



EXECUTIVE

YOU ARE REQUESTED TO ATTEND A MEETING OF THE EXECUTIVE TO BE HELD IN JOHN MEIKLE ROOM, THE DEANE HOUSE, BELVEDERE ROAD, TAUNTON TA1 1HE ON WEDNESDAY 12TH NOVEMBER 2008 AT 18:15.

AGENDA

1. Apologies.
2. Minutes of the meetings of the Executive held on 9 and 15 October 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. Air Quality Strategy. Report of the Operations Manager (Environmental Health) (attached). Nigel Kerr
This report should be considered in conjunction with the document titled "Air Quality Strategy for Somerset 2008" which has previously been sent to you.
6. Planning Obligations Supplementary Planning Document. Ralph Willoughby-Foster
Report of the Forward Plan Manager (attached).
7. National Free Swimming Programme. Report of the Strategic Director (attached). Brendan Cleere
8. Housing and Planning Delivery Grant. Report of the Strategic Director (attached). Joy Wishlade

Tonya Meers
Legal and Democratic Services Manager
04 November 2008

Executive Members:-

Councillor Henley (Chairman)

Councillor Brooks

Councillor Coles

Councillor Horsley

Councillor R Lees

Councillor Mullins

Councillor Prior-Sankey

Councillor Mrs Smith

Councillor A Wedderkopp



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 – 9 October 2008

- Present:** Councillor Henley (Chairman)
Councillors Brooks, Coles, Horsley, Mullins, Mrs Smith and A Wedderkopp
- Officers:** Joy Wishlade (Strategic Director), Shirlene Adam (Strategic Director), Tonya Meers (Legal and Democratic Services Manager), Ian Franklin (Project Taunton), Mark Green (Project Taunton) and Richard Bryant (Democratic Services Manager)
- Also present:** Councillors Bishop, Cavill, Edwards, Farbahi, Morrell, Mrs Waymouth, D Wedderkopp, Mrs Whitmarsh and Williams.
Messrs C Haworth and J Risdale of Alder King; Mr A Rothwell of Ashfords

(The meeting commenced at 6.15 pm.)

198. Apologies

Councillors R Lees and Prior-Sankey.

199. Minutes

The minutes of the meeting of the Executive held on 20 August 2008, copies of which had been circulated, were taken as read and were signed.

200. Public Question Time

Councillor Morrell, as a member of the public, asked whether the current economic climate had exposed either Taunton Deane or Somerset County Council to any significant risks? What mitigation measures had been taken to limit such risks?

The Strategic Director, Shirlene Adam, reported that Taunton Deane's investments had always been made using a prudent, cautious approach. The risk was spread by investing amounts of no more than £2m on a short term basis with institutions which had the highest credit ratings. A total of £24m was currently invested.

Ms Adam went on to say that as investment periods came to an end, the money was being re-invested in Government Accounts which were fully protected from any risk. She added that Taunton Deane had not used any of the Icelandic Banks although she was aware that other Councils had done so.

201. Declarations of Interest

The Chairman (Councillor Henley) and Councillor Brooks declared personal interests as Members of Somerset County Council. Councillor Coles declared a personal interest as a Director of Southwest One.

202. 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.

203. Selection of a Development Partner for Firepool, Taunton

Considered report previously circulated, concerning the proposed appointment of a development partner to develop the Firepool Site in Taunton.

The Council had agreed to procure a development partner for the Firepool site in August 2006. The European Procurement Rules applied to this process.

Following legal advice, Taunton Deane had elected to use the Competitive Dialogue procedure. This route enabled the Council to identify potential solutions which met its requirements before inviting a final shortlist of candidates to submit tenders.

Tenders had now been submitted and, following a thorough evaluation (details of which were submitted), the position had been reached whereby it was now possible to recommend a preferred development partner.

Resolved that:-

- (1) the selection of the company named in the report as the preferred development partner to develop the Firepool Site on the terms set out in the Development Agreement and using the non-project account, be approved;
- (2) the monies identified in the report be ring fenced to the costs of the Council in administering and managing the project;
- (3) the Executive Councillor for Economic Development (Councillor Horsley), in consultation with the Chairman of the Project Taunton Steering Group (Councillor Williams) and the Strategic Director (Joy Wishlade) be authorised to approve the final contract; and
- (4) it be recommended that the other company named in the report be kept as reserve bidder.

