

Public Agenda Pack



Notice of Meeting of

SCRUTINY COMMITTEE - CLIMATE AND PLACE

Wednesday, 19 July 2023 at 10.00 am

Luttrell Room - County Hall, Taunton TA1 4DY

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

Chair: Councillor Martin Dimery

Vice-chair: Councillor Adam Boyden

Councillor Steve Ashton

Councillor Bente Height

Councillor Henry Hobhouse

Councillor Dave Mansell

Councillor Harry Munt

Councillor Alex Wiltshire

Councillor Alan Bradford

Councillor Edric Hobbs

Councillor Marcus Kravis

Councillor Matthew Martin

Councillor Tom Power

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticservicesteam@somerset.gov.uk.

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

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

The meeting will be webcast and a recording made.

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

AGENDA

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

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 - 18)

To approve the minutes from the previous meeting held on 17 May 2023 as a correct record.

3 Declarations of Interest (Pages 19 - 20)

To receive and note any declarations of disclosable pecuniary interests, other registrable interests and non-registrable 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.)

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 Future Transport (Pages 21 - 44)

To receive a presentation on the Council's Transport and Planning Policy Guiding Principles.

6 Climate, Sustainability and Environment-Next Steps (Pages 45 - 48)

To consider a report on the next steps of the Council's strategic approach to Climate, Environment and Sustainability, to ensure the Council is committed to reducing carbon emissions, achieving Net Zero and supporting nature's recovery.

7 Somerset's Approach to Green Growth (Pages 49 - 58)

To receive a report on the work undertaken to date and the approach proposed in delivering the green and clean growth agenda.

8 Staplegrove Housing Infrastructure Fund

Report to follow.

9 Mendip Local Plan - variation to order of 16 December 2022 (Pages 59 - 78)

To look at a report considered by the Executive on 10 July 2023.

10 Scrutiny Call-ins

To receive a verbal update on scrutiny call-ins.

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.

Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

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 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 Scrutiny Committee - Climate and Place held in the Luttrell Room - County Hall, Taunton TA1 4DY, on Wednesday, 17 May 2023 at 10.00 am

Present:

Cllr Martin Dimery (Chair)

Cllr Adam Boyden (Vice-Chair)

Cllr Alan Bradford

Cllr Henry Hobhouse

Cllr Dave Mansell

Cllr Harry Munt

Cllr Tom Power

Cllr Bente Height

Cllr Marcus Kravis

Cllr Matthew Martin

Cllr Connor Payne

Cllr Alex Wiltshire

1 Apologies for Absence - Agenda Item 1

Apologies were received from Councillor Edric Hobbs.

2 Declarations of Interest - Agenda Item 2

There were no additional declarations of interest.

3 Public Question Time - Agenda Item 3

Dr A Clegg and Mr D Orr had both submitted statements to the Committee in respect of agenda item 5 – Economy, Employment and Planning: Phosphates Update and are detailed under minute no. 5.

4 Approach to Climate and Place Scrutiny Committee - Agenda Item 4

Members received a presentation on the principles of scrutiny and the approach being taken regarding scrutiny within the new Somerset Council, which would be reviewed after a year.

There would be 5 scrutiny committees, one for each of service directorates, each with their own functional areas of responsibility.

They noted that this Committee's remit covered:

Climate, Environment and Sustainability:

- Carbon Neutrality
- Climate Resilience and Adaptation
- Renewable Energy
- Country Parks, Local Nature Recovery Strategy, Local Nature Reserves, AONB Partnerships (Countryside Services)
- Biodiversity (and net gain) and Ecology
- Sustainability
- Waste Service
- Emergency Planning and Business Continuity
- Water Management
- Flooding Response
- Coastal Protection Authority
- Somerset Rivers Authority

Infrastructure & Transport:

- Highways Authority
- Public Rights of Way
- Parking
- Active Travel
- Traffic Management
- Transport
- Public Transport
- Fleet Management
- Contracted Transport
- Strategic Transport Planning
- Road Safety
- Infrastructure Commissioning

Economy, Employment & Planning:

- Economic Development and Tourism
- Planning (conservation, enforcement, DM, local plan, waste and minerals, s106 allocations/CIL, Phosphates)
- Affordable Housing and Enabling
- City/Town Centre Management
- Trading Standards (Devon partnership)
- Skills
- Education Business Partnership
- Economic infrastructure, services and Innovation Centres
- Regeneration (non-housing)

- Major Projects
- Nuclear Power
- Scientific Services

Additionally, they would have the responsibility of providing a check and challenge function for decisions and policies made by the Executive, as well as contributing towards policy development and developing its own forward plan.

It was hoped that, with the use of member workshops and task & finish groups, which the Scrutiny Officer was now able to support, the wide remit of the Committee could be addressed.

Mickey Green the Executive Director for Climate & Place introduced himself and his 3 service Directors who gave a quick outline of their service areas:

- Kirsty Larkins – Service Director, Climate, Sustainability and Environment
- David Carter – Service Director, Infrastructure and Transport
- Paul Hickson – Service Director, Economy, Employment and Planning

The Executive Director's intention was to have a thematic approach to meeting e.g. a watery theme for July's meeting and invite people like Wessex Water in. Additionally, bringing in items at an early stage in order to get a steer from members.

The following points were raised by members;

- Concerns over managing the caseload with meeting now bi-monthly instead of monthly as in the past.
- The use of task & finish groups would be helpful
- It would be helpful to get the opportunity to be involved with policies at an early stage and have a councillor led process
- Action trackers on written questions and committee recommendations could become a standard part of the agenda

The following items were also suggested as potential future scrutiny items:

- Waste, with the new business plan being implemented
- Transport – active travel and public transport (bus service improvement plan)
- Items from the forward plan of the previous Scrutiny for Policies and Place Committee
- Planning and Section 106 agreements in respect of the management of open spaces
- Climate emergency strategy governance and how this was going to work in relation to the new partnership board and Executive Sub-Committee
- New local plan – having announced climate and ecological emergencies being able to influence its development at an early stage

The Chair encouraged members to make suggestions of topics for future meetings and suggested that they could be emailed to himself, Vice-Chair, Mr Jackson or Mr Green.

5 Economy, Employment and Planning: Phosphates update - Agenda Item 5

The follow statement was read out to the Committee:

From Dr Andrew Clegg

Statement for Item 5 of the Scrutiny Committee meeting on 17th May 2023

I am a former research chemist who has lived in Martock–on the Parrett–for over 30 years. I was responsible for guiding Martock Neighbourhood Plan to fruition two years ago, only to find that all new development had been put on phosphate hold rendering the South Somerset Local Plan, and ours with it, 'out of date'.

When I looked into the Ramsar phosphate issue it was immediately clear that there was a dearth of local data and remediating policy was therefore being built on extrapolations from a national modelling system. As the classical standard phosphate test is a simple and reliable one, I set about, with a small group from several Parrett parishes, planning a detailed mapping of phosphate flow in the Parrett, the Yeo and many of their tributaries.

Our work is supported and funded by the Parish Councils of Haselbury Plucknett, Merriott, Martock, and Huish Episcopi, and by Langport Town Council. It covers the Parrett and its tributaries from South Perrott to West Sedgemoor and includes the Yeo downstream from Wetmoor. We regularly share and discuss data with scientists from Natural England and the RSPB (who own much of the West Sedgemoor SSSI) and seek advice from staff of two universities involved in the field.

Conclusions from two years of surveys are now emerging and a number are significantly at odds with some assumptions on which recent Somerset policy is being built. This gives rise to some concerns, one of which is that the current Somerset policy outlined in this agenda item tends to focus on only one aspect of this complex issue to the detriment of others.

A second concern is that while Parrett catchment nutrient neutrality is, per se, desirable, it is likely to have minimal impact on the Ramsar Moors and distracts attention from the main problem. The real issue is the very high concentration of phosphate already in the river sediments deposited over the years mainly by our 11 sewage plants not one of which removes phosphate.

We are now publishing our data as it is collected on www.SomersetLevelsPhosphate.org.uk and through periodic short single-topic reports which we will circulate to the new Councillors, many of whom we are already in contact with. We look forward to regular future exchanges as the new authority takes on the task of addressing the deteriorating state of the Levels.

In response to these statements officers stated that understanding the evidence was really important in a complex technical field like this and that the Council was working with expert universities in the field as part of that need for objective evidence. They believed that everyone's insight, data and evidence was welcomed and that they would be requesting a meeting with Doctor Clegg's so that they could discuss his research, look at the evidence with him and see what insight that could bring.

The second statement received was then read out:

Statement to Scrutiny for Climate and Place by David Orr 17th May Item 5 phosphate pollution V2

I welcome this new Scrutiny Committee for Climate and Place in our new Somerset Council.

The phosphate and sewage pollution issues are very high up the public agenda and rightly commands public attention and media scrutiny.

Somerset West & Taunton Council have been robust in setting up an innovative model for generating phosphate credits. That "can do" approach now needs to be spread across all the impacted areas in Somerset.

In his statement, Dr Clegg has raised concerns that the computer modelling driving phosphate policy across Somerset may be flawed in some areas specific to river basins in Somerset. More publicly funded research with real world measurements should be commissioned.

Somerset shouldn't be closed to new homes because "the computer says No".

On "the polluter pays" basis, are Wessex Water sharing enough of the remediation burden and the costs of phosphate credits? Not just for current pollution, but also for the many years of historic pollution, which has played a significant role in where we find ourselves today.

Somerset, from Saxon times, is the Land of the Summer People. We are known nationally and internationally for our beautiful landscapes of tidal rivers, drains,

world-class wetlands and lush pastures, punctuated by hills and ancient isles. Right now, that lovely, watery landscape is degraded by phosphate and sewage pollution.

There is a backlog of 18,000 new homes and other developments including farms and tourist facilities across Somerset.

We rely on private sector housing developments to provide social housing with little council-owned new housing being built. So, phosphate pollution isn't just stopping 1st time buyers getting on the housing ladder, but it is limiting social housing and affordable homes. It impacts directly on Somerset's economy and the key construction sector and all of the ancillary services around that activity.

With this massive backlog for new homes and added housing needs from Hinkley Point C and the coming Gravity development, private rents are soaring. We need to get the new homes backlog falling quickly by removing phosphates from our waterways with urgency and ambition.

This is a perfect opportunity for the new Somerset (super) Council to show community leadership and demonstrate that the costly merger of five councils into one unitary council, can deal with the issues of phosphate and sewage pollution assertively and at pace.

The people of Somerset want to see strong leadership from their new Council.

A Somerset where much-needed new housing is carefully planned for, approved and then actually gets built (!); a Somerset where rivers have safe bathing spots; a Somerset where our precious rivers, drains and wetlands are back in a pristine condition and long before 2050.

The Americans got the first manned mission to the moon in just 9 years. Surely, this Council can set stretching targets with Wessex Water and other stakeholders (including the farming community, Natural England and the water industry regulators) to significantly reduce phosphate pollution by 2025, with large-scale removal by 2035.

That is the challenge that this Committee, all Councillors and our new super Council needs to rise to and meet.

Thank you

The Committee then received a presentation from officers which gave a high-level overview of:

- Nutrient neutrality and the requirement for new developments to be phosphate neutral - 73 local authorities were affected
- The Somerset wide progress made to date
- The Leveling Up & Regeneration Bill which was proposing the upgrading of treatment works
- The Government's Nutrient Mitigation Fund
- A update on phosphate and that phosphates from farming were still an important issue
- Progress being made in the River Tone catchment area
- The River Tone Phosphate Credit Scheme
- The River Brue catchment area
- The River Parrett catchment area

Concerns

- That 85-90% of the phosphates in the rivers was actually from sewage and that it was the water treatment works that needed improving.
- The Dutch Case related to nitrogen and not to phosphates
- The focus of efforts appeared to be on mitigation rather than solving the problem.
- There was a need to create wetlands, where watercourses entered the sites of special scientific interest, in order to filter out the phosphates.
- The serious impact it was having upon development in the county.

Officers explained that whilst the planning system tried to mitigate the impact of development there was a need to solve the problem.

