

# Public Agenda Pack



Notice of Meeting of

## **EXECUTIVE**

**Wednesday, 2 August 2023 at 10.00 am**

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

To: The members of the Executive

Chair: Councillor Bill Revans  
Vice-chair: Councillor Liz Leyshon

Councillor Butt Philip	Councillor Adam Dance
Councillor Tessa Munt	Councillor Mike Rigby
Councillor Dean Ruddle	Councillor Federica Smith-Roberts
Councillor Ros Wyke	Vacancy – Lead Member for the Environment and Climate Change

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The meeting will be webcast and an audio recording made.

Issued by the Monitoring Officer on Tuesday, 25 July 2023

# **AGENDA**

**Executive - 10.00 am Wednesday, 2 August 2023**

**Public Guidance Notes contained in Agenda Annexe (Pages 5 - 6)**

**Click here to join the online meeting (Pages 7 - 8)**

## **1 Apologies for Absence**

To receive any apologies for absence.

## **2 Minutes from the Previous Meeting (Pages 9 - 22)**

To approve the minutes from the previous meeting.

## **3 Declarations of Interest**

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

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes: [City, Town & Parish Twin Hatters - Somerset Councillors 2023](#) )

#### **4 Public Question Time**

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'.

#### **5 Academisation Finance Policy and Procedure (Pages 23 - 42)**

To consider the report

#### **6 UPDATE - the Outturn Position across all Legacy Somerset Authorities for 2022/23 (Pages 43 - 48)**

To consider the report

#### **7 Staplegrove Housing Infrastructure Fund (Pages 49 - 72)**

To consider the report

#### **8 Executive Forward Plan (Pages 73 - 80)**

To note the latest Executive Forward Plan of planned key decisions that have been published on the Council's website.

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## Guidance notes for the meeting

### Council Public Meetings

The legislation that governs Council meetings requires that committee meetings are held face-to-face. The requirement is for members of the committee and key supporting officers (report authors and statutory officers) to attend in person, along with some provision for any public speakers. Provision will be made wherever possible for those who do not need to attend in person including the public and press who wish to view the meeting to be able to do so virtually.

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They can also be accessed via the council's website on [Committee structure - Modern Council \(somerset.gov.uk\)](#)

### Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

### Minutes of the Meeting

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

### Public Question Time

If you wish to speak or ask a question about any matter on the Committee's agenda please contact Democratic Services by 5pm providing 3 clear working days before the meeting. (for example, for a meeting being held on a Wednesday, the deadline will be 5pm on the Thursday prior to the meeting) Email

[democraticserviceteam@somerset.gov.uk](mailto:democraticserviceteam@somerset.gov.uk) or telephone 01823 357628.

Members of public wishing to speak or ask a question will need to attend in person or if unable can submit their question or statement in writing for an officer to read out, or alternatively can attend the meeting online.

A 20-minute time slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. Each speaker will have 3 minutes to address the committee.

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish. If an item on the agenda is contentious, with many people wishing to attend the meeting, a representative should be nominated to present the views of a group.

### **Meeting Etiquette for participants**

Only speak when invited to do so by the Chair.

Mute your microphone when you are not talking.

Switch off video if you are not speaking.

Speak clearly (if you are not using video then please state your name)

If you're referring to a specific page, mention the page number.

There is a facility in Microsoft Teams under the ellipsis button called turn on live captions which provides subtitles on the screen.

### **Exclusion of Press & Public**

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed.

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Minutes of a Meeting of the Executive held in the Luttrell Room - County Hall,  
Taunton TA1 4DY, on Monday, 10 July 2023 at 10.00 am

**Present:**

Cllr Bill Revans (Chair)  
Cllr Liz Leyshon (Vice-Chair)

Cllr Theo Butt Philip  
Cllr Tessa Munt  
Cllr Dean Ruddell  
Cllr Ros Wyke

Cllr Adam Dance  
Cllr Mike Rigby  
Cllr Federica Smith-Roberts

**In attendance:**

Cllr Tom Deakin  
Cllr Heather Shearer  
Cllr Andy Dingwall  
Cllr Mandy Chilcott  
Cllr David Fothergill  
Cllr Lucy Trimnell  
Cllr Sarah Wakefield

Cllr Val Keitch  
Cllr Oliver Patrick  
Cllr Jo Roundell Greene  
Cllr Fran Smith  
Cllr David Woan  
Cllr Frances Nicholson  
Cllr Andy Sully

**Other Members present remotely:**

Cllr Gill Slocombe  
Cllr Dave Mansell  
Cllr Martin Lovell  
Cllr John Hunt  
Cllr Andy Kendall  
Cllr Claire Sully  
Cllr Dawn Johnson

Cllr Sue Osborne  
Cllr Diogo Rodrigues  
Cllr Helen Kay  
Cllr Nicola Clark  
Cllr Adam Boyden  
Cllr Dixie Darch  
Cllr Rosemary Woods

**15 Apologies for Absence - Agenda Item 1**

Apologies were received from Cllr Sarah Dyke.

**16 Minutes from the Previous Meeting - Agenda Item 2**

The minutes of the Executive meeting held on 7 June 2023 were agreed upon and signed by the Chair.

The Chair paid tribute to Barnaby Webber, a valued member of the cricket community through Bishop's Hull Cricket Club, who tragically died last month, and offered sincere condolences to Barnaby's family and friends.

**17 Declarations of Interest - Agenda Item 3**

SOMERSET COUNCILLOR CITY, TOWN AND/OR PARISH COUNCIL

Cllr Theo Butt Philip - Wells City Council

Cllr Adam Dance - South Petherton Parish Council

Cllr Tom Deakin - Taunton Town Council

Cllr Andy Dingwall - Westonzoyland Parish Council

Cllr Val Keitch - Ilminster Town Council

Cllr Andy Kendall - Yeovil Town Council

Cllr Sue Osborne - Ilminster Town Council

Cllr Mike Rigby - Bishops Lydeard and Cothelstone Parish Council

Cllr Dean Ruddle - Somerton Town Council

Cllr Heather Shearer - Street Parish Council

Cllr Gill Slocombe Bridgwater Town Council

Cllr Federica Smith-Roberts - Taunton Town Council

Cllr Dave Woan - Yeovil Town Council

Cllr Ros Wyke - Westbury-sub-Mendip Parish Council

## **18 Public Question Time - Agenda Item 4**

The Chair noted that no public questions had been received or submitted, however, at his discretion, approved the online public question from Mr George Hitchens relating to Agenda Item 8 - Mendip Local Plan - variation to order of 16 December 2022.

The Chair invited George Hitchens to address to Committee.

Mr George Hitchens, Parish Councillor Norton St Philip, asked:

- a. Whether windfall permissions in the former Mendip could be counted towards the 505 dwellings - as a case was made for this in the submission of Local Plan Part II and examination
- b. Whether current applications could be considered as part of the 505 site assessments.
- c. Whether the Judge's directions to assess sites against the adopted strategy in Local Plan Parts 1 and 2 and that meant certain sites/areas in the former Mendip could be excluded.

It was also noted that the Council could apply to the Court to amend the Order if circumstances change.

The Lead Member for Economic Development, Planning and Assets, Cllr Ros Wyke, undertook to provide a written response.

## **19 Director of Public Health Report - Agenda Item 5**

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited the Lead Member for Public Health, Equalities and Diversity, Cllr Adam Dance, to introduce the report.

The Lead Member for Public Health, Equalities and Diversity, Cllr Adam Dance, introduced the report highlighting; that the 2022/23 annual report of the Executive Director of Public and Population Health covered the impact of Cardiovascular Disease (CVD); the call for a renewed focus on preventing CVD overall, and the inequalities that people experience relating to the disease; and the significant shortfall in public health funding for Somerset.

The Executive Director for Public and Population Health, Professor Trudi Grant, proceeded to present the report highlighting; the statutory duty and opportunity for the Executive Director of Public and Population Health to give an independent and personal view of health and well-being priorities in the County; acknowledgment of the input from colleagues across the health system, Somerset County Cricket Club and the Somerset Cricket Foundation; and the need to develop an environment that is conducive to people leading an active and healthy lifestyle, and make the choices easier to build healthier lifestyle behaviours.

Dr Orla Dunn, Public Health Consultant, presented the report, highlighting; the inspiration of the report presentation and the relevance to a 'good innings in life'; the significant impact of CVD on the health of Somerset population and the significant public health concern of this group of diseases; the challenges in Somerset, including an ageing population, with the above average life expectancy and the inequalities of the population; the factors that influence cardiovascular health; smoking as a risk factor for CVD; the Q risk metric and the ten year risk of heart attack or stroke; the recommendations within the report including, and the need to develop our environment with the purpose of improving health and environmental sustainability, to work with communities to reinvigorate efforts to promote encourage and support people in Somerset to enjoy a healthy lifestyle and all the benefits that it brings, renewed action to meet national challenge to reduce smoking rates to 5% or less by 2030, a system wide focus on finding and supporting those with high blood pressure, finding and sticking to the right treatments, improve data collection and use it to help predict risk of disease and diagnose and intervene early.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included; the powerful message and presentation; the impact and importance of the report for the population of Somerset; the engagement and communication plan to residents of Somerset; the challenge of the smoking targets; blood pressure monitor availability; the significant funding challenges faced both nationally and locally; the benefits of a healthy lifestyle in the prevention and the availability and benefits of the active travel scheme; a whole system joined up response and the alternatives to medication.

