

## SWT Full Council

Tuesday, 5th July, 2022,  
6.15 pm



Somerset West  
and Taunton

The John Meikle Room - The Deane  
House

### [SWT MEETING WEBCAST LINK](#)

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

### Agenda

**1. Apologies**

To receive any apologies for absence.

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

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

**3. Declarations of Interest**

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

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and

(Pages 7 - 12)

other Local Authorities will automatically be recorded in the minutes.)

#### **4. Public Participation**

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

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

We are now live webcasting most of 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](#).

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

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

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

#### **8. Petition - Taunton Area Cycling Campaign (TACC)**

(Pages 13 - 16)

#### **9. Use of Urgency Powers and Supplementary Capital Budget for Coal Orchard Regeneration Project**

(Pages 17 - 24)

This matter is the responsibility of the Executive Councillor for Corporate Resources, Councillor Benet Allen.

#### **10. Blue Anchor - Request for Capital Supplementary Budget Increase**

(Pages 25 - 28)

This matter is the responsibility of the Executive Councillor for Environmental Services, Councillor Andy Sully.

#### **11. Ecological Emergency Vision and Action Plan**

(Pages 29 - 80)

This matter is the responsibility of Executive Councillor for Climate Change, Councillor Dixie Darch.

#### **12. Scheme of Delegation to Officers**

(Pages 81 - 126)

This matter is the responsibility of the Leader of the Council, Councillor Federica Smith-Roberts.

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|--|--------------------------|
| <p><b>13. Local Government Reorganisation: Re-establishment of the Joint Scrutiny Committee</b></p> <p>This matter is the responsibility of the Leader of the Council, Councillor Federica Smith-Roberts.</p>  | <p>(Pages 127 - 142)</p> |
| <p><b>14. Access to Information - Exclusion of the Press and Public (Appendices Only)</b></p> <p>During discussion of the following items (Agenda Item 15 – Appendix 1 only, Agenda Item 16 – Appendix 1 and 4 only) 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. Full 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 (Agenda Item 15 – Appendix 1 only, Agenda Item 16 – Appendix 1 and 4 only) 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).</p> |                          |
| <p><b>15. Six Monthly Commercial Property Investment Update</b></p> <p>This matter is the responsibility of Executive Member for Corporate Resources, Councillor Benet Allen.</p>  | <p>(Pages 143 - 178)</p> |
| <p><b>16. Green Space Acquisition</b></p> <p>This matter is the responsibility of the Executive Councillor for Economic Development, Planning and Transportation, Councillor Mike Rigby.</p>   | <p>(Pages 179 - 212)</p> |
| <p><b>17. Re-admittance of the Press and Public</b></p>  |                          |
| <p><b>18. Motion regarding the Cost of Living</b></p> <p>To consider a Motion proposed by Councillor Chris Booth, seconded by Councillor Federica Smith-Roberts</p>  | <p>(Pages 213 - 218)</p> |
| <p><b>19. To consider reports from Executive Councillors</b></p> <p>Part I – To deal with written questions to the Executive.</p>  | <p>(Pages 219 - 278)</p> |

Part II – To receive reports from the following Members of the Executive:-

- a) Councillor Federica Smith-Roberts – Leader of the Council
- b) Councillor Derek Perry – Deputy Leader & Sports, Parks, Leisure and Phosphates
- c) Councillor Benet Allen – Corporate Resources
- d) Councillor Christopher Booth – Community
- e) Councillor Caroline Ellis – Culture
- f) Councillor Dixie Darch – Climate Change
- g) Councillor Mike Rigby – Economic Development, Planning and Transportation
- h) Councillor Francesca Smith - Housing
- i) Councillor Andy Sully – Environmental Services
- j) Councillor Wakefield – Local Government Reorganisation

An Executive Councillor shall submit a report to an Ordinary Meeting of the Council as to current and future business of their portfolio for the information of and comment from the Council. Such reports are for discussion and comment only and no motion shall be put to the meeting as to any such item other than those closure motions described in Standing Order 5.



**ANDREW PRITCHARD**  
**CHIEF EXECUTIVE**

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

Members of the public are welcome to attend the meeting and listen to the discussions. There is time set aside at the beginning of most meetings to allow the public to ask questions. Speaking under "Public Question Time" is limited to 3 minutes per person in an overall period of 15 minutes 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. These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

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

Any requests need to be received by 4pm on the day that provides 1 clear working day 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 Friday prior to the meeting.

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The meeting rooms, including the Council Chamber at The Deane House, are on the first floor and are fully accessible. Lift access to The John Meikle Room (Council Chamber), is available from the main ground floor entrance at The Deane House. The Council Chamber at West Somerset House is on the ground floor and is fully accessible via a public entrance door. Toilet facilities, with wheelchair access, are available across both locations. An induction loop operates at both The Deane House and West Somerset House to enhance sound for anyone wearing a hearing aid or using a transmitter.

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**SWT Annual Council - 24 May 2022**

Present: Councillors Ian Aldridge, Benet Allen, Lee Baker, Marcus Barr, Mark Blaker, Chris Booth, Sue Buller, Norman Cavill, Simon Coles, Dixie Darch, Hugh Davies, Tom Deakin, Dave Durdan, Kelly Durdan, Caroline Ellis, Habib Farbahi, Ed Firmin, Steve Griffiths, Roger Habgood, Andrew Hadley, Barrie Hall, John Hassall, Nicole Hawkins, Ross Henley, Marcia Hill, John Hunt, Dawn Johnson, Richard Lees, Sue Lees, Libby Lisgo, Janet Lloyd, Dave Mansell, Andy Milne, Simon Nicholls, Craig Palmer, Derek Perry, Martin Peters, Hazel Prior-Sankey, Andy Pritchard, Steven Pugsley, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Andrew Sully, Nick Thwaites, Terry Venner, Sarah Wakefield, Danny Wedderkopp, Brenda Weston, Loretta Whetlor and Gwil Wren

Officers: Lesley Dolan, Paul Fitzgerald, Chris Hall, Andrew Pritchard, Clare Rendell, Amy Tregellas, Kevin Williams and Paul Harding

(The meeting commenced at 6.15 pm)

1. **Election of Chair**

**Resolved** that Councillor Hazel Prior-Sankey be elected Chair of the Council for the ensuing municipal year.

2. **Appointment of Vice Chair**

**Resolved** that Councillor Richard Lees be appointed as Vice-Chair of the Council for the ensuing municipal year.

3. **Apologies**

Apologies were received from Councillors A Govier, M Kravis, M Lithgow, A Trollope-Bellew and R Tully.

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

(Minutes of the meeting of Full Council held on 29 March 2022 circulated with the agenda)

**Resolved** that the minutes of Full Council held 29 March 2022 be confirmed as a correct record.

5. **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	Reason	Action Taken
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		Interest		
Cllr I Aldridge	All Items	Williton	Personal	Spoke and Voted
Cllr L Baker	All Items	SCC, Cheddon Fitzpaine & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Barr	All Items	SCC & Wellington	Personal	Spoke and Voted
Cllr C Booth	All Items	Wellington and Taunton Charter Trustee	Personal	Spoke and Voted
Cllr N Cavill	All Items	SCC & West Monkton	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr D Darch	All Items	SCC	Personal	Spoke and Voted
Cllr H Davies	All Items	SCC	Personal	Spoke and Voted
Cllr T Deakin	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr C Ellis	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr H Farbahi	All Items	SCC	Personal	Spoke and Voted
Cllr A Hadley	All Items	SCC	Personal	Spoke and Voted
Cllr R Henley	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 D Johnson	All Items	SCC	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 J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke and Voted
Cllr D Mansell	All Items	SCC	Personal	Spoke and Voted
Cllr S Nicholls	All Items	Comeytrove	Personal	Spoke and Voted
Cllr C Palmer	All Items	Minehead	Personal	Spoke and Voted
Cllr D Perry	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Peters	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr H Prior-	All Items	SCC & Taunton	Personal	Spoke and Voted



Sankey		Charter Trustee		
Cllr S Pugsley	All Items	SCC	Personal	Spoke and Voted
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke and Voted
Cllr F Smith	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr F Smith-Roberts	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr A Sully	All Items	SCC	Personal	Spoke and Voted
Cllr N Thwaites	All Items	Dulverton	Personal	Spoke and Voted
Cllr T Venner	All Items	Minehead	Personal	Spoke and Voted
Cllr S Wakefield	All Items	SCC	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	SCC & Clerk to Milverton PC	Personal	Spoke and Voted

6. **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.

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

The Chair of the Council highlighted the many celebrations being held across the District for the Queen's Platinum Jubilee and urged Councillors to attend some of the events.

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

The Leader of the Council made the following announcements:-

- The Leader thanked Councillor Gwil Wren for all his work over the past three years as Group Leader of the Opposition and welcomed Councillor Loretta Whetlor to the role.
- The Leader gave an update on the Executive Members for the new Municipal Year.

9. **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**

No questions were received in relation to Procedure Rule 13.

#### **10. Election of the Chair of the Corporate Scrutiny Committee**

**Resolved** that Councillor Sue Buller be elected as Chair of the Corporate Scrutiny Committee for the ensuing municipal year.

#### **11. Election of the Chair of the Community Scrutiny Committee**

**Resolved** that Councillor Libby Lisgo be elected as Chair of the Community Scrutiny Committee for the ensuing municipal year.

#### **12. Somerset West and Taunton Council Committees, Terms of Reference, Committee Allocation and Appointments to Committees**

The Group Leaders each gave a verbal update on some amendments they had made to the Committee Compositions.

**Resolved** that Full Council approved:

- a) The Committee structure as set out in articles in the Constitution as set out in Appendix A
- b) The size of each Committee as set out in section 4.3 of this report
- c) The Terms of Reference of those Committees as set out in Appendix B
- d) The numerical political allocation as set out in Appendix C
- e) The Councillor appointments to Committees as set out in Appendix D, as amended.

#### **13. Appointment of Representatives on Outside Bodies**

The Group Leaders gave a verbal update on some amendments to the list of representatives on the Outside Bodies.

**Resolved** that Full Council agreed the Appointments of Representatives to Outside Bodies for 2022/2023 (attached as Appendix A, as amended).

#### **14. To authorise the sealing or signing of documents to give effect to any decisions taken**

**Resolved** that Full Council approved the list of officers delegated to sign and seal Council documents as per the Constitution's Scheme of Delegation.

#### **15. Decision taken under the urgency rules regarding the Discretionary Council Tax Energy Payment Scheme**

During the discussion, the following points were raised:-

- Councillors were happy to support the scheme.
- Councillors agreed that Central Government needed to do more to help residents with their energy bills.
- Councillors requested a summary of the scheme to be able to share with customers.
- Councillors thanked the officers for all their hard work.

**Resolved** that Full Council noted the decision made by the Chief Executive on 5 May 2022 under paragraph 5 of the Budget and Policy Framework within the Council's Constitution in relation to the use of the £292k funding received from Government.

16. **Formal delegation to the Parish Councils of Wellington, Pitminster and Milverton to determine specified types of planning application until 31 March 2023**

During the discussion, the following points were raised:-

- Councillors were pleased that the relevant Parish Councils had been granted the delegation powers within the report.
- Councillors agreed that it was a good scheme which involved Parish Councils in the Planning process.
- Councillors were keen to carry the scheme forward into the New Unitary Council.
- Councillors agreed that planning training had helped in local planning decisions.
- Councillors highlighted that some Parishes should be added to the scheme.

**Resolved** that Full Council agreed the formal delegation to the Parish Councils of Wellington, Pitminster and Milverton under S101 of the Local Government Act 1972 and S1 of the Localism Act 2011 to determine specified types of planning application as set out in paragraph 4.2 of the report and included in a delegation agreement until 31 March 2023.

17. **Temporary Appointment of Members to Town and Parish Councils**

**Resolved** that Full Council approved:-

- a) Delegated the responsibility for the calling of any additional polls required after a Void Election where a Parish was inquorate to the Chief Executive as Returning Officer in line with the requirements of The Representation of the People Act 1983.
- b) Delegated the responsibility for making temporary appointments to inquorate Parish and Town Councils along with the making of the necessary Order to the Chief Executive in consultation with Group Leaders in line with the procedure set out in Appendix A.
- c) Approved the amendment of the Constitution to include the recommended delegations above at a) and b) as a function of the Chief Executive at 4.2 on Page 44 of the SWT Constitution under Responsibility for Functions.

(The Meeting ended at 6.50 pm)

## **Somerset West and Taunton Council**

### **Petitions to Council – Assessment Form**

On receipt of a Petition from the requisite number of people appealing to the Authority (more than 200 for it to be debated at the next ordinary Full Council), the Governance Team will ensure an assessment is made as to its contents to establish whether there are likely to be significant consequences to the Council should the request(s) in the Petition be approved at the subsequent Full Council meeting.

There are Excluded Matters which are matters that are excluded from the scope of the petitions duty and these are:

- a) Any matter relating to a planning decision, including about a development plan document or the community infrastructure levy;
- b) Any matter relating to an alcohol, gambling or sex establishment licensing decision;
- c) Any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;
- d) Any matter which the Chair of the Council or relevant Committee believes to be scurrilous, offensive, improper, repetitious, capricious, irrelevant or otherwise objectionable.

Petitions submitted to the Council must include:

- a) A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take;
- b) The name and address and signature of any person supporting the petition;
- c) The name and address of the petition organiser

If valid, the first question to be addressed when assessing the Petition will be:-

“Can the request of the petitioner, if approved, be implemented without the need for any resource (financial and otherwise) to be identified outside existing budgets or staffing capacity?”

If the answer is ‘yes’, then the Petition can proceed towards discussion and potential resolution.

An example of a Petition which would fall into the above category would be where the Council is being asked to lobby the Government, Somerset County Council or other body on a particular issue. If the Petition is carried, the action required will usually involve no more than a letter being prepared and sent to the intended recipient.

However, as in the case of the recent Petition on The Brewhouse, the answer to the above question would clearly be 'no'.

In such circumstances, detailed analysis of the wording of the Petition will be required to identify what will be needed if the Petition – when it comes before Full Council – is carried.

Such analysis will include:-

- What additional resource would be required to ensure the Petition (if approved) could be implemented?
- What needs to be done to identify the level of resource necessary both in financial and staff terms?
- Are any approvals needed to provide these resources?
- Will this require reports to be submitted through Scrutiny and the Executive? If a Supplementary Estimate is required, Full Council approval will be required too.

If such analysis is required, the Governance Team will arrange for the attached pro-forma to be completed and this will accompany the relevant Petition onto the agenda of the Full Council meeting so all Members are aware that further investigation will be required before the Petition – even if it is carried – can be implemented.

The Council will decide how to respond to the petition which may include;

- a) To take the action requested.
- b) Not to take the action requested for the reasons given in the debate.
- c) Refer the matter for further investigation.
- d) Refer the matter to the Council Executive for final decision.

A petitioner has the right to request a review of the steps taken in response to the petition if they are unhappy and that request shall be made to the Council's Scrutiny Committee.

## Petitions to Council – Assessment Proforma

**(To be used in circumstances where it appears the wording of a proposed Petition will commit the Council to providing further financial or staffing resources which cannot be met from existing budgets)**

### Details of the Petition –

- Taunton Area Cycling Campaign (TACC) presented a petition to Councillor John Woodman, Cabinet Member for Highways at Somerset County Council on 10 January 2020. No response was received, likely due to Covid soon after.
- The online and paper petition had been signed by 1800 Taunton residents and asked Somerset County Council (SCC) and Somerset West and Taunton Council (SWT) to prioritise and develop a major bid for Government funds for cycling infrastructure.

### Petition

SWT Officers have worked with TACC to enact a slight revision to the initial petition to reflect the work SWT is already undertaking.

TACC requests that SWT will:

1. Support the implementation of a high quality cycle network by direct implementation where SWT has control, and by influencing others (developers, SCC, National Highways) where it doesn't have control
2. Encourage cycling to school
3. Promote with SCC cycle friendly road design
4. Work collaboratively with SCC and TACC

### Questions to be addressed

- ***What additional resource would be required to ensure the Petition (if approved) could be implemented?***

Petition points 1, 3 and 4 are already being addressed by SWT with significant cycling improvement schemes for Taunton underway: Future High Streets Fund – Active Travel, East St, TACC's 'Hot Spots'/ Missing Links and Connecting Our Garden Communities. These projects are working closely with both SCC and TACC to implement a high-quality cycle network in Taunton.

Point 2 – encouraging cycling to school is, however, not currently being addressed as a formal project. Should SWT wish to commit to this as a future project, additional officer time would need to be provided to deliver the action. Encouraging cycling to school is, however, being addressed by SCC with projects such as School Streets, HPC Travel Demand Management (encouraging cycling to primary schools), Bikeability, Cycle to School Week, and cycle maintenance sessions in schools in Bridgwater. This action could therefore be considered as addressed without additional resource from April 2023.

<ul style="list-style-type: none"> <li>• <i>What needs to be done to identify the level of resource necessary both in financial and staff terms?</i></li> </ul>
<ul style="list-style-type: none"> <li>• <i>Are any approvals needed to provide these resources?</i></li> </ul>
<ul style="list-style-type: none"> <li>• <i>Will this require reports to be submitted through Scrutiny and the Executive? If a Supplementary Estimate is required, Full Council approval will be required too.</i></li> </ul>

Likely timescale involved –



# Somerset West and Taunton Council

## Full Council – 5 July 2022

### Use of Urgency Powers and Supplementary Capital Budget for Coal Orchard Regeneration Project

This matter is the responsibility of Executive Member for Corporate Resources

Report Author: Chris Hall, Director of Place and Climate Change

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

- 1.1 Following a period of poor performance, the programme team served a termination notice on Midas on 27th January 2022. During the notice period Midas announced their intention to appoint administrators, left site and have not returned.
- 1.2 The contract was officially terminated by SWT on 25th Feb 2022 following expiry of the notice. A plan to complete the outstanding works was established.
- 1.3 Whilst Midas owed money to its supply chain SWT were up to date with contractual payments at the point of termination.
- 1.4 The team have worked hard to establish the programme of works necessary for completion in addition to securing contractors and material supply.
- 1.5 Having taken into account the approved budget, including contingency and incentives fund, the budget gap to completion is estimated at £775,000.
- 1.6 Urgency powers of the Chief Executive were used to add £675,000 of these costs to the capital programme, a decision usually reserved for Full Council but required urgently due to the limited ability to establish a special Full Council meeting during the pre-election period. Using these powers has allowed the scheme to continue, whilst reducing the risk of further delays and cost growth.
- 1.7 Since the urgent decision further costs have been identified which increase the overall gap by £100,000. This report seeks to add this addition amount to the capital programme.

#### 2 Recommendations

- 2.1 Full Council note the use of urgency powers by the Chief Executive who approved the increased capital budget allocation of £675,000 towards the completion of the Coal Orchard regeneration scheme.
- 2.2 Full Council notes the allocation of a refundable £45,000 bond to National House

Building Council, approved by the S151 Officer and managed through cash flow.

- 2.3 Full Council approves the transfer of £185,000 from General Reserves to a new Coal Orchard Warranty Earmarked Reserve to manage any potential financial liabilities under warranty claims.
- 2.4 Full Council delegates authority to allocate funds from this reserve and approve related uplifts in relevant budgets to the Director of Development and Place, the Assistant Director Major and Special Projects, and the S151 Officer.
- 2.5 Full Council approve a further supplementary capital budget increase of £100,000 for the Coal Orchard scheme additional £100,000 to be funded by capital receipts.

### **3 Risk Assessment**

- 3.1 There are no risks associated with the use of the Council's urgency powers.
- 3.2 There remain risks in delivery of the scheme, but these are being managed by the delivery team and reduce with each phase completing. We are in the final stages of the delivery programme.
- 3.3 Should Council not support the additional £100,000 capital allocation completion of the scheme will be at risk.
- 3.4 Should Council not support the creation of a warranty reserve we will not be able to establish an NHBC warranties on the properties for sale, making mortgage lenders for those units unable to release funds leading to a collapse of the sale.

### **4 Background**

- 4.1 The Coal Orchard scheme is a mixed use regeneration scheme made up of residential units, commercial space, and public realm.
- 4.2 The fixed price contract was awarded to Midas following a competitive public procurement exercise.
- 4.3 The programme team became increasingly dissatisfied with the performance of Midas and despite a range of control measures being implemented, progress slowed to an unacceptable level and notice of termination was issued on 27th January 2022.
- 4.4 During this notice period Midas announced their intention to appoint administrators and left site. In doing so the programme team had to ensure the security of the site, the materials already paid for and site insurance. They also had to manage a range of subcontractor contacts wishing to gain entry to collect their own tools.
- 4.5 The cost of these initial actions was met by reallocating underspends within the Development and Place directorate.
- 4.6 We are aware that most of the subcontractors working on the scheme are owed money from Midas. SWT are not able to step in and pay these costs as the council has already paid Midas for these works in accordance with the contract valuations. The contract also required Midas to pay their supply chain on receipt of council funds, and evidently in part they did not do so.

- 4.7 The Midas contract was entered at a fixed price. This usually affords the client (Somerset West and Taunton Council) a level of protection against increasing costs, however when this contract was terminated (which it would have done through the administration process even if SWTC had not proactively terminated) we become exposed to the rising costs of labour and materials. We consider that the rising costs were a key contributor to the poor performance and so a cost increase to the Council had become inevitable.
- 4.8 The team has engaged a range of contractors to complete the project, many of which were part of the original supply chain. This has been a testing time for both parties due to the debt owed by Midas.
- 4.9 Under the Midas contract National House-Building Council (NHBC) warranties would have been provided and funded. In the absence of the contract Somerset West and Taunton Council needs to establish these warranties to cover any future issues with properties post sale. Whilst there are other warranty providers NHBC are recognised as being one of the leaders and we know them to be acceptable to mortgage lenders. To join the NHBC scheme we must pay the developer bond of £45,000. This bond is to protect NHBC from the failure of the developer (SWTC). Whilst we are a public body and cannot fail in the way private developer might, we are still required to pay the bond. This would be returned to the Council on conclusion of the 2.5 year initial defects warranty period.
- 4.10 The bond held by NHBC is to cover administration of the warranty process in the event of our failure as a going concern. It does not pay for remedial works for which we must demonstrate access to sufficient funds. We proposed to do this by establishing an Earmarked Reserve of £185,000 to be funded through a transfer from the General Reserve.
- 4.11 It is easy to misunderstand the warranty process as we are joining a scheme but remain financially responsible for claims. It could be considered as an NHBC managed self-insurance scheme. A contractor has been identified to oversee the process on our behalf.

## **5 Links to Corporate Strategy**

### Homes and Communities:

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

Objectives:

Increase the number of affordable and social homes in our urban towns, rural and coastal communities; including those built by the Council

A financially self-sufficient Council which has expanded its commercial activity and generated more income in order to support service provision.

### An Enterprising Council

Objectives:

Pursue commercial investment opportunities that generate additional income that can be reinvested in service delivery in order to protect or enhance services on which our communities rely. Supported by a commercial investment strategy

Meet the challenge of Government completely withdrawing the Council's grant funding

Ensure our land and property assets support the achievement of the council's objectives (including service delivery, regeneration projects and community initiatives)

## 6 Finance / Resource Implications

- 6.1 Owing to the circumstances described above the scheme could not be completed within the approved budget, and the level of additional spend cannot be met within the directorate through in year underspends. To be able to commit to further costs of the scale required to complete the project it is appropriate to secure additional budget approval in line with the Council's Financial Procedure Rules. The additional capital required exceeded officer delegations and required the use of urgency powers to continue the works to completion on a timely basis with minimised risks.
- 6.2 A Supplementary Capital Budget increase of £675,000 was approved through the urgent decision taken by the Chief Executive Officer. A further increase of £100k is also required due to additional costs emerging that were not initially identified.
- 6.3 The S151 Officer has supported proposals to finance the budget for the additional capital costs as summarised below.

**Table 1: Financing the Increased Capital Costs**

Source	Amount £
Environment and Leisure Initiatives Fund (2022/23 Revenue Budget)	£50,000
Future High Streets Fund capital grant reallocation	£250,000
Temporary Borrowing initially – to be repaid by capital receipts from disposals	£475,000

- 6.4 The Environment and Leisure Fund is a one-off fund created as part of approved budget for 2022/23 financial year. It allows for the delivery of works and improvements that have been desirable but traditionally unfunded, such as to parks and open spaces. The allocation from this fund reflects the improved open space area that the project will deliver.
- 6.5 The Future High Streets Fund (FHSF) capital grant funding was awarded to deliver a range of improvements across Taunton. With the known costs for various FHSF activity planned thus far this budget had some capacity. With the agreement of Dept of Levelling Up, Housing and Communities (DLUHC) £250,000 has been transferred to support the completion of the Coal Orchard.
- 6.6 The balance of £475,000 will initially be funded through internal capital borrowing as up-front bridging finance; and will be financed by the anticipated uplift in the capital receipts to be generated through this development as identified in Table 2 and 6.8 below. The S151 Officer will oversee this bridging requirements and setting aside of future capital receipts to repay this debt.

- 6.7 The cost to deliver the scheme has increased, as has its capital value. During 2021 Taunton was identified as having the highest percentage in property price growth in the country at 21.8% (Revealed: the UK's 2021 house price growth winners - Halifax (insideconveyancing.co.uk)) This price increase has and will continue to lead to higher sale values of the residential units.
- 6.8 Whilst there remains the chance of property price fluctuation, the limited supply locally continues to feed price growth. The open market units that have been sold to date (Subject To Contract) have all achieved a higher price than the initial business case estimated.

**Table 2: Projected Capital Receipts from This Development**

	No. of units	Business case income	Actual sales + Future values	Estimated Capital Growth
Original business case residential units	40	£6,680,147	£7,554,344	£874,188

- 6.9 Of the 29 units put to market for sale to date, 24 have been sold. The other 11 units are for future sale upon completion of the current lease to the University of Plymouth. The estimated valuation of these takes account of the equivalent unit type sale agreed price with an uplift in the region of 8%. These properties will complete on their leases in September 2023.
- 6.10 As outlined above in 4.9 the provision of a refundable bond will be deposited with NHBC for the sum of £45,000. This covers a period of 2½ years, at which point the bond will be refunded to the Council. This will be held on the balance sheet as a long-term receivable as a full refund is expected at the end of the term.
- 6.11 The allocation of £185,000 to an Earmarked Reserve to underwrite warranted costs is proposed to be funded by General Reserves. The funds will only be called upon in the event the Council has relevant future financial obligations to meet. It is proposed to delegate decision to allocate funds from this reserve and approve related uplifts in relevant budgets to the Director of Development and Place, the Assistant Director Major and Special Projects and the S151 Officer.
- 6.12 With the commercial units within the Coal Orchard development having been complete prior to the Midas contract termination all the additional costs included in this report relate to the residential units and public realm area. For this reason, the report is focused on the capital cost and value increases and excludes commercial rental price for the urgency decision.

### **Financial Implications for Somerset Council**

- 6.13 The completion of the Coal Orchard regeneration scheme will clearly lead to assets transferring to the unitary authority on 1 April 2023. The obligations in respect of the bond and warranty will continue beyond vesting day such that ongoing risk management obligations and any potential surpluses arising from set aside funds would return to the unitary council as the successor local authority to SWTC.
- 6.14 It is anticipated that the additional costs associated with completing the capital development will be incurred prior to vesting day. Similarly, capital receipts from the disposal of residential units are likely to occur either side of vesting day. The financing

strategy for this scheme including planned use of capital receipts generated to reduce ongoing debt financing requirements will be advised to the unitary's S151 Officer through LGR transition arrangements. The rights and obligations in respect of commercial units will also transfer to the unitary on 1 April 2023.

## **7 Legal Implications**

- 7.1 The Deputy Monitoring Officer has provided guidance on the governance process and correct use of Urgency Powers.

## **8 Asset Management Implications**

- 8.1 There are no new Asset Management implications, the decision to build the scheme forms part of the original business case and Council approval. There would have been implications should the scheme not have completed.

## **9 Consultation Implications**

- 9.1 The use of the Council's urgency powers requires consultation and agreement of the chair of Corporate Scrutiny, which was provided by Cllr Wren on 30<sup>th</sup> March 2022.

## **10 Corporate Scrutiny Comments**

- 10.1 Clarity was sought on the number of units within the scheme that had been sold vs those that had been let. There are 40 units in total with 11 of these being let to the University of Plymouth. Of the remaining 29 units 26 have been sold subject to contract with 3 being available on the open market. 8 of the 26 sold units were sold at a discounted open market price, these figures were correct at the point as of 1<sup>st</sup> June.
- 10.2 The committee made several requests for commercially confidential information that could not be shared in public session, it was agreed that this would be provided as confidential response for committee Members following the meeting.
- 10.3 Several questions were asked regarding the mixed use of capital and revenue funding in the recommendations. The committee were reminded that we can use capital receipts to fund the capital programme increases, with revenue funds for revenue expenditure. Whilst the Earmarked reserve of £185k might be traditionally considered as capital the likely use of this fund would be for lower value individual items and are therefore revenue funded.
- 10.4 A question was raised as to how a contribution could be made from the Future High Street Funds. Officers were able to confirm that a representation had been made to transfer some of this money from the Firepool project, and whilst it was awaiting final sign off the correspondence of this has been positive.
- 10.5 The cost for the NHBC warranty was questioned by the committee. The £45,000 is a refundable deposit. The £185,000 earmarked reserve would be used to fulfil obligations on warranty issues for the two and a half years following sale. Officers were challenged on the warranties that would be in place with subcontractors. Whilst these will be in place in some if not all instances, they are not be deemed suitable to be transferred to the buyer as part of the mortgage / conveyancing process. Where a claim is made against this council as the developer we would need to resolve that claim, either by passing it to

the original subcontractor or by resolving the issue with this fund.

10.6 With Midas having entered administration the question was raised as to if we would receive any money back given the risking costs of the scheme. As this council are not owed anything from Midas we are not listed as a creditor with the administration. This council terminated the contract before Midas placed themselves in administration and whilst we have made the administrators aware of the rising costs of the scheme we do not anticipate any financial support.

**Democratic Path:**

- **Corporate Scrutiny Committee – Yes 1<sup>st</sup> June 2022**
- **Executive – No**
- **Full Council – Yes 5<sup>th</sup> July 2022**

**Reporting Frequency: Once only**

**Contact Officers**

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# Somerset West and Taunton Council

## Full Council – 5 July 2022

### Blue Anchor – Request for Capital Supplementary Budget Increase

This matter is the responsibility of Executive Councillor Sully

Report Author: Stephen Hughes, Programme Manager (Coastal, Leisure and Assets)

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

1.1 In line with the Council's financial regulations, this report seeks to confirm and regularise the capital budget required for the Coastal Defence Scheme at Blue Anchor. This project does not require any new funding or borrowing.

The scheme is designed to protect the B3191 in situ and as such is being fully funded by Somerset County Council as the Highways Authority and delivered by Somerset West and Taunton Council as the Coastal Protection Authority.

1.2 A report was taken to Full Council on the 01/12/2020, where a supplementary capital budget of £3,550,000.00 was approved. Since that report the funding from Somerset County Council has increased. This report seeks to increase the capital budget in line with the revised level of funding received.

1.3 The final capital funding amount received from Somerset County Council was **£3,762,280.00**. The capital budget approved for this scheme (less £50k from the Environment Agency) was **£3,500,000.00**. Therefore, approval for an additional **£262,280** capital supplementary budget is required. Full Council approval is required as the additional supplementary budget is more than £250k.

1.4 Somerset County Council has provided a commuted sum for the ongoing maintenance of the scheme.

1.5 There is no increased financial liability for Somerset West and Taunton Council as the scheme is 100% funded by Somerset County Council.

#### 2 Recommendations

2.1 It is recommended Full Council support the supplementary capital budget allocation of £262,280 to reflect the additional funding provided by Somerset County Council to

deliver the Blue Anchor Coastal Protection Scheme.

### **3 Risk Assessment**

- 3.1 There are no additional risks to highlight related to this scheme beyond those highlighted in the Full Council report of 1/12/2020.

### **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 to identify potential solutions regarding B3191 route integrity.
- 4.2 Full Council met on 07/07/2020 and agreed to use their powers as the Coastal Protection Authority to deliver any schemes that come forward from Somerset County Council. Full Council then approved a supplementary capital budget of £3,550,000 for this scheme on 01/12/2020 and all matters relating to the scheme were outlined at that meeting. There are no material changes from that report except the level of funding provided by Somerset County Council.
- 4.3 A funding Agreement is in place between Somerset County Council and Somerset West and Taunton Council which governs the use of the capital budget.

### **5 Links to Corporate Strategy**

- 5.1 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.

### **6 Finance / Resource Implications**

- 6.1 There are no financial implications, other than achieving compliance with the Council's financial regulations. There is no new funding or borrowing required.

#### **Unitary Council Financial Implications and S24 Direction Implications**

At this stage it is anticipated that the project will be fully delivered ahead of vesting day. If, due to circumstance beyond our control, work is required in 2023/24 then the Funding Agreement will endure. The contract is in place for the works.

### **7 Climate, Ecology and Sustainability Implications**

- 7.1 The report is concerned solely with the supplementary capital budget rather than the wider project. Decisions on the latter have been previously approved
- 7.2 There are no climate, ecology and sustainability implications relating to the approval of the additional supplementary capital budget.

## 8 Partnership Implications

- 8.1 The costs of works are subject to detailed design and procurement; this major project now has an allocated budget from Somerset County Council of £3,762,280. It is recommended to include this increased amount as a supplementary budget within the Council's capital programme to properly account for and monitor costs.
- 8.2 The contribution from Somerset County Council means the costs are fully covered by external funding. The capital expenditure will be recorded on the Somerset West and Taunton' balance sheet under infrastructure assets.

## 9 Asset Management Implications

- 9.1 The previous decision to take on the asset comes with responsibilities for future inspection and maintenance liabilities. The details were included within the commuted sum section of the Funding Agreement. The decision to increase the Capital Budget doesn't alter this.

## 10 Scrutiny/Executive Comments / Recommendation(s)

- 10.1 Scrutiny considered the initial report relating to the Blue Anchor scheme on 14<sup>th</sup> October 2020.
- 10.2 The Executive Committee supported the proposal brought before them by the Portfolio Holder on 20<sup>th</sup> October 2020.

### Democratic Path:

- **Scrutiny / Audit and Governance Committee – Yes 29/06/2022**
- **Executive – No**
- **Full Council – Yes 05/07/2022**

**Reporting Frequency: Once only**

### Contact Officers

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Report Number: SWT 89/22

# **Somerset West and Taunton Council**

## **Full Council - 5 July 2022**

### **Ecological Emergency Vision and Action Plan**

**This matter is the responsibility of Executive Councillor Member Cllr Dixie Darch**

**Report Author: Katherine Church, Project Manager, Climate Change**

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

- 1.1 The Ecological Emergency Vision and Action Plan (EEVAP) is a joint initiative between Somerset West and Taunton and Sedgemoor District Councils. The vision sets out our ambitions for nature recovery and the action plan is the framework through which we will deliver these ambitions. This work builds on the nature-based actions listed within the Carbon Neutrality and Climate Resilience Action Plan (CNCR) with a particular focus on nature recovery.
- 1.2 If approved, the vision and action plan will embed ecological actions across work streams and will deliver ecological enhancement and protection across the two districts and beyond. In the advent of unitary, the EEVAP sets a precedent and a template for collaboration which can be duplicated across the county after vesting day.

#### **2 Recommendations**

Full Council are invited to comment on the recommendations:

- 2.1 The ecological vision and action plan are approved.
- 2.2 Existing governance arrangements identified in the Somerset West and Taunton /Sedgemoor District Council Joint Climate Change Delivery Partnership are maintained and used as a framework for delivery and monitoring of the action plan.
- 2.3 Somerset West and Taunton with Sedgemoor District Council lead the creation and delivery of ecological recovery.
- 2.4 Annual reporting will be undertaken in conjunction with CNCR reporting.

### **3 Risk Assessment**

- 3.1 The action plan is an extensive list of aspirational activities to be completed by 2030 whereby many of them will be delivered after unitary. The EEVAP is included within the LGR (Local Government Reorganisation) Environment and Climate Change Sub Group 1 workstream to ensure it remains within the ongoing workplan under the new Somerset Council.
- 3.2 The action plan is ambitious and requires the council to go above and beyond business as usual with a considerable amount of work to deliver its desired outcomes. Any draw on operational teams outside the agreed business plan will impact delivery performance. Immediate actions are therefore based on existing commitments although it is recognised that more resource is required as part of the council's statutory requirements to meet its obligations under the Environment Act 2021
- 3.3 The EEVAP requires adoption by both Sedgemoor District Council and Somerset West and Taunton to succeed. The plan has been developed in close collaboration with operations teams and input from Members from both councils with the partnership consultation panel being a critical point for review.

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

- 4.1 In September 2020 Somerset West and Taunton Council (SWT) declared an Ecological Emergency (EE) complementing its Climate Emergency declaration made in February 2019.
- 4.2 SWT and SDC formed the Joint Climate Change Delivery Partnership in August 2021 optimising resources to deliver their joint ambitions to tackle climate change and the ecological emergency. A joint consultation panel forms part of the governance arrangements for this partnership and allows cross party members the opportunity to review activity and make recommendations to portfolio holders.
- 4.3 The EEVAP is owned by the Climate Change team, however actions are assigned to and delivered by services across SWT. Some of the actions will also be delivered by or in collaboration with partners.
- 4.4 The vision and action plan has been developed through an extensive collaborative process with input from both Members and staff across both SWT and SDC. SWT Members were briefed in January 2022 and this was followed by a Members' workshop in which ideas were captured and fed into an action plan draft prior to consultation with operational services. The inclusive approach means that we have been able to work quickly so that the action plan can be adopted in July 2022 and immediate actions delivered in financial year 22/23 prior to unitary. The plan also includes existing nature and ecological actions from the Council's Carbon Neutrality and Climate Resilience plan, as well as formalising activities the Council is already undertaking.
- 4.5 The vision provides a succinct overview of the challenges our natural world faces and our commitment to deliver ecological recovery. It sets out our four overarching

ambitions:

- **Wildlife and habitats**  
Wildlife flourishes across our district's designated sites and wider ecological networks
- **Assets and Opens spaces**  
Our open spaces and buildings are maintained and enhanced to enable wildlife to thrive and be more resilient to climate change
- **Our values**  
We value the natural environment, and the ecosystem services it provides, informing our decision making.
- **People and nature**  
Citizens engage with the natural environment through our well managed, accessible open spaces and through their informed lifestyle choices.

4.6 These four pillars are underpinned by our collaboration with partners at a national, regional and local community level.

4.7 There are a number of targets under each ambition that we are committed to achieving by 2030. This aligns with national and international ambitions. These sit within the vision document.

4.8 The actions within the plan are categorised under four main themes:

- ***Embedding nature recovery throughout all our own work within SWT and SD councils.***  
Actions that the council can deliver directly through its decision making, policies and operational work streams.
- ***Working with partners including businesses to deliver ecological enhancement and protection.***  
Actions that identify projects and initiatives in which SWT will influence and support other organisations to deliver shared goals for nature recovery across the district and further afield.
- ***Enabling citizens to connect and take action for nature***  
Actions that work enable the local community and householders to engage with nature through direct action and through lifestyle choices.
- ***Governance: funding, measurement and reporting progress over time***  
Actions that focus on building the framework through which all actions will be monitored and progress towards our targets and ambitions can be reported.

4.9 The action plan is structured into high level actions, which are broken down into projects and then sub-projects depending on the scale and strategic importance of the action. This structure supports delivery and reporting going forwards.

- 4.10 Many actions are not within the control of the Council to directly deliver and will be carried out by external partners and bodies. Council has a role to enable and support. In addition, there are a number of lobbying and awareness raising activities that appear in the plan.
- 4.11 Each action has a time scale assigned to it. 'Immediate' will be delivered by end of 2022/23, and 'long term' by 2030.
- 4.12 This work demonstrates how we can work collectively across districts and shows leadership and commitment to nature recovery. The EEVAP provides a framework which is compatible with Local Nature Partnership outcomes and has the flexibility to be adopted by the new unitary Council.

## **5 Links to Corporate Strategy**

- 5.1 This work falls under our Environment and Economy strategic priority “A low-carbon, clean, green and prosperous district that attracts high quality employment opportunities and encourages healthy lifestyle.”

The document links to the following objectives:

Shape and protect our built and natural environment, supported by a refreshed Local Plan and develop our heritage, cultural and leisure offer including a clear vision and delivery plan for the Taunton Garden Town.

Provide and maintain green open spaces and parks, enhanced public spaces, as well as additional opportunities to safely walk or cycle in order to encourage active and healthy lifestyles

## **6 Finance / Resource Implications**

- 6.1 Immediate actions are within the work plan and therefore do not have additional financial implications. However, there are several short – long term actions (post 2023 delivery) where additional resources will be required and will need to be agreed by the unitary authority from 2023/24 e.g. planning will require more resources to deliver the Local Plan and Biodiversity Net Gain.

## **7 Legal Implications**

- 7.1 There are no identified implications from this report.

## **8 Climate, Ecology and Sustainability Implications**

- 8.1 The EEVAP is the Council's comprehensive commitment to ecological protection and enhancement.



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

9.1 There are no identified implications of this report.

## **10 Equality and Diversity Implications**

10.1 There are no identified implications of this report.

## **11 Social Value Implications**

11.1 There are no identified implications of this report

## **12 Partnership Implications**

12.1 The Council continues to work in partnership with other bodies to deliver ecological recovery, particularly through the Local Nature Partnership.

12.2 This is a joint piece of work with Sedgemoor District Council and timelines for adoption are slightly different. In Somerset West and Taunton, we aim to achieve adoption at Full Council scheduled on 5<sup>th</sup> July 2022 whilst in Sedgemoor District Council this is to be 20<sup>th</sup> July.

## **13 Health and Wellbeing Implications**

13.1 Access to nature and open spaces plays an important role in our health and wellbeing. The EEVAP includes actions that will support this.

## **14 Asset Management Implications**

14.1 Some of the actions require use of existing assets such as Somerset West and Taunton local nature reserves and open spaces, however the extent of our assets is limited and therefore ecological improvements will be delivered beyond the boundaries of our assets.

## **15 Consultation Implications**

15.1 A Members' briefing was held in January 2022, with a subsequent workshop in February. The action plan has been developed in consultation with participants of **these events**.

