding not only on the person who provides the certificate but also on any subsequent owner of the building (except for a housing authority or registered housing association). Any Common Parts grant condition shall cease to have effect once a demand for repayment in respect of the condition mentioned above has been satisfied.

Note: *The meaning of “relevant disposal” and “exempt disposal” are set out in notes (iii) and (iv) above.*

APPLICABLE TO DISABLED FACILITIES GRANTS ONLY

24. Disabled facilities grants are subject to the same general conditions regarding completion of works, insurance claims, payment and conditions of occupations as Major Works Assistance (conditions 1 to 13 above). The provisions regarding possible repayment of grant in the event of a disposal of the property do apply, however if you are a tenant of a Registered Provider (Housing) this condition does not apply. No conditions apply in respect of a disabled facilities grant for works to the common parts of a building.

Recovery of specialised equipment of the disabled

25. Where an application for disabled facilities grant has been approved under section 23(1) or (2) (disabled facilities grant: purposes for which grant must or may be given) and the eligible works consist of or include the installation in the property of specialised equipment for the disabled occupant(s), the applicant shall notify the authority if and as the equipment is no longer needed.
26. For the purposes of this condition Section 23,

- a) The authority shall, on approving the application, specify in writing the equipment to which this condition is to apply and the period (being a reasonable condition period for the equipment in question) during which it is to apply, and shall serve on the applicant a copy of such written specification; and
 - b) the authority, or the social services authority on their behalf, shall be entitled, upon reasonable prior written notice given to the applicant either following the giving of the notification under sub-paragraph (a), to inspect the equipment and, subject to complying with sub-paragraph (3), to remove it.
27. It is also a condition that the authority agrees, within a reasonable time following an inspection of the equipment,
- a) to notify the applicant in writing whether the equipment is to be removed; and
 - b) if the equipment is to be removed, to remove it or arrange for it to be removed and forthwith to make good any damage caused to the property (whether by the authority themselves or the social services authority) by its removal.
28. The authority further agrees, where the applicant has contributed to the cost of carrying out the eligible works, to pay to him within a reasonable time of the removal of the equipment, the reasonable current values of that proportion of its original costs which represents the proportion of his contribution to the cost of carrying out the eligible works.
29. For the purpose of condition 28, the reasonable current value of the equipment shall be its value at the time of removal from the property.
30. Subject to the authority giving prior written notice in accordance with condition 27(a) or, as the case may be condition 27(b), the applicant agrees to afford, or to use his best endeavours to arrange for the affording of, reasonable access to the property to the authority or the social services authority for the purposes of inspection and removal of the equipment.
31. It is a condition on the tenant that any specialised equipment so installed within the scope of the grant is maintained by the applicant, and kept in a safe working order. This includes any further warranty or insurance that the Applicant may be required to purchase. This does not prejudice any warranty so set up within the scope of the grant. The applicant will be responsible for ensuring that any contractor who is responsible for upholding the warranty on the equipment is allowed within reasonable hours to inspect and maintain the equipment within their duty under the warranty.

Land charge Condition for Disabled Adaptations

32. All grants and loans will be placed as a land charge on the property. This is to ensure that the Council can recover the funds and/or equipment in the event that the property is sold. The recovered funds can be recycled to assist other applicants over a longer period should the Better Care Fund end. The funds will be recovered in the following proportions;
- i) Major Disabled Adaptations which include the discretionary top up; The Council will register a local land charge on properties in relation to applications for a Disabled Facilities Grant.
 - a. The charge will only apply to any home owner receiving a Disabled Facilities Grant of more than £5,000.
 - b. The charge will be the amount of grant received over £5,000 up to a maximum charge of £10,000.
 - c. The charge will be registered for 10 years.
 - d. Subject to particular exceptions the charge would have to be repaid if the property is disposed of within the 10 year period.
 - e. If the grant is less than £5,000 then there is no charge.
 - f. The Council will recover 100% of any top up grant awarded.
 - ii) Equipment such as ramps, stairlifts and through floor lifts will be recovered by the Council
 - iii) For all repair grants; 100% of the funding will be recovered including any ancillary fees/charges. This will be a 20 year land charge.
 - iii) All loans through Wessex Resolutions are subject to a charge placed by them.

 - v) Land charges - exceptional circumstances for Disabled Facilities Grants
 - a. When a property is disposed of, repayment of the land charge may be exempt in the following circumstances:
 - b. If a client moves to another property within the ten year period that does not require adaptations to be carried out; the new property is more appropriate to their needs (as confirmed by an occupational therapist) repayment will be waived.
 - c. If the client is moving into an enhanced or extra care accommodation.
 - d. If the client's death results in a child inheriting the whole of the property whose financial position is such that they could not raise a mortgage or a loan to repay the charge. This is intended to be a safeguard for children who have a mental impairment or who have acted as a carer for their parent.

Report Number: SWT 155/20

Somerset West and Taunton Council

Special Full Council – 1 December 2020

Seaward Way, Minehead - New Build HRA Zero Carbon Homes

**This matter is the responsibility of Executive Councillor Member
Councillor Francesca Smith**

Report Author: Wendy Lewis, Housing Development Manager Specialist

1. Executive Summary / Purpose of the Report

- 1.1 The Site is owned by Somerset West and Taunton Council (SWT), and currently has a planning consent for residential development. It adjoins a SWT scheme under construction for light commercial development of two industrial units.
- 1.2 It is proposed to develop the site as an exemplar scheme of 54 new homes for the Council to showcase an innovative approach to house building and its commitment to affordable housing throughout the district and addressing climate change.
- 1.3 The scheme will re-purpose an existing Council asset into much needed housing stock for our residents in the former West Somerset area, together with community benefit from high performing houses that are cost efficient to maintain. It will also result in the improved general appearance of the area and the gateway to Minehead.

2. Recommendations

- 2.1 Full Council is recommended to:
 - (a) Approve the development of 54 Affordable Homes built to zero carbon standards, subject to planning approval.
 - (b) Approve the supplementary budget as stated in confidential appendix A.
 - (c) Approve the transfer of land from the general fund to the housing revenue account for the use of social housing development and to delegate authority to the Section 151 officer to approve the final land transfer amount.
 - (d) Delegate authority to the Section 151 Officer to determine the final funding profile for this scheme once the finalised design has received planning approval and tenders have been received.
 - (e) Note the use of affordable rents for these new build HRA homes in line with the 2020 Rent Setting Policy. The affordable rents will be set to ensure scheme viability at between 60% and 80% of market rates.

3. Risk Assessment

3.1 A risk assessment can be found at appendix B however the main schemes risks are:

Risk	Score out of 25 based on probability x impact	Mitigation
Tendered construction costs are significantly higher than anticipated	9 (probability 3 x impact 3)	Initial appraisals have been carried out based traditional vs zero carbon. Site constraints have been carefully examined. Full investigations will be carried out prior to commencing the procurement exercise.
Location of the scheme 23 miles from SWT HRA services, could make the scheme harder to manage and maintain.	4 (probability 2 x impact 2)	The Council has welfare facilities in Minehead and the housing and maintenance service would need to flex their delivery to accommodate the scheme which could include additional travel time and mileage.
Satisfactory planning permission is not obtained	8 (probability 2 x impact 4)	Planning consent exists for 40 units. Early advice has been sought from the planning team regarding the enlarged scheme. An experienced employers agent, energy consultant and architect are appointed
Unexpected site constraints are identified	6 (probability 3 x impact 2)	Our Engineer is advising on all site constraints. Many are also associated with the adjoining commercial site, where the Engineer is also instructed
Flood alleviation measures are insufficient on the site	5 (probability 1 x impact 5)	The scheme has been designed to recognise site constraints including seasonal water levels and changing climate weather patterns. The scheme includes maintaining the existing rhynes and attenuation pond and increasing the height of the land.
Highways adoption	12 (Probability 4 x impact 3)	The access road leading through the commercial site is in the process of adoption and this will need to be completed prior to adoption of the road for the residential development
Construction costs rise significantly at the procurement stage and during scheme delivery	6 (Probability 3 x impact 2)	Full site investigations will be carried out prior to entering into contract. All costs will be carefully assessed by our employer's agent.
Delay in project progress at any stage resulting from a further COVID-19 outbreak and subsequent lockdown, or similar occurrence	12 (probability 3 x impact 4)	There are a range of ways in which covid could affect the scheme from site lockdown to supply chain interruption to workforce and material inflation. The scheme will review Covid risks on a daily basis.

4. Background and Full details of the Report

- 4.1 The site is located to the east of Minehead town centre close to the A39 and Butlins holiday camp. The site adjoins Minehead Cricket Club and is accessed via a roundabout on to Luttrell Way from Seaward Way which also serves a new Premier Inn hotel, Brewers Fayre and the Minehead Community Hospital as well as adjoining the sports pitches for West Somerset College to the South West of the site. There is modern residential development to the East and open space to the North.
- 4.2 The site is rectangular in shape and slopes gently to the north. It is divided with approximately half being developed for commercial and the remaining land for residential development. The Residential site is a disused plot of open land. A footpath is located to the south of the site and a bus stop is available a short walk to the south with services into the town centre, Taunton, Porlock and Bridgwater.
- 4.3 The site is the first new Council led housing development in the former West Somerset area since stock transfer to Magna Housing Association took place, and as such is outside of SWT's current housing stock area, however the quantum of properties being proposed will enable cost effective services to be provided to tenants.
- 4.4 The site has been considered for development by West Somerset District Council since 2007. The site was marketed on two occasions but there was a lack of interest from house builders due to the high level of abnormal costs. Magna Housing Association did however show an interest and terms were agreed to transfer the land to Magna. Following a public consultation, Magna obtained planning consent using their own house types.
- 4.5 The residential part of the site has the benefit of a full planning consent for 40 dwellings (ref: 3/21/18/020) which was submitted by Magna Housing Association and granted in October 2019, and a S106 entered into to secure the Travel Plan arrangements.
- 4.6 The site was due to be sold to Magna Housing Association under a previous agreement with West Somerset District Council. Earlier this year Magna withdrew their interest in developing the site and it was then added to the HRA programme to appraise for a 100% affordable housing scheme with zero carbon criteria. Their original scheme did not meet their viability tests due to abnormal costs and their scheme being at lower density to our proposed scheme. The higher numbers spreads the abnormal costs over a greater number of homes, and notwithstanding additional costs due to the zero carbon specification our assumptions show that the scheme will perform better.
- 4.7 A new planning application will be submitted to increase the density of the scheme to 54 homes for affordable rent and to use the learning from the Zero Carbon Affordable Homes Pilot to deliver zero carbon homes in use on this site.
- 4.8 Local consultation will be carried out prior to submitting the new planning application.

- 4.9 In October 2019 consent was also granted for the commercial part of the site for development of two industrial units (ref. 3/21/18/021). SWT is currently developing the commercial site with works progressing well. The access road and services from this part of the site will connect into the residential land and capacity has been allowed for the 54 dwellings
- 4.10 As part of the Section 106 Agreement entered into by EDF for Hinkley Point C power station a fund to support housing delivery was set up. A bid was submitted to this fund and was approved in the sum of £470,000 by Full Council on 25th August 2020 (Appendix D Table 6 of the Hinkley Point C Housing Strategy Phase 3 - 2020- 2023).
- 4.11 A commuted sum of £58,204 was secured as a financial contribution in lieu of affordable housing at Ellicombe Meadow has been approved for use at Seaward Way and is included in the funding for this scheme.
- 4.12 The land is included in the SWT General Fund and will be transferred to the HRA for development, at an appropriate land value to be determined by a Valuer. SHAPE are advising on the legal provision to enable this.
- 4.13 The site size is 2.8 Acres (1.15 Ha) but only 2.1 Acres (0.85 Ha) can be developed due to rhynes (drainage ditches/canals) on two sides of the site. The site is in Flood Zone 3 and needs to be raised in height to avoid flooding. The soil to raise the land is being used from surplus on the commercial site. We are liaising with the Internal Drainage Board to ensure management of the rhynes is fully taken into account in the scheme proposals. A flood risk assessment has been carried out and the report can be seen at appendix F.
- 4.14 An attenuation “pond” is included to take any excessive flood waters from both the commercial and residential sites, this will generally contain an inch or two of water and only fill up when there is excessive rainfall, when full water is drained into the rhyne and then down to the sea. This pond is separated from the housing land by an acoustic fence, which is already constructed. The “pond” was constructed as part of the infrastructure for the commercial site. Our Engineers will be following advice from the Environment Agency during the technical design stage
- 4.14.1 Homes England are considering an application to fund the infrastructure for the commercial site and access into the residential land. This is awaiting approval of the residential development before they will confirm the grant. The additional funding would allow monies to be set aside for maintenance of the pond and drainage.
- 4.15 The scheme has been modelled for 100% affordable rented units. The affordable rents give flexibility between 60-80% of open market rents according to viability. The modelling has been carried out assuming 80%. The cost estimate for the works cost has been calculated as far as possible with the information we have to date, and the total scheme cost current estimate is set out in Confidential Appendix A. Our Energy Advisor is advising on the specification for zero carbon criteria, which will be reflected in the pre-tender estimate when issued.

- 4.16 The scheme mix is based on the housing need for Minehead, and will be built to SWT adopted space standards, which are between 5% & 14% larger than many developer house types. The mix is:

No.	Type	Beds	Pers	size m2	%age
17	Flat	1	2	50	31%
15	Flat	2	3	61	28%
1	Flat (wheelchair adapted)	2	4	70	2%
2	Chalet Bungalow (wheelchair adapted)	2	4	70	4%
10	House	2	4	79	19%
5	House	3	5	93	9%
2	House	3	5	99	4%
2	House	4	7	121	4%
54	TOTALS	102	180	3670	100%

- 4.17 The current housing need for Minehead on Homefinder Somerset requiring rented accommodation is a total of 429 households. Of these 62% is for 1 beds, with 25% for 2 beds, 8% for 3 beds and 5% for 4 beds. The proposed mix reflects not only the existing need in the town but allows for different sized households across the development to encourage a diverse and sustainable community and allow socially supportive networks to develop on the site. The 1 bedroom units are clearly needed and will significantly increase the provision in Minehead. However this size of property tends to be a short term solution for many people as either their household size grows or their circumstances change and the mix of 2, 3, and 4 bedroom homes will enhance the stability of the community. There is no specific policy in the former West Somerset area for wheelchair accessible homes, however we are providing three properties which is greater than the SWT requirement (2 units) for developers for this size of scheme.
- 4.18 The HRA does not currently manage stock in the former West Somerset area, therefore there is an extra housing management and maintenance commitment required by the HRA. The Council's offices are 23 miles distant, however there are welfare facilities in Minehead and the housing and maintenance service would need to flex their delivery to accommodate the scheme which could include additional travel time and mileage.
- 4.19 The scheme aims to deliver 54 zero carbon affordable homes in occupation and low embodied carbon in their construction and maintenance. The London Energy Transformation Initiative (LETI) standards are being applied to achieve this. (See Appendix C).
- 4.20 Space for a play area is included in the scheme in a central location.
- 4.21 Once the scheme design and budget are finalised a planning application will be submitted, and competitive tenders for contractors invited.
- 4.22 A Travel Plan will be included in the planning submission.

- 4.23 Indicative timescales are set out below. Key consultants have been appointed to support the viability work including Architect, Principal Designer, Employers Agent, Engineer and Energy/Carbon Consultant.

Planning Application	Winter 2020
Start on Site	Spring / Summer 2021
Build Completion	Spring / Summer 2023

5. Links to Corporate Strategy

- 5.1 In 2019, the council declared a climate emergency and committed to working towards achieving carbon neutrality and climate resilience by 2030. In relation to the councils development sites the councils Carbon Neutrality and Climate Resilience Plan Framework Document states “The Council commits to ensuring that these sites are all low carbon and energy efficient, but also exploring where we can make the most of technological and design innovations to develop specific exemplar schemes to showcase the art of the possible. These requirements will need to be carefully balanced against other demands and requirements placed on these sites to ensure they remain viable.
- 5.2 The Council’s HRA Business Plan includes the development of 1000 new homes over 30 years, which is approx. 30 new homes per year over the period
- 5.3 The District has significant demand for affordable homes with a current target of 264 units per year. SWT new build through the HRA complements the affordable homes delivered through housing association partners and planning gain.

