

# Public Agenda Pack



Notice of Meeting of

## **SCRUTINY COMMITTEE - CLIMATE AND PLACE**

**Wednesday, 19 July 2023 at 10.00 am**

**Luttrell Room - County Hall, Taunton TA1 4DY**

To: The members of the Scrutiny Committee - Climate and Place

Chair: Councillor Martin Dimery

Vice-chair: Councillor Adam Boyden

Councillor Steve Ashton

Councillor Bente Height

Councillor Henry Hobhouse

Councillor Dave Mansell

Councillor Harry Munt

Councillor Alex Wiltshire

Councillor Alan Bradford

Councillor Edric Hobbs

Councillor Marcus Kravis

Councillor Matthew Martin

Councillor Tom Power

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For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services [democraticservicesteam@somerset.gov.uk](mailto:democraticservicesteam@somerset.gov.uk).

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: [democraticservicesteam@somerset.gov.uk](mailto:democraticservicesteam@somerset.gov.uk) by **5pm on Thursday, 13 July 2023**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and an audio recording made.

Issued by (the Proper Officer) on Tuesday, 11 July 2023

## **AGENDA**

**Scrutiny Committee - Climate and Place - 10.00 am Wednesday, 19 July 2023**

**8 Staplegrove Housing Infrastructure Fund (Pages 5 - 20)**

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## Decision Report - Executive Decision

Forward Plan Reference: FP/23/06/09

Decision Date - 02/08/2023

Key Decision - Yes



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### Staplegrove Housing Infrastructure Fund

Executive Member: Cllr Ros Wyke – Lead Member for Economic Development, Planning and Assets

Local Members and Division: Cllr Dixie Darch and Cllr Derek Perry (Rowbarton and Staplegrove Division)

Lead Officer: Paul Hickson – Service Director Economy, Employment and Planning

Author: Jenny Clifford, Taunton Garden Town Implementation Manager and Charlie Field, Strategic Manager Estates

Contact Details: [jenny.clifford@somerset.gov.uk](mailto:jenny.clifford@somerset.gov.uk) , [charlie.field@somerset.gov.uk](mailto:charlie.field@somerset.gov.uk)

### Summary

1. Staplegrove is allocated within the Development Plan for residentially led development of 1500 homes. In March 2019 the Government confirmed £14,216,000 of Housing Infrastructure Funding (HIF) to deliver the Staplegrove spine road, primary school and associated infrastructure early in the development of the allocated Staplegrove site, subject to specific conditions.
2. The HIF funding will operate as recoverable grant with the Council responsible for loaning the HIF funding to the developers, recovering it and recycling it to unlock further housing. Homes England expects recycling within the original award area (Somerset West). HIF funding is to unlock housing delivery.
3. Somerset West and Taunton Council entered into a grant fund agreement with Homes England in Dec 2019. Specifications within the GFA include:
  - The funding availability period until 31 March 2022 (subsequently extended to 31 March 2023 and recently extended again to 31 March 2024).
  - The obligation to recover the HIF funding from site promoters/developers prior to its recycling locally to unlock further housing.
  - Setting out project milestone dates and pre-conditions to be satisfied in advance of the first drawdown of funding.