## **16 Scrutiny Comments**

16.1 Scrutiny committee heard and discussed this report on 25<sup>th</sup> May and they unanimously agreed to support the EEVAP. There was positive feedback from members regarding the content of the report such as local actions addressing the global challenges of resource use and biodiversity loss, and the benefits nature recovery brings to people. There was some concern about the EEVAP only covering

Sedgemoor and SWT councils whilst we move to a unitary council in April 2023. It was explained that the decision to create EEVAP was made prior to unitary being confirmed. This work sets a precedent and framework which can be adapted for the new council and is included in the LGR within the Environment and Climate Change Sub Group 1 workstream

- 16.2 A couple of comments were made which will be addressed in the vision document. These included concern of the focus being predominantly on Redlist species at the expense of other species that are currently faring well. It was confirmed that the former are indicator species and other species will not be ignored.

## 17 Executive Comments

- 17.1 The Executive heard this report on 15<sup>th</sup> June and unanimously supported the EEVAP. Members praised the collaborative approach taken to create the action plan.

## 18 The Democratic Path:

- **Scrutiny Committee – Yes (25/05/22)**
- **Executive – Yes (15/06/22)**
- **Full Council – Yes (5/07/22)**

**Reporting Frequency: Annually**

### List of Appendices

Appendix A	Ecological Emergency Vision
Appendix B	Ecological Emergency Action Plan

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# Sedgemoor, and Somerset West and Taunton, District Councils’ Joint Ecological Emergency Vision Document

## Introduction

This Vision sets out our ambitions to address the ecological deterioration within our districts and to lessen our global impact on the natural world. It is accompanied by a comprehensive action plan that provides the practical steps to deliver ecological recovery. It builds on previous work to address the Climate Emergency, but with a specific focus on wildlife and habitats.

## Background

In September 2020 Somerset West and Taunton Council (SWTC) declared an Ecological Emergency (EE) complementing its Climate Emergency declaration made in February 2019. Sedgemoor District Council (SDC) is in the process of declaring an EE and recognises the need to protect and enhance its natural environment. It released its Climate Emergency Strategy and Action Plan in January 2021 which includes nature focussed actions.

Never has the need for change been more critical. Our fragmented habitats and their wildlife are increasingly at risk from human activity including climate change, farming, pollution, land use change, overfishing, pesticide use and deforestation. These activities often occur within supply chains as we seek to satisfy the demand for more goods and services, at the expense of the world’s natural resources, habitats and wildlife. Globally mammal, bird, amphibian, reptile and fish populations have declined by an average of 68% between 1970-2016<sup>1</sup>. Freshwater animals have experienced one of the largest declines (88%), with nearly one in three freshwater species being threatened with extinction<sup>2</sup>.

In the UK, our actions continue to threaten species and since 1970, 41% of species are experiencing a decline in numbers, 15% are threatened with extinction and 27% are found in fewer places<sup>3</sup>. Without swift action further decline will continue and iconic species that are vulnerable to extinction such as the hedgehog will disappear from our shores.

In Sedgemoor and Somerset West and Taunton we are blessed with a rich tapestry of landscapes and habitats. These include the coastline along the Bristol Channel, the magnificent uplands of Exmoor National Park, the Mendip, Quantock and Blackdown Hills Areas of Outstanding Natural Beauty (AONBs), the lowland expanses of the Somerset Levels and Moors and our urban centres such as Bridgwater, Minehead and Taunton. Our districts are home to a mosaic of statutory designated sites, designated for particular habitats or species and include Special Protected Areas (SPAs), Special Areas of Conservation (SACs), Sites of Special Scientific Interest (SSSIs), Ramsar (internationally recognised waterfowl habitats), National Nature Reserves (NNRs) and local nature reserves (LNRs). It is now also home to the UK’s second ‘super’ National Nature Reserve. All deliver

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<sup>1</sup> Lambertini, M., 2020. Living Planet Report 2020: Bending the Curve of Biodiversity Loss.

<sup>2</sup> Collen, B., Whitton, F., Dyer, E.E., Baillie, J.E.M., Cumberlidge, N., Darwall, W.R.T., Pollock, C., Richman, N.I., Soulsby, A.-M., Böhm, M., 2014. Global patterns of freshwater species diversity, threat and endemism. *Glob. Ecol. Biogeogr.* 23, 40–51. <https://doi.org/10.1111/geb.12096>

<sup>3</sup> State of Nature Partnership, State of Nature 2019.

a multitude of functions e.g., flood alleviation and recreation; comprise a range of habitats; and are home to a variety of species.

These important areas, along with wildlife and geological sites play a significant role in supporting wildlife, yet recent studies show that many are in an unfavourable condition. In Sedgemoor, 63% of its terrestrial SSSI habitat which should be in pristine condition is in an 'unfavourable declining' or 'partially destroyed' condition and in Somerset West and Taunton only 11 out of 35 are described as being in a favourable condition.

Our river catchments and waterways including the Rivers Axe, Sheppey, Brue in the north and Cary, Yeo, Tone and Parrett to the south are the lifeblood of our districts' habitats. Yet in 2019, none were in a good condition for nature in Sedgemoor. Similarly, in Somerset West and Taunton, catchments that had been previously rated as good for wildlife before 2013 have deteriorated in condition and more are categorised as moderate or poor for nature according to Environment Agency's classification hierarchy. The plight of our rivers is influenced by human activity, particularly from farming and sewage disposal. The Somerset Levels and Moors (SLMs) is a designated RAMSAR wetland landscape recognised for its internationally important waterfowl, and resident insects, yet it is experiencing high levels of phosphate enrichment which threatens the nutrient balance of its waterways and the wildlife that depend on it.

The loss of habitats and species can have a wider impact affecting our communities and economy. Each species has an ecological role to play within a functioning ecosystem and their decline can negatively influence the ecosystem services that they provide. Insects, for example, are responsible for pollination, which is essential for agricultural and horticultural production, and for sustaining wildflowers. If pollinating insects went into serious decline the health of England's £100 billion food industry would be seriously damaged.<sup>4</sup> Our natural world is essential for us to prosper and thrive and we must take action to protect and enhance it.

The crises of biodiversity loss, ecosystem degradation, and climate change are inter-connected; we cannot have a thriving natural world without a healthy climate. Our environment can play a key role in enabling us to adapt to changes that we are already starting to experience and mitigating the effects of climate change through nature-based solutions. E.g. The Somerset Levels and Moors are one of our most important natural capital, both as a habitat and carbon sink. In an optimal condition, they could store millions of tonnes of carbon, yet it is estimated they emit 300,000 tCO<sub>2</sub>e/yr<sup>5</sup> as a result of peat extraction.

Climate change and biodiversity loss are not considered in isolation from each other, however both Councils recognise the need for a dedicated Ecological Vision and Action Plan (EEVAP). We will build on Somerset's Climate Emergency Strategy, SWTC's Carbon Neutrality and Climate Resilience (CNCR) Action Plan and SDC's Climate Emergency Action Plan which have already identified over 150 actions to support biodiversity enhancement and recovery.

### Time for action

Nature has moved up the international, national and local political agenda. 2021's COP26<sup>6</sup> focussed more on nature than ever before, calling all governments to endorse the *Leaders' Pledge for Nature*. Now over 90 world leaders are committed to reversing biodiversity loss by 2030 for sustainable development. In addition, the Environment Act achieved Royal Assent in November 2021. This will

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<sup>4</sup> Defra, The National Pollinator Strategy: For bees and other pollinators in England Nov 2014

<sup>5</sup> Somerset Wildlife Trust Position Statement, Peat Extraction Feb 2022

<sup>6</sup> The 26<sup>th</sup> United Nations Climate Change Conference held in 2021.

lead to the setting of national targets, plans and policies for improving the natural environment through increasing biodiversity, halting species decline by 2030, restoring habitats, improving air and water quality, and transitioning to a circular economy through better resource efficiency and waste reduction.

Of particular importance will be the requirement for a minimum of 10% biodiversity net gain (BNG) from all new developments (from 2023) and the delivery of the National Nature Recovery Network (NRN) through Local Nature Recovery Strategies which will be delivered in partnership with local government, NGOs, the private sector and the public.

In addition, improvement to water and air quality will over time reduce the risk of pollution and nutrient enrichment. These legally binding commitments provide the statutory framework through which we can help nature recover across our two districts and beyond.

With the charge of political momentum, we have an opportunity to lead change at a local level, setting an example, encouraging and influencing others. This vision and the accompanying action plan will balance the urgency for carbon neutrality and resilience with the need to protect and build wildlife corridors, support natural processes and improve the condition of habitats to enable nature to recover.

We can support our natural environment by:

- Promoting and implementing sustainable land and woodland management,
- Protecting habitats and avoiding land use change that degrades the landscape and its inhabitants,
- Creating connectivity and wildlife corridors to improve species resilience,
- Improving soil, air and water quality,
- Maintaining genetic diversity,
- Reducing invasive species, reducing pollution e.g. plastics, chemicals, excess nutrients and hazardous waste,
- Developing climate resilience in habitats,
- Addressing climate adaptation especially via nature based solutions

## Vision Statement

**Our vision is a district where the needs of wildlife, people, and our local economies are integrated in a way that enables nature and communities to thrive now and in the future.**

## Our Ambitions

There are four pillars through which we will achieve ecological recovery. These focus on wildlife and habitat conservation; managing our own assets in a way that supports wildlife, through our decision making and policies, and through our communities. All our ambitions are underpinned by the need to collaborate with partners at a local, regional and national level.

### 1) Wildlife

***Wildlife flourishes across our districts' designated sites, and wider ecological networks***

To give wildlife the best chance of thriving, the habitats on which they depend need to be in a favourable condition. Our designated sites, such as LNRs and SSSIs, play a key role, along with

wildlife and geological sites, and wildlife corridors such as rivers, roads and urban centres. These will be managed in a way that both protects existing wildlife populations from further deterioration and enhances conditions to help increase the abundance of species that are in decline. Key species including those that are both on the IUCN's Red List of threatened species<sup>7</sup> and are County Notable such as the Hazel Dormouse along with other species will be monitored as indicators of habitat condition. Working with partners will be key in delivering this ambition, particularly through the Somerset Local Nature Partnership (SLNP) – a collaboration of over 20 organisations working together to deliver the statutory Local Nature Recovery Strategy and the NRN.

## **2) Assets and open spaces**

***Our open spaces and buildings are maintained and enhanced to enable wildlife to thrive***

We own and manage a variety of open spaces and properties across the districts and there are many ways in which these can contribute to nature recovery, for example, through pollinator friendly grassland management practices. When carried out appropriately these approaches offer positive ways to support wildlife whilst still delivering other functions such as recreational use.

## **3) Our values**

***We value the natural world and ecosystem services it provides, informing our decision making***

As a Council we appreciate nature for its intrinsic value and for the ecosystem services that it provides, helping to protect against the effects of climate change. We recognise the role it plays in our sense of place and cultural heritage; in providing us with food, in regulating natural processes such as water and air purification and how all these support our local economy. Our policies and procedures reflect this, empowering our staff to make decisions and deliver services that minimise ecological impact both locally and globally to go beyond our statutory obligations to protect nature.

## **4) People and Nature**

***Citizens engage with the natural environment through our well managed, accessible open spaces and through their informed lifestyle choices***

Whilst policies drive the platform for change, ecological protection and improvements can only be implemented at a localised, grassroots level. The more citizens engage and value nature, the more they will take steps to look after it too. Often it is our open spaces that provide the opportunity for people to connect and take action for nature. Equally citizens can make informed choices in the home, whether in the garden or through their purchasing behaviours. We will work with partners to support and inform citizens on how they can get involved and be part of the solution.

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<sup>7</sup> The International Union for Conservation of Nature's Red List of Threatened Species is the global standard for assessing the risk of extinction that individual species of animal, fungus, and plant face. It is a critical indicator of the health of the world's biodiversity. Currently, there are more than 142,500 species on the IUCN Red List, with more than 40,000 species threatened with extinction. <https://www.iucnredlist.org/>

## Targets

Targets to be delivered by 2030							
Wildlife		Assets & open spaces		Our values / Influencing		People and nature	
1a	Contribute and support 30% of Somerset being managed positively for nature.	2a	Open spaces are well managed to support wildlife either directly by the Council or through the community groups with the support of the Council.	3a	The environmental and ecological well-being of our district is integrated into all policy decisions made by the Council.	4a	1 in 4 citizens take action for wildlife (aligned with Somerset Wildlife Trust's Team Wilder campaign)
1b	Large scale tree planting and other nature recovery projects across the district and wider area are delivered with partners	2b	All grassland areas are managed in accordance with best practice grassland management to support wildlife where appropriate.	3b	Procurement policies enable the purchase of products and services that support ecological protection and improvement at a local, national and international level.	4b	All pupils complete one term of environmental education by the time they leave primary school.
1c	Habitats across the district including the Councils' designated sites and wildlife and geological sites are in a favourable condition.	2c	The use of chemicals is minimised, and alternatives are used where possible.	3c	All planning decisions consider ecological footprint of all new developments and contribute to a minimum of 10% biodiversity net gain.	4c	All publicly owned open spaces have a community group, good interpretation and signage and are accessible to the public.
1d	Our green and blue infrastructure connect to the wider environment and contribute to Somerset's Nature Recovery Network.	2d	All plants are grown or sourced in peat free growing medium and contribute to climate change resilience and nature recovery.	3d	We collaborate with others and lobby government to ensure policies protect our wildlife and natural environment.	4d	Businesses play their role in supporting wildlife recovery.

1e	Wildlife flourish in our district. In particular, Red List and County notable species (specifically Hazel dormouse, lapwing and Grizzled skipper) thrive in our district and wider area.			3e	Our staff understand the importance that nature plays and have the skills and knowledge to consider it in their decisions making and implementation of their roles.		
				3f	We monitor and communicate our progress towards nature recovery.		

## Mission

We will achieve our ambitions and targets through four overarching activities:

1. [Embed nature recovery throughout all our own work within SWTC/SDC](#)
2. [Work with partners including businesses to deliver ecological recovery and protection](#)
3. [Enable citizens to connect and take action for nature](#)
4. [Measure and communicate progress over time](#)

### [Embed nature recovery throughout all our own work within SWTC/SDC](#)

AT SWTC/SDC we aim to reverse the degradation of our habitats and loss of biodiversity. We will embed nature in all our decision making and policies to deliver actions that protect and enhance it and build its resilience against climate change. This includes actions within our towns and villages through planning and through the management and maintenance of Council owned assets.

We will:

- Build the business case for nature protection and enhancement by using appropriate methods based on natural capital and ecosystem services to inform all our decision making.
- Develop and implement planning policies to support ecological protection and improvement including +10% biodiversity net gain (BNG) for all new developments as soon as is reasonably possible;
- Develop and Implement a Green Procurement strategy which takes into account ecological impact for all purchases and enables staff to make sustainable choices.
- Embed ecological protection and recovery within all green and blue infrastructure plans including Taunton Garden Town and river and coastal flood mitigation projects to contribute towards the delivery of the NRN;



- Manage our outdoor spaces in a way that supports wildlife enhancement alongside public accessibility and carbon sequestration;
- Prioritise management and maintenance of our LNRs and wildlife sites to create exemplar sites;
- Develop and implement a grassland strategy to support pollinators and invertebrates;
- Use the soon to be created Somerset tree strategy to plant and maintain the right trees in the right place;
- Implement nature-based solutions to support climate mitigation and adaptation including flood and coastal flood management;
- Stop the use of peat-based composts and work with others to restore peatlands, halt peat extraction and reduce emissions.
- Report on ecological implications of all projects, alongside climate and sustainability to Committee and Council.

### Work with partners including businesses to deliver ecological enhancement and protection

At the heart of our efforts is our collaboration with partners across the region. In particular, we will work with the SLNP to develop the LNRS and deliver the NRN, and align with initiatives such as Somerset Wildlife Trust's Wilder Somerset 2030 plan and Exmoor's National Park's Nature Recovery Vision to deliver shared ambitions.

We will:

- Work with partners through the Local Nature Partnership to develop and deliver a Local Nature Recovery Strategy
- Contribute towards State of Nature and NRN for Somerset by identifying opportunities to connect existing Council land assets to create wildlife corridors, sequestration/stores and improve the landscape's resilience and adaptation to climate change;
- Support efforts to secure land that will contribute to NRN and landscape scale projects.
- Work with Somerset Wildlife Trust, Exmoor National Park, the Mendip Hills, Quantock Hills and Blackdowns Hills AONBs, and other Councils across Somerset in a co-ordinated approach to deliver shared goals such as a Peat Action Plan (2021) and Tree Strategy (to be published 2022), the Pollinator Action Plan (2019), and protocols around biosecurity and invasive species control;
- Work with partners to deliver good water and soil quality and healthy aquatic and terrestrial habitats;
- Work with partners to deliver actions which address the issues of nitrate and phosphate loading within the two districts;
- Work with Heart of the South West Local Enterprise Partnership and support businesses to help deliver nature recovery through their operations and supply chains;
- Promote ways to refuse, reduce, reuse and recycle and support initiatives to reduce single use plastics and fly tipping;
- Lobby government to support ecological enhancement and protection.

### Enable citizens to connect and take action for nature

Our communities play a vital role in making the big step change needed to tackle the EE and there are many actions individuals and groups can take at home and within their locality. From

volunteering their time to restore sites for wildlife to making lifestyle choices that support greener living or campaigning for systemic change. The pandemic highlighted how nature has a positive impact on our health, well-being and our sense of place. We will work with community groups to enable people to connect with nature and help them take an active role in engaging with and protecting it. We will also work with our partners to drive behaviour change in our homes, schools, and businesses.

We will:

- Create opportunities to connect the community e.g. ('Friends of' groups/mental health groups/behaviour change/schools/private gardens/businesses) with nature;
- Use our open spaces, wildlife sites and local nature reserves as opportunities to communicate to citizens about the importance of the natural world;
- Develop communications linked with climate change to inform householders of actions taken by the Councils and partners;
- Work with partners to deliver a behaviour change campaign to support householders to make informed lifestyle choices;
- Support campaigns that lobby government to support nature recovery.

#### Governance: Funding, monitoring, and reporting progress over time.

Monitoring progress towards nature recovery is vital in determining the efficacy of the actions taken to deliver it and enables SWTC/SDC to communicate progress and successes to our stakeholders. The Environment Act requires local authorities to produce a Biodiversity Report every five years, describing the actions taken and their impact, including action taken on BNG. Monitoring helps to develop a continuous improvement culture, facilitating a performance review, risk management and change process. We will set targets that will align with local, national, and international ambitions and we will develop KPIs, and objectives. We will work with partners to develop baseline data and agree a methodology so that we have consistency across the county which will enable smooth transition into unitary.

We will:

- Co-ordinate and have oversight of all SDC/SWTC ecological improvement activities so that they can be reviewed and continually improved;
- Monitor our progress against targets and ambitions and intervene where appropriate to ensure we keep on track;
- Work with new and established community groups to deliver best practice monitoring over time;
- Develop a fundraising strategy to deliver actions where there are insufficient funds and/or resources.

We will take action in broadly four ways:

**Delivering** – those actions where the Council can directly deliver a defined outcome;

**Enabling** – those actions where the Council's role is to facilitate delivery of defined outcomes, for instance, funding or officer time;

**Supporting** – those actions where the Council can support or encourage the delivery of a defined outcome, namely working with groups or organisations;

**Lobbying** – those actions where the Council’s primary role is to promote and push for change, e.g., a change to policy, legislation or funding.

## Unitary

Working in partnership, SDC and SWTC are currently joint owners of the EEVAP and responsible for its delivery. As we move into unitary in 2023, this work will continue to be delivered by the new Council. The framework by which this work has been created sets a precedent through which ecological recovery can be delivered and progress monitored by the rest of the county and which can be adapted in accordance with localised needs.

## Definitions

**Ecological Emergency** - organisms, the habitats in which they live are in severe decline and are threatened to the point where they are no longer self-sustaining.

**Ecology** – the study of the interactions between organisms and their environment

**Ecosystem** - the complex interaction of a community of organisms and its environment functioning as an ecological unit

**Ecosystem Services** - the benefits provided by ecosystems that contribute to making human life both possible and worth living. They include:

- Products or provision services e.g. food and raw materials,
- Regulating services e.g. forested ecosystems provide carbon sequestration and climate regulation,
- Supporting services e.g. nutrient cycling,
- Cultural services e.g. recreation, health and wellbeing.

**Habitat** - a place where an organism lives in which all the environmental conditions enable an organism to survive. For an animal, that means everything it needs to find and gather food, select a mate, and successfully reproduce. For a plant, a good habitat must provide the right combination of light, air, water, and soil.

**Nature** - the physical world, its processes and everything in it (such as flora, fauna, mountains, oceans etc.) that is not made by humans.

**Natural Capital** - natural assets in their role of providing natural resource inputs and environmental services for economic production. They comprise three principal categories: natural resource stocks, land and ecosystems.

**tCO<sub>2</sub>equiv** - Tonnes of Carbon Dioxide Equivalent per year used to compare emissions from various greenhouse gases on the basis of their global warming potential.

**Wildlife** – all organisms (fauna and flora) that live or grow wild in an area.



## Sedgemoor and Somerset West and Taunton Districts' Proposed Ecological Emergency Action Plan

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
<b>Theme 1: Embed nature recovery throughout all our own work within SWT/SDC</b>												
<b>Action 1 Build the business case for nature protection to inform decisions across the Council</b>												
1.1	Pilot innovative projects that demonstrate the business case for nature.	short	SDC/ SWT	1.1.1	Undertake cost analysis of new grass cutting management plan.	Immediate	SWT	1	2	3	2b/3d/3b	Deliver
1.2	Undertake review of mechanisms for decision making which include ecological improvement and protection.	short	SDC/ SWT					1		3	1b/3a	Deliver
1.3	All staff undertake training to understand biodiversity loss and how they can have a role in supporting it.	Short	SDC/ SWT							3	3e	Enable
<b>Action 2 Develop and implement planning policies that support ecological protection and improvement</b>												
2.1	As part of the new unitary Local Plan develop policies that support nature recovery, including Local Nature Recovery Strategy, and	medium	SDC/ SWT	2.1.1	Work with Somerset County Council and others to develop Interim Planning guidance statement that explicitly seeks to secure ecological	Immediate	SDC/SWT	1		3	1c/ 3c	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
	Biodiversity Net Gain (links to CNCR 133).				protection and enhancement, supporting Biodiversity Net Gain and Nature Recovery Networks consistent with adopted Local Plans and NPPF requirements.							
				2.1.2	Review and update existing local validation requirements/guidance and include multifunctional landscapes that deliver benefits such as SUDS; ecological protection and enhancement; climate mitigation; retention of soil function (structure and health).	short	SDC/SWT	1		3	1c/ 3c	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type	
				2.1.3	Develop Local Plan policies and guidance, setting out expectations with regards to on-site measures to protect habitats, biodiversity, and protected species delivery a minimum of 10% BNG from new developments (links to CNCR 141).	Medium	SDC/SWT	1		3		1c/ 3c	Deliver
				2.1.4	Within interim planning guidance encourage the incorporation of simple on sites measures within a development that can help contribute to addressing biodiversity decline (e.g. bee bricks, nesting, roosting and hibernation boxes) where appropriate.	short	SDC/SWT	1		3		1c/ 3c	Support

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
				2.1.5	Develop Local Plan policies requiring retention and protection of ancient trees and habitats within new development sites (links to CNCR 134).	Medium	SDC/SWT	1		3	1c/ 3c	Deliver
				2.1.6	Develop Local Plan and corporate policies requiring replacement of any trees that are removed using right tree right place principle or with other habitats that have a better impact on biodiversity, and are consistent with forthcoming Biodiversity Net Gain requirements. (Amended CNCR 135).	Medium	SDC/SWT	1		3	1c/ 3c	Deliver
				2.1.7	Develop local Plan policies that maximise brownfield site	Medium	SDC/SWT	1		3	1c/ 3c	Deliver



Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type	
					development opportunities.								
				2.1.8	Develop local Plan policies that support nature positive farming practices and diversification that can deliver more viable ecosystem services (CNCR Ref 114 amended).	Medium	SDC/SWT	1		3		1c/ 3c	Deliver
				2.1.9	Develop Local Plan policies that protect existing and allocated land and set requirements to support new traditional orchards and allotments (CNCR 110 amended).	Medium	SDC/SWT	1		3		1c/ 3c	Deliver
				2.1.10	Develop local plan and policies that protect and create pollinator habitats (CEAP 94).	Medium	SDC/SWT	1		3		1c/ 3c	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
2.2	Ensure ecological conditions of planned developments are enforced and where appropriate take action where breaches are identified.	short	SDC/ SWT	2.2.1	Build capacity and capability of planning team by appointment of additional tree, ecology, landscape and enforcement officers and provide training to existing staff to monitor compliance of tree and biodiversity net gain policies and deliver ecological protection under LGR (CNCR 288 amended).	short	SDC/SWT	1		3	1c/ 3c	Deliver
2.3	Support developers to integrate high quality landscapes and SUDS in all new developments to support flood management and water quality (links to CEAP 100).	short	SDC/ SWT	2.3.1	Review and update existing local validation requirements/guidance and include multifunctional landscapes that deliver benefits such as SUDS; ecological protection and enhancement;	short	SDC/SWT	1		3	1c/ 3c	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type	
					climate mitigation; retention of soil function (structure and health).								
				2.3.2	Signpost developers to Somerset Council's SUDS guidance when published.	short	SDC/SWT	1		3		1c/3d	Support
				2.3.3	Provide guidance to developers on delivering phosphate neutral developments and monitor effect of measures P neutral measures.	short	SWT	1		3		1c/ 3c	Support
2.4	Landscape management schemes on new developments deliver high quality habitats that support wildlife and have long-term maintenance plans in place meeting 10% Biodiversity Net Gain requirement as a minimum.	Short	SDC/ SWT					1		3		1c/3c	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
2.5	Request that all construction/ sustainability method statements for all new developments include soil resource plans for the best and most fertile soils.	short	SDC/ SWT					1		3	1c/3c	Deliver
2.6	Firepool development in Taunton is delivered as an exemplar site that integrates ecological protection and enhancement into the fabric of the site design.	long	SWT					1		3	1c/3c	Deliver
2.7	Support and encourage parish or town Councils to develop neighbourhood plans that protect and enhance biodiversity and habitat recovery.	ongoing	SDC/ SWT					1		3 4	1c/3c/4a	Support
<b>Action 3</b>	<b>Embed ecological protection and enhancement within all green and blue infrastructure plans, and river and coastal flood mitigation projects to contribute towards the delivery of the Nature Recovery Networks</b>											
3.1	Complete a new Green and Blue Infrastructure Strategy for the district drawing together opportunities to improve access to green spaces, active travel	Immediate	SWT					1		3	1c/3c	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
	linkages, reinstate and create green landscape linkages, improve biodiversity, re-wild and regenerate the landscape and increase carbon sequestration and climate resilience (CNCR 120).											
3.2	Review and integrate ecological improvements within green infrastructure design delivering multi-functional benefits that support nature recovery networks.	short	SDC/ SWT					1		3	1c/3a	Deliver
3.3	Consider ecological protection and improvement within all coastal flood mitigation projects and where appropriate implement nature-based solutions.	Long	SDC/ SWT	3.3.1	Continue Berrow Dunes, Bridgwater (LNR/SSSI) management and The Meads Eco Park to support rare habitats and a nature-based solution for higher risk of tidal flooding (relates to CEAP 97).	Immediate	SDC	1		3	1c/ 3a	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type	
				3.3.2	Deliver Longrun Meadow flood mitigation project.	Medium	SWT	1		3		1c/3a	Deliver
3.4	Consider ecological protection and improvement within all river flood mitigation projects and where appropriate implement nature-based solutions.	Medium	SDC/ SWT	3.4.1	Parrett Barrier includes mitigation measures to protect wildlife e.g. inclusion of eel and fish passes within the design.	short to medium	SDC	1		3		1c/3a	Enable
				3.4.2	Deliver e-meandering of Tone in Vivary Park, Taunton supporting the creation of habitats and wildlife.	Medium	SWT	1		3		1c/3a	Deliver
<b>Action 4</b>	<b>Manage assets to support healthy habitats and biodiversity</b>												
4.1	Retrofit artificial nesting, roosting and hibernations boxes to Council owned property to support key species in the region.	Immediate -short	SDC/ SWT	4.1.1	Identify opportunities to deliver nesting boxes inappropriate place.	Immediate	SDC/SWT	1	2	3		1d/2e/3a	Deliver
4.2	Manage heritage properties to support nature recovery.	Long	SDC/ SWT	4.2.1	Incorporate ecological protection within development of Toneworks heritage site,	Long	SWT	1	2	3		1d/2e/3a	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions				Targets	Delivery Type
					Wellington alongside cultural importance.								
4.3	Sedgemoor software upgrade and refurbishment considers environmental impacts of equipment and manages old equipment following the waste hierarchy principles i.e. reuse and recycle where possible thus reducing impact of raw material extraction.	Immediate	SDC					3				3b	Deliver
<b>Action 5</b>	<b>Manage our outdoor spaces in a way that supports wildlife enhancement alongside public accessibility and usability; and carbon sequestration (links to CNCR 271)</b>												
5.1	Develop and implement a grassland strategy to support pollinators and invertebrates (linked to CEAP 94).	Short	SDC/ SWT	5.1.1	Conduct annual review of grassland management and determine success, and continual improvement.	Medium	SDC/SWT	1	2	3		1b/2b/3a	Deliver
5.2	Review, update and implement LNR and other open spaces management plans to support wildlife (CNCR 142 adapted).	Immediate	SWT	5.2.1	Children's Wood & Hankridge improvements.	Immediate	SWT	1	2		4	1b/1d/2a/4c	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions				Targets	Delivery Type
								1	2	3	4		
5.4	Work with Plantlife to develop wildflower areas to promote rare arable weed species. Improve reedbed habitats.	Immediate	SDC					1	2			1b/2c	Deliver
5.5	Nursery practices support ecological recovery.	medium	SWT	5.5.1	Replace peat compost with peat free compost within the nursery.	Immediate	SWT		2	3		2d/3b	Deliver
				5.5.2	Review current nursery practices with a view to encouraging wildlife with plants grown and distributed across the districts e.g. bedding plant vs perennials; pollinator attractors; and trees (target 2,000 whips) (relates to CNCR 144).	short	SWT		2	3		2a3b	Deliver
5.6	Review use of chemicals e.g. herbicides/ pesticides across outdoor spaces according to ecological value of sites.	short	SDC/ SWT	5.6.1	Review use of herbicide/ pesticides across Council owned assets with ambition to	Immediate	SDC/SWT		2	3		2c/3b	Deliver



Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
					minimise usage and find alternatives where appropriate.							
				5.6.2	Support Parish Councils to reduce the use of chemicals on parish owned sites.	Short	SDC/SWT	2			2c	Support
5.7	Use drought-resistant / pollinator friendly plants in verges and flower displays to help prepare for the changing climate, such as extreme weather events like flooding, droughts (CEAP F18).	short	SDC/SWT					2			2d	Deliver
5.8	Build capacity and capability of Open Spaces team to deliver ecological improvements across outdoor spaces.	medium	SWT	5.8.1	Upskill /train operatives to implement ecological best practices across districts. E.g. train the trainer opportunities/ peer to peer/ species identification such as invasive species.	Immediate	SDC/SWT	1	2	3	1a, 1d, 2a, 2b, 3e	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions				Targets	Delivery Type
				5.8.2	Recruit strategic and planning expertise to oversee longer term ecological goals of open spaces.	short	SWT	1	2	3		1b, 2a,3e	Deliver
<b>Action 6 Develop and implement a tree strategy to plant and maintain the right trees in the right place</b>													
6.1	Create a tree planting strategy for district.	Immediate	SDC/ SWT					1	2			1a/2d	Deliver
6.2	Deliver right tree/right place planting, hedgerow creation and other relevant projects on Council owned land and other holdings contributing towards the Nature Recovery Network and Green infrastructure (CNCR 121 amended).	Immediate	SDC/ SWT	6.2.1	Work with partners to deliver and expand on proposals for planting at least 11,000 trees as part of the Somerset Forest (CNCR 298).	Short	SWT	1				1a	Enable
				6.2.2	Working with the Highways Authority and Somerset County Council to identify roadside areas where tree planting is possible.	short	SDC/SWT	1		3		1a/1c/3d	Deliver
6.3	Support community groups to deliver right tree/ right place and develop a toolkit/	short	SDC/ SWT					1	2		4	1a/1c/4a	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions				Targets	Delivery Type
	guidance for community tree planting in line with the Nature Recovery Network Strategy (CNCR 285/143 amended).												
6.4	Work with partners to develop and deliver on an Ash Die Back Action Plan to ensure replacement of affected trees and utilisation of wood for biomass energy and also making sure some remain on site as invertebrate habitat (CNCR 131).	Immediate	SDC/ SWT					1	2			1a/1c/2a	Deliver
6.5	Work with town and parish Councils and community groups to identify opportunities to deliver community woodlands and other habitats to support biodiversity (CNCR 295 amended).	Short	SDC/ SWT	6.5.1	Deliver the Maidenbrook Country Park, including the planting of 4,500 trees and creation of active travel routes linking Monkton Heathfield and Nerrols (CNCR action 292).	Short	SWT	1			4	1a/1b/4c	Support

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type	
6.6	Work with community groups to develop a Tree Warden Scheme to provide a network of volunteers to help water and maintain trees across the district (CNCR action 297)/ CEAP Ref 92).	Short	SDC/ SWT					1			4	1a/4c	Enable
6.7	Implement and monitor 3 for 1 trees principle across district.	Immediate	SWT					1			4	1a/4c	Deliver
6.8	Deliver major urban tree planting schemes on Council-owned land (CNCR action 128 amended).	Immediate	SDC/ SWT					1				1a	Deliver
6.9	Support partners to work with farmers and landowners to bring forward, encourage and enable tree planting and hedgerow creation, restoration and expansion (CNCR action 138 amended).	Short	SDC/ SWT					1		3		1a/3d	Support
<b>Action 7</b>	<b>Develop and Implement a Green Procurement strategy that takes into account ecological impact for all purchases and enables staff to make sustainable choices that minimise our impact on globally important habitats. (links to CNCR 184)</b>												

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
7.1	Adopt an interim procurement statement setting out an expectation that suppliers and their supply chains are actively working towards reducing their carbon and ecological footprint (adapted CNCR action 91).	Immediate -short	SDC/ SWT							3	3b	Deliver
7.2	Review existing social value policy as part of LGR to include ecological protection and enhancement alongside climate change.	Short	SDC/ SWT							3	3b	Deliver
7.3	Procurement of food within local authority control (mainly corporate refreshments) from initially local, then national and international 'wildlife friendly' sources (CNCR 274 amended).	Short	SDC/ SWT							3	3b	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
7.4	Deliver training to all officers responsible for commissioning services and purchasing goods to ensure they understand how they should take account of climate and ecological considerations during the procurement process (CNCR 266 amended).	Immediate	SDC/ SWT							3	3b/3e	Deliver
<b>Theme 2: Work with partners including businesses to deliver ecological enhancement and protection</b>												
<b>Action 8</b>	<b>Work with partners through the Local Nature Partnership to develop and deliver upon a Local Nature Recovery Strategy (CNCR 119)</b>											
8.1	Work with the Local Nature Partnership to complete a Nature Recovery Network Strategy including an interactive online map and user guide (CNCR 120).	Immediate	SDC/ SWT					1		3	1b/3c	Support
8.2	Working with partners, co-create a Vision for the natural environment in Somerset, develop a strategy for implementing the Vision (CNCR 122).	Immediate	SDC/ SWT					1		3	1b/1c/3c	Support

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
8.3	Identify and map partners at national and local level including those with significant land holdings and designated sites.	Immediate	SDC/ SWT					1		3	1b/1c/3c	Support
8.4	Promote Team wilder with Parish/Ward and community groups .	Immediate	SDC/ SWT							4	4a	Support
8.5	Work with partners to develop access to nature social prescribing programmes and communicate the health and wellbeing benefits of engaging with the natural environment (CNCR 287).	short	SDC/ SWT							4	4a/4b/4c	Support
8.6	Deliver training on the Nature Recovery Network Strategy, data and map to all relevant officers, Members and communities (CNCR 283).	short	SDC/ SWT					1	2	3	1a/1c/2a/2b/2c/2d/2e/3a/3e	Support
<b>Action 9</b>	<b>Contribute towards State of Nature and National Recovery Network for Somerset by identifying opportunities to connect existing Council land assets to wildlife corridors, and improving the landscape's resilience to climate change.</b>											
9.1	Work with partners within the LNP to map beelines (Buglife) as	Short	SDC/ SWT					1		3	1d/3d	Support

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type	
	part of pollinator action plan and LNRS.												
9.2	Work with partners to develop a Land Management Strategy to protect and enhance soils through more regenerative agricultural processes (CNCR 112).	short						1		3		1b/3d	Support
9.3	Work with town and parish Councils and community groups to develop, co-ordinate, support and train a Community Nature Network of volunteers to help deliver the NRN (CNCR 284, links to CNCR 143).	Short								3	4	3d/4a	Support
9.4	Work with partners to establish a "Wilder Somerset Fund" aiming for a combined pot of £500,000 per year to deliver the actions of the Nature Recovery Network (CNCR 290).	Short								3		3d	Support
9.5	Support efforts to secure land that will contribute to NRN and	Long	SDC/ SWT	9.5.1	Work with partners to seek long-term	Long	SWT	1		3		1a/3d	Support



Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions				Targets	Delivery Type
	large landscape-scale projects.				phosphate mitigation								
9.6	Work with the Wildfowl and Wetland Trust to create large-scale wetland habitats at The Meads Eco Park, Bridgwater .	Immediate	SDC					1	2 a			1b/ 1c/2a	Deliver
<b>Action 10</b>	<b>Work with Somerset Wildlife Trust; Exmoor National Park Authority, Quantock Hills AONB, Blackdowns Hills AONB, Mendips AONB and other Council allies across Somerset in a co-ordinated approach to delivering shared goals such as Peat Action Plan and Tree strategy, pollinator action plan, and biosecurity and invasive species control</b>												
10.1	Provide funding to Exmoor National Park to help deliver SWT tree planting objective.	Immediate	SWT					1		3		1a/1b/3d	Enable
10.2	Work with partners to develop a Somerset Land Use Strategy comprising of a soil strategy, water quality strategy, peat strategy, land use capacity/potential, planning for sea level rise (CNCR action 289).	Short	SDC/ SWT	10.2.1	Work with Somerset County Council and other NE County Wide to deliver nutrient catchment management plan	short	SDC/SWT			3		3d	Support
10.3	Work with partners to set out how to restore peatlands in Somerset by establishing a Peat Partnership, revitalising the Somerset Levels and	Immediate	SDC/ SWT	10.3.1	Support initiatives that help peat based businesses find alternative business models.	Immediate to short	SDC/SWT	1		3		1a/3d	Support

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
	Moors Peatland Task Force and working with the IUCN Peatland Programme (CNCR 130).											
10.4	Work with partners to deliver Somerset Forest (ring around the Levels) (CNCR 344).	Short	SDC/SWT					1			1a	Support
10.5	Identify opportunities with partners and create nature-based projects that enhance coastal and offshore biodiversity e.g. salt marshes.	Short	SDC/SWT					1		3	1a/3d	Support
<b>Action 11</b>	<b>Work with partners to deliver good water and soil quality and healthy aquatic (including wetlands) and terrestrial habitats</b>											
11.1	Work with partners and local groups to deliver actions which address the issues of nitrate and phosphate loading on RAMSAR sites.	Immediate	SDC/SWT	11.1.1	Work with partners to seek longterm phosphate mitigation measures.	Long	SWT	1		3	1a/3d	Support
				11.1.2	Support best farming practices and promote to farmers through partners.	Immediate to short	SDC/SWT	1		3	1a/3d	Support

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
								1	2	3		
				11.1.3	Develop Cotford St Luke into a wetland habitat as part of Phosphate Mitigation Interim measures and put into place appropriate long term management plans.	Medium	SWT				1c/2a/3a	Deliver
<b>Action 12</b>	<b>Work with Heart of the South West Local Enterprise Partnership and other partners to support businesses help deliver nature recovery through their operations and supply chains</b>											
12.1	Work with partners to encourage green business/technology / green jobs into district using Somerset's USP; university links (links to CNCR 89? 337 and 338).	Immediate	SDC/ SWT							3	3d	Enable
12.2	Support the LNP to develop a communications campaign to sell the economic case for landowners and farmers changing land use/management practices (CNCR 114, 280, 281, and 282).	Immediate	SDC/ SWT							3	3d	Support

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
12.3	Signpost/support businesses to best practices to deliver ecological protection (links to CNCR 92, 242 and 244).	Short	SDC/SWT	12.3.1	Review options to incentivise businesses to take action for the wildlife e.g. grant opportunities/ tool and resources.	Immediate - short	SDC/SWT			3	3d	Enable
			SDC/SWT	12.3.2	Support Leisure and tourism sector to support nature recovery e.g. avoidance of single use plastics.	Immediate - short	SDC/SWT			4	4d	Support
12.4	Work with partners to develop a University in Taunton and Research and Innovation Park at Taunton with a focus on the circular economy, innovation in manufacturing processes, and delivering carbon neutrality and ecological recovery in the South West (adapted from CNCR 337).	Medium	SWT							3	3d	Enable
<b>Action 13</b>	<b>Lobby government to support ecological enhancement and protection.</b>											

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type	
13.1	Lobby Government to introduce a national ban on peat extraction (CNCR action 129).	Immediate	SWT					1		3	1b/3e	lobby	
13.2	Lobby Highways England to plant hedges along the M5 motorway (CNCR 116).	Immediate	SWT					1		3	1b/3e	lobby	
13.3	Lobby government to get water companies to do necessary work to remove Phosphates.	Immediate	SDC/ SWT					1		3	1b/3e	lobby	
13.4	Identify other key areas to lobby for wildlife enhancement & protection e.g. neonicotinoids, sewage discharge.	Immediate	SDC/ SWT					1		3	1b/3e	lobby	
<b>Theme 3: Enable citizens to connect and take action for nature</b>													
<b>Action 14</b>	<b>Create opportunities to connect the community such as ‘friends of’ groups, schools, and householders with nature</b>												
14.1	Provide or signpost good practice guidance and funding opportunities to community groups on habitat creation (Links to CNCR 139,155, 292 and 318).	Short	SDC/ SWT	14.1.1	Develop an information pack, standard agreement and communications campaign for community groups and parish Councils who wish to	Immediate	SDC/SWT	1			4	1b/4a	Enable

