

SWT Special Full Council - 1 December 2020

Present: Councillor Hazel Prior-Sankey (Chair)

Councillors Simon Coles, Ian Aldridge, Benet Allen, Lee Baker, Mark Blaker, Chris Booth, Paul Bolton, Sue Buller, Norman Cavill, Dixie Darch, Hugh Davies, Dave 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, Craig Palmer, Derek Perry, Peter Pilkington, Andy Pritchard, Steven Pugsley, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Phil Stone, Andrew Sully, Nick Thwaites, Ray Tully, Sarah Wakefield, Alan Wedderkopp, Danny Wedderkopp, Brenda Weston, Keith Wheatley, Loretta Whetlor and Gwil Wren

Officers: Dawn Adey, James Barraah, Jo Comer, Lesley Dolan, Paul Fitzgerald, James Hassett, Alison North, Andrew Pritchard, Clare Rendell, Amy Tregellas, Chris Brown, Olivia Clydesdale, Chris Hall, Michelle Hall, Wendy Lewis, Kate Murdoch, Kerry Prisco, Shane Smith, Christian Trevelyan and Jane Windebank

(The meeting commenced at 6.15 pm)

67. Apologies

Apologies were received from Councillors S Nicholls, M Peters, A Trollope-Bellew and T Venner.

68. Declarations of Interest

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

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr L Baker	All Items	Cheddon Fitzpaine & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Blaker	All Items	Wiveliscombe	Personal	Spoke and Voted
Cllr P Bolton	All Items	Minehead	Personal	Spoke and Voted
Cllr C Booth	All Items	Wellington and Taunton Charter Trustee	Personal	Spoke and Voted
Cllr N Cavill	All Items	West Monkton	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted

Cllr H Davies	All Items	SCC	Personal	Spoke and Voted
Cllr C Ellis	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr A Govier	All Items	SCC & Wellington	Personal	Spoke and Voted
Cllr Mrs Hill	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr J Hunt	All Items	SCC & Bishop's Hull	Personal	Spoke and Voted
Cllr R Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr S Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Lisgo	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Lithgow	All Items	Wellington	Personal	Spoke and Voted
Cllr J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke and Voted
Cllr A Milne	All Items	Porlock	Personal	Spoke and Voted
Cllr C Morgan	All Items	Stogursey	Personal	Spoke and Voted
Cllr C Palmer	All Items	Minehead	Personal	Spoke and Voted
Cllr D Perry	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr P Pilkington	All Items	Timberscombe	Personal	Spoke and Voted
Cllr H Prior-Sankey	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke and Voted
Cllr F Smith	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr F Smith-Roberts	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr V Stock-Williams	All Items	Wellington	Personal	Spoke and Voted
Cllr N Thwaites	All Items	Dulverton	Personal	Spoke and Voted
Cllr R Tully	All Items	West Monkton	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr D Wedderkopp	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Whetlor	All Items	Watchet	Personal	Spoke and Voted
Cllr G Wren	All Items	Clerk to Milverton PC	Personal	Spoke and Voted

Councillors H Davies, R Habgood and L Whetlor declared personal interests on agenda item 7, Coastal Protection Works Associated with the B3191.

Councillor M Kravis declared a prejudicial interest on agenda item 7, Coastal Protection Works Associated with the B3191 and would leave the meeting for the debate.

Councillor L Baker declared a personal interest on agenda item 13, North Taunton Woolaway Project, as he had been part of many working groups for the project.

69. **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**

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

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

The Chair marked a minutes silence for former Taunton Deane Councillor John Meikle and former West Somerset Councillor Mike Gammon, who had both passed away.

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

There were no announcements from the Leader.

72. **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**

The Chair advised Councillors that no questions had been received under Procedure Rule 13.

73. **Coastal Protection Works Associated with the B3191**

During the discussion, the following points were raised:-

- Councillors were keen to see the work completed to preserve the B3191 for the local residents and businesses who relied upon that part of the road network.
- Councillors were glad that the Council was working with the Environment Agency (EA) to complete the work.
- Councillors requested clarification on the costings stated in the recommendations.
- Councillors queried whether the work within the report was for the Blue Anchor end of the road only.