- The need to enter into funding agreements with site promoter/developers for the passporting of HIF funds to them and terms of subsequent recovery.
4. Delivery of Staplegrove site has been held up by phosphates, resulting in developers/promoters working on offsite mitigation schemes and the HIF funding not being drawn down within the expected period.
  5. Following an intense period of negotiation, Homes England has agreed to extend the HIF grant funding availability until 31 March 2024 and has also agreed a refined HIF funded infrastructure package for East and West Staplegrove focussed on expenditure/construction achievable within the funding availability period and reflective of the planning status of each part of the site. This comprises undergrounding of overhead power cables and construction of the western junction of the A358 Staplegrove Road spine road (Staplegrove West) and acquisition of land rights by the Council to safeguard the future delivery of essential infrastructure (primary school site and access, highway including spine road and pedestrian/cycle routes and associated infrastructure land eg for attenuation) (Staplegrove East). Efforts will also be made to deliver services to the primary school site within the HIF spend period. It is to be noted that HIF funds need to be utilised on both parts of the site otherwise the benefit cost ratio is re-run and the scheme reassessed by Homes England with resultant delay and increased risk of funding loss.
  6. The infrastructure in question on Staplegrove West is to be delivered by the developer. The cost of the works over and above the HIF award will be met by the developer, but HIF funds are to be spent first in accordance with the 31 March 2024 deadline. The infrastructure that will be funded or part funded by HIF does not need to be completed by 31 March 2024. Homes England has also indicated that whilst the funding availability period is until 31 March 2024, undergrounding works in contract with National Grid, a statutory undertaker, with an agreed payment programme may spend drawn down HIF funds after that date.
  7. Failure to enter into these agreements will result in the loss of the HIF funding. Entering into those agreements is time sensitive unless Homes England were to agree to extend the funding availability period further. It has been indicated that this is highly unlikely.
  8. Authority is required for the Council to enter into a deed of variation to the HIF grant fund agreement, to enter into funding agreements with legally interested

parties (currently the developer and landowners) over the drawdown, use and recovery of HIF and to acquire land rights on Staplegrove East to safeguard future infrastructure.

## **Recommendations**

9. The Executive agrees to:
  - a. Enter into a deed of variation to the Staplegrove Housing Infrastructure Fund grant fund agreement;
  - b. Enter into funding agreements with interested parties over the use of the Housing Infrastructure Fund and its recovery;
  - c. Use Housing Infrastructure Funding for Somerset Council to acquire an interest in land on Staplegrove East to safeguard the future delivery of essential infrastructure (including the primary school site and access, highway including spine road and pedestrian/cycle routes and associated infrastructure land) and provide services to the school site;
  - d. Grant delegated authority to the S151 Officer and Service Directors for Economy, Employment and Planning; Infrastructure and Transport and Strategic Asset Management to enter into negotiations and agree the detail for the implementation of recommendations a-c in consultation with the Lead Members for Economic Development, Planning and Assets; Transport and Digital; and Children, Families and Education.

## **Reasons for recommendations**

10. The grant fund agreement for the Staplegrove Housing Infrastructure Fund was entered into by Somerset West and Taunton Council with funding availability until 31 March 2023. With the extension to the funding availability until 31 March 2024 there is now a requirement for Somerset Council to enter into a deed of variation to the agreement, authority for which is required. Similarly, authority is also needed to enter into funding agreements with the developer and other interested parties to secure terms for the receipt, spend and importantly the recovery of the HIF funds ensuring that the funding obligations are met. Recommendation c relates to the use of HIF funds on Staplegrove East where due to the current lack of planning permission and less progress towards scheme delivery, the use of HIF funds for infrastructure construction before 31 March 2024 is not feasible. Instead, the Council will use HIF to acquire land rights to take ownership so that

the future provision of infrastructure is safeguarded. Delegated authority is sought to implement these recommendations.

### **Other options considered**

11. Alternative decision options considered and rejected are as follows:

a. To not draw down the HIF funding. This option would mean the loss of funding to the Staplegrove scheme with increased uncertainty over the delivery of essential infrastructure and the delivery of the wider development. It would also result in no recovered funding and therefore no opportunity to recycle recovered funding locally to unlock the delivery of further housing. Neither the current nor future benefits of the HIF funding would be realised.

b. To draw down HIF funding for Staplegrove West only. Due to the current absence of planning permission for Staplegrove East no physical infrastructure is able to be constructed on this part of the site with funding drawn down by the deadline of 31 March 2024. Utilising the HIF funding on only Staplegrove West which has outline planning permission (with means of access) and a developer was therefore considered. This would require renegotiation with Homes England as the funding would unlock only the 713 dwellings on the western part of the site rather than the full 1500 from the development allocation as a whole. Given the lesser number of dwellings, a scheme reassessment by Homes England would result. This would have an uncertain outcome, cause delay and increase risk of not being in a position to draw down and spend the HIF funding by 31 March 2024. Renegotiation of the scheme could also result in the amount of HIF funding being reduced with a parallel reduction in the amount recovered from the development and available to be recycled.