Unitary Authority Considerations

- 5.4 The report has reflected on the potential consequences of the impact of unitary authority status when considering its recommendations
- 5.5 The increased supply of affordable housing is a district priority and a Somerset wide priority. This is evidenced in the Somerset wide housing strategy and through the Somerset wide Homefinder Somerset Lettings system
- 5.6 The HRA business plan is a thirty year business plan approved in February and set out an ambition to build homes to increase the supply of affordable homes in the district and in the county. The HRA business plan is ring fenced and therefore applies HRA rules and the councils HRA business plan discipline.
- 5.7 The four District authorities have different structures to manage their housing responsibilities including stock transfer organisations, ALMO and SWT has retained its stock. It is difficult and not possible at this moment to make assumptions of how a unitary authority(s) would manage its housing duties or the emphasis it would place on new development. We therefore consider the business plan is a relevant guide to support the council’s decision making

- 5.8 All authorities within the unitary proposal are subject to the government climate change policies and targets including net carbon zero by 2050.
- 5.9 Seaward Way has had an existing planning approved development scheme in excess of 12 months.

6 Finance / Resource Implications

- 6.1 Members are being asked to approve a capital budget to fund the delivery 54 new zero carbon homes to be let at an affordable rent on the Seaward Way Site, Minehead. This scheme will support the aspiration to deliver new homes into the community over the next 30 years as per the approved HRA 2020 Business Plan.
- 6.2 A thorough investment appraisal of this individual scheme has been undertaken using a viability appraisal tool as well as an internal budget impact assessment. A comparison to the original business plan assumptions has also been undertaken to assess the affordability and viability of this scheme overall and also in conjunction with the other schemes that are also being put forward for consideration. Appendix A provides a detailed narrative and outcome of this review.
- 6.3 The business plan is also being review on a continuing basis as new information comes to light (e.g. new inflation and borrowing rates) and further independent professional advice has been received to provide further assurance that these schemes collectively are deliverable and contribute positively to the overall 30 year business plan.

7 Legal Implications

- 7.1 The land is currently vested in the General Fund and will be transferred to the HRA at the valuation figures. SHAPE are advising on the legal provision to enable this. (Ref: SW2020/0598)
- 7.2 Title searches have been carried out for the whole site area.

8 Climate and Sustainability Implications

- 8.1 The scheme will be constructed using the London Energy Transformation Initiative (LETI) standard, with four key criteria:
- Carbon capture and energy use in the manufacture/construction of homes
 - Fabric first / well insulated and air tight buildings with insulation nearly twice the thickness of the current standard.
 - Renewable heat and energy
 - Data collection and analysis
 - Details of the LETI standard are illustrated in Appendix C.
- 8.2 There will be no gas on site, and air source heat pumps will be installed for heating and hot water.
- 8.3 There will be electric car charging points, one per property and shared points for the flats.

- 8.4 The location is served with public transport nearby.
- 8.5 A Travel Plan will be agreed and ample cycle storage provided.
- 8.6 Photovoltaic panels with battery storage are proposed for the roof of the flats and houses.
- 8.7 We have employed an Energy/Carbon consultant to advise on how best to achieve zero carbon objectives, and the specification worked up for the Zero Carbon Affordable Homes Pilot will be used for this scheme.
- 8.8 The council has been exploring off-site manufacturing which meet the council's carbon neutral ambition. Of-site manufactured homes can be delivered quicker than traditional housing as the site preparation and build process can take place simultaneously. Officers believe that panelised construction methods are the most appropriate form of off-site manufacture for this scheme.
- 8.9 Minehead is outside the hydrological catchment of the Somerset Levels and Moors Ramsar Site, and therefore there is no risk associated with phosphates and housing development in this area.

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

- 9.1 There are no safeguarding or community implications.

10.0 Equality and Diversity Implications

- 10.1 The scheme has considered the districts housing needs. The homes will all be rented at affordable rent levels.
- 10.2 The blend of homes includes 1, 2, 3 and 4 bedroom family houses. There are also two 2 bedroom chalet style homes and a 2 bedroom ground flat that are wheelchair accessible.
- 10.3 An Equality Impact Assessment is being prepared to reflect the benefits of the HRA development programme.

11.0 Social Value Implications

- 11.1 The procurement process will consider the benefit contractors can contribute in terms of social value in particular local labour, use of local contractors and supply chain.
- 11.2 The LETI approach encourages the use of local material and labour to minimise carbon and energy used in the construction of homes.

12.0 Partnership Implications

- 12.1 Establishing zero carbon in use exemplar housing in the Minehead area will show commitment and leadership within SWTs affordable housing partnership.

13.0 Health and Wellbeing Implications

- 13.1 Zero carbon homes in use which are well insulated, have good levels of airtightness and use ventilation systems are considered healthy homes. The construction methods remove the opportunity for condensation and damp. Fuel poverty is reduced where onsite renewable energy is incorporated and a fabric first approach is adopted.
- 13.2 Three of the homes will be wheelchair accessible on the ground floor to allow greater independent living.

14.0 Asset Management Implications

- 14.1 The scheme proposed to make use of vacant building land currently held by the Council.
- 14.2 The scheme will utilise Modern Methods of construction and zero carbon technologies which will introduce some new components and materials to the council which will need maintaining.

15.0 Data Protection Implications (if any)

- 15.1 No data protection considerations.

16.0 Consultation Implications (if any)

- 16.1 Not applicable

17.1 Scrutiny/Executive Comments / Recommendation(s) (if any)

Scrutiny questions:

- What type of Modern Method of Construction (MCC) is being considered for the homes
- Require consistency of language around zero carbon
- Heating type not referred to in report
- Equality impact assessment needed across development programme
- Proximity to SWT office to the scheme
- Location of the bus stop
- Will the homes be insurable?
- Beach management plan to alleviate flood risk for Minehead is proposed but not funded or bund built
- What is the resilience of buildings to flooding - solid walls and floors?
- Has the council considered the alternative Minehead site for development
- Has the Council carried out infiltration tests?
- Why triple glazing compared to high quality double glazing?
- How will the council ensure properties using MMC have sufficient fire bridging around windows?
- would like to see property size comparison in m2

Democratic Path:

- Tenants Strategic Group – Yes
- Scrutiny / Corporate Governance or Audit Committees – Yes
- Cabinet/Executive – Yes
- Full Council – Yes

List of Appendices

Appendix A	CONFIDENTIAL Finance/Resource Implications
Appendix B	Risk Register
Appendix C	LETI Analysis of Carbon reduction
Appendix D	Plans & Elevations of the proposed scheme and location plan
Appendix E	Current photos of the site and attenuation pond
Appendix F	Flood Risk Assessment Summary Report

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

Document is Restricted

Seaward Way Risk Register

RISK OR ISSUE DESCRIPTION	EXISTING CONTROL MEASURE	PROBILITY (1-5)	IMPACT (1-5)	RAG (Red 15-25, Amber 8-12, Green 1-6)	RESPONSE OR ACTION
Satisfactory planning permission is not obtained	Planning consent exists for 40 units. Early advice has been sought from the planning team regarding the enlarged scheme. An experience employers agent, energy consultant and architect are appointed	2	4	8	Consultation with Planners has been very positive. They are recommending a reduction to parking standards due to the sustainable location of the site.
Unexpected site constraints are identified	Our Engineer is advising on all site constraints. Many are also associated with the adjoining commercial site, where the Engineer is also instructed	3	2	6	If found a viability review would take place considering any additional cost constraints.
Flood allevation measures are insufficient on the site	The schemes has been designed to recognise site constraints including seasonal water levels and changing climate weather patterns.	1	5	5	The scheme includes maintaining the existing rhynes and attenuation pond and increasing the height of the land.
Tendered construction costs are significantly higher than anticipated	Initial appraisals have been carried out based traditional vs low carbon. Site constraints have been carefully examined . Full investigations will be carried out prior to commencing the procurement exercise.	3	3	9	Close monitoring of the costs is being undertaken by our Employers Agent and Energy Advisors. The current projected figures are considered to be 'worst case' and include piled foundations and raising the ground levels for flood prevention (Flood Zone 3)

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Construction costs rise significantly during the build period due to unforeseen site issues.	Full site investigations will be carried out prior to entering into contract. All costs will be carefully assessed by our employers agent.	3	2	6	The contract will be a JCT D&B contract, which will be reviewed by legal prior to signing to ensure a balanced allocation of risks.
The main contractor is unable to complete the works due to insolvency or other	Thorough examination of the contractor's financial position and capacity to undertake the work is examined as part of the procurement	2	3	6	Appropriate bonds and guarantees are requested
Location of the scheme 23 miles from SWT HRA services, could make the scheme harder to manage and maintain.	The Council has welfare facilities in Minehead and the housing and maintenance service would need to flex their delivery to accommodate the scheme which could include additional travel time and mileage.	2	2	4	The size of the scheme service allows multiple visits to be completed on one visit. Proactive management would reduce reactive service costs.
Site costs	A play area is proposed to be included in the site design. Travel plan costs are included in the budget.	2	2	4	Consultation with the Officers concerned to ensure that the play equipment meets the latest policy requirements
Highways adoption	The access road leading to the site will need to be adopted in advance of adoption proceeding for the residential development	4	3	12	Discussion with SCC Highways is ongoing to avoid delays. The contractors for the commercial scheme are progressing with the first part of the access road.
Delay in project progress at any stage resulting from a further COVID-19 outbreak and subsequent lockdown, or similar occurrence	No current mitigation	3	4	12	Should this happen we will need to reassess at that point in time. However experience is that it could delay completion
Specification for low carbon criteria could increase costs.	The aim is to learn from the Zero Carbon pilot, delivering zero carbon in occupation and low carbon in construction. The scheme will have no gas. Electric car points will be provided. The scheme is being designed using the LETI principles. Assumptions on the specification are to achieve this and the costs are	3	2	6	An Energy/Carbon Consultant is appointed to advise on the best solutions to achieve the criteria. Competitive procurement will be used to achieve best value.

	included in the budget				
Valuation for rents and land value	A formal valuation is to be carried out by a RICS valuer. The land value is currently based on the sum Magna would have paid if they had gone ahead.	3	2	6	A valuer is instructed and once the report is received these figures can be firmed up.

RISK ASSESSMENT		
Probability	Impact	RAG
1. Insignificant	1. Insignificant	HIGH 15-25
2. Slight	2. Minor	MEDIUM 8-12
3. Feasible	3. Significant	LOW 1-6
4. Likely	4. Major	
5. Very Likely	5. Critical	

Seaward Way

Affordable housing : 50+ unit

Operational energy

Implement the following indicative design measures:

Fabric U-values (W/m².K)

	Seaward Way	Design Target
Walls	0.13 - 0.15	0.15
Floor	0.08 - 0.10	0.09
Roof	0.10 - 0.12	0.09
Exposed ceilings/floors	0.13 - 0.18	0.11
Windows	0.08	0.052 - 0.085
Doors	1.00	0.52 - 1.22

Efficiency measures

Air tightness
Thermal bridging
G-value of glass
MVHR

Window areas guide (% of wall area)

North	10-15%
East	10-15%
South	20-25%
West	10-15%

- Balance daylight and overheating
- Include external shading
- Include openable windows and cross ventilation

Reduce energy consumption to:



Reduce space heating demand to:



Heating and hot water

Implement the following measures:

- Fuel**
Ensure heating and hot water generation is fossil fuel free
- Heating**
Maximum. 10w/m² peak heat loss (including ventilation)
- Hot water**
Maximum dead leg of 1 litre for hot water pipework.
Green' Euro Water Label should be used for hot water outlets (e.g.: certified 6 L/min shower head - not using flow restrictions).

Demand response

Implement the following measure to smooth energy demand and consumption

- Peak reduction**
Reduce heating and hot water peak energy demand
- Active demand response measures**
Install heating set point control and thermal storage
- Electricity generation and storage**
Consider battery storage
- Electric vehicle (EV) charging**
Electric vehicle turn down
- Behaviour change**
Incentives to reduce power consumption and peak grid constraints

Maximise renewables so that 100% of annual energy requirement is generated on-site
Form factor of 1.7 - 2.5

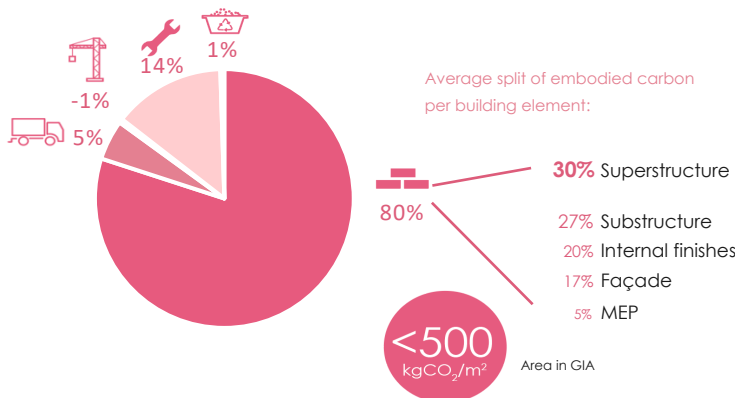
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Embodied carbon

Focus on reducing embodied carbon for the largest uses:

- Products/materials (A1-A3)
- Transport (A4)
- Construction (A5)
- Maintenance and replacements (B1-B5)
- End of life disposal (C1-C4)



Data disclosure

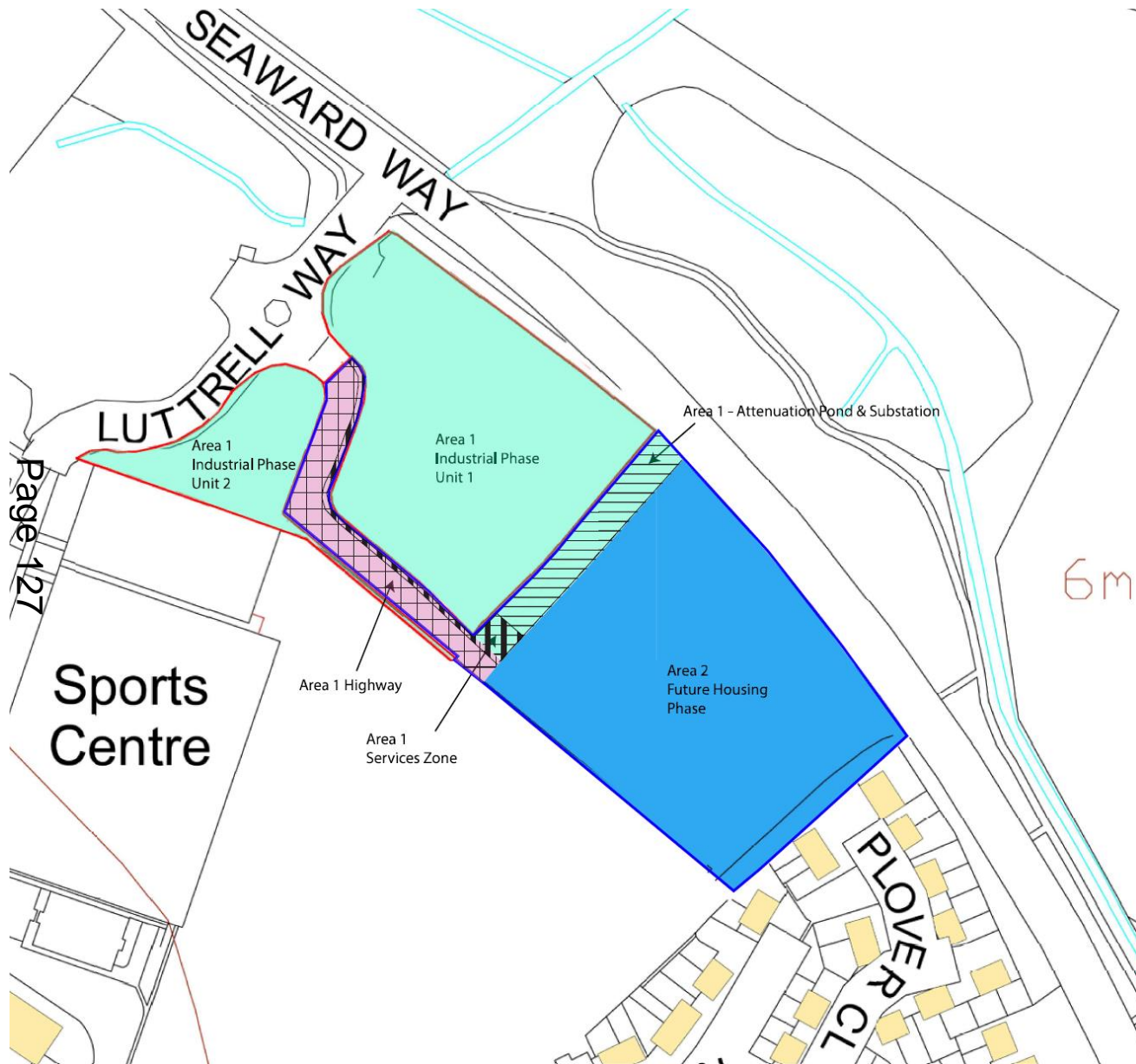
Meter and disclosure energy consumption as follows:

- Metering**
- Submeter renewables for energy generation
 - Submeter electric vehicle charging
 - Submeter heating fuel (e.g. heat pump consumption)
 - Continuously monitor with a smart meter
 - Consider monitoring internal temperatures
 - For multiple properties include a data logger alongside the smart meter to make data sharing possible

- 123 Disclosure**
- Collect annual building energy consumption and generation
 - Aggregate average operational reporting e.g. by post code for anonymity or upstream meters
 - Collect water consumption meter readings
 - Upload five years of data to GIA and/or CaronBuzz online platform
 - Consider uploading to Low Energy Building Database

Appendix D – Site Location and Plans of the proposal

Location Plan





Seaward Way Net-Zero Carbon Site Context-2

1. Pub / Restaurant
2. Minehead Community Hospital
3. West Somerset College
4. Tesco supermarket (petrol)
5. Lidl supermarket
6. Morrisons supermarket
7. McDonalds Takeaway
8. Minehead train station (West Somerset Railway not mainline service)
9. The Avenue shopping high-street
10. Enterprise park (employment)
11. Minehead Football Club
12. Veterinary Surgery
13. Fire & Rescue
14. Ambulance
15. West Somerset College Community Sports centre
16. Butlins Holiday camp
17. Minehead First School
18. Minehead Middle School
19. Pre-school & Nursery
20. Minehead Sewage treatment works
21. Dental Practice
22. Mallard Road bus stop (Services 1)
23. Hospital bus stop (Services 198, 10, 1)





Rev	Date	Initials
01	05.15.2020	

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APPENDIX E – Current site photos

Attenuation Pond (Swale) under construction



Raising the level of the site with spoil from the industrial land.



Looking East towards Plover Close



Looking North towards Seaward Way with Plover close on the right



Looking West towards industrial units



Site Entrance



APPENDIX F
FLOOD RISK SUMMARY NOTE
SEAWARD WAY RESIDENTIAL
SEAWARD WAY, MINEHEAD

Seaward Way Residential

Flood Risk Summary Note

Issued by: Expedite
35 Southernhay East
Exeter
EX1 1NX

Client: SW&T

Project Reference: ES17.71

Project Title: Seaward Way, Residential

Revision: 01

Date: November 2020

Prepared by: Ben Fleming

Checked by: Kris Tovey

Approved by: Simon Lancaster

1.0 Introduction

- 1.1 A site specific Flood Risk Assessment (FRA) is being prepared on behalf of SW&T by Expedite Engineering Services Ltd to support a future outline planning application. The report seeks to assess the potential flood risks that may affect the proposed development of greenfield land off Seaward Way, Minehead.
- 1.2 The development proposed is for the erection of 54 no. residential detached and semi-detached dwellings with associated infrastructure, access, highways and soft landscaping.
- 1.3 This FRA will identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed so that the development remains safe throughout its lifetime, taking climate change into account, as required by the National Planning Policy Framework (NPPF).

Consultation

- 1.4 To scope out any site specific or catchment specific flood risk or drainage requirements we have engaged with various parties.
- 1.5 We have contacted the Environment Agency in the production of the FRA to obtain applicable flood data. We have also contacted Wessex Water, regarding sewer plans and the discharge of foul flows from the new development.

References

- 1.6 The FRA is being prepared with reference to the following documents:
- National Planning Policy Framework (February 2019)
 - National Planning Practice Guidance (March 2014)
 - Environment Agency Mapping & Flood Model Data
 - CIRIA Guide 753: “*The SuDS Manual*” (2015)
 - Wessex Water’s Asset Record Maps
 - Somerset West & Taunton Strategic Flood Risk Assessment Level 1 (2019)
 - West Somerset Council Strategic Flood Risk Assessment Level 2 (2010)
 - Seaward Way, Minehead Flood Risk Assessment, Hydrock, (February 2019)

2.0 Existing Site

Site Location

- 2.1 The approximate 1.2ha in area site is located off Seaward Way, within the east of the Alcombe area of Minehead, Somerset, with the nearest post code of TA24 6US. The approximate site co-ordinates for the centre of the site are E: 298184; N: 145398.

Existing and Surrounding Land Use

- 2.2 The site comprises undeveloped scrubland. Adjacent to the site is the carriageway of Seaward Road to the north and north east. Playing fields forming part of West Somerset College Community Sports Centre are located to the west. To the south and south east are residential properties on Sandpiper Close and Little Plover Close. To the north west is a further parcel of undeveloped land with the carriageway of Luttrell Way and a hotel and public house beyond. The proposed access is linked to the existing roundabout spur on Luttrell Way.
- 2.3 Both the application site and the land to the north west have been subject to previous planning applications. The application site has permission for a residential development granted in 2019 (reference: 3/21/18/020) for 40no. residential dwellings.

Topographic Survey

- 2.4 It is understood that ground level raising has been historically undertaken in order to create a development plateau on the site. Ground levels on the site generally fall in a south eastern direction from circa 6.8 metres Above Ordnance Datum (mAOD) to 5.53mAOD located near the ditch along the south eastern boundary of the site.

Existing Site Drainage & Watercourses

- 2.5 The existing drainage regime for the site represents a typical greenfield site, with some surface water runoff soaking into the underlying ground and some following the natural topography of the land and flowing to the drainage ditches present.
- 2.6 A culverted watercourse (900mm diameter) is shown to be present along the site southern boundary directing flows in a north western direction to a manhole chamber on Luttrell Way. The chamber directs flows into a culvert with flows sent north east beneath Seaward Way and outfalling into the open channel watercourse within Marsh Common.
- 2.7 This watercourse directs flows into the system of drains that ultimately directs flows beneath the railway line linking Dunster to Minehead and into the Bristol Channel at Madbrain Sands via a sluice gate present at Warren Road.
- 2.8 On the site there is drainage ditch located along the northern and eastern site boundaries, which receives highway runoff from Seaward Way. This ditch system directs flows into the culverted watercourse as described above in the northern and southern ends of the

site via two inlet points. The northern one of which enters into a culvert connected to a manhole chamber on the road junction of Luttrell Way and Seaward Way.

- 2.9 On the opposite side of Seaward Way to the site is Marsh Common. Within this area are a number of drainage channels forming part of the Somerset Drainage Board's Consortium (SDBC) land drainage system. The closest of which being circa 36m to the north east.
- 2.10 To the west of the site is an ordinary watercourse, (188m west approx.) flowing north alongside the rear garden boundaries of properties on Spring Gardens and Brackensfield and the western boundary of Minehead Community Hospital prior to entering a culvert connected to a short open section of drainage channel to the north of the Public House on Luttrell Way, north west of the site.
- 2.11 This drainage channel is also connected to the culverted watercourse which directs flows into the drainage channel system in Marsh Common.
- 2.12 To the north west of the site, 214m away, is a further drain that directs flows in a north eastern direction and a further culvert under Seaward Way directing flows into Marsh Common.
- 2.13 The nearest designated main river watercourse is circa 0.6 miles east of the site. This is the River Avill, which flows north past the site to its sluice gate confluence with the Bristol Channel at Dunster Beach (E: 299756, N: 145446).

Ground Conditions

- 2.14 Geological data held by the British Geological Survey (BGS) shows that the bedrock geology underlying the site and surrounding area is Mercia Mudstone. Superficial deposits are recorded as clay, silt and sand tidal deposits.
- 2.15 Soils mapping indicates the underlying soil as loamy and clayey soils with naturally high groundwater.
- 2.16 Taking this evidence together, it is considered that the ground conditions are likely to have low potential for infiltration and therefore infiltration is likely to be unviable for this site.

3.0 Sources of Flood Risk

Tidal Flooding

- 3.1 An extract of the Environment Agency's (EA) 'Flood Map for Planning' covering the site and the surrounding area has been reproduced below as Figure 1. This mapping shows the site, highlighted in red, is entirely within Flood Zone 3, the 'High Risk' flood zone. This means that the site has greater than a 1 in 100 annual chance of river flooding and 1 in 200 year chance of tidal flooding.

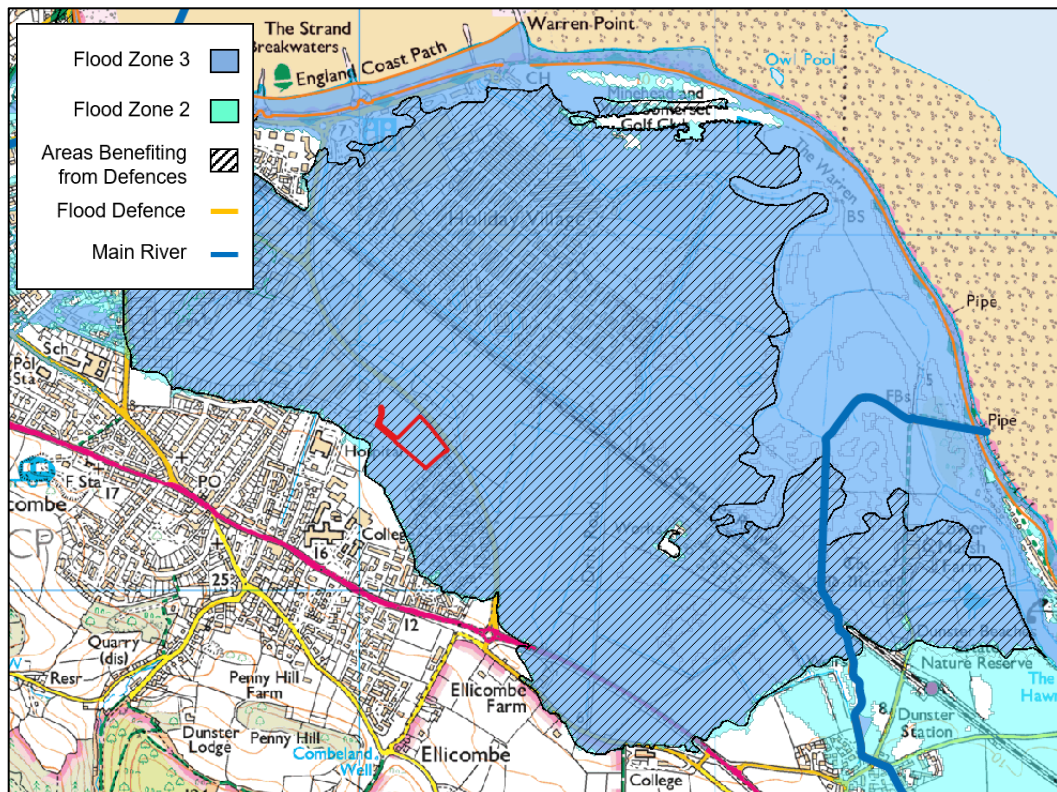


Figure 1 – Flood Map for Planning

- 3.2 Mapping produced as part of the Somerset West and Taunton Strategic Flood Risk Assessment (SFRA) (Level 1) 2019 identifies the site to be located within tidal Flood Zone 3a.
- 3.3 The principle of a residential development in Flood Zone 3a is acceptable according to Table 3 within flood risk Planning Practice Guidance subject to demonstrating the proposal will not increase flood risk elsewhere and be designed to be safe from flooding.
- 3.4 Mapping included as part of the 2019 produced Council Strategic Flood Risk Assessment (SFRA) displays that the site is not located within an area that has experienced flooding historically. Environment Agency recorded flood outline mapping supports the SFRA information, which shows that tidal flooding has predominantly affected land to the north of the railway line following flooding in October 1996.

- 3.5 Tidal flood risk is considered to pose the overriding form of flood risk in the Minehead area and that which would affect the proposed development site as advised in the SFRA.
- 3.6 The site is shown to lie within an area that benefits from tidal flood defences. These defences provide protection against tidal flooding, which consist of man-made and natural sand dune and earth embankment defences along the coastline.
- 3.7 The man made defences, (Minehead Seawall) which are present along Warren Road provide protection from tidal flooding to the site from high risk and extreme tidal flooding events up to a 1 in 1000 year return period event.
- 3.8 The sand dune natural defences to the east of the sea wall (Warren Pebble Ridge) provide less protection. However, with both sets of defences in place, the site is considered to be protected from flooding from high risk tidal flood events, the 1 in 200 year return period event.
- 3.9 Information available from the SFRA identifies that the site would not be affected in the 'present day' situation from a high or extreme risk tidal flood event if the defences were overtopped.
- 3.10 When accounting for the effect of climate change up to the year 2118 and predicted sea level rise, the site could theoretically be flooded to a reported level of 6.47mAOD. However, due to the height of the ground levels and the development plateau created on the site (ground levels circa 6.8mAOD) the majority of the area of the proposed housing will be on ground higher than that, which could be affected by such a flooding scenario.
- 3.11 As part of the previous application concerning the site (ref: 3/21/18/020) the EA requested that a bespoke breach assessment of the natural defences present be considered due to concern related to the condition of the defences following storm damage and uncertainty over their continued maintenance.
- 3.12 A breach assessment modelling study undertaken identifies the site would not be flooded from a 1 in 200 year event including an allowance for climate change. Flood extents would reach as far as the carriageway of Seaward Way but not extend onto the carriageway and beyond.
- 3.13 On the above basis the development proposed would not increase tidal flood risk elsewhere and is an appropriate site to consider for residential development subject to the measures detailed in Section 4.

Groundwater Flooding

- 3.14 Areas susceptible to groundwater flooding mapping available within the 2019 produced SFRA shows the area the site is located within to be in a low risk area with between a 25-50% susceptibility of ground water flooding.

Reservoir Flooding

- 3.15 Mapping data from the Environment Agency show that the site is located outside the area that could flood from a reservoir breach or failure.

Sewer Flooding

- 3.16 No sewers are located on-site. The public sewers located to the south of the site are owned, monitored and maintained by Wessex Water to ensure that they do not pose a risk of flooding. Any flooding would be localised and would not present a risk to the development.

Surface Water Flooding

- 3.17 An extract of the EA's 'Flood Risk from Surface Water' map covering the site and the surrounding area has been reproduced below as Figure 2.
- 3.18 A review of the surface water flood map indicates that there are low to high risk areas in the south east of the site caused by surface water runoff from the site and an overland flow path from the north west, which only occurs in medium to low risk and extreme storm events. Flood depths that could occur are circa 150-300mm and shallow. The rest of the site is at a very low risk of surface water flooding.

