

EXECUTIVE

YOU ARE REQUESTED TO ATTEND A MEETING OF THE EXECUTIVE TO BE HELD IN THE JOHN MEIKLE ROOM, THE DEANE HOUSE, BELVEDERE ROAD, TAUNTON ON WEDNESDAY 20TH AUGUST 2008 AT 18:15.

AGENDA

1. Apologies
2. Minutes of the meetings of the Executive held on 16 July and 24 July 2008 (attached)
3. Public Question Time
4. Declaration of Interests. To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct
5. Redevelopment of small area of Housing land at Holyoake Street, Wellington - report of the Housing Enabling Manager (attached) Lesley Webb
6. A Review into Affordable Housing in Taunton Deane. The final report of the Affordable Housing Task and Finish Group is attached for consideration and approval. Alastair Higton
7. A Review into Renewable Energy and Energy Efficiency. The final report of the Renewable Energy and Energy Efficiency Task and Finish Group is attached for your consideration and approval. Alastair Higton
8. Community Engagement - Taunton Deane Borough Council Position Statement - report of the Strategic Director and Community Planning Officer (attached) Brendan Cleere/Marc Hole
9. Community Buildings Strategy - report of the Leisure Development Manager (attached) Karen Hughes
10. Discretionary Rate Relief Policy - report of the Revenues and Benefits Service Manager (attached) Heather Tiso

Tonya Meers
Legal and Democratic Services Manager
12 August 2008

Executive Members:-

Councillor Henley - Leader of the Council
Councillor Brooks (Communications)
Councillor Coles (Planning and Transportation)
Councillor Horsley (Economic Development and the Arts)
Councillor R Lees (Sports, Parks and Leisure)
Councillor Mullins (Environmental Services)
Councillor Prior-Sankey (Housing Services)
Councillor Mrs Smith (Resources)
Councillor A Wedderkopp - Deputy Leader (Community Leadership)



Members of the public are welcome to attend the meeting and listen to the discussion. Lift access to the main committee room on the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is a time set aside at the beginning of the meeting to allow the public to ask questions



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact Greg Dyke on:

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Website: www.tauntondeane.gov.uk (Council, Executive, Review Board & Review Panel Agenda, Reports and Minutes are available on the Website)

Executive – 16 July 2008

- Present:** Councillor Henley (Chairman)
Councillors Brooks, Coles, Horsley, R Lees, Mullins, Prior-Sankey, Mrs Smith and A Wedderkopp.
- Officers:** Penny James (Chief Executive), Shirlene Adam (Strategic Director), Joy Wishlade (Strategic Director), Tonya Meers (Legal and Democratic Services Manager), Michele Hale (Policy Support Co-ordinator), Ruth James (Communications and Information Manager), Simon Lewis (Procurement Change Manager), Helen Phillips (Policy Support Co-ordinator), Debbie Rundle (Media and Public Relations Officer), Phil Sharratt (Economic Development Manager), Jill Sillifant (Acting Head of Client), John Williams (Chief Housing Officer), Brian Yates (Building Control Manager) and Donna Durham (Democratic Services Officer)
- Also present:** Councillors Brockwell, Cavill, Mrs Court-Stenning, Farbahi, Govier, Hall, Hayward, Ms Herbert, Miss James, Mrs Lewin-Harris, Meikle, Morrell, Mrs Stock-Williams, Stuart-Thorn, Mrs Waymouth, Ms Webber, D Wedderkopp, Williams and Mrs Wilson
Teresa England, Tone Leisure Limited

(The meeting commenced at 6.15 pm)

171. Minutes

The minutes of the meeting held on 18 June 2008, copies of which had been circulated, were taken as read and were signed.

172. Public Question Time

Mr Paul Partington asked a number of questions concerning diversions of Public Rights of Way.

Councillor Coles agreed to provide Mr Partington with a written answer.

Councillor Mrs Lewin-Harris as a member of the public, asked Executive Councillor Mullins why a leaflet concerning recycling had not been sent out in July. She was also concerned that a paper and cardboard recycling facility in Bishops Lydeard might be removed.

Councillor Mullins acknowledged that the leaflet had not been issued. He also explained that when cardboard and paper were included in the waste collections, such facilities as the one at Bishops Lydeard would not be required. He would however discuss both matters with the Somerset Waste Partnership.

Mrs Cautley, a Tone Leisure patron, expressed her delight that crèche facilities and concessions for Old Aged Pensioners (OAP's) would be

supported. She was not opposed to the development of leisure centres but was opposed to the removal of facilities.

Mr Lary, a Tone Leisure patron, asked if the decisions of the Council were binding. He also enquired of the Executive how rate payers were likely to respond if a decision of the Council was overturned by the Executive.

Ms Fry and other members of Tone Leisure, were concerned that the decision made at Council, could now be overturned by the Executive and stated that the primary role of Tone Leisure was to provide facilities for the community, rather than make profits. They were also disappointed that there had been no consultation process.

Councillor Henley replied that these views would be taken into account when the matter was discussed and added that he would report their concerns at the next Tone Leisure Board meeting.

173. Declaration of Interests

The Chairman (Councillor Henley) and Councillor Govier declared personal interests as Members of both Somerset County Council and the Wyvern Club. Councillor Brooks declared personal interests as a Member of both Somerset County Council and the Wyvern Club and a prejudicial interest as a Member of Taunton East Action Group. Councillor Coles declared personal interests as a Director of Southwest One and a Member of Somerset County Cricket Club. Councillor Prior-Sankey declared personal interests as a Member of Somerset County Council, the Wyvern Club and the Somerset Waste Board. Councillor Mrs Smith declared a personal interest as an employee of Somerset County Council.

174. Business requiring to be dealt with as a matter of urgency

The Chairman reported that he had certified that the item covered by Minute No.175 below should be dealt with as an urgent matter.

175. Motion to Full Council regarding Funding to Tone Leisure Limited

Tone Leisure had been asked to find savings of £20,000 as part of the Council's 2008/2009 budget setting process. In addition, the Council had requested Tone Leisure to make 3% cash savings each year from 2009/2010, 2010/2011 and 2012/2013. Tone Leisure had considered how they could best meet these objectives and had decided on the following savings measures:

- Efficiencies generated by the business growth of Tone Leisure;
- Amendments to Old Age Pensioner (OAP) subsidy;
- Removal of crèche provision; and
- Gym expansion and investment.

At its meeting on 15 July 2008, the Council had considered and approved the following Motion:

- The reinstatement of funding to Tone Leisure to the extent that removal of concessions to the elderly and crèche facilities for the young were not necessary;
- To enter into consultation with representatives from the squash playing community to ensure they were fully aware of, and accepted, the proposals for change before implementation which would involve the removal of the last public courts in Taunton;
- That although accepting the need for tight budgetary control of the Council's finance, this should not be at the expense of front line services that were valued by some of the most vulnerable in our community.

The matter was considered urgent as Tone Leisure had signed contracts with Alliance Leisure to begin works at all three major leisure centres on Monday, 28 July 2008.

The Chief Executive had requested the Leader and Chairman of the Overview and Scrutiny Board that any decision made by the Executive, be implemented immediately. However, the Chairman of the Overview and Scrutiny Board had, up to now, refused to waive his right to call-in the decision. Councillor Williams did confirm however that if the ramifications of delaying the contract with Alliance Leisure were substantiated he was likely to waive his right to call in any further decisions made by the Executive.

The Council's Statutory Officers had considered the impact on the Council of acting on the above Motion.

They had concluded that the Executive had the power to decide whether to act on the Motion, as it did not fall within the powers of the Council.

If implemented, the decision had serious financial and contractual implications for the Council. Tone Leisure had entered into a contract with Alliance Leisure for a substantial investment into three of their centres and part of these works required the removal of the squash courts at Blackbrook.

The contract had been entered into following discussions at the Overview and Scrutiny Board and the Executive had given its approval for the Council to act as guarantor for this contract at the meeting on 18 June 2008.

The Chief Finance Officer stated that she owed an independent duty to the Authority and tax payers and had the ability to make a report (Section 114 1988 Finance Act) if she felt that the Council:

- Had made, or was about to make, a decision which involved or would involve the Authority in incurring expenditure which was unlawful;
- Had taken, or was about to take, a course of action which, if pursued, would be unlawful and likely to cause a loss or deficiency on the part of the Authority; or
- Was about to enter an item of account which was unlawful.

The Chief Finance Officer felt that at the moment a Section 114 report was not required. However, Members were asked to consider the consequences of the recommendations being considered by the Executive.

The Chief Finance Officer detailed the potential financial implications of the Motion.

Consideration was given to the effect that a breach of contract would have on the Council and also the associated legal costs.

During the discussion of this item, a view was expressed that insufficient information had been provided to Members relating to the financial consequences of the Motion, particularly that relating to the squash courts.

The Chief Executive confirmed that although advice as to the whether the wording of the Motion was technically sound had been provided, no such advice had been sought concerning the financial aspects.

Resolved that:

- (1) the contract as entered into by Tone Leisure with Alliance Leisure be fully supported and that no action to frustrate that contract be taken;
- (2) Tone Leisure's new revised proposals for crèche provision be supported and they be requested to consult with parents on these proposals; and
- (3) Tone Leisure be requested to reconsider their proposals on the issue of OAP subsidies as part of the Council's forthcoming budget setting process.

176. Building Control Service

Considered report previously circulated, concerning the creation of efficiencies and improvement of service delivery by sharing management and professional staff resources.

A formal Building Control Partnership project had been set up under the control of Strategic Directors in Sedgemoor District Council, West Somerset District Council and Taunton Deane Borough Council.

A Project Initiation Document had been agreed and a Project Management Board set up. The viability of the business case had been investigated by business consultants The Helm Corporation and was found to be compelling.

Partnership working would provide a range of service and financial benefits and these could be delivered through shared management. Details of the savings and benefits were submitted.

There were a number of models for sharing arrangements and details of these were also submitted.

To maximise the potential benefits of shared management, staff flexibility, inter-authority and cross-boundary working were essential.

Building Control was an enforcement service that imposed liability in negligence on the responsible authorities and it would be necessary for each authority to indemnify the other against the actions/omissions of its officers when working across district boundaries.

The factors that needed to be taken into account were submitted and these included the following:

- The management role in each authority was not purely strategic but had an operational element attached;
- Both establishments were 'lean' and could not afford to lose any more operational capacity; and
- Any arrangements made to share a manager should take into account the loss of operational strength that would ensue if compensatory arrangements were not in place.

Therefore, the preferred option was a combination of a shared management, coupled with staff sharing and supported by formal indemnity agreements.

The proposals for implementing the shared management arrangements were:

(1) The existing Taunton Deane Building Control Manager would jointly manage the Building Control services of Sedgemoor and Taunton Deane for as long as he remained in post. In the event of his ceasing to be employed by the Council, the position would be filled from within the existing combined establishments and hosted by the employing authority of the new joint manager. The gross salary, benefits and other costs of employment would be equally shared by the host and non-host authorities;

(2) Each authority would lose 0.5 of a technical FTE as a result of this and other circumstances. It was unlikely that suitable part-time staff could be recruited. It was therefore proposed that Sedgemoor and Taunton Deane should jointly recruit a Building Control Surveyor and share the gross salary costs of the post;

(3) The following indemnity resolution should be passed by both authorities: "Each authority agrees to indemnify and keep indemnified each other, their officers, persons and bodies against all losses, damages, proceedings, costs and expenses whatsoever in respect of the shared working arrangements described in this document, and shall obtain the approval of its public liability insurer in respect of this undertaking".

The shared salary of the Building Control Manager and the employment of a Building Control Surveyor would provide significant savings. A net saving of £7,800 would be made by each authority in the first year.

Resolved that the proposals set out to share the services of a Building Control Manager; to share the services of an additional Building Control Surveyor; to equally share the salary, benefits and costs of employment of both these posts; and to ratify the indemnity agreement, be all agreed.

177. A Review into Affordable Housing in Taunton Deane

Resolved that consideration of the recommendations made by the Affordable Housing Task and Finish Group be deferred until the next meeting of the Executive.

178. A Review into Renewable Energy and Energy Efficiency

Resolved that consideration of the recommendations made by the Renewable Energy and Energy Efficiency Task and Finish Group be deferred until the next meeting of the Executive.

179. Approval of the Annual Report 2007/2008

Considered report previously circulated, concerning the production of the Council's Annual Report.

Although the statutory requirement to produce an Annual Report by 30 June each year had been removed, the Audit Commission still expected the Council to produce a report for 2007/2008.

The purpose of the Annual Report was to 'articulate proposals for improvement for the coming year, including how weaknesses would be addressed, opportunities exploited and better outcomes delivered'. The Council was also required to include outturn data for finance and Best Value Performance Indicators, an Annual Efficiency Statement and progress against past objectives and statutory statements on workforce matters.

The report linked to the Corporate Strategy 2008/2010 describing the Council's aims for the next three years.

The report was in draft form, with some information and data outstanding and had been circulated to Corporate Management Team, Members and all Managers for comment. The Annual Report and Performance Indicators would be audited by the Audit Commission later in the year.

Resolved that the Annual Report 2007/2008 be published.

180. Local Authority Business Growth Incentives Scheme

In 2005/2006 and 2006/2007 the Council had received £138,000 and £245,000 respectively from the Government to fund the Local Authority Business Growth Incentive (LABGI) scheme. The awards had been made in recognition of the growth in income from business rates achieved in the previous two years.

The Council had received details of the final award in this three year programme which was significantly reduced from previous levels of annual award. This amounted to £171,000.

However, the Government had been with-holding sums from the previous years' awards to set against any legal challenges mounted by Local Authorities, and these sums totalling £148,000 had been released and added to the year three award. The final level of grant aid from Government for Year 3 was £319,000.

The Government had warned in September 2007 that a review of the LABGI scheme would take place during 2008 and that awards could be significantly lower than in previous years. Officers had instigated a 'commitments only' expenditure programme from September onwards and this had enabled a further £91,000 to be carried over into 2008/2009. The final sum available for expenditure in 2008/2009 was therefore £410,000.

The proposed allocations for this years' LABGI award were as follows:

Pioneer Somerset integration	£85,000
Economic Development activity	£245,000
Deprivation Area Regeneration	£80,000

An outline of the individual project proposals in each of the above 'blocks' of activity were submitted for the information of Councillors.

Resolved that the suggested allocations of this years' Local Authority Business Growth Initiative award be approved.

181. **Taunton Unparished Fund Proposal**

Considered report previously circulated, concerning the possibility of establishing an informal arrangement for spending monies held by Somerset County Council and Taunton Deane for the benefit of communities in the Taunton Unparished Area.

Both Authorities had access to separate funding streams that could be used to support projects in the Unparished Area. County Councillors each had access to a Local Initiatives Budget (LIB) of £15,000 and Taunton Deane administered the Taunton Unparished Area Special Expenses Precept Fund which currently had unallocated resources of approximately £82,000.

In the spirit of Pioneer Somerset, both Councils had been keen to develop experimental joint arrangements for the Taunton Unparished Area that were informal and non-bureaucratic.

Reported that it was proposed to create an informal Joint Panel, the Taunton Unparished Fund (TUF) Panel, comprising five County and five Borough Councillors.

The TUF Panel's role would be to explore opportunities for achieving greater benefits for communities in the Taunton Unparished Area by contributing some of the LIB held by County Councillors with £30,000 of Unparished Precept money held by Taunton Deane. The Panel would work in conjunction with local action teams, community partnerships, residents and Ward Councillors as to potential projects which could be funded.

Although the Panel would not have direct jurisdiction over the spending of the available money, it was expected the Panel would make recommendations to the two Councils on suitable projects, which would then be considered, taking into account any particular criteria covering the funds administered by them.

As far as Taunton Deane was concerned, the use of Unparished Area Precept money had been the subject of a scrutiny investigation during 2006. The investigation had concluded that funding should be spent on an equitable basis across the Unparished Area on small capital schemes.

The County Council's LIB Scheme was intended to address local issues and priorities and working towards achieving Local Area Agreement outcomes. Each County Councillor was able to support up to five projects with a minimum project cost of £2,000. The Scheme made provision for Members to work together and pool resources for larger projects.

Further reported that Taunton Deane's representatives on the TUF Panel would comprise those Members who met as an Advisory Panel to consider bids to the Unparished Area Precept Fund.

The five County Council representatives would comprise Councillors with all (or a significant proportion) of their Electoral Divisions within the Taunton Unparished Area. The County Councillors would be invited to contribute their individual LIBs into the Panel's collective budget.

Submitted details of the operational arrangements which had been proposed for the TUF Panel including how often it would meet, how meetings would be facilitated and the officer support it would receive.

A review of the TUF Panel would take place in January 2009 as to whether the arrangements should be continued into 2009/2010.

Noted that it was intended the TUF Panel would run alongside Taunton Deane's own scheme for dealing with bids for funding from the Unparished Area Special Expenses Precept Fund.

Resolved that the Taunton Unparished Fund Proposal be approved.

182. **Medium Term Financial Strategy of the Council**

Considered report previously circulated, concerning the draft Medium Term Financial Strategy.

The Strategy contained current policy and financial issues facing the Council.

The Council was accountable for the stewardship and use of public money and for ensuring its plans delivered financial stability and sustainability in the future.

The financial management arrangements and budget setting process reflected the changing environment of Local Government finance.

The Council faced a challenging financial future and without longer term financial health, the Financial Strategy would not be able to deliver the Corporate Strategy.

Resolved that:

(1) An additional bullet point be added to Section 4.13 of the Financial Strategy as follows:

- to seek investment opportunities; and

(2) Council be recommended to approve the Financial Strategy.

183. Southwest One - General Progress Update 2007/2008 and Performance Management 2008/2009

Considered report previously submitted, concerning the general progress made in Southwest One following the transition of services to it at the end of 2007 and since its early months of operation.

Work had been done to embed each service into the new organisation. Development plans had been produced for each service, setting out key initiatives to be implemented, driven by this transition and developmental work, but also by the Council's Corporate Strategy and Corporate Priorities.

A measure of the detailed planning and co-ordination to ensure that service 'mobilisation' was effective, was that no complaints had been received or performance drops noted.

Details of the five transformation projects were submitted:

- Procurement;
- SAP Back Office and Technology Enablement;
- Customer Access Initiation;
- Locality Based Service Delivery; and
- People Excellence Model.

The projects aimed to transform the organisation, to better join up the delivery of our services, focus on the customer and how they could better access the services and to access world class technology.

The success of Southwest One would be determined by whether it delivered our operational services effectively and efficiently and whether the organisational transformation proposed through these projects was delivered and achieved.

The contract contained performance measures that reflected the key elements of the services and would enable performance to be monitored.

Southwest One provided detailed information on these performance indicators on a monthly basis and if service performance fell below the agreed targets, penalties could be imposed on Southwest One.

The Transformation Projects had been monitored through a network of linked arrangements and a summary of the period ending 30 June 2008 was submitted.

A team had been set up to manage the Southwest One contract and to manage the overall relationships.

The Client Team monitored contractual performance, managed payments to and penalties from Southwest One, and managed the overall delivery of the projects.

Details of the Change Managers were also submitted.

Ongoing reporting of the performance and operational services would be done through the Strategy and Performance Panel.

Resolved that the report be noted.

184. **Somerset Waste Board Business Plan 2008 – 2013**

Considered report previously submitted, concerning the Draft Business Plan 2008/2013 for the Somerset Waste Board (SWB).

The Somerset Waste Partnership Constitution required the single client unit to prepare a Draft Business Plan and Action Plan on an annual basis.

The Board approved a draft plan and consulted with the partners.

The Draft Business Plan included:

- A description and brief history of the partnership;
- Aims, objectives and principal functions;
- Analysis of the operating environment;
- Links to the corporate objectives of the partner councils;
- Revenue budget scenarios;
- Risk assessment;
- Budget for 2008/2009; and
- Action Plan.