### **Links to Council Plan and Medium-Term Financial Plan**

12. The utilisation of HIF funding as set out in this report, coupled with the ability to recycle it once recovered to unlock further housing will help achieve the Council Plan 2023-2027 vision and priorities; in particular, a flourishing and resilient Somerset. It represents an investment in the local area that will unlock the delivery of planned housing growth that will also realise economic benefits as well as delivering new homes. It is intended that the Staplegrove site be delivered as a garden community (part of Taunton Garden Town). The Council will work with developers to create a high quality, sustainable community that responds positively to the climate emergency. This also aligns with the corporate priority



of a greener, more sustainable Somerset and the Council's approach to future transport planning.

13. The HIF is a recoverable grant which will operate as a loan to developers. The proposed funding agreements will set out the arrangements between the Council and developers/signatories over the receipt, use and recovery of the funding in accordance with the requirements placed on the Council by the grant fund agreement as varied. The Council has already accounted for these funds within the Capital Programme 23/24 in expectation of drawing them down.

### **Financial and Risk Implications**

14. In December 2018 Homes England confirmed that the HIF funding would no longer be conventional grant funding but instead would be provided as a loan to the developers through a recoverable grant originally with Somerset West and Taunton Council. It is the Council that is responsible for agreeing and administering the loan to the developers with monitoring via the submission of quarterly returns to Homes England. The Council is also responsible for recovering the £14.2m to reinvest in unlocking further housing development sites.
15. The Homes England grant fund agreement requires State Aid advice on the loan terms. This together with Subsidy Control advice has been sought. The advice has concluded that neither State Aid nor Subsidy Control present an issue. This takes account of the use of HIF to forward fund infrastructure in the form of a recoverable grant (a loan) that must be repaid together with interest set at a market rate. Advice is also being sought on an appropriate rate of interest that will be built into the funding agreement. The key point is that this is effectively a recoverable grant to the Council which bears a 0% financing cost to the Council. Due to the need to charge a commercial interest rate, the funding agreement will not breach the state aid or subsidy rules as it provides for a commercial return to the Council.
16. The provision of a loan to a third party for the creation of such infrastructure assets represents capital expenditure requiring allowance within the 23/24 capital programme for the loan advance, to be funded by recoverable grant income from Homes England. As the funding is repaid to the Council this will represent capital receipts which can then be used to finance the reinvestment of recycled funds. Related budget approvals will be needed in due course to include the reinvestment in the future capital programme when the loan is repaid. The funding agreements will need to provide certainty over the recovery arrangements and timescale and are expected to include a date by which full

recovery with interest will be required. The drafting of the funding agreements incorporates legal, finance and estates/assets advice. Homes England will also require appropriate funding agreements to be entered into as a pre-condition before the main drawdowns of HIF funding are able to take place.

- 17. The infrastructure in question on Staplegrove West is to be delivered by the developer. The cost of the works over and above the HIF award will be met by the developer, but HIF funds are to be spend first in accordance with the 31 March 2024 deadline. Any cost increase will be met by the developer.
  
- 18. The key risks are as follows:
  - Total loss of the HIF funding (and therefore no funding for recycling following recovery) as a result of failing to enter into or complete the required agreements or failing to spend and draw down funds within the availability period (by 31 March 2024).
  - Partial loss of the HIF funding as a result of project delay or under-utilisation of the currently available funding.
  - Failure to recover HIF funding as required under the grant fund agreement.
  - Failure to secure information from third parties or achieve scheme progress to meet pre-conditions or satisfy project milestones.
  - Failure to achieve the necessary technical consents required before construction of the infrastructure can commence.
  - Lack of resources to manage and deliver the project.

