

Public Agenda Pack



EXECUTIVE

Wednesday, 31 July 2024

2.00 pm

Frome Town Hall, BA11 1EB

SUPPLEMENT TO THE AGENDA

To: The members of the Executive

We are now able to enclose the following information which was unavailable when the agenda was published:

Agenda Item 3 Public Question Time (Pages 3 - 10)

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, please see details under 'click here to join online meeting'.

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Annexe A – Public Questions	
Name of person submitting	Question
Page 3	<p>Anita Collier</p> <p>Frome Town Councillor Statement/Question 1a - Thank you for the opportunity to speak. You say, and I quote: “We will be a Council that will do our best to be there whenever our residents need us”. I am a Frome Town Councillor, but I’m also speaking today as a resident of the town who, aside from a short break, has lived in Frome for nearly sixty years.</p> <p>I have clear memories of the Saxonvale site when it was a vibrant place, alive with various industries. It was not just a series of busy factories, it was a place where workers shared a community that was a major part of Frome. The workers there contributed to the use of the facilities within the town for shopping, lunch breaks and for enjoyment. It was a lively community in its own right, but with huge links across the whole town.</p> <p>To be honest, I can see merit in both these planning applications but my belief is that Mayday has better understood and captured the desire to recreate such a community. This Mayday application has been chosen and supported by the people of Frome, many of whom want to maintain and build on our great community spirit.</p> <p>By offering a hotel, a lido, some magnificent green and public spaces, as well as the right number and size of commercial opportunities that will help businesses to stay in Frome, this Mayday plan has all the potential to ensure that Frome will continue to thrive as a strong and vibrant community.</p> <p>Add to that their intention to manage social housing so that it will always remain social housing, I believe that every element of this plan will create more wealth for Frome, recycling that wealth back into the project. It will create a strong circular economy, securing the future for residents, businesses and tourists, and would become a flagship model for Frome, and for Somerset, showcasing creativity, collaboration and community.</p>

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	<p>You talk a lot about social value (which is totally embedded in this project). You also mention you are passionate about building and investing in community. If that's the case, then this Mayday Saxonvale project perfectly fits that bill for Frome and for Somerset, and I would urge you to support it.</p> <p>Warm regards Anita</p> <p>Response from Lead Member for Economic Development, Planning and Assets – Councillor Ros Wyke</p>
<p>Fiona Barrows</p>	<p>Frome Town Councillor Question 2a - Awaiting Submission</p> <p>Response from Lead Member for Economic Development, Planning and Assets – Councillor Ros Wyke</p>
<p>Richard Jones Page 4</p>	<p>Statement/Question 3a -</p> <p>As part of a Community Service Group in Frome, earlier this year we invited both Acorn and Mayday to come and talk to us about their proposals for the Saxonvale scheme. This gave a wide audience the chance to question the teams about how their plans had developed since we met both groups a couple of years earlier.</p> <p>With a personal background of 40 years in delivering large scale developments in London and having a connection to Frome since the early 1980's the way Frome has changed and developed over the years has always been of keen interest. In fact the community spirit and ability to participate in the wide support networks was an important factor in moving back to Frome where my wife was born.</p> <p>On hearing from both camps I was convinced by the many facets of the Mayday scheme, its ability to have community led development providing community benefit at its heart, along with key partnerships with Frome Area Community Land Trust, Stories and others to develop in a sustainable way.</p> <p>Frome has many examples of being a pathfinder in innovative new schemes. I am fortunate to be able to carry on this work in some in areas I can support. This is all because of a wide community involvement. It will take commitment from Mayday's team and the community to pull off a development as set out by Mayday but with local skin in the game it has a great chance of being a major success.</p> <p>I know Acorn will have positive aspects to their scheme, I do not profess to have analysed and compared both against each other in detail, but I am sure you will push the preferred bidder, once you have chosen one, to incorporate best practice when contract negotiations are undertaken. The lido element of the Mayday scheme like other elements needs to be a community asset and</p>