In response to question they confirmed:

- The number of properties that could be developed per phosphate credit varied. It all depended upon which water treatment plant(s) covered that particular site. As a rough guide, the average cost per property in Taunton was approximately £5,500.
- The problem was unlikely to go away until the Somerset Levels were back in a sustainable condition.
- A full briefing session on phosphates had been arranged for members later in the month phosphates.
- Whilst they were hopeful of receiving Government grant funding, they would continue to work with landowners and others to develop schemes.
- They were currently working with colleagues in East Devon and Dorset, because it also impacted upon the River Axe, as well as other councils more generally, to understand what solutions other people were bringing forward and what innovative ways of working there were.

Cllr C Payne left the meeting.

The Committee then adjourned at 11:46am and re-adjourned at 11:57am.

6 Infrastructure and Transport: Highways Service Responsiveness update - Agenda Item 6

The Committee considered a request to establish a task and finish group in order to improve the responsiveness of the Highways and Transport Service, a priority for the new Council, recognising that responsiveness to some enquiries had been a cause of concern for both the public and members.

Members agreed that this was a much needed piece of work and that there was also a need to consider the response time for councillors enquiries and they requested that a reminder of the members casework system be circulated to all members.

Resolved

To endorse the creation of a task and finish group to review the Highways and Transport Services communication interfaces and service responsiveness with the following membership:

- Cllr Bente Height
- Cllr Henry Hobhouse
- Cllr Marcus Kravis
- Cllr Dave Mansell
- Cllr Tom Power

7 Climate, Environment and Sustainability: EV charging update - Agenda Item 7

The Committee was advised that the Council was looking at applying for additional funding from the Electric Vehicle Infrastructure (LEVI) fund in order to run a small scale Egully trial. The Egully enables the on-street charging of residential vehicles, where people do not have their own driveways, without trailing wires across pavements etc. After the trial they would then report back and develop a strategy based upon their findings.

Members felt that whilst this was only a small part of the overall solution it was a worthwhile one.

The Committee also noted the update on the Electric Vehicle Charging Strategy which had been developed by the previous 4 district and county council.

In response to questions it was confirmed that they had already started the de-carbonising of their fleet of vehicles and were looking to introduce a requirement that any vehicle under 3.5 tonnes would have to be electric.

In developing the strategy, they would also be looking at things such as:

- The current variety of inherited charging schemes within the county.
- The provision of charging points within council owned car parks.

- The use of standard and quick chargers.
- Whether charging points were needed to encourage visitors to certain areas or to support the tourist trade.
- In house operation versus the use of operator concession schemes.
- The need to have control over the prices charged to the end user.

8 Date of the next meeting - Agenda Item 8

The date of the next meeting was confirmed as Wednesday 19 July 2023 at 10.00am.

9 Urgent item of business - Agenda Item 9

The Chair confirmed that there was an urgent item of business. To confirm the minutes from the final meetings of Somerset County Council's Scrutiny for Policies, Environment Committee and the and place an d

Resolved

To approve the minutes of the Scrutiny for Policies, Environment Committee meeting of the 29 March 2023 and the minutes of the Scrutiny for Policies and Place Committee Meeting of the 7 March 2023 as correct records.

(The meeting ended at 12.50 pm)

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CHAIR

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SOMERSET COUNCIL

**COUNCILLORS WHO ARE ALSO CITY, TOWN AND/OR
PARISH COUNCILLORS**

SOMERSET COUNCILLOR	CITY, TOWN AND/OR PARISH COUNCIL
Steve Ashton	Crewkerne Town Council / Hinton St George Parish Council
Suria Aujla	Bridgwater Town Council
Jason Baker	Chard Town Council
Lee Baker	Cheddon Fitzpaine Parish Council
Marcus Barr	Wellington Town Council
Mike Best	Crewkerne Town Council
Alan Bradford	North Petherton Town Council
Theo Butt Philip	Wells City Council
Simon Carswell	Street Parish Council
Norman Cavill	West Monkton Parish Council
Peter Clayton	Burnham Highbridge Town Council
Nick Cottle	Glastonbury Town Council / St Edmunds Parish Council
Adam Dance	South Petherton Parish Council
Tom Deakin	Taunton Town Council
Caroline Ellis	Taunton Town Council
Ben Ferguson	Axbridge Town Council
Bob Filmer	Brent Knoll Parish Council
Andrew Govier	Wellington Town Council
Pauline Ham	Axbridge Town Council
Philip Ham	Coleford Parish Council
Ross Henley	Wellington Town Council
Edric Hobbs	Shepton Mallet Town Council
John Hunt	Bishop's Hull Parish Council
Val Keitch	Ilminster Town Council
Andy Kendall	Yeovil Town Council
Jenny Kenton	Chard Town Council
Tim Kerley	Somerton Town Council
Marcus Kravis	Minehead Town Council
Tony Lock	Yeovil Town Council
Martin Lovell	Shepton Mallet Town Council
Mike Murphy	Burnham Highbridge Town Council
Graham Oakes	Yeovil Town Council / Yeovil Without Parish Council
Sue Osborne	Ilminster Town Council
Kathy Pearce	Bridgwater Town Council
Emily Pearlstone	Ilchester Parish Council
Evie Potts-Jones	Yeovil Town Council

Wes Read	Yeovil Town Council
Leigh Redman	Bridgwater Town Council
Mike Rigby	Bishop's Lydeard and Cothelstone Parish Council
Tony Robbins	Wells City Council
Dean Ruddle	Somerton Town Council
Peter Seib	Brympton Parish Council / Chilthorne Domer Parish Council
Heather Shearer	Street Parish Council
Gill Slocombe	Bridgwater Town Council
Brian Smedley	Bridgwater Town Council
Federica Smith-Roberts	Taunton Town Council
Jeny Snell	Yeovil Town Council / Brympton Parish Council
Andy Soughton	Yeovil Town Council
Richard Wilkins	Curry Rivel Parish Council
Dave Woan	Yeovil Town Council
Ros Wyke	Westbury-sub-Mendip Parish Council

The memberships of City, Parish or Town Councils will be taken as being declared by these Councillors to be other registerable interests in the business of the Somerset Council meeting and need not be declared verbally.

Monitoring Officer of Somerset Council

Scrutiny for Climate and Place

Transport and Planning Policy Guiding Principles

Mike O'Dowd-Jones: Strategic Manager Highways and Transport

Alison Blom-Cooper: Assistant Director Strategic Place and Planning

Date 19th July 2023



Somerset
Council

Background

- Executive Board on 10th July 2023: Decision to endorse and adopt guiding principles which will inform the development of the new Local Transport Plan (LTP), new Local Plan, and our overall approach to transport planning, development management, consideration of planning proposals, and other relevant policies and plans.
- Key aim to have a vision-led approach:
 - High quality design,
 - Better places,
 - Reduced carbon emissions,
 - Move away from 'predict and provide' increasing highway capacity for private cars,
 - Reflects rural needs and challenges/ opportunities in rural areas.
- Aim to develop an ambitious devolved long-term funding settlement with Government.
- Includes placemaking principles that will ultimately be adopted as a material planning consideration for the adoption of masterplans, pre-app advice, planning applications and development management activity.
- Subject to further analysis and consultation as part of the detailed development of statutory policies and plans.
- Detailed financial implications will be quantified as an outcome of the policy and delivery programme development process and will be considered as part of the process of adopting the new statutory policies in due course.

Local Transport Plan Process

- Statutory document required by the Department for Transport (DfT). Mandate from Government is that all Local Transport Authorities are required to update plans
- Somerset's most recent version (known as the Future Transport Plan) was a 15-year plan and published in 2011
- The new LTP must include the following pieces of work/documents:
 - **Carbon quantification** of new policies/interventions
 - Electric Vehicle Charging Strategy
 - Local Cycling and Walking Infrastructure Plans (LCWIPs)
 - Bus Service Improvement Plan (BSIP)

Local Transport Plan Outline Programme:

- Summer 2023: Initial member and key stakeholder engagement.
- Autumn 2023: High-level transport vision
- Summer 2024: Quantification of future policy impacts and potential costs Supply evidence base to Department for Transport
- Winter 2024/ Spring 2025: Adoption of new Local Transport Plan
- Consultation and Engagement at key stages.

Local Plan Process

The structural change order establishing Somerset Council requires the Council to have in place a new Local Plan within 5 years of 1 April 2023 i.e by 1 April 2028. Work is underway to scope this and to develop a Local Development Scheme for agreement by the Executive. There are a number of stages for the development of the Plan:

- Agree Local Development Scheme
- Agree Statement of Community Involvement (a draft Statement of Community Involvement was agreed by the Council for consultation and is programmed to be adopted at a future Executive meeting)
- Regulation 18 consultation – Draft Plan
- Regulation 19 publication of the Submission Plan
- Submission for Independent Examination by a Planning Inspector
- Adoption by the Council
- Consultation and Engagement throughout the plan making process

Guiding Principles (1)

- 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.
- 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 micromobility 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.

Guiding Principles (2)

- 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. *[as amended at Executive 10th July]*
- 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.

Placemaking & Movement Principles

Vision Statement

Streets and spaces will be designed to be attractive, pleasant and inclusive places that accommodate all users and feel safe for use by all walking and wheeling users. They should prioritise active travel and public transport, maximising connectivity, and permeability not only within the site itself, but also providing for wider connectivity. Crossings and junctions should always prioritise pedestrians in residential areas. Streets and spaces should also be designed to reflect a hierarchy where movement is related to land use and character.

Placemaking & Movement Principles (1)

- Reduce need to travel via private car (internal trips) by ensuring key facilities and services, existing and proposed, are within a 20-minute walking or wheeling time. Streets should link to existing roads and local services, ensure permeability, connectivity and not turn their backs on neighbours.
- In towns and more urban areas reduce parking provision in combination with hard and soft travel plan measures and include the provision of car/bike clubs, EV bikes/scooters, EV charging and public transport provision. Incorporate a mobility hub approach with mobility and non-mobility components as suitable for the site. The vision in these areas is for low car ownership and ambitious modal shift enabled by an increase in multimodal travel measures.
- Design parking to be unobtrusive in the public realm, avoiding dominance in the streetscene. Allow for the future phasing out of parking to reduce carbon emissions as ownership levels reduce. Prioritise car ports over garages. Secure cycle parking / infrastructure is to be provided with well-designed storage facilities either on street or within the property street frontage. Public cycle repair facilities should be incorporated into the scheme.
- Design an attractive and high-quality environment where streets incorporate trees in the highway and green spaces, avoiding large expanses of asphalt. Wherever possible streets should make positive use of existing natural features. Highway trees should be provided in tree pits rather than planters. The design should build in opportunities for biodiversity net gain, green infrastructure, surface water management (permeable surfaces, swales, SUDS) and opportunities to contribute to phosphate mitigation.

Placemaking & Movement Principles (2)

- Design using natural traffic calming to achieve speeds less than 20mph. Buildings and footways should be located to define junctions. Junction and vehicle movement geometry, sightlines and tracking should be tightened to reduce vehicle speeds with priority given to pedestrians and cyclists.
- Careful consideration should be given to how children and parents are to access schools without reliance upon private cars, instead encouraging walking, cycling and public bus use. The design approach to school parking will reflect the desire to maximise active travel movements to school.
- Material palettes are to be simple, take the local context into account (not just black top). Material attractiveness, reducing carbon emissions as well as durability and ease of maintenance are to be considered.
- Design should seek to minimise street clutter and keep footways and cycleways clear of infrastructure. Lighting, signage and public EV charging should, where possible, be fixed onto a structure.
- Consider services and lighting at an early design stage to avoid impact on placemaking features like street trees and the quality of the movement network. Consider whether lighting is required (dark skies). Undefined strips of land should be eliminated at the design stage by fully allocating land to private ownership, highway adoption or stewardship with clear definition of public and private land.
- Consideration should be given to incorporating waste storage facilities to ensure sufficient storage capacity, convenient access and design solutions that complement the wider development.
- Within rural areas, the importance of safe connectivity within and between communities and facilities/services will be recognised whilst taking into account factors including landscape, character, appearance and ecology.
- Ensure early engagement with and input from people with responsibility for approvals throughout the whole planning and delivery process.