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions				Targets	Delivery Type
					manage Council-owned open spaces.								
				14.1.2	Drive forward Environmental Champions Scheme to encourage residents of all ages and backgrounds to take action for wildlife (CEAP 6).	Immediate	SDC/SWT				4	4a	Deliver
				14.1.3	Work with partners to improve ecological benefits of Steam Coast Trail and communicate to users.	short	SWT	1	2		4	1c/2a/4c	Deliver
14.2	Support local groups to take part in activities on Council owned open spaces that support wildlife.	Short	SDC/SWT	14.2.1	Ecosculture and skills development project in partnership with Hestercombe House.	Immediate	SWT	1	2		4	1c/2a/4a	Enable
14.3	Support initiatives that help to remove litter particularly along our coastline.	Immediate	SDC/SWT						2		4	2a/4a/4c	Enable

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions				Targets	Delivery Type
								1	2	3	4		
	Work with town and parish Councils and community groups to provide opportunities for local people to get involved with planting trees and habitat creation (CNCR action 296 adapted).	Immediate	SDC/ SWT					1	2		4	1c/2a/4a	Enable
	Investigate engagement with West Country Rivers Trust's citizen science program - monitoring water quality to feed into Natural England's County Water improve strategy 22/23.	Immediate	SWT							3		3f	Support
<b>Action 15</b>	<b>Use our open spaces, wildlife sites and nature reserves as opportunities to communicate to citizens about the importance of the natural world</b>												
15.1	Develop communications for all open space sites to engage citizens about habitat and wildlife on site.	medium	SDC/ SWT	15.1.1	Create signage and interpretation for grassland management.	Immediate					4	4c	Deliver
15.2	Maintain and where necessary improve access to Council owned local wildlife and sites,	Immediate	SDC/ SWT								4	4c	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
	and local nature reserves.											
<b>Action 16</b>	<b>Develop an ecological emergency communications plan linked with climate change to inform householders of actions taken by the Councils and partners and how they can get involved (links to CNCR action 123)</b>											
16.1	Promote/signpost resources to support householders take action for nature.	Immediate	SDC/SWT	16.1.1	Make householders aware of Somerset prepared/ Team Wilder/Environmental Champions and other groups that deliver nature recovery.	Immediate	SDC/SWT			4	4a	Deliver
<b>Action 17</b>	<b>Work with partners to deliver behaviour change campaigns and communications to support householders and businesses to make lifestyle choices to reduce consumption and protect local and globally important wildlife habitats.</b>											
17.1	Work with partners linking up with existing communications e.g. Wildlife Trust's Team Wilder, active travel links to our AONBs.	Immediate	SDC/SWT	17.1.1	Promote nature recovery by protecting and Restoring Somerset - Pride in looking after our area including communities within it. Having pride in our home of Somerset.					4	4a	Support
17.2	Working with partners communicate to Council tenants and other householders about ideas that support wildlife within gardens	Immediate	SDC/SWT							4	4a	Deliver



Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
	e.g. wilding garden lawns.											
17.3	Communication to allotment growers -best practice for wildlife (links to CNCR 107).	Immediate	SDC/ SWT							4	4a	Deliver
17.4	Increase awareness in businesses and young people of the value of local pollinators, improving knowledge and understanding of pollinators in the area (CEAP 160).	Immediate	SDC					1		4	1d/4d	Support
17.5	Develop an awards scheme focusing on celebrating climate and ecological action in the community (CNCR 323 adapted).	Short	SDC/ SWT							4	4a	Support
17.6	Champion our nature recovery outside designated sites and link into Green Infrastructure strategy.	short						1		4	1c/4a	Support
17.7	Deliver community and school workshops building awareness about nature recovery	Immediate	SDC/ SWT							4	4a	Support

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions				Targets	Delivery Type
	and how they can take action for wildlife (and climate change) (relates to CEAP 102).												
<b>Action 18</b>	<b>Promote ways to reduce, reuse and recycle; support product durability, energy efficiency and renewable energy generation.</b>												
18.1	Work with Somerset Waste Partners on Recycle More (Refer to CNCR actions 253 - 270).	Immediate	SDC/ SWT							3	4	3d/4a	Support
<b>Theme 4: Governance' funding, monitoring and reporting progress over time</b>													
<b>Action 19</b>	<b>Co-ordinate and have oversight of all SDC/SWTC ecological improvement activities so that it can be reviewed and continually improve.</b>												
19.1	Develop methodology to enable the Council to monitor progress towards ambitions and targets.	Immediate	SDC/ SWT							3		3f	Deliver
19.2	Agree method by which progress of actions will be monitored over time. E.g. through Pantana (SDC) or other.	Short	SDC/ SWT							3		3f	Deliver
<b>Action 20</b>	<b>Work with partners to agree a methodology to measure progress against our KPIs and targets (relates to CNCR146)</b>												
20.1	Committee and Council reporting to include ecological impact, alongside those already	Immediate	SDC/ SWT							3		3f	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions			Targets	Delivery Type
	for climate and sustainability.											
20.2	Work with partners to disseminate best practice monitoring methodology to local community groups in order to feed into Somerset species monitoring for Local Nature Recovery Strategy.	Immediate	SDC/ SWT						3		3f	Deliver
<b>Action 21</b>	<b>Develop a fundraising strategy to deliver action plan where there are insufficient budget and resources.</b>											
21.1	Produce and communicate a list of potential woodland creation grants, and forward plan bids where possible (Amended CNCR 138)	Immediate	SDC/ SWT						3		3a	Deliver
21.2	Seek funds to support ecological protection and improvement projects.	Immediate	SDC/ SWT	21.2.1	Build Up a Tree Fund with businesses and stakeholders (already seeded by the Council) to deliver tree planting days with local residents and community groups	Immediate	SDC	1			1a	Deliver

Ref. No	Project	Term	District	Ref. No	Sub-project	Term	District	Ambitions				Targets	Delivery Type
					to increase tree coverage (SDCA CEAP 92).								
				21.2.2	Toneworks, Wellington.	Immediate	SWT	1	2	3	4	1d/2e/3c/4a	Deliver
				21.2.3	Steam Coastal Trail	Immediate	SWT	1		3	4	1c/3c/4a	Deliver
				21.2.3	Hibernation boxes	Immediate	SWT/SDC	1	2		4	1c/2e/4a	Deliver

**Key:**

<b>Term:</b>
Immediate – financial Year 2022/23
Short - 2023-2025
Medium 2025-2028
Long 2028-2030

<b>Delivery</b>
<b>Deliver</b> – those actions where the Council can directly deliver a defined outcome/
<b>Enable</b> – those actions where the Council’s role is to facilitate delivery of defined outcomes, for instance changes to policy.
<b>Support</b> – those actions where the Council can support or encourage the delivery of a defined outcome, namely working with groups or organisations.
<b>Lobby</b> – those actions where the Council’s primary role is to promote and push for change, e.g., a change to policy, legislation or funding.

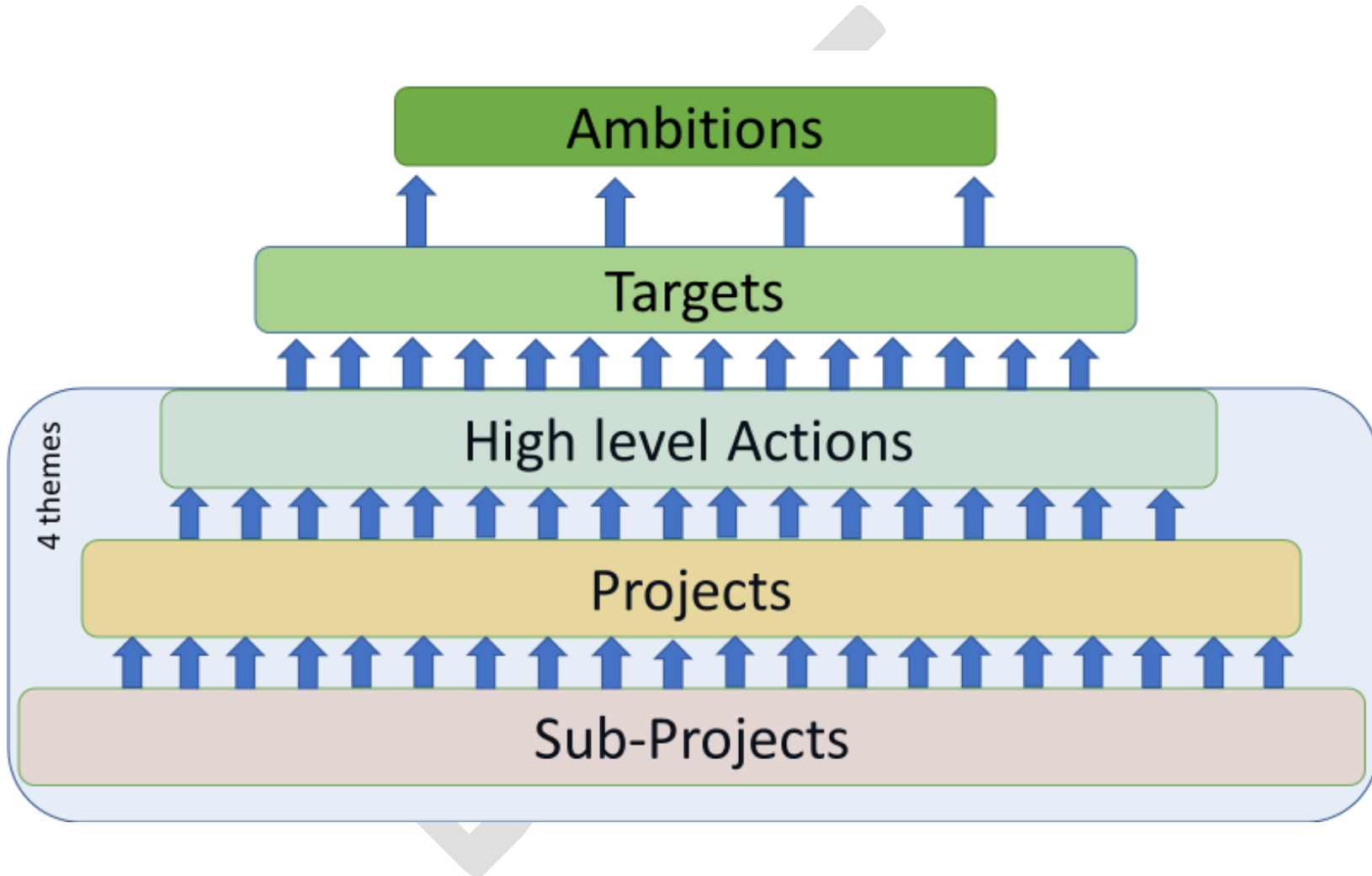
**District**

SDC -Sedgemoor District Council
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SWT – Somerset West District Council
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DRAFT

Action Plan Project Hierarchy:



## The Action Plan will deliver the following ambitions and targets:

Collaborating with partners					
Ambitions					
Wildlife		Assets & open spaces		Our values	
People and nature					
<b>Our targets by 2030:</b>					
1a	Contribute and support 30% of Somerset being managed positively for nature.	2a	Open spaces are well managed either by community groups with support by the local authority or directly by the Council.	3a	The environmental and ecological well-being of our district is integrated into all policy decisions made by the council.
1b	Large scale tree planting and other nature recovery projects across the district and wider area are delivered with partners.	2b	All grassland areas are managed in accordance with best practice grassland management to support wildlife where appropriate.	3b	Procurement policies enable the purchase of products and services that support ecological protection and improvement at a local, national and international level.
1c	Habitats across the district including the councils' designated sites wildlife and geological sites are in a favourable condition.	2c	The use of chemicals is minimised, and alternatives are used where possible.	3c	All planning decisions consider ecological footprint of all new developments and contribute to a minimum of 10% biodiversity net gain.
1d	Our green and blue infrastructure connect to the wider environment and contribute to Somerset's Nature Recovery Network.	2d	All plants are grown or sourced in peat free growing medium and contribute to climate change resilience and nature recovery.	3d	We collaborate with others and lobby government to ensure policies protect our wildlife and natural environment.
1e	County notable and red list species (specifically Hazel dormouse, lapwing and Grizzled skipper) thrive in our district and wider area.	2e	All council owned buildings support ecological recovery where appropriate	3e	Our staff understand the importance that nature plays and have the skills and knowledge to consider it in their decisions making and implementation of their roles
				3f	We monitor and communicate our progress towards nature recovery
				4a	1 in 4 citizens take action for wildlife (aligned with Somerset Wildlife Trust's Team Wilder campaign)
				4b	All pupils complete one term of environmental education by the time they leave primary school.
				4c	All publicly owned open spaces have a community group, good signage and are accessible to the public.
				4d	Businesses play their role in supporting wildlife recovery





*Report Number: SWT 90/22*

# **Somerset West and Taunton Council**

## **Full Council – 5 July 2022**

### **Scheme of Delegation to Officers**

**This matter is the responsibility of the Leader of the Council, Councillor Federica Smith-Roberts**

**Report Author: Kevin Williams, Deputy Monitoring Officer**

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

- 1.1 The purpose of this report is to present Members with the Scheme of Delegation to Officers (Appendix A). The Scheme has been updated to reflect the current structure of the Council.

#### **2 Recommendations**

- 2.1 That Full Council note the Scheme of Delegation to Officers (Appendix A).

#### **3 Risk Assessment**

- 3.1 Failure to have a Scheme of Delegation to Officers could result in Managers and staff making decisions that they do not have authority to.
- 3.2 Failure to have a Scheme of Delegation to Officers could mean that operational decisions are not dealt with in an efficient, effective and economic manner, and ultimately the performance of the Council could suffer.

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

- 4.1 The Council is required by the Local Government Act 1972 Section 101 to have a Scheme of Delegation to Officers.
- 4.2 The Council's Scheme of Delegation to Officers sits alongside the Constitution to ensure that delegations for making decisions are assigned to the most suitable officers to make those decisions.
- 4.3 Managers and staff must have authority to act in line with their levels of responsibility within the organisation to ensure the authority is able to function effectively. The Scheme of Delegation to Officers provides clear lines of delegation so that managers and staff are empowered to make decisions but also accountable and responsible for those decisions.

- 4.4 All delegated powers must be exercised in accordance with the Council's Constitution, any legislative responsibilities and/or relevant Council policies and procedures.
- 4.5 The Directors hold responsibility for advising existing and newly appointed managers and staff in writing of their personal levels of delegated authority. Directors are also responsible for implementing, monitoring and reviewing the Scheme of Delegation to Officers.
- 4.6 The Council has always had a Scheme of Delegation for Officers in place, but the Senior Management Team have requested that it is brought before Council for Members information and for them to note.

## **5 Links to Corporate Strategy**

- 5.1 The Scheme of Delegation to Officers overarches the Corporate Strategy and enables the Council to deliver the strategy and services to customers in an efficient manner.

## **6 Finance / Resource Implications**

- 6.1 There are no Finance or Resource Implications.

## **7 Unitary Council Financial Implications and S24 Direction Implications**

- 7.1 There are no Unitary Council Financial Implications or S24 Direction Implications.

## **8 Legal Implications**

- 8.1 Section 101 of the Local Government Act 1972 requires that the Council has a Scheme of Delegation to Officers.

## **9 Climate and Sustainability Implications**

- 9.1 None arising from this report

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

- 10.1 None arising from this report

## **11 Equality and Diversity Implications**

- 11.1 None arising from this report

## **12 Social Value Implications**

- 12.1 None arising from this report

## **13 Partnership Implications**

- 13.1 None arising from this report

## **14 Health and Wellbeing Implications**

14.1 None arising from this report

**15 Asset Management Implications**

15.1 None arising from this report

**16 Data Protection Implications**

16.1 None arising from this report

**17 Consultation Implications**

17.1 None arising from this report

**Democratic Path:**

- **Scrutiny / Audit and Governance Committee – No**
- **Executive – No**
- **Full Council – Yes (5 July 2022)**

**Reporting Frequency: Once only / Ad-hoc**

**List of Appendices**

Appendix A	Scheme of Delegation to Officers
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**Contact Officers**

Name	Kevin Williams
Email	K.Williams@somersetwestandtaunton.gov.uk



# Somerset West and Taunton Council

## Scheme of Delegation to Officers

### **PART A**

#### **1.0 Introduction**

- 1.1 This document contains the specific delegations to Officers, setting out how the Council has delegated powers to Officers and how Officers are to use those powers.
- 1.2 This Council's approach to decision making is to ensure that its system of delegation enables decisions to be taken at the most appropriate level closest to those who will be affected by the decision in question. Under this system of delegation, the vast majority of the Council's decisions and actions will fall into the category of operational day to day decisions taken by its Officers.
- 1.3 In summary, with the exception of matters that are specifically reserved to Councillors by law or in the Council's Constitution, such as adopting strategic policy and taking certain types of regulatory decisions, all of the other functions of the Council are delegated to Officers.

#### **2.0 Principles**

- 2.1 This scheme of delegation is based on the following principles:
- Decisions need to be taken as near to the point of service delivery as possible;
  - Managers and staff need to be empowered but accountable and responsible;
  - Delegated powers must be exercised in accordance with the Council's Constitution, any legislative responsibilities and/or relevant Council policies and procedures;
  - Managers and staff must have authority to act in line with their levels of responsibility within the organisation;
  - All existing and newly appointed managers and staff must be advised in writing of their personal levels of delegated authority by their Director (this can be by provision of copies of the relevant documentation);
  - Directors must ensure that this Scheme is fully implemented, monitored and reviewed, and any changes required are reported to the Monitoring Officer.

#### **3.0 Scope**

- 3.1 This Scheme is additional to any delegations to Officers contained in the Council's Constitution. This scheme is not part of the Council's Constitution.
- 3.2 It applies to all services and Officers within the Council without exception.

#### **4.0 Officer Management Structure**

- 4.1 The Council's Services are delivered through different departments, known as "Function Areas" – each under the control of an Officer who is known as a Director.
- 4.2 Directors are responsible for all of the Services within their area and they report to the Chief Executive. The Chief Executive is ultimately responsible for the operational management of the Council, its Officers, and for the delivery of all the Council's Services within the budget and policy framework set by Members.
- 4.3 The Chief Executive and the Directors form the Senior Leadership Team.
- 4.4 The way the Council structures its Services changes from time to time to reflect changes in Service delivery and best practice. The Council Constitution includes the Council's Management Structure and the Council's website will show relevant contacts for different services.

#### **5.0 Cascade of Powers**

- 5.1 Officers' powers have been delegated by means of a standing cascade. That means that, except as set out in the specific delegations at Part B of this Scheme, specific powers are not set out.
- 5.2 Instead, there is a standing delegation of all necessary powers from the Council and the Executive (and their Committees) to the Chief Executive and the Directors. The cascade continues down to Assistant Directors, Operational Managers, Business Partners and relevant Officers in each Service.
- 5.3 In each case the powers delegated are the full range and extent of powers vested in the Council as necessary in order to discharge functions, implement decisions, and undertake the efficient operational management of the Services in the Function Area that the Directors are responsible for.
- 5.4 This includes the power to do anything ancillary or incidental to, arising from, or necessary to give effect to or facilitate the exercise of powers and the discharge of functions delegated to Officers.
- 5.5 For the avoidance of doubt, the list of specific delegations at Part B is not exhaustive. The fact that if:
  - (a) The delegation of a specific function; or,
  - (b) Delegation to a specific Officer (or post),

Is not included at Part B, it does not preclude an Officer from exercising that function, since the standing cascade will operate to allow the Officer to do so (within the limits set out in this Scheme and in the Constitution).

5.6 In the event of the delegated officer being off sick the next available person up the chain will determine who picks the delegation up in their absence.

## **6.0 Use of Delegated Powers**

6.1 It is for the Chief Executive and Directors, to determine, record and keep under review the extent to which Officers in their Functions Area are authorised to exercise delegated powers in their name. They shall do this by ensuring that there is clarity in setting out their Functions Area and team structures and defining the respective roles of their Officers.

6.2 It is the responsibility of each Officer in the chain of delegations to ensure that powers are being exercised at the more appropriate level by suitably competent and qualified Officers. They shall at all times have due regard for the nature, subject matter, and likely impact of any decision and liaise closely with those above them in the chain of delegations, including relevant Councillors, especially where a matter has potentially significant strategic, policy or operational implications.

6.3 Any ambiguity that may arise as to whether or not a particular Officer is, by reference to the terms of their appointment, job or role description, or their position in the organisation, authorised in respect of any particular function is to be resolved by reference back up through the chain of delegations to Directors or ultimately the Chief Executive, who shall, where necessary, give written confirmation of the allocation of any given responsibility.

6.4 Where the duly empowered Officer is unavailable or unable to act and the designated deputy is not available, subject to any specific arrangements that may have been put in place, a suitably qualified and competent Officer who is most proximate to the absent Officer in the chain of delegations (the proximate Officer is to be identified by following the chain upwards within the relevant Function Area continuing to the Director or Chief Executive) is empowered to act in place of that Officer.

## **7.0 Limitations**

7.1 Officers are not empowered to make decisions in respect of matters that are specifically reserved to Councillors or which amount to the adoption or implementation of new policy.

7.2 Officers are only empowered to act in respect of matters which fall within their Functions Area, suite of responsibilities and sphere of competence.

7.3 Before taking decisions, Officers must be satisfied that they can demonstrate, through appropriate records, that they are duly authorised to act and that they have undertaken all appropriate consultation.

7.4 Officers may enter into contracts and incur expenditure but must do so within financial limits and procedures set out in the Finance Procedure Rules and Contract Procedure Rules.

- 7.5 Officers must at all times observe and abide by the principles and controls governing decision making set out in Section 2 above.

Note:

Where the delegation is 'Case Manager', this means the 'relevant Case Manager practising in that area business operations, with the requisite knowledge, experience and where relevant qualifications to be undertaking that duty.'

## **8.0 Notices, Authorisations, Determinations, Orders, Licenses, Agreements and Consents**

- 8.1 For the avoidance of doubt the delegation of authority through the Officer structure includes the power to take all action necessary in connection with or ancillary to the following, subject always to powers reserved for exercise by the Council, Executive and Executive Member, and any Committees established by the Council and to the framework set out in the Financial Procedure Rules and Contract Procedure Rules in the Council's Constitution:

- (a) The authorisation of Officers as may be required by statute (whether as Proper Officers or otherwise) to undertake certain roles, or to exercise or discharge any powers, duties or functions including investigatory or regulatory functions and affecting entry to land or premises;
- (b) The issuing, service, variation, or withdrawal of any notice, direction, determination, requisition, ultimatum or demand;
- (c) The making, confirmation, variation or withdrawal of any order or regulation;
- (d) The formation, variation or termination of any contract or agreement;
- (e) The grant, variation withdrawal or termination of any permission, authorisation, licence or consent

## **9.0 Ambiguity in the decision-making framework**

- 9.1 In circumstances where a decision needs to be made and the decision making framework (as found in this Scheme of Delegation and the Council's Constitution) is unclear or silent as to which Officer may make the decision; the Chief Executive (acting in their capacity as the Head of Paid Service), on advice from the Monitoring Officer, may make the decision.

## **10.0 Responsibility for general HR Functions**

- 10.1 The appointment, discipline and dismissal of Senior Officers (as defined in the Officer Employment Procedure Rules) is a matter for the Chief Executive and/or Councillors, as set out in the Constitution.
- 10.2 The power to deal with all other employment matters is delegated to the Head of Paid Service.
- 10.3 The Head of Paid Service hereby delegates to the Directors, Assistance Directors, Operational Managers and Business Partners, all powers



necessary to carry out HR functions in respect of the staff that they manage (for example the powers to appoint, dismiss and make decisions relating to staff sickness), such powers to be used only in accordance with Council policies and procedures.

**PART B**

<b>Head of Paid Service – Chief Executive Officer</b>	
<b>Function</b>	<b>Delegated to:</b>
Deputise for the role of Head of Paid Service and Chief Executive	Deputy Chief Executives & Directors of: Internal Operations Housing and Communities Development and Place External Operations and Climate Change
<b>Staff Management</b> To undertake the day to day management and operation of all staff in accordance with the policies and procedures laid down by the Council, including incurring expenditure within the approved budgetary provision	Senior Leadership Team, Assistant Directors, Operational Managers and People Business Partners
<b>Elections</b> All powers necessary to discharge the statutory duties of the Returning Officer and Electoral Registration Officer	Deputies as appointed by the Head of Paid Service (in their role of Returning Officer and Electoral Registration Officer)

<b>Deputy Chief Executive &amp; Director of Development and Place</b>	
<b>Function</b>	<b>Delegated to:</b>
<b>Development and Place</b> Deputise for the Director of Development and Place	Assistant Directors for Major & Special Projects and Strategic Place and Planning
<b>Development and Place</b> Deputise for the Assistant Director for Major and Special Projects	Development and Place Programme Managers
<b>Development and Place</b> Deputise for the Assistant Director for Strategic Place and Planning	Service Managers: Planning Policy and Implementation, Economic Development, Growth and Inclusion, Development Management
<b>Development Management and Planning Enforcement</b> All powers necessary to ensure the efficient day to day operation of the Council's Development Management and Enforcement Functions in consultation with the Chair of the Planning Committee: <ul style="list-style-type: none"> <li>• To take enforcement action (including instructions to serve breach of condition notices/Planning Contravention Notices/ Enforcement notices/Stop Notices/Default Powers) in consultation with the Chairman of the Planning Committee and the appropriate ward member(s)</li> <li>• Action to secure the removal or obliteration of placards or posters displayed in contravention of advertisement regulations including the service of notices <i>Town and Country Planning 1990 Section 225 and the Town and Country Planning (Control of Advertisements) Regulations 1992</i></li> <li>• serve Planning Contravention Notices where it appears that a contravention of planning control has taken place.</li> <li>• To issue Stop Notices, Enforcement Notices, Enforcement Orders and Advert Removal Notices</li> </ul>	Assistant Director, Strategic Place and Planning, Service Manager - Development Management and Development Management Team Leaders, Principal Planning Officer (DM)

<ul style="list-style-type: none"> <li>• To issue Breach of Condition Notices and Notices under Section 215 of the Town and Country Planning Act 1990 in consultation with the Legal Services Manager.</li> <li>• In cases of urgency and subject to consultation with the Chair of the Planning Committee to arrange for the serving of, temporary stop notices, Urgent Works Notices, Repairs Notices and Directions under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, and directions relating to unlisted buildings in conservation areas.</li> <li>• To apply for injunctions in appropriate cases where there are any breaches of planning and/or building control, Tree Preservation Orders, or Listed Building and Conservation legislation where it is felt that contravention of planning and/or building control has taken place, and to give any undertakings in damages in such cases.</li> <li>• To determine whether or not it is expedient to take enforcement action where a breach of planning control has occurred</li> </ul>	
<p><b>Planning Administration</b>  All powers necessary to ensure the efficient day to day operation of the Council's Planning Functions. Including:</p> <p>To take all actions as necessary with regard to the receipt, validation, consultation and administration of all application types.</p> <p>To take all actions as necessary with regard to the administration and submission of the Councils case, including any review, alteration, amendment or withdrawal of that case, following the appeal of a planning decision that has been made under delegated powers</p> <p><b>Planning</b></p> <ul style="list-style-type: none"> <li>▪ To authorise officers to undertake negotiations in respect of planning obligations/Section 106</li> </ul>	<p>Assistant Director, Strategic Place and Planning, Service Manager - Development Management and Development Management Team Leaders, Principal Planning Officer (DM) Planning Support Manager</p> <p>Assistant Director, Strategic Place and</p>

<p>Agreements in accordance with the current agreed framework and procedure</p> <ul style="list-style-type: none"> <li>▪ To make Tree Preservation Orders where there is perceived an urgent need to do so, following consultation with the Chair of the Planning Committee and the appropriate ward member(s) - Town and Country Planning Act 1990, Sections 198 – 201 and to determine applications for consent for the cutting down, topping or lopping of trees applications under the Hedgerow Protection legislation and exercise the powers and duties relating to high hedges under the Anti Social Behaviour Act 2003.</li> <li>▪ To revoke a Tree Preservation Order where there is perceived a need to do so, in accordance with the regulations – The Town and Country Planning (Tree Preservation) (England) Regulations 2012</li> <li>▪ To formulate and transmit representations on behalf of the authority - <i>Pastoral Measure 1968</i></li> <li>▪ To determine all householder planning applications except those applications reserved to Planning Committee or delegated under s101 of the Local Government Act 1972 to to determine under the Council's Constitution.</li> <li>▪ All applications for planning permission, listed building consent, conservation area consent, tree works consent, advertisement consent and all other matters of determination, formal approval or comment of the Council as local planning authority under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Planning Act 2008 and associated legislation should be determined under delegated powers other than those matters and applications reserved to Planning Committee to determine under the Council's Constitution.</li> <li>▪ Applications will be delegated to Service Manager- Development Management or the relevant Team Leader to refuse if section 106 agreements are not signed within 6 months of resolution to grant planning permission.</li> <li>▪ To serve building preservation notices in case of emergencies - <i>Planning (Listed Buildings and Conservation Areas) Act 1990 Section 3</i></li> <li>▪ Service of article 3(2) directions requiring re-submission of reserved matters in support of an outline planning application - <i>Town and Country</i></li> </ul>	<p>Planning, Service Manager - Development Management and Development Management Team Leaders , Principal Planning Officer (DM) Placemaking Team Leader, Strategic Lead NSIP</p>
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*Planning (General Development Procedure)  
Order 1992*

To determine submissions as to whether prior approval is required in relation to any of the forms of permitted development for which a prior approval process is required as set out in government regulations (as may be subsequently amended) and in relation to all of the matters which, as specified in the appropriate regulations, those approvals are to be made.

- (a) Determination of notifications for agricultural and forestry schemes / demolition of buildings
- (b) To respond / determine notifications relating to development by telecommunications system operators

*Town and Country Planning (General Permitted Development) Order 1995*

- (a) To determine applications to hold motor rallies over footpaths and bridleways following consultation with the appropriate ward member(s)
- To provide “screening” and “scoping” opinions in relation to Environmental Impact Assessment development *under the*  
*Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999*
- Following consultation with the Chairman of the Planning Committee and any appropriate ward member(s) to serve Enforcement Notices / Stop Notices / Default Powers /Section 215 Notices
- To serve Breach of Condition Notices, Planning Contravention Notices, and Section 330 Notices - *Town and Country Planning Act 1990*
- (a) To approve or refuse applications for certificates of lawfulness of development  
*Sections 191 and 192*  
(b) To serve notices requiring the provision of details in land / premises *Section 330*  
(c)The service of notice in regard to the proper maintenance of land *Section 215*

*Town and Country Planning Act 1990*

To enter into Planning Performance and Extension of Time Agreements

The consideration, approval and payment of grants in respect of works to Listed Buildings, Heritage Assets at Risk, Undesignated Heritage Assets and with regard to Conservation Areas.

<p>To exercise the Council's planning powers for control of demolition.</p> <p>To approve or reject plans submitted as non-material amendments to planning applications previously submitted and approved, subject to consultation with the local Member(s) concerned in accordance with the Council's procedure.</p>	
<p><b>Land Charges</b> All powers necessary to ensure the efficient day to day operation of the Council's Land Charges Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To negotiate and enter into Service Level Agreements relating to Land Charges</li> <li>▪ To propose to the Section 151 Officer for his/her approval, the fee levels for land charges and in so doing ensure that no costs fall to the council tax payers as a whole - <i>Local Land Charges Act 1975 Sections 8, 9</i></li> </ul>	<p>Planning Support Manager Senior Land Charges Officer</p>
<p><b>Promoting Business and Economic Growth</b> All powers necessary to ensure the efficient day to day operation of the Council's Business and Economic Growth Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ Includes – Tourism, Marketing the area, Supporting local business networks, Economic development</li> </ul>	<p>Assistant Director Strategic Place and Planning Service Manager - Economic Development</p>
<p><b>Marketing the Area</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions relating to Marketing</p>	<p>Assistant Director Strategic Place and Planning Service Manager - Economic Development</p>
<p><b>Programmes and Projects</b> All powers necessary to ensure the efficient day to day operation of the Council's Programmes and Projects. Including:</p> <ul style="list-style-type: none"> <li>▪ Regeneration Programme - approval and delivery</li> <li>▪ Heritage at Risk Programme – approval and delivery</li> </ul>	<p>Development and Place Programme Manager/s</p>

<p><b>Place</b> All powers necessary to ensure the efficient day to day operation of the Council's 'Place' Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ Strategy</li> <li>▪ Partnerships</li> </ul>	<p>Assistant Director Strategic Place and Planning Service Manager – Planning Policy and Implementation</p>
<p><b>Local Plan</b> All powers necessary for the production and implementation of the Local Plan and Neighbourhood Plans</p>	<p>Assistant Director Strategic Place and Planning Service Manager – Planning Policy and Implementation</p>



<b>Deputy Chief Executive &amp; Director of Internal Operations</b>	
<b>Function</b>	<b>Delegated to:</b>
<b>Internal Operations</b> Deputise for the Director of Internal Operations	Assistant Directors: Customer Finance (S151 Officer) Corporate
<b>Internal Operations</b> Deputise for the Assistant Director for Customer	Grade K managers, Customer Services Manager, Benefits Specialists, Business Intelligence Manager, Strategy Specialist
<b>Internal Operations</b> Deputise for the Assistant Director for Finance (S151 Officer)	Deputy Section 151 Officer
<b>Internal Operations</b> Deputise for the Assistant Director for Corporate	ICT Manager, Strategic People Lead, Governance Manager
<b>Customer Service</b> All powers necessary to ensure the efficient day to day operation of the Council's Customer service's Function	Customer Services Manager
<b>Business Rates</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions relating to Business Rates. Including: <ul style="list-style-type: none"> <li>▪ To determine applications for Business Rates relief in pursuance of statutory schemes and in accordance with criteria agreed by the Cabinet.</li> <li>▪ To make refunds of over-payments of non-domestic rates</li> <li>▪ To administer mandatory relief from Business Rates for charities</li> </ul>	Relevant Specialist/Case Manager Lead/Case Manager
<b>Council Tax</b> All powers necessary to ensure the efficient day to day operation of the Council's relating to Council Tax. Including: <ul style="list-style-type: none"> <li>▪ To make refunds of over-payments of Council Tax</li> </ul>	Relevant Specialist/Case Manager Lead/Case Manager

<ul style="list-style-type: none"> <li>▪ To deal with and sign proposals, objections and agreements in respect of the valuation list and appeal against any of the Council's rating assessments in the valuation list</li> </ul>	
<p><b>Debt Management</b> All powers necessary to ensure the efficient day to day operation of the Council's Debt Management. Including:</p> <ul style="list-style-type: none"> <li>▪ To write off debts which are considered as irrecoverable, to a value of £1,000 (Specialist/Senior Case Manager) or £100 (Case Manager)</li> </ul>	<p>Relevant Specialist/Case Manager Lead/Case Manager</p>
<p><b>Benefits</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions in relation to benefits. Including:</p> <ul style="list-style-type: none"> <li>▪ To determine applications for Housing and Council Tax Benefit in accordance with the regulations and Council policy</li> </ul>	<p>Relevant Specialist/Case Manager</p>
<p><b>People</b> All powers necessary to ensure the efficient day to day operation of the Council's 'People' Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ Strategy</li> <li>▪ Partnerships</li> </ul>	<p>Strategic People Lead</p>
<p><b>Legal Services</b> All powers necessary to ensure the efficient day to day operation of the Council's Legal Services</p>	<p>SHAPE Legal Services under the Partnership Agreement</p>
<p><b>Internal Audit</b> All powers necessary to ensure the efficient day to day operation of the Council's Internal Audit Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To manage the internal audit function and to determine where it is appropriate for reports to be referred to elected Members</li> </ul>	<p>Governance Manager</p>
<p><b>External Audit</b> All powers necessary to ensure the efficient day to day relationship with the External Auditors. Including:</p>	<p>Section 151 Officer</p>

<ul style="list-style-type: none"> <li>▪ To manage the external audit relationship and to determine where it is appropriate for reports to be referred to elected Members</li> </ul>	
<p><b>Procurement</b> All powers necessary to ensure the efficient day to day operation of the Council's Procurement Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To undertake the Assistant Director – Finance (S151 Officer)'s duties as specified in the Contract Procedure Rules (except those duties relating to the authorisation of exemptions)</li> </ul>	Procurement Manager, Specialist – Strategic Procurement
<p><b>Data Protection</b> All powers necessary to ensure the efficient day to day operation of the Council's Data Protection Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To be the Council's Data Protection Officer - <i>Local Government Act 1972, Section 101</i></li> </ul>	Governance Manager
<p><b>Risk Management</b> All powers necessary to ensure the efficient day to day operation of the Council's Risk Management Function</p>	Governance Manager
<p><b>RIPA – Senior Responsible Officer</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions in relation to the Regulation of Investigatory Powers Act 2000</p>	Governance Manager
<p><b>PSMA (Public Sector Mapping Agreement)</b> All powers necessary to ensure the efficient day to day operation of the Council's PSMA Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To maintain the LLPG (Local Land and Property Gazetteer) and provide regular updates to the NLPG (National Land and Property Gazetteer).</li> <li>▪ To be the (Public Sector Mapping Agreement) Principal Contact-LLPG (GeoPlace) and Ordnance Survey mapping</li> </ul>	Business Intelligence Manager
<p><b>Freedom of Information/EIR</b> All powers necessary to ensure the efficient day to day operation of the Council's Freedom of Information/EIR Functions.</p>	Customer Services Manager, Governance Manager

<p><b>Complaints</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions in relation to Complaints</p>	<p>Customer Services Manager, Governance Manager</p>
<p><b>Constitutional Issues</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions in relation to Constitutional Issues</p>	<p>Monitoring Officer, Deputy Monitoring officer</p>
<p><b>Democratic Support</b> All powers necessary to ensure the efficient day to day operation of the Council's Democratic Function</p>	<p>Governance Manager, Governance and Democratic Specialist/s</p>
<p><b>Civic Support</b> (including Chair/Mayor Support) All powers necessary to ensure the efficient day to day operation of the Council's Civic Support Functions</p>	<p>Civic and Engagement Specialist</p>
<p><b>Locality Liaison</b> All powers necessary to ensure the efficient day to day operation of the Council's Locality Liaison Functions. Including:  <ul style="list-style-type: none"> <li>▪ Including liaison with Parish, Town Councils and Communities</li> </ul> </p>	<p>Town and Parish Liaison &amp; Scrutiny Officer, Community Resilience Manager, Locality Manager/s, Locality Engagement Lead/s</p>
<p><b>Electoral Registration/Management</b> All powers necessary to ensure the efficient day to day operation of Elections. Including:  <ul style="list-style-type: none"> <li>▪ Power to assign officers in relation to requisitions of the Registration Officer - <i>Section 52(4) of the Representation of the People Act 1983</i></li> </ul> </p>	<p>Governance Manager, Governance and Democratic Specialist/s</p>
<p><b>Programme Management Authority Support to the Organisation</b> All powers necessary to ensure the efficient day to day operation of Programme Management Authority Support.</p>	<p>Business Intelligence Manager, Corporate Performance PMO</p>
<p><b>Business Intelligence</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions in relation to Business Intelligence. Including:  <ul style="list-style-type: none"> <li>▪ To authorise appropriate Officers to certify that computer evidence to be used in Magistrates</li> </ul> </p>	<p>Business Intelligence Manager</p>

<p>Court is correct and that the computer was working satisfactorily at a particular time</p>	
<p><b>HR/Personnel</b>  All powers necessary to ensure the efficient day to day operation of the Council's Strategic HR and Personnel Units and the development of the Council's HR Strategies and Policies.  Including:</p> <ul style="list-style-type: none"> <li>▪ To determine applications under the assisted car purchase scheme</li> <li>▪ To compile and maintain the lists of essential and casual car users</li> <li>▪ Health &amp; wellbeing responsibility associated with leave</li> <li>▪ Supporting appointments</li> <li>▪ Induction</li> </ul>	<p>People Business Partner</p> <p>People Business Partner, HR Specialist, People Manager/s</p>
<p><b>Equalities</b> (across the Organisation)  All powers necessary to ensure the efficient day to day operation of matters relating to the Council's Equalities duties and Functions  Including:</p> <ul style="list-style-type: none"> <li>▪ To take all necessary steps to ensure equality of opportunity for access to all services provided by the Council and also in respect of Council staff, including the preparation and maintenance of the relevant policy</li> </ul>	<p>Strategy Specialist/  Community Resilience Manager</p>
<p><b>Finance</b>  All powers necessary to ensure the efficient day to day operation of the Council's Finance and Procurement services</p>	<p>Assistant Director – Finance (Section 151 Officer)</p>
<p><b>IT</b>  All powers necessary to ensure the efficient day to day operation of the Council's IT Functions</p>	<p>ICT Manager</p>
<p><b>IT Strategy</b>  To ensure the Council has arrangements in place to deliver and implement a robust IT Strategy setting out how the Councils technology supports its vision and corporate objectives (across both infrastructure and applications).</p>	<p>ICT Manager</p>
<p><b>Applications</b>  To ensure the Council has effective, affordable, and clear management, maintenance and administration arrangements in place, and</p>	<p>ICT Manager, IT Specialist - Applications</p>

<p>succession / replacement plans in place across all technology applications – in line with the IT Strategy ambitions.</p>	
<p><b>Infrastructure and Security</b>  To ensure the Council has effective, affordable, and clear management, maintenance, and administration arrangements in place, and succession / replacement plans across all technology infrastructure – in line with the IT Strategy. This includes business continuity and DR arrangements, and infrastructure and data security.</p>	<p>ICT Manager,  IT Specialist - Infrastructure</p>
<p><b>Media and Communications</b>  All powers necessary to ensure the efficient day to day operation of the Council’s Media and Communications Functions.  Including:  ▪ Sign off Press releases  ▪ Respond to media enquiries</p>	<p>Communications and Engagement Specialist/s,  Communication and Engagement Case Manager/s</p>
<p><b>Website</b>  All powers necessary to ensure the efficient day to day operation of the Council’s Functions in relation to Websites.  Including:  ▪ Operational Management</p>	<p>Communication and Engagement Case Manager/s,  Case Manager - Website</p>
<p><b>Branding/Design</b>  All powers necessary to ensure the efficient day to day operation of the Council Functions in relation to Branding/Design</p>	<p>Communications and Engagement Specialist/s</p>
<p><b>Payroll</b>  ▪ To ensure the Council has arrangements in place to pay staff and manage associated tax and pension matters.</p>	<p>Strategic People Lead,  Case Manager - Payroll</p>
<p><b>Street Naming and Numbering</b>  All powers necessary to ensure the efficient day to day operation of the Council’s Street Naming and Numbering Functions.  Including:  ▪ To control the naming of streets and numbering of building - <i>Public Health Act 1925, Section 17-19</i>  ▪ The provision and maintenance of street name plates – <i>Public Health Act 1925, Section 19</i></p>	<p>Relevant Specialist/Case Manager, Locality Champion</p>
<p><b>Commercial and Contract Procurement</b></p>	<p>Commercial Manager,</p>