The plan spanned a five year horizon, but emphasised key actions for the next 12 months.

The partnership was in its first full financial year of operation and the Board would prepare a second iteration of the plan later in 2008. This would bring the process in line with the annual timetable set out in the Constitution and align the annual cycle with the budget planning cycle within the partner authorities.

The Board could amend the Business plan to accommodate any unforeseen circumstances and to achieve the aims and objectives. Partner Councils could request such an amendment at any time.

Resolved that:

- (1) Waste to Energy plants be investigated as a way of dealing with residual waste;
- (2) The planned anaerobic digester should have capacity for commercial waste;
- (3) A PDF of collection times be prepared which could be downloaded from the website; and
- (4) The Draft Business Plan be approved.

185. Exclusion of the Press and Public

Resolved that the press and public be excluded from the meeting for the following item because of the likelihood that exempt information would otherwise be disclosed relating to Clause 7 of Schedule 12A to the Local Government Act, 1972 and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

186. Procurement Category Plans Update

Considered report previously circulated, which set out Southwest One's proposals to deliver a Procurement Transformation project, which included creating a Strategic Procurement Service and rolling out Category Management.

Reported in detail on eight category plans, each of which had different proposals for saving money. These proposals would be further developed and when approved through the Procurement Steering Group, it would be the Council's responsibility to deliver these savings through new ways of working.

Members suggested that consideration should be given to small enterprises and the affect that the Category Plans could have on them.

Resolved that:

- (1) The savings proposals from the Category Plans be agreed; and

- (2) Consideration be given as to whether the Housing Revenue Account should directly benefit from any long term savings that were made from the procurement savings within the Housing Revenue Account.

(The meeting ended at 9.50 p.m.)

Executive – 24 July 2008

Present: Councillor Henley (Chairman)
Councillors Brooks, Coles, Horsley, R Lees, Mullins, Prior-Sankey,
Mrs Smith and A Wedderkopp.

Officers: Penny James (Chief Executive), Shirlene Adam (Strategic Director),
Brendan Cleere (Strategic Director), Tonya Meers (Legal and
Democratic Services Manager), Steve Hughes (Sports Services
Manager) and Richard Bryant (Democratic Services Manager)

Also present: Councillors Bishop, Bowrah, Cavill, Mrs Court-Stenning, Farbahi,
Ms Herbert, House, Mrs Lees, McMahon, Meikle, Morrell, Murphy,
Slattery, Mrs Stock-Williams, P Smith, Thorne, Watson,
Mrs Waymouth, D Wedderkopp, Mrs Whitmarsh, Williams and
Mrs Wilson

(The meeting commenced at 8.10 pm.)

187. Declarations of Interest

The Chairman (Councillor Henley) and Prior-Sankey and Mrs Smith declared personal interests as de facto Members of the Wyvern Club. Councillor Coles declared a personal interest a Director of Southwest One.

188. Tone Leisure Limited's Proposed Savings Plan

Reference Minute No. 175/2008, reported that decisions made by the Executive at its last meeting had been called in by Councillors Ms Herbert and Thorne.

The call in, which had been made for the following reasons, had been considered at a meeting of the Overview and Scrutiny Board which had immediately preceded this meeting of the Executive:-

- (1) The Executive had failed to take note of the will of Full Council;
- (2) The Executive referred to "frustrating the contract between Tone Leisure and Alliance Leisure – no such frustration was intended or implied; and
- (3) There was still a lack of clarity concerning the continuing provision of crèche facilities.

The Overview and Scrutiny Board had decided to refer back the decisions taken by the Executive on 16 July 2008 for further consideration.

During the discussion of this item Councillor Horsley stated that although the decisions of the Executive should stand, efforts would have to be made to

somehow restore relationships between the politicians and the public.

He felt that a full inquiry would be needed to cover:-

- Members' involvement in this matter;
- The processes involved;
- Tone Leisure's involvement, especially future consultation methods; and
- How, following the original meetings of the Overview and Scrutiny Board and the Executive in June 2008, there had been no indication of the difficulty faced over the past couple of weeks.

Councillor Horsley added that it was clear at the Full Council meeting that the decisions relating to the crèche facilities and the Old Age Pensioner (OAP) subsidy were going to be reversed. However, to try and delay the closure of the squash courts at Blackbrook for consultation with users was, in his view, a "smokescreen". It was clear that people would want the courts retained.

If the call in was accepted, Councillor Horsley felt that this could undermine the future provision of leisure facilities in Taunton Deane.

The Chairman fully understood the frustrations of the public. However, the strong advice from the Statutory Officers about the costs that could arise from delaying the Blackbrook Contract had to be heeded.

In his view, the motion approved at Council did serve a purpose as far as the crèche provision and OAP subsidy was concerned. Although it would be for Tone Leisure to discuss future prices for the crèche with its customers, the views he had received in connection with the OAP subsidy would be taken back to Tone Leisure for consideration.

Resolved that:-

- (1) the agreed arrangements with Tone Leisure for the commencement of its contract with Alliance Leisure be confirmed, to ensure that the contract to improve the gym facilities at Blackbrook was upheld;
- (2) the commitment to support Tone Leisure's proposal to retain crèche facilities at both Blackbrook and Wellington Leisure Centres be confirmed, and that Tone Leisure be called upon to discuss its proposed structures with all users of the crèches; and
- (3) Taunton Deane Borough Council and its partners urgently formalise the agreement with the Wyvern Club to provide additional squash facilities at the earliest opportunity for Tone Leisure's Members.

(The meeting ended at 8.38 p.m.)

TAUNTON DEANE BOROUGH COUNCIL

REPORT TO EXECUTIVE - 20th AUGUST, 2008

REPORT OF THE HOUSING ENABLING MANAGER.

THE PURPOSE OF THIS REPORT IS TO GIVE MEMBERS THE OPPORTUNITY TO DISCUSS AND TO CONSIDER THE CONCEPT OF REDEVELOPING AND REGENERATING AN AREA OF HOUSING LAND AT HOLYOAKE STREET, WELLINGTON. THERE ARE CURRENTLY ELEVEN SMALL ONE BEDROOM BUNGALOWS AND FOUR ONE BEDROOM FLATS ON THE SITE WITH NO MEETING HALL. SOME OF THE EXISTING BUNGALOWS SUFFER FROM SUBSIDENCE.

(This matter is the responsibility of Executive Councillor Prior-Sankey.)

SUMMARY

There are currently fifteen dwellings on the area under consideration. These properties are all small one bedroom bungalows and flats built 50 years ago. They provide sheltered accommodation and some are suffering from subsidence. They are not very easy to let and there is no meeting hall. Costly remedial work has been carried out on some of the bungalows and extensive work is required on the remainder. The area of land required to make the scheme successful includes the 10 garages at the rear.

Working together with Magna West Somerset Housing Association (MWS) it is possible to regenerate the area and replace the existing housing stock with 36 x two bedroom apartments and a meeting hall for the elderly residents. These new apartments will be much bigger than the existing stock. The block of flats will be a maximum of 2.5 storeys high.

Fifteen of the apartments will be sheltered homes and will be contained in a block with an exclusive entrance and secured lift. The remainder of the apartments will be for general need.

All the apartments will be owned by Magna West Somerset Housing Association and available for social rent. Taunton Deane Borough Council will receive nomination rights to the lettings.

Background

As explained in the Summary these bungalows and flats are in poor condition due to being built on unstable ground. Set out below is information given to me by the Housing Property Manager on the history of the subsidence affecting these fifteen properties.

“The fifteen bungalows and flats together with ten garages were constructed in 1959 by Wellington Urban District Council

Works undertaken

During 1993, a borehole was drilled adjacent to No.38 which identified fill to a depth of almost 3m and based on this information, this property was underpinned in 1994.

During 1995 evidence of movement started showing in the four 2 storey flats. These were underpinned in 1996 following trial holes being excavated.

Further visual inspections were carried out on the remaining properties in 1997, but as with movement in any building, these were not conclusive and further monitoring was scheduled.

No costs are available going back to this period.

In 2004 reports of movement affecting the internal wall surfaces at No.46 were investigated. Ground conditions were examined by the drilling of boreholes and it was discovered that around this particular property the ground was particularly bad, with fill to a depth of between 4 and 5 metres. However, further boreholes showed that the ground conditions improved as they moved away from No.46.

Based upon this information it was decided to stabilize the ground around Nos. 44, 46 and 48.

In order to undertake this work it was necessary to temporarily re-house the tenants from Nos 44 and 48. At the time, No 46 had been held as a void pending the repair works.

As part of the works it was also agreed that the internal decorations would be made good following the disturbance and the properties would have upgraded facilities in order to meet the Decent Homes Standard.

It was also agreed that whilst undertaking this work it would be beneficial to repair some defective drains which it was considered were having a detrimental affect on the existing ground conditions.

Identified costs associated with this work amount to £78,000.00.

Conclusion

Investigations over more than fifteen years have shown that the majority of properties on this site have been constructed on poor quality ground. Although eight of the fifteen properties have already been underpinned, problems are now evident with the remaining three bungalow terrace and it seems certain that underpinning will be required for that block. It is also possible that further underpinning works may be required to the remaining properties”.

In order to address the subsidence problem and the need for apartments in Wellington a group of Architects was asked to carry out a desk top feasibility study of this site. This came about as a result of a meeting and discussions with the Ward Councillors. It was originally thought that if this Council disposed of the land at nominal cost it would be possible for a mixed tenure scheme to be achieved on the site. This was to include open market housing, Housing Association social rented housing and the Council would receive 15 x 2 bed new apartments back into their housing stock.

Six different scenarios were drawn up and put forward but after many meetings, financial appraisals and the implications of the current housing market situation it was agreed that the scheme would not ‘stackup’ financially. In view of this the idea of including open market housing to cross subsidise the scheme was dropped. The most efficient way forward is to develop the site with all affordable housing including a meeting hall for the elderly.

Early in March 2008 two public consultations were held on site. Letters were sent to each tenant in the 15 bungalows and flats inviting them to an afternoon meeting. Further letters were sent to other residents in Holyoake Street, Seymour Street, Brendon Road and Bovet Street. Letters were posted out to residents living close to the area under proposal inviting them to attend the consultation

The first consultation in the afternoon was designed to involve, only, the tenants of the fifteen bungalows and flats and the second meeting in the evening was for a wider group of residents. The Ward Councillors attended both consultations and have given unstinting support to the redevelopment of this brown field site.

Taking into account the highly sensitive nature of this scheme, officers of the Council and members of Magna West Somerset Housing Association met separately with the tenants of the bungalows and flats. We were able to discuss the initial proposals of the scheme and the forms of compensation available in the case of home loss. Early indications are that the Statutory Homes Loss Payment will be in excess of £4,000 and tenants will, also, be able to benefit from a claim for compensation for removals, connections of utilities, carpets and curtains etc. All this will be agreed with the Asset Holdings Manager, TDBC. As the scheme progresses we will be able to inform tenants of the exact Statutory Home Loss Payment they can expect to receive. The Statutory

Home Loss payment level is reviewed each September. This will be a one off payment to each household.

During the consultation with the wider group of residents, objections were expressed.

over the increased traffic on an already busy road, loss of amenity land at the front, lack of parking, concerns over the elderly tenants living on the ground floor with younger people living above and the possible devaluation of their own properties.

All those attending both consultations were asked to complete a comments sheet and asked to return to the Council. Out of the fifteen tenants, seven returned their form and out of a number of other residents who attended seven letters have been received containing comments and concerns about the scheme. There have also been several phone calls from tenants of the bungalows.

Comments from the tenants of the bungalows and flats who returned their comments sheet include – good idea, wasted ground. I am settled here spent a lot on money on my bungalow, (this tenant has since telephoned to say hat he would like to move), would prefer to stay here but would like a George St. bungalow, meeting helpful but not enough written information to take away, would like to be relocated in a bungalow in this area, will move to another bungalow but don't want a flat, no issues with moving for development to take place, would like a ground floor property, tenure to stay the same, please confirm there is choice to return or move elsewhere, confirmation needed all cost will be covered.

Comments from the seven letters subsequently received from residents in the wider area include – you don't have green land so turn out the elderly and build, where are residents going to park, don't want parking in Brendon Road, busy traffic from Relyon and Aerosoles, build on the south side of wellington, not in my back yard, some bungalows have already been under pinned so why not the remaining, we object to this proposal, lived here for 25 years huge increase in traffic, this street is a rat run, object to number of flats proposed, use of meeting room will generate more traffic, I suggest a multi storey car park instead of a meeting room, meeting room will attract drug addicts and alcoholics and youths at night, will elderly be rehoused into the new two bedroom flats in nearly all cases elderly are housed in one bed properties, 3 storeys will not blend in will not blend in, consultation was restricted, dropped kerbs and hardstands are little more than a bribe, breaking up a close community, object to the proposal, build family homes, I rent a garage and would be devastated at losing it and would want a hardstand in my garden, increase in traffic will be dangerous for children, dynamic community of people, heavy traffic from Fox's Mill, Contractors traffic, keep building in character with existing, pets killed, child could be injured, site was a refuse tip, noisy for elderly to be on the ground floor.

Current Situation

Taking on board as many of the above concerns as possible, the architect's plans were amended to include sufficient on site parking for the residents of all the apartments. The position of the parking will be reassessed after further consultation and amenity land will be retained either at the front or back. The apartments for the elderly residents will be contained in a block to one side next to the meeting hall. There will be a separate secure entrance and lift for use by the elderly residents and their visitors only. The possibility of some hardstands in adjacent gardens will be considered in the costing. Highways will respond to the traffic issues if and when a planning application is submitted.

Provisional costing for the development is set out below

£1.281m Social Housing Grant from the Housing Corporation. (Across the 21 new units)

£2.268m borrowing from Magna West Somerset.

£450,000, over two years, from Taunton Deane

The transfer of the land from Taunton Deane at nominal cost.

Total scheme cost £3,999m

Please note that these costs are estimates only that need to be confirmed. The construction costs are the most significant and currently estimated at £1400/£1450 per m2 to include communal areas

Magna West Somerset Housing Association will own the new stock including the meeting hall. This Council will benefit from nominations to the lettings of the new two bedroom stock.

Investigations will need to be carried out to assess the Ecological and Topographical value of the land and whether there will be a need for piling in view of the subsidence. This development will be built to comply with the Housing Corporation standards and the Code for Sustainable Development to at least level 3.

The estimate of £450,000 is the Council's contribution and should be considered alongside the impending costs of remedial work on the subsidence. This figure will be reviewed as the scheme progresses. The Housing Corporation will not give grant for the replacement of the 15 units to be demolished, as it is considered to be the responsibility of the Local Authority under our Decent Homes Standard commitment.

Each resident of the existing small one bedroom bungalows and flats will be given the option of moving into temporary accommodation elsewhere in Wellington and then, subsequently, moving back to one of the brand new two bedroom apartments in the new block. Alternatively they could move to

permanent elderly accommodation elsewhere in Wellington. To assist the tenants with this decision the Housing Enabling Team have sent out a comprehensive list of elderly accommodation in all areas of the town that falls within the Councils housing stock.

Our Allocations Policy allows for sensitive lettings without reference to the points scheme in circumstances like this. With the introduction of the new CBL scheme tenants affected by home loss can be allocated a suitable property via a direct match.

The way forward is to set up further, separate, consultations with the tenants and the wider residents group to discuss the updated plans in advance of a planning application.

RECOMMENDATION

The Executive is requested to:

1. Approve the principle of progressing the Redevelopment and Regeneration of this site.
2. Approve the disposal of the land to Magna Housing Association for £1.
3. Approve the Councils contribution to the funding to assist the development.
4. Ensure that the Council uses every means at its disposal to reach agreement with the tenants in their relocation to a suitable property.
5. Ensure that the Council works closely with residents in Holyoake Street and surrounding area to keep them informed.

***Lesley Webb,
Housing Enabling Manager***

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20th August, 2008



Executive : 20 August 2008

Task and Finish Review into Affordable Housing in Taunton Deane

Report of Scrutiny Officer

(This matter is the responsibility of Councillor Prior-Sankey)

Executive Summary

The affordable housing task and finish review has now been concluded. The final report was submitted to the Overview and Scrutiny Board on 19 March 2008 and was approved subject to some amendments, which have been made.

This cover sheet provides directions on how the Executive should deal with the task and finish report into affordable housing, particularly its 9 recommendations.

The final report of the task and finish review begins on the next page.

1. The Executive is asked to do the following:

- 1.1 Consider the report and its recommendations, and decide which, if any, of the recommendations it wishes to adopt.
- 1.2 If the Executive agrees to adopt any of the recommendations of the review, it should state who will be responsible for delivering each of the adopted recommendations. The Corporate Management Team (CMT) has had prior sight of the report and has identified a CMT member to take responsibility for each recommendation, if adopted.
- 1.3 If the Executive decides **not** to adopt any of the recommendations, it must specifically state why, as prescribed by the Local Government Act 2007.

2. Contact Details

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Task and Finish Review

A Review into Affordable Housing in Taunton Deane

July 2008



Taunton Deane Borough Council: Overview and Scrutiny Board

A Review into Affordable Housing in Taunton Deane

Introduction by Councillor Ken Hayward
Chair of the Affordable Housing Task and Finish Review



“Affordable housing is a major challenge for local and national government and has been for many years. There are many reasons why we simply do not have enough homes in the right places and at the right price. A huge amount of energy has been expended by all sections of society and government trying to solve the affordable housing problem – this is our contribution to that debate.

This review has not attempted to reinvent the wheel, or solve the entire problem. Instead, we have tried to look at the problem from Taunton Deane’s perspective. What is wrong here, why, and what can be done about it?

We met seven times, took part in two visits to other districts to see what we can learn, spent over 14 hours deliberating and produced over 6500 words to distil our thoughts and ideas into this final report.

I would like to take this opportunity to thank everyone who took part in the review, particularly the representatives from the many external organisations who gave up their spare time to come and talk to us.

When I became Mayor of Taunton Deane in May 2007, I highlighted affordable housing as one of my areas of interest during my Mayoral year. I am therefore especially pleased to commend this Scrutiny report and its recommendations to you.”

A handwritten signature in black ink, appearing to read 'Ken Hayward', with a stylized, flowing script.

Councillor Ken Hayward
Chairman
Affordable Housing Task and Finish Review

Acknowledgements

The Members of the review would like to thank the following organisations and representatives who gave evidence and expert advice during the review.

Arcadia Housing Group

Mike Day – Director of Development and Home Ownership

Falcon Rural Housing

Justin Roxburgh – Chief Executive

High Bickington Community Property Trust

David Brown – Chairman

David Venner – Company Secretary

Summerfield Developments

Colin Mattravers – Director

The Mortgage Detectives

Andy Rowden – Director

Contents

	Page
Chairman's Introduction	3
Acknowledgements	4
Background to the Review	6
Terms of Reference	7
Definitions	8
Evidence Taken, Key Findings and Recommendations	8
• Rural Affordable Housing	8
• The role of housing associations and the challenges they face	11
• The role of private sector house-builders and the challenges they face	13
• Mortgages and mortgage provision	14
• The role of the Planning department and Housing Enabling team	16
• The role of the Community Council	18
• Land	18
Examples of Good Practice in Other Local Authorities	19
Conclusion	21
Appendix A: Full List of Recommendations	22

Background to the Review

Why do a review on this subject?

In short, there are more people in need of housing in Taunton Deane than is available. Demand has outstripped supply in the affordable sector **and** the private sector for some time. 4600 households are on Taunton Deane's housing register now, with some applicants waiting up to six years for a home. House prices have steadily increased until very recently and the anticipated drop in prices is still not a certainty. The cost of renting a property on the open market is comparable to the cost of paying mortgage on a similar sized property. First-time buyers on average incomes have little or no chance of purchasing a home on the open market without a significant deposit or parental help.