Local Transport Plan: Quantified Carbon Reduction



Somerset
Council

A New Approach to Local Transport Plans

- A move away from 'predict and provide' demand-led planning
- Replaced with a '**vision led**' (decide and provide) approach – focus on outcomes and local priorities. Not just transport in isolation;
 - What sort of place are we creating
 - What kind of activities do people need access to
 - How will we provide access to those activities (active and sustainable travel)
- 'Place-based' approach – understand the unique characteristics of the local area
 - Community engagement embedded from the outset – not just 'technical' stakeholder
 - Engagement with Local Community Networks
 - Evidence led – strategic planning carrying more weight
- LTPs and Local Plans to have stronger alignment, helped by move to Unitary
- Opportunity to join up internally to deliver shared objectives – Climate Change/Spatial Planning/Public Health
 - LTP is umbrella for other plans and strategies across the authority
 - Provide cohesion and prevent duplication
- Engagement with Scrutiny early in the process
- Embed decarbonisation consideration into the planning process

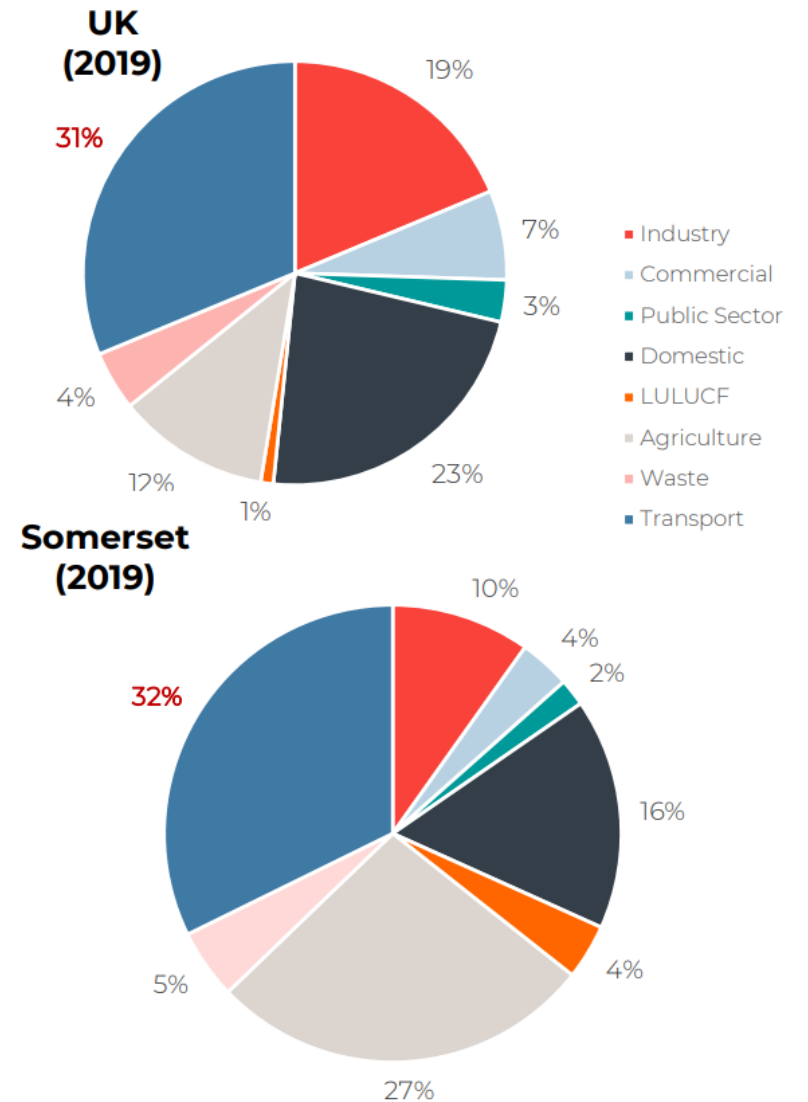


Carbon Reduction – National Context

Why is carbon important

- UK government has legislated to achieve ambitious carbon reduction targets – Net Zero emissions by 2050
 - Somerset has set the goal of delivering carbon neutrality for the area by 2030
- Move to understand or ‘quantify’ greenhouse gas emissions across policy areas, including transport
- DfT will issue new ‘Quantifiable Carbon Reduction (QCR) guidance’ – standardising an evidence-led carbon approach to LTP development and reporting of LTPs carbon impact
 - DfT not including QCR targets – decision making tool only
- Different national pathways representing different interpretations of the pace at which emissions must fall to avoid the worst impacts of climate change
 - Net Zero Strategy
 - Transport Decarbonisation Plan

How do economy wide emissions in Somerset compare to the UK as a whole?



Carbon Reduction and the LTP – Local Context and Next Steps

- Somerset will need to decide its decarbonisation pathway
 - An internal decision-making tool rather than a local target
- We have started work on QCR steps in conjunction with LTP strategy development
 - Phase 1 identified Somerset's baseline emissions
 - Phase 2 is underway and will establish a decarbonisation pathway as part of setting the vision and objectives of the LTP (expected completion late August)
 - Will help Somerset Council gauge how ambitious we want to be and inform the nature, scope and scale of measures developed for the LTP
- The LTP will need to set out a bold but also realistic and achievable vision of how Somerset Council and local communities would like their area to be in future – published Autumn 2023
 - Reducing carbon emissions and adopting a decarbonisation pathway is a key priority within the guiding principles considered by Executive Board

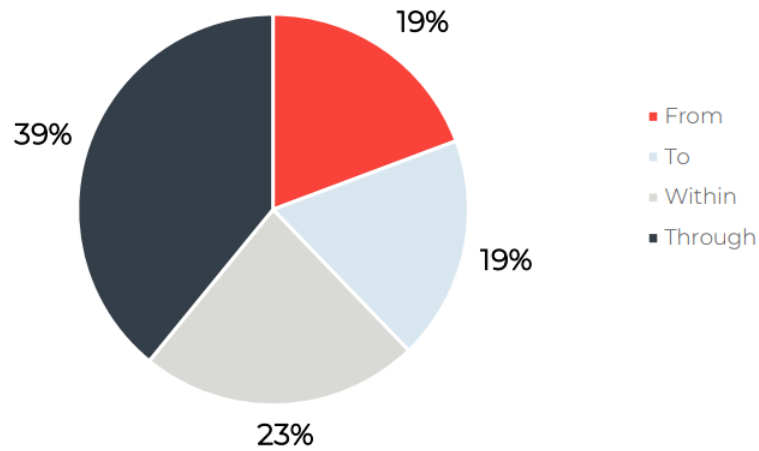
Somerset Emissions Data



Somerset
Council

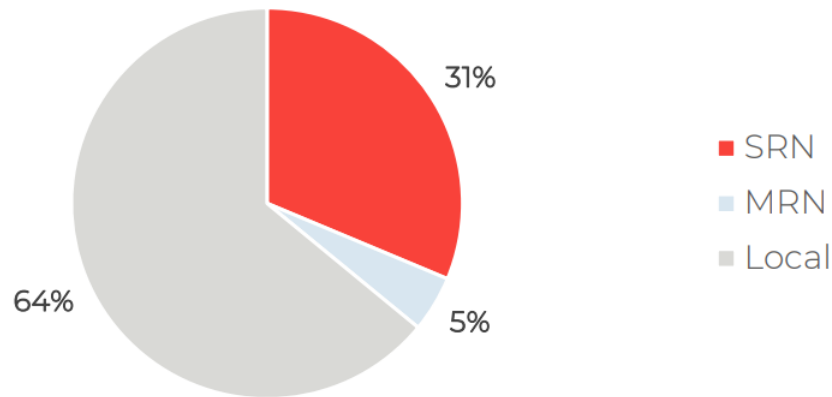
Emissions by Origin & Destination / Road Type

Vehicle Emissions: Proportion by Trip Genesis



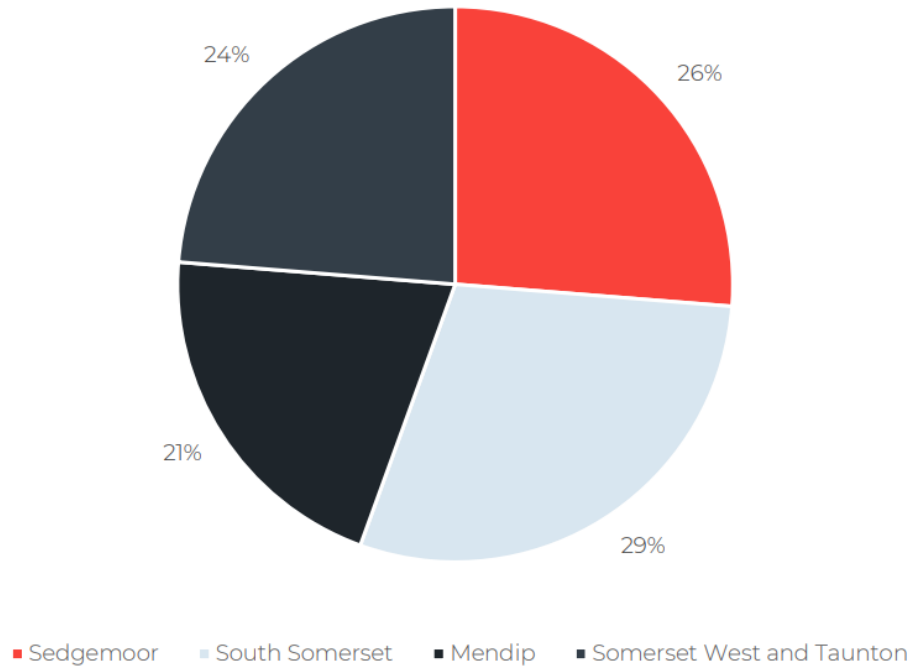
- 61% of transport emissions generated in Somerset are from trips either starting, ending or being made entirely within Somerset.
- Of which, 23% of transport emissions are generated by internal Somerset journeys.
- Most emissions (64%) are generated on local roads, with forecasts showing this is likely to remain the case in the future.

Vehicle Emissions: Proportion by Road Type



Emissions by Place of Origin

Somerset Emissions by Trip Origin 2019



Emissions are split relatively evenly between all areas of Somerset, reflecting the need for action in all parts of the county.