(The meeting ended at 7.43 p.m.)

Executive – 15 October 2008

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

Officers: Shirlene Adam (Strategic Director), Tonya Meers (Legal and
Democratic Services Manager), Steve Murphy (Principal Accountant),
George Stark (Maintenance and Design Manager), John Lewis
(Parking and Civil Contingencies Manager), Ralph Willoughby-Foster
(Forward Plan Manager) and Richard Bryant (Democratic Services
Manager)

Also present: Councillors Bishop, Mrs Court-Stenning, Farbahi, Morrell, O'Brien,
D Wedderkopp and Williams.

(The meeting commenced at 6.15 pm.)

204. Apologies

Councillors R Lees and Mullins.

205. Declarations of Interest

The Chairman (Councillor Henley) and Councillors Brooks and Prior-Sankey declared personal interests as Members of Somerset County Council. Councillor Prior-Sankey also declared a personal interest as a Member of the Local Strategic Partnership. Councillor Mrs Smith declared a personal interest as an employee of Somerset County Council. Councillor Coles declared a personal interest as a Director of Southwest One.

206. Treasury Management Update 2008/2009 and Minimum Revenue Provision

Submitted report previously circulated, on the Treasury activity of the Council in the first six months of the current financial year which focussed primarily on debt and investments.

The Council's Debt, as at 30 September 2008, stood at £23,003,000. It was anticipated that £2,003,000 would be repaid to the Public Works Loans Board in March 2009 which would leave a closing position of exactly £21,000,000.

It was noted that the Bank of England base rate was currently 4.5% with the expectation that it would rise further in the short term.

One of the effects of the "credit crunch" was the reluctance of banks to lend to one another. This had resulted in lending rates being increased to between 6.15% - 6.50%, well in excess of the base rate.

Reported that current outstanding investments amounted to £24,185,000, details of which were submitted. The average rate of interest achieved had been in the range of 4.10% - 6.38% which equated to approximately £720,000 in interest income.

Further reported that the Government had introduced amended legislation to deal with the statutory requirement for authorities to make an annual provision from revenue, for the repayment of borrowing undertaken for the purposes of financing capital expenditure. This annual provision, known as Minimum Revenue Provision (or MRP), was a largely technical calculation.

Rather than prescribe an approach, the Government had offered the following four options - two for situations where borrowing was undertaken with support from Central Government and a further two options where borrowing was undertaken without this support:-

- For supported borrowing Councils could choose between the technically demanding and cumbersome method in current use (Option 1) or a simple 4% on outstanding debt (Option 2).
- For unsupported borrowing however, the options were the Asset Life Method which was debt associated with asset purchased / created, divided by the expected life of the asset (Option 3) or use depreciation as a proxy for the provision to be made (Option 4).

It was recommended that Options 2 and 3 were selected as the most appropriate methods for Taunton Deane given that they were the simplest to understand and calculate and that there was no material impact on the Council's 'bottom line'.

Resolved that:-

- (1) The Treasury Management position for the first six months of 2008/2009 be noted; and
- (2) As far as the Minimum Revenue Provision was concerned, Full Council be recommended to adopt Options 2 and 3 (detailed above).

207. Asset Management Plan Review : September 2008

Reference Minute No. 132/2008, considered report previously circulated, concerning the Asset Management Plan (AMP) which was a key corporate planning document that was refreshed on an annual basis.

A thorough review of the format and content of the AMP had now been completed, details of which were submitted.

Noted that in pursuit of its priority outcomes, the Council was continuing an exercise where it was reviewing all the property that it owned. It had to decide whether it was still relevant to own. Policy also needed to be reviewed in

order to achieve consistency of objectives over the long term and strategic decisions would particularly be required in order to drive asset development.

Future AMP's would continue to reflect best practice. The Council recognised the corporate and strategic importance of good management of its land and property estate, whilst ensuring the property portfolio was suitable for the delivery of the Council's responsibilities.

It was the intention to ensure sustainable capital returns and revenue income could be achieved. Regular systematic reviews of all Council assets would be undertaken, with all opportunities being reviewed via options appraisals and life cycle costs.