October 2005 - Lowest Prices for New-Build & Re-Sale Homes in Taunton Deane

Property Type	Price	90% mortgage	Per month cost @ 5%	Single income needed (3.75x)	Joint income needed (3.25x)
1 bed flat new build	£110,000	£99,000	£586	£26,400	£30,500
1 bed flat re-sale	£95,000	£85,500	£506	£23,000	£26,500
2 bed flat new build	£130,000	£117,000	£693	£31,000	£36,000
2 bed house re-sale	£120,000	£99,000	£586	£26,400	£30,500
3 bed house new build	£145,000	£130,500	£773	£35,000	£40,000
3 bed house re-sale	£125,000	£112,500	£666	£30,000	£34,500
4 bed house new build	£160,000	£144,000	£852	£38,500	£44,500

Source: ARK Consultancy Report on Housing Need in Taunton Deane, 2005

As a Housing authority and Local Planning Authority, Taunton Deane has a duty to facilitate affordable housing delivery and provide social housing for those on its housing register. Recent housing needs assessments have demonstrated that supply of new affordable housing in Taunton Deane has not kept pace with demand.

On 16 May 2006, the Strategic Planning, Transportation and Economic Development Panel (SPTED) agreed to begin a task and finish review on this subject.

The remit of the review was to look at ways that the Council and its partners could increase the overall supply of affordable housing in Taunton Deane, under six broad headings;

1. Mortgage provision
2. Land values
3. Taunton Deane's affordable housing threshold policy
4. The possibility of building on flood plains
5. Rural housing and self-build housing
6. Practice in other local authorities

Membership of the Review

This review was carried out by a cross-party group of non-Executive Councillors. The original membership was:

- Councillor Ken Hayward (elected Chair of the review at the first meeting)
- Councillor Bob Bowrah
- Councillor David House
- Councillor Chris Phillips
- Councillor Alan Wedderkopp

The May 2007 local elections took place during the course of the review. Changes in the Membership of the Council forced a change in the membership of this review. After May 2007, the membership of the review was;

- Councillor Ken Hayward (continuing as Chair of the review)
- Councillor Cliff Bishop
- Councillor Bob Bowrah
- Councillor Peter Critchard
- Councillor Tony Floyd
- Councillor David House

Terms of Reference

The group agreed that the review should proceed on the following terms of reference;

1. To identify the issues and problems relating to the provision of affordable housing that require investigation; and
2. To make recommendations and policy suggestions to the Executive

All types of affordable housing are required in Taunton Deane, however the review agreed that social rented housing was the first priority for Taunton Deane as a housing authority, and therefore the priority for this review.

The group expanded on the terms of reference laid down by the SPTED Panel and focussed on 8 themes;

- Rural affordable housing , including;
 - Rural housing models that have been shown to work
 - Community Land Trusts
- The role of housing associations and the challenges they face
- The role of, and challenges experienced by, private sector house-builders
- Mortgages and mortgage provision
- The role of the Planning department
- The role of the Housing Enabling team
- The role of the Community Council
- Examples of good practice in other local authorities
- Land

Self-build housing was omitted from the terms of reference due to a scarcity of information and difficulty in finding experts who could talk to the review group. However, it has been suggested that a separate review take place into this specific area.

Definitions

Affordable Housing

Social-rent

Homes built and rented out, at a significantly sub-market rent, to households on the council's housing register. All new social-rented housing is managed by housing associations; the council retains some form of nomination right

Shared-ownership

Part rent, part mortgage. The occupier pays rent on a proportion of the home, and also holds a mortgage for a portion of the property. This allows individuals to get onto the housing ladder even if they have a relatively low income. "Staircasing" allows the resident to progressively purchase a greater percentage of the property, thus reducing their rental charges.

Evidence Taken, Key Findings and Recommendations

Rural affordable housing

Payments in Lieu

The review learnt that on rural sites that are deemed unsuitable for affordable housing, the council may accept a 'payment in lieu' instead, to help fund affordable housing schemes in other more suitable areas. These sums must be spent in the locality of the scheme that has generated the 'payment in lieu', and must be spent on providing affordable housing or making it easier to deliver - decant or demolition costs for instance.

Councillors heard that there was potential for a planning tariff; a standard commuted sum charge, calculated on an exponential scale to make it more difficult for a developer to avoid its affordable housing responsibilities. For instance, a commuted sum for a site of 10 units would be **more** than twice the sum payable for a site of 5 units.

Recommendation 1

The Planning department should look at the usefulness and feasibility of implementing a tariff approach to secure financial contributions in respect of housing developments.

Visit to the Community Property Trust at High Bickington, Devon

Councillors Bowrah, Hayward and Wedderkopp visited the Community Land Trust at High Bickington in Devon on 25th January 2007.

High Bickington Parish has a primary school, doctor's surgery and a post office and although house prices are high, incomes are relatively low.

High Bickington Community Property Trust was set up to provide affordable housing, workspaces, community facilities and a community woodland. It was set up at the request of the local community after Devon County Council approached High Bickington Parish Council with an idea to re-use a redundant county-owned farm.

A "Community Property Trust" was formed in July 2004 after several years of planning that involved local residents deciding their priorities. The property trust manages the facilities on behalf of the community, and is a not-for-profit charity. It has 182 shareholders, all of whom were residents or people with a local connection. The District and County Council also hold shares.

Public meetings were held and several committees were put in place to deal with specific aspects of the scheme. The Parish Council received regular reports and local people were involved in leading and directing the development of the scheme.

The community agreed its objectives:

- Building a sustainable community;
- Using sustainable building methods and renewable energy;
- Involving the community in all aspects of the development; and
- Involving the whole Parish in identifying and meeting their needs.

The original plans proposed a mix of affordable and market housing, including 15 social rented homes, 17 shared ownership homes, 4 self-build properties and 16 houses for sale on the open market. Unfortunately the original scheme was called in by the Secretary of State and refused by the Planning Inspector who judged that the scheme: *"conflicts with [the] development plan [and that] national planning policies outweigh other matters."*

A revised and detailed planning application is expected to be submitted in April or May this year.

The review group identified several issues central to the success of community land trusts:

- Sustaining the level of community leadership. This scheme was led and directed by local people, not by Councillors or Council Officers;
- Local needs and preferences had to be recognised;
- Local strengths, knowledge and expertise were made full use of
- Public subsidy was reduced by identifying and redeploying existing local assets;
- The sustainability of the scheme was assured by using locally-based renewable energy systems, local building materials and local labour; and,
- A community land trust could be a solution to rural housing shortages in some areas.

The group felt that the visit was informative and that Taunton Deane Borough Council should be pro-actively seeking to provide a scheme similar to High Bickington, if possible.

Recommendation 2

The Housing department should look at the usefulness and feasibility of pursuing a Community Land Trust (CLT) model in an appropriate area of Taunton Deane, bearing in mind that a CLT must exhibit the following key characteristics:

- There needs to be a desire to pursue this from the community in question. This cannot be run “top-down” by local authorities
- Any CLT must be owned, actually and figuratively, by the community
- Public involvement and support from the beginning is essential
- The district (and county) councils must genuinely support the aspirations and timetable of the community
- Community Land Trusts aren’t just about housing; they are about developing communities
- Needs dedicated, full time support.
- That it needs significant commitment from the community to be successful.

Visit to affordable housing in Nether Stowey

Members visited a site in Nether Stowey on 21st August 2007 to see a scheme of affordable homes being built by Falcon Rural Housing.

Members agreed that it was possible to produce affordable housing, in rural areas, with community support, for families **in** those communities, with exceptionally high standards of energy efficiency. Exception sites were clearly invaluable to making these sorts of schemes viable.

Members were particularly interested to hear how low the heating bills for residents in these properties would be. Considering that affordable housing by definition is designed to meet the needs of people on low incomes, homes that are cheaper to run as well as better for the environment ought to be encouraged.

Recommendation 3

In acknowledging the work already done in developing the ‘green’ aspects of the new Regional Spatial Strategy, and following on from documents like the Taunton Protocol, the Council should continue its work to promote energy efficiency and environmental sustainability in affordable housing developments, including working with developers.

Members did not wish to pre-empt the task and finish review into renewable energy and energy efficiency that began in late 2007, and therefore did not go into detail with this recommendation.

The role of housing associations and the challenges they face

Mike Day of the Arcadia Group, which includes Knightstone Housing, attended a meeting to give a housing association perspective on affordable housing.

He began by stating some uncomfortable facts – accurate at the time of the meeting on 14th March 2007:

- In Taunton Deane the ratio of income to mortgage means that on average, first time buyers need 9.6 times their annual salary. In Sedgemoor it is 8.5 times, in Mendip 8.4 times, in West Somerset 10.7 times and South Somerset it is 9.7 times.
- Affordability is therefore key; but average salaries are depressed in the south west. There are lots of low-paid jobs.
- Around 3000 homes have been lost to the social housing sector in Taunton Deane since the introduction of the Right to Buy, 500 of those since the year 2000.
- Taunton Deane retains 6000 homes for social rental purposes, meaning that a third of social housing stock has been lost in Taunton Deane since 1980.
- Housing Associations part-fund their developments by borrowing from banks and repaying the loan from revenue generated by rents. Subsidy can come from discounted land values, government agencies such as the Housing Corporation, and local authority social housing grant.

Mr Day gave evidence in three parts: increasing supply, construction costs, and innovative building

How to increase supply

Mr Day suggested that councils should maximise planning gain through Section 106 agreements. Knightstone have generated a lot of affordable housing through Section 106 agreements. It is also a great help because the housing association doesn't need to acquire land. It has already been done by the developer. Land is the key. It is expensive, its use is restricted through planning policies and the resources that private developers put into 'optioning' potential sites on the off-chance they might someday be zoned for housing.

Mr Day also suggested using in-fill sites on the council's housing estates. Many local authorities do this because they can specify what it wants on the site. Local authorities simply must be more creative.

It was pointed out that this option had recently been looked at by the Housing service and discounted. However, Members felt that the possibility should be revisited because other local authorities had been successful in finding in-fill sites on their estates; if Taunton Deane could replicate that it could yield some much needed affordable housing and deal with underused or misused sites.

Recommendation 4

The Housing Department should look again at the possibility of producing affordable housing on infill sites on its housing estates and other landholdings, which could include a pilot project to test the concept.

Construction costs

The cost of land can easily be 40% of development costs, but there does not appear to be much that local authorities can do about it. Arcadia Homes has a subsidiary that builds open market housing to cross-subsidize social housing. All profits from the open-market properties are reinvested and Arcadia aims to produce 100 affordable homes per year countrywide using this method.

Innovation in design and build

Mr Day cautioned that innovation was only worthwhile if the home that resulted could be mortgaged. New homes must be certified by the National House-Building Council. The industry tends to be rather conservative as well, and many people are wary of radical new concepts when some of the failures of 1950's and 1960's design & build are still causing problems.

Any new innovation – in fact any new affordable housing development – **must** work in housing management terms. Developments that do not consider how people will live in them will fail. Social housing tends towards a higher proportion of vulnerable tenants or those with specific or multiple needs. Management is extremely important.

Members felt that this was an important issue: affordable housing is not just bricks and mortar. Effective management and effective design go hand in hand. Properties that are difficult to manage because they are difficult to maintain, expensive to live in or inappropriate for those who live in them, have an impact on the people living in them and the community as a whole.

Recommendation 5

Homes delivered through the Affordable Housing programme must be managed effectively if they are to be a positive benefit for residents and the community. Therefore, the housing enabling team should ensure it has an appropriate and effective working relationship with the housing management teams of the local authority and its housing association partners, to ensure that new affordable housing developments can be properly managed as well as meet our affordable housing need.

Recommendation 5 is in no way a criticism of the housing management regimes of Taunton Deane or housing association partners; neither is it a criticism of the housing enabling team or housing developers. The review wanted to stress the importance of effective housing management and the role that appropriate design can play in making management easier. In the past, most notably in high-rise developments in inner cities, social housing design seems to have 'built-in' increased likelihood of problems such as antisocial behaviour, crime, social exclusion and expensive maintenance. It must

therefore be possible to use design to 'build-out' these characteristics. The review believes that housing management has a role in the housing enabling process.

The role of private sector house-builders and the challenges they face

The review was very grateful that Colin Mattravers from Summerfield Developments was able to attend a meeting and provide an insight into how private sector developers approach affordable housing.

Please note that the evidence given was an overview of the affordable housing sector from an individual in the trade – views and attitudes are not necessarily those held by Summerfield Developments.

The following evidence was taken:

- Shared ownership / shared-equity models are still expensive for the buyer.
- Financing of housing development, and mortgages, is based on hard-nosed business principles. Banks are not known for their altruism.
- Adjustment of land prices, for instance the council selling land at a reduced cost, makes it cheaper to build homes. Savings on build costs are not possible unless quality is reduced.
- A house is a tradable commodity, not just a home. It is important for home-owners under any kind of financial model to be able to free equity and carry it to their next property.
- The Planning process can be expensive. This is not a reflection on any particular local authority, rather that the process has costs and risks attached to it. A planning application will cost a developer around £1000 per unit one way or another. Greater certainty or levels of advice will help reduce the risk, if not the cost.
- For their part, Summerfield Developments are happy with its relationship and partnering arrangements with Taunton Deane.
- Costs of putting in necessary infrastructure around a new development is extremely high, particularly electricity because the distribution side is not deregulated, although OFGEN is looking at it.
- Land value and land availability. It is a simple case of supply and demand. Land is a finite resource and land-owners will not sell unless the price is right. Farmers are traditionally reticent about selling their land anyway.

Mr Mattravers was asked what he thought the council could do to increase the supply of affordable housing in Taunton Deane. He made the following comments.

- Anything that can be done to make the Planning process quicker, cheaper or less risky to the applicant – i.e. the developer – will be beneficial.
- Economies of scale will reduce cost and risk, and produce larger numbers of properties.
- Land is the central issue. Planning authorities must make land available through their planning policies, but it will only work if the site is appropriate for its designated use.

There was also a discussion on eco-friendly housing and the current regulatory situation.

- The market doesn't necessarily exist for homes that are 'green.' The buying public are suspicious of a home that relies on passive measures to heat the home – they expect central heating. It's a challenge and the attitude of developers is that they won't stay in business if they build homes that people don't want. The public often **say** that they want eco-friendly homes but will not go out of their way to buy them. They certainly don't enjoy paying the extra cost for them.

Mortgages and mortgage provision

Andy Rowden, a director at the Taunton-based firm "The Mortgage Detectives" attended a meeting on 12th September 2007 to talk about the mortgage market.

The Mortgage Detectives is a firm of **independent** advisors and arrangers of mortgages.

Mr Rowden gave an overview of the mortgage and housing market as he saw it:

- The first-time buyer market is quiet across all tenures. The reason the entire market is generally buoyant is because properties are being bought to rent out. This means that the private-rental market is also buoyant. This situation is unlikely to end very soon.
- Banks and building societies provide mortgages on a single, simple premise: "will we get our money back if the borrower cannot pay?"
- Most lenders will loan 3.5 to 4 times a couple's combined income.
- Mortgage lenders are more flexible than five or ten years ago.

Affordable housing models with complicated obligations or restrictions

Mr Rowden was asked what he thought of affordable housing models where complicated obligations or restrictions applied to purchasers. He replied that lenders only want to ensure a return on their loan, or guarantee their investment if the borrower defaults. However;

- Many "affordable" models are too technical or complicated for mortgage lenders, who often either do not see how they can be viable vehicles for lending money, or simply do not have a mortgage product that will fit.
- As a result, only a few lenders will consider lending on these complicated models: normally the big players in the market, and a few specialist lenders.
- However, the market is changing all the time, and will probably get used to the new and strange finance models over time. For instance, buy-to-let mortgages were very rare 10 years ago. Nowadays almost all lenders offer them.
- Shared ownership (shared equity) is very easy to finance. Lenders tend to be happy to offer mortgages on these because they've been around for a while.

On mortgage-lending in general:

The maxim applies: if the mortgage lender can see a way of recouping their loan if the borrower cannot pay, then they will probably agree to lend.

When deciding to offer a mortgage, lenders ask themselves three questions:

- Income status: is the applicant self-employed, full time, or on a contract?
- What Credit history do they have? It must be good, but must also exist. Some applicants get turned down because they have no credit history, which represents a risk to the lender.
- Loan-to-value: what percentage of the property value does the applicant want to borrow?

If the lender has all the information they need, a decision can be made in minutes!

Finally

Mr Rowden was asked what he thought the biggest problems in the affordable housing mortgage market were:

- Finding enough lenders to give enough choices on the affordable housing models that house-builders are coming up with.
- The property **must** be affordable to the buyer in the first place. Lenders won't take risks!
- High house prices are not the fault of the mortgage lenders, or the purchaser. The problem is in the market: demand is much greater than supply and more people are looking for buy-to-let properties than are available.
- Mortgage companies make their policy decisions at head-office level. Decision-making at a branch level does not happen any more. Taunton Deane is unlikely to achieve anything by speaking to the managers of the local banks and building societies.

Members recognised that it was difficult to influence the way that mortgage companies worked, but that the council and its partners could make it easier for buyers – regardless of tenure – to get a mortgage that suited them. Although the market would eventually catch up with the work of affordable housing developers, Members agreed it would be foolish for housebuilders to produce homes for low-income households from a specific community if a suitable mortgage was unavailable to allow them to live there.

Recommendation 6

The Council, as lead partner in the development of affordable housing in the borough, should keep in mind the fact that mortgage companies are often put off mortgaging on complex financial models that may not be proven in the marketplace. Some models, however appropriate or useful to a developer or potential buyer, may make some tenures less accessible.

The role of the Planning department and Housing Enabling team

Thresholds

At the time of the review, Taunton Deane had a 25 unit 'threshold' for affordable housing but was considering reducing its threshold for affordable housing units to 15 homes on any site. This would mean that any development of 15 or more homes would have to contain a proportion of affordable homes. This reduction in threshold would yield more affordable housing on smaller sites.

Changes to thresholds require the council to demonstrate an affordable housing need that will be tackled by a more onerous on-site obligation. A 15 unit threshold was proposed in 2002 as part of the Local Plan, but was refused by the Local Plan Enquiry. The affordable housing requirement at that time was 131 units per year and the Planning Inspector stated that this could be met using a 25 unit threshold.

Sites slightly under the thresholds have cost Taunton Deane and housing associations a significant amount of affordable housing. Schemes are often deliberately designed to be one or two units less than the threshold.

Developers generally preferred a cascading threshold – a sliding scale of obligation depending on the size of the site or number of homes proposed – but there is a need for affordable housing on small sites. This is mainly because there are few significant sites outside Project Taunton and large developments subject to Section 106 agreements.

The review discussed the possibility of a borough-wide target for affordable housing – say 33% - but this was dismissed because it would not take local considerations into account. Furthermore, flexibility had often been more productive for the council. Members agreed that it was more useful to be flexible and obtain a few affordable homes than taking a rigid approach and stifling development.

Developers have their own objectives which do not necessarily agree with the council's affordable housing objectives. Officers suggested that the council keep a transparent policy and combine that with a reasonable and flexible negotiating position.

Members agreed that the council should be flexible where appropriate, but should be sure to have robust policies and procedures in place. Members also noted how complex and resource intensive this work was. The review made two recommendations regarding the council's affordable housing policies.

Recommendation 7

That Taunton Deane should continue to be flexible when negotiating affordable housing allocations on housing schemes. For example, it is better to achieve one or two units rather than have a rigid protocol that is so strict it might stop a site being developed at all. This is particularly important where schemes are close to the council's affordable housing threshold.
--

Recommendation 8

Delivering Taunton Deane's affordable housing objectives can only be assured with continued and appropriate resourcing of the relevant parts of the Housing and Planning services, and that there **must** be a full Corporate commitment to affordable housing delivery.

Planning Policy Statement 25 (PPS25)

PPS25 relates to development and flood risk, was published in December 2006.

Members investigated the meaning and purpose of the document, and whether it made flood plains viable for housing development under certain circumstances.