Per Capita Emissions by Area 2019

Local Authority	2019 tCO2e	Population (mid 2019)	Per Capita
Sedgemoor	347045	123655	2.8
South Somerset	386915	168614	2.3
Mendip	273840	115706	2.4
Somerset West and Taunton	313414	155596	2.0
Somerset (TOTAL)	1321213	563570	2.3

2050 (BaU)

Local Authority	2050 tCO2e	Population (mid 2050)	Per Capita
Sedgemoor	159895	141662	1.1
South Somerset	178175	181951	1.0
Mendip	124547	133768	0.9
Somerset West and Taunton	147298	189151	0.8
Somerset (TOTAL)	609915	646532	0.9

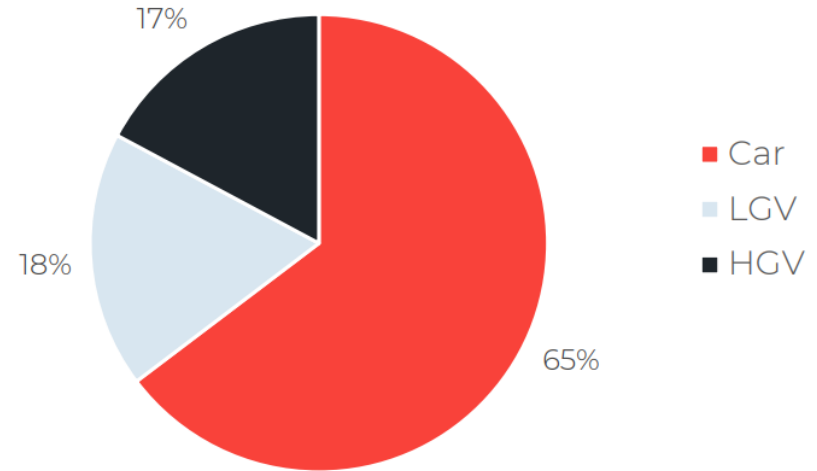
Emissions by Mode for Road Transport

Emissions by mode (BEIS 2019)

The largest proportion of surface transport emissions are attributed to road transport. This is true at a national level and for Somerset. In 2019 road transport accounted for:



Vehicle Emissions in 2019: Proportion by mode*

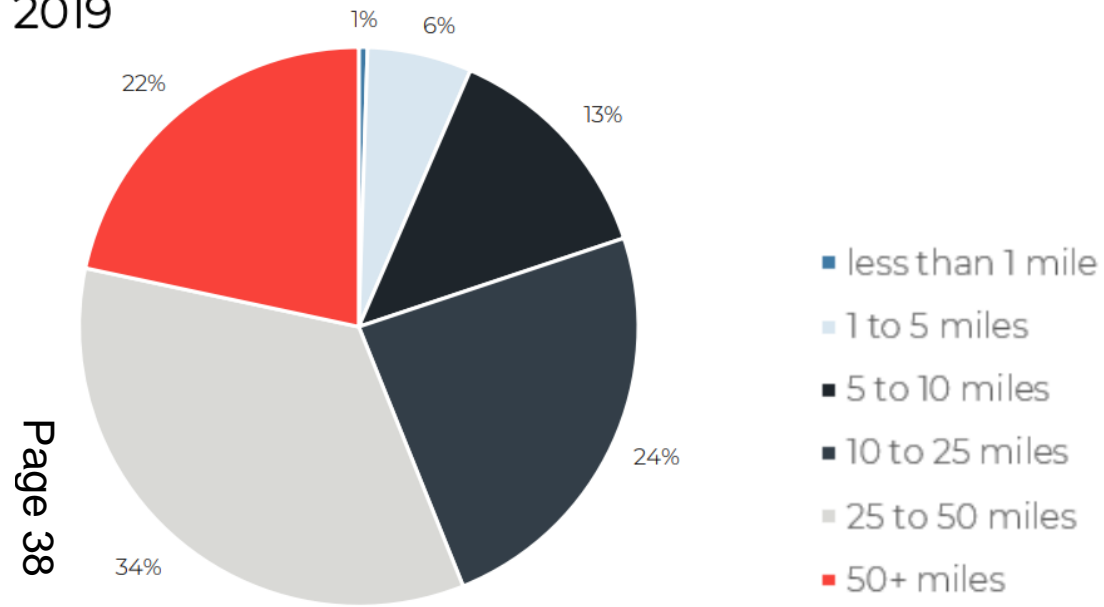


- The largest proportion of emissions by mode in Somerset are attributed to car (65%).
- This share is forecast to decrease with EV uptake, so proportion of emissions attributable to HGVs and LGVs forecast to increase
- However, under Business-as-Usual, cars remain responsible for the highest proportion of emissions in 2050.

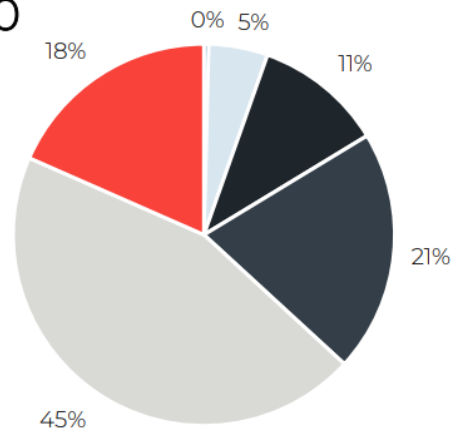
*excludes through trips

Emissions by Trip Length

2019



2050

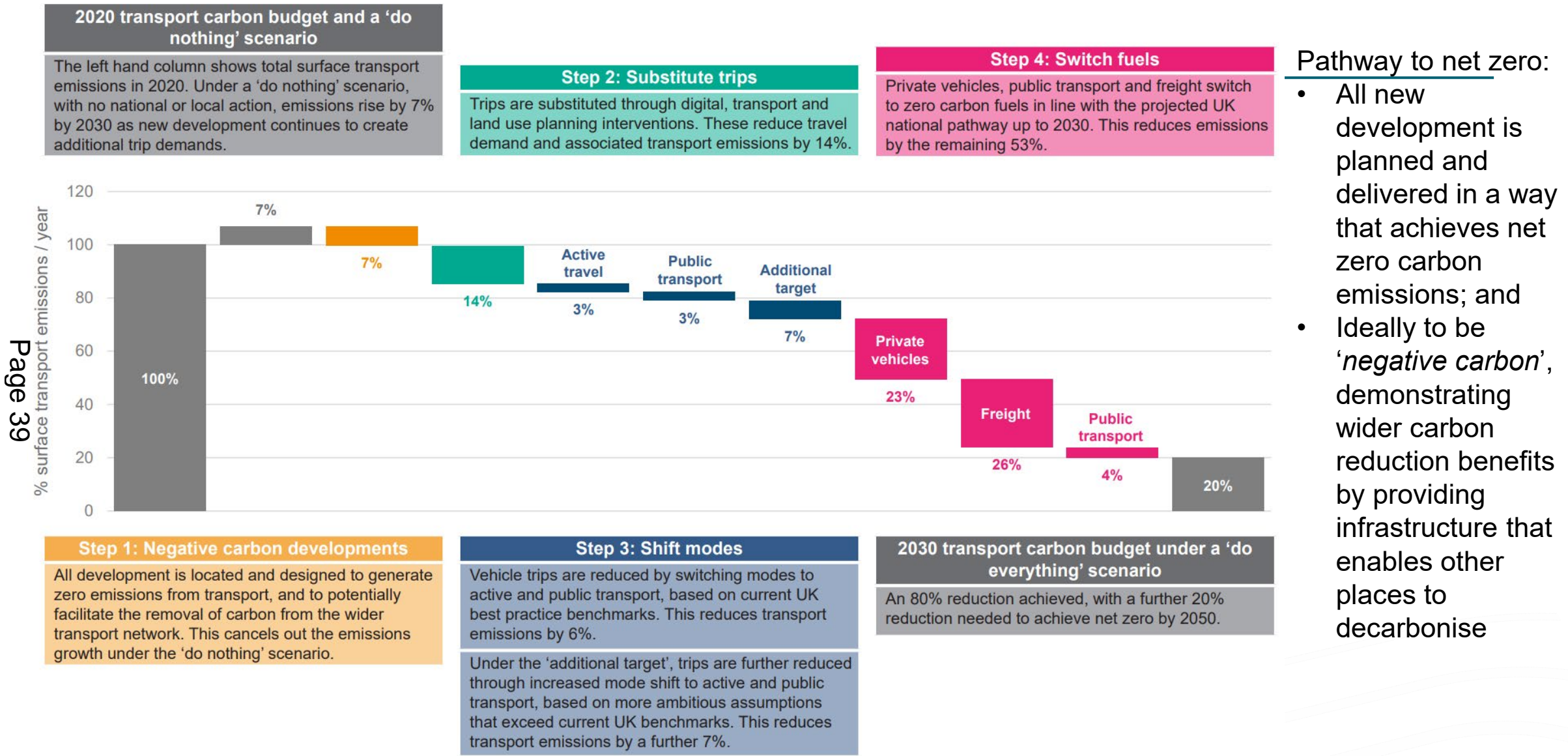


- In Somerset in 2019, only **7%** of emissions were from trips **less than 5 miles** in length, with this share forecast to shrink slightly to 2050. These are trips considered amongst the easiest types of journeys to shift to alternative modes.
- **13%** of emissions are from trips **5 to 10 miles** in length.
- **58%** of emissions in Somerset are attributable to journeys between **10 to 50 miles**. Whilst more challenging to shift, local solutions within this area of influence, enabling longer journeys to take place across multiple modes are within the remit of the LTP.
- **22%** of emissions are from trips **greater than 50 miles**. These journeys are likely to rely heavily on partnership working to decarbonise, beyond the boundary of the LTP's direct influence.
- In a BAU 2050, longer journeys are forecast to make up a larger share of emissions overall, demonstrating need to take action to tackle emissions attributable to journeys of all lengths.

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- Based on DfT statistics/trends
- Starting point for forecasting (does not show effect of interventions)
- Calculations based on BAU approach

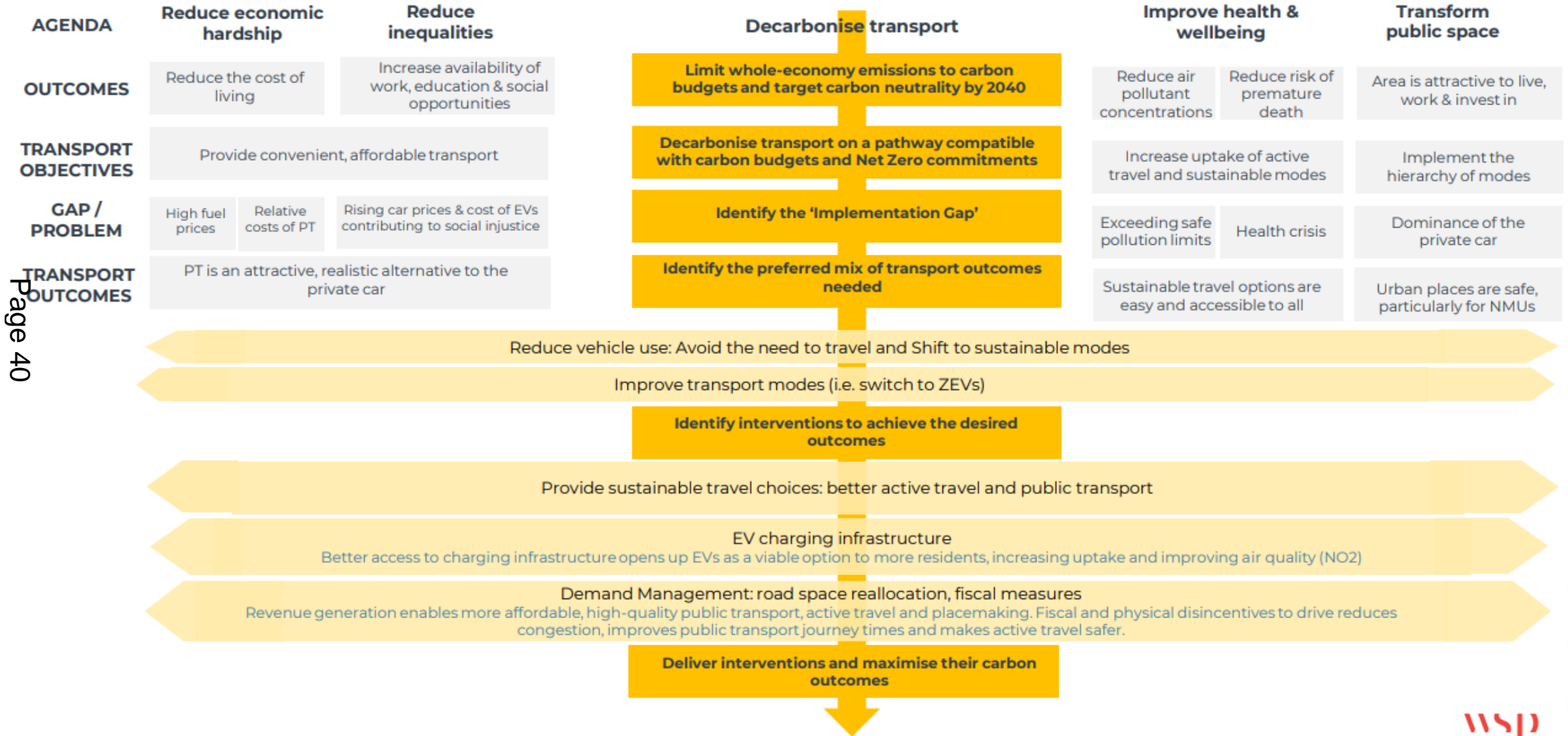
Indicative example of an 80% carbon reduction pathway for transport to 2030