Resolved that the September 2008 review of the Asset Management Plan be approved.

208. **Revisions to the Residents' Parking Scheme in Taunton**

Considered report previously circulated, concerning proposed revisions to the Residents' Parking Scheme in Taunton.

The former Strategic Planning, Transportation and Economic Development Review Panel had previously considered taking action on congestion and the potential for abuse of permits, revisions to Carers' Permit provisions and assisting businesses based within Residents' Parking Zones.

These topics had again been considered by the Overview and Scrutiny Board at a meeting held on 10 September 2008, together with proposed departures from existing policies regarding permit availability, allocation and cost base and the introduction of a new policy of discounting the price of Residents' Permits for vehicles liable to either Band A or B Vehicle Excise Duty due to low CO2 emissions.

The Overview and Scrutiny Board had decided to support a number of proposals, details of which were submitted, and had recommended these to the Executive for further consideration.

Resolved that:-

- (1) (a) the change in emphasis in the Residents' Parking Scheme in moving away from administrative cost recovery in recognition of the need to better manage parking congestion;
- (b) the adoption of the ban on permit allocation to additional dwellings created in existing Residential Parking Zones;
- (c) a reduction from two to one Residents' Permits for properties with a driveway or vehicle hardstanding;
- (d) the introduction of a price differential for second Residents'

Permits and setting the charge for 2009/2010 for these at £50 (the price for the first Residents' Permit to remain at £35);

- (e) the removal of the non-charged status of the first Visitor Permit if applied for with a Residents' Permit (that is, all Visitor Permits will be charged for);
- (f) the increase of £5 to £20 for Visitor Permits for 2009/2010;
- (g) the introduction of scratchcards to replace the present second Visitor Permit. These to be sold in books of 10 for £2 subject to a maximum of 100 cards per household per annum;
- (h) the principles of annual renewal, charging and time limits for Carers' Permits;
- (i) the introduction of Business Permits and scratchcards for use by businesses based within Residents' Parking Zones with operating hours and charges as outlined in the report;
- (j) the introduction of 'Work Permits' for use within Residents' Parking Zones - these to be charged for at the all-day Shopper 2 tariff;
- (k) the availability of Visitor scratchcards for purchase by Houses in Multiple Occupation landlords subject to an annual maximum of 50 cards for any one Zone in which properties were owned; and
- (l) the introduction of environmental discounts of 100% and 50% on Residents' Permit charges for cars liable to Bands A and B Vehicle Excise Duty respectively,

all be approved; and

- (2) the approved proposals be advertised as amendments to the Traffic Regulation Orders with a view to the new arrangements coming into effect from the beginning of the next financial year.

209. Draft Revised Regional Spatial Strategy for the South West incorporating the Secretary of State's Proposed Changes

Considered report previously circulated, setting out the Councils' proposed response to the Government Office for the South West to the consultation on the Draft Regional Spatial Strategy (RSS) Proposed Changes. The deadline for the response was 24 October 2008.

Following the Examination in Public into the draft RSS in 2007, the Panel Report was published in January 2008. The Somerset Strategic Planning Conference (SSPC) subsequently wrote to the Secretary of State expressing strategic concerns about the Panel report.

Reported that in July 2008 the Secretary of State published the draft RSS Proposed Changes for consultation. Borough and County Councillors were briefed about these changes and the implications for Taunton Deane's Core Strategy. The changes had also been considered at the Local Development Framework Steering Group.

The SSPC had agreed a consultation response that repeated and elaborated the strategic concerns raised previously.

As far as Taunton Deane was concerned it was suggested that objections should be raised to the following parts of the Proposed Changes:-

- The deletion of so much of the previous content that reflected the local distinctiveness of the region in Chapters 2, 3 and 4;
- The deletion of all the sub-regional infrastructure proposals;
- The undeliverable annual average dwelling requirements proposed for Taunton and the lack of phasing to give a lower rate for the first decade of the plan period;
- In the context of the limit to the capacity of Taunton to accommodate additional growth, the inflexibility of the RSS to allow Wellington to have a greater role in accommodating growth;
- The potential harm to the self-containment of Taunton from a housing requirement that exceeded the potential for employment growth;
- The deletion of the proposals for a Second Strategic Route; and
- The inaccuracies in relation to the Taunton Housing Market Area text, policy and key diagram.