<p>All powers necessary to ensure the efficient day to day operation of the Council's Commercial Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ Letting Contracts &amp; Commissioning</li> <li>▪ Letting any other contracts as necessary in accordance with the Contract Procedure Rules</li> </ul>	<p>Procurement Specialist, Programme Manager/s, Development Specialist</p>
<p><b>Health and Safety (as employer)</b> All powers necessary to ensure the efficient day to day operation of the Council's Health and Safety functions as an employer.</p>	<p>Operational Managers in consultation with Health and Safety Specialist</p>

<b>Deputy Chief Executive &amp; Director of External Operations and Climate Change</b>	
<b>Function</b>	<b>Delegated to:</b>
<p><b>External Operations</b> Deputise for the Director of External Operations and Climate Change</p>	<p>Assistant Directors: AD Climate Change, Regulatory Services, and Asset Management. and AD Commercial Services</p>
<p><b>External Operations</b> Deputise for the Assistant Director for Climate Change, Regulatory Services and Asset Management</p>	<p>Service Lead Environmental Health and Licensing, Service Lead Assets Programme Manager, Programme Manager (Climate Change), Programme Manager Coastal Protection</p>
<p><b>External Operations</b> Deputise for the Assistant Director for Commercial Services</p>	<p>Specialist Street Scene, Service Lead Emergency Planning/Resilience, Service Lead Major Contracts, Service Lead Crematorium and Cemeteries</p>
<p><b>Environmental Health</b> All powers necessary to ensure the efficient day to day operation of the Council's Environmental Health Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ Authority in relation to the enforcement of and prosecution of Homes in Multiple Occupation (HMO) and person(s) having control or managing such an HMO pursuant to <i>the Housing (Management of Homes in Multiple Occupation) Regulations 1990 and Housing Act 2004</i></li> <li>▪ To undertake any actions required relating to water-courses, ditches, ponds etc - Public Health Act 1936, Part XI Sections 259-266</li> <li>▪ Authorised to deal with any matter covered within the legislation - <i>Clean Air Act 1993</i></li> <li>▪ The power of entry to premises in respect of which applications for registration are received</li> </ul>	<p>Relevant Specialist/Case Manager</p>



<p>in connection with acupuncture, tattooing, ear piercing and electrolysis</p> <ul style="list-style-type: none"> <li>▪ Apply the Licensing provisions of the Game Act 1831 and Game Licences Act 1860 - <i>Deer Act 1991</i></li> <li>▪ Relevant provisions including to deal with all matters arising in <i>Sections 79 – 82 - Environmental Protection Act 1990</i></li> <li>▪ Authorised to deal with any matter covered within the legislation - <i>Prevention of Damage By Pests Act 1949</i></li> <li>▪ Authorised to deal with any matter covered within the legislation - <i>Private Water Supplies Regulations 1991</i></li> <li>▪ All actions relating to filthy and verminous premises or articles and verminous persons. - <i>Public Health Act 1936 Part II Sections 34 –37, 79-82</i></li> <li>▪ To serve notices relating to nuisances in connection with water-courses, ditches, ponds etc - <i>Public Health Act 1936 Part XI Sections 259-266</i></li> <li>▪ To take any appropriate action - <i>Public Health (Control of Diseases) Act 1984 Section</i></li> <li>▪ <i>To take decisions in order to meet the Council's duties under the Public Health (Ships) Regulations 1970 Regulation 4</i></li> <li>▪ To take any appropriate action- <i>Water Industry Act 1991</i></li> <li>▪ To issue Enforcement Fixed Penalty Notices under <i>The Health Protection (Coronavirus Restrictions) (England) (Amendment) (No.4) Regulations 2020</i></li> </ul>	
<p><b>Health and Safety (external)</b> All powers necessary to ensure the efficient day to day operation of the Council's Health and Safety Functions</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ To appoint an Inspector under s19(1) of the Health and Safety at Work Etc. Act 1974 (HSWA) in order that the Inspector may then issue proceedings for an offence under any of the relevant statutory provisions of HSWA.</li> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to External Health and Safety</li> </ul>	<p>Relevant Specialist/Case Manager</p> <p>Relevant Specialist/Case Manager in consultation with SHAPE Legal Services</p> <p>Relevant Specialist/Case Manager</p>

<ul style="list-style-type: none"> <li>▪ Carry out duties in accordance with statutory guidance issues under HSC Section 18 Mandatory Guidance Implement duties in accordance with regulations made under the Health and Safety at Work etc Act 1974</li> <li>▪ Authorise individual officers under the smoke free legislation and regulations made thereunder to carry out specified duties Health Act 2006, The smoke-free (premises and enforcement) regulations, The smoke-free (signs) regulations, The smoke-free (exemptions and vehicles) regulations, The smoke-free (penalties and discounted amounts) regulations, and The smoke-free (vehicle operators and penalty notices) regulations.</li> </ul>	
<p><b>Food Safety</b> All powers necessary to ensure the efficient day to day operation of the Council's Food Safety Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to Food Safety</li> <li>▪ To take any appropriate action - <i>Food Hygiene (Docks, Carrier, etc) Regulations 1960</i></li> <li>▪ To take any appropriate action - <i>Imported Food Regulations 1997</i></li> <li>▪ To authorise the District Councils of Sedgemoor, Mendip and South Somerset together with the Unitary Authorities in the former County of Avon to discharge within the district of Somerset West and Taunton the functions conferred upon Somerset West and Taunton, relating to the detainment, examination and seizure of food under the <i>Food Safety Act 1990</i> and of meat under the <i>Meat (Sterilisation) Regulations 1969</i> on the understanding that the seizing Authority in each case would deal with any resulting claims for compensation; that such Officers, who are the duly authorised Officers of the aforesaid Authorities, within the meaning of <i>Regulation (EC) 882/2004</i>, from time to time be and duly authorised Officers for similar purposes within the district of Somerset West and Taunton; to extend these arrangements to other specific local authorities within England and Wales and</li> </ul>	<p>Relevant Specialist/Case Manager</p>

<p>be empowered to authorise the duly authorised Officers of such Authorities to act within the district of Somerset West and Taunton - <i>Local Government Act 1972 Section 101 &amp; Regulation (EC) 882/2004</i></p> <ul style="list-style-type: none"> <li>▪ To take any appropriate action in relation to the Council's functions under the following legislation: <i>The Meat (Sterilisation and Staining) Regulations 1982</i> <i>Milk and Dairies (General) Regulations 1959</i> <i>Milk (Special Designation) Regulations 1977</i></li> <li>▪ Undertake duties under Food Law made under the European Communities Act 1972 with due regard to centrally issued Food Law Code of Practice (England), practice guidance and relevant regulations <i>such as the Food Hygiene (England) Regulations 2006.</i></li> <li>▪ Undertake duties in pursuance of Food Law requirements <i>The Food Hygiene (England) Regulations 2006.</i></li> <li>▪ Carry out inspection of 'approved' premises; issue approvals in accordance with guidance; carry out sampling - <i>Regulation 853/2004</i></li> <li>▪ Register food premises - <i>Regulation 852/2004 and The Food Hygiene (England) Regulations 2006.</i></li> <li>▪ Carry out relevant duties - <i>Various regulations made under Food Law: Regulations 178/2004, 852/2004, 853/2004, The Food Hygiene (England) Regulations 2006 &amp; Official Feed and Food Control (England) Regulations 2006</i></li> <li>▪ <i>Carry out inspections of food premises and apply provisions – The Food Hygiene (England) Regulations 2006 and Regulation 852/2004</i></li> </ul>	
<p><b>Licensing</b> All powers necessary to ensure the efficient day to day operation of the Council's Licensing Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to Licensing</li> <li>▪ To waive the required fee in regard to applications from charitable/non-profit making organisations to operate loudspeakers in streets and roads within the district</li> </ul>	<p>Relevant Specialist /Case Manager</p>

<ul style="list-style-type: none"> <li>▪ To determine new applications and renewals of street trading licences</li> <li>▪ To issue licences - <i>Animal Boarding Establishments Act 1963 Section 1</i></li> <li>▪ To take any appropriate action - <i>Animal Health Act 1981 and the Animal Health and Welfare Act 1984</i></li> <li>▪ To grant caravan site licences - <i>Caravan sites and Control of Development Act 1960</i></li> <li>▪ The power to licence dangerous and wild animals - <i>Dangerous and Wild Animals Act 1976</i></li> <li>▪ The issue of licences to deal in game - <i>Game Act 1831</i></li> <li>▪ To issue licences for guard dog kennels - <i>Guard Dogs Act 1975 Sections 3 and 6</i></li> <li>▪ To grant licences and inspect premises - <i>Riding Establishments Acts 1964 and 1970 Section 1</i></li> <li>▪ To grant licence renewals - <i>Zoo Licensing Act 1981 sections 6,7</i></li> <li>▪ The granting of permits for the provision of amusements with prizes - <i>Gaming Act 1968 Section 34</i></li> <li>▪ Undertake duties in pursuance of the Licensing Act 2003 as detailed in the Statement of Licensing Policy</li> <li>▪ To register societies wishing to undertake lotteries etc <i>Lotteries and Amusements Act 1976, Section 5 and Schedule 1</i></li> <li>▪ The determination of house to house and street collections in accordance with Council policy - <i>House to House Collections Act 1939 and the Police, Factories (Miscellaneous Provisions Act) 1916</i></li> <li>▪ To issue and transfer Hackney Carriage and Private Hire Vehicle Licences;</li> <li>▪ To issue Hackney Carriage and Private Hire Vehicles Driver Licences <i>Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976</i></li> <li>▪ To issue Private Hire Vehicles Operators Licences</li> </ul>	
<p><b>Dog Control and Monitoring</b>  All powers necessary to ensure the efficient day to day operation of the Council's Dog Control Contract Monitoring  Including:</p>	<p>Relevant Specialist/Case Manager</p>

<ul style="list-style-type: none"> <li>▪ Authorised to exercise powers regarding the seizure of dogs - <i>Dangerous Dogs Act 1991 Section 5</i></li> <li>▪ Issue of fixed penalty notices - <i>Dogs (Fouling of Land) Act 1996 Section 4</i></li> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to the service areas stated;</li> <li>▪ Power to ensure owners make their animals wear collars and identification - <i>Control of Dogs Order 1992</i></li> <li>▪ Power to seize dogs not wearing collars and means of identification – <i>Control of Dogs Order 1992</i></li> </ul>	
<p><b>Pollution Control</b> All powers necessary to ensure the efficient day to day operation of the Council’s Pollution Control Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to Pollution Control</li> <li>▪ To carry out duties relating to pollution control to include inspection and granting of permits for installations, statutory nuisances, contaminated land and air quality - <i>Environmental Protection Act 1990/Environment Act 1995</i> and regulations made thereunder</li> <li>▪ All duties and functions relating to the role of district Oil Pollution Officer</li> </ul>	Relevant Specialist/Case Manager
<p><b>Car Parking</b> All powers necessary to ensure the efficient day to day operation of the Council’s Car Park Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To determine applications for free parking for late night Christmas shopping</li> <li>▪ To determine applications to use the Council’s car parks</li> </ul>	Relevant Specialist/Case Manager
<p><b>Community Leisure</b> All powers necessary to ensure the efficient day to day operation of the Council’s Community Leisure Functions</p>	Relevant Specialist/Case Manager
<p><b>Harbours</b></p>	Assistant Director Climate Change,

<p>All powers necessary to ensure the efficient day to day operation of the Council's Harbour Authority Functions</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ The day to day Management of Minehead and Watchet harbours - including the allocation of moorings, marine pilotage</li> </ul>	<p>Regulatory Services and Asset Management, Programme Manager Coastal Protection</p>
<p><b>Coastal Protection/Flood Risk</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Coastal Protection and Flood Risk Functions</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ To deal with all matters relating to coast protection</li> </ul>	<p>Assistant Director Climate Change, Regulatory Services and Asset Management, Programme Manager Coastal Protection</p>
<p><b>Land Drainage</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Land Drainage Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ Including to serve notices on matters relating to land drainage – <i>Land Drainage Act 1991– Section 25</i></li> </ul>	<p>Assistant Director Climate Change, Regulatory Services and Asset Management, Programme Manager Coastal Protection</p>
<p><b>Grounds Maintenance</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Grounds Maintenance Functions</p>	<p>Localities Operational Lead/s</p>
<p><b>Bereavement Services</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Bereavement Services</p>	<p>Locality Manager/s</p>
<p><b>Hinkley Point</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Functions in respect of Hinkley Point</p>	<p>Locality Manager/s</p>
<p><b>Waste and Recycling</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Waste and Recycling Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ Litter Act 1983</li> </ul>	<p>Operational Manager in conjunction with the external provider</p>
<p><b>Street Cleansing</b></p>	<p>Operational Manager in conjunction with the external provider</p>

<p>All powers necessary to ensure the efficient day to day operation of the Council's Street Cleansing Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ To take any actions required –Refuse Disposal (Amenity) Act 1978</li> </ul>	
<p><b>Clienting/Contract Management</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Clienting and Contract Management</p>	<p>Clienting Specialist</p>
<p><b>Building Control</b></p> <p>All powers necessary to ensure that efficient day to day operation/provision of the Council's functions in relation to Building Control.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ <u>Building Act 1984</u> <ul style="list-style-type: none"> <li>(a) To determine applications for the relaxation of building regulations <i>Section 8</i></li> <li>(b) To determine plans submitted under building regulations <i>Section 16</i></li> <li>(c) To reject plans in respect of building over sewers <i>Section 18</i></li> <li>(d) To determine plans, including the imposition of conditions, for construction of a building using short-lived materials provided that it does not conflict with any planning permissions needed under Part III of the Town and Country Planning Act 1990 <i>Section 19</i></li> <li>(e) To reject plans for buildings or extensions which show unsatisfactory drains <i>Section 21</i></li> <li>(f) To reject plans for buildings or extensions unless adequate exits are shown <i>Section 24</i></li> <li>(g) To reject plans for houses which do not detail a satisfactory water supply <i>Section 25</i></li> <li>(h) To accept by letter revisions to approvals under the building regulations <i>Section 31</i></li> <li>(i) To inform applicants that owner's plans are of no effect after three years has passed since they were submitted <i>Section 32</i></li> <li>(j) Powers to require removal or alteration of work in contravention of the building regulations <i>Section 36</i></li> <li>(k) Supervision of plans and work by approved inspectors <i>Sections 47,48,49,51,52,53</i></li> <li>(l) Matters relating to the repair of drains and the disconnection of drains <i>Sections 61,62</i></li> </ul> </li> </ul>	<p>Operational Manager in conjunction with the external provider</p>

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| <p>(m) To take appropriate action regarding ingress and egress and passages or gangways. <i>Section 71</i></p> <p>(n) To take appropriate action regarding means of escape from fire in certain buildings which have floors in excess of six metres above ground level<br/><i>Section 72</i></p> <p>(o) Service of notice requiring a person to raise the height of a chimney <i>Section 73</i></p> <p>(p) Service of notice to control demolition operations, including demolition operations affecting adjacent properties <i>Sections 80, 81 and 82</i></p> <p>(q) The authentication of consents and refusals issued on behalf of the Council <i>Section 93</i></p> <p>(r) Powers of entry to premises to ascertain contravention of the Act or any Building Regulations or ascertain any action required by the Authority<br/><i>Section 95</i></p> <ul style="list-style-type: none"> <li>▪ <u>Building Act 1984</u><br/>To make application to the court for an order in respect of dangerous or dilapidated buildings or structures including those dangerous to persons in the street. Service of notice and emergency action in respect of dangerous and dilapidated buildings and structures. <i>Building Act 1984 Sections 76,77,78 and 79J</i></li> <li>▪ <u>Highways Act 1980</u><br/>To determine all matters pertaining to retaining walls near highways - Highways Act 1980 Section 167</li> <li>▪ <u>Party Wall Act 1996</u><br/>To take appropriate action in relation to disputes regarding Council owned property</li> <li>▪ <u>Public Health Amendments Act 1890</u><br/>To take appropriate action to ensure the safety of platforms etc erected or used on public occasions - Public Health Amendments Act 1890, Section 37, as amended</li> </ul> <p><u>Building Act 1984</u></p> <ul style="list-style-type: none"> <li>▪ Relating to drainage of buildings <i>Sections 59-63</i></li> </ul> |  |
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<p>To take appropriate action relating to sanitation facilities <i>Sections 64-67</i>  Provision of water supply in occupied houses <i>Section 69</i>  Provision of food storage accommodation in houses <i>Section 70</i>  Cellars and rooms below sub soil water level <i>Section 74</i>  Defective premises <i>Section 76</i>  Paving and drainage of yards and passages <i>Section 84</i>  Authentication of documents and serving of notices <i>Sections 92-94</i>  Powers to enter premises <i>Sections 95 – 96</i>  Obstruction <i>Section 112</i></p>	
<p><b>Private Sector Housing</b>  All powers necessary to ensure the efficient day to day operation of the Council’s Private Sector Housing Functions.  Including:</p> <ul style="list-style-type: none"> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to Private Sector Housing</li> </ul>	<p>Relevant Specialist or Case Manager</p>
<p><b>Asset Management</b>  Scope of delegation: All assets – land and property relating to General Fund assets</p> <ul style="list-style-type: none"> <li>▪ Strategic</li> <li>▪ Estate management</li> <li>▪ Data – Commissioning</li> <li>▪ Letting of council land</li> <li>▪ Harbours – (maintenance, safety, enforcement).</li> </ul> <p>All powers necessary to ensure the efficient day to day operation of the Council’s Asset Management Functions.  Including:</p> <ul style="list-style-type: none"> <li>▪ In relation to land to deal with any review of fees for leases, licences, agreements, permissions etc</li> <li>▪ To approve and act upon the Council’s valuers’ reports in respect of properties included in a compulsory purchase order</li> <li>▪ To give the requisite written notice(s), to seek deemed permission on behalf of the Council for the development of land by the Authority or the</li> </ul>	<p>Assistant Director for Climate Change, Regulatory Services and Asset Management, Asset Manager</p>

<p>development of land vested in the authority - <i>Local Government Act 1972</i></p> <ul style="list-style-type: none"> <li>▪ To determine any requests to use Council-owned land</li> <li>▪ To deal with applications for wayleaves etc from public utilities</li> <li>▪ To deal with applications for gate licences</li> </ul>	
<p><b>Health and Safety (Property and Asset Management)</b> All powers necessary to ensure the efficient day to day operation of the Council's landlord compliance and Health and Safety responsibilities in relation to the Council's Property and Asset Management Functions.</p>	<p>Assistant Director for Climate Change, Regulatory Services and Asset Management, Asset Manager</p>

<b>Deputy Chief Executive &amp; Director of Housing and Communities</b>	
<b>Function</b>	<b>Delegated to:</b>
<b>Housing</b> Deputise for the Director of Housing and Communities	Assistant Directors: Housing and Communities, Housing Property, and Development and Regeneration, Housing Performance Manager
<b>Housing</b> Deputise for the Assistant Director for Housing and Communities	Homelessness Commissioning & Support Lead, Community Resilience Manager, Housing Landlord Specialist
<b>Housing</b> Deputise for the Assistant Director for Housing Property	Maintenance Manager, Compliance Manager, Housing Asset Manager, Capital Works Manager
<b>Housing</b> Deputise for the Assistant Director for Development and Regeneration	Lead Specialist (New Business and Enabling), Development Manager Specialist(s), Construction and Development Manager
<b>Housing</b> Deputise for the Housing Performance Manager	Case Management Lead Housing Performance, Performance, Risk Case Management Lead
<b>Housing Options and Homelessness</b> All powers necessary to ensure the efficient day to day operation of the Council's Housing Options and Homelessness functions including: <ul style="list-style-type: none"> <li>▪ To make decisions under Part 7 of the Housing Act 1996 (as amended)</li> <li>▪ To consider and determine homeless applications (applications for</li> <li>▪ homelessness assistance under Part 7 of the Housing Act 1996</li> </ul>	Homelessness Commissioning & Support Lead, Lead Specialists Homelessness

<ul style="list-style-type: none"> <li>▪ To consider and determine reviews of homeless application decisions under Part 7 of the Housing Act 1996</li> <li>▪ To arrange interim and temporary accommodation placements for homeless households, in accordance with statutory duties under Part 7 of the Housing Act 1996</li> <li>▪ To serve notices and take the necessary legal action to evict homeless households from interim and temporary accommodation following discharge of statutory duties under Part 7 of the Housing Act 1996</li> <li>▪ To administer a private rented sector access scheme where such a scheme will assist with the prevention or relief of homelessness</li> <li>▪ To enter into nomination agreements with registered providers landlords, and make decisions regarding the renewal, variation, transfer or revocation of such agreements</li> <li>▪ To issue one-off incentive payments to private sector landlords, within budget limits where such a payment will result in the prevention or relief of homelessness</li> <li>▪ To issue advance rent payments to private sector landlords, within budget limits</li> <li>▪ To issue deposit payments and deposit guarantees to private sector landlords, within budget limits</li> <li>▪ To enter into lease agreements with private sector landlords, and make decisions regarding the renewal, variation, transfer or revocation of such agreements</li> <li>▪ To enter into management agreements of up to 5 years with private sector landlords, and make decisions regarding the renewal, variation, transfer or revocation of such agreements</li> <li>▪ Authority to obtain advice on applications from Agricultural Dwelling House Advisory Committees and allocate accommodation as appropriate - <i>Rent (Agriculture) Act 1976</i></li> </ul>	
<p><b>Lettings/Homefinder Somerset</b>  All powers necessary to ensure the efficient day to day operation of the Council’s Lettings/Homefinder functions including:</p> <ul style="list-style-type: none"> <li>▪ Work with housing organisations to operate the Homefinder Somerset – Choice Based Lettings system</li> </ul>	Homelessness Commissioning & Support Lead, Lead Specialists Homelessness

<ul style="list-style-type: none"> <li>▪ Attend and contribute to the success of the Homefinder Somerset Board</li> <li>▪ To make decisions under Part 6 of the Housing Act 1996 (as amended)</li> <li>▪ To consider and determine housing register applications for social housing under Part 6 of the Housing Act 1996</li> <li>▪ To consider and determine reviews of housing register application decisions under Part 6 of the Housing Act 1996</li> <li>▪ To advertise available social housing accommodation held by Somerset West and Taunton Council</li> <li>▪ To advertise available housing accommodation held by registered providers landlords</li> </ul>	
<p><b>Rough Sleeping Pathway</b> All powers necessary to ensure the efficient day to day operation of the Council's Rough Sleeping Pathway functions including:</p> <ul style="list-style-type: none"> <li>▪ Provision of comprehensive inreach and outreach services to identify those who are rough sleeping or at risk of rough sleeping</li> <li>▪ Respond to referrals made from members of the public or Streetlink concerning individuals believed to be rough sleeping in the district</li> <li>▪ Fund and facilitate the reconnection of individuals assessed as having no local connection with their home authority where safe and reasonable to do so</li> <li>▪ Carry out a full needs assessment of individuals admitted to the rough sleeping pathway leading to the development of a person centered support plan</li> <li>▪ Support all individuals on the Rough Sleeping Pathway to achieve their pathway objectives</li> <li>▪ Administer personalised budget funds in a way which supports the objectives of both the Pathway and the individual</li> </ul>	<p>Homelessness Commissioning &amp; Support Lead, Lead Specialists Homelessness</p>
<p><b>Housing Landlord</b> All powers necessary to ensure the efficient day to day operation of the Council's Housing Landlord Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ Authority to co-operate with housing associations, wherever possible, in order to</li> </ul>	<p>Relevant Specialist/Case Manager</p>

<p>provide and maintain accommodation for those in housing need</p> <ul style="list-style-type: none"> <li>■ Performing several 'core' housing management functions. These include: <ul style="list-style-type: none"> <li>▫ Allocating and letting properties to new tenants;</li> <li>▫ Collecting rent and service charges and dealing with arrears;</li> <li>▫ Managing estates and individual tenancies;</li> <li>▫ Tackling anti-social behaviour;</li> <li>▫ Involving tenants in designing, improving and scrutinising their services;</li> <li>▫ Providing support services to people residing on our sheltered housing and extra care housing schemes;</li> <li>▫ Providing money and debt advice;</li> <li>▫ Helping people to work and training;</li> <li>▫ Supporting voluntary services or maintaining amenities that benefit the local community.</li> </ul> </li>   <li>■ Subject to the provisions of the Contract Procedure Rules and Financial Procedure Rules; to purchase goods and services relating to housing and to authorise the payment of accounts within the approved budget</li>   <li>■ Authorised to deal with matters arising under <i>The Housing Act 1985 as amended by the Housing Act 1996</i> as follows <ul style="list-style-type: none"> <li>(a) To serve notice <i>Sections 189; 190; 194; 270; 286; 335; 338;</i></li> <li>(b) To execute works in default <i>Section 193</i></li> <li>(c) To execute works in default and recover expenses <i>Sections 271; 272; 375</i></li> <li>(d) To serve notice(s) and execute works <i>Section 273</i></li> <li>(e) To agree with person in control to execute works at the latter's expense <i>Section 225</i></li> <li>(f) To serve Notice (s) re time and place, hold meeting and accept or reject undertaking <i>Section 264</i></li> <li>(g) To make Demolition or Closing order <i>Section 265</i></li> <li>(h) To make closing Order <i>Section 266</i></li> <li>(i) To serve copy of Order on person having control etc <i>Section 268</i></li> </ul> </li> </ul>	<p>Relevant Specialist/Case Manager in consultation with the Senior Leadership Team</p>
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<p>(j) To determine extension of time limit for demolition and serve Notice(s) <i>Sections 274 – 275</i></p> <p>(k) To determine Order <i>Section 278</i></p> <p>(l) To revoke Closing Order and make Demolition Order and undertake subsequent administrative requirements <i>Section 279</i></p> <p>(m) To grant or refuse licence <i>Section 330</i></p> <p>(n) To require production of rent book <i>Section 336</i></p> <p>(o) To make Schemes <i>Section 346</i></p> <p>(p) To serve Notice, extend time limit and withdraw Notice <i>Section 352</i></p> <p>(q) To fix limits of occupation and give direction applying limits and to serve Notice(s) <i>Sections 354-355</i></p> <p>(r) To serve Notice(s) requiring information <i>Section 356</i></p> <p>(s) To revoke direction <i>Section 357</i></p> <p>(t) To serve Notice requiring works <i>Section 372</i></p> <p>(u) To give owner notice of proceedings taken <i>Section 378</i></p> <p>(v) To make Order, serve Notice, enforce, administer, make suitable provision compensate and recover expenses <i>Section 379</i></p> <p>(w) To apply revocation procedures <i>Section s 392; 394</i></p> <p>(x) To make periodic housing inspections and keep records <i>Section 605</i></p> <p>(y) To inspect and make reports <i>Section 606</i>  <i>The Housing Act 1985 as amended by the Housing Act 1996</i></p>	
<p><b>Housing Capital Programme</b>  All powers necessary to ensure the efficient day to day operation of Functions relating to the Council's Housing Capital Programme</p>	<p>Capital Works Manager</p>
<p><b>Housing Repairs and Maintenance</b>  All powers necessary to ensure the efficient day to day operation of the Council's Housing Repairs and Maintenance Functions. Including Landlord Safety Compliance Functions.</p>	<p>Maintenance Manager,  Compliance Manager</p>
<p><b>Housing Property Compliance</b>  All powers necessary to ensure the efficient day to day operation of the Council's Housing Property Compliance Functions.</p>	<p>Compliance Manager  and Case Management Leads</p> <p>Somerset West and Taunton Council as the</p>

<p>Authorised to deal with matters arising under the proposed <i>Building Safety Bill</i> (Note: subject to any changes following Royal Assent) as follows:</p> <p>(a) Accountable Person (legally responsible for the safety of higher-risk buildings).</p> <p>(b) Building Safety Manager (to assist with the day-to-day management of fire and structural safety in the building, proactively engage with residents, provide them with key building information and develop a Resident Engagement Strategy).</p>	<p>corporate entity holding either a legal estate in possession of the common parts of the building or a relevant repairing obligation in respect of the common parts.</p> <p>Compliance Manager</p>
<p><b>Community Engagement</b> All power necessary to ensure the efficient day to day operation of the Council's Community Engagement Functions</p>	<p>Community Resilience Manager, Engagement Lead/s</p>
<p><b>Community Safety</b> All powers necessary to ensure the efficient day to day operation of the Council's Community Safety Functions</p>	<p>Community Resilience Manager, Relevant Case Managers, Locality Manager/s</p>
<p><b>Anti-social Behaviour</b> All powers necessary to ensure the efficient day to day operation of the Council's Anti-social behaviour function in respect of Council housing properties and the District generally. Including:</p> <ul style="list-style-type: none"> <li>• To take all necessary steps to manage and control antisocial behaviour within the District.</li> <li>• To investigate and undertake any action required relating to anti-social behaviour within the Council properties and surrounding areas.</li> <li>• Authorised to deal with any matter covered within the <i>Anti-social Behaviour Crime and Policing Act 2014</i> which is applicable to Local Authorities.</li> <li>• Authorised to make applications to the Court with the assistance of Legal for an injunction in respect of <i>Part 1 of the Anti-social Behaviour Crime and Policing Act 2014</i> and</li> </ul>	<p>Assistant Director(s), Relevant Specialist/Case Manager within the ASB team</p>



be responsible for supervising compliance in accordance with *Part 1 section 3 of the Anti-social Behaviour Crime and Policing Act 2014*

- Authorised to take appropriate action in respect of any breach of an injunction under *Part 1 of the Anti-social Behaviour Crime and Policing Act 2014* which includes but is not limited to issuing at Court proceedings.
- Authorised to issue and serve Community Protection written warnings in accordance with *Part 4 Chapter 1 section 43(5) of the Anti-social Behaviour Crime and Policing Act 2014*
- Authorised to issue and serve Community Protection Notices as provided for under *Part 4 Chapter 1 section 43- 45, 47 and 53 of the Anti-social Behaviour Crime and Policing Act 2014*
- Authorised to issue and serve fixed penalty notices in accordance with section *Part 4 Chapter 1 section 52 of the Anti-social Behaviour Crime and Policing Act 2014*
- Authorised to take appropriate action in respect of any breach of a Community Protection Written Warning, Community Protection Notice and or Fixed Penalty Notice issued under *Part 4 Chapter 1 of the Anti-social Behaviour Crime and Policing Act 2014* which includes but is not limited to issuing at Court proceedings.
- Authorised to make applications to the Court with the assistance of Legal for a Closure Order in accordance with *Part 4 Chapter 3 sections 80 -83 of the Anti-social Behaviour Crime and Policing Act 2014*
- Authorised to serve a Closure Notice in accordance with *Part 4 Chapter 3 section 76 -79 of the Anti-social Behaviour Crime and Policing Act 2014* following issue by the Chief Executive.
- Authorised to serve and enforce a Closure Order obtained by the Court under the provisions of *Part 4 Chapter 3 sections 80, 81 and 85 of the Anti-social behaviour Crime and Policing Act 2014*.

Authorised to take action and/make decisions in respect of recovery of possession of dwelling houses on Anti-social behaviour grounds in

<p>accordance with <i>Part 5 of the Anti-social behaviour Crime and Policing Act 2014</i>.</p>	
<p><b>Grants</b>  All powers necessary to ensure the efficient day to day operation of the Council's Community and Voluntary Grants Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ <i>Housing Grant, Construction and Regeneration Act 1996</i> <ul style="list-style-type: none"> <li>(a) To determine applications received for housing renovation grants, disabled facilities grants, common parts grants, and houses in multiple occupation (HMO) grants, in accordance with the Council's policy</li> <li>(b) The authority to allow improvement grant applicants recipients a further six months after the initial twelve-month period within which to complete grant aided work on being satisfied that there were extenuating circumstances</li> <li>(c) The authority to grant improvement grant recipients any further extension of time where such extension did not exceed a period of three months</li> <li>(d) The authority to cancel any grant approval where work has not started within twelve months of the approval date</li> </ul> </li> </ul>	<p>Relevant Specialist/Case Manager</p>
<p><b>Safeguarding</b>  All powers necessary to ensure that efficient day to day operation of the Council's Safeguarding Functions</p>	<p>Assistant Director Housing &amp; Communities (Corporate Safeguarding Lead)</p>
<p><b>Housing Asset Management</b>  Scope of delegation: All assets – land and property relating to Housing (HRA) assets</p> <ul style="list-style-type: none"> <li>▪ Strategic</li> <li>▪ Estate management</li> </ul> <p>All powers necessary to ensure the efficient day to day operation of the Council's HRA Asset Management Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ In relation to land to deal with any review of fees for leases, licences, agreements, permissions etc</li> </ul>	<p>Assistant Director Housing Property, Housing Asset Manager</p>

<ul style="list-style-type: none"> <li>▪ To approve and act upon the Council's valuers' reports in respect of properties included in a compulsory purchase order</li> <li>▪ To give the requisite written notice(s), to seek deemed permission on behalf of the Council for the development of land by the Authority or the development of land vested in the authority - <i>Local Government Act 1972</i></li> <li>▪ To determine any requests to use Council-owned land</li> <li>▪ To deal with applications for wayleaves etc from public utilities</li> <li>▪ To deal with applications for gate licences</li> <li>▪ Sales of SWT properties under the Right to Buy scheme.</li> <li>▪ Issuing a Certificate of Compliance and/or a Deed of Covenant – former Right to Buy properties.</li> <li>▪ Issuing a Certificate of Pre-Emption – former Right to Buy properties.</li> <li>▪ Deed of Postponement – properties sold under the RTB scheme where the discount charge is still valid.</li> <li>▪ Removal of Restriction or Charge or Notice registered in favour of SWT at HM Land Registry; -</li> <li>▪ Purchasing properties previously owned by SWT, e.g., sold under the RTB scheme but now being sold back to SWT.</li> </ul>	
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<b>Statutory Officer – Monitoring Officer</b>	
<b>Function</b>	<b>Delegated to:</b>
<p><b>Deputy Monitoring Officer Role</b> All powers necessary to fulfil the statutory duties of the Monitoring Officer</p>	Appointed Deputy Monitoring Officer(s)
<p><b>Legal Proceedings General</b></p> <ul style="list-style-type: none"> <li>▪ The power to institute, defend or participate in legal proceedings where such action is necessary to give effect to decisions of the Council or to protect the Council's interests</li> <li>▪ To authorise individual officers to act on behalf of the Authority in the enforcement of legislation</li> </ul>	<p>SHAPE Legal Services under the Partnership Agreement</p> <p>Deputy Monitoring Officer(s)</p>
<p><b>Legal Proceedings – Specific Actions within Function/Service Areas</b> The authority to take the following specific actions, in relation to their Service, is delegated to officers as follows:</p> <ul style="list-style-type: none"> <li>▪ Income Management and Debt Recovery – To institute proceedings for the recovery of Council Tax arrears and National Non-Domestic Rates arrears. All other sundry debts are a matter for SHAPE Legal Services</li> <li>▪ Building Control - To make application to the court for an order in respect of dangerous or dilapidated buildings or structures including those dangerous to persons in the street - Building Act 1984</li> <li>▪ Environmental Health - To institute legal proceedings where Abatement Notices are served under <i>Section 80</i> and in the opinion of the Environmental Health Specialist – Environmental Protection, the circumstances involve a risk to public health. - <i>Environmental Protection Act 1990</i></li> <li>▪ Car Parking - To start proceedings to recover car parking debts</li> <li>▪ Housing Landlord - <ul style="list-style-type: none"> <li>• To bring proceedings under: <i>Housing Act 1985 Sections 198; 264; 270; 277; 327; 331; 332; 333 335; 336; 338; 341; 345;</i></li> </ul> </li> </ul>	<p>Assistant Director for Customer, Income &amp; Revenues Specialist, Section 151 Officer, Deputy S151 Officer,</p> <p>Operational Manager</p> <p>Relevant Specialist/Case Manager</p> <p>Relevant Specialist/Case Manager</p> <p>Relevant Specialist/Case Manager in consultation</p>

<p>354; 355; 356; 358; 359; 364; 368; 369; 376; 396</p> <ul style="list-style-type: none"> <li>• To take prosecution proceedings under the <i>Protection from Eviction Act 1977</i></li> </ul> <p>▪ Planning - Following authorisation by the Planning Committee:</p> <ul style="list-style-type: none"> <li>• To bring prosecution / injunction proceedings where appropriate, under the <i>Town and Country Planning Act 1990 and the Planning and Compensation Act 1991</i></li> <li>• The institution of proceedings against fly-posters - <i>Town and Country Planning 1990 Section 225 and the Town and Country Planning (Control of Advertisements) Regulations 1992</i></li> <li>• To bring prosecution /injunction proceedings where appropriate - <i>Town and Country Planning Act 1990, the Planning and Compensation Act 1991 and The Planning (Listed Buildings and Conservation Areas) Act 1990</i></li> <li>• To institute of proceedings in regard to the proper maintenance of land <i>Section 215 Town and Country Planning Act 1990</i></li> <li>• To institute of proceedings in regard to non-payment of Community Infrastructure Levy – <i>Community Infrastructure Levy Regulations 2010 &amp; 2019</i></li> </ul>	<p>with senior Leadership Team</p> <p>Relevant Specialist/Case Manager</p> <p>SHAPE Legal Services under the Partnership Agreement</p>
<p><b>Common Seal of the Council</b> Authority to attest the fixing of the Common Seal</p>	<p>Chief Executive, Any Director, Any Assistant Director, Deputy Monitoring Officer(s)</p>
<p><b>Authentication of Documents</b> Authority to sign documents as part of legal proceedings on behalf of the Council</p>	<p>SHAPE Legal Services</p>

<b>Statutory Officer – Section 151 Officer</b>	
<b>Function</b>	<b>Delegated to:</b>
<p><b>Deputy Section 151 Officer Role</b> All powers necessary to fulfil the statutory duties of the Section 151 Officer role</p>	Deputy Section 151 Officer
<p><b>Treasury Management</b> (Investments and borrowing) All powers necessary to ensure the efficient day to day operation of the Council's Treasury Management. Including:</p> <ul style="list-style-type: none"> <li>▪ To arrange any borrowing or premature repayment of long-term loan debt if it is necessary and in the interests of council taxpayers</li> <li>▪ To implement, manage and negotiate all matters relating to the Council's treasury management policy in regard to borrowing, investment or financing, in accordance with CIPFA's (Chartered Institute of Public Finance and Accountancy) Code for Treasury Management for Local Authorities and Prudential Code</li> </ul>	Finance Business Partner
<p><b>Financial Accounting and Tax</b></p> <ul style="list-style-type: none"> <li>▪ To ensure the Council has arrangements in place to meet financial reporting and tax compliance requirements.</li> </ul>	Deputy S151 Officer, Corporate Finance Manager (Interim)
<p><b>Insurance</b> To ensure the Council has sufficient insurance arrangements in place to effectively manage risk, including:</p> <ul style="list-style-type: none"> <li>▪ Payment of small claims up to £250 which are not relevant for referral to the Council's Insurers</li> <li>▪ To negotiate insurance policies to meet the Council's risk profile</li> <li>▪ To negotiate and settle insurance claims</li> </ul>	Deputy S151 Officer, Corporate Finance Manager (Interim)

Report Number: SWT 91/22

# Somerset West and Taunton Council

## Full Council – 5 July 2022

### Local Government Reorganisation: Re-establishment of the Joint Scrutiny Committee

This matter is the responsibility of the Leader of the Council, Cllr Federica Smith-Roberts

**Report Author: Amy Tregellas, Governance Manager & Monitoring Officer  
Kevin William/Lesley Dolan, Deputy Monitoring Officers**

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

- 1.1 Following the Secretary of State's decision to implement, subject to parliamentary approval, a proposal submitted by Somerset County Council for a single unitary council covering the whole of the administrative county of Somerset, the 5 Somerset Councils agreed to the formation of a Local Government Reorganisation (LGR) Joint Committee and Joint Scrutiny Committee in 2021. The LGR Joint Scrutiny Committee met in January and March 2022 but following the publication of the Structural Changes Order on 17 March 2022 the Joint Scrutiny Committee was dissolved.
- 1.2 Following the recent Somerset County Council elections on 5 May 2022, the main transitional functions in respect of the creation of the new Somerset Council become the responsibility of the Executive of Somerset County Council until 1 April 2023.
- 1.3 The new Somerset County Council held its' AGM on 25 May 2022 where it agreed to re-establish the LGR Joint Scrutiny Committee with the Membership and Terms of Reference being largely the same as those from the original LGR Joint Scrutiny Committee.
- 1.4 As the previous LGR Joint Scrutiny Committee was dissolved Full Council now needs to take the decision to re-establish it. The principal role of the LGR Joint Scrutiny Committee will be to exercise the overview of the LGR Implementation Plan and LGR Implementation Budget on behalf of the Constituent Councils in accordance with the powers outlined in S21 Local Government Act 2000. This report therefore outlines the proposals for the Joint Scrutiny Committee (JSC) and attached at Appendix 1 the proposed Terms of Reference for members consideration.
- 1.5 Full Council is referred specifically to Paragraph 3.1 of the proposed Terms of Reference: this sets out the proposed delegation of functions and the consequential exclusion of functions that would ensue at the District Councils.

#### **2 Recommendations**

That the Council:

1. Approves the re-establishment of a Joint Scrutiny Committee together with the County Council and three other District Councils in Somerset constituted in

accordance with and having the roles and responsibilities set out in the Terms of Reference attached at Appendix 1 (“Terms of Reference”).

2. Nominates two Members from the Somerset West and Taunton Council Scrutiny Committees onto the Joint Scrutiny Committee. Such nominations to be politically proportionate and based upon the political makeup of this council, unless otherwise agreed by Full Council, but only where no member of the authority votes against such a proposal.

### **3 Risk Assessment**

- 3.1 The alternative is for the County Council Scrutiny function(s) to scrutinise the decisions of the County Council Executive. However, such an approach would largely exclude the District Scrutiny function from the process.