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Page 5	<p>approved on the basis it does not leave an unmanageable legacy for the town. But I am told in other areas they are very popular particularly when we have such good weather. Let's make sure that as well as bricks and mortar we have people come out with improved skills and are set on a career path in architecture, engineering, construction management, trades and numerous more disciplines which will ultimately allow them to build more communities and take up the shortfall of skilled labour in all of these areas.</p> <p>I know you will have many categories within your assessment and a weighting will be given based on an assessed importance. I hope that that the intangible value of community benefit is high on the list. Frome is one town that can support it, most would not be able to. The results of due diligence may raise other risks we are not aware of so communication is key, Frome needs a clear unchallengeable decision so that this much delayed scheme can get going without delay.</p> <p>Coming from a Commercial Developer background over the years I was sceptical of the ability of the Mayday scheme to get off the ground but the most recent views on both schemes Mayday have put together a superior package and more importantly a team that can deliver for Frome a scheme that is deserving of such an important part of the town.</p> <p>I believe that the skin in the game principle with a high level of community scrutiny and involvement makes the risks of what you might believe come with the Mayday scheme worth taking to continue to make Frome an exciting community in which to live, providing a town centre extension, a mix of housing with an enhanced level of affordable housing and support for businesses to provide the work opportunities our town needs.</p> <p>Thank You</p> <p>Response from Lead Member for Economic Development, Planning and Assets – Councillor Ros Wyke</p>
Dr Patricia Smith	<p>Frome Civic Society</p> <p>Statement/Question 4a -</p> <p>The Frome Civic Society supports Mayday's bid to acquire the Saxonvale site.</p> <p>This site is a rare urban resource. Nine acres in the heart of this historic market town, for centuries a hive of local industry, now the only place left to expand the town centre as thousands of new homes are being built around Frome.</p> <p>Mendip bought the site knowing that their own local plan called for an integrated, mixed-use town centre extension. Yet they appointed, without open competition, a residential property developer with no relevant credentials for this complex project. Acorn produced an intensive, housing-led scheme with an undersized and poorly planned commercial segment 'bolted on'. Their planning consent was lost at judicial review precisely because they failed to deliver the required town centre uses.</p>

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Page 6	<p>This should have prompted Acorn to rebalance the whole scheme; their response was to cram in more marginal employment space to make up the numbers, with no reduction in housing, which remains the mainstay of their proposal. Acorn should never have been appointed as developer. Selling them the land would simply compound that misjudgement.</p> <p>The Mayday scheme fits the requirement much more closely. It achieves a healthier balance between homes and jobs, more workspace for Frome’s growing businesses, greater sensitivity to Frome’s historic core and a more sustainable regeneration plan. Their commitment to genuinely and permanently affordable housing is underlined by the proposed Community Land Trust ownership.</p> <p>In terms of due diligence, the Mayday framework of partnerships with its focus on community value presents an entirely credible and transparent means of project delivery. We have little confidence in Acorn’s somewhat obscure corporate structure or its profit-driven business model to deliver what is needed at Saxonvale.</p> <p>Both proposals are only at outline planning stage. None of us want to keep battling for years trying to mitigate the harmful impact of Acorn’s proposal. It is in the interests of the community, the developer and Somerset as the local planning authority that the project has the local support and goodwill that Mayday commands.</p> <p>We urge the Committee to consider the long-term outcomes of each bid, not just their capital value. By selling the site to Mayday you will be endorsing the progressive and transformative town centre scheme that we believe can become a true exemplar and a credit to Frome and Somerset.</p> <p>Response from Lead Member for Economic Development, Planning and Assets – Councillor Ros Wyke</p>
Ali Barclay	<p>Frome Community Land Trust Statement/Question 5a -</p> <p>I have lived in Frome for 32 years and 23 of those I’ve looked down on the Saxonvale site from Vicarage Street . We arrived as industries were closing and there was 17.5% unemployment. We watched as Beswicks closed and then finally Notts industry in the early 2000s. Saxonvale became an urban desert. Its tragic its still empty, and tragic that it has been such a struggle to make things happen until Somerset bought this land.</p> <p>With a lot of innovation Frome became ‘the place to live’ according to the Times. People now flock to see the fantastic market once a month, the medieval streets and interesting shops. But for others its popularity has meant soaring house prices, inadequate affordable commercial space, insecure rental and a lack of sufficient social housing. Our 3 grandchildren and one of our sons was born in Frome, the other has been here 27 years. We have witnessed them and their contemporaries struggle to find secure rented accommodation and a place and space to work. We have seen many move on to other towns where its not so</p>