Noted that the justifications for raising the above objections were set out in the report.

During the discussion of this item, Councillor Horsley suggested that if the Second Strategic Route was definitely not going to be constructed, every effort should be made to persuade the Somerset County Council and the Government to provide the Henlade By-pass and dualling of the A358 between Junction 25 and Thornfalcon.

Councillor Prior-Sankey felt that a letter seeking support for improvements to the A358 should also be sent to the South West Regional Assembly.

Resolved that:-

- (1) the recommended response to the Secretary of State's Proposed Changes to the Regional Spatial Strategy be submitted to the Government Office for the South West on behalf of the Borough Council;
- (2) Councillor Horsley's comments relating to the A358 be supported; and
- (3) A letter be sent to the South West Regional Assembly on the lines sent out above.

210. **Task and Finish Review into the Co-ordination of Services for Older People**

Submitted for information, comment and approval the recommendations of the Co-ordination of Services for Older Persons Task and Finish Group.

During the next decade, an increasing proportion of the population would be retired or elderly. Many of the services for those people were not co-ordinated and it was the Group's aim to ensure that with proper co-ordination, services could be provided to those who needed them.

At its first meeting, the Task and Finish Group had agreed that for the purpose of the review, older people would be defined as anyone over the age of 65, or 55 if economically inactive. However, the review group was conscious that this definition could change as evidence was gathered.

The Task and Finish Group also defined co-ordination as:-

- Being best able to reach the target group whoever they were; and
- Effectively creating links between the target group and the organisation providing the service.

The Task and Finish Group had also agreed that its terms of reference should be:-

- To identify the current services for older people;
- To understand the challenges that lay ahead for the providers of services for older people in Taunton Deane; and
- To investigate whether there was a problem with the co-ordination of services for older people and, if so, to recommend how those services could avoid duplication or gaps in provision.

A series of meetings of the Task and Finish Group had been held and evidence had been collected from a number of sources including Age Concern, Neighbourhood Care, the National Health Service and Somerset County Council services.

In the past few months, the Task and Finish Group had discussed the recommendations it wished to make to the Executive. These were as follows:-

Recommendation 1

This Task and Finish report should be presented to the Taunton Deane Local Strategic Partnership to demonstrate the importance of considering the needs of older people in its work.

Recommendation 2

The Council should recognise the potential of the voluntary sector to add value to the services provided by the statutory sector, and would look at

establishing better mechanisms for working with the voluntary sector and promoting and encouraging their work.

Recommendation 3

The Council should provide an officer representative to the Local Implementation Team.

Recommendation 4

The Council should ensure that Taunton Deane Neighbourhood Care continued to be appropriately and sufficiently funded to provide its service to all who needed it, particularly those who could not use the service without financial assistance.

Recommendation 5

The Council should continue to respect the rights of elderly tenants to remain in their homes, even if they were under-occupying. Incentives should be used when attempting to persuade elderly tenants to downsize or move into sheltered housing.

Recommendation 6

The Council should support a Member Champion who would promote and represent the needs of older people, particularly those who were 'hard to reach'. This person must be someone who not only understood the issues relating to older people, but could also intelligently and effectively challenge projects, initiatives and day-to-day operations of the Council.

Recommendation 7

The review group wished to re-iterate the importance of equalities impact assessments that took account of the needs of older people, and to provide training to officers and Councillors on older people's equalities issues, where appropriate.

Noted that with regard to Recommendation 4, continued funding for Neighbourhood Care would need to be considered through the forthcoming Budget Setting exercise.

Resolved that subject to the above comment, the recommendations of the Co-ordination of Services for Older People Task and Finish Group be accepted.

(The meeting ended at 7.21 p.m.)

Taunton Deane Borough Council

Executive – 12 November 2008

Air Quality Strategy

Report of the Operations Manager (Environmental Health)

(This matter is the responsibility of Executive Councillor Mel Mullins)

1. Purpose of the Report

- 1.1 The purpose of this report is to inform the Executive of the collaborative work carried out by the six Councils that form the administrative region of Somerset to produce the Somerset Air Quality Strategy, previously circulated.