- The Portfolio Holder for Environmental Services advised that was correct.*
- Councillors queried whether once the authority was given to the Director of External Operations, whether approval for future phases of the project would come back to Full Council.
The Portfolio Holder for Environmental Services advised that as it was a delegated authority, it would not come back to Full Council.
 - Councillors requested assurance that if Somerset County Council (SCC) and the EA withdrew from the scheme that Somerset West and Taunton Council (SWT) would not be left with the cost.
The Assistant Director for Climate Change and Assets advised that SWT would lead on the work as the Coastal Protection Authority and that SCC would become funders. Officers would have discussions with the contractors to ensure any cost overspend would be minimised. If costs did overrun, then SWT could approach the SCC and EA for further funding but that it was not guaranteed.
 - Councillors thanked the officers for their work on the scheme.
 - Councillors queried what the timescale was for the scheme.
The Assistant Director for Climate Change and Assets advised that 2021 would be used to set out the timeline for the scheme. Officers would need to apply for planning permission and he expected that the physical building works would start in 2022.
 - Councillors requested clarification on the figures within the funding table on page 12.
 - Councillors highlighted that when the new unitary authority was established, then the work would be transferred across to the new council.
 - Councillors were pleased to see the improvement works coming forward for the B3191 as they had seen several schemes being carried out on the A358 and A39 and highlighted that the B3191 was also used as a major route through that part of the district.

Resolved that Full Council supported the following:-

- 1) That Somerset West and Taunton Council agreed 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 was funded entirely by the Highways Authority, Environment Agency and or other external contributors;
- 2) Gave 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;
- 3) 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;
- 4) Endorsed an increase in the annual maintenance budget for coastal protection assets was 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 would offset, with amount to be determined and approved by the budget holder in line with Financial Procedure Rules; and
- 5) Approved a Supplementary Capital Budget of £385,000 for the emergency works necessary for Blue Anchor, to be funded by the approved grant from the Environment Agency.

74. **Staplegrave New Community - Housing Infrastructure Fund**

During the discussion, the following points were raised:-

- Councillors highlighted that this was a vital part of the infrastructure for the area as the roads were used for commuters and the local schools.
- Councillors explained how the work would help the traffic networks of Taunton.
- Councillors queried how officers would incentivise developers to take the loan.

The Portfolio Holder for Planning and Transportation advised that majority of developers were keen to take on the loan, so didn't need much incentive.

- Councillors wanted assurance of the early delivery of the spine road as part of the development.

The Portfolio Holder for Planning and Transportation advised that the Housing Infrastructure Fund allowed for the spine road to be delivered at an early stage but it was not likely to be completed first.

- Concern was raised on what happened if the developers went 'bust'.
The Portfolio Holder for Planning and Transportation advised that if the developers went 'bust', there would be a charge placed on the land so that SWT could reclaim the asset. There were several safety mechanisms in place as part of the funding agreement.

Resolved that Full Council:-

- 1) Approved 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 Staplegrave developers (or alternatively the landowners with appropriate covenants to bind developers when they were appointed), to ensure draw down of the HIF funding in line with the requirements of the Homes England Grant Funding Agreement; and
- 2) Approved a Supplementary Budget of £14.2m was added to the General Fund Capital Programme for the provision of the loan funding to the developer, dependent on the agreement of terms.

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

During the discussion, the following points were raised:-

- Councillors were pleased to see the report coming through the democratic process for SWT, as it would benefit low income households to access schemes to adapt their properties.

- Councillors requested clarification on the name of the grant and the use of the title 'disabled'.
Clarification was given that the title of the grant was governed by legislation.
- Councillors requested that rural deprivation was included within the scheme.
- Councillors supported the report as it actively promoted independent living.

Resolved that Full Council:-

- 1) Approved the amendments to the Somerset West Private Sector Renewal policy;
- 2) Approved the new Appendix B zero interest equity loan product providing additional support to owner occupiers in regeneration areas where SWT were comprehensively refurbishing HRA homes; and
- 3) Approved Phase E of the NTWP as a location and phase where the Special Purpose Grant would 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.

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

Resolved that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next items of business on the grounds that it involved 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).