PPS25 sets the limits of use of flood risk areas, working on an exception basis. It states that:

- Flooding is a natural process playing an important role in shaping the natural environment, although it has the potential to cause loss of life and property.
- Therefore all forms of flooding and flooding impact on the natural and built environment are material planning considerations.
- Planning authorities should "*facilitate and promote sustainable patterns of development, avoiding flood risk and accommodating the impacts of climate change*"

The aims of planning policy on development and flood risk are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Furthermore, local planning authorities should prepare and implement strategies that only allow development that avoids flood risk to people and property where possible, and manages residual risk.

A risk-based approach must be taken when assessing flood risk vulnerability and flood zone 'compatibility.'

Housing development is considered a 'more vulnerable' form of development and is therefore only permitted in areas with a less than once in 100 years flood risk. An exception test must be carried out if development is proposed in an area with a greater risk. To pass, the development must have wider sustainability benefits to the community that outweigh flood risk, and the development must be on previously developed land or where no reasonable alternative site exists. Finally, the development must not increase flood risk elsewhere.

Development on functional floodplain – or areas at a once in twenty years or greater risk of flooding – is forbidden.

Members were told that the Environment Agency is a more powerful stakeholder than in the past, and that they will object to any scheme that does not adhere to PPS25.

Members also heard that despite the difficult situation facing affordable housing in Taunton Deane, we had not yet reached the point where we can justify building on land at high risk of flooding (by PPS25's definition). Besides, housing associations and developers tend to shy away from these sites because of the risks and the added costs.

Members appreciated the usefulness and strength of PPS25 in determining what constituted a flood risk. They were satisfied that any recommendation that the task and finish review made on this topic would be subject to the regulations laid down by PPS25 and therefore largely irrelevant.

The role of the Community Council

The Community Council for Somerset has a role in delivery of affordable housing, in the form of rural housing needs surveys. Taunton Deane's enabling budget funds the Community Council's to the tune of approximately £8000 per year.

Parishes are increasingly concerned that they are not informed about rural housing needs surveys. Members were told that procedures are being reviewed to keep Parish Councils up to date and involved.

No representative of the Community Council was able to attend a meeting to discuss the work that they do. However, Members of the review expressed concern that the Community Council was not the valuable resource it could be.

Members heard that work had been done very recently to improve the effectiveness of rural housing enablers and the affordable housing work they carry out. Members also agreed that this task and finish review should not get involved in operational matters, but should register their desire to see a positive resolution to the problems, whether real or imaginary.

Recommendation 9

There is concern and perception that the Community Council for Somerset is failing to provide a value for money service in relation to its affordable housing work. The Council has recently suggested improvements and efficiencies to the Community Council, which have been adopted.

The Council should continue its recent work to support the Community Council to help make it the valuable resource it should be.

Land

Industrial sites

The review explored whether affordable housing could be shoehorned into industrial sites. It was discovered that if a site is identified in the Local Development Framework for industrial use then no housing can be included – it would detract from the need for

industrial uses. Land use must also be balanced; affordable housing is not the only priority.

Sites owned by other government agencies

Members of the review had hoped to identify brownfield sites owned by other local and central government agencies, and propose that they could be developed in partnership. Sites owned by the Ministry of Defence, Primary Care Trust / National Health Service, or County Council, were suggested. Unfortunately, no such sites are available. A full survey was done and although the results remain confidential at the time of writing, officers who had seen the report stated that few opportunities existed.

Housing Association competition for sites

The Housing Enabling team works very hard to dissuade housing associations from entering bidding wars over land that is up for sale which does not help housing association finances and makes it harder to produce more affordable housing. This is an informal process without prejudice to housing association's freedom to compete for sites if they wish.

Compulsory Purchase Orders

Compulsory Purchase Orders were discussed briefly. It was shown that they are a useful tool to local authorities either as a threat or when actually used, and can be used to bring empty private sector homes back into use.

Examples of Good Practice in Other Local Authorities

South Hams: How it developed its affordable housing policy

South Hams is a district Council on the south Devon coast situated between Plymouth and Torbay.

In 2000, Councillors revisited South Ham's corporate priorities, in consultation with residents. Councillors decided to make affordable housing the council's number one priority, in response to their recent housing needs survey.

The 2002 Draft Local Plan allocated sites in market towns and villages, many of which were on Greenfield sites. South Ham's desire for more affordable housing did not reflect the Devon County Structure Plan and the Regional Spatial Strategy, both of which proposed less than 600 affordable housing units for South Hams.

The Local Plan has since been overtaken by the Local Development Framework. Whilst this is developing, some affordable housing "departure sites" have been identified and built on where the local community supports development.

In 2006, the new housing needs survey showed that housing need in South Hams had doubled. As a result, the Planning Inspector allowed South Hams to increase its

affordable housing targets. The resulting Core Strategy set a strategic target of 50% affordable housing from all sources.

South Hams was awarded Beacon Status in 2005-06 for its work to tackle affordable housing.

Affordable housing policies now incorporate targets for allocated sites, a sliding scale for windfall sites; starting at 1 unit, and a 60:40 split between social rented and intermediate housing. A dedicated affordable housing team has also been put together, comprising a valuer, a planner and a housing officer.

Outcomes

- A CPA 'Excellent' rating
- Affordable housing 'Beacon' status
- A Core Strategy target of 50% affordable housing
- An up-to-date, fit for purpose Housing Market Assessment
- A dedicated affordable housing team
- Several high-volume developments
- Public and stakeholder confidence in affordable housing policies

London Borough of Lambeth: Capital Receipts Policy

In 2004, the London Borough of Lambeth agreed a policy to reinvest capital receipts earned from Housing department sites sold for housing development.

The policy allowed 100% of the receipt to be retained by the Housing department for improvements to the housing estates on which the land was sold. This money is earmarked for regeneration and other improvements to be agreed in partnership with the tenants and leaseholders on the estate.

The policy allows more housing to be built on in-fill land and underused sites on housing estates. The cash windfall helps new housing schemes get off the ground and integrate into the local community once built.

In Lambeth, 75% of these monies are retained to meet the council's massive Decent Homes commitment. However, 25% of the receipts are ring-fenced for improvements on the estate where the land has been sold, such as play equipment and community halls.

Conclusion

Affordable housing is a major challenge for local authorities. From identifying sites right through to negotiating Section 106 agreements, there are many reasons why it is so difficult to produce the homes that are needed.

This review has not attempted to solve the problem in its entirety. What it has done though is listen to the people who are trying to deliver more housing or make it possible for people to purchase a property, find out what their main concerns are, and suggest how Taunton Deane can ease the burden. This review has made 9 recommendations – written in full in Appendix A. They will not solve the problem of affordable housing supply in Taunton Deane, but if implemented, they should make a difference.

Above all, this review has demonstrated that something can be done; if the right questions are asked, and there is a political will to get answers.

If you have any queries regarding this review, please contact either the Chair of the review or the Scrutiny Officer. Their contact details are listed below.

Chair of the Review

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Scrutiny Officer

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Appendix A – Full List of Recommendations

Recommendation 1

The Planning department should look at the usefulness and feasibility of implementing a tariff approach to secure financial contributions in respect of housing developments.

Recommendation 2

The Housing department should look at the usefulness and feasibility of pursuing a Community Land Trust (CLT) model in an appropriate area of Taunton Deane, bearing in mind that a CLT must exhibit the following key characteristics:

- There needs to be a desire to pursue this from the community in question. This cannot be run “top-down” by local authorities
- Any CLT must be owned, actually and figuratively, by the community
- Public involvement and support from the beginning is essential
- The district (and county) councils must genuinely support the aspirations and timetable of the community
- Community Land Trusts aren’t just about housing; they are about developing communities
- Needs dedicated, full time support.
- That it needs significant commitment from the community to be successful.

Recommendation 3

In acknowledging the work already done in developing the ‘green’ aspects of the new Regional Spatial Strategy, and following on from documents like the Taunton Protocol, the Council should continue its work to promote energy efficiency and environmental sustainability in affordable housing developments, including working with developers.

Recommendation 4

The Housing Department should look again at the possibility of producing affordable housing on infill sites on its housing estates and other landholdings, which could include a pilot project to test the concept.

Recommendation 5

Homes delivered through the Affordable Housing programme must be managed effectively if they are to be a positive benefit for residents and the community.

Therefore, the housing enabling team should ensure it has an appropriate and effective working relationship with the housing management teams of the local authority and its housing association partners, to ensure that new affordable housing developments can be properly managed as well as meet our affordable housing need.

Recommendation 6

The Council, as lead partner in the development of affordable housing in the borough, should keep in mind the fact that mortgage companies are often put off mortgaging on complex financial models that may not be proven in the marketplace. Some models,

however appropriate or useful to a developer or potential buyer, may make some tenures less accessible.

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The Council should continue its recent work to support the Community Council to help make it the valuable resource it should be.



Executive: 20 August 2008

Task and Finish Review into Renewable Energy and Energy Efficiency

Report of Scrutiny Officer

(This matter is the responsibility of Councillor Henley)

Executive Summary

This task and finish review has now been concluded. The final report has been submitted to the Overview and Scrutiny Board and was approved subject to some amendments, which have been made.

This cover sheet provides directions on how the Executive should deal with the task and finish report into affordable housing, particularly its 11 recommendations.

The final report of the task and finish review begins on the next page.

1. The Executive is asked to do the following:

- 1.1 Consider the report and its recommendations, and decide which, if any, of the recommendations it wishes to adopt.
- 1.2 If the Executive agrees to adopt any of the recommendations of the review, it should state who will be responsible for delivering each of the adopted recommendations. The Corporate Management Team (CMT) has had prior sight of the report and has identified a CMT member to take responsibility for each recommendation, if adopted.
- 1.3 If the Executive decides **not** to adopt any of the recommendations, it must specifically state why, as prescribed by the Local Government Act 2007.

2. Contact Details

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Task and Finish Review

A Review into Renewable Energy and Energy Efficiency

July 2008



“Don’t blow it - good planets are hard to find!”
- Quote in “Time” Magazine

Taunton Deane Borough Council: Overview and Scrutiny Board

A Task and Finish Review into Renewable Energy and Energy Efficiency

Introduction by Councillor Catherine Herbert
Chair of the Renewable Energy and Energy Efficiency Task
and Finish Review



“The quote on the previous page might seem flippant, but it’s absolutely true. This one planet is all we have, and all we have left. Looking after it is everybody’s responsibility. District councils have a role to play, which is why we wanted to do a review on renewable energy and energy efficiency.

We are under no illusions. Taunton Deane has a population of 105 thousand people, on a planet of over six billion! But we still have an obligation to do what we can, and district councils, county councils, regional assemblies, national governments, businesses, families and individuals are also doing their bit. We don’t really have a choice, and the best thing is, we can do quite a lot and often save money at the same time.

But this report isn’t just about turning the telly off rather than leaving it on standby. It’s not about putting cash in the bank either, though that’s a useful fringe-benefit! It’s about how Taunton Deane as an employer, business, and community leader can help reduce the amount of carbon dioxide and other greenhouse gasses we churn into the atmosphere, without compromising the ability of us all to get on with our lives.

There is no finger-wagging in this report: we’ve tried to avoid “do this, do that” recommendations. Taunton Deane is already doing a lot of good work, and should continue to lead by example. We can’t change the world in the space of this 5000 word report and its 10 recommendations, but we can say this: with a bit of thought, a little money, and a degree of effort, a useful difference can be made.

So, if the quote on the previous page is to be believed, then we have no choice but to do that thinking, commit that money, and make that effort.”

Councillor Catherine Herbert
Chair

Renewable Energy and Energy Efficiency Task and Finish Review

Acknowledgements

Sarah Jeffrey

Bristol & Somerset Energy Efficiency Advice Centre

Hugh Loxton

Bical Biomass Industrial Crops Ltd

Roger Mitchinson

Senior Policy Officer, Planning Department, Taunton Deane Borough Council

David Whitehead

Housing Strategic Services Manager, Taunton Deane Borough Council

Definitions and Abbreviations

Carbon Footprint

A carbon footprint is a measure of the impact human activities have on the environment in terms of the amount of greenhouse gases produced. Individuals and organizations can conceptualize their contribution to global warming by measuring their carbon footprint.

Carbon Neutral

Counteracting release of carbon dioxide by maintaining a balance between producing and using carbon, especially balancing carbon dioxide emissions by activities such as growing plants to use as fuel or planting trees in urban areas to offset vehicle emissions, or through offsetting schemes.

Climate Change

In recent usage, especially in the context of environmental policy, the term "climate change" often refers to changes in modern climate, is a corollary to the term "global warming," and is most commonly used to describe the effect on the environment of human actions; such as the emission of greenhouse gases.

Changes in average precipitation, temperature and wind patterns are all aspects of climate change.

DEFRA

Department for Environment and Rural Affairs

Fuel Poverty

A fuel poor household is one which cannot afford to keep adequately warm at reasonable cost. Fuel poverty is said to occur when a household needs to spend more than 10% of its income on fuel use in order to heat the home to an adequate standard of warmth. Affordable warmth also relates to the ability of a household to keep adequately warm.

Global Warming

Global warming is the increase in average temperature of the Earth's near-surface air and oceans, and its projected continuation.

According to the Intergovernmental Panel on Climate Change (IPCC) the average global air temperature near the Earth's surface increased 0.74 ± 0.18 °C (1.33 ± 0.32 °F) during the hundred years ending in 2005. The IPCC concludes "most of the observed increase in globally averaged temperatures since the mid-twentieth century is very likely due to the observed increase in anthropogenic (man-made) greenhouse gas concentrations"

Greenhouse Gases

Greenhouse gases are the gases present in the atmosphere which reduce the loss of heat into space, contributing to increased global temperatures through the greenhouse effect. Greenhouse gases are essential to maintaining the temperature of the Earth; without them the planet would be so cold as to be uninhabitable. However, an excess of greenhouse gases can significantly raise the temperature of a planet. Greenhouse gases are produced by many natural and industrial processes.

On earth, the most abundant greenhouse gases are, in order of relative abundance (chemical formula in brackets):

- Water vapour (H₂O)
- Carbon dioxide (CO₂)
- Methane (CH₄)
- Nitrous oxide (N₂O)
- Ozone (O₃)
- Clouoroflourocarbons (CFCs)

Since the industrial revolution, concentrations of all the long-lived greenhouse gases have increased due to human actions, principally carbon dioxide and methane.

Water vapour concentrations fluctuate regionally, but human activity does not directly affect water vapour concentrations except at local scales (for example, near irrigated fields).

Nottingham Declaration

The Nottingham declaration is a voluntary pledge by local authorities to address climate change. It represents a high-level, broad statement of commitment that any council can make to its own community. The declaration was originally launched in Nottingham in October 2000 and most local authorities are now signatories.

Sustainable Development

Sustainable development is a pattern of resource use that meets current human needs while preserving the natural environment, so that future human needs can also be met. "Sustainability" and "sustainable development" are largely interchangeable terms that refer to environmental, economic, or social/political sustainability. The term was coined by the Brundtland Report, a 1987 European Union report on the environment and development, which defined sustainability as development that "meets the needs of the present without compromising the ability of future generations to meet their own needs."

Contents

Introduction by Council Catherine Herbert, Chair of the Review	27
Acknowledgements	28
Definitions and Abbreviations.....	29
Contents.....	31
Background to the Review	32
Membership of the Review.....	33
Terms of Reference	33
Evidence Taken, Key Findings and Recommendations	34
Energy Efficiency First, Renewable Energy Second.....	10
Feasibility of Major Renewable Energy ‘Types’.....	11
Case Study: Biomass – Miscanthus.....	14
Good Practice in Other Local Authorities.....	16
Partnership Working	17
What Else Could Taunton Deane Do?.....	18
Conclusion	44
Appendix A – Full List of Recommendations.....	46

Background to the Review

Why do a review on this subject?

The “green” agenda is becoming more prominent in the policies of all major political parties. National and international responses to climate change and other environmental issues will have a major impact on councils, communities and businesses. Renewable power generation has a role to play in the green agenda, as does energy efficiency and reducing energy use.

Taunton Deane Borough Council is a signatory to the “Nottingham Declaration on Climate Change.” Signatories acknowledge that climate change is taking place and that it will have far-reaching consequences for the United Kingdom. The commitments that councils make when signing the declaration include:

- Working at a local level to deliver carbon dioxide reductions in line with the Kyoto Protocol.
- Reduce greenhouse gas emissions from local authority’s own operations.
- Encourage all sectors of the community to reduce their emissions and adapt to the impacts of climate change.

The 2007-08 Climate Change Bill is about to receive its first reading in the House of Commons. The Bill’s key provisions include commitments to significantly carbon dioxide emissions. Amongst other things it will:

- Require the Government to publish five yearly carbon budgets as from 2008.
- Create a Committee on Climate Change.
- Require the Committee on Climate Change to advise the Government on the levels of carbon budgets to be set, the balance between domestic emissions reductions and the use of carbon credits, and whether the 2050 target should be increased.
- Place a duty on the Government to assess the risk to the United Kingdom from the impacts of climate change.
- Provide powers to establish trading schemes for the purpose of limiting greenhouse gas emissions.
- Confer powers to create waste reduction pilot schemes.
- Amends the provisions of the Energy Act 2004 on renewable transport fuel obligations.

Taunton Deane Borough Council also has a corporate objective to safeguard and enhance the environment: Objective 17 of the 2008-2011 Corporate Strategy states that the Council will;

“...actively promote sustainability in Taunton Deane with a focus on climate change, energy efficiency and renewable energy, to reduce our carbon footprint on the environment.”

Membership of the Review

Councillor Catherine Herbert (Chair)
Councillor John Bone
Councillor Norman Cavill
Councillor Ken Hayward
Councillor Peter Smith
Councillor Vivienne Stock-Williams
Councillor Phil Stone

Councillor Cavill was originally elected to chair this review. However, due to other, unavoidable commitments, he reluctantly stood down as chairman. He was succeeded by Councillor Herbert, who chaired this review from the second meeting onwards.

Terms of Reference

The Overview and Scrutiny Board commissioned this review on 4th October 2007, subject to the following terms of reference:

- To understand the advantages and disadvantages of different types of renewable energy, and how they might be applied in Taunton Deane.
- To “case-study” biomass as a renewable fuel. Biomass could offer a locally-sourced renewable energy supply, with a specific positive affect on the local and rural economy.
- To propose a policy framework that will allow Taunton Deane to enable and facilitate sustained development of low and zero carbon energy production.
- To identify good and best practice that can be implemented in Taunton Deane.
- To find out what concerns exist about different renewable energy technologies, whether they are well-founded, and what can be done to address those concerns.
- To make recommendations on how Taunton Deane can anticipate, meet, and possibly exceed renewable energy and low carbon obligations laid down by central government and other agencies.

At the first meeting of the review, the group distilled the broad terms of reference into the following statement:

“To understand the advantages and disadvantages of different types of renewable energy, their viability and funding and how that might be applied to Taunton Deane and promoted, especially with regard to: -

- Helping residents to embrace renewable energy;
- Helping developers to embrace renewable energy;
- What local authorities were able to go ahead and do. “

As the review progressed, it became apparent that energy efficiency was as important as renewable energy, and the group consciously looked less closely at renewables and more closely at energy efficiency.

Evidence Taken, Key Findings and Recommendations

The evidence taken by the review group, its findings and recommendations, have been organized into themes. The recommendations are reproduced in full in appendix A.

The review group met a total of 5 times, between 26th November 2007 and 28th April 2008.

Energy Efficiency First, Renewable Energy Second

The Regional Spatial Strategy (RSS) for the South West has the potential to significantly reduce energy use and carbon emissions. The government's Code for Sustainable Housing has increasing targets for sustainability meaning that by 2016 all new housing must be "zero carbon".