2. Background

- 2.1 Air pollution in the UK is estimated to reduce the life expectancy of every person by an average of 7-8 months with associated estimated health costs of up to £20 billion each year.
- 2.2 The Environment Act 1995 establishes a national framework for air quality management and places obligations on Local Authorities to undertake a review of the air quality in their area. Where air quality objectives are not met, Local Authorities are required to establish Air Quality Management Areas and implement Action Plans to improve air quality.
- 2.3 The Somerset Air Quality Strategy is a separate issue and is not concerned with these statutory duties.

However, the Government has recommended that all Local Authorities consider developing a Local Air Quality Strategy in addition to their statutory air quality work. The principal purpose of the Strategy is to maintain good air quality and where appropriate improve air quality locally.

This is fully in line with the findings of the Rogers Report, commissioned by the Government to examine enforcement priorities for local Authorities. The report, published in March 2007, is the first time that these priorities have been examined in terms of evidence of health risks.

It is a measure of the importance attached to air quality that it is one of only six priorities mentioned in the Report, which initially studied 60 policy areas.

- 2.4 Specific reasons that Air Quality was made a national priority in the Rogers Report include the statements that “Air pollution damages health, quality of life and shortens life expectancy.”

The Report continues “Air Quality is a high national political priority and actions taken to improve it will also contribute to tackling climate change. Local authorities have a vital role to play in delivering better outcomes.

Air quality is a national enforcement priority because it impacts on whole populations, particularly the elderly and those more susceptible to air pollution.

It is politically important to emphasise the role that local authorities can play in reducing its impacts, and its trans-boundary nature means that local action contributes to national outcomes.”

- 2.5 Somerset being largely a rural county, broadly speaking air quality across the County is good. The only pollutant to pose a problem in the area is nitrogen dioxide resulting from traffic pollution.

The focus of the review and assessment process is primarily concerned with areas where the local population is exposed to pollution above acceptable levels.

3. The Current Position

- 3.1 Poor air quality resulting from traffic emissions is largely responsible for pollution hot spots across the UK and indeed Somerset. Somerset Local Authorities and in particular those that have declared Air Quality Management Areas are familiar with the importance of close communication and collaboration with various stakeholders, including transport and land-use planning authorities.

- 3.2 The aim of the County-Wide Air Quality Strategy is to complement the Local Air Quality Management process by working collectively and affording better use of resources and ensuring consistency.

Due to the cross-boundary nature of air quality studies, this approach is preferable to that of a single Authority producing a local Strategy.

- 3.3 The Strategy, in conjunction with partners and the community encourages a holistic approach to the problems of air quality and not merely target ‘hot-spots’.

- 3.4 The aim of the Strategy is not only to support the achievement of the air quality objectives but also to raise air quality as an issue for consideration within a wide range of local government and regional planning frameworks.

This will have the effect of reducing the risks of the most serious health effects relating to pollution.

- 3.5 The South West is the fastest growing region in the UK, which brings the need for further accommodation, transport networks, health, education and other services.

Of relevance to air quality is the need for more housing and the impacts on transport provision. The Strategy has recognised the constraints and opportunities, on improving air quality at local and regional level.

4. Integrating Air Quality and Climate Change

- 4.1 Mitigating and adapting to the effects of Climate Change, although led by Government requires the involvement of the public and private sector and also communities. The two matters cannot be considered in isolation and the Strategy recognises that air quality and climate change should be integrated into local authority policy and should meet the expectation placed by Government on dealing with these two considerable environmental issues.

5. Provision of Information

- 5.1 The Strategy sets out proposals for the provision of information to the public by a unified approach. This can help people to make informed choices about their lifestyles, particularly if they have health problems exacerbated by poor air quality. Such information may be provided from a central information hub, amongst other mechanisms for relaying information.

6. Recommendations for Strategy Actions

- 6.1 The Air Quality Strategy makes a number of recommendations for action by Local Authorities and the various stakeholders, both broader strategic and more specific. Some relate to work already underway across Somerset, mentioned because of their fundamental importance to maintaining or improving air quality.