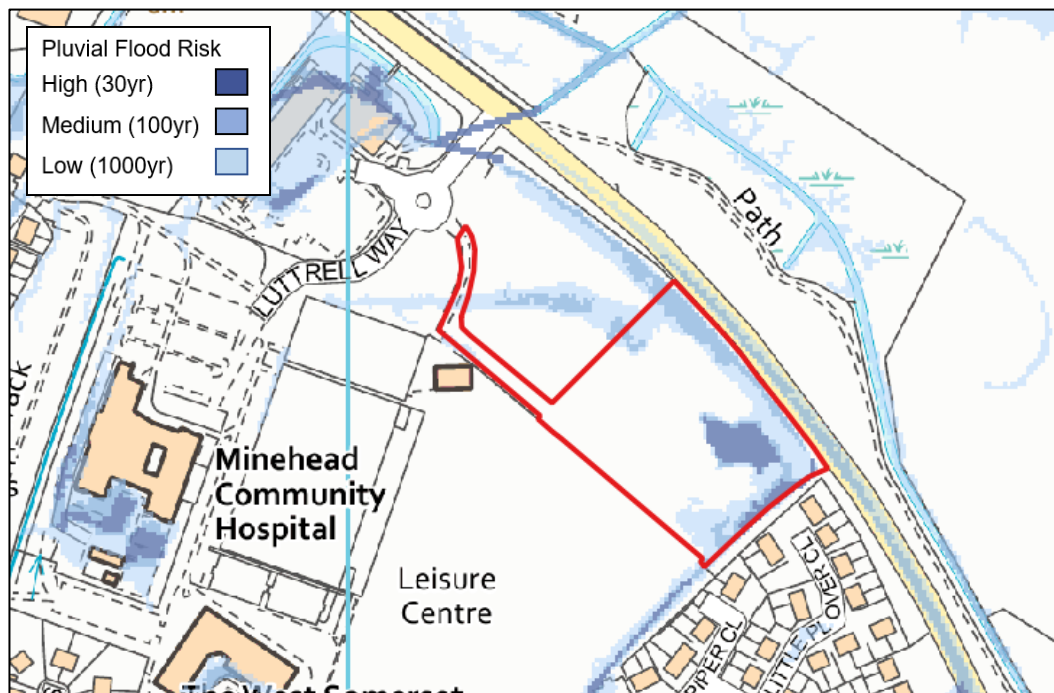


Figure 2 – Flood Risk from Surface Water Map

- 3.19 It should be noted that such mapping does not take account of existing drainage infrastructure, i.e. the existing pipe connection from the ditch beneath Seaward Way which allows the ditch to drain to the Internal Drainage Board ditch and network to the north, which therefore significantly mitigates the potential surface water flood risk poses

to the site. Surface water from the site will be also managed by a suitable drainage system.

Surface Water Runoff

- 3.20 The site currently drains surface water runoff by it naturally soaking into the ground and following the natural topography of the land and flowing to the drainage ditches present.
- 3.21 The proposed development would increase the runoff generated because of introducing hard paved surfaces.
- 3.22 Roof water from houses and runoff from areas of hardstanding will be collected from downpipes, gutters and gullies and transferred via private surface water sewers to an adoptable surface water network.
- 3.23 To comply with national and local planning policy and Internal Drainage Board requirements; runoff released from the site must not exceed the existing rate of runoff and will need to be restricted to the annual average to prevent an increase in flood risk elsewhere.
- 3.24 To achieve the required restriction to drainage leaving the site, on site storage is required. This is to be provided in the form of above ground storage (basin) and below ground tank and drainage pipe storage prior to being ultimately directed into the existing drainage ditch along the north eastern boundary of the site, subject to agreement with the Internal Drainage Board.

4.0 Flood Mitigation

Flood Mitigation

- 4.1 In accordance with Environment Agency guidance finished floor levels (FFLs) should be set 600mm above the 1 in 200 year return period flood level that accounts for climate change and a possible flood defence breach scenario. It is worth noting as part of the previous application a minimum FFL of 6.84mAOD condition was attached to the permission granted on this basis.
- 4.2 It is proposed to set FFLs at a minimum height of 7mAOD in view of the previous application requirements and in order to provide additional protection against flows of overland runoff and defence overtopping when accounting for the effects of climate change.
- 4.3 On the above basis the FFL mitigation is considered to provide the required protection against flood events. However, a further condition of the previous planning application required the provision of measures that could be included to add further flood resilience to the proposal.
- 4.4 Resilience measures are either an integral part of the building or features inside the building. Flood resilient buildings are designed to reduce the impact of flood water entering the building to restrict permanent damage, ensure structural integrity is maintained and to assist with drying and cleaning following flooding.
- 4.5 The following recommendations are in accordance with Environment Agency standing advice and the Ministry for Communities and Local Government document Improving the Flood Performance of New Buildings.
- 4.6 The following recommendations could be considered:
- Low permeability construction (walls, plaster, insulation, flooring materials)
 - Raised electrical sockets, fixtures and fittings

Safe Access and Egress

- 4.7 The Environment Agency require new residential development proposals to be accessed by pedestrians on dry land outside the high risk floodplain.
- 4.8 As the site as well as Luttrell Way and Seaward Way are protected from high risk tidal flood events, access and egress for pedestrians and vehicles will not be affected during such high risk flood events.
- 4.8 The outputs of the previous application demonstrate that safe access could also be achieved along Seaward Way in view of a flood defence breach situation to reach land outside the floodplain to the south east of the site (Bircham Road, A59).

Report Number: SWT 156/20

Somerset West and Taunton Council

Special Full Council – 1 December 2020

Oxford Inn New Build HRA Zero Carbon Homes, Taunton

**This matter is the responsibility of Executive Councillor Member
Councillor Francesca Smith**

Report Author: Shane Smith, Housing Development Manager Specialist

1. Executive Summary / Purpose of the Report

- 1.1 The report recommends the development of 11 new council HRA homes on the Oxford Inn site, Taunton.
- 1.2 The scheme will be built to the specifications being developed as part of the Zero Carbon Affordable Homes Pilot approved by members in July 2020 which is now at procurement and planning pre application stage
- 1.3 This site in the Halcon and Lane area of Taunton is owned by Somerset West and Taunton Council (SWT) and falls under the HRA and was formerly operated as a public house,
- 1.4 The scheme will demolish the existing buildings and new homes will be built broadly on the existing footprint. The development will result in the improvement of the appearance of this prominent corner site and deliver very energy efficient housing with low energy bills for the residents in line with the benefits envisage of the Council's Zero Carbon Affordable Homes Pilot.

2. Recommendations

- 2.1 Full Council are recommended to:
 - (a) Approve the use of the vacant SWT public house for new zero carbon affordable homes.
 - (b) Approve the demolition of the Oxford Inn
 - (c) Approve the development of 11 affordable homes built to standards emerging from the Zero Carbon Affordable Homes Pilot, subject to planning approval.
 - (d) Allocate a total budget and borrowing requirement in line with confidential Appendix A.

- (e) Delegate authority to the Section 151 officer to determine the final funding profile for this scheme once the finalised design has received planning approval and tenders have been received.
- (f) Note the use of affordable rents for these new build HRA homes in line with the 2020 Rent Setting Policy. The affordable rents will be set to ensure scheme viability at between 60% and 80% of market rates.

3. Risk Assessment

3.1 A risk assessment can be found at appendix B however the main schemes risks are:

Risk	Score out of 25 based on probability x impact	Mitigation
Insufficient market interest to engage in the tender process.	8 (probability 2 x impact 4)	To mitigate this scheme is being included within larger procurement opportunities being carried out by the HRA.
Satisfactory planning permission is not obtained	10 (probability 2 x impact 5)	Early advice has been sought from the planning team regarding proposals and designs have been altered to incorporate this advice. Planning permission will need to consider the change of use (from A4 to C3). The dwelling has been vacant for some time and the current covid situation is likely to have reduced the viability of the current vacant public house. An assessment of the developments phosphates impact is being commissioned to support the planning application.
Unexpected site constraints are identified	8 (probability 2 x impact 4)	Engineers and geotechnical consultants are being appointed to undertake the relevant surveys and investigations prior to entering into a build contract. The scheme will broadly use the same footprint of the exiting public house and therefore services are likely to be present and in suitable locations.
The blend of house types and sizes may change	2 (probability 2 x impact 1)	The final blend will be agreed through the planning process. The current blend is 9 x 1b flats and 2 x 2b houses. The final blend will be agreed through the planning process but the current mix has been included in the costs
Construction costs rise significantly at the procurement stage and during schemes deliver	4 (probability 1 x impact 4)	To mitigate this scheme is being included within larger procurement opportunities being carried out by the HRA and schemes costs will be known in advance of appointment. Consultants will be engaged in advance of procurement to minimise unexpected additional costs. The schemes will benefit from the learning and procurement of the Zero Carbon Affordable Homes Pilot. There is flexibility in the start date of the scheme as the HRA has front loaded its new homes delivery programme and the schemes start date can be

Risk	Score out of 25 based on probability x impact	Mitigation
		flexible to ensure procurement efficiencies and subsidy can be maximised.
Delay in project progress at any stage resulting from a further COVID-19 outbreak and subsequent lockdown, or similar occurrence	12 (probability 3 x impact 4)	There are a range of ways in which covid could affect the scheme from site lockdown to supply chain interruption to workforce and material inflation. The scheme will review covid risks on a daily basis.

4.0 Background and full details of the report

- 4.1 The Oxford Inn scheme would build eleven (11) new council zero carbon affordable homes and be an additional phase within SWT Zero Carbon Affordable Homes Pilot approved July 2020
- 4.2 The scheme will apply lessons learnt from the Councils zero carbon pilot and its procurement process.

The proposed development site

- 4.3 The site is located approximately 1 mile to the east of Taunton town centre within the Halcon and Lane ward. The site sits on the corner of Roman Road and Outer Circle.
- 4.4 The site is currently occupied by a vacant public house (The Oxford Inn) which has a history of poor performance for the leaseholders as a business and for the Council as landlord. This poor performance has led to neglect and the building is in a poor state of repair.
- 4.5 In examining options for the future of the property SWT have considered:
- The financial viability of refurbishing the existing building for continued use as a PH.
 - The cultural / community value of the building being retained as a PH.
 - The financial and practical viability of refurbishing the existing building as housing.
 - The financial viability of redeveloping the site for affordable housing.
 - The financial viability of providing a community facility as part of a new build development.
- 4.6 The options appraisal reached the following conclusions;
- That the Oxford Inn has limited value as a community facility
 - That the loss of the Oxford Inn as a public house would have a negligible effect on local access to similar community facilities.
 - That renovating the Oxford Inn and continuing to operate the property as a public house is significantly unviable and in no way sustainable.
 - That renovating the existing building and converting to residential is not financially viable and would result in poor quality accommodation.
 - That redeveloping the site for affordable low carbon housing is viable at an estimate scheme costs of £437k which has been included in the costs.
 - That the development of a community facility as part of the development is not viable and need for this facility has not been demonstrated.

- 4.7 An architect was appointed to explore feasibility and capacity designs for the site. A number of options were explored and presented to the planning team in order to seek pre-application advice. This advice indicated preference for a scheme of 11 homes (9 flats and 2 houses)
- 4.8 Local consultation will be carried out prior to submitting the new planning application.
- 4.9 The scheme has been modelled for 100% affordable rented units. The affordable rents give flexibility between 60-80% of open market rents according to viability.

Building zero carbon homes

- 4.10 The Council in July 2020 approved the Zero Carbon Affordable Homes Pilot which brought together the Council's ambition to build 1000 new homes over 30 years and its declaration of a climate change emergency in 2019.
- 4.11 The pilot, at the time of this report being written, has created site capacity drawings, incorporated low energy requirements within the Councils Employers Requirements, commenced pre planning discussions, commenced a procurement process which has led to two modern methods of construction organisations (MMC) being chosen for final consideration, created an assessment criteria against the London Energy transformation initiative (LETI) which will allow new council homes to be benchmarked for their low carbon qualities.
- 4.12 The Oxford Inn development will benefit from the learning and procurement processes already in place.
- 4.13 The scheme aims to deliver 11 zero carbon affordable homes in occupation and low embodied carbon in their construction and maintenance. The London Energy Transformation Initiative (LETI) standards are being applied to achieve this. (See Appendix C).
- 4.14 To understand the performance of homes ongoing data collection and analysis is required. One of the aims of the pilot is to incorporate a rigorous data collection regime which will allow the carbon and energy performance to be measured and therefore allow the Council to evidence carbon and cost benefits. Ensuring the Council is able to evidence carbon and fuel benefits will increase the opportunity for customers and development partners to support and adopt a higher standard.
- 4.15 The scheme mix is based on the housing need for Taunton and is influenced by site constraints and feedback from the planning team as a result of pre-application enquiries. The new homes will be built to SWT adopted space standards, which are between 5% & 14% larger than many developer house types. The mix is:
- 9 x 1 bedroom flats
 - 2 x 2 bedroom houses
- 4.16 The current housing need for Taunton on Homefinder Somerset requiring rented accommodation is a total of 2305 households. Of these 54% is for 1 beds, with 29% for 2 beds, 13% for 3 beds and 3% for 4 beds. The 1 and 2 bedroom homes are clearly needed and the development will help to meet this demand in Taunton. While

it would have been ideal to also include a 3 or 4 bedroom home in this development the small size of the site makes this unviable

- 4.17 The HRA manages a significant number of homes in the immediate area, therefore there is little in the way of extra housing management and maintenance commitment required by the HRA.
- 4.18 Indicative timescales are set out below. The start on site date will be agreed with the Director of Housing and Communities, Portfolio Holder for Housing and the Section 151 Officer to ensure financial commitments are closely aligned with HRA considerations. Key consultants have been appointed to support the viability work including Architect, Principal Designer, Employers Agent, Engineer and Energy/Carbon Consultant.

Planning Application	Spring 2021
Start on Site	Spring 2022
Build Completion	Spring 2023

What benefits will the Council gain as a result of the development of the Oxford Inn?

- 4.19 The Council will benefit from:
- Eleven (11) new zero carbon council owned and managed homes which are close to Passivhaus standard (high quality low carbon homes)
 - Eleven (11) HRA affordable rented homes with on-site renewable heating and energy (no gas)
 - Neighbourhoods where SWT's Garden Town and Design Guide and checklist have been applied
 - Better use of council assets and the removal of a blighted site
 - An additional show home opportunity in the district to encourage SWT residents and partners to understand at first hand zero carbon development.

Phosphates and housing development within the hydrological catchment of the Somerset Levels and Moors Ramsar Site

- 4.20 This scheme falls within the water catchment area of the Somerset Levels and Moors Ramsar Site. A significant issue has arisen in relation to the consideration required by the planning authority if the schemes will give rise to additional phosphates within the catchment.
- 4.21 This schemes is within the water catchment area and advice is being sought from the planning authority on the steps the developer (SWT) must take to gain planning approval. It appears likely that there will be a need to establish through expert opinion if the scheme will give rise to additional phosphates within the area and therefore some study will need to take place possibly through the undertaking a Habitats Regulations Assessment.
- 4.22 The assessment will establish if the development will give rise to additional phosphates and if so propose a compensation strategy as part of the scheme to offset the increase so as to avoid either permanent, or temporary increases in phosphate loads to the designated site. The requirement will be for the development to be phosphate neutral.

- 4.23 The ultimate risks to the scheme of not resolving this matter to the satisfaction of the planning authority is for the scheme to fail to gain planning permission. The requirement for additional studies and mitigation will add expense and time to the scheme, potentially challenging the scheme viability or require the scheme to compromise on design quality or outcomes.
- 4.24 It is understood that SWT is working as planning authority and competent authority to make arrangements for strategic compensation. This strategic solution may allow developers including SWT to manage any compensation efficiently.

5 Links to Corporate Strategy

In 2019, the Council declared a climate emergency and committed to working towards achieving carbon neutrality and climate resilience by 2030. In relation to the Councils development sites the Councils Carbon Neutrality and Climate Resilience Plan Framework Document states “The Council commits to ensuring that these sites are all low carbon and energy efficient, but also exploring where we can make the most of technological and design innovations to develop specific exemplar schemes to showcase the art of the possible. These requirements will need to be carefully balanced against other demands and requirements placed on these sites to ensure they remain viable.

The Council’s HRA Business Plan includes the development of 1000 new homes by 2049, which is approx. 30 new homes per year over the period

- 5.3 The District has significant demand for affordable homes with a current target of 264 units per year. SWT new build through the HRA complements the affordable homes delivered through housing association partners and planning gain.

Unitary Authority Considerations.

- 5.4 The report has reflected on the potential consequences of the impact of unitary authority status when considering its recommendations. The following statements provide comfort that the recommendations of the report are appropriate:
- The increased supply of affordable housing is a district priority and a Somerset wide priority. This is evidenced in the Somerset wide housing strategy and through the demand recorded through the Homefinder Somerset lettings system
 - The HRA business plan is a thirty year business plan approved in February and set out an ambition to build homes to increase the supply of affordable homes in the district and in the county. The HRA business plan is ring fenced and therefore applies HRA rules and the Councils HRA business plan discipline.
 - The four District authorities have different structures to manage their housing responsibilities including stock transfer organisations, ALMO and SWT has retained its stock. It is difficult not possible at this moment to make assumptions of how a unitary authority(s) would manage its housing duties or the emphasis it would place on new development. We therefore consider the business plan is a relevant guide to support the Council’s decision making
 - All authorities within the unitary proposal are subject to the government climate change policies and targets including net carbon zero by 2050.