The RSS hopes to go further than the Code for Sustainable Housing, by demanding that housebuilders meet sustainability targets earlier. It is therefore unrealistic for Taunton Deane to "go it alone" because the work is already being done for us. In fact, the Council has already committed some funding to the Regional Development Agency to help the RSS along.

Although some housebuilders have objected to the RSS bringing forward sustainability ahead of time, the Inspector has not agreed with them. We now await approval – or not – by the Secretary of State.

In summary, there is little in a policy context that the Council do on top of the RSS and Code for Sustainability. As a planning authority we cannot replicate existing policies unless they add value: the existing policy already exists in the form of the Code for Sustainability, and the added value comes from the RSS which proposes to increase targets for meeting sustainability criteria.

Code 6 is the highest level of sustainability, and will require energy efficiency **and** renewable energy for homes to meet it.

The government requires Code 3 by 2010, and demands a 25% reduction in CO₂ emissions. This can realistically be managed by making homes more energy efficient. Code 4 is expected by government in 2013, but the RSS proposes that it be met between 2008 and 2010. Code 4 will likely require a renewable energy element on new housing developments.

The review group realized that regardless of how much renewable energy was made available, it was sensible to reduce energy use and waste first.

Feasibility of Major Renewable Energy ‘Types’

Wind

Wind power is a clean, renewable source of energy which produces no carbon dioxide emissions or waste products other than those created during the manufacturing process.

Wind turbines use the wind's lift forces to rotate aerodynamic blades that turn a rotor which creates electricity. The United Kingdom has 40% of Europe's total wind energy potential. But it is still largely untapped and only 0.5% of our electricity requirements are currently generated using wind power.

Large-scale wind energy production within Taunton Deane is however extremely limited because most areas are constrained by the need to place commercial turbines away from dwellings and microwave routes. There are very few sites in Taunton Deane that satisfy safety and windspeed requirements that are not in Areas of Outstanding Natural Beauty. Wind energy is not likely to be a major renewable energy source for Taunton Deane. Most potential sites are either inside Areas of Outstanding Natural Beauty or too close to homes or microwave infrastructure. In other areas average wind speeds are too unreliable or not strong enough for power generation. Nevertheless, where commercial generation is feasible, it should be supported.

Recommendation 1

The review group believes that the Council should encourage and be supportive of any efforts made to identify sites for viable commercial wind turbines.

For many building related applications there are small scale, local opportunities to capture wind energy. Small stand-alone turbines have hub heights from 6 to 30 metres and power ratings from 2.5 to 20 Kilowatts. It is important that structures are sited at a reasonable distance from obstructions such as buildings and tree belts that could impair the velocity of the wind.

Even smaller turbines are now available for attaching to buildings. However, these are not always suitable unless the building will tolerate vibration and the turbine itself can be placed a suitable distance above the roof line (around 2 metres above, in order to increase efficiency as winds are stronger further from the ground).

Photovoltaics

Photovoltaic cells convert solar energy into electrical energy using cells of one or two layers of a semi conducting material, usually silicon. Photovoltaic electricity can also be fed into the national grid.

Photovoltaic panels can be fixed to roofs or form an integral part of a roof covering. They tend to be one of the easiest renewable energy systems to install. These devices can be quite heavy and may therefore require strengthened roofs.

Solar Water Heating

Solar panels or collectors containing fluid absorb the sun's heat and once hot, the fluid passes through a coil in a hot water cylinder and transfers the heat to the water in the cylinder. Solar collectors can be installed at low level or on the roof of a building or incorporated into the roof finish. Solar water heating systems provide up to 70% of the hot water requirements of a home over a year, depending upon the habits of the users.

Solar water heating can provide about a third of a home's hot water needs. The average domestic system reduces CO₂ by around 350kg per year and about £40 a year of a hot water bill, depending on the fuel replaced. Also, solar water heating systems tend to require little maintenance.

Heat Pumps

The most common use of heat pumps is for ground source heating. Ground source heat pumps transfer heat from the ground into a building to provide space heating and, in some cases, to pre-heat domestic hot water.

The process involves a closed loop system of plastic pipes filled with water and anti freeze buried in the ground and pumped around the loop. The pump evaporates compresses and condenses the heat and delivers it into the heating distribution system of the building. The process exploits the stable temperature of the earth for both heating and cooling.

Whilst not totally renewable because a small level of power is required to operate the pump, it can assist in reducing the requirement for heat generation on site and it does not require storage of fuel, unlike conventional systems.

Bio-fuels

Key sources of biomass energy generation in the United Kingdom are "short rotation coppice" willow, and miscanthus. Crop areas are increasing steadily across the country as fossil fuels and non-renewable energy sources become more expensive.

Energy crops can be grown for large or small-scale units. Large power generators are now co-firing with biomass, allowing them to claim "Renewables Obligation Certificates" for generation of renewable energy.

Farmers can become energy and fuel suppliers for local power users, on a domestic or district-heating system. Large heat users, such as hospitals, leisure centers and schools are ideal outlets for biomass energy. Installations of biomass boilers are becoming more frequent across the country.

Energy crops can currently be grown on set-aside land, assuming a contract is in place with a suitable end-user. Energy crops grown on non-set-aside land are eligible for an annual Energy Aid Payment of up to 45 Euros per hectare. For farmers interested in planting willow or miscanthus, establishment grants are available.

However, the increased global market for fuel derived directly from plants has sometimes led to further ecological damage and, potentially, an increase in carbon emissions. Further concerns exist that food production in some areas will be replaced by more lucrative bio-fuel cropping, with the consequent adverse effects on food availability and price.

Anaerobic Digestion

A 2007 working paper by DEFRA stated that the government was interested in the potential of anaerobic digestion as a means of meeting the United Kingdom's climate change obligations. It stated that;

“Anaerobic digestion has significant potential to contribute to our climate change and wider environmental objectives. It can help us to meet three of the UK's needs at the same time by:

- Producing more renewable energy in the form of biogas for biomass heat and/or power or for transport fuel;
- Helping to mitigate methane emissions from agriculture; and
- Helping to divert other kinds of organic waste, especially food waste, from landfill or incineration. ”

Anaerobic digestion is a well-proven renewable energy technology. It can reduce greenhouse gas emissions by capturing methane from the decomposition of organic materials, such as livestock manures and slurries, sewage sludge and food wastes. Anaerobic digestion involves harnessing the natural process whereby organic matter is broken down by bacteria in the absence of oxygen. The materials ferment in a closed vessel and produce a biogas which is a mixture of about 60% methane and 40% carbon dioxide, with other trace gases, such as hydrogen sulphide. This can be used as a renewable energy source, both for heat and power, and as a transport fuel.

The treated liquid - known as digestate - can be used as a fertiliser. In certain circumstances, it may prove attractive to separate fibre from the digestate and sell this as a soil conditioner and low grade fertiliser. Anaerobic digestion can be carried out in small scale systems, for example located on the farm and operated by farmers, or to serve businesses or clusters of businesses. Alternatively it can be carried out in large centralised systems, for example to treat municipal food waste being diverted from landfill by local authorities or manures and slurries from several farms.

Anaerobic digestion can lead to significant reductions in methane emissions from manures and slurries. Agriculture accounts for 7% of all UK greenhouse gas emissions of which about a third is due to methane emissions. Methane is a greenhouse gas with a global warming potential 21 times that of carbon dioxide over a 100 year time period. About 86% of this methane comes from enteric fermentation in the digestive system of animals, and 14% from manures and slurries. Anaerobic digestion offers the opportunity to capture methane from manures and slurries and so can lead to reductions in emissions to the atmosphere.

The Senior Planning Policy Officer has done some work looking at the feasibility of constructing an anaerobic digester in Taunton Deane. The reasoning behind this work is that the Somerset Waste Partnership does not currently have in place a method of collecting and composting commercial food waste, several hundred thousand tons of which is produced every year. Also, there are several very large dairy farms in Somerset which could potentially provide slurry to any anaerobic digestion plant, producing energy as well as fertilizer.

Nitrates, phosphates and other nutrients can be obtained from this form of recycling instead of being washed away by surface run-off into rivers; particularly considering the limitations imposed upon fertilizer use and the cost of purchasing fertilizer.

Recommendation 2

The Council should promote a trial of anaerobic digestion as a means of producing energy. A feasibility study should be carried out to determine the usefulness of commercial food waste for this purpose, which is currently land-filled.

Case Study: Biomass – Miscanthus

Hugh Loxton, a local farmer and businessman, gave a very interesting presentation on the growth of miscanthus, which has the potential to be a very useful source of fuel in the south west and beyond.

Miscanthus is a perennial grass, which is increasingly being seen as an ideal energy crop for heat and electricity generation. It has a high dry matter yield, regrows each year, is an efficient user of nitrogen and water; in fact, it will grow almost anywhere with minimum fuss. It also suffers from very few pests or diseases. There is no need to till the soil more than once. The crop is cut then left to regrow – which means that birds and other animals are able to make use of both the crop and the ground for protection, nesting etc. A recent government report stated that;

“...because the crops were harvested in March and the land is not disturbed by cultivation every year, the fields were used as over-wintering sites for birds, small mammals and invertebrates suggesting immediate benefits for biodiversity.”

The table below shows how miscanthus compares to other arable crops, and shows the energy equation for each. Miscanthus is a more productive energy crop.

Crop	Energy in (MJ/ha)	Energy out (MJ/ha)	Ratio
Miscanthus	9,224	300,000	+ 32.53
Willow	6,003	180,000	+ 29.99
Hemp	13,298	112,500	+ 8.46
Wheat	21,465	189,338	+ 8.82
Oil Seed Rape	19,390	72,000	+ 3.76

The crop appears to be profitable and environmentally friendly. Once established it yields for over 10 years without the need to be replanted and with no input such as fertiliser or pesticides.

Drax Power Limited, operator of the second largest coal-fired power station in Europe, is committed to using miscanthus as a biomass material combined with coal because of its low cost and efficiency.

Where a market for miscanthus exists or appears, Bical sets up local co-operatives of farmers who will grow and harvest the crop, pelletise it, and distribute it. Because these co-operatives are set up as close as possible to the market, carbon emissions are kept to a minimum when transporting the fuel to the customer.

Miscanthus is recognised and supported by the Department of Environment, Food and Rural Affairs and it was now being grown across other parts of Europe and in the United States.

Whereas some other bio-fuels are responsible for a lot of environmental damage when forest is destroyed to make way for crops such as palm oil, or food production is eschewed in favour of more lucrative bio-fuel crops, miscanthus can be grown in the united kingdom and is a viable alternative for many farmers who do not make a worthwhile profit from food production.

The review group is aware that the headlong rush to bio-fuels has in some cases had a negative impact on the environment **and** climate change. However the case of miscanthus appears to satisfy the accepted definition of sustainability: it allows us to produce the energy we need without compromising the environment, economy, or our future needs.

Policy G in the emerging Regional Spatial Strategy for the south west refers to renewables. Fuel-fired energy production - rather than passive measures such as solar - are only as renewable as the fuel being used. There could be a role for miscanthus or other renewable crops.

Recommendation 3

The Council should look for and pursue opportunities to deliver viable biomass power generation on future developments where the Council has the power to influence; this should include its own buildings and housing stock. The review group was particularly impressed by the potential of miscanthus as an energy crop. West Somerset District Council's recent work using waste wood-chip could also be a worthwhile bio-mass fuel.

Good Practice in Other Local Authorities

Uttlesford District Council has introduced a scheme, in association with the Essex Energy Efficiency Advice Centre, where all householders were encouraged to complete a Home Energy Efficiency Questionnaire. In return they received two free energy efficiency light bulbs and a customised energy efficiency report for their home. The questionnaire and light bulbs were available at various offices and community information centres.

Recommendation 4

Taunton Deane Borough Council should implement this scheme in association with the relevant local Energy Efficiency Advice Centre to encourage and enable households to save energy and reduce their carbon footprint.

Uttlesford also encourage home-owners to embrace energy efficiency when extending their homes. Their Planning Department requests that all applicants who wish to add extensions to their property complete a Home Energy Efficiency Questionnaire which is analysed to produce an energy efficiency report. The applicant then undertakes to carry out energy efficiency improvements to their home as a condition of planning consent. Taunton Deane's Planning Department explained that it might not be possible to implement this policy as a condition of planning consent, but could be carried out on an advisory, or good practice, basis.

Recommendation 5

The Planning department should prepare and publish a supplementary planning document, or similar policy or best practice guide, requesting or requiring those who submit planning applications to extend dwellings, to complete energy efficiency improvements as a requirement of receiving planning permission: where possible and practical. This requirement / guidance should include, but not be limited to, the following:

- Cavity, wall, loft and floor insulation;
- Replacement of boiler if over a certain age;
- Upgrade of heating controls;
- Hot water insulation package;
- Draught stripping; and
- Energy efficient lighting.

Partnership Working

The Housing Strategy Manager provided information to the review on how energy suppliers are expected to meet their climate change obligations.

The government originally placed an obligation on utility companies in the form of an energy efficiency commitment. This legislation has recently been replaced with a strengthened “Carbon Energy Reduction Target” which has doubled utility companies’ obligations towards energy efficiency.

As well as providing grants and advice, utilities also provide large numbers of energy efficient light bulbs to local authorities, for them to distribute. Taunton Deane has been offered tens of thousands of energy efficient light bulbs, and is obliged to distribute them principally to households with low incomes.

The review group explored the possibility of setting up a company to purchase and sell energy efficient light bulbs on an at-cost basis. However, the review group decided that this would not be necessary: utility companies are already supplying them for free.

The Bristol and Somerset Energy Efficiency Advice Centre is a free and independent advice service run by the Centre for Sustainable Energy. It offers advice on making homes more energy efficient and reducing fuel bills to householders in the Bristol, Somerset and South Gloucestershire areas. This includes providing information on grants and discounts that may be available for heating and insulation measures.

Energy efficiency advice centres will also help local authorities find the best ways to promote energy efficiency, including advice on setting up open days, “light-bulb amnesties” and other good practice from elsewhere in the region and country.

The review group felt that despite all the work being done by government, its agencies and by local government, the message wasn’t necessarily reaching everyone, or not being acted upon.

The review group agreed that the council should take advantage of the services provided by energy efficiency advice centres to raise awareness of the climate change and energy efficiency agenda, and especially the advantages to households of embracing energy efficiency.

Recommendation 6

The council should work with the local energy efficiency advice centre to set up an energy efficiency open day, perhaps in the style of the successful affordable housing open day, to promote energy efficiency, renewable energy and energy saving as it affects residents and businesses in Taunton Deane. This open day should be specifically set up to provide practical assistance for residents and businesses as well as information on the climate change agenda. This event must be properly advertised and promoted.

The review group believes that the emerging Pioneer Somerset arrangements have a key role to play in the way that Somerset tackles climate change.

The emerging Pioneer Somerset structure has the potential deliver Somerset's Local Area Agreement targets with greater economies of scale than if each district and the County Taunton Deane pursued them separately.

What Else Could Taunton Deane Do?

The review group spent a lot of time discovering what work Taunton Deane currently does, what its obligations are, and how they are being met.

At the end of 2006 Taunton Deane Borough Council became a signatory to the Nottingham declaration, making a commitment to tackle climate change. Part of that commitment is to produce a Climate Change Strategy. The first stage of doing this is to identify what the carbon footprint of the Council is, before working out how to reduce it. This baseline includes carbon emissions from the Council's buildings and vehicles. This data is then inputted into a Carbon Trust database, who calculate the baseline carbon footprint. The Energy Savings Trust will help the Council to identify ways of reducing the carbon footprint.

According to the figures, the carbon output of Taunton Deane Borough Council was 3499 tons in 2006-07 costing £611,000 in fuel. This is expected to increase by £252,000 in 2007-08 due to increasing fuel costs. Aside from the undesirability of carbon emissions, energy efficiency can have a significant effect on council budgets.

Taunton Deane does not have an officer with specific and dedicated responsibility to address the obligations and challenges associated with "green issues" and the Climate Change Strategy. The review group heard that these obligations will only increase over time.

Recommendation 7

Taunton Deane should explore the possibility of appointing a Climate Change Officer. This post should include the following responsibilities and be appropriately placed in the structure of the organization to have the greatest impact and influence.

- To promote the council's corporate objective on climate change, renewable energy and energy efficiency (Objective 17, 2008-11 Corporate Strategy).
- To lead Taunton Deane's input into meeting the Local Area Agreement targets relating to climate change.
- To lead on producing, implementing and monitoring documents relating to climate change, renewable energy and energy efficiency; such as the Carbon Management Plan and Climate Changes Strategy.
- Service the "Green Groups" and keep them informed – see recommendations 10 and 11.

The review discussed how to reach the public in a cost effective way. The value of a “one-stop-shop” to provide information and guidance was noted. The review concluded that with a large number of similar websites in existence, one more would not help. A webpage on the Taunton Deane website containing basic advice and useful links to other organizations and funding authorities would be more useful and cheaper to create and maintain.

Recommendation 8

Taunton Deane should create a webpage to promote energy efficiency, renewable energy and the wider climate change agenda, with a direct link placed on the www.tauntondeane.gov.uk front page. This webpage should contain information on energy efficiency, renewable energy, the Council's approach to climate change, and a list of contact details for relevant organizations and funding authorities.

Members also agreed that if a leaflet could be included in the council tax demands, a wide range of people could be reached for minimum cost, and that a leaflet showing ways of saving money would be popular when compared to the council tax demand it was accompanying!

Recommendation 9

A leaflet containing details on how householders can access grants and other assistance to make their homes more energy efficient should be compiled. It should be distributed with the annual Council Tax demand. The leaflet should direct householders to the Energy Savings Trust website, and provide contact information to help householders not only make their homes more environmentally friendly, but possibly save money by doing so.

This recommendation was made during the review as an interim recommendation. It was adopted by the portfolio holder for Planning and Transportation and the leaflet was distributed with the 2008-09 Council Tax demand.

The panel believes that the leaflet should now be distributed to all Council offices and, where possible, to officers who have direct contact with the public. In particular, the leaflet could have a role in tackling fuel poverty, and in correspondence between the planning department and applicants.

During the review, Councillors became increasingly aware that a lot of work is already being done to tackle climate change and promote energy efficiency and renewable energy. Money and resources are available in many instances; however the missing element was often awareness or the prevalence of the “can’t be bothered” factor.

In order to foster awareness, inside the council as well as in the community, two “green groups” should be set up to champion the green agenda. Their remit should include all elements of environment sustainability.

Recommendation 10

The Council should set up a small informal “green group” of interested Councillors who can promote the green agenda within the council, amongst other Members, and in the community at large. It should also act as a mechanism for feeding back the views and attitudes of the public, and be given the opportunity – without prejudice to other methods of consultation – to give feedback on “green” strategies that the council develops, such as the Climate Change strategy. This green group should be linked to the role of the Climate Change Officer (if recommendation 7 is adopted).

The review group felt that the maxim “put your own house in order first” was useful in developing Taunton Deane’s approach to the climate change agenda. Plenty of work has already been done but the review group felt that more could be done to encourage Council employees to embrace the climate change agenda in the work they do.

Recommendation 11

In light of the financial **and** environmental cost of the CO₂ footprint of Taunton Deane Borough Council, the council should set up an informal volunteer “green group” amongst officers to promote and champion energy saving, green awareness at the Council to create an environmentally sustainable working environment.

Conclusion

This review has made 11 recommendations, principally around the two themes of energy efficiency and renewable energy, but also in relation to the wider climate change agenda. Most of the recommendations fall under heading of “enabling” or “partnership.” Some recommendations have a significant cost attached to them, such as the recommendation to create a new officer post. Other recommendations, such as those suggesting that “green groups” be set up to promote the green agenda, will have small costs attached to them but, if successful, could ultimately save the council money. In terms of reducing our energy bills and CO₂ footprint, the proposed climate change officer post might also pay for itself.