The Chair, Scrutiny Committee, Adults and Health, Cllr Gill Slocombe, commented that the report had a positive reception by the Committee, with supportive comments, and put forward a suggestion that the presentation should be shared with schools and other areas, to provide a greater understanding of the prevention of CVD.



The Executive preceded to vote on the recommendations, which were agreed unanimously.

**The Executive agreed to note the 2022/23 Annual Public Health Report and support the recommendations to have a greater focus on preventing and addressing cardiovascular disease and reducing its impact on the Somerset population.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

## **20 Medium Term Financial Strategy 2024/25 to 2026/27 - Agenda Item 6**

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited the Deputy Leader and Lead Member for Resources and Performance, Cllr Liz Leyshon, to introduce the report.

The Deputy Leader and Lead Member for Resources and Performance, Cllr Liz Leyshon, introduced the report highlighting; that the 2024/25 budget preparations and proposals had been considered at the Scrutiny Corporate and Resources Committee, 6 July 2023; the budget and performance monitoring changes; including the new software to aid this reporting and the planned work to increase the joined-up working, understanding and communication of performance, budget monitoring and risk understanding, leading to risk management route for reports including Audit Committee and all Scrutiny Committees; the importance of rapid implementation of proposed savings in an ever-changing financial environment, including increased demands, increased inflation, increased interest rates and a hot labour market; that the paper sets out the clear scale, depth and breadth of challenge; the composition and role of the internal MTFP Board; the importance of action to identify significant savings with the need to take decisive action, including the 17 key areas that are the main building blocks of the budget and financial framework.

The Executive Director for Resources and Corporate Services, Jason Vaughan, further added to the above points, highlighting key points including: the forecast three year budget gap of £98.8m; setting out the size of the financial challenge for the revenue budget, with a need to save £100m over the next three years; pressure areas, including the Housing Revenue Account, Capital, the Dedicated Schools Grant, including the High Needs Block, with statutory override provided by the Government due to end 31 March 2026; the Statement of Accounts for the 2022/23

financial year of the five predecessor councils, the publication dates and the review of reserves.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the reporting and monitoring of the 17 targeted areas of concern within the report including committee reporting and Member briefings; the national picture and the use of networks to lobby Government to increase awareness of the challenges faced by Local Government; the lack of funding and increasing demand to deliver services; communicating the Council's financial challenges and ambitions to Somerset's residents; the complex financial Local Government picture, both locally and nationally; the number of Councils across the country that have received and are at risk of receiving Section 114 notices; the reporting of reserves and key indicators of the financial direction of travel; and the reporting, monitoring and delivery of identified cost savings for adult social care.

In response, the Chief Executive, Duncan Sharkey, summarised the complex situation in that this Council and Councils nationally were spending more year on year in absolute terms, however, due to increased costs, demands and funding that has not kept pace, it has been necessary to dedicate funding to the protective services areas and protecting people's lives, particularly social care. The Chief Executive continued, that this scale of the challenge has limited the Council in the ability to innovate, the capacity to do different and the capacity to work locally to mitigate the financial position, and that if Central Government fails to adequately address the current threat to Local Government finance and services, as they currently operate and exist, there is a risk to the future financial viability of some services, resulting in Local Authorities reaching the point where they only have funds to provide statutory responsibilities. The Chief Executive summarised that this Council's work on prevention and early intervention is essential to make plans quickly and deliver quickly and to lobby Government to focus on the future of Local Government and what it will look like next year and beyond.

The Executive Director for Resources and Corporate Services, Jason Vaughan, further added to the above points, highlighting that currently there is no comprehensive Government support package for dealing with the forecast financial situation over the next few years.

The Deputy and Lead Member for Resources and Performance, Cllr Liz Leyshon, further added to above points commenting on the extraordinary and unique set of circumstances and paid tribute to Council staff for their work through this challenging time.

**The Executive approved the Medium-Term Financial Strategy (MTFS) for 2024/25 to 2026/27 and the approach for the medium-term of the following proposals:**

- **An early review of 17 key areas that are the main building blocks of the budget and financial framework**
- **A three-year approach and framework for balancing the budget to develop the Service Budget Options**
- **Reviewing and challenging all MTFP assumptions**
- **A review of the capital programme**
- **The criteria for any new scheme;**

**And the Executive noted:**

- **That the reserves position for the Somerset Council has not yet been completed pending finalisation of all five authorities Statement of Accounts**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

## **21 Transport and Fleet Policy Decisions - Agenda Item 7**

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited the Lead Member for Transport and Digital, Cllr Mike Rigby, to introduce the report.

The Lead Member for Transport and Digital, Cllr Mike Rigby, introduced the report highlighting: that the purpose of the report was to agree on a set of policy principles for Somerset Council to inform the development of the new Local Transport Plan, the overall approach to transport planning development management, consideration of planning proposals and other relevant policy and plans; the opportunity for the Unitary Council to pull key policies together; the intention to achieve a vision led, decide and provide, approach to develop, plan, and deliver a transport strategy which more fully reflects the needs of a largely rural county, and be more responsive to broader priorities; and that the principles are intended to promote active travel, high-quality design, create better places and support the Council's declaration of a climate and ecological emergency.

The Lead Member proceeded to invite the Strategic Manager, Highways and Transport, Mike O'Dowd-Jones and the Assistant Director, Strategic Place and Strategic Planning, Alison Blom-Cooper, to present the report.

The Strategic Manager, Highways and Transport, Mike O'Dowd-Jones and the Assistant Director, Strategic Place and Strategic Planning, Alison Blom-Cooper, proceeded to present the report, highlighting: the draft guiding principles for the planning and transport strategy; the delivery of an all-Member briefing and future Member engagement, stakeholder and public consultation, including attending Scrutiny Committee – Climate and Place and a developer forum; and the work to develop an ambitious devolved long term Government funding settlement. The officers proceeded to summarise the draft set of placemaking principles, noting that these were subject to further engagement, analysis and consultation as part of the formal development of those policies before adoption.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the consideration of all lighting technology; the ambition to electrify the Somerset Council light vehicle fleet, following current trials and additional improvements in technology; the balanced and rounded approach and the learning from other organisations regarding the adoption and operation of fleet vehicles; the existing network of footpaths and the Rights of Way improvement plan; the Bridge repair and replacement programme and budget; the inclusion of Local Community Networks (LCNs) as part of the engagement process; the adoption of alternative fuel options for the Council fleet; parking standards across Somerset and the impact of parking changes understanding and balancing both the carbon and financial impact; the consideration and recognition of the many different facets of Somerset in its urban and rural geography when working through the local plan, infrastructure planning, planning policies and reducing reliance on private vehicles; consideration of highway capacity and sustainable new development proposals; governance and monitoring of the outcomes and actions; the use of section 106 money for public – private partnerships; the integrated transport strategy, including linked bus timetables; the need for a cohesive strategy and to look at cumulative effects regarding development and parking; and the welcome Audit report on Climate Emergency Governance.

In response, the Strategic Manager, Highways and Transport, Mike O'Dowd-Jones, and the Assistant Director, Strategic Place and Strategic Planning, Alison Blom-Cooper, advised the Executive that LCNs will be included in the draft Statement of Community Involvement, which sets out how the Council will consult, and is to be presented to Executive; along with a commitment to share the current stakeholder list with elected Members.

The Associate Lead Member for Localities (LCNs) & Public Health, Cllr Val Keitch,

further added to the above points, reporting that there had been a high level of interest in highways and transport issues at the nine LCN meetings that have taken place.

Having been duly proposed and seconded, the Executive unanimously agreed to amend recommendation k 'and we will adopt alternative fuels such as hydrogen for larger vehicles' to read and 'we will consider alternative fuels for larger vehicles'.

This was agreed unanimously. The Executive proceeded to vote on the recommendations, as amended, which were also agreed unanimously.

**The Executive agreed:**

- 1. To endorse and adopt the following set of guiding principles to inform the development of statutory policies and Somerset Council overall approach to transport planning and development planning challenges and opportunities:**
  - a. Reducing carbon emissions will be the key priority for the transport and development plans including adoption of a transport decarbonisation pathway.**
  - b. We will adopt a holistic approach to policy and strategy development, working beyond just transport. We will ensure that all our policies are rural-proofed and will continue to build relationships with public health, education services, adults and children's social care and others within the organisation to deliver co-benefits.**
  - c. We will adopt a vision-led 'decide and provide' or 'vision and validate' approach to new development whereby a strong vision for great places to live with a reduced need to travel is agreed. This will involve co-locating housing and other facilities to create neighbourhoods where the natural first choice is to walk or cycle to access work, education, learning and healthcare etc.**
  - d. We will endorse the vision led approach to street and highway design as part of wider high quality placemaking; and agree the vision and principles as set out in Appendix A for consultation with key stakeholders. Having taken into account comments received authority is given to the Service Directors in conjunction with the Executive Lead Members to adopt the vision and principles as a material planning consideration for the preparation of masterplans, pre-application advice, assessing planning applications and any other development management purposes.**
  - e. Subject to detailed analysis, priority policy interventions will be**

related to reducing the need to travel and promoting sustainable travel (active travel for shorter distances, e-bikes and micro mobility for slightly longer distances, shared transport, bus, demand responsive transport, and rail for longer distances; and policy interventions such as parking management that aim to reduce demand for travel by private car).