6 Finance / Resource Implications

- 6.1 Members are being asked to approve a capital budget to fund the delivery 11 new zero carbon homes to be let at an affordable rent on the Oxford Inn Site, Taunton. This scheme will support the aspiration to deliver new homes into the community over the next 30 years as per the approved HRA 2020 Business Plan.
- 6.2 A thorough investment appraisal of this individual scheme has been undertaken using a viability appraisal tool as well as an internal budget impact assessment. A comparison to the original business plan assumptions has also been undertaken to assess the affordability and viability of this scheme overall and also in conjunction with the other schemes that are also being put forward for consideration. Appendix A provides a detailed narrative and outcome of this review.
- 6.3 The business plan is also being review on a continuing basis as new information comes to light (e.g. new inflation and borrowing rates) and further independent professional advice has been received to provide further assurance that these schemes collectively are deliverable and contribute positively to the overall 30 year business plan.

7 Legal Implications

- 7.1 A Report on Title has been obtained from SHAPE legal services and this has identified no significant issues.

8 Climate and Sustainability Implications

- 8.1 The scheme will be constructed using the London Energy Transformation Initiative (LETI) standard, with four key criteria:
- Carbon capture and energy use in the manufacture/construction of homes
 - Fabric first / well insulated and air tight buildings with insulation nearly twice the thickness of the current standard.
 - Renewable heat and energy
 - Data collection and analysis
 - Details of the LETI standard are illustrated in Appendix C.
- 8.2 There will be no gas on site.
- 8.3 There will be electric car charging points which will include “active” fully equipped points and “passive” points where infrastructure will be provided to enable easy installation of charging equipment in the future.
- 8.4 The location is well served with public transport.
- 8.5 A Travel Plan will be agreed and ample cycle storage provided.
- 8.6 Photovoltaic panels are proposed for the roof of the flats and houses.
- 8.7 We have employed an Energy/Carbon consultant to advise on how best to achieve very low carbon objectives, and the specification worked up for the Zero Carbon Affordable Homes Pilot will be used for this scheme.

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

9.1 There are no safeguarding or community implications.

10. Equality and Diversity Implications

10.1 The scheme has considered the districts housing needs. The homes will all be rented at affordable rent levels. An equality impact assessment for the Councils new build aspirations is being prepared.

11 Social Value Implications

11.1 The procurement process will consider the benefit contractors can contribute in terms of social value in particular local labour, use of local contractors and supply chain.

11.2 The LETI approach encourages the use of local material and labour to minimise carbon and energy used in the construction of homes.

12. Partnership Implications

12.1 Establishing very low carbon exemplar housing in the Taunton area will show commitment and leadership within SWTs affordable housing partnership

13. Health and Wellbeing Implications

13.1 Very low carbon homes which are well insulated, have good levels of airtightness and use ventilation systems are considered healthy homes. The construction methods remove the opportunity for condensation and damp. Fuel poverty is reduced where onsite renewable energy is incorporated and a fabric first approach is adopted.

14. Asset Management Implications

14.1 The scheme proposes to make use of vacant, poor performing property currently owned by the Council.

15. Data Protection Implications (if any)

15.1 No data protection considerations.

16. Consultation Implications (if any)

16.1 Consultation will take place with the community and neighbouring property prior to planning permission being submitted.

17.1 Scrutiny/Executive Comments / Recommendation(s) (if any)

Scrutiny questions:

- *Has the council carried out an alternative viability assessment approach to consider the sale of land and the additional benefits which a capital receipt could achieve compared to on site scheme delivery*

- *What is the cost without zero carbon on this scheme?*
- *Can rents be modelled on 60% and 70% of market value as well as 80%*

Democratic Path:

- Tenants Strategic Group – Yes
- Scrutiny / Corporate Governance or Audit Committees – Yes
- Cabinet/Executive – Yes
- Full Council – Yes

List of Appendices

Appendix A	Finance Report (CONFIDENTIAL)
Appendix B	Risk Register
Appendix C	LETI Analysis of Carbon reduction
Appendix D	Plans of the proposed scheme and location plan
Appendix E	Photographs of site

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

Document is Restricted

RISK OR ISSUE DESCRIPTION	EXISTING CONTROL MEASURE	PROBABILITY (1-5)	IMPACT (1-5)	RAG (Red 15-25, Amber 8-12, Green 1-6)	RESPONSE OR ACTION
<p>Satisfactory planning permission is not obtained</p>	<p>Early advice has been sought from the planning team regarding proposals and designs have been altered to incorporate this advice. Planning permission will need to consider the change of use (from A4 to C3) . The dwelling has been vacant for some time and the current Covid situation is likely to have reduced the viability of the current vacant public house. The scheme is within the water catchment area of the comerset levels and will require an additional assessment and if necessary compensation in relation to phosphates</p>	2	5	10	<p>Consultantion with Planners has been very positive in regard to the chosen design. While planning have advised of the risk in regard to the change of use they have advised that the likelihood that an objection will be made is low and the evidence we have gathered in support of the change of use is strong. An assessment for phosphate impact is being commissioned.</p>
<p>Unexpected site constraints are identified</p>	<p>Engineers and geotechnical consultants are being appointed to undertake the relevant surveys and investigations prior to entering nto a build contract. The scheme will broadly use the same footprint of the exiting public house and therefore</p>	2	4	8	<p>If found a viability review would take place considering any additional cost constraints.</p>

	services are likely to be present and in suitable locations.				
Insufficient market interest to engage in the tender process.	To mitigate this scheme is being included within larger procurement opportunities being carried out by the HRA.	2	4	8	Early engagement has been taking place with suppliers to assess interest .
Page 164 Construction costs rise significantly during the procurement stage and during the schemes delivery	To mitigate this scheme is being included within larger procurement opportunities being carried out by the HRA and schemes costs will be known in advance of appointment. Consultants will be engaged in advance of procurement to minimise unexpected additional costs. The schemes will benefit from the learning and procurement of the Zero Carbon Affordable Homes Pilot. There is flexibility in the start date of the scheme as the HRA has front loaded its new homes delivery programme and the schemes start date can be flexible to ensure procurement efficiencies and subsidy can be maximised. Full site investigations will be carried out prior to entering into contract. All costs will be carefully assessed by our employers agent.	1	4	4	The contract will be a JCT D&B contract, which will be reviewed by legal prior to signing to ensure a balanced allocation of risks. Costs will be continually monitored by the Employers Agent
The main contractor is unable to complete the works due to insolvency or other	Thorough examination of the contractor's financial position and capacity to undertake the work is examined as part of the procurement	2	3	6	Appropriate bonds and guarantees are requested

<p>Delay in project progress at any stage resulting from a further COVID-19 outbreak and subsequent lockdown, or similar occurrence</p>	<p>No current mitigation</p>	<p>3</p>	<p>4</p>	<p>12</p>	<p>There are a range of ways in which covid could affect the scheme from site lockdown to supply chain interruption to workforce and material inflation. The scheme will review Covid risks on a daily basis.</p>
<p>Page 165 Specification for low carbon criteria could increase costs.</p>	<p>The aim is to learn from the Zero Carbon pilot, delivering zero carbon in occupation and low carbon in construction. The scheme will have no gas. Electric car points will be provided. The scheme is being designed using the LETI principles. Assumptions on the specification are to achieve this and the costs are included in the budget</p>	<p>3</p>	<p>2</p>	<p>6</p>	<p>An Energy/Carbon Consultant is appointed to advise on the best solutions to achieve the criteria. Competitive procurement will be used to achieve best value.</p>
<p>Valuation for rents and land value</p>	<p>A formal valuation is to be carried out by a RICS valuer. Values in the current appraisal have been obtained from comparable properties in Taunton currently and recently on the market.</p>	<p>3</p>	<p>2</p>	<p>6</p>	<p>A valuer is instructed and once the report is received these figures can be firmed up.</p>
<p>The development can use right to buy receipts money to fund 30% of the capital costs</p>	<p>Finance are aware of the financial implications</p>	<p>2</p>	<p>3</p>	<p>6</p>	<p>Finance have approved this report and the RtB funding.</p>

<p>The blend of house types and sizes may change</p>	<p>The final blend will be agreed through the planning process. The current blend is 9 x 1b flats and 2 x 2b houses. The final blend will be agreed through the planning process but the current mix has been included in the costs</p>	<p>2</p>	<p>1</p>	<p>2</p>	<p>Early engagement with planning – positive feedback on the current mix has been received via pre-app enquiries.</p>
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RISK ASSESSMENT		
Probability	Impact	RAG
1. Insignificant	1. Insignificant	HIGH 15-25
2. Slight	2. Minor	MEDIUM 8-12
3. Feasible	3. Significant	LOW 1-6
4. Likely	4. Major	
5. Very Likely	5. Critical	

Small scale housing

Operational energy

Implement the following indicative design measures:

Fabric U-values (W/m².K)

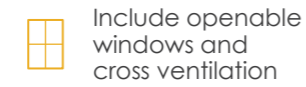
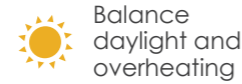
Walls	0.13 - 0.15
Floor	0.08 - 0.10
Roof	0.10 - 0.12
Exposed ceilings/floors	0.13 - 0.18
Windows	0.80 (triple glazing)
Doors	1.00

Efficiency measures

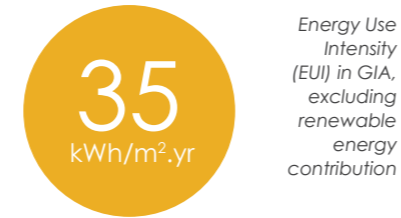
Air tightness	<1 (m ³ /h. m ² @50Pa)
Thermal bridging	0.04 (y-value)
G-value of glass	0.6 - 0.5
MVHR	90% (efficiency) ≤2m (duct length from unit to external wall)

Window areas guide (% of wall area)

North	10-15%
East	10-15%
South	20-25%
West	10-15%



Reduce energy consumption to:



Maximise renewables so that 100% of annual energy requirement is generated on-site

Form factor of 1.7 - 2.5



Heating and hot water

Implement the following measures:

Fuel
Ensure heating and hot water generation is fossil fuel free

Heating
Maximum 10 W/m² peak heat loss (including ventilation)

Hot water
Maximum dead leg of 1 litre for hot water pipework
'Green' Euro Water Label should be used for hot water outlets (e.g.: certified 6 L/min shower head – not using flow restrictors).

Demand response

Implement the following measures to smooth energy demand and consumption:

Peak reduction
Reduce heating and hot water peak energy demand

Active demand response measures
Install heating set point control and thermal storage

Electricity generation and storage
Consider battery storage

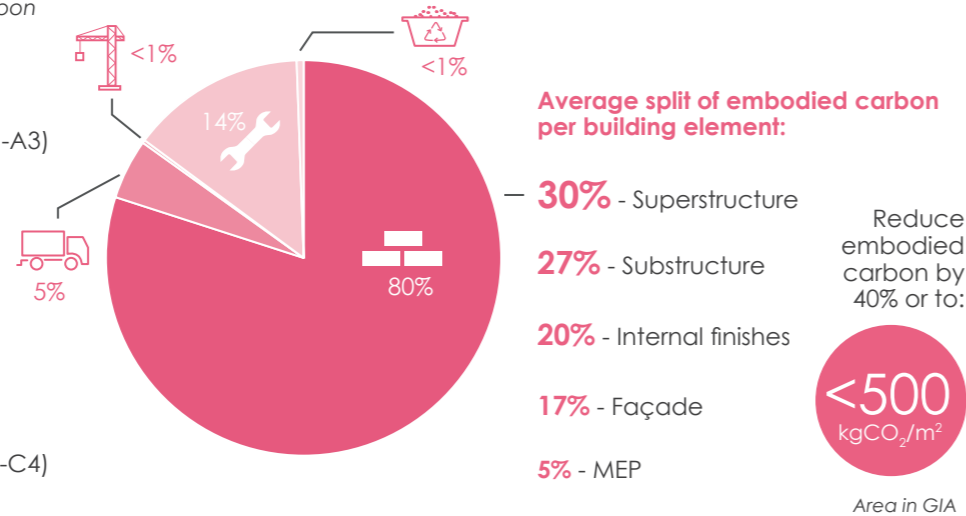
Electric vehicle (EV) charging
Electric vehicle turn down

Behaviour change
Incentives to reduce power consumption and peak grid constraints.

Embodied carbon

Focus on reducing embodied carbon for the largest uses:

- Products/materials (A1-A3)
- Transport (A4)
- Construction (A5)
- Maintenance and replacements (B1-B5)
- End of life disposal (C1-C4)



Data disclosure

Meter and disclose energy consumption as follows:

Metering

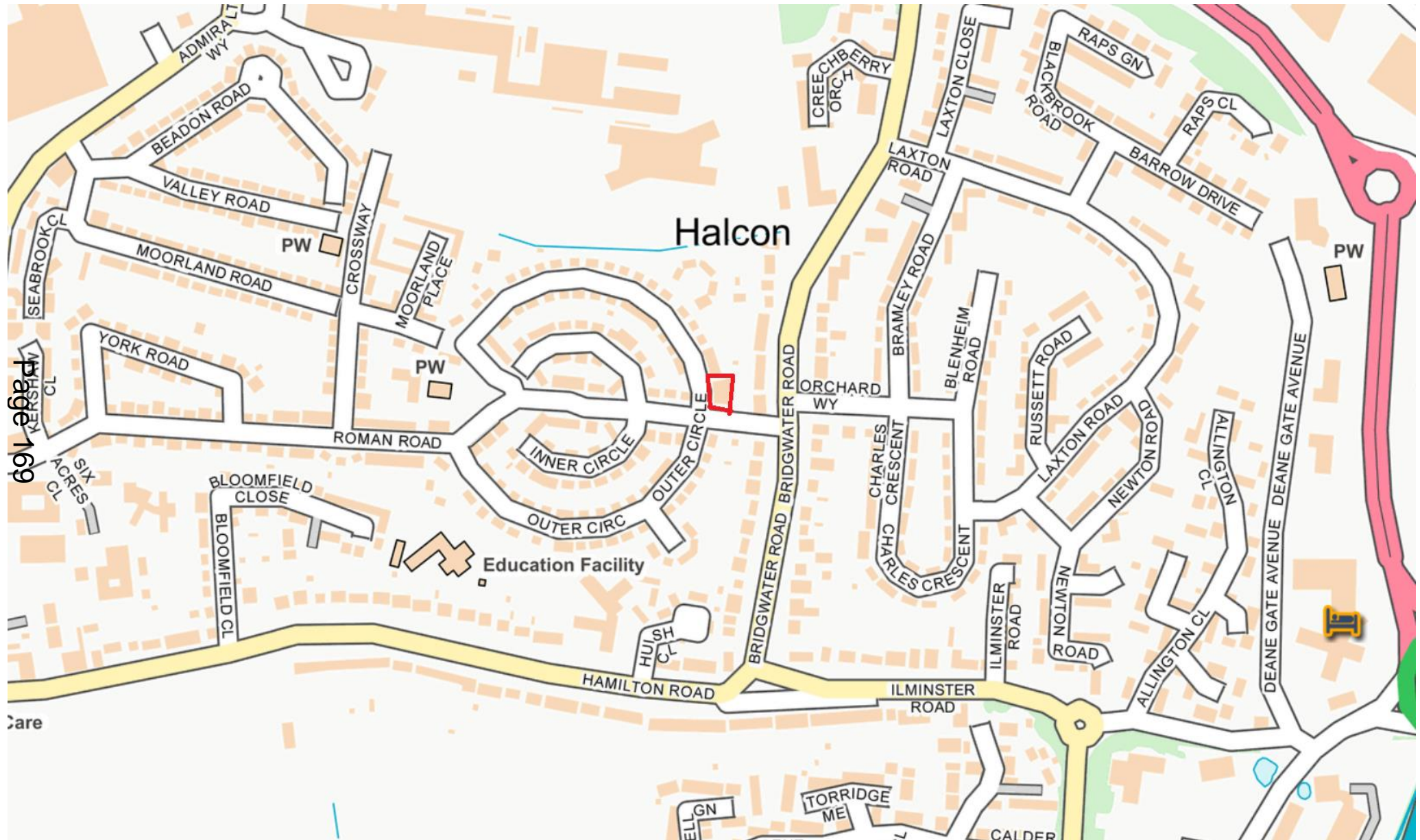
1. Submeter renewables for energy generation
2. Submeter electric vehicle charging
3. Submeter heating fuel (e.g. heat pump consumption)
4. Continuously monitor with a smart meter
5. Consider monitoring internal temperatures
6. For multiple properties include a data logger alongside the smart meter to make data sharing possible.