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

#### Introduction

- 4.1 On 21 July 2021 the Secretary of State announced his decision to implement, subject to parliamentary approval, a proposal submitted by Somerset County Council for a single unitary council covering the whole of the administrative county of Somerset.
- 4.2 Following the Secretary of State’s decision, the Executive of this Council together with the Cabinet/Executives of the Constituent Councils agreed the need for an LGR Joint Committee to be established to provide collaborative democratic oversight for the implementation of the new Unitary Council. The first meeting of that Committee took place on 5 November 2021.
- 4.3 The Terms of Reference for the LGR Joint Committee provided for the setting up of a Joint Scrutiny Committee (“JSC”) to scrutinise the work of the LGR Joint Committee. This Council agreed to the formation of a LGR Joint Scrutiny Committee at its meeting on 19 December 2021 and the Joint Committee itself met twice in early 2022. However, following the publication of the Structural Changes Order on 17 March 2022 the LGR Joint Scrutiny Committee was dissolved. Following the recent Somerset County Council elections on 5 May 2022, the main transitional functions in respect of the creation of the new Somerset Council became the responsibility of the Executive of Somerset County Council until 1 April 2023.
- 4.4 The new Somerset County Council held its’ AGM on 25 May 2022 where it agreed to re-establish the LGR Joint Scrutiny Committee with the Membership and Terms of Reference being largely the same as those from the original LGR Joint Scrutiny Committee.
- 4.5 This report therefore outlines the proposals for the LGR JSC and attaches at Appendix 1 the proposed Terms of Reference for members consideration.

#### Background

- 4.6 Following the Secretary of State’s decision, extensive collaborative work has been undertaken by the five councils to support the implementation of the single unitary council from 1 April 2023. Through partnership the programme governance arrangements have been jointly established with oversight and direction from the Somerset Leaders and Chief Executives. In 2021 the Executives of the constituent



councils agreed the Terms of Reference for the LGR Joint Committee and included provision for the creation of a Joint Scrutiny Committee in those Terms of Reference.

- 4.7 In the circumstances the Monitoring Officers of the Constituent Councils prepared the original Terms of Reference which were duly approved. These Terms of Reference set out the various functions that the JSC would exercise on behalf of the Constituent Councils, together with the proposed membership of the JSC and its meeting and voting arrangements.
- 4.8 Following the publication of the Structural Changes Order on 17 March 2022 and the recent Somerset County Council elections on 5 May 2022 the Joint Scrutiny Committee was dissolved, with the main transitional functions in respect of the creation of the new Somerset Council becoming the responsibility of the Executive of Somerset County Council until 1 April 2023.

#### Proposed Arrangements

- 4.9 At its Annual General Meeting on 25 May 2022 Somerset County Council agreed to re-establish the LGR Joint Scrutiny Committee with the Membership and Terms of Reference being largely the same as those from the original LGR Joint Scrutiny Committee. The re-establishment of the JSC will once again create a collaborative democratic mechanism which will establish a countywide scrutiny framework allowing the Constituent Councils to scrutinise the LGR Programme in an effective and timely manner in relation to the preparation for the establishment of the new Somerset Council.
- 4.10 The proposals set out in this report will also positively respond to Department for Levelling Up Homes and Communities (DLUHC) expectations for collaborative arrangements to be established as early as possible in the implementation programme.
- 4.11 Joint scrutiny committee arrangements are already well established by the five councils such as the Heart of the South West Joint Committee and the Somerset Waste Board. The Terms of Reference propose a Joint Scrutiny Committee (JSC) of sixteen members drawn from the relevant overview and scrutiny committees of the Constituent Councils, eight from the County Council and two from each of the District Councils (eight in total) with the Chair being appointed from the District membership and the Vice Chair from the County membership.
- 4.12 Following the initial nomination of 2 Somerset West and Taunton Council representatives at Full Council, if necessary, any subsequent appointments or nomination of substitutes is a matter for the Chair of Scrutiny.
- 4.13 The JSC is proposed to be politically proportionate as shown in the table below. The allocation of the seats has been based on individual councils. This ensures that the political make up of each constituent council is represented and is reflective of the fact that they are currently individual sovereign councils.

	Conservative	Labour	Liberal Democrat	Independent	Green	Other	Total
<b>SCC</b>	36	5	61	3	5	0	110
Seat Allocation	3	-	5	-	-	-	8
<b>Mendip</b>	12	0	23	1	10	1	47
Seat Allocation	1	-	1	-	-	-	2
<b>SW&amp;T</b>	10	3	31	13	2	0	59
Seat Allocation	-	-	1	1	-	-	2
<b>SSDC</b>	14	0	40	5	1	0	60
Seat Allocation	-	-	2	-	-	-	2
<b>Sedgemoor</b>	29	11	7	1	0	0	48
Seat Allocation	2	-	0	-	-	-	2
							269
<b>Total</b>	8	1	6	1	0	0	16

- 4.14 Any 5 members of the Constituent Councils, to include members from at least 3 of the Constituent Councils, may request a call-in of a decision of the Somerset County Council Executive. The Chair and the Vice Chair of the JSC will consider call-in requests and will reach a conclusion as to whether to accept or reject the call-in in accordance with the criteria set out in the Terms of Reference and after taking advice from the Scrutiny Officer and Monitoring Officer of Somerset County Council.
- 4.15 The establishment of the JSC will both promote the continued timely and effective overview and scrutiny of the implementation process and ensure that all Councils can play an important role in helping shape the direction of the implementation process but without leading to duplication and delay.
- 4.16 The JSC will undertake the review and scrutiny of decisions made or other actions taken by both the County Council's Executive and the proposed LGR Implementation Board. The membership of the LGR Implementation Board is intended to be largely the same as the original LGR Joint Committee and successor Implementation Executive.
- 4.17 The JSC meetings will be open to all elected members of the five councils, the public, partners and press to attend in venues around the county. Agendas, reports and minutes of the Committee will be published on the County Council's website along with details of meeting locations and times. The District Councils will publish a link to agendas on their websites.
- 4.18 A joint scrutiny committee may only be re-established following each of the Constituent Council's considering that decision at their full council meetings in the summer of 2022.

#### 4.19 That Full Council

1. Approves the re-establishment of a Joint Scrutiny Committee together with the County Council and three other District Councils in Somerset constituted in accordance with and having the roles and responsibilities set out in the Terms of Reference attached at Appendix 1 (“Terms of Reference”).
2. Nominates two Members from the Somerset West and Taunton Council Scrutiny Committees onto the Joint Scrutiny Committee. Such nominations to be politically proportionate and based upon the political makeup of this council, unless otherwise agreed by Full Council, but only where no member of the authority votes against such a proposal.

### **5 Links to Corporate Strategy**

- 5.1 The re-establishment of the LGR Joint Scrutiny Committee will help to ensure that the implementation of the new unitary Council for Somerset is carried out efficiently and that the related decisions of the five councils are collaborative, transparent and democratically accountable.

### **6 Finance / Resource Implications**

- 6.1 Under the Terms of Reference Somerset County Council will act as the Administering Authority for the JSC during the months between its establishment and the vesting of the new Somerset Council on 1 April 2023. The District Council Scrutiny Officers will work closely with the County Scrutiny Officer in developing the work programme and supporting the JSC. The associated costs of supporting the JSC will be met from approved budgets made available for implementation of the unitary council business case.

### **7 Unitary Council Financial Implications and S24 Direction Implications**

- 7.1 There are no Unitary Council Financial Implications or S24 Direction Implications.

### **8 Legal Implications**

- 8.1 The JSC will act as a Joint Committee under s101 and s102 Local Government Act 1972 and as an overview and scrutiny committee under s21 Local Government Act 2000 (as amended). This will be to the exclusion of the Constituent Councils own overview and scrutiny arrangements as far as the work of the Somerset County Council Executive is concerned.
- 8.2 S15 and s16 of the Local Government and Housing Act 1989 impose a duty to allocate seats on committees in accordance with political balance requirements. S17 allows an exception to be made to the political balance requirements but only where no member of the authority votes against such a proposal.

### **9 Climate and Sustainability Implications**

- 9.1 None arising from this report

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

- 10.1 None arising from this report

**11 Equality and Diversity Implications**

11.1 None arising from this report

**12 Social Value Implications**

12.1 None arising from this report

**13 Partnership Implications**

13.1 None arising from this report

**14 Health and Wellbeing Implications**

14.1 None arising from this report

**15 Asset Management Implications**

15.1 None arising from this report

**16 Data Protection Implications**

16.1 None arising from this report

**17 Consultation Implications**

17.1 None arising from this report

**Democratic Path:**

- **Audit, Governance and Standards Committee – No**
- **Cabinet/Executive – No**
- **Full Council – Yes**

**Reporting Frequency: Ad-hoc**

**List of Appendices**

Appendix A	LGR Joint Scrutiny Committee Terms of Reference
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**Contact Officers**

Name	Amy Tregellas/Kevin Williams/Lesley Dolan
Direct Dial	0300 304 8000
Email	<a href="mailto:a.tregellas@somersetwestandtaunton.gov.uk">a.tregellas@somersetwestandtaunton.gov.uk</a>

# Local Government Reorganisation - Joint Scrutiny Committee

## Draft Terms of Reference

### 1. Purpose

- 1.1 Mendip District Council, Sedgemoor District Council, Somerset County Council, Somerset West and Taunton Council and South Somerset District Council (“the Constituent Councils”) are proposing to form a Joint Scrutiny Committee, known as the Local Government Reorganisation Joint Scrutiny Committee (“JSC”) to provide overview and scrutiny of the Local Government Reorganisation (“LGR”) Implementation Plan and LGR Implementation Budget in relation to the implementation of a single unitary council (Somerset Council) for Somerset on 1 April 2023.
- 1.2 The establishment of Somerset Council as the single unitary council is set out in the Somerset Structural Changes Order 2022 which further defines the functions and responsibilities of the County Council’s Executive and the Implementation Team.

### 2. Governance

- 2.1 The JSC will act as a Joint Committee under s 101 and s 102 Local Government Act 1972 and as an overview and scrutiny committee under s 21 Local Government Act 2000 (as amended).

### 3. Scrutiny Function

- 3.1 The JSC will provide the joint overview and scrutiny function for LGR and the Constituent Councils will be asked to delegate the overview of the LGR Implementation Plan and LGR Implementation Budget to the JSC. This will be to the exclusion of the Constituent Councils own overview and scrutiny arrangements.

### 4. Roles, Duties and Responsibilities

- 4.1 The role of the JSC will be to exercise the overview of the LGR Implementation Plan and LGR Implementation Budget on behalf of the Constituent Councils in accordance with the powers outlined in S21 Local Government Act 2000 to include:-

- Developing a forward work programme of activities.
- Reviewing or scrutinising decisions made, or other action taken by the County Council's Executive and the proposed LGR Implementation Board.
- Seeking reassurance and considering whether the County Council's Executive and the proposed LGR Implementation Board is operating in accordance with the implementation plan for LGR and is being managed effectively.
- Holding the County Council's Executive and the proposed LGR Implementation Board to account by providing critical challenge to ensure that it provides the high-level strategic direction for the implementation of the new unitary Council.
- Reviewing progress in relation to the implementation plan and identifying to the County Council's Executive and the proposed LGR Implementation Board barriers to progress, best practice and possible improvements.
- Scrutinising the level of requests to be made to each Constituent Council for allocation from their revenue and capital allocations to support delivery of the implementation plan.
- Scrutinising the form, function, and constitution of the proposed local community networks (LCNs).
- Scrutinising the plans to align existing LGR related change activities cross the Councils.
- Scrutinising the development of the Somerset Council's annual budget 2023/24 and the associated medium term financial plan.
- Scrutinising the development of policies and protocols for Somerset Council and across the Constituent Councils for use during the transition period.

## **5. Membership / Substitute Members**

5.1 The JSC will be made up of 16 members drawn from the overview and scrutiny members of the Constituent Councils as follows:

- Somerset County Council (8 members)
- Somerset West and Taunton Council (2 members)
- South Somerset District Council (2 members)
- Sedgemoor District Council (2 members)
- Mendip District Council (2 members)

It is proposed that the relevant overview and scrutiny committee of each Constituent Council nominates members from their membership to the JSC. Any subsequent appointments or nomination of substitutes is a matter for the Chair of the respective overview and scrutiny committee of each Constituent Council.

- 5.2 Political proportionality will apply to those appointments (and to that of any substitute) and the political representation should represent the political make up of each of the Constituent Councils.
- 5.3 Each member will have one vote.
- 5.4 Executive members of the Constituent Councils are precluded from sitting as members of the JSC.
- 5.5 The Chair of the relevant overview and scrutiny committee of each Constituent Council may appoint an overview and scrutiny member to act as a substitute where one of their members is unable to attend a meeting of the JSC. Substitutions may only be made on a meeting by meeting basis and if the appointed member(s) is unable to attend a meeting of the JSC. Any substitutions must be notified to the Scrutiny Officer of the Administering Council (as defined in Paragraph 9.1. below) (“the Scrutiny Officer”) by 9.00am on the day of the relevant meeting.
- 5.6 Reflecting the importance of engaging with stakeholders across Somerset, the JSC will be able to invite representatives to meetings where it considers that they will contribute to the delivery of an effective scrutiny function.

## **6. Term**

- 6.1 The Term of the JSC shall end on 31 March 2023 or earlier in the event of a decision of the five Constituent Councils to end the joint scrutiny arrangements.

## **7. Work Programme**

- 7.1 The JSC will maintain a work programme of activities. Constituent Council scrutiny committees may ask the JSC to consider matters for inclusion in the work programme. The final decision will be a matter for the JSC.

## **8. Reporting Arrangements**

- 8.1 The work and recommendations of the JSC will be reported to the proposed LGR Implementation Board and County Council's Executive as necessary. Members of the JSC may make reports to their own Constituent Councils in accordance with their own governance procedures.

## **9. Meetings, agendas, reports and minutes**

- 9.1 The administering Constituent Council shall be Somerset County Council ("the Administering Council").
- 9.2 The Administering Council shall appoint a statutory scrutiny officer ("the Statutory Scrutiny Officer") as defined in S9FB Local Government Act 2000. The scrutiny officers from the other Constituent Councils shall work with the Statutory Scrutiny Officer in supporting the JSC.
- 9.2 The overview and scrutiny process will be open and transparent in accordance with the Local Government Act 1972 and meetings will be held in public (unless the JSC agree to exclude the press and public for part of the meeting) and accessible online to ensure increased transparency.
- 9.3 The agenda and supporting papers will be published by the Administering Council and circulated at least five clear working days in advance of meetings.
- 9.4 The minutes of any meetings will be published on the Administering Council's website and circulated to the other Constituent Councils as soon as practicable. The JSC will operate in accordance with the constitution of the Administering Council. The Constituent Councils (with the



exception of the Administering Council) will each provide a link to the agendas and minutes of the JSC on its website.

## **10. Frequency of meetings**

10.1 The date, time and venue of meetings will be fixed in advance by the JSC, and a schedule of meetings agreed at its inaugural and/or subsequent meetings. The JSC will meet approximately every 8 weeks. Dates will be published on the website of the Administering Council. Additional meetings may be convened at the request of the Chair or Vice Chair.

## **11. Venue**

11.1 Meetings of the JSC will take place in a number of locations across the County of Somerset and will be rotated around the Constituent Councils.

## **12. Election of Chair and Vice Chair**

12.1 The Chair and Vice Chair will be elected at the first meeting of the Committee by members of the JSC. The Chair will be appointed from the District Council membership and the Vice Chair shall be a County Council member. In the absence of the Chair and Vice Chair, the meeting will elect a chair for that meeting.

## **13. Quorum**

13.1 The quorum of the JSC shall be 9, including members from at least four of the five Constituent Councils.

## **14. Declarations of interest**

14.1 JSC members are subject to the Code of Conduct for elected members adopted by the Constituent Council that nominated them including the requirement to declare relevant interests at formal meetings of the JSC.

## **15. Voting**

- 15.1 Recommendations will generally be reached by consensus, but if a vote is required it will be by a simple majority of all members physically present at the meeting. Where there are equal votes the Chair of the meeting will have a second or casting vote.

## **16. Duty to attend, cooperate and respond**

- 16.1 The JSC may require by invitation relevant members of the County Council's Executive, LGR Implementation Board and/or the Chief Executive Chair of the Implementation Team to appear before it to explain (in relation to all aspects of the JSC's work) any particular decision or series of decisions. The relevant members and Chief Executive should attend if so required, unless they have a legitimate reason for not doing so.
- 16.2 Following each meeting of the JSC, the JSC's recommendations (if any) will be submitted to the LGR Implementation Board and/or County Council's Executive for consideration. The LGR Implementation Board will be required to consider those recommendations at its next meeting and respond to the JSC indicating what (if any) action the LGR Implementation Board proposes to take. The response should be made within 7 days of the LGR Implementation Board meeting and will be published on the website of the Administering Council.

## **17. Call-in**

- 17.1 Any 5 members of the Constituent Councils, to include members from at least 3 of the Constituent Councils, may request a call-in of a LGR related decision taken by the County Council's Executive. The call-in must be submitted in writing or by email to the Statutory Scrutiny Officer, indicating its support by all relevant parties along with the reasons for the call-in and proposed outcome(s). The Statutory Scrutiny Officer must notify the Monitoring Officer that administers the County Council's Executive/LGR Implementation Board of the call-in request.

17.2 “Call-in” is a facility which members can use to challenge Key Decisions where the JSC has not been involved prior to the decision being taken or where a member believes a decision has been taken without the proper process having been followed.

A key decision is defined as:

(a) Resulting in the local authority incurring expenditure\*\* which is, or the making of savings which are, significant having regard to the local authority’s budget for the service or function to which the decision relates; and / or

(b) Significant in terms of their effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

\*\*There is no definition in the legislation of the word ‘significant’ in (a) above. Therefore, for the purposes of LGR key decisions the financial threshold at or above which a financial decision is significant (and a Key Decision) will be a total value of £500,000 for capital / revenue expenditure or savings.

Call-in of Key Decisions is subject to the following rules:

**(a) General provisions:**

(i) Call-in should be used on an exception basis and not to unnecessarily delay delivery of the Structural Changes Order and / or the implementation plan for the Somerset Council;

(ii) An individual Key Decision should normally only be subject to scrutiny once, whether pre or post decision;

(iii) Key Decisions cannot be called in where the decision requires urgent implementation. Urgent implementation requires the approval of the Leader of the County Council and the Chair of the JSC and their approval shall be recorded in the relevant report;

(iv) Call-in only applies to decisions. Recommendations (for example, made by the County Council's Executive and/or LGR Implementation Board to any of the Constituent Councils) cannot be called-in.

**(b) Scrutiny of Key Decisions before they are taken:**

This should focus on ensuring that the decision-maker has all the necessary information, to take a fully informed decision and that any procedures have been properly followed. Any scrutiny review at this stage should not pre-empt the decision. The decision-maker must take the views of the JSC into account before taking the decision.

**(c) Scrutiny of Key Decisions after they are taken but before they are implemented:**

(i) Key Decisions are published to all members and the public (via the website) within 2 working days of the decision date;

(ii) Key Decisions (unless urgency is agreed) must be called-in (following the process outlined in 17.1 above) within 5 working days of publication or the decision will be implemented automatically.

(iii) The Chair and the Vice Chair of the JSC will consider call-in requests against the principles of good decision-making and will either agree the request or detail their reasons for rejecting the request in a report to the next available meeting of the JSC. In reaching their conclusion they will take advice from the Statutory Scrutiny Officer and the Monitoring Officer and a summary of that advice will be included in the report to the JSC;

(iv) A call-in must specify the subject matter, the reason(s) for it, information required to enable full consideration and the preferred outcome;

(v) Each call-in will be considered at the next meeting of the JSC unless an alternative is agreed with the decision-maker;

(vi) The JSC having considered a call-in will report to the decision-maker;

(vii) Where an item has been subject to pre-decision scrutiny of the process, post decision call-in should normally only relate to the decision itself;

(viii) If there is no pre-decision scrutiny of an item then the process and/or the decision may be the subject of call-in.

**(d) Scrutiny of Key Decisions after implementation:**

This should only occur where the decision-maker was required to make a decision that was time critical or at a later stage to gauge the effect of the decision. Scrutiny in these circumstances is not part of the call-in process.

**18. Code of Conduct**

18.1 Members of the JSC are expected to observe the “Seven Principles of Public Life” (the ‘Nolan’ principles) and shall be bound by their Constituent Council’s Code of Conduct in their work on the JSC. Members are expected to act in the interests of the JSC, except where this would result in a breach of a statutory or other duty to their Constituent Authority or would be in breach of their Constituent Council’s Code of Conduct.

**19. Access to information**

19.1 JSC meetings are regarded as a council committee for the purposes of the Local Government (Access to Information) Act 1985. Meetings will be open to the press and public unless it is necessary to exclude the public in accordance with Section 100A of the Local Government Act 1972. All agendas, reports, and minutes of the JSC will be made publicly available, unless deemed exempt or confidential in accordance with the above Act. The Freedom of Information Act 2000 provisions shall apply to all business of the JSC.

**20. Rules of Procedure**

20.1 Save as outlined in this Terms of Reference the procedures followed at the JSC meetings shall be in accordance with the overview and scrutiny procedure rules of the Administering Council. In the event of any conflict between this Terms of Reference and the relevant overview and scrutiny procedure rules, the provisions of these Terms of Reference shall prevail.

DRAFT

# Somerset West and Taunton Council

## Full Council – 5 July 2022

### Commercial Property Investment Update

**This matter is the responsibility of Cllr Bennett Allen Executive Member for Corporate Resources**

**Report Author: Chris Hall, Director of Development and Place**

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

- 1.1 The Commercial Property Investment Strategy (CPIS) was approved in December 2019 and refreshed in December 2020 and 2021. A requirement of the strategy (Clause 11.5) is that a report is brought to full Council every six months to report on the commercial property investment activity and the performance of the portfolio. These will report the position as of 30 September and 31 March each year.
- 1.2 Since the last report was prepared, the revised strategy to take the Commercial Investment portfolio through to the April 2023 has been published, including a summary of the completion of the acquisition phase of the portfolio.
- 1.3 During this period borrowing costs have remained low and therefore the Council's treasury team have continued to apply a notional average borrowing cost of 0.75% to the investment portfolio. It is recognised that base rates have increased in recent months and may increase further this year. However, our overall need to borrow has reduced and our combined use of internal borrowing from cash reserves and already-arranged low cost loans significantly reduces the risk of volatility in 2022/23.
- 1.4 The Net Income for financial year 2021/22 is £3.719m, which gives a surplus of £220k and which reduces to £69k following a transfer of £151k to the Investment Risk Reserve at year end.
- 1.5 Despite the challenging economic conditions facing UK businesses and the economy the performance of the portfolio has been very strong. To date there have been no rental defaults.
- 1.6 Risk factors to property investment continue to be monitored, however with the portfolio complete including long leases / break dates alongside strong covenants and diverse sectors, the likelihood of market factors creating issues are somewhat reduced although risk remains as with any property investment. It is still too soon to know what the long term effects of the pandemic will be, but we have seen a large number of investors return to the UK property market with demand increasing for secure income investment which has in turn been forcing up capital values. Occupier performance and covenant strengths will continue to be monitored to identify any tenants that may be affected by the current

market restrictions. In general, it is not considered that the level of risk has changed materially since our last report in December 2021.

## 2 Recommendations

- 2.1 That Full Council notes the Commercial Property Investment activity and performance for 2021/22 financial year.

## 3 Background and Full details of the Report

- 3.1 The Commercial Property Investment Strategy (CPIS) was approved by Full Council on the 17<sup>th</sup> December 2019 and an updated version approved in February 2022.
- 3.2 As part of the Financial Strategy agreed in 2019 the Executive set a net income target of £2m+ per year through commercial property investment. Due to a reduction in financing cost assumptions the updated financial strategy for 2020 increased this target to £2.9m.
- 3.3 The Commercial Property Investment Strategy sets out the governance framework and parameters for investment which ensures a balanced, diversified portfolio is established which will generate long term sustainable income contributing towards sustaining the Council's front line services for many years to come.

### Summary of Acquisitions and Disposals

- 3.4 Set out below is a summary of the completed acquisitions since May 2020 and the annual rental due from properties in the portfolio.

Date	Sector	Location	Total Costs £000	Annual Rental Income £000
28/08/20	Office	Offices, 730 Waterside Drive, Aztec West, Almondsbury, BS32 4UE	9,573	759.2
11/09/20	Retail Warehouse	The Range, Pellon Lane, West Yorkshire, HX1 5QE	5,781	418.5
11/11/20	Retail Warehouse	B&Q Sanquhar Farm Rd, Ayr KA8 9TB	6,998	520.0
18/12/20	Retail Warehouse	Wickes Extra Aldridge Road Tameside Business Park, Perry Barr B42 2ET	9,816	733.3
05/03/21	Other	Jaguar Land Rover, Concord Way, Preston Farm Industrial Estate, Stockton On Tees	6,130	446.4
31/03/21	Office	One Quinton Business Park, Birmingham B32 1AF	5,765	372.5
09/04/21	Retail Warehouse	North Shields Retail Park, North Shields NE29 7UJ	12,585	970.7
11/05/21	Office	Fenick House, 1 Lister Way, Hamilton International Technology Park, G72 0FT	4,783	364.3
24/05/21	Other	Cardiff Audi, Cardiff Gate Bus Park, CF23 8RT	7,195	519.9
15/12/21	Industrial	Reflex Labels, 29 Moat Way, Barwell, LE9 8EY	5,433	327.0
15/12/21	Industrial	Reflex Labels, Smith Way, Ossett, Wakefield, West Yorkshire, WF5 9JZ	2,635	164.8
17/12/21	Industrial	Steelite International Limited, Newcastle Street, Stoke-on-Trent, ST6 3RB	22,272	1,342.8



Date	Sector	Location	Total Costs £000	Annual Rental Income £000
		<b>Total as at 31 March 2022</b>	<b>98,965</b>	<b>6,939.3</b>

3.5 There have been no disposals and there are no disposals pending.

### **Portfolio investment performance and performance against budget target**

3.6 The Strategy originally included key milestones setting out the anticipated timetable for the delivery of the Investment Portfolio, which is now complete. Continuing targets will be based on maintaining forecast income levels, requiring proactive management of the portfolio parameters.

3.7 The tables below set out the delivery against the capital budget and the 2021/22 net investment income budget and actual performance for the year.

#### Investment Properties Capital Budget

	2020/21 £000	2021/22 £000	Total £000
Original Budget Profile	50,000	50,000	100,000
Completions During 2020/21	44,064		44,064
Completions During 2021/22		54,881	54,881
<b>Total Invested</b>	<b>44,063</b>	<b>54,881</b>	<b>98,945</b>

3.8 The Commercial Investment fund is fully invested at 31<sup>st</sup> March 2022, and no further budget request will be made. Total capital expenditure on property acquisitions during 2020/21 and 2021/22 financial years is £98.9m.

#### Net Investment Income 2021/22

	2021/22 Budget £000	2021/22 Actual £000	2021/22 Variance £000
Rent Income	6,035	5,577	-458
Direct management and abortive costs	-257	-259	-2
<b>Sub-total – Gross Income Less Direct Costs</b>	<b>5,778</b>	<b>5,318</b>	<b>-460</b>
Financing – Notional Interest	-525	-567	-42
Financing – Debt Repayment (MRP)*	-880	-881	-1
Optimism adjustment	-723	0	723
Transfer to investment risk reserve		-151	-151
<b>Net Income to Revenue Account</b>	<b>3,650</b>	<b>3,719</b>	<b>69</b>

\*Note, this template reflects scheduled debt repayment in line with budget and approved Minimum Revenue Provision Policy. Accelerated debt repayment has also been undertaken above the amount shown in this table – see 5.09-5.11 below.

3.9 As reported through the Financial Strategy and budget setting reports, the Council has established an investment risk reserve to protect the annual budget from income volatility from the investment fund and an Investment Property Sinking Fund for asset management purposes. These reserves have been ‘front-loaded’ to provide immediate resilience during the initial phase of growing the portfolio as well as for ongoing risk management. The biggest risk in the early years of the portfolio is from tenants defaulting and the costs and unanticipated capital expenditure which may be incurred as a result.

This reserve mitigates that risk. The current balances in reserves as at 31 March 2022 are:

- £3.2m in Investment Risk Reserve
- £0.5m in Sinking Fund reserve.

### Risk assessments with updates on material changes to risks on individual assets

3.10 The follow schedule summarises the risks identified with individual assets in the portfolio:

Property	Risk	Mitigation	RAG Status
730 Waterside Drive, Aztec West, Almondsbury. BS32 4UE	Part of the first floor is vacant.	The vacant space rent and all costs are covered by a guarantee from the Vendor until 27 <sup>th</sup> August 2022. Although we have had some interest, we have yet to secure a letting. The letting agent has reported a slow market across the location, and no firm interest.	Amber
730 Waterside Drive, Aztec West, Almondsbury. BS32 4UE	No identifiable risk	Date for tenant to trigger the break has passed, no mitigation currently required.	Green
The Range, Pellon Lane, West Yorkshire, HX1 5QE	No identifiable risks	None currently required.	Green
B&Q Sanquhar Farm Rd, Ayr KA8 9TB	No identifiable risks	None currently required	Green
Wickes Extra, Birmingham	At lease expiry 2027 it is likely the tenant will want to reduce their footprint by 50%	Consider regear of lease so the unit can be split – will involve capital expenditure, Aldi and Lidl have both expressed an interest in the other 50% of the space. Report to be presented to panel and board for consideration	Green
Jaguar Land Rover, Stockton-On-Tees	No identifiable risks	None currently required.	Green
1 Quinton Business Park, Birmingham	No identifiable risks	None currently required.	Green
North Shields Retail Park, North Shields NE29 7UJ	No identifiable risks	None currently required	Green
Fenick House, 1 Lister Way, Hamilton International Technology Park, G72 0FT	No identifiable risks	None currently required	Green
Cardiff Audi, Cardiff Gate Bus Park, CF23 8RT	Lease has 3 years 7 months remaining,	Instruct agent to commence negotiations to regear and increase the term.	Green

Property	Risk	Mitigation	RAG Status
Reflex Labels, 29 Moat Way, Barwell, LE9 8EY	No identifiable risks	None currently required	Green
Reflex Labels, Smith Way, Ossett, Wakefield, West Yorkshire, WF5 9JZ	No identifiable risks	None currently required	Green
Steelite International Limited, Newcastle Street, Stoke-on-Trent, ST6 3RB	There has been a 37% increase in the insurance premium following SWT's reinstatement revaluation, which has been challenged by the tenant	Continue to search the market for alternatives at renewal in August and communicate with the tenant	Green

3.11 The following table provides an update on general investment risks for the strategy and the portfolio as a whole.

Risk Identified	Mitigation	Commentary	RAG Status
COVID 19	The structure of the CPIS is designed to protect against market volatility and to gain exposure to the property market as a whole. This is achieved through diversification across regions, sectors, and the safeguards which are in place of lot size and single tenant exposure.	<p>We did not enter the market until after the initial lockdown period had been implemented and therefore, we have always been aware of the risk that Covid poses. We are continuing to monitor the Covid situation and continue to seek the best in class advice around what the experts are predicting will be the long term effects of the pandemic on property.</p> <p>During 2020 we were able to take advantage of the limited number of purchasers in the market and secured a number of good properties. Since September however the number of buyers in the market has increased which has caused yield compression and made it more difficult to secure investments at a yield level suitable for our portfolio.</p>	Green
General Economic Outlook for the UK and Tenants defaulting	We employ: proactive asset management and proactive tenant communication	Although the UK economy is facing challenging times ahead due to the continuing and prolonged pandemic and the increasing UK debt. However, to date there has been little effect on our portfolio mainly because the properties have been selected for their resilience to the risk factors identified, the secure income profile of the investments and the underlying property	Green

Risk Identified	Mitigation	Commentary	RAG Status
		metrics. No serious defaults have been experienced to date.	
Yield Compression in certain sectors of the UK property market	Careful selection of sectors and properties to ensure the income profile of the investment to be acquired is secure and the correct standard of property is maintained across the portfolio.	The scope of the investment strategy is sufficiently wide to enable adjustments to be made for various market factors. We are therefore able to adjust the properties being acquired as we build the portfolio in order not to increase the risk profile of the portfolio despite the yield compression. We have secured sufficient retail warehousing at a time where there appeared to be obvious value in the market and now the Council is benefiting from the yield compression in this sector. As we seek to acquire industrial property we will have to be mindful of the underlying metrics of the property to ensure any risk is limited to an appropriate level as this will be the hardest sector to align with our income profile target.	Green
Insurance premiums available to SWT are not equivalent to open market premiums	We are exploring specific commercial property insurance as part of the 2022 renewal to secure the best product for both landlord and tenants	Insurance is a pass-through cost; however, some tenants have challenged their premium renewals costs which have increased with the properties being purchased by SWT.	Amber

### Any other relevant information

- 3.12 For the Council's Balance Sheet and Fixed Asset Register for the year ending 31/03/2022, all investment properties including those acquired during 2021/22 have been revalued. This is good practice following accounting standards and also responds to a recommendation from our external auditor to ensure our financial statements each year reflect up to date valuations. All assets in this portfolio have been independently revalued by Wilks Head & Eve as at 31/03/2022 and reflected in the 2021/22 Draft Accounts. This will be reviewed by the external auditor as part of the annual accounts audit with their findings to be reported to Audit and Governance Committee in September 2022.
- 3.13 The total balance sheet value of the portfolio (6 properties) at 31 March 2021 was £44.1m. At 31 March 2022 the gross value (12 properties including 2021/22 acquisitions) in the completed portfolio carried on the Balance Sheet is £96.8m. [WHE has also provided a net value after deducting costs and SDLT which is £90.4m.] As per table in para 5.10, the balance on the related borrowings at 31 March 2022 was £93.6m (96.7% of current value) and is projected to be £91.6m (94.6% of current value) by 31 March

2023 following further scheduled debt repayment in 2022/23.

## **4 Links to Corporate Strategy**

- 4.1 The Council's Corporate Strategy under the Enterprising Council Theme states that we will become a financially self-sufficient Council which has expanded its commercial activity and generated more income in order to support service provision.

### **Objectives**

1. Pursue commercial investment opportunities that generate additional income that can be reinvested in service delivery in order to protect or enhance services on which our communities rely. Supported by a Commercial Property Investment Strategy
2. Meet the challenge of Government completely withdrawing the Council's grant funding.
3. Ensure our land and property assets support the achievement of the Council's objectives (including service delivery, regeneration projects and community initiatives).

## **5 Finance / Resource Implications**

- 5.1 The investment in property continues to deliver a key element of the wider financial strategy and budget plan, as well as diversifying the Council's income streams, in the face of reductions and significant volatility/uncertainty in income through government funding and business rates.
- 5.2 The strategy has delivered significant additional income over and above expectations. Our budget estimates have proven to be prudent and reliable despite uncertainties and risk reserve balances have been maintained. The income generated from investment is imperative to contribute to the financial resources necessary to maintain and improve services as set out in the Council's Corporate Strategy and Budget.
- 5.3 Financial risks are mitigated through robust due diligence, effective portfolio management, use of reasonable estimates for budget purposes and prudent maintenance of reserves to mitigate investment asset costs and income volatility. During 2021/22 we have accelerated repayment of borrowing to reduce refinancing and interest risk as well as overall exposure to debt (see 5.9-5.11 below).
- 5.4 The investment completed during 2021/22 adds capital assets with a cost of £54.881m to the Council's balance sheet as at 31 March 2022 bringing the total Investments for Yield to £98.945m since May 2020. These assets are subject to annual valuation with positive revaluation values credited to the Revaluation Reserve. Valuation deficits will be written off to the Capital Adjustment Account within unusable reserves. Valuation changes are only crystallised and therefore only affect the Council's usable resources upon disposal of the asset.
- 5.5 Investment budget and performance information is included earlier in this report, with actual performance against budget providing a gross surplus of £220k, with £151k being transferred to the risk reserve (as agreed by Director of Development and Place and the S151 Officer) leaving a £69k surplus against budget to the revenue account benefitting

the general reserves balance.

- 5.6 The commercial property net income budget estimates in future years related to the current £98.965m investment fund is summarised below. In practice the investments will transfer to the unitary Somerset Council on 1 April 2023 and be combined with investment properties of the other authorities forming the unitary.

	2023/24 £000	2024/25 £000
<b>Revenue Estimates</b>		
Rent Income	-6,930	-6,930
Management Costs	150	150
<b>Net Income</b>	<b>-6,780</b>	<b>-6,780</b>
<i>Financing:</i>		
Notional Interest Charge	1,500	1,500
MRP	2,000	2,000
<b>Investment Income Net of Financing Costs</b>	<b>-3,280</b>	<b>-3,280</b>
<b>Contribution to Investment Reserves</b>	<b>380</b>	<b>380</b>
<b>Net Contribution to Revenue Budget</b>	<b>-2,900</b>	<b>-2,900</b>

*Note: This does not include legacy investment assets acquired prior to April 2020.*

- 5.7 In the Annual Auditor's Report presented to the Audit and Governance Committee in December 2021, a key recommendation was made by our external auditor in respect of the risks related to the Council's investment in property for yield and the related borrowing requirements. A full update on the response to the auditor's recommendation will be reported to the Audit and Governance Committee on the 27th September 2022.
- 5.8 One of the measures to reduce risk includes reducing the level of borrowing needed to support the strategy. To this end we have an established policy of reducing debt through the annual Minimum Revenue Provision (MRP) and have, through the budget and year end processes, made further steps to accelerate debt repayment. This includes using additional business rates pooling funding surplus as highlighted in the Financial Outturn Report to be reported to the Corporate Scrutiny and Executive committees in July. The funding position for the investment fund can be summarised below.

	2020/21 £000	2021/22 £000	2022/23 £000	Cumulative £000
<b>Capital Expenditure</b>	<b>44,084</b>	<b>54,881</b>	<b>0</b>	<b>98,965</b>
<i>Financing:</i>				
Annual MRP per policy (proportion related to investment properties)	0	-882	-1,888	-2,770
<b>Cumulative borrowing requirement balance before additional measures</b>	<b>44,084</b>	<b>98,083</b>	<b>96,195</b>	<b>96,195</b>
<i>Accelerated Financing Measures:</i>				
MRP overpayments – Per Budget Report Feb 2022 for 2021/22	0	-1,000	-112	-1,112
Revenue Funding (“RCCO”) – per Budget Report Feb 2022	0	-2,000	0	-2,000
Revenue Funding (“RCCO”) – Investment Financing Reserve surplus	0	-173	0	-173

Revenue Funding ("RCCO") – 2021/22 outturn Pooling Gain surplus	0	-1,347	0	-1,347
<b>Sub-total: Accelerated funding to reduce borrowing requirement</b>	<b>0</b>	<b>-4,520</b>	<b>-112</b>	<b>-4,632</b>
<b>Cumulative borrowing requirement balance after additional measures</b>	<b>0</b>	<b>93,563</b>	<b>91,563</b>	<b>91,563</b>
Debt as % of Total Capital Expenditure	100%	94.5%	92.5%	92.5%

- 5.9 The table shows that the borrowing requirement will have been reduced by over £4.6m due to accelerated financing of the up-front spend since the auditor's recommendation. The total amount of debt repayment (MRP) plus revenue financing is planned to be £7.402m by 31 March 2023 leaving a borrowing requirement balance of £91.563m with 7.5% of the upfront investment having been fully financed. The acceleration of financing reduces debt costs and refinancing risks.

### **Unitary Council Financial Implications and S24 Direction Implications**

- 5.10 There are no specific decisions related to entering contracts for expenditure or disposal of land within this report therefore no implications regarding S24 Direction. The report provides a retrospective summary of performance against the strategy therefore no direct implications for the new unitary council. All held investment assets will transfer to the unitary on 1 April 2023.

## **6 Legal Implications**

- 6.1 Section 12 of the Local Government Act 2003 specifically provides the Council with the power to invest for any purpose relevant to its functions, and for the purpose of prudent management of its financial affairs.

## **7 Climate and Sustainability Implications**

- 7.1 There are no implications that follow from this update report.

## **8 Social Value Implications**

- 8.1 Currently no opportunities which offer any direct additional social value benefits have come forward since the beginning of this reporting period. However, the income generated from the investment programme will in part be used to support the Council's front line services.

## **9 Asset Management Implications**

- 9.1 The portfolio will be managed by a dedicated officer reporting into the Assets Manager, along with external managing agents where appropriate. The existing management structure remains with the process as outlined in the CI Strategy governing decision making routes and authority, including Director Development and Place & S151 Officer at Investment Panel, making recommendations into Commercial Investment Board. Board frequencies have been reduced following the completion of the portfolio.

**Democratic Path:**

- Full Council – Yes (5<sup>th</sup> July 2022)

**Reporting Frequency: Six monthly**

**Appendices**

<b>A</b>	<b>Approved Strategy 2022 (Confidential)</b>	Confidential Commercial Property Investment Strategy 22 23 .docx
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**Contact Officers**

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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



# Somerset West and Taunton Council

## Full Council – 5 July 2022

### Wellington Land Acquisition (The Green Spaces)

This matter is the responsibility of Executive Councillor Member Cllr Rigby

Report Authors: Joe Wharton, Assistant Director Major and Special Projects & Dr Joanne O'Hara, Programme Manager – Heritage at Risk

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

- 1.1 Wellington Land Acquisition: To inform Members of a proposed future land consolidation project for Wellington to protect the open green spaces and enhance community provision, and to seek approval for SWT to purchase land using CIL allocated funds and to provide for disposal on a long-term lease to the Wellington Town Council (WTC) for its future management.

#### **2 Recommendations**

- 2.1 To seek approval for the recommendations set out the Confidential Appendix 1.

#### **3 Risk Assessment**

- 3.1 The main risk is the acquisition of a large piece of land that comes with responsibilities for maintenance and possible liabilities. Discussions are advanced with Wellington Town Council over Heads of Terms for a long term lease in order to mitigate this risk and ensure they accept the lease on acquisition.

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

- 4.1 This project seeks to purchase an area of agricultural land and green space in Wellington that connects Rockwell Green, Tonedale and Wellington ('the Green Spaces'). This will allow the creation of a coherent plan in line with SWTs Green Infrastructure Strategy to provide enhanced green space for the residents in Wellington. The following appendices accompany this report

- 4.1.1 Appendix 1 Confidential Commercial Information.

- 4.1.2 Appendix 2 shows the red line plan for the land for acquisition.

- 4.1.3 Appendix 3 shows the proposed division of the Green Spaces for community use.

- 4.1.4 Appendix 4 is the District Valuation report (Confidential).

- 4.1.5 Appendix 5 shows the Fox's Field red line (already acquired by SWT).