- f. We will expect developers to provide high quality active travel and public transport networks within and accessing new development areas, to ensure new development does not create significant additional congestion, rather than creating additional highway capacity for private car traffic. We will expect developers to implement high-quality sustainable travel plans which include a wide range of measures and incentives to enable active travel.
- g. Increasing highway capacity will only be considered as a last resort and in exceptional circumstances. We will continue to complete highway capacity improvements that are already in the pipeline as funded schemes but it is likely that we will not be seeking Government funding for improvements that increase capacity for private car travel beyond the current pipeline.
- h. We will build on the successful community -led approach to constructing rural multi-user paths between settlements and will co-develop a proposed network for community-based delivery. We will also consider how to create an improved environment for pedestrian movement in more semi-urban, rural locations where the environment can be dominated by high-speed traffic.
- i. We will aim to secure a devolved Government funding package to implement an ambitious sustainable transport programme, building on our current success with Bus Service Improvement Plan funding and Active Travel funding.
- j. We will oversee delivery of a comprehensive charging network for electric vehicles and will appoint a private sector delivery partner to ensure that public funding is only used where necessary to address market failure in a similar way to that adopted for Broadband rollout. EV recommendations are set out in Appendix B.
- k. The Council's own vehicles up to and including 3.1 tonnes GVW and those of our contractors will be electric vehicles as soon as this can be realistically, and cost effectively achieved; and we will consider alternative fuels for larger vehicles at the earliest opportunity in line with the evolution of emerging technology.
- l. We will work with bus operators to agree the most appropriate alternative fuels pathway for public transport operations and support them in implementing this.

- m. We will develop a new policy seeking greater consistency in highway lighting, creating a default preference for part-night lighting, dimming and user activated lighting.**
  - n. We will examine the implications of incorporating explicit requirements for carbon reduction and reduced travel across all the Council's services, including carbon reduction targets within our contracts with suppliers, with a view to implementing changes to our procedures at the earliest opportunity.**
- 2. To consult key stakeholders on the Vision and Principles to Placemaking;**
  - 3. And taking all feedback received into account, the Executive agreed to delegate to the Service Directors for Infrastructure & Transport, and Economy, Employment & Planning in consultation with the Lead Members for Transport & Digital and Economic Development, Planning and Assets the adoption of the Vision and Principles to Placemaking as a material planning consideration.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

## **22 Mendip Local Plan - variation to order of 16 December 2022 - Agenda Item 8**

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited the Lead Member for Economic Development, Planning and Assets, Cllr Ros Wyke, to introduce the report.

The Lead Member for Economic Development, Planning and Assets, Cllr Ros Wyke, introduced the report, highlighting: that the report summarised the Judicial Review of Mendip Local Plan Part II (LPP2), resulting in a court order being made against Mendip District Council on 16th December 2022 and an amendment was noted in the supplemental agenda p12, the date in Appendix 2, Para 5 which should be October 2022 not 2023.

The Monitoring Officer, David Clark, further added to the above points, advising of the necessary urgency and implementation of the report to meet with the clear direction of the High Court to deliver the outlined timetable, additionally he clarified the inclusion of any necessary scrutiny and public consultation in the following delivery process and plans.

The Assistant Director, Strategic Place and Strategic Planning, Alison Blom-Cooper presented the report, highlighting; that following publication of the report, the Judge requested a review to expedite the timetable; the addition of a further recommendation regarding a delegation to officers and the Lead Member to bring forward the date for Regulation 19 publication if feasible. It was further emphasised that the work would be subject to public consultation before being submitted to the Planning Inspectorate.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included; the reason for the process and the allocation 505 houses; the call for a clear process across the Eastern part of Somerset to meet requirements, and the effect on communities; the deliverable date of the dwellings by 2029; the consideration of unallocated windfall sites and current developer sites; access to the former Mendip District Council reports and papers; and oversight and governance of the process.

In response, the Assistant Director, Strategic Place and Strategic Planning, Alison Blom-Cooper, and the Principal Planning Officer, Andre Sestini, advised of the thorough assessment process required by legislation, including: reasonable alternative options for the delivery of homes; a process of sustainability appraisal; and habitat regulations assessment and that all options suitable, available and deliverable in the time period to be considered, with the use of unallocated windfall sites to be advised on following consultation and legal advice.

Having been duly proposed and seconded, the Executive unanimously agreed to add the recommendation:

*e. Agreed that delegated authority be granted to the Service Director – Economy, Employment and Planning in consultation with the Lead Member for Economic Development, Planning and Assets, to expedite the timetable, if feasible, to bring forward the date for the Regulation 19 publication and submission of the allocations. Agree that any minor changes to the text and the final graphic design of the document are delegated to the Leader of the Council, in consultation with the Executive Lead Member(s).*

The Executive proceeded to vote on the recommendations, as amended, which were also agreed unanimously.

**The Executive agreed:**

**(a) Confirmed a commitment to commence the Mendip Local Plan Part II**



**site allocations review specified in the Order to the following timescales**

- **To undertake a call for sites limited to the 505 dwellings within 28 days of the amended order, commencing on 24 July 2023 for 6 weeks until 4 September 2023**
  - **To publish a Regulation 18 consultation with proposed allocations by 8 January 2024 (for 6 weeks consultation as required by the Regulations)**
  - **To publish a Regulation 19 statement seeking representations for a 6 week period as required by the regulations by 13 May 2024**
  - **To submit for examination by 1 September 2024.**
- b. Agreed the proposed approach to the review as set out in the report and notes the site allocations review for the Mendip Local Plan will be subject to Member and community consultation;**
- c. Noted the resource and financial implications of the Order and project plan and that further reports will be made to Executive prior to the Regulation 18 consultation on the preferred option for allocation of the additional 505 homes and the Regulation 19 publication prior to submission to the Inspectorate;**
- d. Agreed that delegated authority be given to Service Director – Governance, Democratic and Legal Services to apply to the Court to seek to vary the Court Order should circumstances beyond the Council’s control mean that the timetable set out above cannot be achieved;**
- e. Agreed that delegated authority be granted to the Service Director – Economy, Employment and Planning in consultation with the Lead Member for Economic Development, Planning and Assets, to expedite the timetable, if feasible, to bring forward the date for the Regulation 19 publication and submission of the allocations.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

## **23 Executive Forward Plan - Agenda Item 9**

The Executive noted the Forward Plan.

**(The meeting ended at 12.30 pm)**

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**CHAIR**

## Decision Report - Executive Decision

Forward Plan Reference: FP/23/06/04

Decision Date – 2 August 2023

Key Decision – YES

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## Academisation Finance Policy and Procedure

Executive Member(s): Lead Member for Children, Family and Education

Local Member(s) and Division: All

Lead Officer: Executive Director – Children, Family and Education

Author: Service Director of Education Partnerships and Skills

Contact Details: [amelia.walker@somerset.gov.uk](mailto:amelia.walker@somerset.gov.uk)

## Summary / Background

1. As a Council, Somerset Council is seeking to move to a more transparent and financially rigorous methodology for planning academisation. This is being shared with the Department for Education and Diocese of Bath and Wells through the Somerset Education System Leadership Group. The Education System Leadership Group is part of the new governance supporting the Education for Life Strategy and informs the work of the overarching Education for Life Board.
2. As of the start of the financial year there were 133 Local Authority maintained schools in Somerset. Any of these schools could either convert to academy status in their own right or convert with a sponsor when a school is underperforming and the Department for Education decides to implement a trust solution. There are 13 schools in the pipeline to convert to academy status between 1 August 2023 and 1 April 2024. We are aware of eleven schools that have taken a formal vote to academise but have not been considered by the South West Advisory Board (see Table 1).

## Recommendations

3. The Executive agrees:
  - a) To agree to an amendment to the Core Offer contract (see para 9-12).
  - b) To approve the Council's academy charge for schools electing to convert to academy status (see para 13-15).

- c) To approve the proposal to apply Department for Education guidance when dealing with surplus and deficit balances on conversion to academy status (see para 16-20).
- d) To implement the proposal at (c) in relation to surplus and deficit balances effective from the date of decision (2 August 2023)

## Reasons for recommendations

4. As part of the Education for Life Strategy, Somerset Council is investing in relationships with stakeholders at all levels in the education system so that we can collectively deliver a step change in educational outcomes for the children of the area. Transparency about plans and intentions is helpful for strong and collaborative relationships with our schools. Being open and transparent, particularly about finance, supports the Council's intentions, as set out in the Council Plan, to be:

- A responsible Council that acts with integrity
- A Council with evidence-based and open decision-making
- A collaborative Council

5. Through the role of the Executive Director - Children, Family and Education, the Council has statutory responsibilities to promote educational excellence, specifically:

*Working with headteachers, school governors and academy sponsors and principals, local authorities should promote educational excellence for all children and young people and be ambitious in tackling underperformance.*

[Statutory guidance on the roles and responsibilities of the Director of Children's Services and the Lead Member for Children's Services](#)

6. Somerset's education system as a whole (both the academised and maintained sectors) is underperforming and the 2022 assessment outcomes showed a trajectory of decline. While funding and finance issues are significant factors contributing to school performance, they do not determine educational outcomes. However, a weakened support infrastructure around schools has been closely associated with that decline and financial stability is necessary for strong and reliable support services. Ensuring that financial uncertainty does not disrupt the focus on improvement and the benefit of improvement for children is therefore a priority for the Council.