123 Disclosure

1. Collect annual building energy consumption and generation
2. Aggregate average operational reporting e.g. by post code for anonymity or upstream meters
3. Collect water consumption meter readings
4. Upload five years of data to GLA and/or CarbonBuzz online platform
5. Consider uploading to Low Energy Building Database.

Appendix D – Site Location and Plans of the proposal

Location Plan



Aerial photograph



Proposed development: Capacity Plan



2 x 2B3P Semi-D houses
9 x 1B2P Flats

11 x Dwellings
8 x Parking spaces

APPENDIX E – Current site photos

Looking north along Roman Road



Looking west towards Outer Circle



Looking East towards Roman Road



Poor condition flat roofs



Roof leak / collapsing ceilings



Report Number: SWT 157/20

Somerset West and Taunton Council

Special Full Council – 1 December 2020

North Taunton Woolaway Project

This matter is the responsibility of Executive Councillor Member Francesca Smith

Report Author: Jane Windebank – Development Manager, Development and
Regeneration

Chris Brown – Assistant Director, Development and Regeneration

1 Executive Summary / Purpose of the Report

- 1.1. The North Taunton Woolaway Project (the Project) is the flagship regeneration project of SWT's housing development programme and tackles some of the Council's worst performing homes in one of the most socially deprived areas in our County.
- 1.2. The Report recommends the approval of funding for all future phases of the Project as set out in Appendix A. A budget for Phase A and Enabling Works for Phases B-E totalling £14.5m was approved in February 2019. This included the purchase of twenty-two (22) owner occupied properties and decanting fifty-five (55) tenanted properties. A confidential financial summary is included at Appendix D for the purchase of the private property, which is within Phase C of the Project.
- 1.3. The Project has seen the demolition of 26 homes in Phase A and will start building 47 new homes with the first of these properties completed by August 2021 and Phase A is estimated to complete by September 2022.
- 1.4. To ensure a smooth transition between all future phases and to quicken the pace of regeneration, permission is being sought to approve the budget to fund the remaining Phases B–E and all cost associated with the regeneration activity, demolition and works to complete the scheme.
- 1.5. The Project will deliver two hundred and twenty-nine (227) new Council homes and comprehensively refurbish twenty-seven (27) Council homes over an eight and a half (8.5) year period rather than the original ten (10) to twelve (12) year period. The Project will also provide a community facility/project office in Phase A which can be converted into 2 homes should a sustainable business plan not be achieved at the end of the Project. This would increase the number of new homes to 229.
- 1.6. The Project is an essential part of the Council's commitment to offer a choice of good quality homes for our residents, whatever their age and income, in communities where support is available for those in need. The recommendations in this Report will assist the progression of all phases in a timely manner, complete the buy back of private dwellings and decanting of residents, demolition, completion of works and provide certainty and security to the North Taunton Woolaway Project tenants.

1.7. The NTWP will make a significant contribution toward delivering quality housing to meet the needs of SWT residents. The Project will provide a significant contribution towards:

- Resolving severe structural matters in relation to 162 defective Woolaway Homes through demolition and replacement with 227 new low carbon homes and 27 defective Woolaway properties with better insulated and structurally sound refurbished homes.
- Affordable Housing supply; with 227 new homes for rent
- Healthier homes and community; well-designed green space and road layout and efficient to heat homes
- Low carbon homes; a significant step toward zero carbon with a fabric first approach and a fund for renewable heat and power
- Accessible housing; a major contribution towards meeting the councils demand for wheelchair accessible homes
- Garden Town; the scheme adopts many principles of the Garden town design guide
- Larger accommodation; national space standards have been maintained throughout the scheme including the design of larger family accommodation (4 / 5 bed)

2 Recommendations

2.1 Full Council is recommended to approve:

- 2.2 To allocate a total scheme budget and borrowing requirement for Phases B-E and the conclusion of all phases of the regeneration scheme as set out in confidential Appendix A.
- 2.3 To delegate authority to the Section 151 Officer to determine the final funding profile for each future phase once the finalised designs have been received for Phases B-E and any relevant planning approval and contract costs have been received.
- 2.4 To the decant of tenants within Phases B which will allow Gold band status in the Homefinder Somerset allocations system for tenants in this Phase and allow those who wish to move outside the regeneration area sufficient priority to move home.
- 2.5 To delegate authority to the Director of Housing and Communities in consultation with the Portfolio Holder for Housing authority to approve future decanting and demolition for future phases.

- 2.6 That all new build properties (Phase A-D) will be set at affordable rents in line with the 2020 Rent Setting Policy. The affordable rents will be set to ensure scheme viability at between 60% and 80% of market rates. However, all NTWP SWT secure tenants who lived within the NTWP (Phases A-D) at February 2019, when the Council made its decision to regenerate the neighbourhood, will have their rents capped at the equivalent social rent if being rehoused in the new NTWP development. These rents will remain with the tenant as long as they retain their tenancy. No current NTWP SWT tenant will be required to pay above the equivalent social rent and service charge for their home in line with the Council Shadow Full Council approval to allow existing SWT tenants to remain on a social rent level.
- 2.7 That a formal annual review of the project is undertaken to ensure that the project continues to deliver its objectives, positive outcomes for the community, our promises to tenants and value for money. That the report will be presented annually to Scrutiny Committee and Executive Committee.

3 Risk Assessment

- 3.1 A risk assessment can be found at Confidential Appendix B however the main schemes risks are set out in Table 1 below:

Table 1: Main Scheme Risks

Risk	Score out of 25 based on probability x impact	Mitigation
Construction costs rise significantly at the procurement stage and during schemes deliver.	10 (probability 2 x impact 5)	Full site investigations will be carried out prior to entering into contract. All costs will be carefully assessed by our Employer's Agent. PCSA process adopted to understand costs pre-works, material being reviewed due to supply chain disruption/Covid.
Not securing vacant possession of the site – purchasing remaining private homes.	5 (probability 1 x impact 5)	Enabling budget approved to purchase the remaining private homes within Phases B–D. 10/19 have already been purchased and a further 3 are currently in negotiations. CPO powers could be considered.
Not securing vacant possession of the SWT tenanted properties.	5 (probability 1 x impact 5)	Tenants are being decanted in phases giving 12 – 18 months to decant each phase when tenants will be Gold banded on Homefinder Somerset and Taunton homes ring fenced for NTWP tenants. New builds in earlier phases will be allocated to existing NTWP tenants, decant homes available in later phases and as a last resort, Notice of Seeking Possession could be considered.

Risk	Score out of 25 based on probability impact x	Mitigation
Party Wall claims for refurbished SWT homes or boundaries adjoining home owners' properties.	12 (probability 3 x impact 4)	Areas within the development are being identified by the Architect and Contractor which may be subject to Party Wall Act. Party Wall Surveyor being employed to provide advice, assistance and conduct negotiations where required for any compensation due.
Failure to gain Reserved Matters planning consent.	10 (probability 2 x impact 5)	Outline planning permission already granted, weekly meeting with planning consultants for resolution of design matters. Customer engagement through working groups, open public events planned and communication through newsletters and Facebook. Monthly monitoring of programme and budget. The development falls within the Somerset levels water catchment area and therefore an assessment of the impact of phosphates will be carried out and if required compensatory measures.
Highways adoption.	12 (probability 3 x impact 4)	The access road leading to the site will need to be adopted in advance of adoption proceeding for the residential development.
Reputational damage to SWT.	8 (probability 2 x impact 4)	Significant customer engagement and communication, customers engaged in the design process, working groups being set up to engage more customers and in particular seeking to bring additional benefit to the neighbourhood, NTWP team meetings occur daily and close working with consultants and ENGIE. The Project is being considered as one continuous project and the dialogue with consultants and ENGIE aim to reinforce the smooth transition between phases expected (subject to suitable performance).
Delay in Project progress at any stage resulting from a further COVID-19 outbreak and subsequent lockdown, or similar occurrence.	12 (probability 3 x impact 4)	There are a range of ways in which Covid could affect the scheme from site lockdown to supply chain interruption to workforce and material inflation. The scheme will review Covid risks on a daily basis.

4 Background and Full details of the Report

- 4.1 The Shadow Full Council in February 2019, approved the redevelopment of the North Taunton Woolaway Project area following the Structural Engineering report carried out in 2013 and the Report Addendum dated 2016.
- 4.2 The 2013 report highlighted that the Woolaway units were showing signs of deterioration. The Addendum Report, following further investigations during the demolition of the Woolaway units at Rockwell Green, confirmed the units were in a worse condition than identified in the 2013 report.
- 4.3 Woolaway homes were Designated Defective under the Housing Defect Act 1984. This does not mean Woolaway units are unsafe, it just prevents any more of this house type being built.
- 4.4 The existing site comprises of 212 Woolaway homes of which the Council retain ownership of 167 and 45 have been purchased through the Right to Buy. A breakdown of the properties is set out below in Table 2:

Table 2: Tenure of North Taunton Woolaway Project Area

	In SWT Ownership	In private ownership	Total
Existing Woolaway Homes in the NTWP	167	45	212
Units to be Demolish	140	22	162
Units to be comprehensively refurbished	27	0	27
New SWT homes to be built	227*	0	227*
Net Increase of affordable SWT homes	87*	0	87*

**the scheme will build a community facility/project office in Phase A which will be converted into 2 homes should a sustainable business plan not be achieved at the end of the NTWP. This would increase the number of new homes to 229 and the net increase of affordable homes to 89.*

- 4.5 Detailed planning permission for Phase A and outline planning permission for Phases B–E was approved by the Planning Committee in March 2019. Phase A will deliver 47 new social rented homes and a community facility. The outline planning permission for Phases B–E will deliver up to 180 new build Council homes and refurbish 27 existing Woolaway Council homes. The indicative scheme will provide a net increase of 87 affordable Council homes.
- 4.6 The new homes will be built to Nationally Described Space Standards and Housing Quality Indicator layout standards. The homes have been designed predominately to Building Regulations Part M4 Category 2 with nine (9) anticipated as wheelchair adapted homes at Category 3. The costs associated with these larger than average homes has been calculated into the new budget request. The Council has an acute need for larger homes and wheelchair accessible homes. Table One shows 229 households in SWT registered as needing wheelchair accessible housing and a study of housing occupational therapist caseload identifies 80 households in need with six on the emergency list

Table One - Households within SWT that are registered as needing wheelchair accessible housing

Households within SWT that are registered as needing wheelchair accessible housing (registered with SWT)							
<small>Data taken from Homefinder Somerset report Nov 2020</small>							
Bed size need	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Total
Full WCH need	125	64	28	11	1	0	229

4.7 The Building Regulations Part M deals with the ease of access to and use of buildings, including facilities for disabled visitors or occupants, including the ability to move through the house easily including access to toilets and bathrooms. There are three main categories:-

4.7.1 M4(1) Category: visitable dwellings – reasonable provision should be made for people to gain access to and use the dwelling and its facilities. (Suitable for most people including wheelchair users to approach, enter the downstairs rooms and toilet).

4.7.2 M4(2) Category: accessible and adaptable dwellings – in addition to the M4(1) provisions, must be sufficient to meet the needs of occupants with differing needs, including some older or disabled people and to allow adaptation of the dwelling to meet the changing needs of occupants over time. (Suitable for wide range of occupants including older persons, reduced mobility and some wheelchair users to access and use the accommodation).

4.7.3 M4(3) Category: wheelchair user dwelling – in addition to the M4(1) provision, must be sufficient to allow simple adaptation of the dwelling to meet the needs of the occupant who use wheelchairs, or meets the needs of occupants who use wheelchairs. (Wheelchair accessible – wheelchair user can live in the dwelling and use any associated private outdoor space and parking).

4.8 The range of property sizes offered by the Project will also help to address existing overcrowding and under occupation which has been identified through the one to one interviews with tenants. Over ninety existing tenants are seeking to be rehoused within the new NTWP homes.

4.9 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.

4.10 The intent of the project is to retain complete ownership of the redevelopment area and the budget request and viability assessment is based on the scheme being 100% council rented accommodation at social or affordable rent levels. However should the need be required each phase could be reappraised to provide a range of housing tenures, including discounted sale and shared ownership to support residents who show interest in home ownership.

4.11 Table 3: Indicative Housing Mix for the North Taunton Woolaway Project

Phase	SWT New Build	Private Homes	Sub Total
A			
1 bed	17		
2 bed	14		
3 bed	11		
4 bed	5		47
B			
1 bed	4		
2 bed	17		
3 bed	8		
4 bed	2		31
C			
1 bed	10		
2 bed	19		
3 bed	38		
4 bed	12		
5 bed	1		80
D			
1 bed	1		
2 bed	14		
3 bed	35		
4 bed	17		
5 bed	2		69
E			
2 bed	21	15	
3 bed	6	8	
4 bed			50
TOTALS	237	23	277

4.12 The funding of the regeneration of the North Taunton Woolaway Project noted by the Shadow Full Council in February 2019 was £45m. This was based on a number of assumptions and indicative costs. These assumptions include:

4.12.1 Development Programme of 5 phases over 10-12 years to support the decant of existing residents and enable each phase to be assessed against housing need, affordability and mitigate any future changes which may affect the scheme proposal and financing (the Phasing Plan is attached and marked Appendix C);

4.12.2 Estimate for market factors such as construction costs, rental income, interest rates, rise in house prices etc.

4.12.3 Costs of indicative designs subject to planning approval;

4.12.4 No allowance for contamination or remediation works;

4.12.5 Indicative housing type and tenure mix, estimated budget including provision of a range of affordable housing tenures including social rent, affordable rent and options for residents who aspire to home ownership.

4.12.6 Existing NTWP tenants would receive a like for like which included the right to be

rehoused in a new home at social rent and to be entitled to a property of the same bed size as they occupied when the decision to regenerate the estate was made.

4.13 The supplementary budget for Phase A was increased from £7.2 to £8.7 million by Council on 3 December 2019.

4.14 A further supplementary budget of £5.7 million for the enabling fees for Phases B–E of the Project was also approved on 3 December 2019 to purchase the remaining private homes and commence the enable works and Reserved Matters planning. This was based on a number of assumptions and indicative costs which are explained in 1.2 above.

4.15 The mix of homes is indicative at this stage for Phases B-D and is currently being reviewed prior to submitting the Reserved Matters applications in the Spring 2021. Work is also being carried out to agree an uplift in the low carbon quality of the homes. An uplift above building regulations has been agreed for Phase A and additional uplifts for Phases B-E are being refined.

4.16 **Regeneration Benefits**

4.17 The regeneration of North Taunton Woolaway Project area brings more than just new homes but supports the growth within the local economy and offers health, environmental and employment opportunities. The Project offers the Council the opportunity to maximise the social investment for the benefit of the community now and in the future.

4.18 SWT will work in partnership with the appointed Contractor, ENGIE, to facilitate a number of working and information forums to ensure active community participation and deliver:-

- Promotion of various career opportunities in construction with local schools and colleges and undertake Health & Safety talks.
- Mock interviews and career events for local colleges.
- Local employment opportunities and provide new training and development opportunities for residents, customising our approach to the communities bespoke requirements.
- Training Programmes both Accredited and Non-Accredited such as Fire Marshall training, Emergency First Aid, Mentoring, Energy Efficiency Training, DIY skills day, Silver Surfer training and Smart Phone Training.
- Training commitment for the Unemployed such as the Kick Start Program, Safety Training, Employability skills, work experience and mock interviews.
- Inspiring the next generation of construction workers, ENGIE are proud that 7% of their workforce is made up on Trainees, Apprentices and Graduates which is above the national average of 5%. SWT and ENGIE will be developing a Targeted Training and Recruitment Plan (TTRP) which will be reviewed at the monthly performance reviews.