- 4.2 This project may facilitate future improvement of the pedestrian access between Wellington and Tonedale using green spaces rather than primary roads, enhance the environment for the wellbeing of the community, deliver youth sports pitches for leisure and provide additional allotments. It could also deliver a Community Farm to provide

food production for local people as well as employment and training opportunities for young and disadvantaged groups.

4.3 It is proposed that SWT purchase the Green Spaces and then immediately transfer responsibility via a long-term lease (up to 125 years) to the Wellington Town Council who will in turn work with the groups listed below, to include but not limited to:

4.3.1 Wellington Community Food;

4.3.2 Wellington Mills CIC; and

4.3.3 Transition Town Wellington.

4.4 It is proposed that the lease to WTC should also include the open space adjacent to Tonedale Mill known as Foxes Field. This area was purchased in 2018 by SWT. Approval has previously been sought for a long lease to a community group, and its inclusion in the Town Council lease would give greater cohesion in the delivery of community amenities.

4.5 The Green Spaces have not been actively managed and the pedestrian access is fragmented. The land also neighbours the Wellington Sports Centre, Nature Reserve and Wellington Park and Recreation Ground. Wellington Park (RPG, Grade II\*) holds a Green Flag award and is a prized open space for the community. This would further bolster the green space which has been invested in by SWT for the residents of Wellington.

4.6 It is not intended as part of this transaction to acquire The Ponds or the various waterways crossing the Green Spaces – these are in separate ownership (Mancraft Limited and The Crown Estate).

## **5 Links to the Corporate Strategy:**

### **Environment and Economy:**

5.1 *“Shape and protect our built and natural environment, supported by a refreshed Local Plan and develop our heritage, culture and leisure offer including a clear vision and delivery plan for the Taunton Garden Town.”*

### **The Green Infrastructure Strategy:**

5.2 *“Create and enhance green infrastructure across the Borough, particularly at Taunton and Wellington, and maximise its potential to meet a diversity of functions, including wildlife habitat, recreation, flood alleviation and visual amenity, and to identify opportunities for GI within and adjacent to potential development areas to inform the LDF, and to identify approaches to funding and implementation of the green infrastructure proposals.” and*

5.3 *“As shown in Figure 3.4, Wellington has good provision of access to formal parks and gardens. Similarly to Taunton, Wellington has significant areas of deficiency in access to local open space, including in central Wellington and at Rockwell Green and Tonedale. Parts of north, central and south Wellington are currently deficient in play areas, and most of the town is deficient in access to a young person’s space.” and*

5.4 *“With the exception of small areas on the north western and north eastern fringes of Taunton, the town meets the 1km distance standard for provision of allotments. The provision in Wellington is not so good, where most of the central and eastern areas of*

*the town are more than 1km from an allotment.”*

## **6 Finance / Resource Implications**

- 6.1 The opportunity to create the Green Spaces was brought to this Council's attention by local community groups in Wellington. The purpose of the acquisition is to provide a facility identified as *'land to provide a country park, an expansion of existing allotments, the provision of a community farm and the further development of community sports facilities for the benefit of Wellington, Rockwell Green as well as additional land identified for conservation benefits for the area as a whole'*.
- 6.2 The land will be capitalised as a community asset on the Balance Sheet of Somerset West and Taunton Council, measured at depreciated historic cost (although as the asset is land it would not ordinarily be depreciated). It is proposed that Somerset West and Taunton Council will lease the Green Spaces and Foxes Field to Wellington Town Council on a long lease at a peppercorn rent and, although terms are still to be agreed, it is expected that an annual financial contribution by Wellington Town Council towards maintenance will be agreed on an ongoing basis as part of a 5 year rolling management plan. A termination clause in the lease will be provided should Wellington Town Council not adhere to the terms of the lease. It is also expected that any future surpluses accruing to Wellington Town Council from sub-leases of the Green Spaces would be re-invested into the site.
- 6.3 Considerable future investment by Wellington Town Council will be needed on the site in the coming years to deliver the desired community benefits but the purpose of this report is to secure the land so that the future plans can be delivered in consultation with the local community, which is a vital and necessary stage of the process.
- 6.4 The submission by Somerset West and Taunton Council was unsuccessful in obtaining funds for this project from the Levelling Up Fund in Round 1. This land was originally identified in the Levelling Up Bid in 2021 and part of the recommendations in the paper that was approved by Full Council on 7 September 2021.
- 6.5 It is now proposed to purchase the land for The Green Spaces using Community Infrastructure Levy (CIL) allocated funds. This is utilising funds already held in CIL capital reserves and would not result in additional borrowing costs or an increase in Minimum Revenue Provision (MRP) for capital debt repayment.
- 6.6 The proposal to acquire this land requires updates to the current approved budget within the Capital Programme, in order to put together the total budget in 2022/23 under Community Development:
- 6.7 VAT considerations: as SWT is not expected to incur any development costs and the lease is a peppercorn, it is not expected that the plot will be opted to tax and this will not impact the partial exemption calculation. Professional advice will be sought if required.

### **Financial Implications for Somerset Council:**

- 6.8 The proposals in this report would provide an asset on the Council's Balance Sheet that will transfer to Somerset Council on 1 April 2023 at book value.
- 6.9 The structure of the lease arrangement means there should be limited ongoing implications regarding freehold ownership of the asset. Maintenance costs will be covered by Wellington Town Council. Primary authority's ongoing interests will be

suitably protected in the lease as described above, and will need continued oversight. As the lease is proposed at peppercorn ongoing income is insignificant.

- 6.10 The proposed increase in budget utilises existing capital reserves, which therefore places a commitment to use these reserves prior to vesting day but does not result in increased financing costs in subsequent years.

## **7 Legal Implications**

- 7.1 The Council may dispose of land held by it in any manner it wishes.
- 7.2 Section 123 LGA 1972 requires that any disposal of land, other than by way of a short tenancy, must not be for a consideration less than the best that can reasonably be obtained.
- 7.3 In disposing of the Green Spaces and Foxes Field to WTC on a long-lease at a peppercorn rent, the Council will need to firstly comply with various statutory obligations, as follows:
- 7.3.1 Before making a final decision on the disposal, the Council must advertise its intention to do so and consider any objections received (S123 LGA 1972);
- 7.3.2 The Council must be satisfied that it is achieving the best consideration reasonable obtainable for the land or (if disposing at an undervalue of less than £2 million) that it considers the disposal will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area (S123 LGA 1972 and Circular 06/03 General Disposal Consent 2003). The justification for proposed disposal to Wellington Town Council at a peppercorn rent is set out in Section 6.2 and 6.3 of this Report.
- 7.4 In effectively providing a public subsidy to Wellington Town Council, the Council must ensure that it complies with the obligations in the UK-EU Trade and Co-operation Agreement and be satisfied that the subsidy does not carry any appreciable risk of triggering a dispute with a trade partner under the terms of the applicable Wellington Town Council rules or the UK's Free Trade Agreements. Officers are satisfied that the proposed disposal at an undervalue complies with these requirements.
- 7.5 At the time of writing this report, Officers are seeking legal clarification as to whether the formal consent of the Executive of Somerset County Council is required for the proposed leasehold disposal to Wellington Town Council pursuant to the Section 24 Direction issued by the Secretary of State on 10<sup>th</sup> May 2022. It is recommended that Officers be given delegated authority to seek such consent if it is required. The S151 Officer has already informed the LGR Finance Board of the proposals for transparency.

## **8 Climate and Sustainability Implications**

- 8.1 The proposal is significant in protecting the green spaces of Wellington and Tonedale. Having control of this area could significantly enhance the natural environment, and fulfil the aims The Green Infrastructure Strategy in this area of Wellington.
- 8.2 This could improve the existing infrastructure by enhancing pedestrian and cycling routes. It can also deliver a community forest garden, potential wetland, tree planting or allotments, amongst other possible uses.

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

- 9.1 Securing the Green Spaces puts us one step closer to being able to develop the green site and in particular create safe and green routes between Tonedale, Rockwell Green and Wellington.

## **10 Equality and Diversity Implications**

- 10.1 These proposals seek to enhance the built and natural environment for the benefit of the whole community. In practical terms these projects could physically open additional spaces for members of the community who are currently excluded. The proposal is also seeking the delivery of youth provision by expanding allotments and delivering youth pitches. Volunteering and employment opportunities can also be delivered through the community farm.

## **11 Social Value Implications**

- 11.1 The acquisition of the Green Spaces would have considerable amounts of social value. It will protect a large amount of green space which has a low agricultural value partly due to its fragmented location that will have a very high community value in the future. The potential future uses of the site will be put out for consultation with the community and our partners will seek high levels of community engagement with developing these plans.

- 11.2 Wellington Town Council and Wellington community groups have already commenced substantial community consultation and current ideas include the provision of further allotments, youth sports pitches and a community garden to be created in the Green Spaces are all testament to the social value of this acquisition. Projects being considered and developed include:-

Develop a Community Farm:

- 11.3 Work is already underway on developing plans to develop a Community Farm to provide affordable sustainably produced food. Wellington Community Food Ltd has been established and with financial support from the WTC has developed a 5 year business plan showing that it is a viable proposition – all it needs is land. This will link into the Council's commitment to reducing the towns carbon footprint and help raise awareness of the Climate and Ecological Emergencies and how lifestyle and consumption choices can have a positive impact on the planet

Extend the allotments to provide extra capacity and reduce/eliminate of the waiting list:

- 11.4 The Town Council has a waiting list of people looking to take on an allotment at The Basins. This land it will provide the ability to extend the existing allotment area creating additional plots. As with the Community Farm by making more allotments available this will encourage greater self-sufficiency in food production and support the reduction of the town's carbon footprint.

Improve active travel options around the town i.e. between Rockwell Green/Basins/Tonedale Mill/Westford:

- 11.5 Linking in with the development of the town's Local Cycling and Walking Infrastructure Plan (LCWIP) we will increase active travel options around the town through the creation of multiuser access tracks linking Tonedale to Rockwell Green and Westford).

- 11.6 By having an LCWIP this will enable strong applications for funding to improve those

links.

Develop additional junior playing pitch capacity:

- 11.7 The Sports Federation is invited to look at using part of the land to develop additional junior playing pitches to cope with increased demand caused by the town's growing population.

Plant trees to help the town reduce its carbon footprint:

- 11.8 Owning land means more trees can be planted to offset carbon emission and address biodiversity issues helping the town to meet its target of seeking to achieve carbon neutrality by 2030.

Improve habitats and landscape of the area:

- 11.9 Create nature rich habitats on a significant proportion of the land.

Increase Carbon Storage:

- 11.10 There is potential to sequester carbon within the soil and trees contributing to the Councils commitment for the Town to move towards being carbon neutral.

## **12 Partnership Implications**

- 12.1 Somerset West and Taunton Council is seeking to lease directly to Wellington Town Council, but would continue to remain a key stakeholder in the delivery of the site alongside group such as Wellington Community Food, Wellington Sports Federation, Transition Town Wellington and Wellington Mills CIC.

## **13 Health and Wellbeing Implications**

- 13.1 The Green Spaces will allow accessible amenity space for the community to use and enjoy in terms of recreation space, exercise through sports pitches and allotments and in availability of fresh produce.

## **14 Asset Management Implications**

- 14.1 SWT would seek to immediately transfer the land to the Wellington Town Council on terms which are currently being agreed. Somerset West and Taunton Council will pass all maintenance liabilities to Wellington Town Council whilst retaining an overseeing role by way of the proposed 5 year rolling management plan. It is envisaged that they would work with other end users for community activities to be provided throughout the space.
- 14.2 The Section 24 requirement comes into force on 16<sup>th</sup> June 2022 and the onward disposal of this land would need to follow the process once it has been clarified.

## **15 Consultation Implications**

- 15.1 The sites are important for the community of Tonedale and Wellington more widely. Consultation for the sub-leases of the land would be conducted by Wellington Town Council.

## **16 Informal Executive Comments**



16.1 A discussion was held at informal executive and Members were supportive of the proposals.

## 17 Scrutiny Comments

17.1 No additional comments or changes were sought on any of the recommendations, although the committee were made aware that the recommendations may change slightly to clarify points of process before Executive, but these do not alter the substantive ask.

### 17.2 Executive Comments

17.3 No additional comments or changes were sought on any of the recommendations.

### Democratic Path:

- Corporate Scrutiny Committee – Yes 1<sup>st</sup> June
- Executive Committee – Yes 15<sup>th</sup> June 2022
- Full Council – Yes 5<sup>th</sup> July 2022

Reporting Frequency: Once only

### List of Appendices

Appendix 1	Report Recommendations (CONFIDENTIAL)
Appendix 2	Plan of Proposed Acquisition
Appendix 3	Proposed Community Uses
Appendix 4	Valuation Report (CONFIDENTIAL)
Appendix 5	Plan of Fox's Field

### Contact Officers

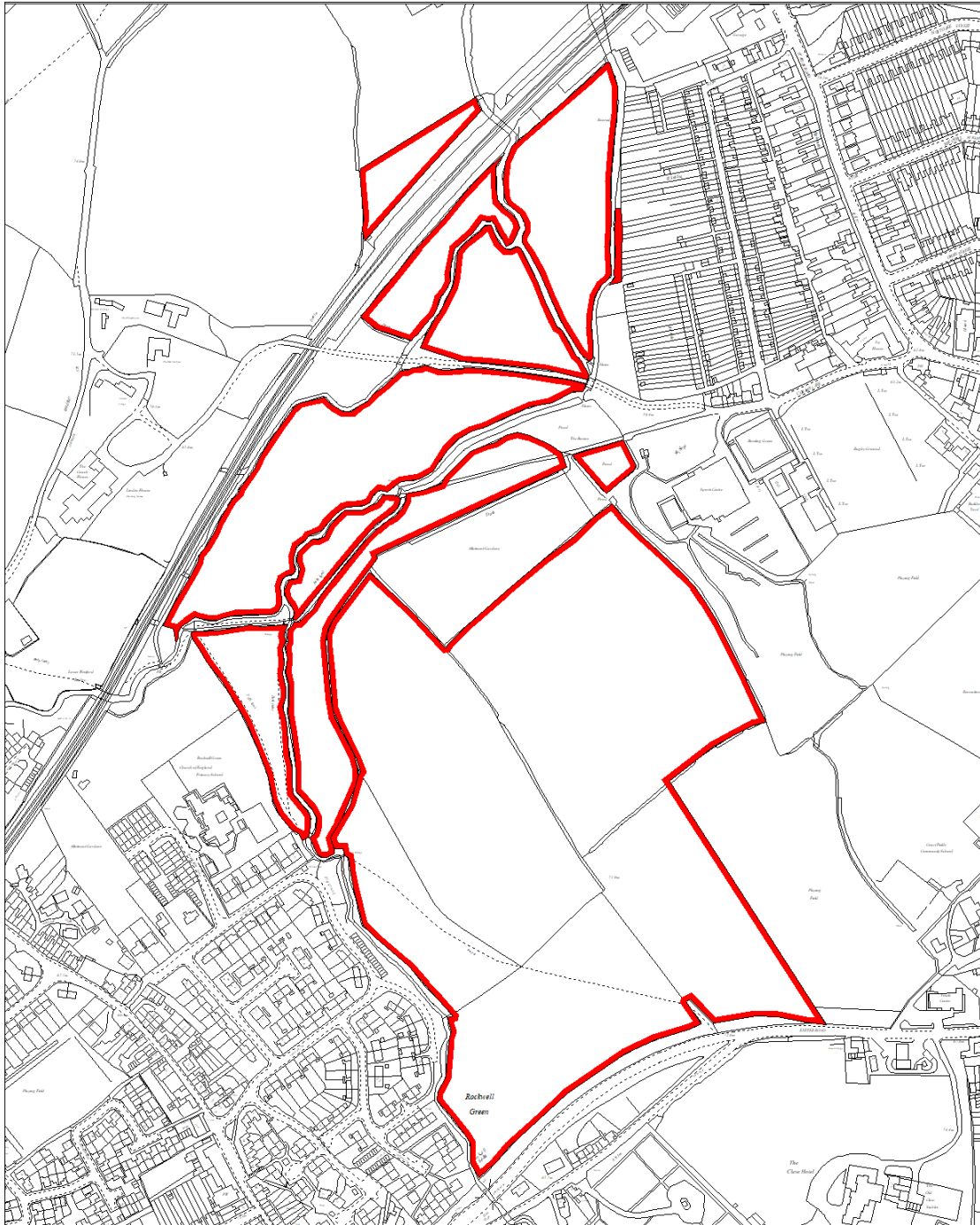
Name	Joanne O'Hara	Name	Joe Wharton
Direct Dial	01823 213011	Direct Dial	07760 474406
Email	J.OHara@somersetwestandtaunton.gov.uk	Email	J.Wharton@somersetwestandtaunton.gov.uk



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

Document is Restricted





Plan title: Land at the Basins, Wellington

Case type:

Key

Map title: ST1220NE  
Scale: n/a

Coordinates: 312849,120619  
Area: Perimeter:



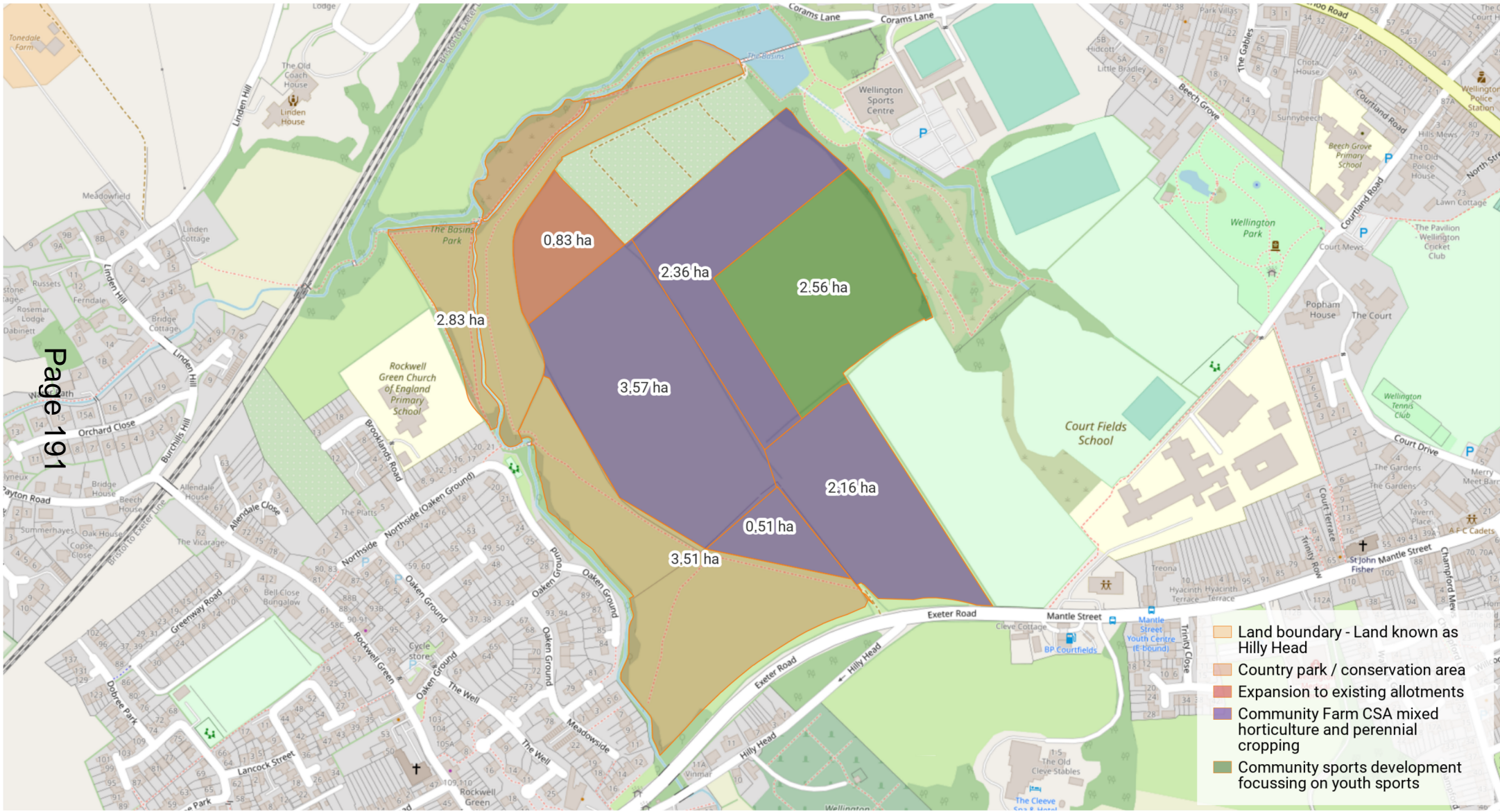
Land subject to proposed purchase shown edged in red.

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Date: 4/6/2021



# Wellington Community Land Project



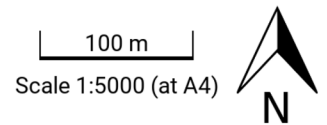
Page 191

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Designated areas are for illustration only, division of land will be dependant on community vision







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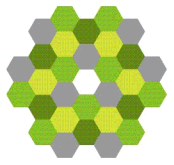
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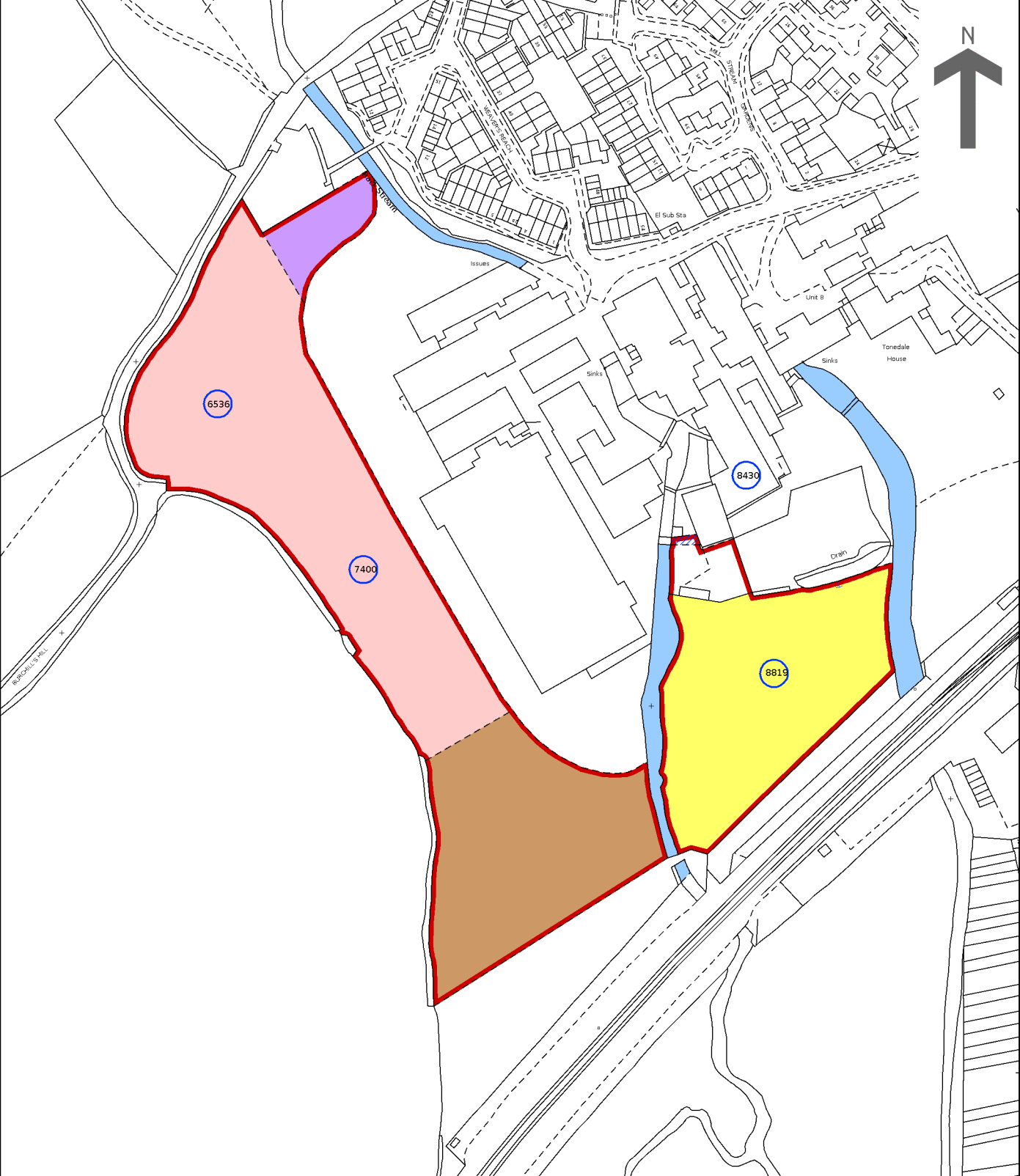
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# HM Land Registry Official copy of title plan

Title number **ST260084**  
Ordnance Survey map reference **ST1221SE**  
Scale **1:2500**  
Administrative area **Somerset : Somerset  
West and Taunton**



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## Motion regarding the Cost of Living

To consider a Motion proposed by Councillor Chris Booth, seconded by Councillor Federica Smith-Roberts

Somerset West and Taunton and its residents are suffering due to a cost of living crisis:

- On 1 April 2022, Ofgem increased the energy price cap by 54% with more to come in October. In the light of the increased energy price cap, the average standard tariff energy bill will increase by £693 per year. The average pre-pay meter energy bill will increase by £708 per year (Ofgem, 2022).
- The escalating cost of fuel is putting huge strain on local people simply trying to go about their everyday lives. As of 16<sup>th</sup> June, petrol is at an average of 187.01p per litre, while diesel is 193.30p per litre. It is expected they will be more than £2 per litre by the end of the summer and already are in some petrol stations. Filling up a typical family car's 55-litre fuel tank with petrol now costs £102.86 on average, while it costs £106.32 to do so with diesel. This has a particularly acute affect on those in rural areas paying £114 in transport costs a week in the year to March 2020, almost £40 more than those in urban areas.
- On 18 May 2022, inflation was confirmed at 9%.
- The Government has suspended the pensions "triple lock" for 2022/3, meaning that Somerset West and Taunton's pensioners will see a below inflation increase – for some this is their only income. Further, they have removed the relied on £20 Universal Credit uplift.
- More than a quarter of the UK's electricity is from renewables resources which have been largely unaffected by rising energy prices yet our power bills are led by natural gas prices.
- Council also notes figures provided by the Trussell Trust recording show that 6,815 food parcels were distributed to Somerset West and Taunton residents between April 2021 and April 2022 – with 3,068 being distributed to children.

### **Council believes:**

Under this government, people are seeing tax hikes, energy bills soaring and fuel and food prices rising drastically.

The Government has failed to tackle the cost of living crisis sufficiently. Therefore, this council declares a "Cost of Living Emergency"

### **Council resolves:**

- To declare a "Cost of Living Emergency"

- Council instructs the leader of this council to write to the Secretary of State for Work and Pensions to express the Council's demands for VAT to be cut to 17.5% for 12 months, for the re-introduction of the pension triple-lock and for the £20 Universal Credit supplement to be restored.
- Council instructs the leader of this council to write to the Secretary of State for Business, Energy and Industrial Strategy to express Council's view that the Government commit to further fuel duty reductions in rural areas (Somerset is currently not eligible). The leader is to also urge the Government to move faster on cross-party desires to uncouple power prices from gas prices in an effort to cut household bills with prices to increase further in October.
- Endorse a local Cost of Living Emergency Summit to be led by the leader of this council, with stakeholders including Citizens Advice, Food Banks, Local Trades Unions, Somerset Community Foundation, Spark Somerset, MIND, Chambers of Commerce and invite both local MPs to attend this hybrid meeting
- Somerset West and Taunton Council will continue working on a £50,000 support fund for residents suffering from energy and food price increases in conjunction with Citizens Advice to be ready by the end of the summer. This will be funded from an underspend in the previous financial year.

## **Somerset West and Taunton Council**

### **Motions to Council – Assessment Form**

On receipt of a Motion from a Councillor, the Governance Team will carry out an assessment as to its contents to establish whether there are likely to be significant consequences to the Council should the Motion be carried at the subsequent Full Council meeting.

The first question to be addressed will be:-

“Can the Motion, if approved, be implemented without the need for any resource (financial and otherwise) to be identified outside existing budgets or staffing capacity?”

If the answer is ‘yes’, then the Motion can proceed towards discussion and resolution.

An example of a Motion which would fall into the above category would be where the Council is being asked to lobby the Government, Somerset County Council or other body on a particular issue. If the motion is carried, the action required will usually involve no more than a letter being prepared and sent to the intended recipient.

However, as in the case of the recent Motion on ‘Climate Change’, the answer to the above question would clearly be ‘no’.

In such circumstances, detailed analysis of the wording of the Motion will be required to identify what will be needed if the Motion – when it comes before Full Council – is carried.

Such analysis will include:-

- What additional resource would be required to ensure the Motion (if approved) could be implemented?
- What needs to be done to identify the level of resource necessary both in financial and staff terms?
- Are any approvals needed to provide these resources?
- Will this require reports to be submitted through Scrutiny and the Executive? If a Supplementary Estimate is required, Full Council approval will be required too.

If such analysis is required, the Governance Team will arrange for the attached pro-forma to be completed and this will accompany the relevant Motion onto the agenda of the Full Council meeting so all Members are aware that further investigation will be required before the Motion – even if it is carried – can be implemented.

## Motions to Council – Assessment Proforma

**(To be used in circumstances where it appears the wording of a proposed Motion will commit the Council to providing further financial or staffing resources which cannot be met from existing budgets)**

**Brief Details of the Motion –  
Council resolves:**

- To declare a “Cost of Living Emergency”
- Council instructs the leader of this council to write to the Secretary of State for Work and Pensions to express the Council’s demands for VAT to be cut to 17.5% for 12 months, for the re-introduction of the pension triple-lock and for the £20 Universal Credit supplement to be restored.
- Council instructs the leader of this council to write to the Secretary of State for Business, Energy and Industrial Strategy to express Council’s view that the Government commit to further fuel duty reductions in rural areas (Somerset is currently not eligible). The leader is to also urge the Government to move faster on cross-party desires to uncouple power prices from gas prices in an effort to cut household bills with prices to increase further in October.
- Endorse a local Cost of Living Emergency Summit to be led by the leader of this council, with stakeholders including Citizens Advice, Food Banks, Local Trades Unions, Somerset Community Foundation, Spark Somerset, MIND, Chambers of Commerce and invite both local MPs to attend this hybrid meeting
- Somerset West and Taunton Council will continue working on a £50,000 support fund for residents suffering from energy and food price increases in conjunction with Citizens Advice to be ready by the end of the summer. This will be funded from an underspend in the previous financial year.

**Questions to be addressed**

<ul style="list-style-type: none"> <li>• <b><i>What additional resource would be required to ensure the Motion (if approved) could be implemented?</i></b></li> </ul>
<p>Answer – the summit will require additional resource and capacity to secure a venue, content, speakers, generate interest and administer the event etc. It is not clear at this stage that it could be adequately resourced within existing staff and budgets</p>
<ul style="list-style-type: none"> <li>• <b><i>What needs to be done to identify the level of resource necessary both in financial and staff terms?</i></b></li> </ul>
<p>Answer – the summit will require initial meeting, potential to look at external provider(s), initial discussion with key stakeholders</p>



- ***Are any approvals needed to provide these resources?***

Answer – there is no budget to support a summit this currently, so will require some approval

- ***Will this require reports to be submitted through Scrutiny and the Executive? If a Supplementary Estimate is required, Full Council approval will be required too.***

Answer – not thought likely at this stage

**Likely timescale involved –**

Earliest delivery for a summit would be late autumn 2022



## **Full Council Meeting – 5 July 2022**

### **Report of Councillor Federica Smith-Roberts – Leader of the Council**

#### **Armed Forces Day**

On Mon 13 June Somerset West and Taunton Council showed its support for the Armed Forces by holding two flag-raising ceremonies. The flag will be flown leading up to National Armed Forces Day on Saturday 25 June. One service was hosted at Deane House in Taunton and one at West Somerset House in Williton. I was very pleased to be asked to read the hymn/prayer 'The Falklands Hymn'. I look forward to the Somerset Armed Forces Event on 2 July.

#### **Town and Parish Council Election 5 May**

110 people were elected for County Council seats. Councillors representing their communities on town and parish councils will serve a five-year term, bringing these elections into line with county elections going forward.

For their first year, the elected councillors will take responsibility for all current County Council services and oversee the local government reorganisation to establish a single unitary council on 1 April 2023.

From 1 April 2023, the 110 councillors of the unitary council will be responsible for services that are currently delivered by the county and four district councils, ranging from adults and children's social care to highways and housing, and from libraries to planning and licensing.

District councils will remain until 31 March 2023 and the councillors serving on them will continue in their roles until that date.

#### **Annual Council – Final Year Appointments**

The Annual Meeting of Somerset West and Taunton Council was held on 24 May, when the Chair and Vice-Chair were elected along with the portfolio holders.

Somerset West and Taunton Council will remain a sovereign council until 31 May 2023. From 1 April, a single unitary council will be responsible for services that are currently delivered by the county and four district councils.

#### **Annual Plan – April 22 – 31 March 23**

The Annual Action Plan 2022/23 outlines what the Council aims to achieve by 31 March 2023, in order to support the delivery of these priority strategic themes and outcomes.

The Plan doesn't contain everything we do, but sets out at a high level, the key projects and actions outside of our core work, that we intend to focus on during the

12 months from 1 April 2022. These are in addition to delivering excellent day to day services on which our communities rely.

The Council will formally report on the progress of the Annual Action Plan twice a year as part of its performance management arrangements.

I have included the link to the Annual Plan for 2022/23 here [Annual Plan \(somersetwestandtaunton.gov.uk\)](https://www.somersetwestandtaunton.gov.uk)

For a real work lived experience of that Annual Plan in action I'm sure you will have seen the ongoing work at Firepool, the environmental improvements at Vivary Park and other outside areas and our ongoing commitment to work with our Parish and Town Councils, where we have funded works that benefit the local communities they serve.

### **The Queen's Platinum Jubilee**

On 5 June Somerset West and Taunton Council put on a party in Vivary Park to mark the Queen's Platinum Jubilee which included the Big Lunch and activities and attractions for the whole family. SWT decorated the district with red, white and blue planters and hanging baskets filled with plants from its own nursery. A whole host of commemorative events were held including a Beacon Trail in Taunton.

### **LGR**

LGR is continuing as a collaborative effort between the 4 District councils and the County Council as we head towards vesting day. Now that the elections have taken place, the pace will now pick up as the new administration sets out its plan.

My involvement will continue as Leader of SWT through the Implementation Board and most recently as a consultee for the recruitment of the new Chief Executive Officer.

### **Switch Inward Investment Launch Event**

On 12 May I attended the launch of the SWT new inward investment campaign to put the area on the map with future business investors. The campaign is backed by business leaders and is being delivered to promote the area of Somerset West and Taunton as a key business destination, rich in growth and innovation opportunities. The SWITCH campaign demonstrates that, in terms of opportunities for business growth, Somerset West and Taunton is a very viable alternative to locations such as Bristol and London.

### **Royal Garden Party**

On 17 May I was delighted to represent SWT at the Royal Garden Party, it was truly a memorable experience to see both behind the scenes of Buckingham Palace and to meet people from different sectors of society who all contribute to the different organisations that they are involved with.

# **Full Council Meeting – 5 July 2022**

## **Report of Councillor Derek Perry – Deputy Leader, Sports, Parks, Leisure and Phosphates**

### **Parks and Open Spaces**

#### **Green Flag Awards and in Bloom**

1. All of the Green Flag judging has taken place in early June with some additional blind judging to be completed. The results will be announced later this year. Minehead, Wellington and Taunton have In Bloom judging in July. The team have been working with the BID in Wellington, Taunton and Minehead, and with the Wellington and Minehead Town Council, both have invested in additional bedding plants and new planters.

#### **Park Improvements**

2. The fountains in Vivary Park and Wellington Park have been repaired and are all working well now. The Vivary Park footpath replacement programme works are underway. All works are due to be completed before the end of June. The contractor is working around all of our event dates programmed with regular updates to the public being completed.

### **Leisure**

#### **Leisure Centres (Everyone Active)**

3. The contract has surpassed the 5,000 members total for the first time since the start of the covid pandemic which is a positive sign of recovery. The contract continues to face substantial financial challenges whilst it recovers after the Pandemic. This situation has been compounded by rising utility costs.
4. The recent traveller incursion at Blackbrook Sports Centre created challenges for the effective management of the facility. This latest incident involved significant anti-social behaviour both inside the Centre and in the grounds where the caravans were located.

5. The replacement of the pool drainage gullies at Taunton Swimming Pool is scheduled to start at the end of August and will take 10-days to complete – the pool will be closed during this period.
6. The Bi-Annual Everyone Active report will be presented at Community Scrutiny on 27<sup>th</sup> July 2022.

### **Leisure Projects**

7. Ongoing discussions are taking place between the Council and the LTA (Lawn Tennis Association) to agree funding to refurbish the Tennis Courts at Vivary Park and Taunton Green, Cheddon Road.
8. A project group continue to progress the feasibility of a Decarbonisation Project at Wellington Sports Centre. This proposal involves replacing the Roof to the Sports Hall and Swimming Pool, replacing the Air Handling Systems and replacing the existing gas boilers with Air Source Heat Pumps and a Combined Heat and power system. Whilst there are internal capital funds available external funding would be required to fulfil the objectives of the Project. At time of writing discussions are ongoing regarding an application for Salix funding.

### **Norton Fitzwarren Playing Fields**

9. A contract has been awarded to Carrick Leisure to deliver a new playing field at Norton Fitzwarren using S106 funding. The detailed design has been developed by the Sports Turf Research Industry. Whilst the project has outline permission, we are now awaiting detailed planning permission before the project can begin. The overall cost of the scheme is £500,000 and will include the creation of a full sized adult football pitch, a tennis court, multi use games area and car parking

# Full Council Meeting – 5 July 2022

## Report of Councillor Benet Allen – Corporate Resources and Communications

Please find below the relevant updated relating to each of the Corporate Teams providing the main support functions to the council.

### HR Team Update

#### Recruitment

During the last quarter, SWT budget was for 660 full-time equivalent (FTE) staff. The actual average for the period was 592.67 FTE with 67.33 FTE vacancies.

Of those vacancies many are covered by agency or contract staff in anticipation of LGR.

Month	Starters	Leavers	Turnover
January	8	4	0.67%
February	2	5	0.84%
March	3	4	0.68%

#### Sickness Absence

The level of reported sickness absence during the quarter was 3.89% compared to 3.34% in the previous quarter:

Personal and work-related stress continues to account for the largest amount of absence, making up 30% of all sickness, an increase from 25.43% last quarter.

Following sessions with MIND, Wellness action plans have been rolled out and we have re-engaged MIND for further support.

#### Service Development - People, Projects & Key Achievements

- A new Job matching process has been implemented to resolve legacy JE queries and a market factor review is under way.
- A new DBS process has been implemented and embedded as BAU
- IR35 status determinations are up to date and the process agreed for future appointments
- An updated OH process has been agreed and implemented
- A new recruitment approval process and induction process has been agreed
- All relevant policies and guidance have been reviewed

#### Priorities for 2022/3

- Delivering Recruitment within the constraints related to LGR
- Providing consistent high-quality service and advice
- Addressing all anomalies prior to LGR

- Supporting revisions to work practices for key employment groups at the Depot
- Enabling and Empowering Managers to effectively manage their team's performance
- Supporting Wellbeing

## **Organisational Development & Learning Update**

### Current Projects

- Key priority for L&D Team is compliance and mandatory training with particular focus on our trade and open spaces teams. This work is well underway and progressing well. We are also doing a significant push on our mandatory corporate e-learning modules.
- On-going training requests are being processed on a monthly basis. The apprenticeship levy is being utilised wherever possible and we are promoting any low-cost or free training that we are aware of through our partner organisations.
- The Leadership Development Programme is progressing well, with sessions 4 of 6 now completed. The feedback has been positive. We are now planning the second cohort for the autumn.
- Our Digital Eagles are continuing to support colleagues, customers, friends and family to increase digital awareness and confidence. They are now beginning to support the Digital and Change team on various upcoming projects.
- Corporate Team Awards have now been expanded to the whole organisation and are being coordinated by the People Business Partners.

### New Projects

- Interview training for all recruiting managers has been designed and will be delivered in late June. We are already fully booked and will have to organise further sessions.
- In the Corporate Area we are trialling some a new template for managing performance to increase the focus on wellbeing and development. Initial feedback is positive.
- We are building and launching new e-learning modules for Health & Safety Policy and Project Management.
- All members of the team are involved in various People LGR workstreams. Key areas of focus coming up are the Hybrid Working Strategy, cultural workshops and culture navigators, LMS system, and manager and employee change support.

### Key Achievements

- Training Needs Analysis activity has given us a clear picture of organisational training requirements, and these are now being actioned.
- Significantly improved data report for learning and development.
- Significant improvement in percentage completion of mandatory corporate e-learning modules.



- One of our apprentices is about to finish a Digital Infrastructure qualification. and last month we were involved in facilitating the National Apprenticeship of the Year event.

## **ICT Team Update**

### **Infrastructure Team - People, Projects & Key Achievements**

Work has started on the deployment of a major windows 10 update to all laptops to ensure compliance and security is maintained.

A review of current printing arrangements is being undertaken to ensure they are still appropriate and provide value for money.

### **Service Desk Team - People, Projects & Key Achievements**

Introduction of a new starters/leavers process.

### **Applications Team - People, Projects & Key Achievements**

Projects

- Sergio WS Land charges moves to Acolaid completed (04/22)
- EPRF interface created for Firmstep form, form now live.
- Mod.gov Upgrade & SQL Move completed.
- Heavily involved in Energy rebate scheme works.
- Interfaces for Ukrainian home payments.

## **Governance Team Update**

- Administered the May 2022 elections for the 15 divisional ward areas sitting under the SWT area, plus 12 contested Parish Council/Parish Council ward areas.
- Worked with colleagues at SCC on Member Inductions.
- Continuing to balance delivering business as usual in terms of our committee timetable with the work of the Governance LGR workstream.