7. While Somerset Council supports the principle that schools should be able to choose their future, this is better achieved within a planned and transparent framework for decision making and implementation that allows all stakeholders, particularly schools, multi-academy trusts and the Council to deliver change in a manner which mitigates the inevitable risks associated with change.
8. These proposals are designed to mitigate risks and provide clarity and stability in relation to financial measures associated with a change of status from Local Authority maintained to academy status.

#### *Core Offer*

9. All Local Authority schools are supported through a bundled traded package called the Core Offer. Each Core Offer contract is an annual agreement running from 1 April to 31 March. For 2023/24, all schools in the pipeline have been charged for the Core Offer in full and will not be eligible for a rebate. For financial year 2024/25 schools will be eligible for a rebate based on the month of conversion should the Local Authority be notified of conversion by 30 November 2023. The same deadline for notification prior to the year of conversion would apply in all subsequent years. If a school notifies the Local Authority in one of the ways set out in paragraph 10, they will receive a rebate for the period between conversion and the end of the financial year based on the formula set out in para 11.
10. The rationale for setting a cut-off date for schools to be eligible for a rebate is to protect schools who are remaining with the Local Authority. Every year the Local Authority will need to agree a Core Offer package and set a level of charges together with school leaders. These charges need to be agreed before the start of the spring term. In order to give schools the assurance that the support services they will rely on will be affordable and sustainable, the Local Authority will need to know how many schools are being supported and what level of service could be provided. The proposed cut-off date will mean that school charges will be able to be accurately forecasted and assurance can be given to the schools remaining within the system.
11. A school will be eligible for a rebate if a notification is received in one of the following ways by the deadline of 30 November each year:

- a) A letter from the Department of Education indicating an intention to pursue a directive academy order in relation to a school with two published Requires Improvement Ofsted inspection judgements
  - b) An Ofsted inspection that concludes with an Inadequate judgement
  - c) A written notification from the governing body advising of a positive resolution to join a multi-academy trust
12. Where the eligibility criteria has been met, rebates will be provided according to the date of conversion in twelfths of the annual charge (e.g. a 1 May conversion would be charged at 1/12 of the annual rate).

### *Charges*

13. Local Authorities and Dioceses (for church schools) are expected to levy full cost recovery in relation to academisation activities for voluntary conversions. The Diocese of Bath and Wells does charge for academisation activities but does not currently operate full cost recovery. Local authorities are unable to levy any charge for a school in receipt of a direct academy order as a result of poor performance. These costs must be met by the Local Authority.
14. Schools are awarded a grant of £25,000 to help meet these costs. Officers have finalised the full cost recovery calculation and the charge for schools electing to convert during 2023/24 will be £10,675. This has been calculated on the average number of hours devoted to academisation activities by the following functions: Project management, Finance, HR Advisory, Business Management, Estates Valuation, HR Admin and Payroll. This charge is in addition to the legal costs associated with conversion which are met by the converting school/trust.
15. The full cost recovery calculation will be reviewed annually and will be adjusted in line with inflation as applied to traded services.

### *Surplus and Deficit Balances*

16. In 2019 the County Council took a decision to treat surplus balances in the case of directive academy orders such that:
- schools would retain the first £20,000
  - any sum between £20,001 and £100,000 would be split with 50% retained by the Council
  - and any sum over £100,000 to be retained in full by the Council.

17. This had the effect that a greater sum was retained by schools in the case of directive orders than required in national guidance. In all other respects the Council followed national guidance.
18. It is proposed that the Council follows the guidance set out by the Department for Education: [Academy conversion: surplus and deficit balance transfer process](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/academy-conversion-surplus-and-deficit-balance-transfer-process.pdf) - GOV.UK ([www.gov.uk](https://www.gov.uk)):
  1. In the case of a directive academy order by the Secretary of State:
    - a) The deficit is retained by the Local Authority
    - b) The surplus is retained by the Local Authority
  2. In the case of a voluntary conversion:
    - a) The deficit is transferred to the trust
    - b) The surplus is transferred to the trust
19. In the case of 1(b) the statutory guidance says: “though the surplus can be transferred to the AT and, in practice, some LAs have agreed to this”. So the assumption is that surpluses will be retained, but the Councils may choose, as Somerset has previously, to pass on more than is required.
20. The Council would retain some balances under the previous policy. On the basis of latest financial reporting (using confirmed year end balances and budget plans submitted by schools) it is estimated that this would return £565k. Under the proposed new policy, it is estimated that this would return £776k assuming that there are no committed balances that have not already been identified.
21. The following elements of a school’s reserves will be disregarded when calculating the balance to be retained by the Local Authority following a conversion under a directive academy order:
  - a) Capital balances
  - b) Third party/group monies, for example for:
    - a. Community Learning Partnerships
    - b. Parent Family Support Advisors
  - c) Parental contributions collected for future activities such as trips
  - d) Unspent DfE grants in specific circumstances, e.g. where there will be a clawback by ESFA. Grant allocations are pro-rated at point of conversion following specified DfE rules, and schools should demonstrate that they

have used a reasonable proportion of their grants in the period up to conversion.

- e) Unspent external grants/donations given for specific purposes
- f) Balances required to cover pay awards and arrears for the pre-conversion period that will not be paid until post-conversion
- g) Balances detailed in the Commercial Transfer Agreement to cover future specific costs if these will be paid by the academy or trust
- h) Other agreed balances to cover future specific costs if these will be paid by the academy e.g. funds that have been accumulated over a period for a project such as replacement of facilities/equipment.

### **Other options considered**

- 22. The treatment of surpluses and deficits and the setting of cost recovery charges bring Somerset into line with standard practice nationally and therefore no other options were considered.
- 23. Establishing a pipeline of conversions with clear notification deadlines for contracts is based on the Council's experience that academisation proposals can emerge at short notice which does not align with financial or operational timescales. Establishing a fund to offset the cost of contracts ceasing in-year was considered. However, it became apparent that this would result in either unaffordable cost or longer timescales for academisation than are being proposed in the pipeline set out below, neither of which were acceptable, so this option was rejected.
- 24. The version shared for consultation suggested that rebates would be on the basis of a termly calculation. In response to consultation responses, this has been changed to a monthly calculation.
- 25. These proposals have been shared widely across the schools system. This paper was circulated directly to all Local Authority maintained schools and to all multi-academy trusts operating within the county. Proposals were shared openly to all schools through the Schools Weekly Bulletin and online. Two briefing sessions were held for school leaders. Three meetings have been held with schools and trusts currently planning for conversion. Feedback received within these sessions was broadly supportive.
- 26. The Department for Education and Diocese of Bath and Wells have provided feedback that they do not support proposals on the basis that they might result in a slower rate of conversion in the county than they would wish. While the



pipeline is flexible and can (and will) shift as projects unfold, we are not proposing a different rate of conversion at this time because:

- The Local Authority's legal obligations solely relate to schools with directive orders and these are already prioritised in the pipeline
- Somerset Council staff have converted over 130 schools over 13 years and have never in this time academised more than six schools in a school term. The current pipeline plans for a maximum of six conversions in any given term.
- The pipeline is flexible and where capacity allows (and where this is desirable on the part of the school and trust) conversion may be brought forward.

27. Additionally, the Department for Education and Diocese of Bath and Wells have expressed the view that the implementation date for the treatment of surpluses and deficits should not impact on schools proposed for conversion in 2023/24, for the reason that trusts may have already planned expenditure. This is not accepted. The trusts concerned have not had sight of the current surplus or deficit position for these schools, so planning any expenditure would be inappropriate.

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

28. Being open and transparent, particularly about finance, supports the Local Authority's intention, as set out in the Council Plan, to be:

- A responsible Council that acts with integrity
- A Council with evidence-based and open decision-making
- A collaborative Council

#### **Financial and Risk Implications**

29. For the year 2023/24, the financial pressures due to inflation mean that we can only meet our statutory duties. The Council is committed to meeting its statutory duties to facilitate academisation. However, where the Local Authority may have been in a position to go above and beyond those duties in previous years, financial pressure means this is no longer possible.

30. For many years Local Authority maintained schools have sustained a high level of combined surplus when the position across all schools is taken into account, even though individual schools have very different levels of surplus and deficit.

Due to inflationary pressures this is now likely to decrease and in the context of the position of the high needs block of the Dedicated Schools Grant (currently in deficit in the region of £20 million) there is an increasing level of risk to the Local Authority's overall financial position.

31. To maintain transparency of finances as schools move to academisation, the service will produce a financial statement at a date as near as possible to that of the decision to academise. This will capture the forecast surplus or deficit position for all relevant stakeholders, including the school and trust. The Local Authority's expectation is that this will reflect the level of surplus or deficit at the point of conversion. Any planned or unplanned variation to that figure of more than £5,000 will require formal written approval from the Council. This will put the onus on the school to maintain open and transparent accounting and dialogue through the period up to conversion. In relation to deficits, schools in deficit will already have an agreed deficit reduction plan which will continue through the period. The Council retains the right to request monthly financial reports for the period up to conversion under the current Financial Management Scheme to monitor compliance.