4.19 For Phase A the TTRP will provide:-

- Trainee/Apprenticeship opportunities
- Work Experience placements
- New Employment opportunities with targeted recruitment

- Employability Workshops/Training
- School/College curriculum-based site visits/workshops
- Commitment to local labour
- Supporting local initiatives – fundraising, refurbishing community facilities, promotion of healthy living and link with local groups to identify initiatives.
- Promoting the use of local facilities to ENGIE’s construction workforce to use local cafes, shops, venues for consultation events etc.
- 1 – 2 days of Job Shadowing opportunities across the whole range of occupations within ENGIE’s workforce.

4.20 For Phases B – E:

- ENGIE was named Wales ‘Most Community Focused Contractor’ in both 2015 and 2018 by the Chartered Institute of Housing for its work ‘Beyond Bricks & Mortar’ specifically in supporting people, places and communities through its regeneration activities and delivering tangible community benefits to leave a long term positive impact. We will be working with ENGIE to develop a Targeted Training and Recruitment Plan for Phases B–E with similar phased targets as set out in 4.18 above.
- In addition to the TTRP, the Project will deliver additional regeneration benefits such as supporting local charities, a variety of community and school engagement ranging from school assemblies, investigate the provision of a handy man service for decanting tenants through ENGIE’s supply chain, home energy advice including an advice booklet, safety talks and volunteering opportunities through the GIFT day (Get Involved Find Time) – this can be on a local community or charity project.

4.21 NTWP Update and Achievement

- 4.22 All Phase A tenants (19) and owner occupiers (3) were successfully decanted and now live in their new forever home off the Project Area or await the completion of their new home within the Project area.
- 4.23 In total the Council have decanted eighty-one (81) out of the one hundred and sixty-two (162) tenants. Of these tenants, seventy-seven (77) tenants have moved to their forever home off the Project Area. This is a higher number of tenants choosing to move away from the Project Area than originally anticipated.
- 4.24 To date, 13 of the 22 private homes within the Project Area have now been purchased and negotiations are on-going for a further 3 properties.
- 4.25 All Phase A properties have been demolished and the site has been levelled and fenced.
- 4.26 The demolition contractor, L A Moore had their Considerate Constructors Scheme audit on 13th August 2020 and the auditor was impressed with the state of the site, the works and the continued communication with the community from the Council and awarded a score of 44/50 with scores of 8 or 9 in each of the five categories indicating ‘excellent’ or ‘exceptional’ performance.
- 4.27 During the demolition all of the windows and timber removed from the site has been recycled and 98% of the construction and demolition waste has been diverted from

landfill and the crushed hard-core will be re-used by the new development.

- 4.28 Twenty-seven (27) vacant homes in Phases C-E have received void works and have been used for non-complex homeless families. The use of the properties for homeless families has been particularly beneficial to the families and Council during the Covid lockdown period. The properties will continue to be used for temporary lettings via a licence until they are required for demolition or for those tenants in Phase E whose homes are being refurbished. This approach has also reduced the rent loss for these homes as their phase awaits development.
- 4.29 ENGIE has been appointed the main contractor for Phase A and subject to performance against set Key Performance Indicators, will also deliver later phases within the Project.
- 4.30 The Council and ENGIE have agreed the works costs for Phase A through the use of a Pre-Contract Services Agreement (PCSA) and the PCSA is also supporting the detailed planning Reserved Matters application.
- 4.31 Various surveys and investigations are currently being completed to inform the Reserved Matters submissions and the architect is currently preparing the draft drawings in readiness for review by the Implementation Working Group and public consultation in Spring 2021.
- 4.32 The Implementation Working Group (IWG) which is a resident group, continues to meet monthly with the Council to review the progress of the Project and provide feedback to the Project Team to help shape the way the Project is delivered and maximising the positive impact upon the community and promote community initiatives.
- 4.33 The Project was awarded Commended by the Royal Town Planning Institute under the category 'Excellence in Other Planning Work (Community Involvement Schemes)' in November 2019.
- 4.34 The Project was been shortlisted in the Michelmores Award for 'Masterplanning for the Future' award November 2020.
- 4.35 During the Covid 19 lockdown, Ivor Goodsites worksheets were shared via the NTWP Facebook page to tenants and local schools for children to learn about site safety by completing fun quizzes.
- 4.36 The Project is currently in five phases, A–E and delegation to the Director of Housing and Communities and the Portfolio Holder for Housing is requested to ensure timely decanting of Phases E, C and D. Table 4 (4.37) is an indicative timeline for the five phases, however once the sequence of refurbishment is known Phase E will be sub divided into smaller phases to allow timely decanting in line with the required refurbishment sequence. Phases C and D could also be sub divided if it would support residents with greater clarity of when their home will be required and greater opportunity to find a home of their choice through Homefinder Somerset. Please note as early phases are built out it will be easier for tenants in later phases to move only once to a new home within the scheme.
- 4.37 The refurbishment of Phase E will run along-side phases A-C which will help create some time efficiencies. A number of owner occupiers in Phase E have invested in the structure of their home but for others there is an opportunity to consider investing in

their homes and adopt the Council’s specification. For low income households access is available to Lendology (previously Wessex Resolutions CIC) financial assistance and the Council is being asked to consider a top up equity loan for low income households as part of the revision to the Private Sector Renewal policy at Full Council on 1st December.

4.38 Table 4: Indicative Timeline by Phases

Phase	Number of units	Date of Decanting Priority	Start on site (inc demolition)	Estimated Practical completion
A	47	Complete	February 2020 – Hoarding March – June 2020 surveys, inspections, disconnections and stripping out July 2020 - demolition	Summer 2022
B	31	December 2020	January 2022	October 2023
C	80	October 2021 (potential sub phases)	November 2022	September 2025
D	69	January 2024	February 2025	November 2027
E	27	Phased Comprehensive Refurbishment	September 2021	*November 2025

**Refurbishment could run into Phase D timeline depending on the number of owner occupiers who wish to participate.*

**The community facility is being built as part of phase A.*

5. **Links to Corporate Strategy**

5.1 The scheme compliments the Council’s Corporate Strategy 2020 - 2024 - Homes and Communities – to offer a choice of good quality homes for our residents, whatever their age and income, in communities where support is available for those in need.

5.2 The Project significantly increases the number of affordable and social homes in Taunton and will be built by the Council including a range of housing types to cater for single person, family, vulnerable and elderly households.

5.3 The Project compliments that strategy objectives within the Housing Revenue Account Business Plan 2020-2050 objectives:

5.4 **Providing Quality Homes.** We are committed to investing in our existing homes to deliver good quality of life for residents and value for the money spent, and to developing new homes that meet local needs.

- 5.5 **Supporting the most vulnerable.** We are committed to letting homes to people who have the fewest housing options, and will provide additional support that helps people who are older, disabled, or socially excluded to live comfortably in their Council-owned home.
- 5.6 **Better Service.** We are customer and community focused and are committed to improving our services in line with what our residents have said matters to them. Our approach will support people to move through our social housing provision to cater for their changing needs and aspirations over time.
- 5.7 **A Stronger Business.** We will prioritise efficiency to support delivery of our social priorities and objectives. It sets out how we will improve our business practices, drive out value for money and pursue new activities.
- 5.8 Engaging and listening to our residents has been the primary driver and embedded in the Project principles established at the initiation of this project. The key Project principles are:-
- 5.8.1 Existing SWT residents within the scheme will be given the opportunity to remain on a social rent level.
- 5.8.2 Existing SWT residents within the scheme will be supported to downsize through the scheme design but retain the right to return to an equivalent size property within the new scheme.
- 5.8.3 The Project is underpinned by the SWT development aspirations and provide new, high quality and energy efficient homes.
- 5.8.4 The new development compliments The Vision for Taunton as a Garden Town, specifically the themes:
- 5.8.5 Growing our town greener – quality of the environment. The scheme incorporates green spaces and play spaces and provides more street trees.
- 5.8.6 Growing Quality Places – quality of our places and neighbourhoods. The design of the scheme focuses on places and spaces with high quality homes, green streets and public spaces. The homes will be energy efficient and aim to incorporate sustainable technologies.

5.9 Unitary Authority Considerations

- 5.10 The Report has reflected on the potential consequences of the impact of unitary authority status when considering its recommendations. The following statements provide comfort that the recommendations of the Report are appropriate:
- The increased supply of affordable housing is a district priority and a Somerset wide priority. This is evidenced in the Somerset wide Housing Strategy and through the demand recorded through the Somerset wide Homefinder Somerset lettings system.
 - The HRA Business Plan is a thirty (30) year Business Plan approved in February and set out an ambition to build homes to increase the supply of affordable homes in the district and in the county. The HRA Business Plan is ring fenced and therefore applies HRA rules and the Council's HRA Business Plan discipline.

- The four District authorities have different structures to manage their housing responsibilities including stock transfer organisations, ALMO and SWT has retained its stock. It is difficult at this moment to make assumptions of how a unitary authority(s) would manage its housing duties or the emphasis it would place on new development. We therefore consider the Business Plan is a relevant guide to support the Council's decision making.
- All authorities within the unitary proposal are subject to the government climate change policies and targets including net carbon zero by 2050.

6. Finance / Resource Implications

- 6.1 Members are being asked to approve the capital budget for the remaining costs to complete the delivery of 227 new homes built to low carbon standards in excess of building regulations, a community facility and costs associated with regeneration activity such as resident engagement, decanting, site clearance, security and customer support. This scheme will support the aspiration to deliver new homes into the community over the next 30 years as per the approved HRA 2020 Business Plan.
- 6.2 This is a very complex regeneration scheme requiring substantial investment to rebuild some of the Council's worst performing Woolaway homes in one of the most socially deprived areas in our County.
- 6.3 In order to assess the affordability and viability of the NTWP scheme as a whole, a number of key variables have had to be considered and assumptions made based on information available at this point in time. Confidential Appendix A provides a detailed narrative and outcome of the thorough investment appraisal undertaken.
- 6.4 The business plan is also being reviewed on a continuing basis as new information comes to light (e.g. new inflation and borrowing rates) and further independent professional advice has been received to provide further assurance that the schemes currently being proposed, collectively are deliverable and contribute positively to the overall 30 year business plan.
- 6.5 All new build properties (Phase A-D) will be set at affordable rents in line with the 2020 Rent Setting Policy. The affordable rents will be set to ensure scheme viability at between 60% and 80% of market rates. However, all NTWP SWT secure tenants who lived within the NTWP (Phases A-D) at February 2019, when the Council made its decision to regenerate the neighbourhood, will have their rents capped at the equivalent social rent if being rehoused in the new NTWP development. These rents will remain with the tenant as long as they retain their tenancy. No current NTWP SWT tenant will be required to pay above the equivalent social rent and service charge for their home in line with the like for like offer made to tenants by the Council.

7. Legal implications

- 7.1 Statutory Home Loss and Disturbance Payments will be made in line with legislative guidance and the North Taunton Woolaway Decant Policy. As properties are anticipated to be purchased under, or 'under the threat of' the exercise of Compulsory Purchase Order (CPO) powers there is scope for utilisation of the HMG guidance on compensation payments.
- 7.2 Whilst the Council intends to work closely with each household and seek agreement to achieve vacant possession in the event an acceptable agreement cannot be sought,

the Council approved in February 2019 the principle to utilise Compulsory Purchase Powers should vacant possession not progress. The CPO will be delegated to Executive in the event this is required.

- 7.3 If vacant possession cannot be provided to a contractor by the long stop date in the build contract, the Council will be at risk of litigation for specific performance under the contract and this will potentially have associated financial implications.
- 7.4 Section 11 (6) of the Local Government Act 2003 relates to the Council's ability to retain and use Right to Buy receipts to fund affordable housing.

8. Climate and Sustainability Implications

- 8.1 New build homes will be constructed to Part L of the Building Regulations which will substantially improve the thermal performance of the dwellings compared to the existing dwellings. Some dwellings currently have EPC ratings as low as band E.
- 8.2 The external wall construction will be upgraded and windows replaced to the refurbished homes which will increase the insulation, upping their fabric energy efficiency and improving the environmental performance of the dwellings.
- 8.3 A series of renewable heat and energy options are being considered including Air Source Heat Pumps, PV and batteries. However the current specification includes gas central heating and a change to renewable heat would require consultation with tenants seeking to remain on the estate.
- 8.4 Phases B–E already include the provision of electric vehicle charging points. However, the development is seeking to increase the provision by taking advantage of SWT funding for electric vehicle charging points available as part of the Council's Climate Change Action Plan.
- 8.5 The new development has been designed to take advantage of biodiversity opportunities in the neighbourhood such as planting trees and creating a new public open space.
- 8.6 The Project has enabled the Council to embrace and design a new garden community to incorporate the Garden Town Principles and safeguard the natural environment, providing areas of planting and open space whilst ensuring residents have access to suitable homes and facilities.
- 8.7 More energy efficient central heating will be installed to both the refurbished and new build dwellings.
- 8.8 Energy efficient lighting can be installed in the refurbished and new build dwellings and water saving sanitary ware such as aerating taps and dual flush water cisterns will reduce the water consumption.
- 8.9 Progressing the Reserved Matters for Phases B–E will provide the Council with a further opportunity to review the plans to consider the impact of climate change and explore modern methods of construction and further built environment energy efficiency initiatives.

- 8.10 This scheme falls within the water catchment area of the Somerset Levels and Moors Ramsar Site. A significant issue has arisen in relation to the consideration required by the Local Planning Authority (LPA) as to whether schemes will give rise to additional phosphates within the catchment.
- 8.11 The NTWP scheme is within the water catchment area and advice is being sought from the LPA as to the steps the developer (SWT) must take to gain planning approval. It appears likely that there will be a need to establish, through expert opinion, if the scheme will give rise to additional phosphates within the area and therefore some studies will need to take place possibly through the undertaking of a Habitats Regulations Assessment.
- 8.12 The assessment will establish if the development will give rise to additional phosphates and, if so, propose a compensation strategy as part of the scheme to offset the increase so as to avoid either permanent or temporary increases in phosphate loads to the designated site. The requirement will be for the development to be phosphate neutral.
- 8.13 The ultimate risks to the scheme of not resolving this matter to the satisfaction of the LPA is for the scheme to fail to gain planning permission. The requirement for additional studies and mitigation will add expense and time to the scheme, potentially challenging the scheme viability or require the scheme to compromise on design quality or outcomes. It is understood that SWT is working as LPA and competent authority to make arrangements for strategic compensation. This strategic solution may allow developers including SWT to manage any compensation efficiently

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

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

10. **Equality and Diversity Implications**

- 10.1 An initial Equality Impact Assessment (EIA) was previously provided in February 2019. This will be reviewed by January 2021. An Equality and Diversity Impact Assessment is also being prepared to clarify the benefits of the councils HRA new build programme in its entirety.
- 10.2 The quality of the new housing being provided will help create and encourage better living environments for everyone. As a consequence, it is expected the health outcomes for the area will be improved as well as opportunities for reaching better educational outcomes for households.
- 10.3 The community space and open space will be accessible for all groups in the community reflecting the diversity of the local population, helping to bring people together and foster good relations between different groups.

11. **Social Value Implications**

- 11.1 The resident consultation phase of the Project has delivered social value through providing the opportunity for residents to be actively involved in the scheme design process and provide valued and informed contributions.
- 11.2 The Design Working Group comprised of a group of local residents with no development experience, the Design Group process provided the individuals with the necessary skills to comment and critique the scheme designs and house types in an informed manner. This has led to a deeper appreciation of the environment they live in.
- 11.3 A volunteer from the Implementation Working Group accompanied the Project Team during inspections of the refurbished void properties to be used as temporary decant homes and received Health & Safety training.
- 11.4 A volunteer from the Implementation Working Group was included in the Moderation Panel for the selection of the preferred Contractor for the Project.
- 11.5 LA Moore as part of the social value element of their demolition contract decorated the exterior of the Priorswood Community Centre after the property was damaged by fire.
- 11.6 Social Value formed part of the selection criteria for the procurement of Phase A main contractor and for future phases. Details of the minimum social value benefits to be delivered by this Project are set out in Section 4.16, these initiatives will be regularly reviewed and where possible, exceeded.