This review is now concluded, but the review group wishes to make clear that they have only scratched the surface of the issues and challenges associated with energy efficiency, renewable energy, and climate change. Nevertheless, if the group’s recommendations are accepted and acted upon, a useful contribution can be made, not just in Taunton Deane, but across Somerset.

Finally, the review group would like to thank everyone who has been involved in this interesting and challenging review.

Chair of the Review

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Appendix A – Full List of Recommendations

Recommendation 1

The review group believes that the Council should encourage and be supportive of any efforts made to identify sites for viable commercial wind turbines.

Recommendation 2

The Council should promote a trial of anaerobic digestion as a means of producing energy. A feasibility study should be carried out to determine the usefulness of commercial food waste for this purpose, which is currently land-filled.

Recommendation 3

The Council should look for and pursue opportunities to deliver viable biomass power generation on future developments where the Council has the power to influence; this should include its own buildings and housing stock. The review group was particularly impressed by the potential of miscanthus as an energy crop. West Somerset District Council's recent work using waste wood-chip could also be a worthwhile bio-mass fuel.

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Recommendation 5

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This recommendation was made during the review as an interim recommendation. It was adopted by the portfolio holder for Planning and Transportation and the leaflet was distributed with the 2008-09 Council Tax demand.

The panel believes that the leaflet should now be distributed to all Council offices and, where possible, to officers who have direct contact with the public. In particular, the leaflet could have a role in tackling fuel poverty, and in correspondence between the planning department and applicants.

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community at large. It should also act as a mechanism for feeding back the views and attitudes of the public, and be given the opportunity – without prejudice to other methods of consultation – to give feedback on “green” strategies that the council develops, such as the Climate Change strategy. This green group should be linked to the role of the Climate Change Officer (if recommendation 7 is adopted).

Recommendation 11

In light of the financial **and** environmental cost of the CO₂ footprint of Taunton Deane Borough Council, the council should set up an informal volunteer “green group” amongst officers to promote and champion energy saving, green awareness at the Council to create an environmentally sustainable working environment.

TAUNTON DEANE BOROUGH COUNCIL

EXECUTIVE BOARD: 20 August 2008

Report of the Strategic Director and Community Planning Officer

This matter is the responsibility of Executive Councillor Alan Wedderkopp

Community Engagement – Taunton Deane Borough Council position statement

1. Purpose of this review

- 1.1 On the 28th May 2008 the Taunton Deane Local Strategic Partnership held a meeting to review community engagement in Taunton Deane and make recommendations to improve its effectiveness. The scope of the review was as follows:
- To review the existing Community Partnerships, established by the Taunton Deane Local Strategic Partnership in October 2007
 - To contribute to a wider debate, under Pioneer Somerset, of community engagement models across Somerset. This included consideration of the 'South Somerset model' of community engagement attached as Appendix A and Somerset County Council's review of its area working and community engagement structures (Appendix B).
- 1.2 This paper therefore constitutes Taunton Deane Borough Council's position statement on community engagement, informed by consultation with partners.

2. Description of current structure in Taunton Deane

- 2.1 The model for community engagement in Taunton Deane is Community Partnerships. The Community Partnerships were established in October 2007 and are sub-groups of the Taunton Deane Local Strategic Partnership. There were a number of principles upon which the Community Partnerships were founded:
- That they should be multi-agency. This was a key reason in the Community Partnerships being sub-groups of the LSP rather than of the Council. The intention was that all the LSP member organisations would use the Community Partnerships as their means of engaging with the public in Taunton Deane.
 - That they would have no budget allocated to them. It was felt that this would divert attention away from issues to instead focusing on how the

budget should be spent. The intention was that the Community Partnerships would influence the way in which the LSP member organisations spend their main budgets in response to issues raised at the Community Partnership meetings.

- That the meetings would be open to all members of the public. The meetings are publicised widely and are open to all.
- That the Community Partnerships would not have a set membership i.e. a Board or Committee, in order to keep the meetings as informal as possible. It was envisaged that this would make the meetings less intimidating for people who do not usually engage with the LSP organisations. As a result the Community Partnerships have a Chair but no other 'posts'.
- That the Community Partnership meetings would enable the LSP to keep its Sustainable Community Strategy 'alive' by testing out whether the priorities in the SCS are still those that matter to communities

2.2 Three Community Partnerships were established covering the whole of Taunton Deane (see map attached at Appendix C).
The Chairs are:

West Community Partnership – Shirlene Adam
East Community Partnership – Kevin Toller
Central Community Partnership – Joy Wishlade and Brendan Cleere.

It was envisaged that the Chairs would change after the first 12 months.

3. Somerset County Council's review of area working

3.1 Attached at appendix B is a paper outlining Somerset County Council's review of area working and community engagement structures across Somerset. The group considered this paper and the conclusion within the paper that 'one size does not fit all; we therefore need to keep engagement flexible and local,' was welcomed.

3.2 The need to create a joint approach with the County Council to reduce duplication and confusion was considered important by all members of the group.

4. The South Somerset DC model of community engagement

4.1 In summary the South Somerset model sees the district of South Somerset divided into 4 sub-district areas. Each sub-district area is served by an Area Forum and an Area Committee. The forums are open to community groups

and therefore provide the community with an opportunity to engage with the council, air community aspirations and give the delivery of services a local dimension. South Somerset DC has also used Area Forums as the mechanism for operating community kitties. The Area Committees are decision-making bodies with delegated budgets and members empowered to take local decisions in the interest of the community. The committees are focused on local issues and local action and use the Area Forums to enhance that focus.

4.2 The group made a number of comments when considering the South Somerset model:

- The South Somerset model sees actual engagement with communities take place at the Area forums. The existing Taunton Deane Community Partnerships serve a similar purpose to these and the group felt that it was particularly important that they are multi-agency and open to all the public.
- Area Committees do not currently exist within Taunton Deane. In line with the 'one size does not fit all' ethos, the general view was that a more informal approach to joint County and District member working is favoured. This is being piloted through the creation of the Taunton Unparished Fund. A review of this pilot will be held in January 2009 at which point further consideration may be given to rolling out the approach to other areas of the District.

5. Future community engagement in Taunton Deane

5.1 Each of the Community Partnerships in Taunton Deane has now held three meetings. The LSP review meeting looked at observations made about the Community Partnerships since their inception, along with the papers and proposals outlined above and considered how community engagement could most effectively develop in Taunton Deane. These considerations have informed the following recommendations, which constitute Taunton Deane Borough Council's position on community engagement:

- That the basic premise of the Community Partnerships remain the same i.e. those listed in the bullet points at (2) above.
- That the various community engagement models in place needed to be streamlined to avoid duplication and confusion
- That greater attendance by the public and Councillors of all three tiers be encouraged
- That a broader representation from the key organisations in Taunton Deane be achieved at the Community Partnership meetings

- That the geographic boundaries of the Community Partnerships be reviewed and consideration be given to splitting the Central area into two areas to gain better separation of the rural and urban areas
- That the format of the meetings changes where appropriate. For example, that the meeting has two halves, firstly the usual open forum followed by a themed session in order to widen the range of issues discussed.
- The importance of keeping an informal approach to the running of the meetings in order to be more accessible to the public was shared by all members of the group.
- That an informal approach to joint County and District member working is taken, through the piloting of the Taunton Unparished Fund. Depending on the success of this approach further consideration may be given to continuing the arrangement and looking at the possibility of extending a similar arrangement to other areas of the borough.
- That a greater level of support is sought from partner agencies including Somerset County Council in the planning of Community Partnership meetings and delivery of outcomes
- That Community Partnership meetings should not be seen as the only way to engage with the public. Efforts should be made to attend other public events to meet and engage with the public.

6. Comments of the Overview and Scrutiny Board

- 6.1 The above report was considered by the Overview and Scrutiny Board on the 3rd July 2008. The Board resolved that the recommendations outlined above at (5) be supported as Taunton Deane Borough Council's position on Community Engagement.

7. Recommendations

- 7.1 That the Executive approve the recommendations outlined in (5) above as Taunton Deane Borough Council's position on community engagement.

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Engagement at Sub-District level in South Somerset

1. Background

1.1 In response to the Local Government White Paper 'Strong and Prosperous Communities', all local authorities in Somerset signed up to work in partnership to deliver on the agenda outlined in the paper. This partnership is called 'Pioneer Somerset' and has agreed clear outcomes that need to be delivered through a focus on 7 specific work strands. Each strand is being led by one of the Somerset local authorities. One such strand is the delivery of a countywide community engagement strategy.

1.2 It has been agreed that Somerset County Council (SCC) will lead on the wider community engagement strategy work. However at the Chief Executive and Leader's meeting in November 2007 it was agreed that a sub-group be formed to explore the 'sub-district' level engagement aspect of the Somerset community engagement strategy. This was reaffirmed in the Somerset County Council briefing paper for Leaders and Chief Executives in April 2008. The sub group was to be led by Phil Dolan, Chief Executive of South Somerset District Council (SSDC), because of that council's established track record through Beacon awards in community engagement and empowerment. The membership of the group would consist of the officer and member lead for community engagement who would act as representatives of their authority.

1.3 The main focus for the group was to:

1. Explore the applicability of the South Somerset engagement model in other local authority areas within Somerset;
2. Present the model as an option for debate and discussion at the consultation workshops that were organised by SCC.
3. As a result of 1 and 2 above, put forward a model of engagement and empowerment at sub district level that would form part of the wider Somerset strategy.

1.4 The group met for the first time during January 2008 and the model was presented to the group at the meeting in February 2008. It was also agreed that the model should be available for presentation at the consultation events held around Somerset. These events took place but at the Community Engagement sub-group meeting held in April 2008 it was concluded that the SDE* was not adequately presented at the consultation events, notwithstanding the fact that the events were not well supported. Therefore the opportunity to explore the 'applicability' of the model or to enhance it had not arisen. As a result, the group requested a briefing paper that could be used by local authorities as a discussion paper with a range of stakeholders.

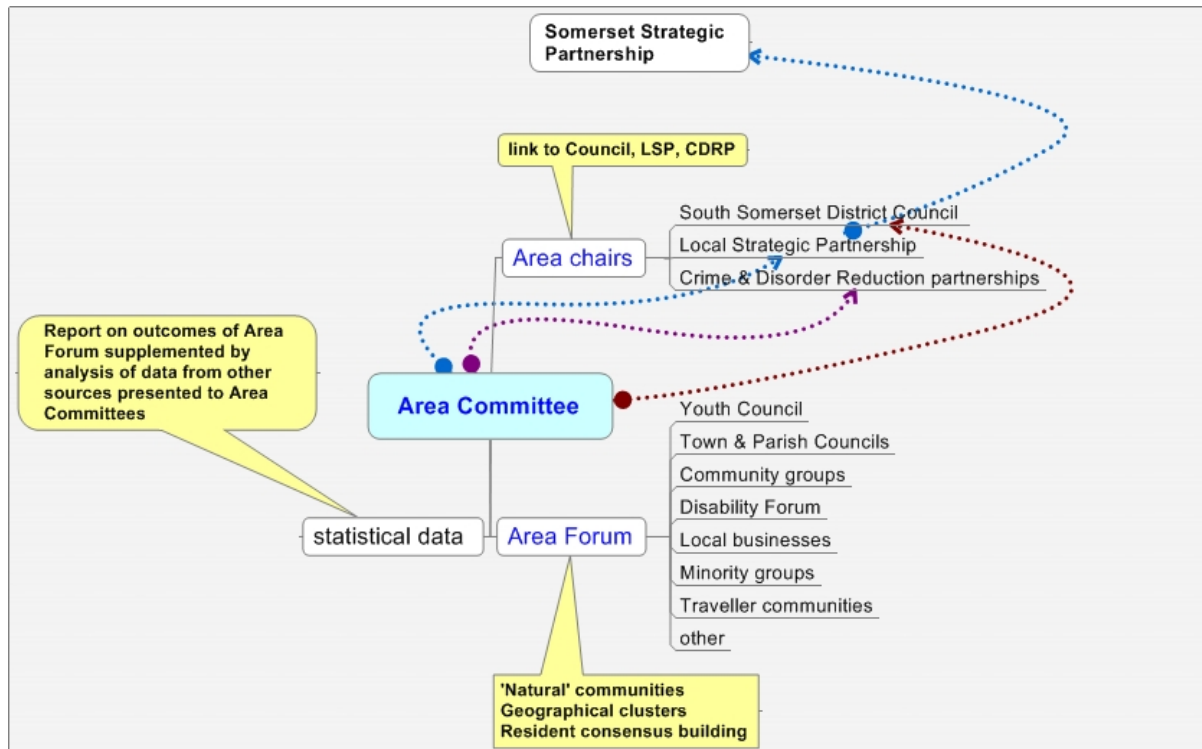
1.5 Hence this briefing paper aims to:

- Describe the current practice model;
- Test the applicability of the model in light of latest government requirements; and
- Suggest a way forward.

** The model hereafter in this paper will be referred to as the Sub District Engagement (SDE) model.*

2. SDE model

2.1 The model is represented diagrammatically below. If, at a basic level, community engagement is about involving people in the decisions that affect them and their locality, then any successful model must, simply and explicitly, show a clear route from concern and discussion through to decision-making and action. This SDE model would claim to do so as it empowers members by enhancing their community leadership role through Area Committees whilst working with 'natural' committees through Area Forums.



3. Area Forums

3.1 Area Forums are held in all four areas (At SSDC the district is divided into 4 sub-district areas, each serving around 40,000 residents). The Forums help to give a voice to community aspirations and give the delivery of services local dimension. They provide the link between community needs and decision making through building consensus amongst representatives. Some view them as a 'clearing house' for community issues and concerns. Forums in one area can have a different focus to one in another area. This flexibility is vital. Nevertheless Area Forums are currently being used for such things as prioritising of projects, the funding of projects, planning for real and buying in enhancements to service delivery should the community desire them. They are also being used as the mechanism for operating the community kitty approach. It has not been unusual for 200,300 or 400 people turn up to a community kitty event with maybe £20,000 available for distribution to community projects that meet agreed criteria.

4. Community Engagement

4.1 Engagement at 'sub-forum' level takes place in a number of different ways depending on appropriateness of methods allowing flexibility around engagement. However the results of these various engagement activities are supplemented by statistical data and information from other sources before they are presented to members at Area Committees.

5. Area Committees

5.1 Area committees are decision-making bodies with delegated budgets and members empowered to take local decisions in the interest of the community. The committees are focussed on local issues and local action and use the Area Forums to enhance that focus. Apart from the funding available to these committees, each individual member has access to an individual councillor budget for those smaller projects and causes the councillor wishes to support (see 8.3). Again an agreed criterion is set for such awards.

6. Linkages

6.1 As shown in the above diagram, the SDE model provides clear linkage with the Councils own Executive decision-making process, the Local Strategic Partnership, with Health and with Police. These are vital since many community issues will not relate solely to council activity. Communities must see how those issues are taken forward in a structured way.

7. Community Views

7.1 The above model works well for 8 key reasons:

1. Decision-making on council matters is seen to be nearer communities and not remote
2. Issues and concerns can be quickly linked to decisions
3. communities can see that councillors are listening to them
4. The community can have a say over service enhancements
5. The community can have a say over what community kitties fund
6. Community engagement is flexible and varied, there is no 'one size fits all' mentality
7. Area Forums, while new, are beginning to help make better sense of the 'noise' from communities
8. Residents concerns raised at Area Forums and Area Committees act as a platform for 'community call for action'

8. Framework for the Future: Applicability of the Model

8.1 The model provides the framework for putting in place the latest government thinking around engagement and empowerment. However it is recognised some enhancements need to be made to take it to the next level.

8.2 '*Action Plan for Community Engagement: Building for Success*' paves the way for the statutory 'duty to involve' which comes into force in 2009 and requires local authorities to **inform, consult, involve and devolve**. In the main this requires local authorities to take a lead in:

- Engaging community in design and delivery of services
- Enhancing participatory budgeting – larger ‘community kitties’
- Commissioning for local services
- Decision making at local level (joint committees)

8.3 This action plan sets out activities in three key areas:

1. *Widening & deepening empowerment opportunities*

This is about more people in more areas able to access opportunities such as participatory budgeting. ‘Community kitties’ enable communities to be involved in budget decisions.

This is currently in place at SSDC through Area Forums as shown in paragraph 3.1. Area committees are given an additional £40,000 to begin the process of better aligning service need with service delivery. Each individual member has an additional budget of £2500 to support local community initiatives/projects in harmony with the council’s priorities as set out in the corporate plan. For example in Area East, the Forums are open and inclusive with Parish and Town Councils, a range of groups and community representatives but also open to any citizen from the area that wishes to attend. They look at all available information about local needs based on Parish/Town Plans and other data and agree service issues and improvement priorities. These are used to work up some costed proposals for service enhancement. Before the decision is made, the Forum gets the opportunity to talk to service providers in more detail about the costed proposals which may throw up some further refinements. Final proposals are presented to the Area Committee that uses its allocation to fund Area specific enhancements.

2. *Enabling empowerment opportunities*

- create a menu of opportunities locally
- make it easier to participate

Currently mechanisms for engagement in South Somerset maximize opportunities for local participation because ‘Forums’ are held in different local venues.

3. *Strengthening representative democracy*

- enthusiasm for local democracy
- greater local accountability
- clearer leadership

Meetings are well attended by the public, although this can always be improved. Accountability is demonstrated through the area committees. Area chairs figure prominently although residents see every member as a community champion and community leader.

8.4 The table below is brief summary of the principles of community empowerment as outlined in key government papers and demonstrates how the SDE model fares when assessed against them.

Government proposals	Predominantly Met	Partially Met	Can be developed	Cannot accomodate
<i>Local government (White Paper)</i>				
More choice for local people in the way local services are designed and delivered		√	√	
A new duty for councils to 'inform, consult, involve and devolve'	√			
More co-ordinated support for citizens and community groups to help them take advantage of empowerment opportunities	√		√	
People will have the right to an answer when they put forward suggestions to their councils or ask for action	√			
The Community Call for Action - giving Councillors more power to demand action on behalf of their communities	√		√	
More neighbourhood management		√	√	
More opportunities for communities to take on the management and ownership of local facilities and assets, with a new fund to encourage them		√	√	

Local charters in which communities and their councils can agree the services to be provided		√	√	
'power of well-being' means that Quality Parish Councils will be able to respond better to their communities' needs		√	√	
<i>CLG,2007. An Action Plan for Community Empowerment:Building Success</i>				
<i>widening & deepening empowerment opportunities</i> - Develop more community kitties		√	√	
<i>enabling empowerment opportunities</i> - create a menu of opportunities locally - make it easier to participate	√		√	
<i>strengthening representative democracy</i> - enthusiasm for local democracy - greater local accountability - clearer leadership	√		√	
<i>Governance of Britain (Green Paper)</i>				
aims to give citizens the means of participating in decision-making at every level.	√		√	

9. A Key Enhancement

9.1 Whilst the SDE model works well at present in South Somerset it can be enhanced if Somerset County Council were to move from their Area Working Panel system (which contains some duplication of the SDE model) into a full partnership approach with South Somerset District Council. To do this would require county and district agreement on issues such as:

- Area committees be formally constituted as joint committees
- On which current district and county functions would now be appropriate matters for the joint committees to determine
- The expansion of area forums to assist both tiers
- An examination of possible joint staff resources in support of members
- Options to jointly engage
- A willingness to discuss parish/town council representation at sub-district level

9.2 This could then pave the way for a full partnership approach across all of Somerset.

10. A Way Forward

10.1 It is now appropriate for each council to consider this SDE model and ask a number of specific questions:

1. Will this model provide the community engagement at sub-district level that is needed?
2. If adopted will this model produce real benefits for residents?
3. Would the council wish to take democratic decision-making to a sub-district level? If so why? If not why not?
4. Does it provide sufficient flexibility for specific circumstances at this council? What are those circumstances? How could the model cope with this?
5. Is the council willing to adopt this model?
6. If willing to adopt this model, to what timeframe?
7. Would the council wish to work in partnership with the county council on this from day one?