### **Legal Implications**

32. The Academies Act 2010 enables maintained schools to convert to academy status. The treatment of surpluses and deficits in academy conversions is set out in The Academy Conversions (Transfer of School Surpluses) Regulations 2013 ("the 2013 Regulations").
33. The Secretary of State may make a directive academy order where she considers a school to be underperforming. Current guidance defines underperformance as being an inadequate judgement by Ofsted or two consecutive Requires Improvement judgements in schools classed by the Department for Education as 'Education Investment Areas' due to low educational standards compared to other areas nationally. Somerset is an Education Investment Area. The Council has a duty under Section 5b of the Act to take all reasonable steps to facilitate the conversion of a school into an academy when that academy order is directive because of underperformance.

### **HR Implications**

34. The Local Authority employs approximately 220 staff within the Education, Partnerships and Skills team. The continued employment of a significant

proportion of this staff group, as well as other Council employees in teams serving schools, depends on income that arises from supporting Local Authority maintained schools. The government has expressed its intention to see more Local Authority maintained schools convert to academy status over the coming years. While this may result in a growth in trading with multi-academy trusts, it is likely that overall there will be a need to reduce the size of the overall function over time.

35. These proposals are intended to provide greater clarity for all stakeholders to be able to plan resources more effectively. To date, academisation has not taken into account effectively enough the need to evolve operational structures in both the Local Authority and trusts in light of the changing school landscape. While there may sometimes be an imperative to academise schools on shorter timescales, a longer planning horizon for staffing in non-urgent circumstances will allow the Council to maximise the potential for natural wastage, thereby avoiding the need for redundancy, and for multi-academy trusts to plan their support structures with greater assurance.

#### **Equalities Implications**

36. There is an interdependency between all elements of education finance, and therefore any lack of financial discipline carries a risk to provision in the area for Special Educational Needs and Disabilities, which may put provision for children with disabilities at risk in future.
37. During the consultation process, concerns were raised by the Diocese of Bath & Wells but this policy and procedure does not discriminate against schools with or on the basis of their religious characteristics / articles.

#### **Community Safety Implications**

38. There are no community safety implications.

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

39. There is an interdependency between all elements of education finance, and therefore any lack of financial discipline carries a risk to the sustainability of Local Authority maintained schools, particularly those in rural areas which are highly susceptible to financial shocks and whose loss can be devastating for isolated rural communities.

## **Health and Safety Implications**

40. Recent investigations have revealed that the funding arrangements that support Local Authority maintained schools have not supported good practice in relation to health and safety within education. Work on the Core Offer has focused on rectifying this, but good financial discipline is essential to ensure this work is sustained over time.

## **Health and Wellbeing Implications**

41. Education is one of the most significant determinants of health and wellbeing. Low and declining educational progress and attainment represents a risk to future population health.

## **Social Value**

42. These proposals would have no direct implications for procurement or contracts and so there are no social value implications.

## **Scrutiny comments / recommendations:**

43. This paper was considered by the Children and Families Scrutiny Committee on 12 July. The committee was supportive of the proposals and the intent behind them.

## **Background**

44. Somerset has academised 132 schools over 13 years with continuity of expertise in the staff team responsible. The shortest timeline to date between the Regions Team South West Advisory Board decision and conversion has been 4 months. Comparisons with other local authorities in the South West suggest a common timescale is 5-6 months. However, timescales can be significantly longer. Chilton Trinity School in Bridgwater took 30 months due to the complexities of a Private Finance Initiative contract.
45. The pipeline below represents target timescales and is subject to review. The Council will endeavour to recirculate this timetable on a regular basis to Council members and officers, local trusts and schools so that there is a shared understanding of changes where these may arise. This pipeline has been devised taking into account the following considerations:
- a) Priority given to schools with a direct academy order

- b) Groups of schools that are planning to join the same trust to academise at the same time, where that is achievable
- c) Known procedural complexities (e.g. exceptional land or legal issues)
- d) Capacity within the Local Authority to manage the relevant activity

46. This pipeline will serve as the Council's guide for activity and Officers are committed to these dates all other things being equal. However past experience tells us that there are a range of circumstances that can arise which can result in a change to target timescales. In particular, should any other schools receive directive academy orders, these would take priority and may displace other schools.

**Table 1**

Target date (1 <sup>st</sup> of month)	School	Directive Academy Order	South West Advisory Board Decision Date	Trust
August 2023	Berrow	YES	20 February 2023	The Priory Learning Trust
September 2023	Heathfield, Taunton	YES	22 May 2023	Cabot Learning Federation
November 2023	West Chinnock Norton Sub Hamdon	YES NO	24 April 2023	Bath and Wells MAT
November 2023	Castle Cary	YES	3 July 2023	The Academies for Character and Excellence
November 2023	Stoke St Gregory	YES	19 June 2023	The Oak Partnership Trust
January 2024	Merriott Haselbury Plucknett Ashlands, Crewkerne St Bartholomew's, Crewkerne	NO NO NO NO	22 May 2023	Quantock Education Trust
January 2024	Abbas & Templecombe St Aldhelm's, Shepton Mallet	NO NO	24 April 2023	Bath and Wells MAT

April 2024	St Louis, Frome	NO	22 May 2023	The Dunstan Catholic Educational Trust
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**Local Authority maintained schools who have:**

- notified the Council of a formal vote by the Governing Body to academise
- identified a named trust
- the named trust reflects the Department for Education's position on appropriate trust growth

Stoberry Park Primary School, Wells  
 Frome College, Frome  
 Ash Church of England Primary School  
 Berkley Church of England First School, Frome  
 Burnham on Sea Infants School  
 St Andrews Church of England Junior School, Burnham on Sea  
 Beckington Mells Church School Federation, Frome  
 St Nicholas Church of England Primary School, Henstridge  
 Kilmersdon Church of England VA Primary School  
 Croscombe Church of England Primary School  
 Trinity Church of England First School, Frome

## Background Papers

[Schools Causing Concern Guidance \(October 2022\)](#)

[Treatment of surplus and deficit balances when maintained schools become academies \(March 2018\)](#)

## Appendices

- Somerset Schools by phase and status
- School Ofsted Outcomes as of April 2023

## Report Sign-Off

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	24 July 2023
Communications	Chris Palmer	20 July 2023
Finance & Procurement	Jason Vaughan	24 July 2023
Workforce	Chris Squire	N/A
Asset Management	Oliver Woodhams	N/A
Executive Director	Claire Winter	24 July 2023
Strategy & Performance	Alyn Jones	N/A
Executive Lead Member	Cllr Tessa Munt	20 July 2023
<b>Consulted:</b>	<b>Councillor Name</b>	
Local Division Members	N/A	N/A
Opposition Spokesperson	Cllr Frances Nicholson	20 July 2023
Scrutiny Chair	Cllr Leigh Redman	20 July 2023

## Appendix 1: Somerset Schools by phase and status

Establishment Type	Total number of schools	LA maintained schools	Academies	% of schools which are academies
<b>STATE-FUNDED SCHOOLS</b>				
All-through	1		1	100%
Middle deemed primary	1		1	100%
Middle deemed secondary	6		6	100%
First School	30	14	16	44%
Infant School	12	10	2	
Junior School	10	7	3	
Primary School	165	90	75	
Secondary 11-16	17	1	16	86%
Secondary 11-18	8	2	6	
Upper School	3	1	2	
Special	8	4	4	50%
PRU	4	4		0%
<b>Sub Total (state-funded schools)</b>	<b>265</b>	<b>133</b>	<b>132</b>	<b>50%</b>
<b>OTHER</b>				
Other - FE College	4	N/A		
Other - Independent school	16	N/A		
Other - Independent special school	18	N/A		



Other - Special post 16 institution	3	N/A
Other - Miscellaneous	1	N/A
Sub Total (Other)	42	N/A
Grand Total	307	

## Appendix 2: Ofsted Judgements in Somerset schools 2022 – 2023

Since September 2021 **44%** of Somerset schools have been inspected under new framework

**56%** are overdue or waiting for Ofsted

Total of **113** schools inspected (plus 15 where reports not yet published)

2021 – 2022 **46** (plus 2 monitoring visits)

2022 – 2023 to date **67** (plus 5 monitoring visits and 6 academies inspected where judgement not yet known)

Please note that schools who convert to academy status have their Ofsted judgement wiped from their record and therefore all judgements listed for academy schools are judgements that were given to them after academisation

### Direction of Travel

**20%** have improved their grade for overall effectiveness (17% Jan 2023)

**19%** have received a lower judgement than previously (25% Jan 2023)

**61%** have retained the same judgement (58% Jan 2023)

-	<b>2021-2022</b>	LA	Academies	All
	↑		4	4
	↔	18	13	31
	↓	6	4	10
	(1st inspection)		(1)	(1)
		24	21	45

-	<b>2022-2023</b>	LA	Academies	All
	↑	1	11	12
	↔	31	6	37
	↓	7	5	12
	No outcome yet	0	6	6
		40	27	67