12. **Partnership Implications**

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

13. **Health and Wellbeing Implications**

- 13.1 The Project as a whole has been designed to Nationally Described Space Standards to ensure properties are future-proofed and residents can benefit from some of the principles of lifetime homes and will contribute to the improve health and wellbeing of the residents.
- 13.2 Phase A includes a new community building to provide a focal point for local people to meet and enhance community spirit and interactions.
- 13.3 The Reserved Matters submission for Phases B–E will include the provision of public open space for community use. Options for this space will form part of the consultation process to assess the aspirations and community need for this space.

14. **Asset Management Implications**

- 14.1 The Housing (HRA) Asset Management Strategy 2016 reflects the challenges the Council faces and improving its focus on value for money for the Council and for our residents:

14.1.1 To promote sustainable local communities through coordinated capital investment and housing management.

14.1.2 To work closely with residents to ensure that their homes meet their needs and aspirations.

14.1.3 To invest in stock, to achieve good quality and environmental standards and to ensure that all statutory obligations are met.

14.1.4 To ensure that stock secures and strengthens the financial viability of the business plan and safeguards its long term future and the income stream it generates.

14.1.5 Deliver Value for Money through targeting investment where it will have the best financial and social return.

14.1.6 To carry out options appraisals on stock that does not meet the above criteria, exploring the widest range of alternative options to improve outcomes for residents and for our Business Plan.

14.1.7 To deliver investment programmes in an effective way, achieving agreed quality and value for money.

14.2 Through the evaluation, the asset management model identified 4% of the total stock with an average Net Present Value which is negative. These were exclusively for the Council's Woolaway constructed properties, reflecting the anticipated need for major works to these properties in the medium term.

14.3 The HRA Asset Strategy 2016 recognised the Woolaway house type as the Council's lowest performing stock with a limited life expectancy and high future maintenance costs. Unless action is taken to address the structural defects, the properties will continue to deteriorate, increasing the problems of a poorly performing dwelling.

14.4 Providing new energy efficient, affordable homes with a range of property sizes will improve the living standards for residents to create a sustainable community of high quality homes. In addition, increasing the scheme density will generate greater income and make best use of the Council's assets.

15 Data Protection Implications

15.1 All personal data is held in accordance with GDPR and Data Protection Act requirement.

16 Consultation Implications

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

16.2 Officers have held 1 to 1 interviews with residents achieving approximately 90% coverage. This is in addition to attending the Implementation Working Group monthly meetings to provide updates on the progression of the scheme. The Implementation Working Group comprises a group of local residents who are affected by the Project. Further Working Groups to discuss subject specific matters such as Works and Low

Carbon, Communication, Environment and Green Space, Employment and Training and Community Facility have been set up to encourage wider public participation to ensure the community can influence the outcomes.

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

17 Scrutiny Comments / Recommendation(s)

17.1 The Report was reviewed by Scrutiny Committee on 11th November 2020.

The Scrutiny Committee had the following comments and questions;

When considering matters raised during the scrutiny of this paper the Committee considered that it must be kept abreast of future financial commitment in terms of the NTWP and the HRA Business plan and it has an important role to play in understanding the schemes progress, costs and risks.

17.2 The Scrutiny Committee questions included the following:

- Is there a separate assessment of construction price inflation carried out?
- The need for a revised Equality Impact Assessment
- Clarity on the difference between Low Carbon Measures v Zero Carbon
- Will the development be phosphate neutral?
- Social or affordable rents to be modelled at 60%, 70% as well as 80% of market rents
- What is split of affordable and social rent anticipated for these homes?
- What is the feedback from residents about how they feel about the project, design and demolition?
- Why is the council not demolishing all homes?
- Alternative viability assessment approach to inc. sale of land and capital receipt being used instead of on site delivery
- Will the council need to use CPO powers?
- Why have costs increased dramatically?
- Is there sufficient contingency in the budget?
- What is the Hectare of the site?
- Can members have a comparison of m2 for the properties being built by property type and in comparison to other council schemes and the market

17.3 The Portfolio Holder for Housing has listened carefully to the comments raised by Scrutiny Committee as noted in section 17.1 and 17.2. The Portfolio holder is recommending at 2.7 of this report that the Scrutiny Committee and Executive Committee receive a formal annual Project Review Report to ensure project oversight, monitoring of outcome delivery and tenant and community benefits, efficiency, adherence to businesses plan and value for money.

Democratic Path:

- **Tenants Strategic Group – Yes**
- **Scrutiny / Corporate Governance or Audit Committees – Yes**
- **Cabinet/Executive – Yes**
- **Full Council – Yes**

List of Appendices

Appendix A	CONFIDENTIAL Finance Report
Appendix B	Risk Register
Appendix C	Phase Plan
Appendix D	Images of the NWTP new development

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

Document is Restricted

RISK OR ISSUE DESCRIPTION	EXISTING CONTROL MEASURE	PROBILITY (1-5)	IMPACT (1-5)	RAG (Red 13-25, Amber 8-12, Green 1-7)	RESPONSE OR ACTION
<p>Construction costs rise significantly at the procurement stage and during schemes delivery</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 207</p>	<p>Engie, the contractor, have been appointed and provided initial costings against the Council's requirements. Contractor appointed for Phase A and, subject to performance, will continue to later phases within costs agreed by stage benefitting from a clear understanding of the baseline costs. Site constraints have been carefully examined and full investigations carried out. The Council use a Pre-Contract Service Agreement to understand costs by phase prior to the Council committing to works. Engie are working with SWT to provide clear costs including sub-contractors. The Council appoint Employers Agents to help understand costs and risks.</p>	2	5	10	<p>Full site investigations will be carried out prior to entering into contract. All costs will be carefully assessed by our Employer's Agent. PCSA process adopted to understand costs pre works, material being reviewed due to supply chain disruption/Covid.</p>

<p>Not securing vacant possession of the site – purchasing remaining private homes.</p>	<p>Enabling budget approved to purchase the remaining private homes within Phases B – D. 10/19 have already been purchased and a further 3 are currently in negotiations.</p>	<p>1</p>	<p>5</p>	<p>5</p>	<p>Council has CPO powers to secure the purchase of these properties and any risks will be highlighted early in the development programme to minimise the impact on the Project.</p>
<p>Not securing vacant possession of the SWT tenanted properties.</p> <p>Page 208</p>	<p>Tenants are being decanted in phases giving 12 – 18 months to decant each phase when tenants will be Gold banded on Homefinder Somerset and Taunton homes ring-fenced for NTWP tenants. New builds in earlier phases will be allocated to existing NTWP tenants, decant homes available in later phases and as a last resort.</p>	<p>1</p>	<p>5</p>	<p>5</p>	<p>Decant Policy sets out requirements for tenants to bid for new homes either on NTWP or elsewhere and bids can be placed on behalf of tenants to suitable properties. If required, SWT can pursue a Notice of Seeking Possession.</p>
<p>Failure to gain Reserved Matters planning consent.</p>	<p>Outline planning permission already granted, weekly meeting with planning consultants for resolution of design matters. Customer engagement through working groups, open public events planned and communication through newsletters and Facebook. Monthly monitoring of programme and budget.</p>	<p>2</p>	<p>5</p>	<p>10</p>	<p>Initial discussions with Planners have been very positive and the majority of the house designs are already approved for Phase A and the principles for Phases B – E are agreed as submitted with the outline Planning Application. The scheme falls within the Somerset levels water catchment area and therefore the development is commissioning a phosphates impact study. The scheme will need to compensate for any potential increase.</p>

Highways adoption	<p>The access road leading to the site will need to be adopted in advance of adoption proceeding for the residential development.</p> <p>Discussions with SCC Highways are ongoing as part of the Reserved Matters submission and S106 requirements.</p>	4	3	12	S106 requires Off Street Parking specification to be approved by SCC prior to occupation of 40% of the development
Page 209	Significant investment in staff resources and on site facility, comprehensive engagement and communication strategies, engagement of specialist consultants	2	4	8	Significant customer engagement and communication, customers engaged in the design process, working groups being set up to engage more customers and in particular seeking to bring additional benefit to the neighbourhood, NTWP team meetings occur daily and close working with consultants and ENGIE. The Project is being considered as one continuous project and the dialogue with consultants and ENGIE aim to reinforce the smooth transition between phases expected (subject to suitable performance).
Delay in project progress at any stage resulting from a further COVID-19 outbreak and subsequent lockdown, or similar	There are a range of ways in which Covid could affect the scheme from site lockdown to supply chain interruption to workforce and	3	4	12	The scheme will review Covid risks on a daily basis.






occurrence	material inflation. .				
<p>Loss of community support</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 210</p>	<p>Retaining community support would magnify the risks associated with project delivery and successful regeneration outcomes.</p>	1	5	5	<p>The NTWP working closely with residents and the tenants' Implementation Working Group. It is engaging customers through working groups and significant communication including fact sheets, newsletters and daily Facebook updates. The project has amended proposals through the consultation process. Local members are engaged through monthly meetings and opportunities to participate on working groups</p>
<p>Unexpected site constraints are identified</p>	<p>Full Report of Title has been completed by legal to identify ownership of land.</p>	3	2	6	<p>If found a viability review would take place considering any additional cost constraints.</p>
<p>Party Wall Matters. Party Wall claims for refurbished SWT homes or boundaries adjoining home owners' properties.</p>	<p>Areas within the development are being identified by the Architect and Contractor which may be subject to Party Wall Act.</p>	3	4	12	<p>Party Wall Surveyor being employed to provide advice, assistance and conduct negotiations where required for any compensation due</p>
<p>BREXIT</p>	<p>The councils procurement processes ensure contract deliverables and contract prices are understood</p>	2	5	10	<p>Continuous dialogue with suppliers and contractors to understand market changes.</p>

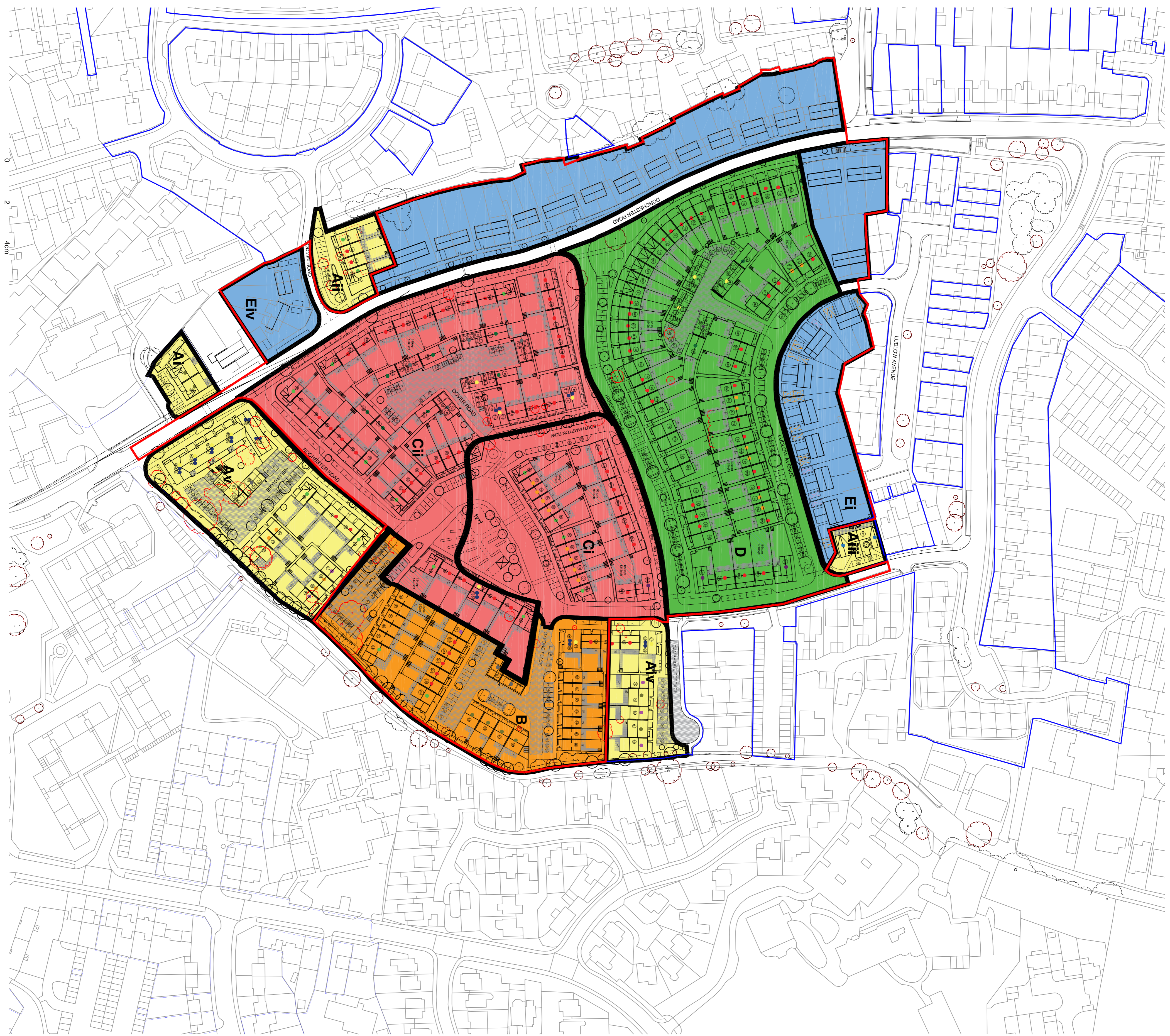
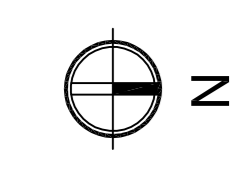
The main contractor is unable to complete the works due to insolvency or other	Thorough examination of the contractor's financial position and capacity to undertake the work is examined as part of the procurement	2	3	6	Appropriate bonds and guarantees are requested as part of the contract process.
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RISK ASSESSMENT		
Probability	Impact	RAG
1. Insignificant	1. Insignificant	HIGH 13-25
2 Slight	2. Minor	MEDIUM 8-12
3 Feasible	3. Significant	LOW 1- 7
4 Likely	4. Major	
5 Very Likely	5. Critical	

Total	New Homes
8	1B Flats over Garages
2	1B Bungalow
22	1B Flat
14	2B Flat
8	2B Bungalow
9	2B Chalet
32	2B House
86	3B House
6	3B Chalet
36	4B House
3	5B House
226	New Homes Sub-Total
50	Existing Homes
276	Grand Total

 Potential Refuse Collection Point

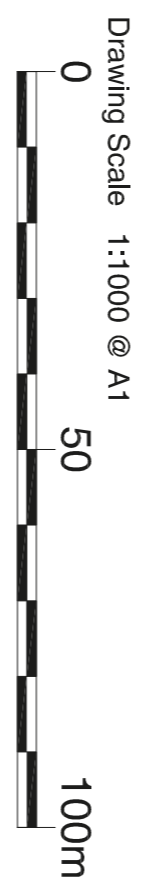
-  Phase A
-  Phase B
-  Phase C
-  Phase D
-  Phase E



Responsibility is not accepted for errors made by others in scaling from this drawing. Contractors must check all dimensions on site. Discrepancies must be reported immediately to the architect before proceeding. This drawing is copyright ©2018 Nash Partnership. All rights reserved.

Rev.	Date	Notes	Rev.
A	18.11.18	Draw Application Issue	LM
B	18.11.18	Planning Issue	LM
C	12.12.18	Highways Update	LM
D	06.03.19	Planning Name Update	LM
E	01.06.20	Planning Name Update	LM

CDM Regulations
xxx



PLANNING		
Job Number	Drawing Number	Revision
17025	L011	E

Project
North Taunton Woolway Project

Title
Illustrative Phase Plan

Drawn by	Project Manager
LM	AT

Scale	Date created
1:1000 @ A1	06.11.18

Appendix D – Master plan images of the proposed NTWP development

Page 215



D Wells Close West
1 : 200

E Durham Place West
1 : 200

F Rochester Road West
1 : 200

Levels subject to further site investigations clarification by engineers



Phase 1 Full Application			
Project	Originator	Zone	Level
17025	NP	XX	ZZ
Type	Plot	Drawing Number	Revision
DR	A	1047	D
Project North Taunton Woolaway Project			
Title Street Elevations phase 1			
Drawn by	Project Manager	Scale	
EC	AT	1 : 200 @ A3	