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

During the discussion, the following points were raised:-

- Concern was raised on the parking allocations within the development and that most households had two cars and the plans had only allocated for 1.7 spaces per property.
The Portfolio Holder for Housing advised that the Planning Department had been made aware of the parking issues. The Officer gave information on how many spaces would be allocated to each size of property.
- Concern was raised on the public transport network in the former West Somerset area of the district.
The Portfolio Holder for Housing agreed that SWT needed to lobby SCC regarding the public transport for the area.
- Councillors were pleased to see that the scheme included the zero carbon builds as that would make energy bills cheaper for residents.
- Councillors were reassured that the flooding issues had been taken into account.

- Concern was raised on health and safety with the close proximity of the cricket ground to the development.
The Housing Development Manager Specialist advised that they had looked into acquiring an extendable fence for the cricket club and that they would need to have discussions with them about how to implement that.
- Concern was raised on whether the residents would be able to obtain insurance for properties located within a flood plain.

Resolved that Full Council:-

- 1) Approved the development of 54 Affordable Homes built to zero carbon standards, subject to planning approval;
- 2) Approved the supplementary budget as stated in confidential appendix A;
- 3) Approved 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;
- 4) Delegated authority to the Section 151 Officer to determine the final funding profile for this scheme once the finalised design had received planning approval and tenders had been received; and
- 5) Noted the use of affordable rents for these new build HRA homes in line with the 2020 Rent Setting Policy. The affordable rents would be set to ensure scheme viability at between 60% and 80% of market rates.

78.

Oxford Inn New Build HRA Zero Carbon Homes, Taunton

During the discussion, the following points were raised:-

- Councillors were happy to support the report.
- Councillors wanted reassurance that some of the artefacts would be protected and reused.
The Portfolio Holder for Housing advised that where they could save an artefact, they would and that officers had looked into saving the artwork on the building as well.
- Councillors were pleased to see the proposed development on a derelict site.
- Councillors queried whether the building was listed.
The Portfolio Holder for Housing advised that it was not listed.
- Councillors queried what type of heating would be used.
The Portfolio Holder for Housing advised that air source or exhaust heat pumps were likely to be used. The type of heating used would use less electricity than conventional heating and that the properties would be well insulated.

Resolved that Full Council:-

- 1) Approved the use of the vacant SWT public house for new zero carbon affordable homes;
- 2) Approved the demolition of the Oxford Inn;
- 3) Approved the development of 11 affordable homes built to standards emerging from the Zero Carbon Affordable Homes Pilot, subject to planning approval;

- 4) Allocated a total budget and borrowing requirement in line with confidential Appendix A;
- 5) Delegated authority to the Section 151 officer to determine the final funding profile for this scheme once the finalised design had received planning approval and tenders had been received; and
- 6) Noted the use of affordable rents for these new build HRA homes in line with the 2020 Rent Setting Policy. The affordable rents would be set to ensure scheme viability at between 60% and 80% of market rates.

79. North Taunton Woolaway Project

During the discussion, the following points were raised:-

- Councillors agreed that it was a challenging project and thanked officers for the support given to the residents of North Taunton and they were impressed with the amount of community involvement.
- Some councillors suggested that all the properties should be replaced and not refurbished.
The Portfolio Holder for Housing advised that they could not force owner occupiers to demolish their property. The Development Manager gave clarification on the figures for decant and refurbishments.
- Councillors queried whether the decant would be carried out in phases.
The Portfolio Holder for Housing advised that yes the project had been set up to be completed in phases.
- The Chair proposed a 30 minute time extension which was carried.
- Councillor Martin Hill proposed that the project be deferred for three months to allow for an options appraisal to be carried out. This was duly seconded by Councillor Sue Buller as it would give officers the opportunity to provide the best for the community.
- Councillors were disappointed to see a deferral being proposed as the project had been worked on for eight years.
- Councillors highlighted that they needed to be mindful of the message to the community if the project was deferred and the delay it would cause on each phase.
- Councillor Janet Lloyd requested a named vote was taken on the deferral which was duly seconded by Councillor Fran Smith and was carried.
- Councillors requested that they were able to finish the debate on the financial information in closed session to allow them to make an informed vote on the deferral.
- The Chair proposed a 30 minute time extension which was carried.
- Discussions were carried out on the confidential finance appendix.
- The Chair proposed a 30 minute time extension which was lost.
- Councillors agreed that the item would be adjourned and for the discussion to carry on after the rising of the Special Full Council meeting taking place on 3 December 2020.

(The Meeting ended at 10.15 pm)