In terms of the Community Governance Review for Taunton:

- An extraordinary SWT Full Council meeting took place on 3rd March 2022 which considered, took into account and publicised the results of the first stage of consultation, and then sought approval for the Working Group's preferred option for Taunton and the area under review to be subject to a second round of consultation.
- The second stage of consultation will be held for six weeks over 14<sup>th</sup> June 2022 – 26<sup>th</sup> July 2022.
- For updates, please follow <https://www.somersetwestandtaunton.gov.uk/cgr/>

## **Change & Digital Team Update**

Current projects and achievements

## Power Platform

- The project has been successfully completed and the 3 solutions have been deployed and are being used.
- The main benefits have been identified including automation, ownership, traceability, speed of development.
- Work has begun on socialising the benefits and the opportunities in order to identify potential projects and grow skills.

## Digital & Change Intranet Site

- A new intranet site has been built and launched which includes lots of helpful information, learning resources, information about our work and a form that enables people to submit digital ideas.

## Information Management Team Update

- Information Management Policies (x3 – Information and Records Management Policy, Digital Information Policy and Digital Information and Records Management for Councillors Policy) going through the July Executive cycle for sign off.
- Paper Records Project – advertisement for paper audit resource being drafted, met with SCC Records Manager to align process of storing records and system used.
- Retention and Disposal Schedule – will be expanded to encompass all line of business systems, currently SharePoint and Paper.
- Work continuing under LGR Information Governance sub workstream and LGR Records Management sub workstream.

## Business Analyst Team Update

Throughout the last 3 months the Business Analysis team have taken the lead and supported the delivery of the following solutions:

- Homes for Ukraine 'Thank You' payment process – The Business Analysis team took the lead in developing process which has subsequently been adopted by all districts and County. The form was developed in Firmstep allowing customers to regularly claim the government grant.
- Annual fee changes have all been completed from 01/04/2022.
- HMO licensing application form published.
- CTax Energy Rebate form developed.
- Electronic Payment Request Form (EPRF) delivered using Firmstep.
- Power Platform case study pack for 4 pilots.
- Nursery website and payments development.

## Health & Safety Team Update

- A revised H & S Policy was approved by SMT and H & S Committee; as recommended in the last SWAP audit, the policy now includes an A – Z arrangements section. Work continues to develop an e-learning function to

communicate the policy to the workforce and to gather acknowledgement declarations.

- A Power BI report was developed to summarise the progress delivered within the H & S Improvement Plan; this data continues to be reviewed at Tier 2 H & S Committee.
- Power BI Reporting has been developed further to illustrate dashboard/scorecard reporting for each Directorate, this is reviewed at Tier 2 & 3 H & S Committee meetings and summarises observations and recommendations applicable to previous months' data.
- Risk action plans for all service areas focused on the completion of generic risk assessments; completion statistics continue to be reviewed at the month H & S Committee meetings.
- Initial meetings commenced in connection to the next SWAP audit (Q2); evidence of delivered actions has been submitted for review and feedback.
- The Contractor Management exercise (part of the H & S Improvement plan) focused on CIS (Construction Industry Scheme) type contractors; these being rated as higher risk. Vetting processes include checks against standard H & S documentation and insurance criteria.

Alongside the day-to-day work of each team, we also have one major programme sitting within the team which I also wish to update on.

## **Service Improvement and Efficiency Programme Update**

The current projects within the programme are;

- Revenues Enforcement Project - this continues to deliver well, in the first 4 months it has delivered more cashable benefits than anticipated - additional collected and retained income of £203K against an initial forecast of £90K-. We have also been able to review the 22/23 benefits and reforecast accordingly.
- Excellence Framework Project – over 30 Teams are now engaging with the tool and an increasing number of support materials are being made available via the intranet site. Individual team support is provided on demand with the goal of moving all those engaged teams from forming to Good through this year.
- Change and Improvement Capabilities Project: A team of Excellence Champions is now identified, and development is ongoing with their expertise being utilised on varying improvement opportunities.

We have also launched one new project in the quarter;

- Customer Experience Improvement Project
- This will initially include a complaint analysis piece which is ongoing, with several quick wins and actions emerging.

## **Finance**

## **Finance and Procurement**

Following the approval of the 2022/23 Budget by Council in February the finance and procurement service has continued to focus on delivering effective financial control and compliance, ensuring we are in a good position for the transition to the new unitary council next year.

Many staff from both finance and procurement teams are continuing to deliver key activities through the LGR Finance Workstream as well as maintaining SWT 'business as usual' and I would like to thank all the staff for all their hard work as they navigate this important balancing act.

As is usual at this time of year a primary focus has been delivering financial year end including reporting our final position and performance against budget and preparing the annual financial accounts ready for review by the external auditor. This has progressed to plan with the Draft Statement of Accounts expected to be approved by the S151 Officer before the end of June – a great achievement.

We end the financial year in a good position financially. We have managed various financial risks well during the year and remained within budget in both the General Fund and Housing Revenue Account and maintained healthy reserves that provide ongoing resilience to future financial risks such as rising inflation and interest rates. Detailed end of year financial reports will be presented to Scrutiny and Executive committees this month with the various facts and figures provided for public review. The external audit year end review will also start this month with the audited accounts and external auditor's report due to be presented to Members in September.

## **Communications**

The communications team has been key in supporting and promoting two landmark occasions in the first half of the year – the elections for the new Somerset council and celebrations to mark the Queen's Platinum Jubilee.

The district and county councils worked together to ensure voters were well-informed about the elections for Somerset with the creation of a new, unitary council in April 2023 – the first major change to the way the county is governed in almost 50 years. Regular and timely messaging was issued reminding people to register to vote, outlining key dates and deadlines, and signposting to information on the website about polling stations and persons nominated. The communications lead played a crucial role at the count, looking after national and local media at the venue and ensuring results were shared accurately and quickly.

Communications worked closely with teams across the council to promote initiatives and events marking the Queen's Platinum Jubilee. Early collaboration with the events team ensured a steady flow of information across our media and social media channels for a host of interactive trails and activities, culminating in the Big Jubilee Lunch. The free event in Taunton's Vivary Park was officially opened by the Mayor of Taunton and was a resounding success showcasing an array of concert bands, creative groups and entertainers in our award-winning park with photos and videos on social media.

Communications were able to support the climate and open spaces teams to co-ordinate, record and publicise the planting of 190 trees across the district as part of the Queen's Green Canopy. The nationwide project was marked by dignitaries from across the county coming together as part of the National Association of Civic Officers Tree Planting Day, to plant the final trees and unveil commemorative plaques. Taunton, and its surrounding towns and villages, was subsequently recognised by the Lord Lieutenant of Somerset for planting 2,437 trees for the project - the most in the county.

There has been plenty of business as usual for the communications team with lots of Council initiatives, messages and events to publicise.

We have been keeping people up to date with the new partnership aiming to crack down on littering in the district as part of the ongoing commitment to help keep our streets and public spaces free of litter.

We have been providing clear information and updates about the the energy rebate scheme to provide financial support to households to help with rising energy bills. Information ranging from eligibility, when to expect payments, how to sign up to direct debits, and warnings about scams has been issued across all our channels.

We have also been explaining the proposed changes to local governance arrangements identified by the Community Governance Review Working Group and encouraging participation in the the second stage of public consultation.

The Council's commitment to working towards carbon neutrality by 2030 continues to create positive news for Somerset West and Taunton, which was ranked as the top performing district council in analysis by the campaign group Climate Emergency UK at the start of the year. We have announced the launch of a new round of grant funding to support the installation of electric vehicle charge points; details of a new Grassland Management Strategy to ensure that mowing routines support the climate and our ecology; and the new Woodland Creation Officer post funded by the Council and hosted by the Exmoor National Park Authority to support the delivery of local and national tree planting and nature recovery targets. SWT's Climate Positive Planning guidance has been shortlisted in this year's Royal Town Planning Institute (RTPI) South West, with the results expected in July.

There has been good news to share for our coastal communities as well with work progressing to build the first council homes in West Somerset for over 30 years progressing at Seaward Way, Minehead; parking machines being updated in the West Somerset area; and funding from the Department of Levelling Up, Housing and Communities going towards two new changing paces toilets - one in Minehead and the other in Taunton.

The team continues to work with the other district councils and the county council to issue communications on joint initiatives and delivery of the new Somerset Council. Recently we have reported on the executive appointments following the elections and a new webpage set up to provide information and support for Somerset households who have volunteered to sponsor Ukrainian refugees.

Somerset West and Taunton and Sedgemoor District Council are working together on joint proposals outlined in an *Ecological Emergency Vision and Action Plan* which set out the Councils' ambitions to deliver ecological enhancement and protection through a framework of key actions and projects.

The two councils have also teamed up with the Heart of the South West Growth Hub to organise an event specifically designed for businesses in the food and drink sector.

We have also been able to show how partnership working is delivering for the people of Somerset West and Taunton.

Backed by key business leaders, the Council has launched an exciting new inward investment campaign to put the area on the map with future business investors. The SWITCH campaign is being delivered to promote the area of Somerset West and Taunton as a key business destination, rich in growth and innovation opportunities. The Council has also commissioned Visit Exmoor and Visit Somerset to develop and host an online platform, which enables event organisers and representatives from towns and villages across the district to submit information about local events via an online form.

The Civic Office has been supporting the Mayor of Taunton and the Chair of SWT to carry out a variety of engagements including the Jubilee Service of Thanksgiving and the Big Jubilee Lunch; and the Armed Forces Day flag raising ceremony both of which generated lots of positive feedback and 'thank yous' from participants and the community.

Plans are now underway to mark Emergency Services Day, Remembrance, and Trafalgar Day parade in October.

Following the Peacocks' unforgettable 2021-22 campaign, the Mayor of Taunton is also hosting a table at the Taunton Town Football Club Champions Dinner marking its 75<sup>th</sup> Anniversary.

Internal Communications has been working to make sure employees are aware of the support and resources available from Care First, and the monthly Nutrition and Wellbeing Workshops; as well as ensuring all vacancies are on the intranet and that news content is current and accessible.

Videos have been created for various teams and projects including Health and Safety, HR, Internal Operations and Housing. Internal communications has also supported several campaigns including International Women's Day, the Climate Team Travel Survey, and the Employee Awards; as well as overseeing staff engagement and accessibility with the intranet.

# Full Council Meeting – 5 July 2022

## Report of Councillor Chris Booth - Community

### One Teams and Community Outreach

#### West Somerset

##### Crimestoppers - What Would You Do? (WWYD?)

A community project was showcased on Monday 20 June at the Regal Theatre Minehead, in partnership with Avon and Somerset Police, Crimestoppers, Unique Voice, Minehead Eye and local schools.

The WWYD? programme has over the last few months been empowering young people at Danesfield Church of England School, Williton to cope with some of the challenges that they face today in their community. The children have been creatively exploring how to speak out and stay safe when it comes to crime through weekly sessions with the talented drama company 'Unique Voice'.

This follows on from a very successful project that was carried out in North Taunton last year, and it is hoped to roll out further programmes in the future. It will also provide an opportunity on the night, for families to see and access a range of local support on offer, from a variety of local organisations.

##### Exmoor Area – Local Community Network Pilot

The Exmoor Area Panel meets quarterly and we are providing administrative support to the Local Community Network pilot for the Highways sub-group. (This is one of four pilot schemes being rolled out across Somerset making sure that local areas will have an ongoing voice when the new Somerset Council replaces the current county and district councils in 2032 and is the only one to be taking place in our district). This is progressing well as the Exmoor communities are coming together to work on highways projects and deliver services at a more local level. A devolved budget has been agreed and a Highways Steward appointed as part of the initiative. A great deal of work has been done to lay the foundations and some projects have already been achieved.

#### Wellington

Wellington One Team organised an Easter Wacky Wednesday at Wellington Park on 13 April from 11.00 – 12.45.

The event had been meticulously planned with a booking system put in place. There was a massive response to the event which led to the bookings having to be closed nearly a week before the event. As always, the aim of the event was to provide those families with young children with the opportunity to enjoy activities in the outdoors in a relaxed way. A barbecue was provided along with other refreshments. Due to the generosity of a local business all attendees were provided with a ticket for an Easter raffle.

The Wacky Wednesday subgroup planned the day and thanks go out to all involved in this. On the day numerous agencies attended and provided many activities for children and their parents. There was also an information stand where agencies could make the Community aware of what was available for them. A children's entertainer was also booked, and Police Horses made an appearance.

Many thanks to all of those involved with the day including Somerset West and Taunton Council, Police, a large contingent from Churches Together, Street Pastors, Parent and Family Support Advisors, Waterloo Road preschool, Nynehead preschool Live West, SASP, Growing Minds, Library Services, Reminiscence Learning, Everybody Active, Local Councillors, Wellington Foodbank and numerous volunteers..

In total over 400 people attended the event including helpers. After registering the families were able to enjoy food and refreshments, a children's entertainer, Sports Activities, Messy Play, Numerous craft activities, Mini Golf, Splat the Rat, access to a Police Car, a smoothie Bike, face painting and many other craft activities and attractions. Special thanks also to Avon and Somerset Police for arranging for two Police Horses to attend and to Bob House from Churches Together and Marion Vincent from Growing Minds for all their work in ensuring that the event went off so smoothly.

Many thanks to everyone involved in making this event so successful and to all the families who attended on the day.

### **North Taunton**

- Youth crime continues to be a concern, which, generates a lot of negative comments on local social media. SWT ASB officers are working with partners and have issued some of the households with warnings and Acceptable Behaviour Contracts.
- The Pantry Rowbarton has full membership and a waiting list, the coordinators have been concerned about fluctuating amounts of food provided by FairShare and value for money for those in need. Local Pantries Scheme Project Manager and I have met with them recently to offer them further support.



- Priorswood marked the Jubilee by hosting a family arts and craft activity session at Priorswood Library, a production in Lyngford Park by The Bluebirds Theatre Group and a party at St Peters & Wellsprings Churches.
- Discussions are ongoing between The North Taunton Partnership and SWT about possibly taking on the running of the new community facility being built in the first phase of the North Taunton Woolaway Project (NTWP).
- The NTWP hosted a Careers in Construction event in March with employers and training providers at St Peters Church.

## **Halcon**

### **Halcon One Team**

Multi agency case management continues to meet weekly via Microsoft teams. Focus has been on multi agency responses to increased ASB and criminality amongst young people.

### **Halcon Skateboarding club**

Due to the success of last years pilot we are now running two groups a week, juniors 5-10yrs and seniors 11-16years. We run the juniors at the All Saints Church Hall and with the good weather arriving we have been able to run the seniors at Hamilton Park Skate park for the last 6 weeks. Additional funding has been applied for to ensure we are able to continue the club over the next 2 years.

### **National Citizens Service volunteers**

We are again collaborating with a group of young volunteers who are looking to do some community-based work to improve our green spaces and streets. We have a number of local options that are yet to be confirmed but we are confident the volunteers will do a great job as they have before.

### **Hestercombe House**

We will be running some taster sessions at Hestercombe House where young volunteers will be experiencing wood craft skills and nature identification. The group will then progress through a number of workshops to produce 'bug hotels' and other sculptures to be located in greenspaces within East Taunton.

In addition to this we are planning to run small groups from our area up to Hestercombe House to enjoy the gardens and facilities over the summer.

## **Building thriving communities (Barclays bank/Link Centre)**

The initial hardship grants have now come to an end. We were able to award £100,000 in grants to over 125 individuals and families across Taunton. We hope that, due to the success of these awards, that the Link Centre will be issued with further funds to distribute later this summer that have been underspent elsewhere in the country.

## **SWT Cost of Living Emergency Fund**

You will have seen from the motion to Council that we are working with Taunton CAB to administer a £50,000 support fund to help local people in Somerset West and Taunton. This will be advertised via both our CABs and through the Council. The terms and conditions for how one is eligible and how to apply will be made public by the beginning of August.

## **CCTV**

The CCTV estate has been reviewed and initial report put forward for consideration as to the feasibility and scope to upgrade the cameras and communications. This review included obtaining Data Protection and Privacy Impact Assessment for Taunton, Wellington, Watchet and Minehead to check the compliance of each camera.

A technical consultant is now finalising a report into delivering a cost effective, integrated network of digital CCTV cameras that will compliantly deliver the current and future needs for our communities and our key partners.

The recommendations will be considered by SWT as part of the committee cycle.

## **Somerset Health & Wellbeing Board - Living with Covid Update**

Pandemic declared on the 11th March 2020, Somerset County Council and partners involved in major incident response.

A Covid-19 health protection board and engagement board have met regularly throughout pandemic.

21st February 2022 - Living with Covid-19 plan published by UK Government.

14th March – Last meeting of Somerset Covid-19 Engagement Board agreed to stand down and to transfer oversight of next phase to be provided by Health & Well-Being board.

The Association of Directors of Public Health (ADPH) response to 'Living with Covid19' Plan:

- 'Covid-19 is not over and achieving elimination is unviable in the short term'
- 'There remains a degree of unpredictability about the course ahead... we can expect further waves of transmission'
- 'Disadvantaged areas are likely to be more at risk from outbreaks and prolonged disruption.'

Current guidance:

- Wearing a face covering in crowded areas, such as on public transport.
- Good hand and respiratory hygiene.
- Effective ventilation of indoor spaces.
- Taking part in the vaccination program.



# Full Council Meeting – 5 July 2022

## Report of Councillor Dixie Darch – Climate Change

### Launch of Climate Change Newsletter

A regular Climate Change newsletter, bringing together actions by SWT and other climate change related events and developments, is currently on its second edition. Interested parties can subscribe via our website . [Climate change newsletter \(somersetwestandtaunton.gov.uk\)](https://www.somersetwestandtaunton.gov.uk) This has the advantage of bringing separate comms items together in one document for those who are interested, with back copies also available on the website. Current subscriptions are encouraging and we hope this will increase further.

### Final Funding round for Electric Vehicle Charge Points for Parish and Town councils and community organisations

A final round of grant funding to support the installation of electric vehicle charge points (EVCPs) across the district has been launched. A number of parishes have already installed EVCPs following successful grant applications in the initial round of funding from SWT including Brushford, Luxborough, and Stoke St Gregory.

Applications from parish and town councils and community centres are welcome before the 30 September 2022. Grants up to £1,500 in match funding for EVCPs are available.

For more information please contact Franc Parreira on 01984 600205 or email [f.parreira@somersetwestandtaunton.gov.uk](mailto:f.parreira@somersetwestandtaunton.gov.uk)

### E-Scooter trial

A report on the e-scooter trial went before Community Scrutiny on May 25. The report and presentation included information on usage to date, including day/nighttime usage, age of riders, journey flows and estimated carbon savings. It also provided updates on changes that have been implemented throughout the trial, as well as data from Avon and Somerset Police related to incidents and accidents.

The report also included a section on the future of escooters; and made reference to the Queen's speech which announced the government's intention to introduce legislation on the future of transport as part of a transport bill.

### Aims of the Bill

- Create new regime for regulating micromobility

- Create a new, low-speed, zero-emission vehicle category
- Establish regulation ensuring safety for users, pedestrians, and other road users
- Give powers to local transport authorities to shape and manage rental operations, for pedal cycles, e-cycles, and scooters

## Decision Making

- DfT will consult publicly before any regulation for scooters and the rental schemes are made
- There will be no final decisions until the transport bill becomes law

## Trial Status

- Current regulation for rental scooter still apply
- Private scooters remain illegal to use on public roads
- Trials will continue to run until 30 November 2022
- No decision has been made about what will happen to trials after that date

### Taunton Weekly Insights 13/06/2022 – 19/06/2022

	This Week	Last week	Cumulative
Total Number of rides	1,114	1,211	98,836
Total distance travelled	1,727 miles	1,946 miles	191,696 miles
Average trip length	1.55 miles	1.61 miles	2.05 miles
Average trip duration	0:11:59	0:12:48	0:15:25
Average Speed	7.76 mph	7.53 mph	7.97 mph
Total time spent on scooters	222 hours	258 hours	25393 hours
New users	100	106	12,962

### Minehead Weekly Insights 13/06/2022 - 19/06/2022

This week:

	This Week	Last week	Cumulative
Total Number of rides	587	605	23,065
Total distance travelled	766 miles	771 miles	35,032 miles
Average trip length	1.31 miles	1.27 miles	1.64 miles
Average trip duration	0:15:22	0:14:55	0:16:08
Average Speed	5.1 mph	5.13 mph	6.09 mph
Total time spent on scooters	150 hours	150 hours	6203 hours
New users	282	220	9,080

## SWT and SDC Partnership

Officers within the partnership are supporting SDC with their EVCP roll out, Phase 1 roll out having been completed in SWT apart from Swain Street in

Watchet, which is due to be completed soon.. Price per kw has risen from 30p to 45p per kw in response to rising electricity prices. This will be reviewed.

Baseline data on corporate carbon emissions is being collected for SDC while SWT is on Year 2 assessment. Both councils will be using the LGA Greenhouse Gases Toolkit assessment tool. This helps us measure our progress in reducing emissions.

### **Ecological Emergency Vision and Action plan**

As part of the SDC and SWT Partnership, a joint Ecological Emergency Vision and Action Plan has been drafted. Member involvement from both councils has fed into the strategy and action plan, which has been positively received at both Scrutiny and Executive.

### **ENPA Partnership**

The tree planting partnership with Exmoor National Park has now been signed.

### **National Tree Week 2022**

SWT is once again offering Parish Councils, Town Councils and Community Groups across the district free trees as part of its commitment to work towards carbon neutrality and climate resilience by 2030.

To date SWT have provided nearly 400 free trees to Parish Councils, Town Councils and Community Groups for planting, this year the hope is to plant even more. Trees, stakes, ties and guards will be delivered in time for National Tree Week from 26 November to 4 December 2022.



Once the scheme is open there will be a variety of bare root trees to the value of £100 to choose from. These need to be ordered ahead and will be available for collection within an allocated time slot.

If you have any queries or questions please contact Barry Hawkins, Project Manager on [b.hawkins@somersetwestandtaunton.gov.uk](mailto:b.hawkins@somersetwestandtaunton.gov.uk)

### **Low Carbon Retrofit Homes**

The Council own around 5700 homes which account for about one third of all carbon which Council assets generate. Reducing the amount of heat homes require through better insulation and then switching fuels away from fossil fuels will move the Council towards its ambition of zero carbon. SWT received Social Housing Decarbonisation Wave 1 Funding earlier this year towards delivery of low carbon retrofit to 32 units.



The Council is using Wave 1 funding to test its approach to low carbon retrofit and the potential for some of the properties to reduce their fuel usage by up to 70%. The housing directorate will present to a future full Council a low carbon retrofit strategy and a delivery plan outlining the steps and investment required to achieve 2030 and 2050 targets.

The service is working with tenants as we develop its approach. Our residents will be involved in helping to develop our engagement process when delivering works, including performance monitoring, before and after works.

### **Somerset Waste Partnership Fixy Mobile repair van**

SWP's mobile repair van is now up and running. Named Fixy McFixface in a public vote, the van boasts a solar power supply and offers a portable appliances testing service (PAT) to give fixed electricals a safety check. The Fixy project is being delivered by SWP in partnership with [Resource Futures](#) and [Donate-IT](#) with grant funding from [Ecosurety Exploration Fund](#).



### **Water refill stations**

The refill station in Wellington has now been installed and is going through a period of testing before is it switched on for public use (Taunton and Minehead already in operation). Data on water usage in Taunton and Minehead refill stations suggest there has a been a big saving on purchase of disposable water bottles.



# Full Council Meeting – 5 July 2022

## Report of Councillor Caroline Ellis – Culture

### Cultural Development Team – Annual Update

The Cultural Development Team was created in November 2021 with the key objective to deliver the SWT Cultural Strategy as adopted by full Council on 7 September 2021. Since November, the team has gone from strength to strength and is already making a real difference to the communities in our District in respect of the arts and culture offering and support provided. Below is a snapshot of just a few of the team's achievements to date:

- **Re-invigorated Cultural Forum** - The Cultural Forum is an arena and opportunity for our trusted stakeholders and partners to come together to network, support and ensure that Arts and Culture is firmly on the agenda for our District going forward. The forum meets quarterly and presents the space to collaborate, share ideas as well as giving SWT the opportunity to present essential updates and information relating to the sector. (Newly elected members are very welcome to join)
- **Stakeholder Sub-Group Meetings** – we have established four Cultural Sub-groups to meet with partners and stakeholders on a regular basis. These groups focus on Public Art, Events, Creative People and the Cultural Heritage Assets Taunton (CHAT) group that includes key stakeholders such as The Brewhouse, Museum of Somerset and Halsway Manor.
- **Regular Newsletters/Communications** – we have established strong links with stakeholders and partners and now have a mailing list of over 90 stakeholders.
- **Cultural Funding Support 2021/2022**– the team is now pro-actively liaising with potential projects where funding and support is sought.

Supported and funded projects for the last financial year included:

- Arts Taunton – Taunton Youth Culture and Arts Festival (TYCA)
- Wellington Film Festival
- Pride 2022
- Museum of Somerset – (Sunday opening trial from Oct 21 – Mar 22)
- Take Art Rural Touring Programme
- Museum of the Moon Art Workshop
- Flook House Arts Hub – addressing the lack of artists' studios in Taunton and provides a base for community art activities
- Creative People Workstream – looking at the provision of a digital Arts Hub for young people
- Jubilee Activities – GoCreate – Children's Art Workshops
- A Creatives Funding Workshop
- Sound of the Streets Festival
- The Regal Theatre – support for new programming.
- Through the 'Art at the Heart' scheme a range of community arts projects by groups such as Somerset People's Theatre, Moorvale Creative, Southern Sinfonia and The Milverton Trust
- Core funding to Taunton Brewhouse (Roundup of key achievements in delivering creative experiences for the community and audiences across the district and indeed wider region sent to all members in April)

- Hestercombe Art Gallery

- **Events** – the Cultural Development team works closely with the SWT Events Co-ordinator and Town Centre Resilience and Transformation Officer to ensure the SWT events calendar links in with Cultural Strategy. Recent support and events that the Cultural Development team have been involved in are as follows:
  - Supporting the roll out of the new SWT 'What's on Events and Things to Do' portal.
  - Supporting the Museum of the Moon installation in Taunton - March 2022.
  - Leading on the Big Jubilee Lunch and cultural offering in Vivary Park with the Events Team on 5<sup>th</sup> June 2022.
  - Funding and supporting GoCreate to deliver free children's art workshops and creative activities as part of the Jubilee. Workshops were held in Flook House, Halcon and Priorswood (linking in with the One Teams) which were very well attended



More images can be viewed here:  
[SWT Events | Flickr](#)



(Images from the Big Jubilee Lunch in Vivary Park hosted by SWT)

**Local Government Re-organisation (LGR) Programme** – the SWT Strategic Lead for Culture is now engaged with the 'Culture and Universal Community Services' workstream of the county-wide LGR programme. Alongside this programme, plans are currently underway to create a Somerset

Wide Cultural Strategy with the ambition that the new Somerset unitary authority adopts the strategy. This project has been developed by the five local authorities in Somerset and should result in an exciting vision for the role of culture in our county. The most recent press release can be accessed here: <https://newsomersetcouncil.org.uk/arts-front-and-centre-thanks-to-funding-award/>

### **Future priorities 2022/23**

- The team continue to liaise with a range of cultural organisations and projects which are delivering towards the council's Cultural Strategy. Future reports will provide detail (including funding) as agreements are made.
- Cultural Forum Open Day – to be held September 2022 (newly elected members will receive an invitation). This will be a chance to review our progress and delivery a year since the adoption of the Cultural Strategy in September 2021.
- Various Public Art Projects to be completed over the next 6 months:
  - Working with Arts Taunton to commission a piece of Public Art in Castle Green, Taunton
  - Installation of the High Street, Taunton Public Artwork (Somerset Dragon Sculpture)
  - Working with Cotford St Luke Parish Council to ensure £32,968 S106 funding is spent on a piece of Public Art in the community by 08/03/2023
  - Staplegrove Bridge – working with Taunton School to create a mural/piece of Public Art on the Railway Bridge
- Heritage – ensuring the Agriculture Sculpture at Bedford House is protected and relocated
- Somerset Wide Cultural Strategy - <https://newsomersetcouncil.org.uk/arts-front-and-centre-thanks-to-funding-award/>
- LGR – ensuring culture and art is firmly on the radar.
- Gaumont feasibility study.
- Developing closer alignment between Cultural Development and other SWT functions – Tourism, Heritage, Community Development, Climate Change programme, Taunton Garden Town and Leisure.
- Government Shared Prosperity Fund: Culture team attended county wide workshops to help devise possible arts and culture projects for a potential £7.2m programme for Somerset.
- Innovation – ensuring the creative sector are engaged in all SWT and SCC innovation opportunities
- Public Arts Register

## Cultural Liaison and Events attended by the Portfolio Holder – Cllr Caroline Ellis

### Art highlights

- I met Brian Rice in Feb!! The Museum of Somerset's exhibition was awesome but so was the show at Taunton Library featuring the work of youngsters from The Taunton Academy and Bishop Henderson Primary School who, aided by artists Liz Hutchin and Keith Crocker produced fabulous abstract work inspired by him – another project and exhibition organised by the awesome Arts Taunton and TYCA.



- As part of Taunton Live and Pride, I attended the launch of Q Collaborative CIC's 'Connect' exhibition showcasing work by LGBTQIA artists from across the region, meeting some of the artists and catching up with Taunton based Zahra Hoccom who plays a major leadership role here, putting SWT on the map for queer creativity.

- Climate Curious, an exhibition held by Climate Action Taunton at the end of May was incredibly powerful – demonstrating the power of the arts to reflect and inspire environmental awareness and activity. Alongside stunning textile art by Sandra Leech and Alicia Merrett, Matthew Shooter's terrifying and fascinating 'Cider Sea and Bay of Avalon' map (post sea level rise), there were amazing climate action posters by students from Richard Huish College and digital stories with spoken word performances by young artists and local environmentalists talking about brilliant nature recovery and environmental stewardship projects. People could share their climate action stories from their own lives and localities too.

- Bridgwater & Taunton College's 2022 end of year Creative Arts exhibition comprised of an amazing array of projects by students from Level 1 Creative Arts right through to Foundation Degree level. Student art shows are just the best – just mind boggling the level of originality and creativity. There is an incredible amount of creative talent in the pipeline and our job is to ensure this district enables it to blossom so these young people can make their careers here.

### Community culture initiatives

- Seeing the work that Go Create and other creatives have done in transforming Flook House into an Arts Hub is such a thrill. They have barely even begun but already the Marriage Room has been transformed into a venue for community art activities, the once empty offices are now amazing art studios or home to theatre groups. This has such huge potential for the future!

- Recently I met the man behind County Classics Motor Museum, Patrick Hawkins, for a 'behind the scenes' tour of his amazing collection of vintage cars and motorbikes. He will also offer educational days and it is clear this is going to be such a great attraction, a cultural gem and boon for our town centre visitor economy. Patrick is hoping to open towards end July.



- I also met up with Patch Jobson to get the lowdown on Tone FM's ambitions for the future – quite apart from being a brilliant community radio station, Tone FM plays a major role in covering and promoting all things arts and culture, in giving communities a voice, being a lynchpin of community

events such as the fabulous Jubilee Party in the Park and providing students at Richard Huish with hands on radio experience, enabling them to produce regular shows.

### **Music highlights**

- During the Museum of the Moon's incredibly successful sojourn at Taunton Minster, a highlight was the Moonlight Serenade initially just featuring Simon Chalk of Southern Sinfonia and Ed Jenkins of Queens but a young home educated child by the name of Hussam stole the show taking to the grand piano for an impromptu solo and jamming with Simon and Ed who were blown away by his talent.
- Along with many other Members I attended the amazing, unforgettable fundraising concert for the Red Cross Ukraine Crisis Appeal at Taunton Minster at the end of May with the awesome Guy Robinson, Amici, Elizabeth Watts, Suzanne Manuel, Naomi Harvey, Olivia Mace and Iryna Ilnytska a mezzo-soprano from Ukraine whose performance brought the house down.
- I attended Taunton's new chamber choir Voce's first ever concert at St George's in Wilton in April - such a diverse programme from sacred works to pop and original compositions by Tauntonians to boot.
- Recently I went to my first Music on the Quantocks concert at St James Church, Taunton – The European Union Chamber Orchestra were amazing. I would strongly recommend getting on their mailing list email [quantocks@live.co.uk](mailto:quantocks@live.co.uk).
- Award winning musician Luis Martelo's Roots show at Taunton Minster was notable not just for the amazing music (the Minster transports music to a whole other level in my view) but for the way it highlighted the relationship between an outstanding artist and his community.

### **Our cultural heritage**

- In March Kubla Khan returned to Somerset!!! On loan from the British Library, Coleridge's masterpiece, penned in Culbone, the only known manuscript of the poem written in Coleridge's hand has been on display at The Museum of Somerset as part of an awesome exhibition that demonstrates the importance of Somerset in the romantic movement. 'In Xanadu- Coleridge and the West Country' continues to 25 June.
- As well as fantastic live music and comedy, the Creative Innovation Centre is the place to find fascinating talks on our cultural heritage – Tim Milton's talk "Maypoles and Mischief: Merrymaking and Mayhem" gave the lowdown on the fascinating history of local May celebrations.

### **Public Art highlights**

- In February, I watched Olivia Sanders's awe-inspiring Time and Place public artwork (consisting of ancient sandstone and hamstone obelisks) being installed at Quantock House and grabbed a chat with her in which she explained its genesis to me – this is council-required developer-commissioned public art and demonstrates the key role planning can play in boosting public art provision.

- Chloe and I visited Matt Crabb in his workshop near Fitzhead in March to talk about our public art commission – this amazing chainsaw artist has produced outstanding work for clients across the world and has brilliant ideas for putting Somerset on the map chainsaw art wise! We then popped to Brompton Ralph to see their amazing village mural created nearly fifty years ago – their local art group is still going strong and their mural has been cared for and is a stunning example of community public art at its best.



- The Museum of the Moon’s tenure at Taunton Minster was a roaring success – such a joy to see so many people streaming through the doors to bask in the glow of this incredible public art installation. We are scoping out with the team there what the next installation might be!

- Massive congratulations to Cllr Lithgow and colleagues at Wellington Town Council on commissioning Sam Gaden to create an amazing Jubilee mural, to all those involved in Stogumber’s supremely awesome Floral Cascade and of course to Wivey Square Post Box for another outstanding contribution to public textile art in relation to their stunning Platinum Jubilee Offering. Sam Gaden was also commissioned to create the Jubilee Emblem in Vivary Park for the Big Jubilee Lunch in Taunton.

### Theatre highlights

- TYCA was able to put on their outstanding (in both senses of the word) performances in March at Tacchi Morris and Taunton Brewhouse involving children of all musical abilities improvising with the world class Southern Sinfonia and local theatre and dance groups showcasing amazing devised theatre - a great testament to the values of self-expression, empowerment, joy and creativity underpinning the TYCA and Arts Taunton mission. Then followed an amazing Jubilee Jamboree at Taunton Brewhouse in partnership with Go Create where children from Bishop Fox’s and Lyngford Primary lit up Somerset Square with dancing queens, song and dance and enjoyed creative performances and workshops to boot. This enabled young people who would not normally get to perform to discover they not only can, but they are amazing at it!

- Taunton Brewhouse is THE place for extraordinary theatrical experiences and the Wardrobe Ensemble’s South Western a West Country Spaghetti Western with thrills, spills, pathos and hilarity and amazing folk music by Hannah Cumming & Jon Dyer did not disappoint. The Brewhouse celebrated its 45th anniversary in May with a lovely exhibition on its history, bringing back great memories for me, as I was brought up on Brewhouse theatre. Nowadays, the cultural offer is light years ahead of course with such a diverse programme, so many opportunities to ‘take part’ and develop creativity with the Distillery supporting the creation of exciting new material. Here’s to another 45 years of great art, creativity, music, film, theatre, comedy and dance in the heart of Taunton!

- I am a huge fan of the work of Somerset Youth Theatre and Selina Keedwell who is a genius at engaging the most disadvantaged young people in the arts and performance – we met a few weeks ago so I could gain a better understanding of their work and I am thrilled that they are now based at Flook House. Ditto I have had various discussions with Sarah Shorten of Stacked Wonky in Porlock who is similarly doing ground breaking work with young people (we are eager that Members get to experience their latest production as it involves interactive performances in town halls) and has set up a creative network now in Porlock. Abby and Richard of Tall Tails Theatre pictured





here brought one of their amazing shows to my garden in April for a home ed audience – they are another creative force to watch out for.

- I go to as many community based performances as I physically can manage for example Chameleon Theatre Company's latest family show – The Jungle Book, at Sheppy's (note it also runs at Oake Village hall on 13th and 14th August). Well worth getting on Emma's mailing list – [chameleontc@hotmail.com](mailto:chameleontc@hotmail.com).



## **Full Council Meeting – 5 July 2022**

### **Report of Councillor Mike Rigby – Economic Development, Planning and Transportation**

#### **A358 Taunton to Southfields dualling scheme National Highways Consultation**

The formal public consultation exercise for the proposal to improve and dual the A358 between the Southfields Roundabout in Ilminster and junction 25 of the M5 motorway, ended on 22 November 2021. The Council submitted its response as part of this process and this was reported in the March 2022 report.

National Highways are currently holding a further (non-statutory) consultation on the changes they have made since last Autumn's consultation exercise. This will run until Sunday 26 June 2022. Most of the changes relate to the technical detailing of the alignment of the road and other roads that feed into the new highway. These will largely be matters for the County Council to comment upon as the Highway Authority but it should be noted that it is now proposed to use a signalisation at the Nexus 25 junction instead of a roundabout. This is intended to improve crossing facilities for cyclists, pedestrians and other non-motorised users and the Council will be submitting comments in relation to this element. The amended proposals for the scheme as a whole also include new areas of planting and off-site mitigation. Officers are currently considering their response to these revised proposals and it is hoped that the three Councils (SCC, South Somerset and SWT) can produce a joint response to the overall package of changes now proposed. The comments by the Council to the original consultation exercise will still stand as well.

Following the non-statutory consultation period, the Council will engage with National Highways on the production of a 'Statement of Common Ground' between all of the affected Councils (Somerset County Council and South Somerset District Council). The three local authorities are currently working on this collaboratively.

It is now expected that National Highways will be in a position to formally submit their application for a Development Consent Order in late summer /early autumn 2022.

#### **Connecting our Garden Communities – active travel infrastructure for Taunton Garden Town**

A report on this project is due to be considered by Corporate Scrutiny Committee and Executive Committee on the 6 and 20 July 2022 respectively, seeking approval to consult on a draft plan. Assuming a positive resolution, there will then be a period of public consultation over the summer. For more information please see the upcoming agenda items.

#### **Strategic Solution to Phosphates**

As Members are aware, on 5 October 2021, Full Council approved an Interim Strategy of mitigation measures. A Planning Phosphates Sub-Committee has been

set up to oversee this programme. This Sub Committee has considered a number of officer reports on various matters and updates on the interim programme.

In mid March 2022 central government announced £100,000 grant funding, for each catchment area, affected by the advice from Natural England. For the Somerset Levels and Moors, SWT have acted as lead authority, submitted the grant bid and the funding was awarded and received in April 2022.

On the 8 June 2022, Natural England approved in principle the contents of the updated Appropriate Assessment on the interim phosphate mitigation strategy and this will be the subject of a detailed report to the Planning Phosphate Sub Committee in July 2022.

Work has also progressed on other projects associated with the interim strategy including the wetland scheme at Cotford St Luke where preliminary ecological assessments revealed that field survey work was required. This has been commissioned and implemented during Spring 2022. It is nearing completion. To date, no ecological constraints have been identified.

The next briefing and engagement event with development industry and key stakeholders is due to take on the 5 July 2022.

### **Neighbourhood Planning**

West Monkton and Cheddon Fitzpaine (WM&CF) Revised Neighbourhood Plan is at Examination stage following the Parish Councils confirmation that they wished the Revised Plan to be Examined in light of the Independent Examiners conclusion that there were significant and substantive changes which altered the nature of the original Neighbourhood Plan. The Parish Councils of West Monkton and Cheddon Fitzpaine have revised a number of policies in the Plan with the aim of: increasing the climate and ecological robustness, conforming with Taunton Garden Town Vision, supporting the Declarations of Climate and Ecological Emergency, and updating Local Green Space designations.

### **Town Centres health check**

To provide evidence for plan making, the Council has commissioned a report on Town Centre Health Checks for Taunton, Wellington, Minehead, Williton and Watchet; a review of the Retail Area Boundary Reviews for these towns; and consideration as to whether an Article 4 Direction should be made.

Stantec were appointed to produce this work. We have received a draft of the first and second outputs, which are currently being reviewed by officers.

### **Taunton Garden Town Infrastructure Delivery Plan and future stewardship arrangements**

Following procurement Ove Arup and partners were commissioned in October 2021 and work has progressed on the production of the Production of an Infrastructure Delivery Plan for Taunton Garden Town with draft chapters now being reviewed by officers. Further work on cost, apportionment and viability testing is underway and will inform the final IDP. Work on a Stewardship Report has also been progressing and

the consultants have reviewed the extent of remaining opportunities for the long term maintenance of community assets across the garden town sites and are currently compiling proposals for engagement with community groups over the next few months. Initial stages of work to scope the requirements of an online infrastructure engagement platform against existing commercially available products has also taken place and will inform engagement with potential suppliers

### **Taunton Garden Town – Governance**

A report is being prepared setting out a proposed governance structure for the Garden Town going forward to ensure collaborative working and effective decision-making among public and private sector partners and stakeholders. This report will be considered at a future meeting of the Executive.

### **Wellington Station**

Following the announcement of £5 million worth of funding from DfT's Restoring Your Railway Fund in October 2021, Network Rail is now leading on the project to deliver the station. The funding will be administered by Network Rail as part of the Restoring Your Railway, Rail Network Enhancements budget, and will enable the project to advance significantly through the next stage of project development and design.

The promoters, Somerset West and Taunton Council (SWT) and Mid Devon District Council (MDDC), continue to work with Network Rail, GWR and other stakeholders through the Working Group, Steering Group and Senior Stakeholder Forum. A programme for delivery of the station is currently being prepared in collaboration with Network Rail and is anticipated by the summer.

### **Firepool**

The LPA and Developer teams continue to meet regularly with regards to the development of a new Masterplan and Design Guidance for Firepool to resolve key issues and move things forward with a view to the LPA approving it as a material consideration in the assessment and determination of relevant planning applications. A series of workshops have been undertaken with key stakeholders to help support refinement of the Draft Masterplan which will be reported to members in due course ahead of public consultation. Planning applications for Block 3, and for the Trenchard Way access and levels and drainage across the site have now been approved.