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 7</p>	<p>expensive. I fear that Frome may lose its soul by alienating those who just can't afford to stay and that really successful businesses will leave (as some have already) taking potential jobs with them as there simply isn't room for their growth. The Mayday Saxonvale partnership is more edgy, more innovative, more about the needs of the town than the Acorn bid. Mayday Saxonvale brings with it those whose heart is in the enrichment of Frome, many live here. Acorn has a more traditional approach to development, they have a focus towards those who benefit outside of Frome (their shareholders). Surely we need new ways for development and isn't Frome the best possible place to see this happen? Wouldn't it be brilliant to have somewhere where profit goes back towards the benefit of this town and for all the communities within it. Where truly affordable housing will be 30% or more, Where flexible commercial, affordable space would be available, encouraging businesses to stay and attracting more to the town. Wouldn't it make sense to engage with the town in order to develop community spaces using use local talent, local resources so everyone benefits and is invested in what happens? Where people are not excluded because they can't afford to be included.</p> <p>How proud would we all feel to be part of something so vibrant and exciting? That's what I would like ourselves, our children, our grandchildren and their friends to be around, to feel part of.</p> <p>This is what is so exciting to me in the Mayday Saxonvale /Stories/FACLT partnership bid - their creativity, innovation and commitment to what Frome needs is so apparent why would we support anything else?</p> <p>Response from Lead Member for Economic Development, Planning and Assets – Councillor Ros Wyke</p>
<p>Alison Murdoch</p>	<p>Local Resident Statement/Question 6a - Awaiting Submission</p> <p>Response from the Lead Member for Economic Development, Planning and Assets – Councillor Ros Wyke</p>
<p>Bryan Wilson</p>	<p>Rotary Club of Frome Statement/Question 7a -</p> <p>Many of you will know that I am part of the local Rotary Management Team. We are involved in many things in this town – and from that, I have learned what is important to the community here and what makes the town tick.</p> <p>So this is from me – not on behalf of Rotary.</p> <p>I have been in property development for decades. In urban developments, I know community involvement is crucial for a successful and integrated result</p>

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Page 8	<p><u>This is not a random brownfield site that is a development opportunity.</u> It used to be the beating heart of business and employment in this town and that is what the people here want to see restored, so that people living in the town can walk to work and workers in the businesses in Saxonvale can walk into the town centre to shop, eat and socialise.</p> <p>The problem is that commercial premises, social housing and social amenities do not make nearly as much revenue for developers as houses and flats and there is always pressure to get the highest price for the land.</p> <p>This pushes the developer to plan as much non-social housing as possible.</p> <p>Also, Somerset is very cash strapped, so there is great political pressure here to go where the most money can be generated. Somerset Decision Makers, please remember; this is not about getting the biggest contribution you can to the financial hole in your accounts this year. It is about doing the right thing for the future of this town.</p> <p>This is not a greenfield site. It is our town centre – and we need the approach, the structure and above all, the community involvement that Mayday Saxonvale have produced in their thoughtful and innovative proposal.</p> <p>For the sake of our town's future, please give this project to them!</p> <p>Your decision will affect the families and businesses here for 100 years, so please do not make your decision based on short term financial issues</p> <p>And please remember our wishes and needs in your decision making.</p> <p>Thank you for listening</p> <p>Response from the Lead Member for Economic Development, Planning and Assets – Councillor Ros Wyke</p>
Emily Saner	<p>Statement/Question 8a -</p> <p>My name is Emily Saner, I am a member of the public and live in Frome.</p> <p>I am speaking today in the hope that developments at the Saxonvale site will provide Frome with a town centre that serves our whole community and reflects the unique characteristics and cultural identity of our town.</p> <p>I wish to try to ensure that whatever decisions are made in relation to Saxonvale are made, above all, with integrity, accountability and in the best interests of my home town.</p> <p>At the outset, I would like to underline some fundamental differences between the two applicants whose plans have been submitted before the Council.</p>