The risk score in the absence of mitigation measures is as follows:

<b>Likelihood</b>	<b>4</b>	<b>Impact</b>	<b>4</b>	<b>Risk Score</b>	<b>16</b>
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- 19. Risk mitigation is well progressed resulting in a negotiated extension to the grant funding period until 31 March 2024 and an update to the proposed HIF funded infrastructure package through a process of liaison and review with Homes England. Revisions to pre-conditions and project milestones have also been negotiated and take into account expected scheme progress by the end of March 2024. Interested parties representing both parts of the site are engaged with the HIF process and whilst yet to enter into formal agreements are indicating their intention to do so, have been working with the Council over key project actions and programming to achieve drawdown and spend within the required timescale. Close working will continue during the remainder of the project to ensure the project remains on track and information requirements for pre-conditions, milestones and project monitoring are met.

20. Funding agreements are being drawn up with the benefit of legal advice to ensure robust funding arrangements are in place and that obligations within the grant fund agreement including full recovery of HIF funds are met. In addition, a bid has been made to Homes England for funding to retain existing external project management support and project development costs. If this bid is unsuccessful it is intended to utilise HIF funds for this purpose and an early drawdown tranche of HIF funds is planned. These costs are currently being covered by the Taunton Garden Town budget, an earmarked reserve comprising Homes England garden community capacity funding. It is not anticipated that HIF project management costs will impact upon the Council's budget.
21. Members should be aware that due to the very tight deadline, there is still significant risk that despite mitigation measures and the efforts of officers that the funding in full or part will be lost. Considerable effort has been made and continues to be made to reduce that risk.

The projected risk score incorporating mitigation measures is as follows:

<b>Likelihood</b>	<b>3</b>	<b>Impact</b>	<b>4</b>	<b>Risk Score</b>	<b>12</b>
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### **Legal Implications**

22. The HIF grant fund agreement 2019 was entered into by Somerset West and Taunton Council and sets out the period over which the funding is available to be drawn down. This was due to expire on 31 March 2023 after which the HIF funding would be lost. Officers have negotiated with Homes England an extension to the funding availability period until 31 March 2024. HIF funds must be drawn down and spent by that date or lost unless Homes England agrees a further extension. The Council has been advised this is unlikely. This revised funding availability period together with updated project milestones and pre-conditions before funds may be drawn down now require Somerset Council to enter into a deed of variation to the original grant fund agreement. This report seeks delegated authority to do so.
23. The Council is also required to enter into funding agreements with the developer of Staplegrove West and the legally interested parties (currently the landowners) on Staplegrove East. These will set out the arrangements and requirements over the drawing down, the passporting of HIF funds and arrangements for their recovery. These funding agreements will need to ensure that conditions of funding as set out in the Homes England grant fund agreement (as to be varied) are complied with by all parties.

24. The Homes England grant fund agreement requires State Aid advice on the loan terms. This together with Subsidy Control advice has been sought. The advice has concluded that neither State Aid nor Subsidy Control present an issue due to the requirement for the funds to be fully recovered together with a market rate of interest.
25. The procurement exercises for highway works and the undergrounding of overhead cables to be forward funded by the HIF on Staplegrove West will be undertaken by or on behalf of the developer rather than by the Council. The funding agreements will need to ensure that these procurement exercises are undertaken in a manner that meets legal requirements.
26. For Staplegrove East, it is proposed to utilise HIF for the Council to acquire land rights to safeguard the future delivery of essential infrastructure including the primary school site and access, highway including spine road and pedestrian/cycle routes and associated infrastructure land eg for attenuation. This will allow the Council to exercise those rights in the future when required and will involve acquiring the legal right to take land ownership within Staplegrove East.