10.2 Each council has agreed, through its member representatives on the sub-group, to provide an answer to these questions to the sub-group chairman, Phil Dolan, by mid June 2008. This will enable the results to be reported to the Leaders and Chief Executive Group at the next appropriate meeting.

Phil Dolan
30.4.2008

Community Engagement – An Update

1. Summary

- 1.1 This paper describes in brief the various strands of development & review work relating to community engagement, which are currently underway, and the next steps for taking forward this work.

2. Background and Context

- 2.1 One of the workstreams of the Somerset Pioneer PID relates to community engagement and the development of single Community Engagement Strategy across the 6 authorities.
- 2.2 This reflects the need for a consistent strategic approach at County level together with a flexible district-by-district approach to community engagement at a local level. South Somerset District Council (Beacon status council for community engagement work) is leading the piece of work to develop a single framework at sub district level to which all of the Councils could sign up to.
- 2.3 At the same time we recognised that Area Working Panels (AWPs) need to evolve alongside the proposal which emerges from the sub-district work as part of an improved multi-agency community engagement approach across the county.
- 2.4 All of this work will also need to consider how LSPs and the engagement work of other agencies can be improved and joined up to provide more effective models for engaging with local communities.

3.0 Summary of County Council's interim review

- 3.1 Independent consultants, Creating Excellence, will be producing the feedback reports by early May from the six community engagement workshops held in March and these will be presented to AWP meetings later that month.
- 3.2 A summary of the key findings (set out as a list of principles) from across the 6 workshops is set out in Appendix 1. None of these are necessarily new, but they help reinforce that we need to improve current approaches to engagement and make them simpler and clearer for communities if we want to improve their participation. **An overriding theme was for joint work on coming up with ways of improving engagement, to avoid duplication and that successful community engagement across the county needs to be about more than structures and joint committees as the solution.**

- 3.3 In addition to the workshops, the County Council's Members event on 2 April considered the evolving role of 'frontline councillor' and ways to improve members engagement with their local communities. This event identified that there are cultural development issues for the County Council, particularly in relation to member support in order to make community engagement work effectively. The event also concluded that members want a community engagement Action Plan not another strategy document.
- 3.4 The experience from the AWP's over the last 12 months has provided a number of lessons for the County Council in terms of community engagement such as:
- engagement designed around communities and not organisations
 - engagement is more than formal public meetings
 - a need to rationalise meetings – 1 common type of forum for engagement at a local level ?
 - need flexibility with engagement rather than rigid committee structures
 - need to get engagement right before launching into empowerment
 - need to improve support for members to fully undertake the role of 'frontline' / 'community' councillor

The overriding message from **our experience with the AWP's is that one size does not fit all; we therefore need to keep it flexible and local.**

- 3.5 The review indicates that successful community engagement across the county needs to be about more than structures and joint committees as the solution.

4.0 Proposed way forward

- 4.1 Accepting the need for multi-agency agreement to the solutions we are working towards, we will need sign-up from all parties for this to be successful.
- 4.2 The County Council's review of the AWP's is scheduled to be presented to Full Council in July. This will not be presenting an overall structural solution for the county as it would not be in the spirit of Pioneer Somerset.
- 4.3 The interim review from initial findings would suggest that we need to allow for an evolution of the County Council's engagement from AWP's to a more localised level through the District engagement models, make use of existing District developed arrangements, reduce duplication, provide an opportunity for Councillors to consider the pros and cons of these localised engagement structures and test them with partners and communities before committing to a formal constitutional change.
- 4.4 At this point, the report to July's Full Council is being proposed as an Engagement Action Plan with the following likely key recommendations:
1. Through Pioneer Somerset, that further qualitative work is undertaken to develop common engagement structures/models and methods for across the county during 2008 and work towards implementation in 2009. This will allow for a jointly agreed solution and draw upon best practice examples from across the county.

2. The County Councillors work through AWP's is evolved further through discussions with individual Districts about the potential for County Councillors to join District community engagement meetings on an informal basis to respond to community issues and be community champions. These discussions could also consider the potential for 'streamlining' other forums like the LSPs and CDRPs into these locally based multi-agency community meetings.
3. To develop an improvement plan for the County Council to provide for better organisational support for County Councillors to deliver the enhanced role of 'community councillor'.

Clearly, views would also be welcomed from District Council partners as part of the journey towards producing the Action Plan for July.

- 4.7 The proposals would tie in with the proposed new county councillor local initiatives budget scheme for 2008/9, as the scheme provides the flexibility for County Councillors to work informally with District colleagues in a variety of settings and use these as further opportunities to identify community priorities. This could improve the connections between councillors, communities and partners to direct their £15,000 budgets to meeting community priorities and making a difference.
- 4.8 **In short the Action Plan for July won't be about producing the long awaited single solution for all on engagement, instead it will provides an opportunity for the County Council to improve its approach with Districts and other partners. It will also recognise that the County does not want to impose a solution 'top-down' but really wants to develop solutions with agencies, partners and most importantly local communities.**
- 4.9 The suggested timescales for taking forward the County's review and the Action Plan are as follows:
 - Key findings and summary to Leaders & Chief Executives 23 May
 - Draft Action Plan to SMB 27 May
 - Draft Action Plan to SMB/PH 2 June
 - Draft Action Plan to Scrutiny 10 June
 - Draft Action Plan to Leaders & Chief Executives 4 July
 - Draft Action Plan to Executive Board 9 July
 - Action Plan to Full Council 23 July

Author(s) Miriam Maddison, Corporate Director – Community Services

APPENDIX 1

Community Engagement Workshops - Summary of Key Themes

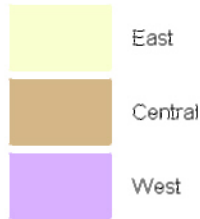
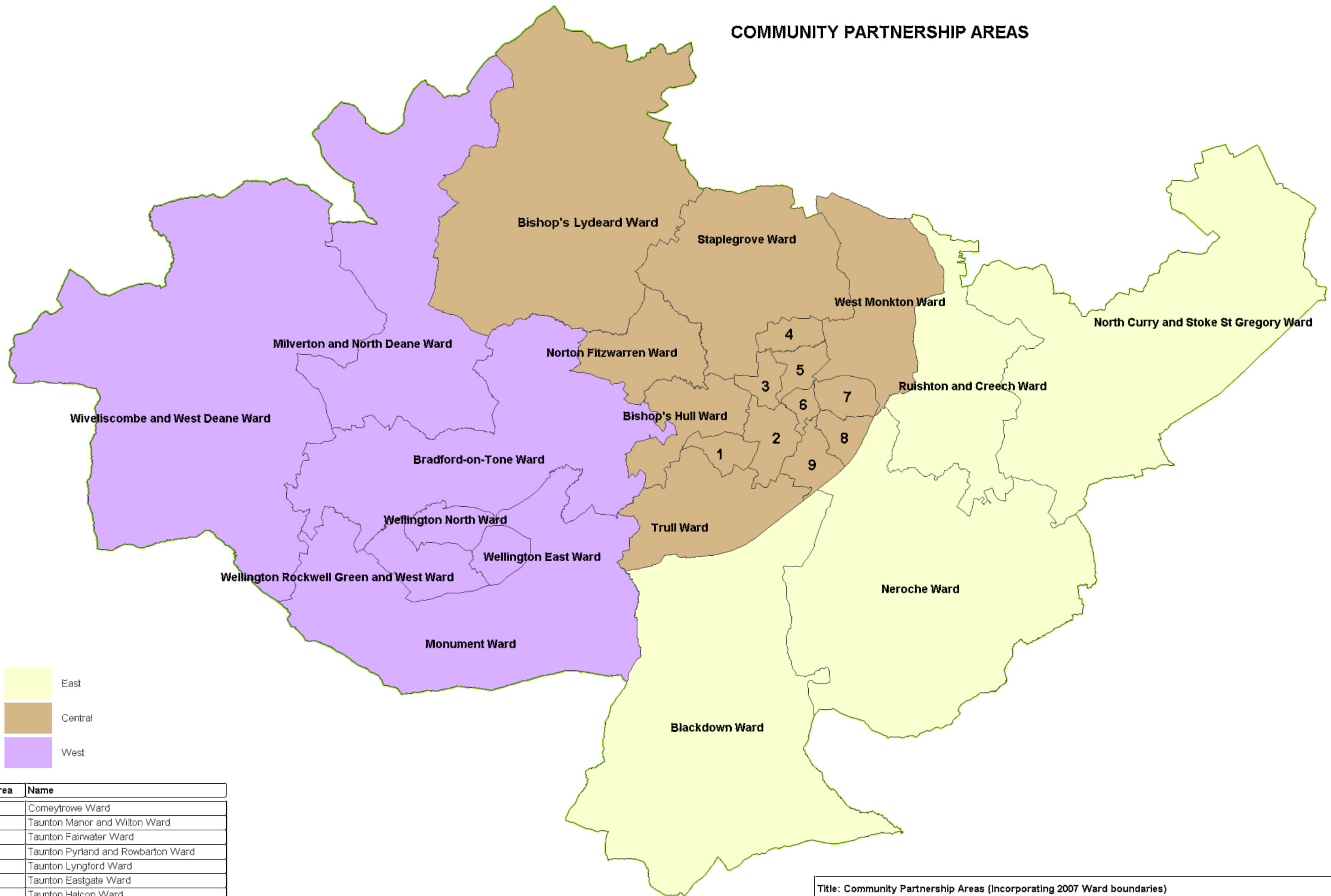
In no particular order

1. **What is a community?** – more difficult to answer than you might think! There are geographical communities, communities of interest, communities based on age, communities based on ethnicity etc, etc. Even in the most cohesive of communities there will be different groups or 'communities within communities'. We need a form of engagement that can recognise and respond to these differences.
2. **Some communities are very small, some are much bigger** – real people are members of both kinds at the same time! Sometimes what happens on my street or in my neighbourhood is very important, at other times it's what happens in my town or district or county. We need a form of engagement that lets people influence both the very local and the not so local.
3. **Issues not strategies!** – too often 'engagement' is about people being asked to comment upon the latest strategy to be produced in response to the latest Government initiative. Mostly these are much too long and written in language that ordinary people don't understand. People want to talk about the issues that affect their everyday lives and how services can be provided in ways that will improve them.
4. **No more boring meetings!** - there are lots of different ways to engage people that don't involve expecting them to turn up to a meeting. Getting engaged should be easy for people, and on their own terms. We need to make better use of technology, such as e.mail, internet or text messaging, as well looking at other ways people are willing to engage, e.g. radio phone ins. If there has to be a meeting please can it be fun and interesting and not boring!
5. **Its much too complicated!** – all of the agencies are tripping over each other to engage 'their' citizens. There are so many Panels, Boards, Forums etc, it's really hard to know who is running them and what they are for. We need a much simpler structure that is understandable to ordinary people.
6. **Its not just about money!** – in fact, sometimes money just gets in the way of finding the best way forward. Offering money in the form of grants might get people to meetings, but it can be divisive and create jealousy and resentment for those groups whose bids are unsuccessful. The really important thing is that engagement offers communities real influence over the services that are provided to them.

One other thing that I think its important to note

- **None of this is new!** – most councillors have (and always have had) conversations with lots of different people about lots of different issues. Sometimes those conversations take place in formal settings, more often in informal settings. The question is how best to make use of all of that grass roots community engagement in ways that improves the quality of life in local communities.

COMMUNITY PARTNERSHIP AREAS



Area	Name
1	Comeytrove Ward
2	Taunton Manor and Wilton Ward
3	Taunton Fairwater Ward
4	Taunton Pyrland and Rowbarton Ward
5	Taunton Lyngford Ward
6	Taunton Eastgate Ward
7	Taunton Halcon Ward
8	Taunton Blackbrook and Holway Ward
9	Taunton Killams and Mountfield Ward

Title: Community Partnership Areas (Incorporating 2007 Ward boundaries)

Date: 26/09/2007 Scale 1: 100000

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Taunton Deane Borough Council



Taunton Deane Borough Council

EXECUTIVE 20th August 2008

Report of Leisure Development Manager

Portfolio holder: Councillor Lees

1 Executive Summary

The Council's Forward Plan Team is consulting on a Planning Obligations Strategy which will include a requirement for developers to contribute to the provision of community halls. The Council currently has no policy which sets out the reasons for its support for community halls nor which provides the evidence for negotiations with developers to set out the standard for their provision in new developments or for contributions from small developments.

With over 20,000 new homes and the resulting 50,000 new people moving to the borough in the coming years it is important to plan for their needs.

This report sets out the conclusions of the desk research and consultation into the existing provision of community halls, the draft Policy and Standard and the next steps for these being adopted by the Council. (The research report is available separately)

The research concludes that every new dwelling built should provide a contribution to local community hall provision and that the use of the contribution should depend on the location of the development: developments in Taunton town centre contribute towards extending existing public buildings for public use; developments in rural villages should be used to improve existing halls and the new urban extensions should provide new community halls and/or improve existing halls.

2 Purpose of the report

To allow Members to discuss the revised Vision, Policy and Standard for community centres and community halls which has been developed to reflect the findings of the research, the views of Members of the Strategy and Performance Panel and of village hall committees and the Community Council for Somerset.

3 The research and consultation undertaken

The research undertaken is described along with the findings in the separate research document available on request (covering the Council's historic role, definition of a community hall, value of community halls, audit of quantity and calculation of catchments including lists of halls, audit of quality including list of possible improvements to halls, consultation with the Strategy and

Performance Panel and other partners, hall equipment costings and management costings) The findings and proposed actions are summarised in the table below:

	Comment	Action
1	It is important to ensure that shared use buildings, such as joint school/community venues, have adequate protection for their community use should there ever be a threat to the partner such as closure or relocation of a school.	Included in the policy
2	The value of community halls should be acknowledged in a policy and vision statement by the Council.	Policy includes a vision statement
3	A sensible way to cater for additional demand in the unparished area of Taunton is to fund additional community space in existing or planned public buildings such as the planned new youth centre, YMCA, Brewhouse extension, new Library and any new schools.	A statement is included in the policy on this.
4	There is evidence that there is a need to provided one hall per 1495 (equivalent to 650 dwellings) in new urban developments.	This forms the basis of the standard of provision in the policy.
5	All new developments of 650 dwellings or more should provide a new hall if there is not one within a mile of the development or if the existing hall is already serving a population of 1495 or more. If the existing hall can be improved to take the additional usage, contributions should be sought to fund these improvements.	The policy requires extension to an existing hall as a preference if this is possible.
6	All new developments of one house or more should contribute to the cost of improvements to local community hall.	To be articulated in the Planning Obligations Strategy.
7	The local catchment for a hall is 1 mile.	This is the basis of the development of the standard for community halls.
8	It is important to ensure that shared use buildings, such as joint school/community venues, have adequate protection for their	Policy requires protection of the

	community use should there ever be a threat to the partner such as closure or relocation of a school.	money and access.
9	New community hall is needed in east Wellington and in one other location in the town possibly in conjunction with other community service providers including Wellington Town Council.	To be taken up in the Local Development Framework.
10	Buildings need to be flexible to react to changing needs.	Included in the policy.
11	“Hallmark” standard could be part of the standard for managing community halls.	Included in the policy.
12	When community halls are provided in new developments it is important that community development work is funded to set up the managing body for the building, to assist with the detailed design and equipping of the building, to generate interest in setting up clubs and organisations to run the activities that will make use of the hall.	Included in the policy.
13	When new halls are provided a pump-priming sum is needed and maintenance for the early years.	Included in the policy.
14	High density new residential developments will need a greater range of accommodation in their community halls with meeting rooms as well as a main hall to cater for the local demand.	Three levels of provision included in the policy with requirement for halls to be designed for future enlargement.
15	Those halls falling short of the standard could be improved to accommodate additional usage arising from new residential development.	Policy states that improvement of existing halls to be a first priority for developer contributions if within the catchment of a development.
16	There is some consideration being given to widening the traditional scope of services provided in community halls.	Included in the policy.

17	When funding is available for improving a community building it should only be used on buildings other than the community hall if there is clear demand from the community for this in lieu of improving use of a sufficient scale to justify the use of the money in this way in preference to improvements to the community hall and there is a legal agreement to protect sufficient community use to justify the amount of funding.	Included in the policy.
18	Previous comment about protection for community use in the case of school closure to be amended to cover all issues that might affect the primary building user or owner. This should include compensation for the community to secure access elsewhere or to provide community facilities.	Included in the policy.
19	The lease of a community building to a community managing organisation should include a requirement for a business plan, maintenance schedules and targets for community activity and involvement.	Included in the policy.
20	There should be a difference in the scale of provision in the urban extensions planned to that required of a small village.	Three levels of provision included in the policy with requirement for halls to be designed for enlargement.
21	Room sizes in the standard should only be applied to extensions to existing community halls as a guide and not imposed.	Noted
22	The Standard for a hall should include the requirement to provide broadband connection and car parking (there was one comment saying broadband is not needed)	will add both broadband and parking into the Standard for Village Halls
23	There is a need to protect community buildings to avoid them being converted to another use without consideration of local needs.	an extra clause in the Policy will be inserted and Planning/Legal Services consulted about a condition on

		all community building planning approvals. This will be applied whenever appropriate
24	The Council should ensure that the managing organisation has the capacity to run the building adequately and undertake an annual inspection of community buildings it owns	is covered by the paragraph in the Policy about quality managing organisations
25	Community Halls should receive support from Council Tax	No action as Parish Councils are able to levy precept if they wish
26	The management standard applied should be the Hall Mark scheme run by the Community Council for Somerset with 3 levels	Policy amended to apply this standard to managing organisation taking over a new hall or applying for grant aid or to use developer contributions
27	If there is a stage provided, a meeting room should be capable of being adapted for changing by adults and children with appropriate partitioning	Amend standard
28	Air conditioning is not necessary and is not environmentally friendly or cheap to run	Amend standard
29	Needs to be a statement about the building being fully accessible in line with ACRE Factsheet 25.	Amend standard
30	Consider including noise limitation measures	Amend standard
31	Need to include requirement for well distributed power points, blackout curtains and a screen.	Amend standard

4 A vision for community halls in Taunton Deane

Based on the findings and conclusions reached during research into the provision and need for community halls in Taunton Deane, the proposed vision for TDBC for community halls is:

“Every community should have a community facility which is open to everyone and is a focal point for community activities for all age groups in the community.

“The building should be kept clean, warm and safe and be well maintained to ensure it is fit for its purpose, meets equality of access needs and health and safety standards. It should aim to provide a scale of accommodation as described in the Council's Standard for Community Buildings and be flexibly designed and well managed to meet the future needs of the community.

“Wherever possible and certainly when new buildings or extensions are planned, sustainable construction techniques should be used. The buildings should also be designed to take into account the possibility of antisocial behaviour and the need to reduce its impact on the environment”

5 A Policy to put the Vision into Action

5.1 Support for communities

The Borough Council will continue to support efforts by local communities to provide and improve community buildings, community centres and community halls, as it has for many years, especially where there is identified unmet need for such facilities or potential to extend the range of uses or services an existing building can accommodate.

5.2 Providing for new demand

The Council will ensure that demand for community halls generated by the creation of new homes is catered for within easy reach of the new homes, by requiring house builders to contribute towards the improvement of an existing building or the provision of a new one. Extending an existing building will be the first option for consideration to provide for the new demands for community buildings. In the unparished area of Taunton, funding community access or facilities in existing public buildings will be the normal course of action.

Where there is no immediately obvious course of action for providing for the needs of the new residents, the contributions will be held by the Council for ten years to enable time for a site and match funding to be found. If the money is unspent after this time, it will be returned to the developer.