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The Mayday Group is a not-for-profit organisation, whose plans have been endorsed by the High Court judgement in October 2023, suggesting that this plan is considered superior to that of Acorn Properties.

Meanwhile, Acorn Properties has been shown to put profit above all other considerations.

You have each received a copy of a Guardian article and a Substack article titled: A Mighty Oak? which explains how Acorn Properties operates. It is not happy reading. Furthermore, Acorn has a history of bankruptcy. 19 Acorn companies have been declared insolvent, according to Companies House.

The Public Agenda Pack was sent to me on Monday, and I would like to call on members of Somerset Council's Executive Committee, in whose hands the decision over the future of Frome town centre lies, to clarify points in this important agenda that seem vague or unresolved.

On page 4 in the Background and Purpose of the Report section, it states that in 2018 Mendip District Council entered into a Sale and Overage Agreement (SOA) with Acorn Property Group in respect to the Saxonvale site. I quote, 'a conditional agreement for the sale of the site, in phases subject to various conditions'.

However, the quote goes on, 'as the pre-conditions were not satisfied, stalling at the planning phase, the agreement was capable of termination without penalty by either party. It will not terminate unless a party serves notice of termination.'

Why did MDC not terminate the agreement at this stalling point in 2018, before Acorn Properties had submitted their first application (2019/1180/OTS)?

Point 16, page 9, says:

'Executive [Committee] should have regard to the analysis presented on deliverability and viability....'

As recently as March 2024, in the Vale of Glamorgan, another article (Wales Online, 2nd March 2024) talks about 'the swanky new-build' Cottrell Gardens Estate, an Acorn project which has certainly stalled and has not delivered its promises. The article states that the whole site is unfinished. Problems in people's £700,000 homes are still not resolved a year after purchase. No-one from Acorn has been seen on site.

This suggests that deliverability is certainly in question.

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Encouragingly, Point 23, page 10-11, says:

Under section 123 of the Local Government Act 1972, Somerset Council has power to dispose of land not held for housing or planning purposes in any way it sees fit, providing it obtains the best consideration reasonably obtainable for that land.

Point 42, page 13, says:

‘There are no direct Social Value implications as a result of the submission of this report. The council will have no direct control over the development.’

Does this mean that whoever buys the site will not be followed-up by Somerset Council? How will the developers be made to honour their promises and obligations, for example in important matters such as the percentage of affordable housing, as specified in the plan?

Point 6, page 7, says:

‘Much of the detail is commercially confidential and is included in Confidential Appendix 1.’

In fact, of the 123 pages of this agenda, only 14 pages are accessible to the public.

The fact that almost 90 per cent [to be exact 87.5%] of this agenda, including most of the financial information that informs the decision making, is not accessible to public scrutiny is surely against the basic principles of a democratic process, accountability and freedom of information.

‘Information relating to the financial or business affairs of any particular person (including the authority holding that information).’

Finally, I would like to stress that I have no issue with people making a profit out of their skills and hard work. But if profit is the primary motivation for development then, as we know, there are always significant losers. In the case of Saxonvale, the losers will be the people of Frome.

Response from the Lead Member for Economic Development, Planning and Assets – Councillor Ros Wyke