### **HR Implications**

27. There are no HR implications arising from the report.

### **Other Implications:**

### **Equalities Implications**

28. The wider development has been consulted upon at the plan making stage leading to its allocation and through the planning application process. Further consultation will take place in connection with planning applications as they are submitted. At all planning stages equalities impacts are taken into account. It is against this background that an Equalities Impact Assessment has been undertaken to accompany this report with the equalities implications arising primarily from the development and its associated infrastructure itself rather than the Housing Infrastructure Fund as a funding (loan) mechanism.
29. The assessment concludes a likely positive benefit in respect of the protected characteristics of age, disability, pregnancy and maternity and those with low income. The HIF funded infrastructure will help unlock the delivery of a range

of new housing including affordable housing. The new housing will meet the requirements of Part M of the Building Regulations covering access to and use of buildings. Also included within the allocated site is a local centre within which community facilities are to be located. A primary school is also proposed within the site which will meet need from the development and avoid the need to travel to other schools for primary age pupils. The report seeks authority to acquire land rights to safeguard the future provision of essential infrastructure on Staplegrove East including the school site. This will give the Council greater control over the school site and when it comes forward to address need for new school places.

30. The availability of local facilities will benefit residents of the development. The site also includes employment land and will provide employment opportunities. Enhanced transport infrastructure connected with the development including the spine road through the site, footpaths and cycleways will increase mobility options for non-car modes of transport.

### **Community Safety Implications**

31. There are no safeguarding and community safety implications.

### **Climate Change and Sustainability Implications**

32. There are no direct carbon/environmental impacts arising from the recommendations. The environmental implications of the proposed development at Staplegrove are considered as part of the separate determination of associated planning applications.
33. The HIF supports the unlocking of the development through forward funding essential infrastructure. The Staplegrove site is allocated for development within the Development Plan with the sustainability of the location having been assessed as part of plan making. Accordingly, the recommendations support the delivery of the spatial strategy for development in the area.

### **Health and Safety Implications**

34. There are no health and safety implications arising from the recommendations.

### **Health and Wellbeing Implications**

35. There are no health and wellbeing implications arising from the recommendations.

## **Social Value**

36. The HIF funding will enable spend on infrastructure at Staplegrove this financial year. The £14.2m HIF recoverable grant is provided to the Staplegrove developers as a loan. The Council is responsible for entering into the loan arrangements with the developers and recovering the HIF funding. This recovered funding is then available to the Council to invest in infrastructure to unlock other key housing sites.
37. Unlocking housing and supporting infrastructure delivery including highway infrastructure and acquiring land rights to safeguard the future provision of infrastructure including the primary school at the Staplegrove new community will provide economic and social benefits for the local area.

## **Scrutiny comments / recommendations:**

38. This report was considered at the meeting of Climate and Place Scrutiny Committee on 19<sup>th</sup> July 2023 where the following comments were made:  
TO BE COMPLETED FOLLOWING THE MEETING

## **Background**

39. In March 2019 the Government confirmed £14,216,000 of HIF to deliver the Staplegrove/North Taunton spine road early in the development subject to specific conditions. This was subsequently revised to contribute to the delivery of the spine road, on site primary school and associated infrastructure.
40. The 1500 dwelling Staplegrove /North Taunton new community is allocated under policy TAU2 within the Taunton Deane Site Allocations and Development Management Plan 2016 and is part of Taunton Garden Town. Two outline planning applications (with means of access) were submitted to cover the site referred to as Staplegrove East (ref 34/16/0014) and Staplegrove West (ref 34/16/0007).
41. Somerset West and Taunton Council entered into the HIF grant fund agreement with Homes England in December 2019. The HIF funding is to operate as recoverable grant with the Council to be responsible for loaning the HIF funding to the developers, recovering it at a commercial interest rate and having the ability to recycle it locally to unlock further housing. The intent of the HIF funding is to unlock housing delivery.