5.3 Flexible, well managed buildings

All community halls funded by the Council through grant aid or developer contributions will be required to be planned to be flexible to respond to changing demands in the future. The managing organisation will be required to provide evidence that it is capable of managing the building to a high standard and a business plan for the building covering plans for its maintenance, funding, promotion, equal access, environmental issues and targets for a good cross section of community use. The Community Council for Somerset's Hall Mark Scheme will be applied to all organisations applying for funding or to manage a new building. The levels (1-3) will be applied in stages: for new halls the organisation must have achieved Level 2 before taking occupation of the building and Level 3 within 18

months; existing organisations must have Level 1 to be awarded funding and agree to achieve Levels 2 and 3 in 6 and 18 months respectively.

5.4 Scale of and triggers for new halls

TABLE 1

Basic Standards for the Provision of Community halls in Taunton Deane	
Population threshold	Scale of provision
Less than 1495 residents within one mile.	A main hall with toilets and kitchen.
1495-2149 residents within one mile.	A main hall, toilets, kitchen and a meeting/activity room.
2150 or more residents within one mile.	A main hall, toilets, kitchen and two meeting/activity rooms and a further meeting room or usable space for every additional 650 dwellings.

A new community hall will normally be required if the quantity standard of one hall per 1,495 people will be deficient either as a result of the proposed housing development, or because the proposed housing development adds to an existing deficiency.

If a housing development is large enough in itself to generate a need for a new community hall then, wherever possible, the hall should be provided on-site. The community hall should meet the adopted quality standard reflected in the Vision.

5.5 Developing the building brief

Where a new hall is to be provided in its entirety the contribution will include the appropriate proportion of the cost of a Community Development Worker, equipment for the building as well as its construction and three year's maintenance funding for utilities and insurance and other running costs.

Sustainable construction techniques should be used throughout new buildings and wherever possible in extensions to existing buildings. The impact of the building on the environment both in its construction and its future operation must be minimised. The buildings should be designed to take into account the possibility of antisocial behaviour.

5.6 Enhancing existing buildings

If it is not possible to provide a new building on site in accordance with the Vision, or the proposed housing development is not large enough to generate a need for an entire new community hall in itself, but creates (or adds to) an existing deficiency in

community hall provision, then a developer contribution will be required towards the new provision or the enhancement of a community hall off-site. In this case a proportion of the land cost will be required in addition to the building cost but the contribution towards a community development worker and maintenance will not be required.

5.7 Accessibility

Wherever possible, the site should be well related to public transport, cycle paths and pedestrian routes including public rights of way.

If the development is not big enough to generate a new building in its own right and there is not one within a mile which could be enhanced, the population of the new development should be added to the existing population of the local area and a new building of a reduced size constructed. This should be designed in such a way as to facilitate future enlargement.

There may be occasions where both improvements to an existing building and the provision of new one will be appropriate if the development is of sufficient scale.

A developer contribution to enhance an existing community building will be required if there is a suitable building within a one mile radius of the centre of the proposed development that could be improved to meet the quality standard and remain within the quantity standard of one hall per 1,495 people or 650 dwellings.

There may be more than one community building within the one mile radius that does not meet the quality standard. In such cases, the developer contribution will be allocated to the community hall that is closest to the development site and the most appropriate for extension. However, if all community halls within the one mile radius meet the quality standard, then the developer contribution for enhancement will be waived.

5.8 Protecting community use

Where the community hall is constructed as a shared use building (eg school) a legal agreement will be required that protects the value of the community contribution to that building and the community's right of access should there be a change of circumstances affecting the partner organisation.

Where there is a clear demand from the community to use the funds to improve a public building that is not primarily a community hall, evidence will be required to demonstrate that the amount of community access will be commensurate with the investment and a legal agreement to secure the principle and scale of community use must be entered into. This must include a compensation clause to allow alternative community access to other facilities.

Where a new community building is provided a condition of planning permission will be requested to prevent the building being converted for non community uses in the future without a thorough assessment of local need and alternative options.

5.9 Calculation of the community hall contributions from developers

If a contribution towards a new hall off-site is to be made, this calculation will include an element of land cost. The calculation for improvements to existing halls does not include land cost unless there is a need to purchase land for the project.

Capital cost of building

In 2008 the cost per square metre for the construction of a community building is £1,769. This is based on the SPONS Architects and Builders Price Book item for “General Purpose Halls” with an addition for fees and administration. (The cost in 2006 was £1350 per square metre to which 4.5% per year has been added in inflation for building costs and 15% for fees and 5% administration). This is broadly in line with the average of the cost per square metre of 4 community halls built in the last few years which with fees was £1659 per square metre.

The floor area of the community hall for a community of 2,150 people as described in the draft standard is 440 square metres. Taking the average household occupancy of 2.3 persons, this means that 935 dwellings will generate a need for a hall of this size. This equates to 0.47 square metres per dwelling.

Applying costs of £1,769 per metre gives a contribution per dwelling of £831 for improvements to an existing hall excluding any contribution towards the cost of land.

Equipment contribution

The cost of equipping the building for use must also be included in the contribution calculation. Appendix J has the full list of equipment for a new hall which costs £41,283 (2008). This sum equates to £44.15 per dwelling to be added to the sum per dwelling for construction costs.

Maintenance contribution

The average cost of maintaining a community hall over a year is £10,197 (2008) Appendix I gives the breakdown. It is reasonable to provide 3 years cover for these costs to enable the new hall committee to get started from nil bookings. This is equivalent to £32.72 per dwelling.

5.10 The Standard for a community hall

This specification is based on previous consultation with the Village Halls advisor for the Community Council for Somerset, the guidance in the ACRE guide for village hall committees: Plan, Design and Build and on Sport England Guidance Briefs.

The site for the community hall must be large enough to allow for the building, its landscaping and access paths, parking and for any shared spaces to work well. It must be built using sustainable construction techniques and with as small an environmental footprint as possible.

Entrance Lobby including buggy park

Main Hall

Purpose: multi purpose hall equipped for social events, drama and sports activities

Minimum size: 6.7metres high x 9 metres wide x 16.4 metres long plus elevated stage, blackout curtains and a screen.

Other Considerations:

- floor – should be sprung
- acoustics should be suitable for the activities intended
- lighting – a minimum of 305 lux with clear height maintained over the court of 6.7m
- air changes – a minimum of 1.5 per hour
- temperature – must be able to be maintained between 16 and 19°C
- noise, seating, chairs
- storage of 20m² should be provided

Activity Room

Purpose: to be used for classes and play groups etc

Size: 50 square metres

Considerations: Own access to toilets and kitchen and separate store of 20m²

Committee Room

Purpose: for groups of people to hold meetings

Size: 20 square metres

Considerations: separate store of 15m² and should be capable of being adapted for changing by adults and children with appropriate partitioning.

Kitchen

Purpose: for the preparation, presentation and storage of food and drinks

Minimum size: 40 square metres

Considerations: fully equipped to enable catering for large events in the hall. Also consider serving of food and drinks via a large 'hatch'. It must comply with the Food and Hygiene Regulations EC852/2004.

Toilets

Minimum provision: 4 x female wc's, 2 x hand wash basins and 2 x hand dryers ; 2 x male wc's plus 5 urinals, 2 x hand wash basins and 2 x hand dryers; 1 separate disabled wc; baby changing facilities.

Heating

Considerations: needs to be zoned so that the activity areas and rooms in the hall can be used separately and individually.

Equipment: The hall is to be fully equipped for use by the community with sufficient and well-distributed electric sockets, blackout curtains and a screen.

Noise: Activity areas need to be insulated to reduce sound between concurrent users and also possible noise nuisance to neighbouring properties

Disabled People: the facility must be accessible to all in line with ACRE Factsheet 25 and comply with part M of the Building Regulations.

Health and Safety: the building must comply with Environmental Health and Building Regulations requirements

Public Entertainments: The Building must be capable of being granted a Premises Licence.

Services: All services to be connected including telephone and broadband

Parking: there should be sufficient parking for expected regular usage

6 Recommendation

Members are recommended to adopt the Vision, Policy and Standard set out in this report and to support its implementation through the grant and planning systems.

Executive: 20 August 2008

Discretionary Rate Relief Policy

Report of Revenues & Benefits Service Manager

(This matter is the responsibility of the Executive Councillor Francesca Smith)

Executive Summary

The Council, as billing authority for non-domestic rates, should periodically review its policy for granting discretionary rate relief to ensure alignment with the Council's priorities.

This report seeks approval of the Discretionary Rate Relief Policy set out in Appendix A to be effective from 1 April 2009.

1. Background

- 1.1 Taunton Deane Borough Council is the billing authority for national non-domestic rates. The level of rates is set nationally and the Council pays the income it collects into the National Rates Pool governed by the Department for Communities and Local Government.
- 1.2 The Local Government Finance Act 1988 primarily governs rating and contains provisions for mandatory rate relief in certain circumstances and powers for billing authorities to grant discretionary rate relief in defined circumstances.
- 1.3 It is possible for the Council to award mandatory relief **and** discretionary relief concurrently, or to award just mandatory relief or just discretionary relief.
- 1.4 The two types of relief have different implications for the Council. The National Rates Pool meets the costs of mandatory relief in full whereas local Council Tax payers bear the costs of discretionary relief (either 25% or 75%).
- 1.5 All existing awards of discretionary relief will expire on 31 March 2009 (or sooner if there is change of ratepayer).
- 1.6 The indicative cost to Taunton Deane Borough Council of awarding discretionary rate relief in 2007/08, according to the NNDR3 government return, was £45,600. The total value of discretionary rate relief awarded in 2007/08 was £120,583; £74,982 of this was met by the central government NNDR rating pool. Our contribution toward discretionary rate relief awarded in 2007/08 will be paid by the general fund in 2008/09.

2. Discretionary Rate Relief

2.1 Section 47 of the Local Government Finance Act 1988 contains the provisions of Discretionary Rate Relief. Discretionary Relief falls into three categories:

- (a) Relief can be granted as a “top-up” to mandatory relief, but in these cases the billing authority must bear 75% of the cost of the “top-up” as a charge to the general fund.
- (b) Relief can be granted to non-profit making bodies, not entitled to mandatory relief. These allowances are less costly to the billing authority as the national rate pool meets 75% of the relief with only 25% as a charge to the authority’s general fund. Bodies not entitled to mandatory relief to which discretionary relief can be granted are organisations whose main objects are philanthropic, religious, concerned with education, social welfare, science, literature or the fine arts, and to non-profit making clubs, societies or similar bodies whose premises are used mainly for recreation;
- (c) A discretionary power to grant up to 100% rate relief to any business in a qualifying rural settlement if it has a rateable value of no more than £14,000 and it is in the interests of the council tax payers to grant the relief.
- (d) Section 49 of the Local Government Finance Act 1988 gives a billing authority power to reduce or remit business rates payable on a property if it is satisfied that:
 - the ratepayer would suffer hardship if the authority did not do so;
and
 - it is reasonable for the authority to do so, having regard to the interests of people subject to its council tax.

Discretionary Relief - Cost Apportionment		
	Borne by National Pool	Borne by General Fund
Charitable bodies “top up” relief where 80% mandatory relief already awarded.	25%	75%
Rural Settlement “top up” relief where 50% mandatory relief already awarded.	75%	25%
Non Profit making bodies discretionary relief	75%	25%
Sports and Social Clubs (not registered as Community Amateur Sports Clubs) discretionary relief	75%	25%
Hardship discretionary relief	75%	25%

3. Policy Considerations

- 3.1. In developing a policy for granting discretionary rate relief, we have taken several factors into account:
- (a) The Council should seek to aid those non-profit making bodies that provide facilities of benefit to the local community and have limited resources to raise extra finance.
 - (b) The highest level of mandatory rate relief is 80%. Therefore applying a similar normal maximum for discretionary rate relief ensures some parity.
 - (c) Applying a usual maximum award of discretionary relief of 80% retains an accountability link between the Council and the ratepayer. However, there should be provision for special consideration to allow relief up to 100% in exceptional circumstances or where awarding relief up to 100% clearly links to delivering or supporting the Council's objectives and priorities.
 - (d) Exceptional circumstances include cases where payment of the balance of the rates, after deducting the mandatory relief, will risk the future of the business or the organisation or where payment may prevent continuing occupation of the premises concerned, and where the loss of the facility would be against the interests of the community.
 - (e) The special importance of Post Offices to rural communities may merit an award of discretionary relief of up to 50% in Rural Settlements as well as the 50% mandatory rural rate relief such businesses are already entitled to. This will cancel the rate bill in full. Under current legislation, we cannot grant rate relief to Post Offices in non-rural areas except through Hardship provisions.
 - (f) "Top-up relief" to charities, already entitled to 80% mandatory relief, should normally be limited to charities with a strong identity with the Taunton Deane area, where most of the benefits of its charitable activities are felt chiefly in the Taunton Deane Area.
 - (g) Granting relief aids the viability of businesses, particularly in rural areas, and this helps develop sustainable communities and ensures people have access to goods, services, leisure and other opportunities.

Policy objectives

- 4.1 In formulating a discretionary rate relief policy our aim is to have a policy that:
- (a) Is equitable and balances the wider interests of the community with the resources made available by the Council Tax payer;
 - (b) Is clear and transparent;
 - (c) Sets out, as far as possible, objective criteria rather than subjective judgements for the award of discretionary rate relief;
 - (d) Is straightforward to administer;
 - (e) Supports the delivery of the Council's Objectives and Priorities; and
 - (f) Offers stability to those organisations receiving relief.

4. Likely implications

- 4.1. Awards of Discretionary relief need a written application from the ratepayer. We cannot predict the exact future level of applications.
- 4.2. It is however anticipated that based on current claims, the costs borne by the General Fund would remain around the present levels.
- 4.3. **Shops** run by **national** charities, that receive 80% mandatory relief, may pay **more** towards their business rates (20% rather than 10%) as under the proposed policy they would generally no longer receive 10% discretionary relief unless exceptional circumstances exist.
- 4.4. **Shops** run by **local** charities, that receive 80% mandatory relief, may pay **less** rates (nil rather than 20%) as under the proposed policy they would generally receive a further 20% discretionary relief.
- 4.5. **Other premises** occupied by **locally** based charities, that receive 80% mandatory relief may pay **less** rates (nil rather than 20%) as under the proposed policy they would generally receive a further 20% discretionary relief.
- 4.6. **Rural post offices**, entitled to 50% rural mandatory relief are likely to continue to receive a further 50% discretionary relief under the proposed policy (**no change**).
- 4.7. The only **general stores, food shops, pub and filling stations** in a rural settlement will continue to be supported through this policy. These businesses would generally receive 30% discretionary relief on top of the 50% mandatory relief to which they are entitled. They may pay more than presently (20% of their full rates bill rather than nil). However the opportunity exists for an award to be increased to this important group of business where they can demonstrate that exceptional circumstances exist.

5. Recommendation

- 5.1. The Executive is requested to approve the discretionary rate relief policy as set out in Appendix 1.

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Taunton Deane Borough Council

Discretionary Rate Relief Policy

1. Objectives

1.1. The objectives of this policy are to:

- (a) Be equitable and balance the wider interests of the community with the resources made available by the Council Tax payer;
- (b) Be clear and transparent;
- (c) Set out, as far as possible, objective criteria rather than subjective judgements for the award of discretionary rate relief;
- (d) Be simple to administer;
- (e) Support the delivery of the Council's Objectives and Priorities; and
- (f) Offer stability to those organisations receiving relief.

2. Granting of Discretionary Rate Relief

- 2.1. Granting of discretionary relief is delegated to the Chief Finance Officer.
- 2.2. Ratepayers must apply for discretionary relief in writing, providing enough supporting evidence (such as memorandum of association, charity registration, accounts etc.) to allow the application to be considered.
- 2.3. The Senior Non-Domestic Rating Officer will consider all applications and will make recommendations based on this policy, on whether to grant an award and if so at what rate.
- 2.4. The Chief Finance Officer will make the final decision on whether to award rate relief and at what rate. They will decide each case on its merits.
- 2.5. The Chief Finance Officer may backdate awards to the start of the financial year, or the date the hereditament became liable for rates in the financial year the application was made, whichever is the later.
- 2.6. Awards of Discretionary Relief will normally be reviewed annually. Revocation of relief will automatically occur on a change of ratepayer. For any other revocation, the Council will give notice at the point it grants relief on the date the award will end.
- 2.7. Unless exceptional circumstances apply, awards of discretionary rate relief will normally be made up to the limits shown in the following table. Where an award is made above those limits this will generally be confined to the financial year in which the exceptional circumstances arose.

	Type of organisation/property	Relief
1	Charitable bodies, already entitled to 80% mandatory rate relief where: <ul style="list-style-type: none"> (a) the majority of the benefits of its charitable activities are felt predominantly in the Taunton Deane area (b) the majority of the benefits of its charitable activities are felt predominantly outside of the Taunton Deane area (c) Public (fee paying) schools 	<ul style="list-style-type: none"> (a) Up to 20% discretionary relief (b) No discretionary relief unless there are exceptional circumstances (c) No discretionary relief unless there are exceptional circumstances
2	Post Offices in rural settlements entitled to 50% rural mandatory relief	Discretionary “top up” rural relief of up to 50%
3	The last general store / village food shop in rural settlements, entitled to 50% rural mandatory relief	Discretionary “top up” rural relief of up to 30%, unless there are exceptional circumstances
4	The last public house in rural settlements entitled to 50% rural mandatory relief	Discretionary “top up” rural relief of up to 30%, unless there are exceptional circumstances
5	The last petrol filling stations in rural settlements entitled to 50% rural mandatory relief	Discretionary “top up” rural relief of up to 30%, unless there are exceptional circumstances
6	Businesses in rural settlements, with a rateable value of less than 14,000 (subject to legislative changes) where the granting of relief would be in the interests of the council tax payers in order to maintain the facility	Up to 50% discretionary rural relief subject to clear evidence of the interests of the local community. Higher awards only where there are exceptional circumstances
7	<ul style="list-style-type: none"> (a) Non-profit making organisations whose main objects are philanthropic, religious or concerned with education, social welfare, science, literature or the fine arts not entitled to mandatory relief (b) Charity shops, which are <u>not</u> entitled to mandatory relief due to the nature of their stock (% of donated items being less than 50%). 	<ul style="list-style-type: none"> (a) Up to 80% discretionary relief unless there are exceptional circumstances (b) No discretionary relief unless there are exceptional circumstances

	Type of organisation/property	Relief
8	<p>Sports and Social Clubs:</p> <p>(a) Community amateur Sports Clubs (CASCs) eligible to be a registered club for the purposes of Schedule 18 to the Finance Act 2002, entitled to 80% mandatory charity relief</p> <p>(b) Voluntary sports clubs which are devoted specifically to the sports or pastimes concerned and are not registered with Her Majesty's Revenue and Customs (HMRC) as a Community Amateur Sports Club (CASC) (where a licensed bar, if present, is ancillary only to the primary use of the premises)</p>	<p>(a) No discretionary relief unless there are exceptional circumstances</p> <p>(b) Up to 80% discretionary relief unless there are exceptional circumstances</p>
9	<p>Hardship - special consideration will be given if it appears that payment of the rates would place in jeopardy the future of the body or organisation concerned, or be a determining factor in causing occupation of the particular premises to be foregone, and in the judgement of the Council it would be in the interests of its council tax payers to maintain the facility.</p>	<p>Up to 100% discretionary relief providing it is reasonable to do so, having regards to the interests of Council Tax Payers.</p> <p>Subject to business accounts and personal accounts (in the case of a sole trader or partnership) being provided as well as a business plan demonstrating the actions taken/ to be taken by the ratepayer to ensure the future viability of the business</p> <p>Hardship awards will be made for a maximum of a single financial year without review and is intended to be temporary assistance to a viable business in short term difficulties. Hardship relief is not to be used as a financial prop for a failing business.</p>
10	<p>Educational establishments (schools, colleges, universities etc) which are not charitable trusts and not entitled to mandatory relief.</p>	<p>No discretionary relief unless there are exceptional circumstances.</p>