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WIDER POLICY BENEFITS

Transport decarbonisation interventions can support positive outcomes across the wider policy agenda



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Member Briefing – Key Outcomes

- Somerset Council needs to decide acceptable level of risk and carbon reduction pathway
 - Informed by evidence – carbon pathway work will help decision makers and officers decide a package of interventions
- Interventions that prioritise sustainable transport will be required if an ambitious carbon reduction pathway is set for Somerset, including;
 - Road space re-allocation which prioritises active travel/sustainable modes
 - Parking and speed restrictions
 - School Streets
 - Pedestrianisation of larger town centres
 - Spatial planning based on ‘20-minute neighbourhood’ concept
- Carbon Neutrality by 2030 incorporated into LTP vision and objectives, setting Somerset’s trajectory to Net Zero by 2050
 - Propose a pathway approach – preparatory work between now and 2030, to enable delivery of Net Zero target by 2050

Next Steps

- Executive Board – 10th July
- Climate and Place Scrutiny – 19th July
- Agree and set up task and finish group
- Commence engagement on Local Transport Plan
- Publish high-level transport vision – Autumn 2023
- Consultation with key stakeholders on placemaking vision and principles
- Adopt the placemaking principles as a material planning consideration (Service Director's delegated decision).
- Develop scope of new Local Plan and Local Development Scheme
- Public consultation on full transport plan – Spring 2024
- Local Plan engagement timetable to be agreed

Time for Questions

Executive Board Paper 10th July 2023:

[Item 7 Transport and Planning Policy Guiding Principles.pdf \(somerset.gov.uk\)](https://democracy.somerset.gov.uk/documents/s10637/Item%207%20Transport%20and%20Planning%20Policy%20Guiding%20Principles.pdf)

<https://democracy.somerset.gov.uk/documents/s10637/Item%207%20Transport%20and%20Planning%20Policy%20Guiding%20Principles.pdf>

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Somerset County Council
Scrutiny Committee- 19th July 2023

Climate, Sustainability and Environment-Next Steps

Lead Officer: Kirsty Larkins Service Director-Climate, Environment and Sustainability

Author: Kirsty Larkins

Contact Details: Kirsty.larkins@somerset.gov.uk

Cabinet Member:

Division and Local Member:

1. Summary

- 1.1.** The paper sets out the next steps of the Council's strategic approach to Climate, Environment and Sustainability, to ensure the Council is committed to reducing carbon emissions, achieving Net Zero and supporting nature's recovery.
- 1.2.** The paper relates to the following priorities in the Council Plan
 - A greener, more sustainable Somerset.
 - A Flourishing and more resilient Somerset.

2. Issues for consideration / Recommendations

- 2.1.** The purpose of the report is to provide an update to Scrutiny members on the development of the Climate, Environment and Sustainability Directorate.
- 2.2.** We would like Members to agree to a task and finish group to support the refresh of the Climate Strategy, and development of key performance indicators (KPI's) for the service.

3. Background

- 3.1.** On the 1st April 2023, the five Councils in Somerset came together, and a new directorate was formed bringing together a wider team including climate, waste, ecology, countryside, water, and civil contingencies.
- 3.2.** Bringing together the services has given us an opportunity to review how the areas work together, with the wider organisation, partners, residents, and businesses. It has enabled a focus on existing best practice and ensured combined efforts go towards resolving blockers and challenges.
- 3.3.** The service is now aligning itself to ensure: -
 - That the Council understands its role in climate change mitigation and adaption and that it has a clear plan of action.
 - The Council can take a leading role, and take direct action, on addressing climate change and the ecological emergency.
 - That the Council mainstreams climate change mitigation, adaption, and space for nature across services.
 - That the Council continues to work with businesses, communities, and residents to support work to mitigate climate change and develop resilience.

- 3.4.** The table below shows the work we need to complete over the next six months to set the direction for the service, ensuring there are clear objectives and measures in place: -

Task	Completion Date
Develop a structure for the team to enable effective delivery of the strategy, and our statutory requirements (for example Biodiversity Net Gain, Local Nature Recovery Strategy).	Tier 4 roles by Nov 2023
Refresh the Climate Strategy to include the Ecological Emergency & Motion for the Ocean, including updated data sets and a new short read version.	Oct 2023
Develop an action plan to sit alongside the strategy with SMART (specific, measurable, achievable/agreed, realistic and time-bound) objectives.	Oct 2023
Development of KPI's to enable progress to be monitored in a clear and transparent way.	Oct 2023
Update our carbon emissions data to have a baseline for Somerset as a whole and develop a pathway & action plan to take us towards NetZero.	Sept 2023
Development of Communities of Practice (CoP) to enable the flow of information and ideas across service areas and portfolios.	Nov 2023
Carried out a skills audit and address any gaps.	Jan 2023
Compile a directory of fundable, shovel ready projects, to ensure grant opportunities are fully exploited.	Jan 2024

- 3.5.** The CoP's will play an integral role in embedding climate across the organisation, by their nature they cross-professions and organisational boundaries. Membership is optional, and the ways of working are informal, but they bring together colleagues who have a common goal and want to share and learn from each other. Through collaboration, they can help shape a better future, or find innovative ways to support a more joined up solution for the best possible outcome. The CoPs will align with the Council Plan and the Climate Strategy ensuring they have clear outcomes and targets.
- 3.6** As a service we want to work closely with Climate and Place Scrutiny, we would encourage Members to support us in the development of our refreshed strategy, and stress-test and question actions set out in our action plans. We would also like Members to engage with us in developing KPI's for the service.
- 3.7** It is important to note whilst this more strategic work is progressing several other areas of work continue, for example development of a countywide energy strategy, food and sustainability conference, implementation of the tree strategy and pilots across service areas relating to biodiversity net gain and water quality.

4. Consultations undertaken

4.1. None taken.

5. Implications

5.1. None

6. Background papers

6.1.

Note For sight of individual background papers please contact the report author

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Somerset Council
Scrutiny Committee
– Wednesday 19th July

Somerset's Approach to Green Growth

Lead Officer: Paul Hickson

Author: Laura Jensen, James Gilgrist, Julie Reader-Sullivan

Contact Details: laura.jensen@somerset.gov.uk

Executive Lead Member: Councillor Ros Wyke- Economic Development, Planning and Assets

1. Summary

- 1.1.** The vision and priorities for Somerset set out in the Council Plan 2023-2027, include a focus on a greener, more Sustainable Somerset, an economically flourishing Somerset and the importance of the clean growth agenda in delivering these priorities. The predecessor Councils developed strategies for the economy and the new Council will in due course develop its strategy for Somerset's future economy building on these and informed by the clean growth agenda and the need to transition the economy to net zero. This report summarises and reviews current and planned activity by the Council relevant to this agenda.
- 1.2.** In 2019 Somerset's Local Authorities declared a Climate Emergency and set a target of becoming 'Net Zero' by 2030. A Climate Emergency Strategy was developed in 2020 which included several workstreams including 'Business, Industry and Supply Chains'. The workstream aims to enable businesses to thrive whilst reducing carbon emissions, ensuring they are prepared for and resilient to the impacts of climate change. Recent research to scope business understanding and levels of engagement with net zero highlight a readiness and appetite to progress with the transition to a low carbon economy despite the current economic climate and competing priorities.
- 1.3.** The Somerset Climate Emergency Strategy sets an ambitious target of reaching net zero by 2030, making clear the challenges and opportunities for businesses in doing so. The Somerset Recovery and Growth Plan, whilst addressing the economic impacts of COVID-19, stressed the need to exploit Somerset's significant opportunities for clean growth in the key sectors of Clean Energy, Aerospace & Advanced Engineering, and Digital & Data.

2. Issues for consideration / Recommendations

- 2.1.** This report informs the Scrutiny Committee on the work undertaken to date and

the approach proposed in delivering the green and clean growth agenda as detailed in the activities below.

3. Background

- 3.1.** This report has an economic focus and the contents focus on the programmes/actions that support businesses to achieve change, based on the climate challenges and the opportunities this can have for businesses in reducing their costs for example and capitalising on support that the Council can provide. The following paragraphs detail existing and future schemes that have been/will be delivered from an economic perspective, in order to provide support to businesses. It does not detail those delivered through other parts of the Council.

Data from BEIS (2018) - previous Government department for Business, Energy & Industrial Strategy - shows that in Somerset, emissions from the industrial and commercial sector equalled 824.4 ktCO₂ (excluding agriculture), 25% of the total for the County. The current Climate Emergency Strategy sets out several outcomes aimed at business and industry including reduction of business' carbon footprint, increasing the sector's resilience to the impacts of climate change and ensuring a strong understanding of the challenges and benefits of transitioning to a low carbon, clean growth economy.

- 3.2.** The economic development activities already being undertaken, or proposed, by the Council to support the delivery of clean growth agenda are detailed in the following sections of this report. These include: schemes to support businesses with decarbonisation (3.3-3.4); strategic decarbonisation and digital activities (3.5); and major economic development initiatives aiming to deliver clean growth through business innovation within Somerset's key growth sectors (3.6-3.7).

3.3. Decarbonisation Business Support

Somerset Green Business Support Programme. Research was commissioned to scope the understanding and levels of engagement with net zero in Somerset's business community and support the design of a future business support service. The results from the research and recommended models have been fed into the investment plan for UK Shared Prosperity Fund. Based on surveys, interviews and interactive workshops, the research recommended a Green Business Support Scheme to include:

- Direct financial support for green investment in decarbonising activity and energy efficient equipment/technologies (launching Autumn 2023);
- Specialist technical advice regarding energy audits and sustainability plans, through an Energy Efficiency Support scheme (launching Autumn 2023);
- An online knowledge portal to promote and share best practice, plus seminars and workshops on net zero and sustainability (planned with partners for Sept – Nov 2023);
- A Green Business Network, to include a Knowledge Transfer Partnership between SMEs and larger businesses aligning with Social Value agenda.

3.4. Direct Support for SMEs

A number of grant schemes, with a focus on energy efficiency improvements and decarbonisation, were delivered across Somerset since 2021 from County and District authorities including:

- Somerset Carbon Reduction Grant Pilot Scheme 2021 (BRR funded)
- Sedgemoor Energy Efficiency Grants 2022 (Hinkley S106)
- Somerset West & Taunton Energy Efficiency Grants Phase 1 and 2 2022-23 (Hinkley S106)
- Somerset Growth Accelerator Fund 2022-2023 (ERF funded)

(See Appendix A below for more detailed information on these grants)

Somerset Energy Efficiency Support Scheme and Grants 2023-2025 (UKSPF)

A Somerset Energy Efficiency Support Scheme will be available to eligible businesses from this autumn. The details are due to be finalised and the service procured in July 2023. Business Advisors will undertake energy audits on business' premises which will inform the development of costed prioritised Sustainability Action Plans.

It is also expected that an energy efficiency grant scheme will be made available this autumn to SMEs with the aim to reduce business' energy costs and carbon emissions. Subject to approval the total value of the scheme will potentially be £400k with grants ranging between £2.5k - £25k and a match funding expectation of 50%. A requirement of the grant scheme will be that the business applicant has a Sustainability Plan in place.

The Sustainability Action Plans developed by the Energy Efficiency Support Service can be used for this grant application process.

Consideration will be given to how to ensure the support available is communicated to businesses and we would welcome comments from the Committee on how best to maximise reach and therefore engagement from businesses with these opportunities.

3.5. Strategic Decarbonisation Support and Initiatives

The following are examples of support provided and initiatives undertaken through Economic Development. The focus is very much about local involvement and support for Somerset businesses.