### **Development Management Update**

#### **Recruitment**

Unfortunately no applications were received to the recent advertisement for the vacant Senior Planner and Team Leader roles and we therefore have looked to recruit agency staff. One agency worker started on 4 May 2022 to fill the Senior Planner role and the Team Leader role was filled on an agency basis on 1 June 2022.

The Service Manager has recently resigned and will be leaving the Authority in early August. This role is currently being advertised with a closing date of 27 June 2022.

## **Performance**

Workloads remain high due to the ongoing vacancies and absences due to personal circumstances and some long term sickness and reduced hours across the team, as well as no reduction in applications being received.

## **Active Travel Projects**

### **Future High Street Fund (FHSF) cycling and walking schemes.**

The active travel element of this grant allocation creates cycling improvement schemes that focus on delivering an enhanced cycle route between Taunton Railway Station, through the Firepool and Coal Orchard developments to Vivary Park with additional cycle parking. Although progressing well, the project is faced with significant challenges in terms of budgetary constraints. Costs have risen considerably since the initial 2019 bid application, as seen across the whole construction industry and continue to do so.

The pace of delivery remains a key consideration, with all FHSF spend required by March 2024 but the programme is progressing to schedule.

Consultation with SCC, RNIB and local cycling groups has been undertaken with further consultation to take place in the coming months.

### **Feasibility work - Cycling schemes**

SWT are continuing to work towards feasibility studies with local cycling groups and other stakeholders on cycling infrastructure projects in the District.

- Wellington to Taunton

Collaborative links have been established with key stakeholder groups, including TACC, Citizens UK, Somerset County Council, Wellington Town Council and other community groups. A dedicated committee working on the route has been meeting since March 2021. Feasibility work to assess the south side of the A38 between the Comeytrove and Chelston roundabouts shows a significant lack of highway boundary available to accommodate the route. Estimations show delivery of the central 4.5km section is likely to require multi-millions for construction, land purchase or lease agreements for multiple land parcels, in addition to funding for legal agreements. Officers continue to explore feasibility and seek any funding opportunities that are available.

## **Heritage at Risk Update**

### **Tonedale Mill**

The S48 Repairs notices have been served and discussions continue with the owners on their response to the notices and the emergency works required on site. In January 2022 SWT also issued a S54 Urgent Works Notice for urgent repairs to Block H at Tonedale Mill. This notice was not complied with and SWT have completed the works and handed the site back to the owners SWT officers are seeking to ensure the stabilisation of structures throughout the site with the owners.

## **Toneworks**

Phase 2 works are now on site for the next phase of targeted repairs using grant funding from Historic England.

## **Sandhill Park**

SWT continues to work with the new owners of Sandhill Park towards the necessary urgent works and long-term plans for the building's future. Emergency works have been deemed to have started by the owner and the Emergency works package is due to be completed in 2022.

## **Economic Development and Assets**

### **Major and Special Projects Update**

#### **Coal Orchard**

Since the last update in January, SWT have expended significant resource managing the fallout of the main contractor Midas failing to deliver on the fixed price contract and going into administration. Performance issues that were evident prior to this had led to the project being delayed and many sub-contractors had not been paid, despite SWT paying every invoice on time throughout the duration of the project.

Since then, SWT have directly appointed over 30 sub-contractors, the majority of whom were engaged in the project previously to provide continuity of delivery and knowledge of the works. Materials, design and as built records have been secured. Works have restarted across the site and with the vast majority of work to be delivered in the public realm and car parks, a target date of late July / early August is realistic, with a phased opening of the site leading up to that date. One of the major obstacles to setting a definitive project end date has been obtaining a new permit to work within 8m of the Environment Agency, with additional information requested over and above the previous permit. Discussions have been positive, and we hope to receive the permit mid-June to enable the works to the riverside steps and retaining structures.

With 37 of 40 apartments reserved or let, and live enquiries on the remainder, it is anticipated the remaining units will be sold in the summer.

We are dealing with a number of live enquiries for the commercial space, and will shortly be re-launching promotion of the units.

#### **Firepool**

#### **GWR building / cycle path**

The GWR Building continues to be used as a site office by the Innovation Centre contractor Wilmott Dixon. The temporary cycle path is open for the majority of the time, unless safe working distances from machinery and material movements necessitate a temporary closure.

#### **Digital Innovation Centre**

SWT are continuing to work in collaboration with SCC on delivery of a 2400m<sup>2</sup> Digital Innovation centre on the Firepool site, with construction activity now in progress. Civil and decontamination works started in October 2021, with a delivery programme of circa 18 months.

### **Infrastructure, Utilities and Flood work**

Planning permission has been granted for the Infrastructure work, with a start on site expected July 2022

Phase 1 of flood defence design work at Firepool Lock is due to be completed in Q1 2022, in collaboration with the Environment Agency and Canals and Rivers Trust. Public consultation for this work will take place later in 2022.

### **Block 3 (north of Canal Road)**

Planning permission has also been granted for the block north of Canal Road. Delivery of this element of the site will be coordinated with the works to the Innovation Centre opposite to ensure the two projects do not conflict or compete for space or access.

### **Boulevard & Public Realm**

A separate planning application for the boulevard and public realm works leading down to the river from Canal Road has been submitted.

### **Master Planning**

The Councils' development team continue to work closely with the Local Planning Authority to develop a revised masterplan for the whole site.

### **Bus Station**

#### **NHS Vaccination Centre move from Firepool to Tower St (old bus station site)**

The NHS continued to provide vaccinations from the Firepool site until the end of March, before moving across town to the old bus station site at Tower St. The central building had a light touch refurbishment at speed by the NHS before the spring booster jabs started successfully in April.

SWT continue to work with Somerset County Council on proposals for the long term future of the site, subject to decisions on Bus Service Improvement Plan (BSIP) grant funding.

Grant funding has been awarded for a Changing Places facility to be delivered in the bus station buildings. Work to develop the detail of how this will be integrated into the existing fabric can now start.



## **Heritage Assets**

### **Wellington Green Space & Fox's Field**

The acquisition of the Green Space in Wellington is scheduled for a Full Council decision in July 2022. It is intended to hand the site over (alongside Fox's Field) to Wellington Town Council for long-term lease and management working closely with the community.

### **Hinkley Point C**

The delivery of existing work and S106 funds, approximately £2.4m (10%) is left to spend. Activity is progressing well in all remaining active areas: Economic Development, Skills, Tourism and Housing.

Except for a planning role until 2024/25, the funding for the majority of posts will end in March 2023 under the current agreement. However, due to the HPC project being behind time, the Councils have agreed to extend some posts, including a member of staff in the ED team until 2024/25. This will be crucial in terms of delivering the remaining activity funds in current plans. The Housing post is secured separately through Housing funding until March 2024.

### **Workforce Uplift**

The Joint Councils have reached an agreement with EDF on a comprehensive package of mitigation measures to manage the impacts of an additional 3,000 workers required to complete the HPC development. In the past few weeks' officers have worked with EDF to amend all relevant HPC mitigation strategies and plans, and put in place new monitoring arrangements. A Supplementary S106 Agreement has been agreed with EDF and is set to be signed by all parties in the next week.

Officers of the joint Council are meeting weekly with EDF to put in place a number of key interventions to accommodate new workers, and monitor progress. This includes delivering 900 additional caravan and campus spaces for workers, a revised Transport plan, and a range of new Community Safety measures.

Site numbers are currently up to 7,800 with the peak of construction expected to now be in early 2023, when the figure will rise to a maximum of 8,500 workers (One worker is defined as somebody that works at the HPC site for at least 5 days in any given month).

Also, in the past few weeks EDF have reported that there will be a further 12 month delay to the first reactor being up and operational. The new date is June 2027, with the second reactor to follow one year later. The original DCO date was December 2025.

## **Economic Development update**

### **Town Centre Resilience and Transformation**

Town Centre Resilience and Events

Taunton Wellington and Minehead received 25K to support the on-going high street recovery efforts.

Taunton investing in performance/busking areas for the town centre to bring more musicians and performers into town to enhance the experience for visitors.

A giant deckchair will be erected over the school summer period in Taunton at various locations for families to enjoy and links back to the experience-based enjoyment for the town.

#### Town Centre Activity (All)

- 25k has been allocated to Taunton, Wellington and Minehead.

Wellington and Minehead have used to funds to help promote and support the Jubilee Celebrations across their town.

Monthly meetings with Minehead, Taunton and Wellington take place to support, collaboration and bring cohesion to the District on projects and work through barriers and share knowledge and working practices.

#### Town Centre Activity (Taunton)

- Town Centre Dressing of giant union flags and window dressing installed to improve the visitor experience and in support for Jubilee Celebrations.
- Three new electric charging points for Taunton have received planning permission and work to connect them to the main electric supplies will be complete in July. Slight delays due to scaffolding works near the agreed works.
- The appointment of a heritage consultation to support the Listed Building Consent (LBC) and Consultation with Historic England (HE) on the lighting up of the Market House (Grade II\*). Project completion date October 2022

### **Events**

Jubilee Picnic in the park was attended by over 3,000 people and was a great success for the town and brought the community together. Front page of County Gazette and positive feedback from stakeholders, different internal departments and members of the public.

Events being planned for some of SWT's parks and open spaces in 2022 include:

- Taunton Armed Forces Day at Vivary Park on the 2 July
- Sound of the Streets music festival at Castle Green from 8 – 10 July
- Taunton Pride on 16 July
- Fake Festival music festival at Longrun Meadow on 23 July
- Taunton Flower Show at Vivary Park on 5 and 6 August
- Live in Somerset music concerts in Vivary Park from 26 – 28 August

## **Visitor Economy Recovery and Growth**

The county wide Visitor Economy Support Programme (VESP) to aid the recovery of the visitor economy strand 1 & 2 activity final reports are being compiled. The VESP strands are funded by the Joint Councils' Business Rates Retention Grants. Strand 3 is for marketing and positive messaging for the visitor economy that has yet to be commissioned. Strand 4 has launched an innovation grant scheme aimed at innovation within the visitor economy which is supporting recovery and growth within the sector.

The Hinkley Tourism Action Partnership (HTAP) continues to support the Visitor economy with various initiatives part of their phase 4 action plan. The HTAP digital online business support workshops for 2022 held x6 'BOOST' Tourism Toolkit webinars up to April 2022 which supported a further 40 businesses.

The HTAP Tourism Innovation Grant Scheme (supporting SMEs) awarded 14 grants to a diverse range of projects across Sedgemoor and the West Somerset area to boost and widen the tourism offer are well under way.

HTAP recently commissioned a 12 month Somerset visitor survey that will run until June 2023.

The HTAP partnership has developed a proposal that will see four themes of work for the use of the remaining HTAP funds available –

1. Cluster networks & business support
2. Packaging of activities and itineraries
3. Publicity
4. Events

The new Minehead People and Place Partnership held their inaugural meeting in April to start delivery of the new economic plan for Minehead called Minehead Plan – Inspiring People and Place.

Four year agreements have been finalised with Minehead, Watchet and Porlock Tourist Information Centres (TIC's) to cover 2022/23, 2023/4, 2024/5 and 2025/6 for the use of the remaining Hinkley funding allocations for the Centres. The TIC's have to deliver against an annually reviewed action plan of outputs for the funding received.

Sector support: Food and drink

Detailed mapping and consultation with the food and drink sector has been completed. This has given us insight to the support required to support them. Teaming up with partners SDC and the Growth Hub we have organised a breakfast event on the 5 July - the programme of speakers a direct response to the cumulation of the findings; workshops/ speakers are to address the issues raised, [Spotlight on Somerset Food and Drink - Growth Hub \(heartofswgrowthhub.co.uk\)](https://www.heartofswgrowthhub.co.uk)

## **Additional Restrictions Grant Funds**

The discretionary funds awarded to the Council by Government for this scheme to support businesses during Covid have been utilised fully.

The third top up amount of ARG funding received from Government in January 2022, along with any remaining budget funds were disseminated throughout January and February with all outstanding application administration and payments completed by 10 March before the Government deadline of 31 March 2022.

Since November 2020, the scheme has provided financial support totalling £6,066,639 in 4,267 separate grant payments to over 1,560 businesses. These are businesses which either would not have qualified for the Government's mandatory schemes, or did not qualify at the time that a particular round of the ARG scheme was made available.

### **Inward Investment**

This period has seen the completion of a new promotional investment-focused website for the district and production of an investment video as part of a 'SWITCH' campaign, inviting potential investors to switch to Somerset West and Taunton. The campaign highlights the area's locational strengths as well as current growth industries such as healthcare and med-tech, the circular economy, digital and creative, global marine and current construction opportunities in the energy sector.

12 business ambassadors from varying sectors of the economy have also been recruited to act as business ambassadors for the area.

A launch event with a key business audience of commercial agents and developers took place in May 2022. This has formed a key part of the delivery of the Marketing and Communications plan for Inward Investment.

### **Innovation District**

Connected Places Catapult has completed their work and made recommendations on how to progress the development of an Innovation District across Somerset West and Taunton.

Work is well underway on developing content for an innovation event which will be held in Taunton on 27 September 2022 under the title of 'Somerset Innovation Exchange'. Funding for the event has been secured from the business rate pilot and the LEP and content for is being worked up with relevant business and local authority partners.

This is the first event of its kind and aims to showcase local innovation, improve innovation networking and knowledge sharing among local businesses, as well as raising awareness of support services and build Government engagement with innovation activities across Somerset.

## **External Ops/Assets update:**

### **Lidl: Disposal of part of Tangier car park, Castle St Taunton.**

- Disposal approved at Executive 10<sup>th</sup> February 2020
- Purchase price: £1,050,000.00 (One Million and Fifty Thousand Pounds)
- Contracts exchanged 7<sup>th</sup> March, £50,000 deposit received.
- Completion of the sale is on grant of planning - Planning application now validated, target date for decision 29<sup>th</sup> June.
- Estimated completion: 20 days after grant of an acceptable planning permission with no onerous conditions.
- Site surveys are currently being carried out by Lidl under licence.

### **West Somerset Railway: Disposal of car park and toilets, off Station Road Bishops Lydeard.**

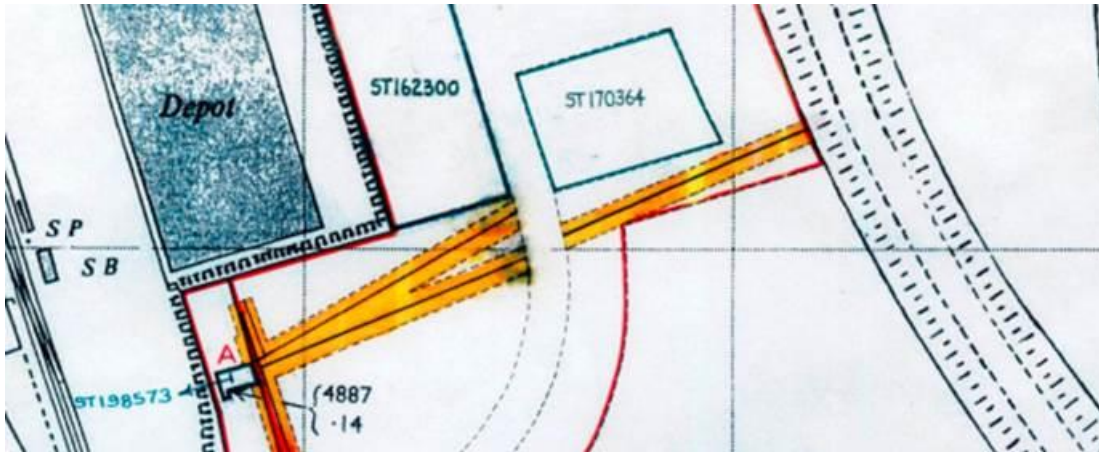
SWT has received an offer to purchase the car park and public conveniences off Station Road Bishops Lydeard. Due to the location the facilities are used solely by those using the railway

- WSR have made an offer of £50,000 to buy the car park and public conveniences adjacent to the station at Bishops Lydeard.
- the toilets are in a poor condition and will need significant improvements, and the surface of the car park is unmade, in a poor condition with pot holes.
- The offer is being considered and would be subject to a restriction on use to a public car park and public conveniences. To prevent unjust enrichment by any future owner, a restriction on charging for parking will be imposed unless the proceeds are applied to WST (or similar) charitable/community purposes.
- An external independent valuation has been received which demonstrates that the offer price is in excess of the open market value with use restrictions.
- Previous maintenance costs have been difficult to ascertain as repairs have been coded to 'general repairs' rather than individual properties. Operating costs of the public conveniences include cleaning, electric and water charges, legionella testing and business rates.
  - Business rates previous 5 years £32,274.
  - Legionella and water estimate for previous 5 years based on 21/22 charges in the region of £6,200
  - Estimate for bringing the electrics up to modern standard £1,000
- Restrictions on title prevent any buildings over the land coloured yellow.

sewers or any manhole or chamber on the sewers or to interfere with the rights

(b) Not to erect any buildings walls or other structure on the yellow land other than roads driveways and reasonable fences marking the boundaries of land and not to carry out any other development thereon

(c) Not to lay or permit to be laid in over or upon the yellow land any sewers drains pipes conduits cables ducts wires or similar thing without the prior written consent of the Company



### **U3 Blackdown Business Park**

The Blackdown Business Park is in Sylvan Road, Wellington.

- We have received an offer from the occupying tenant of Unit 3 to purchase his unit, at a price of £230,000
- an external valuation report which states a value in the region of £250,000. We consider that the offered price of £230,000 is the maximum obtainable within the parameters of supporting this local business.
- The building requires expenditure estimated at £50,000-£100,000 for roof repairs and decarbonisation works. This would be a Council expense if we retained the unit as the tenant has limited repair responsibility in the present lease.
- The asset is marked for disposal in the Commercial Investment Strategy Review.
- Other tenants of the older buildings may also seek to acquire and a sale at this level sets a good benchmark.
- The offer was discussed at Commercial Investment panel 20<sup>th</sup> June and will be put to the board on 5<sup>th</sup> July

### **Lease of Country Park to Parish Council's Monkton Heathfield**

- A draft lease has been agreed and is now with the parish council's solicitor. We are waiting for the Parish Council's representatives to sign.

- SWT solicitors continue to chase on a regular basis and we are informed that signing will take place within 2 weeks.

### **Lease of Blenheim Gardens Café, Minehead.**

The café was closed in 2018 and was in poor condition.

Expressions of interest were invited to refurbish and lease the café in 2020

5 EOI returned including a CAT request at nil value from MTC.

Summary of the 5 returns were reported to Executive on 3<sup>rd</sup> November 2020.

### **[Decision - Lease of Blenheim Gardens Cafe - Modern Council \(somersetwestandtaunton.gov.uk\)](http://somersetwestandtaunton.gov.uk)**

Heads Of Terms for a licence for works and lease were agreed and legal instructed 3<sup>rd</sup> February 2021

Licence and Agreement for Lease finally completed November 2021.

Tenant commenced stripping out works straight away but has not completed the refurbishment despite frequent requests.

Tenant has reported some unexpected structural work that is required and has appointed a structural engineer and architect to prepare and submit a planning application. The application is still awaited.

Assets continue to chase for regular updates and have asked for legal opinion on terminating the licence and lease because of non-performance.

### **Taunton Green Pavilion**

The sports pavilion at Taunton Green, Cheddon Road is being transferred to the Muskats Baseball Club who will take on the building as their clubhouse.

Some investment is needed to bring it to standard before transfer but the club will finish the development using self help if required and would hope the building becomes a community hub as well as a clubhouse in the future.

### **Minor Works**

The painting of the Esplanade railings at Watchet began in May and will be followed by the repainting of the Watchet Lighthouse at the end of the West Pier.

The required underpinning works to the bandstand in Vivary Park have been postponed for the summer season and will commence in once the 'band season' is completed.

### **Dulverton Weir & Leat**

SWT own the weir and leat across and alongside the River Barle in Dulverton

The Council secured £50,000 of funding from the Somerset Rivers Trust to finalise designs for a rebuilt weir. An ecology survey has been completed and initial

discussions about planning have taken place with the Exmoor National Park Authority – a further meeting is scheduled for mid July.

A topographical survey was completed on 23<sup>rd</sup> May, currently awaiting final detailed designs from engineers Mann Williams, expected by the end of June.

The final designs will include an indicative price of the works which will provide us with the financial requirement for the restoration. Funding & future decision on SWT approach will be required on receipt of final designs.

We are working with the Dulverton Weir and Leat Conservation Trust to explore renovation options – if repaired the trust would take over the lease for the weir and leat and maintain it in the future.

### **Former Mount Street Nursery**

Following the supported application by Taunton Deane Cricket Club for some additional land for parking and ongoing Rough Sleeping activity in the area, a further review of the former Mount Street Nursery remainder land is underway.

The site has been empty since closure of the former nursery in the mid 2000's and is considered to be unsuitable for building development due to planning restrictions (traffic on Mount Street) and flood issues.

The site is not fenced, is largely overgrown and has developed ecological considerations including the possibility of badger setts.

The draft solution for ongoing management is to:

1. Progress the supported long lease to TDCC for a new parking area in the north west corner of the site.
2. Undertake a formal ecological survey to assess options for the remainder of the site which may be a possible area for additional tree planting



# Full Council Meeting – 5 July 2022

## Report of Councillor Fran Smith - Housing

### Housing Development and Regeneration Team Housing Development and Regeneration Team

#### HRA New Homes

- The first 47 homes at North Taunton Woolaway Project (NTWP) Phase A are progressing with the first homes to be complete in the Summer 2022 and then more completions up to July 2023. These properties will be 2050 zero carbon ready with high levels of insulation, heat pumps, mechanical ventilation, photovoltaic panels, and battery storage. Several electric vehicle charging points will be installed.
- Discussions are ongoing with the Priorswood Community on the opportunity for community building to be managed and leased by the community.
- The purchase of owner occupier and private landlord properties continue to progress with two of the six remaining private dwellings progressing to purchase. Full Council approved the use of Compulsory Purchase Powers (CPO) earlier in the year and the CPO approach is being twin tracked alongside purchase through mutual agreement. The team continue to purchase through mutual agreement and therefore the need to use CPO powers is progressively reducing.
- Due to very unusual market conditions SWT is preparing to market test the next build phase of NTWP and deliver demolition through a separate contract for phase B/Ci.
- Phase E which is the refurbishment phase at NTWP has received planning permission and the Council is out to the market to procure a contractor. The scheme will receive funding from the Social Housing Decarbonisation Fund Wave 1 and will be part of our wave 2 submission. The refurbished properties will see a reduction in their heat consumption by over 75% meaning significantly less fuel will be required to heat the homes.
- The contract for 54 home zero-carbon development at Seaward Way, Minehead has commenced, and the site has been levelled and prepared for infrastructure and piling works. The scheme is a zero-carbon exemplar scheme which has been featured as a case study in the Good Homes Alliance good practice guide.
- Planning applications for the zero carbon affordable housing schemes, on various sites in Taunton, await Local Planning Authority approval. These schemes include a phosphate mitigation strategy which is supported by Natural England and the Environment Agency. If the mitigation strategy is approved by the local planning authority the approach could be repeated and create sufficient phosphate credits to support 800-1200 new homes or circa 2,240-3,360 bedspaces.
- The service is progressing at pace a low carbon retrofit strategy and delivery plan. The strategy will be considered by the Council late 2022/2023 however early Member Briefings are being arranged for the Summer. The council is

aiming to submit a substantial Social Housing Decarbonisation Fund Wave 2 grant bid in October 2022 and is also looking at ECO4 funding opportunities. SWT has been awarded SHDF Wave 1 funding to support a low carbon retrofit of council homes. The three pillars of the emerging strategy are engaging and supporting our customers, fabric first and then, over time, replacing fossil fuels with renewable heat and power provided via onsite, communal, or grid-based systems. The relationship between fuel poverty and low carbon retrofit will be explicitly considered within the strategy.

- The service is bringing forward retrofit of 10 Woolaway homes at Oake to the same low carbon standards as NTWP phase E.
- Wordsworth Drive and Coleridge Crescent Flats Regeneration continues with the first tenants receiving rehousing offers through their gold band homefinder status.

### **Housing Strategy and Enabling**

- New affordable housing in the district is set to see a higher-than-average number of properties completed this financial year. The pipeline of new units is currently at its strongest in the west of the district, which is unaffected by the phosphate mitigation planning requirements.
- The Service and its partners anticipate 1000 new affordable homes will be lost or delayed due to the absence of phosphate mitigation strategies. This equates to circa 2800 bed spaces.
- The Single Homeless and Rough Sleeper Accommodation Strategy and delivery plan was approved by Full Council in October and Officers are supporting the delivery of new homeless bedspaces through several partners and direct council supply. The council has been awarded £750k through the government Rough Sleepers Accommodation Programme to accelerate the new provision and have bid for an additional £500k in the 4<sup>th</sup> and final round of RSAP. The council aim to facilitate forty new bedspaces for the districts single homeless in 2022/2023.
- The Housing Enabling team are preparing the district for the impact of First Homes which is a government initiative to increase low-cost home ownership.
- The service continues to deliver the Hinkley Point C Housing Programme, working with partners to drive forward 11 key areas of work. This programme is providing new bed space in the district and support to vulnerable customers affected by the change in the housing market because of the uplift of workforce at HPC. A housing needs assessment in Stogursey is leading into an action plan owned by the Parish Council. A formal request to EDF for £390k to continue the work coordinated by the Council has been submitted.
- The team continue to support the Health & Wellbeing Board and the Homeless Reduction Board which are both flexing as the Somerset Councils progress Local Government Reorganisation.

### **Housing Property Team**

### **Responsive Repairs and Void Repairs**

- Emergency and non-emergency responsive repairs are being undertaken.
- Emergency jobs are being delivered within our defined timescale (24 hours from logging).
- There is a small backlog of non-emergency jobs, although this has reduced, following the use of external contractors. Procurement of longer-term external support via MD Group is progressing and is due to commence in June 2022.
- Void repairs to meet our Lettable Standard remains a challenge, although performance is improving in this area. Again, we are looking to utilise MD Group to support on undertaking some of our Major Voids (those with two or more key elements required).

### **Property Safety Compliance**

- All property safety compliance checks and works continue to be undertaken. These include gas safety checks (LGSR's), water risk assessments and remedial works, electrical inspections (EICR's), asbestos surveys and re-inspections, fire risk assessment and remedial works, fire safety checks, and lift and stair-lift checks and remedial works.
- An accelerated programme, using further additional contractors, to undertake outstanding electrical inspections (EICR's) and associated remedial works continues.
- Property safety compliance procurement remains busy, including a new longer-term electrical inspection and remedials tender, and extending required contracts for 2022/23 to take us through to LGR.
- Weekly compliance and additional review meetings are being held to carefully monitor and manage all these safety critical areas.

### **Capital Programmes**

- Several capital work programmes are on-site, including kitchen and bathroom replacements, re-roofing, and fire safety works (replacement fire doors and emergency lighting).
- Procurement activities also continue, including review of required capital programme works needed to meet the Decent Homes Standard (DHS), as well as our Retrofit aspiration.
- Recruitment for the vacant role of Capital Programme Manager is underway

### **Asset Management**

- Following go-live of the Open Assets module of our Capita software system, post go-live work is now underway, although some of this is dependent upon the Open Housing implementation to go-live in June 2022.
- Accelerated programmes of Stock Condition Surveys and Energy Assessments continue to take place.
- Capital work programme planning (for both the 2022/23 financial year and forward plans) is being undertaken, including (as mentioned above) both DHS and Retrofit.

### **Housing and Communities Team**

## **Supported Housing (extra care and sheltered)**

The officer team continues to be impacted by Covid, so delivery has concentrated on key tasks:

- The sign-up of new tenants.
- Supporting tenants who are returning home from hospital.
- Health and safety compliance checks at our two extra care schemes including: Kilkenny Court and Lodge Close.
- Carrying out “trusted assessor” visits for those vulnerable tenants who are in urgent need of aids and adaptations to support them within their home.
- Carrying out health and safety checks at sheltered housing schemes.
- Responding to general customer enquiries reported via the service’s Firmstep computer system; and
- Responding to Deane Helpline issues where the tenants have not responded to their usual monitoring call out.
- The team have been piloting a new way of working with Somerset County Council to improve joined up working. The pilot project provides greater and easier access to information on the tenants’ officers are supporting as well as sharing selected information on tenants that would be useful to practitioners in the wider Early Help System. It is early days, however, feedback from officers to date has been positive.
- The team have recently taken part in a training session enhancing their awareness on a range of early interventions when responding to incidents of neighbour nuisance and or anti-social behaviour reported by tenants.

## **Lettings**

- The total number of new lettings for April 2021- March 2022 = 350.
- The % of new tenants satisfied with the lettable standard of a property for April 2021- March 22 = 96%.
- The team have been fully engaged in configuring the new Open Housing Management System and undertaking testing in readiness for going live with the system in June 2022. Part of the team’s work in preparation for the launch has been to review their operation procedures. All this work is progressing well to date; and
- After having undertaking new system training and awareness sessions the team are involved in piloting a new way of working with Somerset County Council to improve joined up working. The pilot project provides greater and easier access to information on the applicants’ officers are considering for vacant council housing. It is early days, however, feedback from officers to date has been positive.

## **Income**

- The rent recovery case managers and the Debt and Benefit officers are working hard with tenants to ensure they are receiving the correct benefits and those that are being financially impacted by the current situation are claiming any grants or accessing funds they are entitled to claim.

- The team continue to push the lettings of garages. There are several voids especially in the Priorswood area, we do have a plan we are working on to reduce the numbers.
- One of the Rent Recovery case managers who was on secondment to another team has now been successful in securing that role permanently. The Rent Recovery role is being covered by agency staff at this time, however we will now start the recruitment process to fill this role.

### **Tenancy/Estates & ASB**

- The teams are continuing to remain stable and settled. Although we have been affected by COVID this has been managed as best we can.
- We have now scheduled all blocks, estates and skip days for the coming year and these will be published in the tenants' newsletters and on our website.
- We have received a second stage complaint and one complaint is potentially moving to the Housing Ombudsman service – however we are still seeing overall a drop in complaints.
- Teams are also managing their Firmstep enquiries and have made a real effort not to allow these cases to become overdue.
- As we move into Spring/Summer we are now experiencing more ASB cases, and we are closely managing these. We will monitor closely the affect what the causes are of ASB incidents that are reported into the service.
- Youth gang culture is still ongoing, and we had a serious incident last week with recent history of “youths' gangs” coming to an address and surrounding area, resulting in violence and weapons being brandished. SWT staff accompanied Police in a house raid the following day. This has meant that we can prepare swift legal action against the breaches of tenancy agreement.
- The team has also drafted up a new handbook and this is currently being circulated for comments/amendments.

### **Housing Options**

- The Housing Options service continues to be busy with an average of 120 approaches from customers who need housing advice or at risk of losing their accommodation each month. The main cause of homelessness in the district remains family evictions.
- The team's focus on early intervention and prevention continues. In April, 77% of all prevention cases were closed with a positive outcome.
- A meeting is planned with supported accommodation providers in June to discuss the implementation of a referrals and move on panel. This panel aims to ensure that the right customers are placed in the right supported accommodation at the right time.

### **Temporary accommodation:**

- The focus in recent weeks on improving pathways into and out of temporary accommodation continues. This has included the implementation of a fortnightly task and targeting meeting across relevant teams to ensure that there are actions in place to facilitate timely move on.

- New procedures are currently being embedded within the team with a clear focus on reducing the number of households in temporary accommodation.

### **Rough Sleeping Initiative**

- At the end of April 2022 there were 49 customers engaged with the *Rough Sleeping Pathway*. Of these, 8 customers are currently in *Stage 1* (initial intervention and assessment), 29 customers are in *Stage 2* (intensive support) and 9 customers are in *Stage 3* (community-based living with floating support).
- Two customers with a history of entrenched rough sleeping moved into their *Housing First* homes. These are the first *Housing First* properties delivered by the Council as part of the Rough Sleeping Accommodation Programme (RSAP) funding. One property has been purchased which will provide a further *Housing First* home and this will be adapted to accommodate a customer with mobility needs
- The learning from the Council's *Housing First* project is being shared across the Somerset districts.

### **Home Finder**

- Work continues to enhance and streamline the processes in place for receiving and assessing Homefinder applications with a focus on ensuring that customers are aware of the supporting documentation required and can upload this directly to their application
- The team continue to support customers to bid on appropriate properties, this work continues to provide positive outcomes and is closely linked to ensuring that customers move on efficiently from temporary accommodation.

### **Somerset Independence Plus (SIP)**

- With the integration of South Somerset, the Technical Team are fully focused on managing the influx of cases which have emerged, approx. 64 referrals. Added to the cases in the partnership area brings the waiting list up to 84. Staff resources are adequate to manage the numbers.
- The Technical Team completed 172 major adaptations in 21/22 financial year 62 of which were in Somerset West and Taunton. The Independent Living Officers a record 210 interventions from a target of 150.
- The Business Support Team within SIP received a record 1,000 requests for grants and Independent Living Officer services. All with a first response time of 3 working days.
- SIP continues to work with Public Health to manage the Ukrainian Refugees coming into the UK. The Independent Living Officers have undertaken 310 inspections on behalf of Public Health with another 167 booked in. It is thought the numbers will taper off middle of July. The peak has almost passed.
- The Independent Living Officer team is almost fully staffed now with Jane Bailey, Deb's Hunter-Wyatt, new recruits Paula Webber and Ann-Marie Williams. Paula transferred from the Lifeline team bringing extensive

experience from her previous role and Ann-Marie worked for the CCS as a Village Agent with plentiful experience in Social Care. The team interviewed on Friday for a role funded by Mendip District Council.

- LADS 1 – Completed 29 installations, with 49 installations committed but not yet installed, 31 installations at application stage, awaiting confirmation of the measure. Total spend to date is £175,219 with £304,693 committed and the value of applications in hand is £182,329. The average preinstall EPC is E, post install is averaging C/D. Supply chain is stable and installers performing but inflating materials costs risk reducing the number of measures. UPVC windows and doors are currently on long lead in times delaying some completions.
- The Warm Homes Fund – Cat 1 - 73 households have applied for first time gas central heating. 43 non-social households have received a Warm Homes Fund contribution where Ecoflex does not fully fund the install. Preinstall EPC averages an F, post install a D. WHF contribution to date is £109k, committed and not yet installed is £37k. 44 air source heat pumps have been installed in social housing. Cat 3 – 4,299 households have been contacted, record created, and fuel poverty advice discharged. 89.3% of which are in fuel poverty. 1,174 households receiving Warm Homes Fund support worth £1,136,276. 97 non-fuel poor households receiving Warm Homes Funding support worth £39,453.
- SIP was successful with the bid for HUGs funding to aid households who are off gas with insulation and heating measures. The funding amounts to £1.7 million for Somerset. The eligibility criteria are like the LADS funded schemes.

### **Housing Performance Team**

- We continue to support the work of the Tenants Strategic Group and Tenants' Action Group on the 12<sup>th</sup> May 2022 we are also holding a joint tenant meeting with Homes in Sedgemoor.
- The Tenants' Action Group have awarded £16,000 from their Child and Youth Initiative Fund.
- A "kiosk" (screen with internet access) has been funded and installed in the Priorswood Community Centre. A further kiosk has been ordered for the Link Centre at Halcon.
- The damp and mould group for tenants continues to meet and make progress.
- The tenants' spring newsletter has been posted to Tenants.
- Internally we continue to support the meetings that provide us good governance of our activities e.g., programme meeting, performance meeting, risk meeting, etc.
- Our assessment against the white paper continues.
- Monthly House mark Pulse data is sent so that we can benchmark with other housing providers.
- We are collectively working with Homes in Sedgemoor on local government reorganisation workstreams.
- The policy review work with the HQN (Housing Quality Network) is underway and TSG members will receive revised policy documents.





# Full Council Meeting – 5 July 2022

## Report of Councillor Andy Sully – Environmental Services

It gives me great pleasure to present my report to Full Council on the varied activities of the Environmental Services Portfolio.

### Refuse and Recycling (Somerset Waste Partnership)

- Recycle More

Phase four (West Somerset) continues to bed-in following the launch at the end of Feb/start of March. Planning for the Recycle More roll-out to the phase 4 communal properties (end June) and schools (early Oct) was ongoing in May. Communications and engagement for this last part of the project includes a six-week prior to start postcard distributed to circa 5,800 communal properties. SWP are finalising plans for Williton depot refurbishment to start over the summer period.



- Collection Service

The service remains somewhat fragile but the roll-out of Recycle More is almost complete which is allowing more focus on quality issues. Processes have been analysed and reviewed to address key issues such as missed collections and complaint handling which is now starting to see improvements.

- Decarbonising of operations

Further investigation is being completed of dual fuel hydrogen, hydrogen fuel cells, clarified natural gas and HVO (as temporary solutions) and electric vehicles. Testing of numerous vehicles is underway to inform a partial re-fleet. Options will be taken to the partnership board for a steer.

SWP are finalising a power purchase agreement and other contractual matters ahead of installation of photovoltaic (PV) panels at Taunton and Evercreech which should be in place before the end of 2022.

### Street Scene and Fleet

- Bin Replacement Programme

The roll out of the new bin infrastructure with recycling compartments has continued with the next 54 bins ready for installation by the end of July 2022 taking the total to over 200. Seven of the new bins were put into Victoria Park,



Taunton just prior to Green Flag judging and the jubilee weekend. The new bins were well received and, following the Jubilee Party in Vivary Park, appear to have proved their worth in keeping the area tidy.

- **Fleet**

The Council has ordered its next batch of electric vehicles as part of its scheduled replacement programme. This batch of small vans and pool cars and are due for delivery in October 2022. The HRA fleet is currently being reviewed to establish the suitability for electrification of its fleet due for replacement this year.



- **Litter enforcement trial**

I am extremely enthusiastic about the introduction of our new litter strategy at SWT. Since April, 346 fines have been issued and we are hoping to change attitudes and behaviour amongst those who think it's ok to litter and don't think there will be any consequences.

The Councils newly adopted litter strategy is a trial in partnership with East Hants Council. Littering is a criminal offence with a maximum fine of £2,500 and a criminal record. However, those caught littering can discharge their liability by paying a Fixed Penalty Notice for £100. The trial employs two full time authorised officers who will issue offenders with a Fixed Penalty Notice (FPN) without fear or favour. We want to educate and work with the community as littering damages the local environment and affects peoples sense of pride in our district, and costs the council money that could be better spent. It can have a real impact on residents sense of security, safety and satisfaction within an area. SWT have adopted a zero-tolerance to littering from the 1<sup>st</sup> April and do not issue warnings. When a person is witness to throw, deposit or leave litter behind they will be issued with a FPN. In the first two months of the trial 346 FPNs have been issued which is in line with the approved model for the trial.



- **Environmental Improvement Team**

The new two person team was introduced in 2022 and have been working on the following:

Weeding - The team commenced weeding of several locations across the district including Taunton Town Centre, Watchet Esplanade and Minehead Quay. The team were also involved in the tidy up of the Councils Car Parks.

Spring Clean - During April and May, the team attended 50 Open Space locations across the district, collecting approximately 3 tonnes of litter and fly tipped items. In

addition to this, they were involved in the clear up of some streams and the strimming of six overgrown pathways. The team also continued to support Community Litter Picks with delivering and collecting of equipment and the litter cleared.

Watering - In June the team started the watering of hanging baskets and bedding which will continue over the summer.

## **Parks and Open Spaces**

- Programmed Works

The team are busy with planting out all the flower bed displays, this has started and is continuing during June. They have planted 140,000 bedding plants and put out the hanging baskets.



During the busy growing season with perfect conditions of rain and sunshine the grass cutting teams are working hard to catch up with the rounds currently one week behind. I have asked that the schedule of works is sent to members on a weekly basis for information.

- Nursery

The Nursery has been busy with deliveries to all our external customers now complete. As part of the new business plan to increase productivity the team have completed the trial of a hired filling machine which saved time and temporary staff hours.

The nursery has produced the following:

- 140,000 Bedding plants (56,000 for SWT and 84,000 for external);
- 22,000 Hanging basket plants;
- 1,800 Hanging baskets (400 for SWT and 1400 for external);
- 50 Large tower planters.

## **Environment and Coastal**

- North Hill, Minehead

Following a procurement process WSP have been appointed to deliver a design for the stabilisation works to North Hill, Minehead. WSP have worked with the Council in the past and are currently the Blue Anchor design team.



The gradient and complex access issues means that rope access will be the most likely method of assessment.

It anticipated that the designs will be finalised in the autumn ahead of a tender process to deliver the agreed scheme.

- Blue Anchor Coastal Defence Scheme

An order has been placed with Kier (our main contractors) for the delivery of 13,500 tons of granite rock armour from the Glensanda Quarry in western Scotland.

Three vessel loads will anchor off Blue Anchor and the rock will be transported to the beach by barge and off loaded at high tide.



Delivery dates have yet to be confirmed (at the time the report was written) but it anticipated that the rock will be placed in late autumn 2022 with drainage works taking place simultaneously to seek to stabilise the cliff above the armour.

The scheme is designed to protect the B3191 in situ.

- Sand Clearance - Minehead

Whilst the sand has been cleared from the seaward side of the wave return wall the pavements have suffered from sand build up drains full of sand. A programme of clearance has started with test drains being cleared – if the trial is successful then all drains will be cleared which we hope will prevent future pooling of water on the Esplanade

- Exercise Safe Haven

A 'live' training exercise was carried out at Watchet Harbour on 23<sup>rd</sup> May involving all front line 'blue light services' including the coast guard. The Marine Group were involved too as the incident took place within the Marina. A full rest centre was established using SWT staff and other partners



The scenario was that a gas canister on a fishing vessel had exploded causing fire on board and injuries and trauma to a group of students who had chartered the vessel.

All parties worked together to treat those that were 'injured' and rescue those who were in the water, to bring the fire under control, deal with the public and ensure that the associated pollution incident was controlled.

It should be stressed that whilst this was a 'live' incident there was no danger to any of the participants or the public.



- East Quay Electrics

Following the work to replace the Harbour wall at Watchet in August 2021, further work is required to renew the electrics on the East Quay to ensure compliance.

Detailed designs were drawn up by consultants Houghton, Greenlees & associates.

A Competitive tender process was carried out in February 22 and the contract awarded in March to a company called EX2 who started work on site 13<sup>th</sup> June 2022 with an expected duration of 6 – 8 weeks. Key stakeholders/ interested parties in Watchet have been informed via email of start date and will be updated on a fortnightly basis of progress.

I would like to give my personal thanks to all the officers in the various teams that make up the portfolio who are delivering exceptional services in challenging times.