### Outcomes for Schools Inspected 2022 – 2023 to date

**3.3%** are Outstanding (0% Jan 2023)

**75.4%** are good (71% Jan 2023)

**13.1%** are Requires Improvement (21% Jan 2023)

**8.2%** are inadequate (8% Jan 2023)

**78.7%** of schools inspected since September 2022 have judgement of good or better for quality of education (71% Jan 2023)

				2022 - 2023	LA	Academies	Total
2021 - 2022	LA	Academies	Total	Outstanding	0	2	2
Outstanding	0	0	0	Good	23	11	34
Good	13	13	26	Good but	10	2	12
Good but	3	3	6	Requires Improvement	3	5	8
Requires Improvement	6	5	11	Inadequate	3	2	5
Inadequate	2	1	3	Monitoring visit	3	2	5
Monitoring visit	1	1	2	No report yet	0	6	6
	25	23	48		42	30	72

### Comparison to National Figures

Data April 2023 (Ofsted - Schools commentary: the emerging picture from 2022/23 inspections)

	National	Somerset (Apr 23)	Somerset (Dec 22)
Outstanding	17%	10%	11%
Good	71%	72.5%	71%
Good or better	88%	82.5%	82%
Requires Improvement	8%	12.4%	11%
Inadequate	3%	5.2%	7%

### Appendix 3: Consultation outcomes

This paper was shared widely with schools and trusts. Five written responses were received to the consultation from:

- Department for Education Regions Team
- Diocese of Bath and Wells
- Wessex Learning Trust
- Castle Cary Primary School and Oak Partnership Trust
- Stoke St Michael Primary School

Comment in summary	Council's response
The summary of the paper needs to be clearer that there is a financial basis to this decision.	Accepted and changed
Schools in the pipeline should receive a Core Offer rebate as this was previously discussed.	Acknowledged but the context changed and therefore this option became unviable. Schools continue to have the option to elect to convert on 1 April 2024 when the current Core Offer terminates. Council officers will meet with every school and trust to consider all aspects of the financial and trading arrangement and there will be no double charging of trusts who access Council services such as payroll and waste.
There is insufficient clarity in the paper on the treatment of surplus balances, and the considerations in determining which elements of any surplus would be disregarded.	Accepted and changed.
The paper does not reference the legislation in relation to surplus and deficit balances or spell out that the statutory guidance allows LAs to pass on surplus balances if they choose.	Accepted and changed.
Opposition members have not been consulted.	This is due to the paper being shared prior to this stage of the decision process. Proposals have been to Scrutiny and both opposition leads have been consulted.

The policy does not promote educational excellence in schools in receipt of directive academy orders.	The Council has invested heavily in securing improvement in underperforming schools, which has sometimes come at a cost to other schools that have performed well. It is fair and appropriate to expect schools that have not improved or been compliant to bear some of the cost of that underperformance.
LA maintained schools are not receiving sufficient budget monitoring information at this time.	Acknowledged but this has no direct bearing on these proposals.
This policy is being applied retrospectively.	Not accepted. The policy would only impact on conversions which have not yet taken place.
The paper does not list all the schools that have currently taken minuted decisions.	The paper that was circulated for informal consultation was correct. Since that time, schools have come forward to notify the Council of their minuted decision. The list of schools has been updated accordingly.
The paper is not clear where the 'tipping point' is for the viability of Council support for schools.	Not accepted. Council support for schools can be provided for any number and this is not a relevant consideration. Council support is less effective without sound financial planning but these proposals explicitly address this.
The proposed pipeline is too slow and would create unacceptable delay for voluntary conversions.	Not accepted. Data received from the Department for Education in relation to academisations across the South West demonstrates that no timescale being proposed is outside the margins of usual practice. The data shows that conversions can take between 2.5 and 60 months and therefore none of the timescales being proposed are unreasonable. The Council has a statutory duty to facilitate the conversion of schools with directive orders, and all these schools are prioritised in the pipeline. The Council has no statutory obligations to voluntary conversions and therefore must make a judgement about what steps it takes in these arrangements,

	balancing the interests of schools wishing to convert with the interests of other schools in the system.
The timescales on rebates are too long as they may deter schools from joining trusts.	This objection begs the question, as it assumes that the Department for Education's objective to see strong trusts grow is one that is shared by all stakeholders. While the Council absolutely shares a commitment to better schools in Somerset, the focus on trust growth is a central government policy that has not been adopted by the Council. Therefore, the focus on trust growth is not a relevant factor.
The DfE policy on surpluses should not be applied to schools currently in the pipeline.	Not accepted as set out in para 27.
The paper isn't clear how the charge for conversion has been worked out.	The basis for the calculation is at paragraph 14.
The Council should use statutory powers to suspend school budgetary control for underperforming schools rather than retaining surplus balances.	Not accepted. For underperforming schools this is one of the statutory avenues open to the Council, but there are many reasons why this may not be a suitable avenue to pursue in any given situation and therefore this means it is not appropriate to adopt this as a blanket policy,



## Decision Report - Executive Decision

Forward Plan Reference: N/A

Decision Date – 2 August 2023

Key Decision – No

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## UPDATE - the Outturn Position across all Legacy Somerset Authorities for 2022/23

Executive Member(s): Deputy Leader of the Council and Lead Member for Resources and Performance

Local Member(s) and Division: All

Lead Officer: Executive Director - Resources & Corporate Services

Author: Executive Director - Resources & Corporate Services

Contact Details: [Jason.vaughan@somerset.gov.uk](mailto:Jason.vaughan@somerset.gov.uk)

## Summary

1. Although the Statement of Accounts for each of the legacy Somerset Authorities have been progressing there are still some that remain outstanding for various reasons which means that we cannot yet report the overall position across Somerset for 2022/23. We are currently not alone in finalising 2022/23 accounts as at the end of June 2023 only 48% of all authorities had published their draft accounts. The final position should be ready for the September Executive meeting. This report updates the Executive of the current status as at the 21 July 2023. A further verbal update will be given at the meeting.

## Recommendations

2. The Executive notes the current position in reporting the outturn position for the Somerset authorities for the 2022/23 financial year and the timetable for completion outlined in paragraph 20.

### **Reasons for recommendations**

3. To ensure members are aware of the current status of the outturn position and Statement of Accounts for all of the legacy Somerset authorities.

### **Other options considered**

4. Other options considered were whether to provide an update on the position for the authorities that have published accounts but this approach would not give an accurate position for Somerset Council.

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

5. The outturn position will show the inherited position from all five Somerset Councils and therefore will not link to the Council Plan, Ensuring the position is accurate will give opening figures for the capital programme and reserves informing the MTFP for 2024/25 to 2026/27

### **Financial and Risk Implications**

6. It is important that a Statement of Accounts is completed for each authority to give as accurate a picture as possible of the outturn position. A risk will remain until all the accounts are signed off by our external auditors confirming that there are no corrections required that will impact on capital, revenue, or reserves.

### **Legal Implications**

7. All authorities were required to publish their accounts by the 31 of May 2023. The Executive Director has already made a statement as to why this was not possible for the Somerset authorities.

### **HR Implications**

8. The Statement of Accounts and audit continues to take up considerable levels of staff time especially for those in Finance.



## **Other Implications:**

### **Equalities Implications**

9. There are no equalities impacts arising from the recommendations in this report.

### **Community Safety Implications**

10. There are no community safety implications arising from this report.

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

11. There are no Climate Change implications arising from this report.

### **Health and Safety Implications**

12. There are no health and safety implications arising from this report.

### **Health and Wellbeing Implications**

12. There are currently no implications.

### **Social Value**

13. There are currently no implications.

### **Scrutiny comments / recommendations**

13. This is an update report that will be shared with Scrutiny Committee Corporate and Resources.

### **Background**

15. All five legacy authorities were required to provide a full Statement of Accounts for their year-end position as at the 31<sup>st</sup> March 2023. These all require review by external auditors and will each be given a qualified or unqualified opinion. The Governments deadline for publishing the accounts was the 31 May 2023. This deadline was not achieved by more than half of English authorities for a variety of well documented reasons. The Executive Director - Resources and Corporate Services provided a statement outlining that the publishing of accounts would not meet the deadline – the main reasons were as follows:

- The publication date was brought forward from 31 July to 31 May for the 2022/23 Statement of Accounts
- Nationally there is a significant backlog on the auditing of local government accounts with over 1,000 still outstanding
- We have 4 outstanding audits from previous years (Sedgemoor – 2 years, South Somerset & Mendip)
- The late publication of our draft accounts will not impact upon the external audit review of the accounts as we have been discussing the position with them
- Nationally, there will be a number of councils that do not publish by the new deadline

The Executive Director – Resources and Corporate Services also gave a verbal update to the Audit Committee in the 29 June 2023.

16. Until the accounts are all completed it means that some of the information for Somerset Council such as the 2022/23 outturn, reserves position, and capital position cannot be finalised.

#### The 2022/23 Outturn Position for Somerset

17. The following table outlines the current position for all legacy Somerset authorities:

	External Audit Opinion Received on 2020/21 Accounts	External Audit Opinion Received on 2021/22 Accounts	Publish Date or Expected Publishing Date for 2022/23 Accounts	External Audit - Start Date	External Audit - End Date
Mendip DC	Yes	No	12-Jun	09-Jun	15-Sep
Somerset Pension Fund	Yes	Yes	01-July	03-Jul	04-Sep
Somerset CC	Yes	Yes	10-July	11-Sep	18-Dec

South Somerset DC	Yes	No	28-July	03-Jul	06-Nov
Sedgemoor DC	No	No	28-July	25-Sep	27-Nov
Somerset West & Taunton DC	Yes	Yes	03-July	03-Jul	18-Sep

The table shows that most accounts have now been published with South Somerset District Council and Sedgemoor District Council predicted to publish by 29 July 2023. The auditors are currently with South Somerset but have not been delayed by this because they are still working on the 2021/22 accounts.