Digital connectivity

Somerset as the Accountable body for the Connecting Devon and Somerset programme has managed contracts which deliver superfast (SF) broadband across the region. Government expectations were that commercial providers would provide 2/3 of the delivery and public subsidised programmes would add to that. In Somerset, the CDS programme has delivered 120,993 SF premises and the commercial sector SF128,063. Current contracts for Superfast in Somerset delivering gigabit fibre broadband are due to continue until 2024/25 and will add

to the connected premises. The programme has also run a LEP funded mobile boost programme which enhances the indoor mobile signal and improves digital connectivity. The programme ran until February 2023 supporting 1677 premises (787 business/both and 890 residents) across the region. Work is ongoing liaising with mobile network operators to highlight areas with poor connectivity and lobby for improvements including as part of the Shared Rural Network. The programme has provided improved digital connectivity to many premises across the county which has meant many more people can work, study and shop from home. The improvements in connectivity help to support the green/ clean agenda by reducing the need to commute for such activities.

Coast to Capital - Community Wealth Building

Community wealth building (CWB) is an approach to economic development that aims to build and strengthen local economies in a way that benefits the entire community. It focuses on creating and retaining wealth within a community by fostering greater local ownership, control, and participation in economic activities. The central idea behind CWB is that economic power should be more broadly distributed and that communities should have input in how their local economic resources are mobilised.

This approach seeks to address economic inequality, promote sustainable development, and enhance community resilience. Different models for CWB exist and have been put into practice in the United Kingdom.

The five key principles are:

- Plural ownership of the economy
- Making financial power work for local places
- Fair employment and just labour markets
- Progressive procurement of goods and services
- Socially productive use of land and property

What might CWB look like in Somerset?

Understanding what defines the local Somerset economy, what anchor institutions constitute it, and the appetite among these for such an approach would be a key first step. These are the aspects that would define a Somerset CWB approach. In a time of financial restraint, considering how to work with partners and resources is essential in order to support the climate change objectives.

Glastonbury Town Deal and Supply Chain System

Glastonbury Town Deal (GTD) was approved by government on 8 June 2021 after an extensive development period which included seeking projects directly from the community through an Expression of Interest process which resulted in the Glastonbury Town Investment Plan (TIP).

In developing the TIP, we also paid attention to the Doughnut Economic Model developed by Kate Raworth, in particular treading a careful path between the need to address climate change and the importance of providing an environment

where people can lead good lives. Thus, woven throughout the 11 Projects that make up the GTD are themes addressing climate change, health and well-being, the provision of new work and sport spaces, and also food security.

An example of one of these projects is Glastonbury Clean Energy.

Objectives:

- Contribute to the town's aspiration to find solutions to the climate emergency by practically delivering non carbon energy generation;
- Create a financial surplus that can be reinvested in the community.

Benefits:

- Save circa 1,130 tonnes carbon p.a. by moving away from fossil fuels;
- Generate competitively priced green energy power that is available within the town;
- Surpluses invested back into the community.

GTD Supply Chain System

As an element of the Glastonbury Town Deal (GTD) and in a more general sense, encouraging Somerset businesses to gain work with local businesses/local authority etc, the Supply Chain System currently used for Hinkley Point and managed by the Somerset Chamber of Commerce has been explored. Building on the Hinkley Point system allows Somerset Council to access that experience and expertise. This collaboration will be a unique opportunity for businesses in Somerset to work on GTD and other future projects. It has the potential to expand as a Somerset wide tool to be used to promote and procure services, to ensure as a large Authority we use as many local suppliers as possible and is positive from a climate change perspective across for large projects. We are hoping to pilot this programme with the GTD for the coming year and then review to understand it's progress and how to progress from that point forward.

Somerset Retrofit Accelerator Fund

A one-year Community Renewal Fund project working in partnership with The Centre for Sustainable Energy, The Green Register, Somerset Independence Plus, the previous district councils alongside Frome, Glastonbury and Bruton Town Councils. The project focused on boosting the demand and supply within the able to pay sector for energy efficiency improvement measures to better understand the barriers to mass scale retrofit.

The main deliverables for the project included a free online course for upskilling businesses and the development of a Green Register of businesses to act as a one stop shop for homeowners to find businesses near to them.

The main finding from the project was that the demand is there and increasing for domestic retrofit however the supply chain is still severely limited and more needs to be done to increase the number of suppliers.

The project received a further £50,000 funding from the MCS (Micro Certification Scheme) working with Somerset Climate Action Network to develop a business case for "Retrofit Somerset" a one stop shop offering to homeowners to deliver

retrofit at scale and how and where this would sit in Somerset.

Regeneration Projects and support for Town Centres

Members will be aware of the significant regeneration projects that are underway across Somerset. There has also been support provided for town centre regeneration through a number of schemes and links are made with Active Travel, tourism and culture. A paper will be written to provide a more detailed update relating to Regeneration projects and town centre support for the September scrutiny meeting. This paper will include a recommendation to amend the scheme of delegations as written to reduce risk to programme and cost through delay, specifically in regard to externally funded projects.

3.6. Major Economic Development Initiatives

The following paragraphs focus on clean growth and innovation across a range of sectors and seek opportunities to promote cleaner growth.

Somerset Council has invested £13million and secured external funding across Growth Deal (£14.2million), ERDF (£6.8million) and the Getting Building Fund (£5.7million) to deliver a network of innovation centres and a wrap-around innovation support service for Somerset's key growth sectors. Each element has been co-designed and delivered in close collaboration with industry, and in partnership with the Heart of the South West LEP, Government, neighbouring councils, key industry stakeholders, and business representative organisations.

iAero Innovation Centre

Leonardo UK and their extensive Somerset based supply chain were the driving force behind the iAero Innovation Centre in Yeovil, as was the industry imperative of cleaner aviation it provides a 'front-door' to industry and space for collaboration and innovation among aerospace and high-value design and engineering SMEs. Through iAero, Somerset Council is supporting Leonardo's social value commitments by collaborating (along with Somerset Wildlife Trust and SWMAS) on projects to enhance and protect biodiversity, plus the development of educational activities with the aim of increasing Somerset SME's knowledge of net zero.

Somerset Digital Innovation Centre

Across all industries, digital technology, and the smart use of data, have a central role to play in the transition to net zero, by re-shaping established (and more carbon intensive) economic practices. The Somerset Digital Innovation Centre aims to help support this transition. Once opened in Autumn 2023, the Somerset Digital Innovation Centre will support collaboration and innovation within the digital and data economy and will also provide a focal point for inward investment.

Innovation Support Service

Alongside centre-based support, the innovation centre network will benefit from a multi-year, wrap-around innovation support service, delivering both sector

specific and general innovation support to tenants and users of the centre, as well as other local SMEs within or looking to move into the clean energy, aerospace, or digital sectors within Somerset.

Somerset Energy Innovation Centre (SEIC)

The SEIC campus in Bridgwater is a hub for businesses to collaborate and exploit opportunities in the clean energy sector. Phase 1 of the campus (SEIC 1) was established to meet the needs of the multi-billion-pound construction of two new nuclear reactors at Hinkley Point C, creating a supply chain integration facility that ensured Somerset SMEs were well placed and supported to win contracts. Further evolution included two additional facilities (SEIC 2 and 3) to support SMEs to transition into the clean energy sector, including Floating Offshore Wind.

Enterprise Centres

Somerset has secured over £5.8M external grant funding over recent years to develop and expand its Enterprise Centre workspace across the county. Centres are located across the county providing start up workspace locally to local businesses to help promote local employment and growth. There are now 10 centres across the county at Barle, Minehead, Wheddon Cross, Frome, Highbridge, Williton and over the past 4 years centres have been developed to BREEAM excellent environmental standards at Wiveliscombe, Wells, Bruton and Chard. Funding has been secured to repurpose Beckery House in Glastonbury as part of the Glastonbury Town Deal. Initiatives are being explored for workspace as part of the Bridgwater Town Deal. The centres currently provide over 130 workspaces across the county. Local business and employment opportunities are integral to supporting local growth and help to reduce cross county commuting for work. The **Yeovil Innovation Centre** provides locally based specialist facilities supporting local growth in Yeovil.

3.7. Gravity Enterprise Zone

Gravity, a 616-acre site near Bridgwater, Somerset was allocated Enterprise Zone (EZ) status by the Government in 2015. The EZ status allows the collecting authority to retain and invest business rates uplift from the site directly into locality to transform the economy and stimulate growth. The site is promoted for a smart campus focusing on Clean Growth principles with the stated ambition being to create a multifunctional campus with digital connectivity, smart mobility, designed to reduce the need to travel and enhance wellbeing.

Gravity provides a unique opportunity to attract high value investment of a substantial scale. It would represent transformational opportunity for Somerset as a whole through the creation of a significant number of long term, high value well paid jobs for local people in new generation industry, supported by opportunities for workforce development, upskilling and fundamental benefits in respect of skills and education. Not only addressing some of the local challenges in respect of social mobility but building on the legacy opportunities from Hinkley Point and aligning with our economic strategies to increase prosperity and meet net zero ambitions.

There is ongoing dialogue with regard to major investment opportunities for the site.

4. Consultations undertaken

- 4.1.** With reference to the above economic initiatives, prior consultations have been undertaken as were required at the relevant stages and are available on request.

In particular, research was commissioned to scope the understanding and levels of engagement with 'net zero' in Somerset's business community – key findings included that 41% of businesses remain unsure of their role in the transition to net zero; there is a general lack of understanding regarding the term net zero; and businesses require financial support to invest in green technologies.

- 4.2.** The Somerset Business Survey 2022 addressed a wide range of challenges and opportunities facing the business sector across the county, including their readiness for net zero and environmental awareness, providing robust evidence to underpin economic development policy and practice. The data has been used to evidence business need in this area and further inform requirements for the 'green' business support package and development of decarbonisation initiatives.

5. Implications

- 5.1.** The projects and business support detailed in this report all contribute to supporting the culture change towards greener business operations in Somerset. There are no negative equalities implications, and the committee are not asked to make any financial decisions in this paper.

6. Background papers

- 6.1.** Resource Futures Final Report
[Somerset Trends - Resource Futures Final Report.](#)
- 6.2.** Scrutiny for Policies & Environment Committee Report: Climate Emergency Strategy: Business, Industry & Supply Chain Workstream- 26th October 2022
- 6.3.** [Somerset Council Plan 2023 – 2027](#)
- 6.4.** www.glastonburytowndeal.co.uk

Note For sight of individual background papers please contact the report author

Appendix A Somerset Energy Efficiency/Decarbonisation Grant Schemes (summarised in Section 3.4)

Somerset Carbon Reduction Grant Pilot Scheme 2021 (BRR funded)

Grants of between £500 - £1000 were made available to any Somerset businesses wishing to introduce and implement carbon reduction measures to their business. Interventions included reduction in energy consumption, onsite energy production and recycling. A total of £43,644 was allocated across 58 grants.

Sedgemoor Energy Efficiency Grants 2022 (Hinkley S106)

Sedgemoor District Council previously supported a number of businesses through a Business Support Programme during 2021/22 which has allowed many of them to implement energy efficient solutions. SDC allocated £66,344 over 32 energy efficiency grants to SMEs.

Somerset West & Taunton Energy Efficiency Grants Phase 1 and 2 2022-23 (Hinkley S106)

The aim of these grants was to support SMEs (up to 10 employees) in SWT with the transition to net zero, reducing their carbon footprint, promoting the use of clean energy and reducing energy costs. Interventions could include replacement of equipment to more energy efficient; waste segregation solutions, repair cafes and heating/lighting control installation. Small grants of up to £2.5k per business were made available to support them on their individual journey to Net Zero. Phase 2 is still being delivered. Phase 1 2022-23 £39,850 allocated over 18 grants. Phase 2 2023 is still being delivered, with £76,532 allocated over 32 grants.

Somerset Growth Accelerator Fund 2022-2023 (ERF funded)

In 2022 a funding programme of £1.5m was available to SMEs to help drive economic recovery post-Covid and support Somerset's commitment to achieving Net Zero. Over 200 initial applications were received with over 50% focused on 'green' activity including Solar PV and EV infrastructure and new technologies to reduce energy inefficiencies. Following a vigorous appraisal process 34 beneficiaries were supported with project delivery due to be completed in July 2023, whereafter an evaluation of the scheme will be completed.