42. The grant fund agreement set out a series of obligations on the Council including:
- A funding availability period until 31 March 2022 (subsequently extended to 31 March 2023 and recently extended again to 31 March 2024).
  - The obligation to recover the HIF funding from developers/ landowners.
  - Setting out project milestone dates and pre-conditions to be satisfied in advance of the first drawdown of funding.
  - The need to enter into funding agreements with site developers/landowners for the passporting of HIF funds to them and terms of subsequent recovery.
43. Somerset West and Taunton Council's Executive on 18th November 2020 resolved to:
- Enter into a suitable loan facility between SWT Council and the Staplegrove developers (or alternatively the landowners with appropriate covenants to bind developers when they were appointed), to ensure draw down of the HIF funding in line with the requirements of the Homes England grant fund agreement; and
  - Add a Supplementary Budget of £14.2m to the General Fund Capital Programme for the provision of the loan funding to the developer, dependent on the agreement of terms. (Somerset Council has now done this for 23/24).
44. Following advice from Natural England regarding the unacceptable levels of phosphates in the Somerset Levels and Moors Ramsar site, all affected residential applications awaiting determination were placed hold. Natural England advised that before determining planning applications, which may give rise to additional phosphates within the Somerset Levels and Moors catchment area, a Habitat Regulations Assessment be undertaken to establish the likelihood of any adverse impact, with appropriate mitigation measures where necessary, to ensure a 'nutrient neutrality' approach. This advice applies to the Staplegrove development with the result that the original HIF spend programme was not met. The delivery of the Staplegrove site has been held up by phosphates, resulting in developers/promoters working on offsite mitigation schemes and the HIF funding not being drawn down within the originally expected period.

### **Current site status**

45. Staplegrove West- Outline planning permission with means of access for a residential-led urban extension including for 713 dwellings (application 34/16/0007) was granted in April 2019. This was followed by the granting of a separate planning permission in February 2023 (application 34/21/0017) for the formation of integrated constructed wetlands which are intended to be used as phosphate mitigation for the Staplegrove West site. Bloor Homes is now confirmed as the developer having acquired this western part of the site and will submit further planning applications including reserved matters to deliver the development.
  
46. Staplegrove East- Outline planning permission with means of access for 915 dwellings (application 34/16/0014) was submitted by the land promoter and whilst previously receiving a resolution to grant planning permission subject to the prior signing of a S106 agreement, remains undetermined, the S106 negotiation having not completed prior to phosphate requirements coming into force. Its review and updating is underway with an expected return to Planning Committee in late autumn 2023. A planning application for an offsite constructed wetland that could act as the development's phosphate mitigation solution is expected to be submitted in the next couple of months. The site is still within multiple ownerships and is being promoted. No developer has yet been confirmed and delivery of the site is therefore now behind that expected for the West of the site.

### **Current HIF funding status**

47. No funding drawdowns took place before the end of the HIF earlier funding availability period of 31st March 2023 and no date no funding agreements have been entered into with the developer/landowners. Activity in connection with the allocated development site has focussed on resolving phosphate requirements and it is only relatively recently that a developer has purchased the Staplegrove West land.
  
48. In late 2022/early 2023 officers reviewed the infrastructure package due to be funded through HIF, refining it and presented a case to Homes England to



extend the funding availability period and refine the infrastructure to be delivered, focussing on infrastructure/activity where drawdown and spend could take place before 31 March 2024. Homes England advised that this date was the latest that the funding availability period could be extended to without necessitating agreement by the Treasury. The Member for Parliament, Rebecca Pow has written to Homes England and the Treasury requesting this be reconsidered should further time be required. The Council has just received clarification that Treasury approval is not required for a further 1 year extension, however as approval would still be needed from Homes England, it is prudent to continue efforts to meet the negotiated funding availability period (31 March 2024). HIF funds need to still be utilised on both parts of the site otherwise the benefit cost ratio is re-run and the scheme reassessed by Homes England which would introduce delay and additional risk of loss of funding. The refinement of the infrastructure package also took this into account.