18. A key reason for not completing the accounts for the 31 May was that the Auditors could not provide resources to cover the audits. The table shows the auditors timetables after discussion with officers of when they would have resources. This then meant that we could manage resource to prioritise those with the earliest audit dates.
19. The table shows the complications of having some authorities accounts still not having an audit opinion on previous years. Until accounts have received an audit opinion they remain open to further questions and requirements. An example of this was that those authorities with 2021/22 accounts still open had to review the impact the recent pensions actuarial review would have had on those accounts. This has meant that those three authorities have had to pay for reports from the actuary and any material amendments made. This in turn lead to the 2023/24 accounts also having to be amended.

### The Way Forward

20. Once all of the accounts are published we can complete an overview of the overall impact on Somerset Council. The revised timetable is as follows:
  - All legacy Somerset Authorities publish 2022/23 Accounts – 29 July 2023
  - Outturn position of all legacy authorities is reported to Executive including the impact on Somerset Council including:
    - Legacy reserves position and starting position for Somerset Council – September Executive
    - Legacy capital receipts position and starting position for Somerset Council – September Executive

- Capital outturn and initial revised capital programme for Somerset Council  
– September Executive

- Quarter 1 Budget Monitoring – September Executive

21. A revised capital programme is required because the capital programme set in February was based on each authority's Quarter 2 profiles and therefore needs updating with slippage and approvals made after Quarter 2. Much of this work is well underway but needs to fully reflect the final positions outlined in the accounts. It is worth noting that there will still be a risk of amendments depending on audit findings until all Statement of Accounts are given a final opinion.

### Background Papers

22. None.

### Report Sign-Off

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	21/7/23
Communications	Chris Palmer	Sent 21/7/23
Finance & Procurement	Jason Vaughan	21/7/23
Workforce	Chris Squire	Sent 21/7/23
Asset Management	Oliver Woodhams	Sent 21/7/23
Executive Director / Senior Manager	Jason Vaughan	21/7/23
Strategy & Performance	Alyn Jones	21/7/23
Executive Lead Member	Liz Leyshon	24/7/23
<b>Consulted:</b>		
Local Division Members		
Opposition Spokesperson	Councillor Mandy Chilcott	21/7/23
Scrutiny Chair	Councillor Bob Filmer	21/7/23

## 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: 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: 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 e.g. 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 e.g. 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 were discussed:
- The need to not lose the funding.
  - Whilst the HIF funds were originally to deliver the spine road, the proposals are the next best thing given the circumstances.
  - The need to ensure the spine road is delivered in its entirety.
  - The delay to the delivery of the development and the impact of phosphates upon progress.
  - That the primary school scheme must also see timely delivery of footpaths and cycle routes to encourage active travel.
  - The need to make sure the whole of the allocation site is delivered and to recycle the recovered HIF funds to unlock further housing.
  - The planning status of the parts of the site and delivery of Staplegrove East.
  - Engagement with Divisional Members and the Town Council.

Climate and Place Scrutiny Committee resolved to note the recommendations to the Executive.

## 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>STAPLEGROVE 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	915

the length of spine road running through Staplegrove East.	
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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

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	13/7/23
Communications	Chris Palmer	18/7/23
Finance & Procurement	Nicola Hix	19/7/23
Workforce	Chris Squire	14/7/23
Asset Management	Oliver Woodhams	13/7/23
Executive Director / Senior Manager	Mickey Green	13/7/23
	Paul Hickson	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	14/7/23
Opposition Spokesperson	Cllr Mark Healey MBE Opposition Lead Member for Prosperity, Assets and Development	24/7/23

Scrutiny Chairs	Cllr Martin Dimery, Chair of Scrutiny Committee - (Climate and Place)	Sent to 14/7/23
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### Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer or [www.somerset.gov.uk/impactassessment](http://www.somerset.gov.uk/impactassessment)

Organisation prepared for (mark as appropriate)						
Version	1	Date Completed		12/07/23		
Description of what is being impact assessed						
<p>The recommendations of the report relating to the Staplegrove Housing Delivery Fund (HIF); namely entering into a deed of variation to the grant fund agreement, entering into funding agreements over HIF with the developer/landowners and the use of HIF funds on Staplegrove East to acquire land rights to safeguard the future delivery of essential infrastructure including the primary school site and spine road.</p> <p>(The Housing Infrastructure Fund seeks to unlock the delivery of housing sites through providing a loan to developers for the delivery of infrastructure. The Staplegrove site is allocated for development in the Development Plan).</p>						

<b>Evidence</b>
<b>What data/information have you used to assess how this policy/service might impact on protected groups?</b> Sources such as the <a href="#">Office of National Statistics</a> , <a href="#">Somerset Intelligence Partnership</a> , <a href="#">Somerset's Joint Strategic Needs Analysis (JSNA)</a> , Staff and/ or <a href="#">area profiles</a> ,, should be detailed here
Professional understanding of the Housing Infrastructure Fund and its relationship with the delivery of essential infrastructure and the wider residential-led development.
<b>Who have you consulted with to assess possible impact on protected groups and what have they told you?</b> If you have not consulted other people, please explain why?
No consultation undertaken at this stage. 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.

Analysis of impact on protected groups				
<p>The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.</p>				
Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> <li>The HIF funded infrastructure will help unlock the delivery of a range of new housing including affordable housing. 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 avoiding the need to travel to other schools for primary age pupils. The availability of local facilities will benefit residents of the development. The site also includes employment land and will provide employment opportunities for those of working age. Enhanced transport infrastructure connected with the development including the spine road through the site, footpaths and cycleways will increase mobility options, including for those without access to a private car.</li> </ul>	❑	❑	☒

<b>Disability</b>	<ul style="list-style-type: none"> <li>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.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Gender reassignment</b>	<ul style="list-style-type: none"> <li>No impacts identified</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Marriage and civil partnership</b>	<ul style="list-style-type: none"> <li>No impacts identified</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Pregnancy and maternity</b>	<ul style="list-style-type: none"> <li>The HIF funded infrastructure will help unlock the delivery of new housing. 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. The availability of local facilities will benefit residents of the development including those with this protected characteristic.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Race and ethnicity</b>	<ul style="list-style-type: none"> <li>No impacts identified</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Religion or belief	<ul style="list-style-type: none"> <li>No impacts identified</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<ul style="list-style-type: none"> <li>No impacts identified</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none"> <li>No impacts identified</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Armed Forces (including serving personnel, families and veterans)	<ul style="list-style-type: none"> <li>No impacts identified</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> <li>The HIF funded infrastructure will help unlock the delivery of new housing, including affordable housing. Also included within the allocated site are community facilities including a new primary school. 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 places.</li> <li>Enhanced transport infrastructure connected with the development including the spine road through the site,</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	footpaths and cycleways will increase connectivity and mobility options for non-car modes of transport.			
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#### Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
None identified	Select date	N/A		<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

None identified	
Completed by:	Jenny Clifford
Date	12/07/2023
Signed off by:	Alison Blom-Cooper
Date	12/07/2023
Equality Lead sign off name:	Tom Rutland
Equality Lead sign off date:	24/07/23
To be reviewed by: (officer name)	Jenny Clifford
Review date:	01/01/2024

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## Executive Forward Plan

For the period 3 July to 31 October 2023



No.	Item
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1.	<a href="#"><u>Decision relating to Operational Contracts</u></a>
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Decision maker: Executive Director of Community Services, Executive Director of Resources and Corporate Services (Section 151 Officer)

Decision due: 19 Jul 2023; FP/23/05/13

Decision status: Recommendations Approved (subject to call-in)

Notice of proposed decision first published: 01/06/2023

2.	<a href="#"><u>Academy Conversion Policy and Procedures</u></a>
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Decision maker: Executive

Decision due: 2 Aug 2023; FP/23/06/04

Notice of proposed decision first published: 16/06/2023

3.	<a href="#"><u>Staplegrave Housing Infrastructure Fund</u></a>
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Decision maker: Executive

Decision due: 2 Aug 2023; FP/23//06/09

Notice of proposed decision first published: 27/06/2023

4.	<a href="#"><u>UPDATE - the Outturn Position across all Legacy Somerset Authorities for 2022/23</u></a>
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Decision maker: Executive

Decision due: 2 Aug 2023; To update the Executive

Notice of proposed decision first published: 25/07/2023

5.	<a href="#"><u>Somerset Community Learning Grant 2023/24</u></a>
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Decision maker: Executive Director of Resources and Corporate Services (Section 151 Officer), Lead Member for Economic Development, Planning and Assets

Decision due: 3 Aug 2023; FP/23/03/11

Notice of proposed decision first published: 31/03/2023

6. [Development Land at Marston Magna](#)