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**Decision Report – Executive
Forward Plan Ref n/a urgent item
Decision Date – 10 July 2023
Key Decision – Yes**



Mendip Local Plan - Variation to Order of 16 December 2022

Executive Member(s):

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

Local Member(s) and Division: All

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

Author: Alison Blom-Cooper, Assistant Director Strategic Place and Planning, Andre Sestini, Principal Planning Policy Officer – Somerset East.

Contact Details: alison.blomcooper@somerset.gov.uk, andre.sestini@somerset.gov.uk

Summary

1. This report has been brought under urgency provisions agreed by the Service Director – Democratic and Legal services and in consultation with the Lead Member.
2. Following a Judicial Review (JR) challenge to the Mendip Local Plan Part II (Site allocations and policies), the former Mendip District Council was made subject to a Court Order (made on 16 December 2022) and attached at Appendix 1. This required immediate changes to be made to the Local Plan Part II and included steps to undertake a site allocation review as specified in Paragraph 6 of the Order.
3. Justice David Holgate upheld a challenge that Mendip District Council had been mis-directed by the appointed Local Plan Inspector during the Mendip Local Plan Part II examination. Further information on this case is set out in Appendix 2.
4. Para 6 of the Order sets out specific ‘directions’ given by the judge to address the legal flaws upheld against the conduct and report of the examining Inspector. It requires reconsideration of the housing sites struck out of the Mendip Local Plan Part II and for the Council to identify these or alternative sites across the Somerset East area to meet a total of 505 dwellings. Without these directions, there was a risk that the Mendip Local Plan Part II could have been quashed entirely.
5. The implications of the Judicial Review were reported to Mendip District Council in February 2023 which advised that this obligation would need to be addressed after vesting day. Policy officers considered at this time that it would fulfil the Order through the forthcoming Somerset-wide Plan review as there was no specific timescale attached to the Order. The legal obligation to comply with the Order has now passed to Somerset Council.
6. Changes made to the Mendip Local Plan Policies map in compliance with the Order in January 2023 were subject to a separate Judicial Review challenge which was heard in

the High Court on 29 June 2023. Judgment was reserved and is expected shortly. Although not directly related to the challenge, the same judge was presiding, and he raised questions immediately prior to the hearing at the apparent lack of progress in complying with Paragraph 6 of his Order. The judge is now seeking a formal commitment from the Council to make urgent progress.

7. A preliminary view of dates for compliance was offered to the Judge at the hearing held on 29 June 2023 subject to authorisation by the Executive. The dates relate to the statutory development plan stages¹ as specified in the Order which would lead to the submission and examination of proposals.
8. Officers have reviewed the dates offered in Court and made amendments to include lead-in times for committee reports and to avoid consultations taking place over holiday periods. The dates also reflect additional time to undertake the necessary consideration of reasonable alternative options and the sustainability appraisal process necessary for the amendments to the plan to be found sound.
9. A project plan setting out tasks and consultations to undertake the site allocations review is set out in Appendix 3. While adjustments have been recommended, Officers are still reviewing the timetable with the Council's barrister to see if it can be shortened to meet the judge's expectations. Officers will update Members ahead of or at the Executive meeting.
10. The Executive is recommended to agree a timetable as an urgent matter. The judge is awaiting confirmation of the Council's commitment to the timetable as this is likely to be referred to in his Judgment.
11. The confirmation is considered necessary as without the Council's commitment in this report, there is a risk that the Judge could consider Somerset Council in breach of the Order and at risk of contempt.

Recommendations

12. That the Executive:
 - (a) confirms 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

¹ Town and Country Planning (Local Plan) (England) Regulations 2012.

- To submit for examination by 1 September 2024.
- (b) agrees 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) Notes 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) 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.

Reasons for recommendations

13. To enable the Council to demonstrate compliance with a High Court Order and avoid the risk of the Council being held in breach of the Order. Agreement to the Mendip site allocations review as set out in Para 6 of the Court Order seeks to mitigate this risk.
14. Following the Statutory Review hearing on a separate matter involving the Order, Justice Holgate has sought a commitment from the Council for agreed dates and timescales for compliance. Further delay or failure to comply with the Order would place the Council in breach of the Order and a potential for contempt of Court. The recommendations are made to avoid a risk of significant reputational damage and potentially financial penalties.
15. Proceedings for contempt of court are intended to uphold the authority of the court and to make certain that its orders are obeyed. Any contempt of court is a matter of the utmost seriousness, especially when it concerns a public authority.

Somerset East - site allocations review process

16. The Mendip Local Plan Part II (LPP2) is an adopted development plan document identifying housing and employment allocations for the Somerset East Area. Apart from the five housing allocations struck out of the Plan to provide 505 dwellings – located in the northeast of the former Mendip District - the remainder of policies and development allocations remain in effect.
17. The original JR challenge confirmed that Council was mis-directed by the Inspector during the examination to focus only on one part of Mendip District (the north and northwest). Paragraph 6 of the Order sets out the steps to enable re-consideration of these sites on the former Mendip District wide basis against the spatial strategy in the adopted Local

Plan Part 1. Existing or alternative sites would need to be deliverable within the Mendip Local Plan period to 2029 and on adoption would be a partial update to LPP2.

18. Officers consider that the review process will require a fresh 'call for sites' for Somerset East only to establish an up-to-date land availability position (there has not been a Mendip-wide call for sites since 2015) from which to assess and develop preferred options prior to the Regulation 18 consultation. The struck-out sites would also be considered in this process. Land promoted as available for development would come forward in a longer timescale would be carried forward for consideration in the Somerset Development Plan process.
19. Following agreement by the Executive of the draft proposals for provision of the additional 505 homes, identification of the preferred option will form the basis of the Regulation 18 consultation. Details of alternative options considered, the site selection process and sustainability appraisal of existing or new sites district-wide will form part of the supporting documents.
20. After the 6-week Regulation 18 consultation, officers will consider the responses and propose amendments as necessary for inclusion in the Regulation 19 publication plan which will come back to the Executive for agreement. This will be subject to a 6-week period seeking representations on soundness of the proposed allocations to meet the requirement, prior to submission to the Inspectorate. It is then for the Inspector appointed to consider the representations which have been made as part of the examination process.
21. Members will note the project plan identifies an early need to establish a process for Member, stakeholder and community engagement and the requirement to meet the duty to cooperate. Officers will also have regard to communications and publicity and the need to brief members to ensure that it is clear this work is for Somerset East only.

Implications for the Somerset Development Plan

22. The legal requirement to progress the site allocations review will impact on the officer resources available and draw on the budget for bringing forward the Somerset Development Plan. While officers will seek to make the maximum use of Somerset- East officer availability, it will explore opportunities to use external support and collaborative working to minimise risk.

Other options considered.

23. There are no alternative options at this stage. The judicial review hearings have clarified that the option to integrate the Somerset East review into progressing the Somerset-wide development Plan will not satisfy the Order and the Council is at risk of being in breach. The Council can seek to amend the Order (e.g. if circumstances beyond its control means that committed dates cannot be met) but will need to identify exceptional circumstances for doing so.

Links to Council Plan and Medium-Term Financial Plan

24. Compliance with the Order will commit the Council to expenditure in the current and next financial year which is additional to the current budget for the planning service. The work will ensure that the Council meets its objectives in the corporate plan to ensure a greener more sustainable Somerset.

Financial, Legal and Risk Implications

25. The need to undertake a focused but separate development plan review of the Mendip Local Plan involving submission of additional housing sites for examination has direct resource and financial implications. There are external costs which relate to the need to meet the statutory plan making process set out in the Order. It will also impact on the officer resource and budget available to progress the Somerset wide Local Plan. Initially the budget agreed for planning policy and the development of the Somerset wide Local Plan will be used to facilitate the work required. The work undertaken on the call for sites in the Somerset East area necessary for this review will feed into the wider work which will be undertaken for the Somerset wide plan.
26. Officers have made a provisional expenditure estimate for the review process of around £111,000 in 2023-24 (Year 1) and £214,500 (Year 2) in 2024-25. This includes the use of external consultants in Year 1 to undertake technical, evidence base work, site assessment and sustainability appraisal work. Additional external support will help maximise the in-house officer resource to progress Somerset Development Plan. The higher costs in Year 2 relate to the costs of submission and examination of proposals by the Planning Inspectorate.
27. These estimates remain to be confirmed and are subject to clarification of the scope and extent of new site assessments that will be required. The costs of external work will also depend on the number of additional sites to be assessed. This will not be clear until a new 'call for sites; exercise is undertaken for the Somerset East area.
28. Given the timing of the Order close to vesting day and recommendation to review implications in the context of a new planning authority, the former Mendip Council did not earmark or allocate a specific budget to undertake the review and as set out above initially the policy budget agreed will be used to meet the costs.

Risk Implications

29. This is covered in the main report. The risk associated with the Order was identified in the LGR process for planning services but may not be a specific risk identified in the

Corporate Risk Register. The recommendations in this report will mitigate a high risk to the Council and will need regular monitoring.

Without agreement to the project plan and timelines in the report, officers have identified the following risks in its discussion with Counsel.

- (1) That the judge may determine the current JR claim against the Council with legal costs.
- (2) The adopted status of the whole local plan part II could be questioned
- (3) The Council may be required to return to the Court to provide further explanation of its position before the judge and runs a reputational risk.

HR Implications

30. There are no direct HR Implications

Equalities Implications

31. There are no direct equalities implications. The recommendations endorse a review process which involves consideration of options including stages of public consultation. An equalities impact assessment form part of the statutory process and documents submitted for examination.

Community Safety Implications

32. There are no community safety implications

Climate Change and Sustainability Implications

33. The recommendations initiate a partial development plan review update which will have climate and ecological implications. Assessment of impacts and mitigation/adaption is embodied in the process and will be tested through consultation and at examination.

Health and Safety Implications

34. There are no Health and Safety Implications arising from this report

Health and Wellbeing Implications

35. There are no direct health and well-being implications

Social Value

36. Not applicable

Scrutiny comments / recommendations:

37. This is an urgent item and has not been considered by a Scrutiny Committee.

Background Papers

Report to Mendip Full Council - 9th February 2023

Court Judgment - [Adopted Local Plans \(somerset.gov.uk\)](https://www.somerset.gov.uk/adopted-local-plans)

Appendix 1 Order made against Mendip Council – 16 December 2022

Claim No: CO/323/2022 - IN THE HIGH COURT OF JUSTICE KING’S BENCH DIVISION **ADMINISTRATIVE COURT PLANNING COURT**

BETWEEN: NORTON ST PHILIP PARISH COUNCIL (Claimant) -and- MENDIP DISTRICT COUNCIL (Defendant) -and- SECRETARY OF STATE FOR LEVELLING UP, HOUSING AND COMMUNITIES, LOCHAILORT INVESTMENTS LIMITED and REDROW HOMES LIMITED (Interested Parties)

ORDER

UPON HEARING Alexander Greaves for the Claimant; Hashi Mohamed for the Defendant; Robert Williams for the First Interested Party; and James Findlay KC and Ben Du Feu for the Second and Third Interested Parties

IT IS ORDERED THAT

1. The claim for statutory review be allowed.
2. Policies MN1, MN2, MN3, NSP1 and BK1 of Mendip District Local Plan 2006-2009 Part II: Sites and Policies (“LPP2”), their supporting text and other related text, tables and diagrams, as set out in Schedule 1 to this order, shall be remitted to the Defendant.
3. The remitted parts of LPP2 shall be treated as not having been adopted as part of the local development plan. The rest of LPP2 is unaffected by this order.
4. The Defendant shall publish a revised version of LPP2 on its website within 28 days, which explains the effect of this order, and shows the remitted parts of the plan as being struck through.²
5. The Defendant shall amend the Policies Map within 28 days so that it properly reflects the terms of this order and any consequential changes to LPP2 as set out in Schedule 1.³
6. The Defendant shall:
 - a. review and reconsider allocations to meet the district wide requirement for an additional 505 dwellings in accordance with Core Policies 1 and 2 of Mendip District Local Plan 2006-2029 Part 1: Strategy and Policies and the judgment of the court;
 - b. in light of their review, prepare and publish modifications to LPP2 which allocate sites to meet the additional requirement. The preparation and publication of these modifications shall be in accordance with requirements of section 19 of the Planning and Compulsory Purchase Act 2004 (“2004 Act”), and Regulations 18 and 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
 - c. submit the proposed modifications to LPP2 to the First Interested Party, who shall appoint an Inspector to carry out and report on an independent examination of them, which shall be carried out in accordance with section 20 of the 2004 Act; and

² Plan republished in December 2022.