49. The refined infrastructure package presented to Homes England for the £14.2m HIF was as follows:

<b>Infrastructure item</b>	<b>Est dwellings unlocked</b>
<b>STAPLEGROVE WEST – Total capacity 713 dwellings</b>	
Undergrounding of overhead power cables	250
Spine road junction with A358 Staplegrove Road	713
<b>STAPLGROVE EAST – Total capacity 915 dwellings</b>	
Acquisition of land rights by the Council to secure the future delivery of essential infrastructure including the primary school site with access and the length of spine road running through Staplegrove East.	915

50. Members are asked to note that whilst the refined infrastructure package is likely to account for the majority of the available £14.2m, it is likely that there will still be an element of underspend against the total funding.

51. For Staplegrove East, in the current absence of planning permission for the development, no construction is possible before the end of March 2024.

Instead, the emphasis is on utilising HIF for the Council to acquire land rights which will safeguard the future delivery of infrastructure on this part of the site. It is expected that this will allow the Council the right to secure the site for the primary school earlier than would otherwise be the case. Efforts will also be made to deliver services (power) to the primary school site within the HIF spend period.

52. The HIF funds were originally intended to secure the delivery of the full length of the internal spine road through the site between the A358 Staplegrove Road to the west and Kingston Road to the east, thereby relieving Staplegrove village and serving the development. However, it is not now possible to achieve the construction of the spine road within the timescale requirements of the HIF fund availability. Instead, it is intended to expend HIF towards the delivery of the western spine road junction with the A358 Staplegrove Road on Staplegrove West and to acquire land rights for the length of spine road on Staplegrove East. The delivery of this road to serve the development is a development plan policy requirement for the site. Delegated authority to acquire land rights on Staplegrove East is sought.
  
53. Overhead power lines on Staplegrove West require undergrounding and are currently affecting the delivery of approximately 250 of the dwellings on this part of the site. The diversion or undergrounding of these overhead power lines is also a development plan policy requirement for the site. The developer has already entered into an agreement with National Grid over the works. Homes England has indicated that whilst the funding availability period is until 31 March 2024, undergrounding works in contract with National Grid, a statutory undertaker, with an agreed payment programme may spend drawn down HIF funds after that date.
  
54. Homes England has agreed to extend the availability of HIF funding to 31 March 2024 and has also agreed the refined infrastructure package. The infrastructure in question on Staplegrove West is to be delivered by the developer. The cost of the works over and above the HIF award will be met by the developer, but HIF funds are to be spend first in accordance with the availability deadline of 31 March 2024. The infrastructure that will be funded or part funded by HIF does not need to be completed by 31 March 2024.

55. A deed of variation to the grant fund agreement is required and this report seeks delegated authority to enter into this agreement together with associated funding agreements. Due to project timescales and milestones, urgent implementation of that delegated authority will to be required.

### Background Papers

56. Somerset West and Taunton Council Executive 18<sup>th</sup> November 2020 report and minutes

### Appendices

None

### Report Sign-Off (if appropriate)

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	13/7/23
Communications	Chris Palmer	
Finance & Procurement	Nicola Hix	
Workforce	Chris Squire	14/7/23
Asset Management	Oliver Woodhams	13/7/23
Executive Director / Senior Manager	Mickey Green Paul Hickson	13/7/23 14/7/23
Strategy & Performance	Alyn Jones	13/7/23
Executive Lead Member	Cllr Ros Wyke	13/7/23
<b>Consulted:</b>		
Local Division Members	Cllr Dixie Darch and Cllr Derek Perry	Sent to 14/7/23
Opposition Spokesperson	Cllr Mark Healey MBE Opposition Lead Member for Prosperity, Assets and Development	Sent to 14/7/23
Scrutiny Chairs	Cllr Martin Dimery, Chair of Scrutiny Committee - (Climate and Place)	Sent to 14/7/23