Decision maker: Lead Member for Economic Development, Planning and Assets

Decision due: 9 Aug 2023; FP/23/05/12

Notice of proposed decision first published: 01/06/2023

7. [Wrap-around support provision for displaced people in the form of welcome hubs](#)

Decision maker: Service Director of Public Health

Decision due: 14 Aug 2023; FP/23/06/05

Notice of proposed decision first published: 16/06/2023

8. [Early Years Block - Early Years Single Funding Formula 2023-24](#)

Decision maker: Lead Member for Children, Families and Education

Decision due: 16 Aug 2023; FP/22/11/12

Notice of proposed decision first published: 31/03/2023

9. [Contract Award: Decarbonisation Project at Wellington Sports Centre and the Alcombe Centre](#)

Decision maker: Lead Member for Environment and Climate Change (formal decision making temporarily reassigned to Leader/Deputy Leader), Lead Member for Economic Development, Planning and Assets

Decision due: August 2023; FP/23/03/06

Notice of proposed decision first published: 31/03/2023

10. [Authorisation to award the contract for essential refurbishment works at the Frome Enterprise Centre](#)

Decision maker: Lead Member for Transformation and Human Resources

Decision due: August 2023; FP/23/02/16

Notice of proposed decision first published: 31/03/2023

11. [Bespoke Homes - Award of Contract](#)

Decision maker: Lead Member for Communities, Housing and Culture

Decision due: August 2023; FP/23/03/09

Notice of proposed decision first published: 31/03/2023

12. [Award of contracts for Live Labs 2 Programme for Decarbonising Local Highway Maintenance](#)

Decision maker: Lead Member for Transport and Digital

Decision due: August 2023; FP/23/06/10

Notice of proposed decision first published: 27/06/2023

13. [Refurbishment of vacant site at Corams Lane for Therapeutic Education Provision](#)

Decision maker: Lead Member for Economic Development, Planning and Assets, Lead Member for Children, Families and Education

Decision due: August 2023; FP/23/02/07

Notice of proposed decision first published: 27/06/2023

14. [Delivering Better Value for Special Educational Needs and Disabilities in Somerset](#)

Decision maker: Executive Director of Resources and Corporate Services (Section 151 Officer), Lead Member for Children, Families and Education

Decision due: 1 Sep 2023; FP/23/07/08

Notice of proposed decision first published: 17/07/2023

15. [Creation of new sponsored academy in Somerset \(Heathfield Community School\)](#)

Decision maker: Service Director of Strategic Asset Management, Lead Member for Children, Families and Education

Decision due: September 2023; FP/23/05/09

Notice of proposed decision first published: 24/05/2023

16. [Key decision to award contract for the Somerset Integrated Sexual Health Service](#)

Decision maker: Executive Director of Public and Population Health

Decision due: September 2023; FP/23/04/02

Notice of proposed decision first published: 24/04/2023

17. [Somerset Authorities 2022/23 Budget Outturn](#)

Decision maker: Executive

Decision due: 6 Sep 2023; FP/23/05/07

Notice of proposed decision first published: 16/05/2023

18. [Treasury Management Outturn Report](#)

Decision maker: Executive

Decision due: 6 Sep 2023; FP/23/04/04

Notice of proposed decision first published: 24/04/2023

19. [Infrastructure and Transport: Highways Group, Highway Tree Risk Management Policy](#)

Decision maker: Executive

Decision due: 6 Sep 2023; FP/23/04/01

Notice of proposed decision first published: 24/04/2023

20. [Annual Approval as Sole Shareholder of Homes in Sedgemoor 2023/24](#)

Decision maker: Executive

Decision due: 6 Sep 2023; FP/23/07/06

Notice of proposed decision first published: 11/07/2023

21. [Award of contracts for highways services](#)

Decision maker: Executive

Decision due: 6 Sep 2023; FP/23/04/09

Notice of proposed decision first published: 24/04/2023

22. [Decision to award a contract for the supply of a Library Management System](#)

Decision maker: Executive

Decision due: 6 Sep 2023; FP/23/07/02

Notice of proposed decision first published: 11/07/2023

23. [Gravity Enterprise Zone](#)

Decision maker: Executive

Decision due: 6 Sep 2023; FP/22/10/03

Notice of proposed decision first published: 31/03/2023



24. [Gypsy and Traveller Review and Direction](#)  
Decision maker: Executive  
Decision due: 6 Sep 2023; FP/23/03/03  
Notice of proposed decision first published: 31/03/2023
25. [Revenue Budget Monitoring Report Qtr1 \(Month 3\)](#)  
Decision maker: Executive  
Decision due: 6 Sep 2023; FP/23/04/07  
Notice of proposed decision first published: 16/05/2023
26. [Quarter 1 - Performance report](#)  
Decision maker: Executive  
Decision due: 6 Sep 2023; FP/23/07/13  
Notice of proposed decision first published: 25/07/2023
27. [Bus Service Improvement Plan \(BSIP\) - Annual Review 2023](#)  
Decision maker: Executive  
Decision due: 4 Oct 2023; FP/23/06/03  
Notice of proposed decision first published: 16/06/2023
28. [Somerset Cultural Strategy](#)  
Decision maker: Executive  
Decision due: 4 Oct 2023; FP/22/11/09  
Notice of proposed decision first published: 31/03/2023
29. [Somerset's Flagship Arts Venue \(Octagon Redevelopment\)](#)  
Decision maker: Executive  
Decision due: 4 Oct 2023; FP/23/06/06  
Notice of proposed decision first published: 16/06/2023
30. [Cannon Cross Rifles - Compulsory Purchase Order](#)  
Decision maker: Executive  
Decision due: 4 Oct 2023; FP/23/07/03  
Notice of proposed decision first published: 11/07/2023

31. [Contract Award - Appointment of Providers to deliver housing related support and accommodation for 16-25 year olds](#)  
Decision maker: Executive  
Decision due: 4 Oct 2023; FP/23/05/10  
Notice of proposed decision first published: 01/06/2023
32. [Key decision for Dunball Roundabout - Signing Construction Contracts](#)  
Decision maker: Executive  
Decision due: 4 Oct 2023; FP/23/07/04  
Notice of proposed decision first published: 11/07/2023
33. [Local Development Scheme](#)  
Decision maker: Executive  
Decision due: 4 Oct 2023; FP/23/07/01  
Notice of proposed decision first published: 11/07/2023
34. [Statement of Community Involvement](#)  
Decision maker: Executive  
Decision due: 4 Oct 2023; FP/23/07/10  
Notice of proposed decision first published: 17/07/2023
35. [Equality Framework for Local Government - Peer Challenge Report and response](#)  
Decision maker: Executive  
Decision due: November 2023; FP/23/03/04  
Notice of proposed decision first published: 31/03/2023
36. [Award contracts for the delivery of care and support at home services in Somerset](#)  
Decision maker: Executive  
Decision due: 8 Nov 2023; FP/23/04/12  
Notice of proposed decision first published: 25/04/2023
37. [Award of contracts for highway surfacing, surface treatments, and maintenance of highway lighting and other electrical assets](#)

Decision maker: Executive

Decision due: 8 Nov 2023; FP/23/07/12

Notice of proposed decision first published: 25/07/2023

38. [Revenue Budget Monitoring Report Qtr 2 \(Month 6\)](#)

Decision maker: Executive

Decision due: 8 Nov 2023; FP/23/05/04

Notice of proposed decision first published: 16/05/2023

39. [Treasury Management 6 month Report](#)

Decision maker: Executive

Decision due: 8 Nov 2023; FP/23/04/05

Notice of proposed decision first published: 24/04/2023

40. [Business Process System update](#)

Decision maker: Executive

Decision due: 6 Dec 2023; FP/23/02/13

Notice of proposed decision first published: 31/03/2023

41. [Award of contract for construction of new highway assets](#)

Decision maker: Executive

Decision due: 6 Dec 2023

Notice of proposed decision first published: 25/07/2023

42. [Healthwatch Somerset](#)

Decision maker: Executive Director of Adult Services

Decision due: 13 Dec 2023; FP/23/07/09

Notice of proposed decision first published: 17/07/2023

43. [Revenue Budget Monitoring Report Qtr 3 \(Month 9\)](#)

Decision maker: Executive

Decision due: 7 Feb 2024; FP/23/05/05

Notice of proposed decision first published: 16/05/2023

44. [Treasury Management Strategy 2024/25](#)

Decision maker: Executive

Decision due: 7 Feb 2024; FP/23/04/06

Notice of proposed decision first published: 24/04/2023

45. [Allocation of the 2024/25 Dedicated Schools Grant High Needs Block](#)

Decision maker: Executive Director of Children, Families and Education

Decision due: March 2024; FP/23/05/01

Notice of proposed decision first published: 16/05/2023

46. [Equality Objectives 2024 - 2028](#)

Decision maker: Executive

Decision due: April 2024; FP/23/03/05

Notice of proposed decision first published: 31/03/2023

47. [Revenue Budget Monitoring Report Qtr 4 \(Month 12\)](#)

Decision maker: Executive

Decision due: 8 May 2024; FP/23/05/06

Notice of proposed decision first published: 16/05/2023

48. [Annual Approval as Sole Shareholder of Homes in Sedgemoor 2024/25](#)

Decision maker: Executive

Decision due: August 2024; FP/23/07/07

Notice of proposed decision first published: 11/07/2023