³ Policies Map published in January 2023

- d. once it receives the Inspector's report, the Defendant must make a decision in accordance with section 23 of the 2004 Act.
7. The Defendant shall pay the Claimant's costs in the sum of £35,000.
8. All parties shall have liberty to apply to vary or modify this order on notice.

Signed: Sir David Holgate

Dated: 16 December 2022

Appendix 2 – Legal Background to the Court Order

1 Copies of the judgment and legal documents are online at [Adopted Local Plans \(somerset.gov.uk\)](https://www.somerset.gov.uk).

A JR claim was lodged against the adoption of the Mendip Local Plan Part II (LPP2) in January 2022. The claim – made by Norton St Phillip Parish Council – focused on the misdirection of the Council by the LPP2 Inspector during the examination leading to adoption of five housing sites to address a requirement for 505 dwellings in the northeast of the district. The '505 dwellings' formed part of adopted Plan target of 9,635 dwellings from 2006-29 which had not been allocated to a specific settlement.

- 4 The main ground of the claim argued that the LPP2 Inspector mis-interpreted policy CP2 and supporting text in Mendip Local Plan Part I (LPP1) It contested his view that the northeast was a strategic direction for growth exclusive to this area. On this basis, his interim examination note (ED20) to request modifications to LPP2 and the subsequent allocation /adoption of five housing sites was unlawful. The claim also challenged the Council's sustainability appraisal as also being misdirected and failing to assess reasonable alternatives in the rest of the district. The Council's defence of the

claim highlighted the extensive evidence and SA supporting modifications and consideration at six days of examination hearings.

- 5 The claim was heard in the High Court in October 2023 before Mr Justice Holgate with judgement handed down on 16th December 2023. The Secretary of State were a third party and appointed counsel to defend the Inspector's conclusions as well as two developers of sites BK1 (Redrow) and NSP1 (Lochailort Developments). Both the grounds around misdirection were upheld, with the judge agreeing with the claimant on the flaws in the Inspector's interim note, examination report and process. This resulted in the five housing sites allocated in modifications being quashed.
- 6 Judgment was accompanied by an Order of the Court directing Mendip Council to make revisions to the Plan and Policies Map and reconsider the deleted sites. The form of the Order reflects exchanges between the parties at the hearing; with the main objective of Mendip District Council to avoid LPP2 being remitted or quashed in its entirety. The claimant's position was to ensure no advantage should be given to the deleted allocations.
- 7 Paras 2,4 and 5 of the Order detail the changes required to LPP2 and the Policies Map. The Council re-issued LPP2 and Policies Map reverting the notation of the deleted housing allocations to open countryside. This revision was the matter being contested in a separate JR challenge by Locahilort Developments.
- 8 Para 3 confirms that policies and sites in the rest of the LPP2 to remain as adopted on 20th December 2021.
- 9 Para 6 of the Order gives specific directions to Mendip Council to *review and reconsider* the allocations to meet the Mendip-wide requirement for 505 dwellings, publish modifications, undertake consultation under Regulations 18 and 19 and submit the proposed allocation sites as modifications for examination to PINS.
- 10 Para 8 of the Order allows for changes to the Order to be made on application to the Court.

APPENDIX 3 SOMERSET EAST: MENDIP LPP2 SITE ALLOCATIONS REVIEW (SAR) DRAFT TIMELINE TO SUBMISSION 2023 - 2024

Version 1.3

		Target Date	Closing Date	July	August	September	October	November	December	January	February	March	April	May	June	July	August	Sept
				26 3 10 17 24 31	7 14 21 28 4 11 18 25 2 9 16 23 30	5 12 19 26 6 13 20 27 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 2 9 16 23 30 6 13 20 27 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 1 8 15 22 29 5 12 19 26 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 1 8 15 22 29 5 12 19 26 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 1 8 15 22 29 5 12 19 26 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 1 8 15 22 29 5 12 19 26 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 1 8 15 22 29 5 12 19 26 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 1 8 15 22 29 5 12 19 26 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 1 8 15 22 29 5 12 19 26 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 1 8 15 22 29 5 12 19 26 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 1 8 15 22 29 5 12 19 26 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 1 8 15 22 29 5 12 19 26 4 11 18 25 1 8 15 22 29 5 12 19 26	4 11 18 25 1 8 15 22 29 5 12 19 26 4 11 18 25 1 8 15 22 29 5 12 19 26
Plan Regulation stage/ Work area		High Court hearing and para 6 undertakings given to judge	29th June 2023															
		Executive Committee - agree milestones/ resources/deadlines	10th July 2023															
Communications and Engagement		Reg 18 - notification of stakeholders/ commencement of SAR																
		Develop/ agree consultation approach for SAR / comms plan																
		Develop member/ stakeholder engagement plan/ SAR working group	July/Sept															
Scoping and soundness work		Refine timetable/ workplan/ governance arrangements to PH																
		Scope likely evidence base updates/ major constraints																
		Update of 5YS/ housing trajectory position/ deleted sites	July-Aug 2023															
		Duty to co-operate meetings (to include SAR) Monthly as reqd	monthly															
		Confirm timetable to PINS and setup reg18 advisory meeting																
Sustainability Appraisal (SA) /HRA		Scope SAR SA requirements/ tasks - incl issues raised in JR																
		Review SA approach used in LPP1/2 & need for update																
		Review potential for external consultants for SA/ site assessment work																
		Updating SA templates for existing/ new sites to inform preferred options																
		Review of SA alternative options to inform Reg 18																
Somerset east -call for sites / land availability update		Agree shlaa approach (policy officers) & data collection	July 2023															
		develop/revise site selection methodology (policy officers)	July/Aug															
		Public call for sites (agents/ developers/others) NB Forum on 27/7	24th July 2023	4th September														
		Update existing site evidence and finalise SHLAA as evidence	august/sep															
		Draft Reg 18 options paper	sept/oct															
		Review of options/sites with member group / sub-committee																
		Review additional work/ evidence to allocations at Reg 19																
		Review and commission HRA for identified sites																
Consultation on Preferred Site Options (Reg 18)		Scrutiny - Climate and Place	22nd Nov 23															
		Executive - Review and reconsider sites/ approval of Reg 18 consultation	3rd January 23															
		Public consultation period	6 weeks	8th January 24	16th Feb 24													
		Compile responses to Reg 18 / options for working group	6 weeks															
		Member and working group meetings - review options	6 weeks															
		Finalise site allocations policies for new sites																
		Finalise Publication report	3 weeks															
Publication Stage (Reg 19)		Scrutiny - Climate and Place	20th March															
		Exec committee - submission proposals/ submit to PINS	8th May 2024															
		Period for formal representations to site options	13th may 24	29th June 2024														
		finalise / summarise list of reps and key issues for PINS																
		finalise SA statements and submission documents including equalities assessment																
Submission & Examination		Submission of Plan to Inspectorate	w/c 1st Sept 2024															
		Examination Process (subject to appointed inspector)	6 months	1st Sept 2024	31st March 2025													
		Preparation of examination documents etc	Sept/Oct 2024															
		Key																




Key ■ Key decisions ■ Consultation stages ■ Review and technical work

Report Sign-Off

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	5 July 2023
Communications	Chris Palmer	Sent 5 July 2023
Finance & Procurement	Nicola Hix	6 July 2023
Workforce	Chris Squire	6 July 2023
Asset Management	Oliver Woodhams	N/A
Executive Director / Senior Manager	Mickey Green / Paul Hickson	5 July 2023
Strategy & Performance	Alyn Jones	6 July 2023
Executive Lead Member	Cllr Ros Wyke	5 July 2023
Consulted:		
Local Division Members	n/a	
Opposition Spokesperson	Cllr Mark Healey	Sent 5 July 2023
Scrutiny Chair	Cllr Martin Dimery, Scrutiny Committee Climate and Place	6 July 2023

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

Organisation prepared for (mark as appropriate)	 Somerset Council	x	 NHS Somerset	 NHS Somerset NHS Foundation Trust
Version	1	Date Completed	5 th July 2023	
Description of what is being impact assessed				
Executive Committee Recommendation to commence a site allocations review for Somerset East area				
Evidence				
<p>What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics, Somerset Intelligence Partnership, Somerset's Joint Strategic Needs Analysis (JSNA), Staff and/ or area profiles, should be detailed here</p>				
Project will use evidence base contained in adopted local Plan Parts 1 and II and other information when sites are assessed.				

Who have you consulted with to assess possible impact on protected groups and what have they told you? If you have not consulted other people, please explain why?

Not yet assessed. The project builds-in informal and formal consultation stages. As a statutory process, there is a requirement to publish a separate Equality Impact Assessment as part of the submission evidence for examination. The impact assessment report will be reviewed by the equality lead

Analysis of impact on protected groups

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.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> See comments above. Equality Impacts must be assessed to comply with the plan making regulations. 	□	⊗	□
Disability	<ul style="list-style-type: none"> See comments above. Equality Impacts must be assessed to comply with the plan making regulations. 	□	⊗	□

Gender reassignment	<ul style="list-style-type: none"> See comments above. Equality Impacts must be assessed to comply with the plan making regulations. 	□	⊗	□
Marriage and civil partnership	<ul style="list-style-type: none"> See comments above. Equality Impacts must be assessed to comply with the plan making regulations. 	□	⊗	□
Pregnancy and maternity	<ul style="list-style-type: none"> See comments above. Equality Impacts must be assessed to comply with the plan making regulations. 	□	⊗	□
Race and ethnicity	<ul style="list-style-type: none"> See comments above. Equality Impacts must be assessed to comply with the plan making regulations. 	□	⊗	□
Religion or belief	<ul style="list-style-type: none"> See comments above. Equality Impacts must be assessed to comply with the plan making regulations. 	□	⊗	□
Sex	<ul style="list-style-type: none"> See comments above. Equality Impacts must be assessed to comply with the plan making regulations. 	□	⊗	□

Sexual orientation	<ul style="list-style-type: none"> See comments above. Equality Impacts must be assessed to comply with the plan making regulations. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Armed Forces (including serving personnel, families and veterans)	<ul style="list-style-type: none"> See comments above. Equality Impacts must be assessed to comply with the plan making regulations. 	<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"> See comments above. Equality Impacts must be assessed to comply with the plan making regulations. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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
See comments at the top of this form. There are no negative outcomes from the recommendations as these will be assessed as a statutory requirement	Select date			<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				

Completed by:	Andre Sestini
Date	5 th July 2023
Signed off by:	
Date	
Equality Lead sign off name:	Angela Farmer
Equality Lead sign off date:	6 th July 2023
To be reviewed by: (officer name)	Equalities team will be consulted/updated as project progress and consulted on impact assessment
Review date:	

Somerset Council

Notice of key decision



The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – Regulation 11

In accordance with the Council's Access to Information Procedure, as set out in the Council's Constitution, notice is hereby given that the following Key Decision, which has not been included in a published version of the Executive Forward Plan for the required 28 days, is to be considered by the Executive on 10 July 2023:

Mendip Local Plan - Variation to Order of 16 December 2022

Author: Alison Blom-Cooper, Assistant Director Strategic Place and Planning,
Andre Sestini, Principal Planning Policy Officer – Somerset East.

Contact Details: alison.blomcooper@somerset.gov.uk,
andre.sestini@somerset.gov.uk

Reasons

It is proposed to take a key decision on this matter on the date shown above. It would be impracticable to defer the decision until it has been included in a published version of the Forward Plan for the required 28 days.

Circulation:

Leader of the Council
All Somerset Council Members

6 July 2023

David Clark
Monitoring Officer

<p>For questions about this notice please contact the Democratic Services Team County Hall, Taunton, TA1 4DY Email: democraticservicesteam@somerset.gov.uk</p>
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