7. Evaluation, Implementation and Monitoring

- 7.1 The effectiveness of the Strategy will be monitored to ensure that the aims and objectives are being met. This will involve a number of air quality targets and indicators and will require the input of a number of stakeholders. Air quality is also likely to benefit indirectly as a result of certain priorities featured in the Local Area Agreement process.

8. Recommendation

It is recommended that Taunton Deane Borough Council adopts the Somerset Air Quality Strategy.

Contact Officer: Nigel Kerr – Extension 2465

Taunton Deane Borough Council

Executive – 12 November 2008

Report of the Forward Plan Manager

Planning Obligations Supplementary Planning Document (SPD)

(This matter is the responsibility of Executive Councillor Simon Coles)

1.0 Purpose of Report

- 1.1 This report informs Members of the progress with the Planning Obligations SPD, and summarises the responses received during the statutory consultation period on the draft SPD document. It sets down the proposed amendments to the SPD, and recommends that the SPD be formally adopted with the inclusion of these amendments.

2.0 Background

- 2.1 The Planning Obligations SPD was originally commissioned to provide guidance for securing contributions from developers (planning obligations or Section 106 agreements) towards the major town centre development proposals in Taunton. In practice, developments within the town centre (particularly housing) will also have to contribute to certain other measures, such as open space and sports facilities, which are normally sought from all developments regardless of whether or not they are in the town centre. As far as it can, the SPD reflects this.
- 2.2 In parallel with the production of the SPD, the Government has abandoned its proposals for a Planning Gain Supplement, replacing it instead with a proposed Community Infrastructure Levy (CIL) (contained within the Planning Bill). However, even if the CIL is implemented, it could not be adopted in the absence of an Local Development Framework (LDF) Core Strategy. This means that, without SPD, for a number of years there would be an absence of detailed policy on planning obligations in the Borough. This omission could become important given that the Council has now adopted the Taunton Town Centre Area Action Plan (TCAAP), which the SPD is needed to amplify.
- 2.3 There is also a need for detailed guidance to secure the repayment (via planning obligations) of any monies awarded to the Borough Council under the Regional Infrastructure Fund (RIF). In addition, discussions with the Government Office have made clear that the Borough Council needs to make serious efforts to secure contributions from developers; failure to do so could affect the availability of grant funding for projects.

- 2.4 Taunton's designation as a New Growth Point (NGP), and the scale of development allocated to the Borough in the RSS, mean that a comprehensive policy framework for planning obligations is required. In major urban areas, the days of site-by-site negotiation for each developer contribution have really gone for ever, and other local authorities in growth areas are already well ahead in developing policy.

3.0 What's happened so far

- 3.1 A team of consultants (Three Dragons, Roger Tym and Michael Beaman) were appointed in March 2007 to prepare the SPD. Funding for the work was shared between the DCLG, NGP funds, the Borough Council and Somerset County Council. The consultants assembled a range of information on service and infrastructure requirements from numerous stakeholders who might be expected to seek contributions from developers.
- 3.2 The draft SPD document was the subject of a six week statutory consultation period in June – July 2008. This consultation included a workshop for development interests on 3 July and a workshop for other stakeholders on 11 July.

4.0 Response to the consultation

- 4.1 While a substantial number of responses were received during the consultation period, the issues raised fall under a number of main headings:
- Collapse of the housing market – impact of contributions on viability
 - Compliance with Circular 05/2005
 - Whether the SPD can be prepared in advance of the Core Strategy
 - Whether contributions should be sought in respect of affordable housing
 - The level of maintenance payments being sought
 - Timing of payment of obligations
 - Outline applications
 - Non-residential developments
 - The SPD does not appear to consider conserving biodiversity or include contributions towards the emerging Green Space Strategy.

- Whether or not an Appropriate Assessment is needed under the Habitats Directive 92/43/EEC
- The document does not deal with the position where on site provision is more appropriate than contributions.
- Impact on deliverability of brownfield sites
- Omission of some services from the SPD e.g. police, libraries, health, waste
- There is a need for an audit trail – contributions cannot be spent flexibly but only in accordance with the purposes specified in the S106 agreement
- Contributions should not be sought from developments outside Taunton town centre to improvements within the centre
- The time horizon of the SPD (to 2016) is too short
- Administration fees, legal charges, timing of payments, planning performance agreements
- The proposed level of contribution to public art is excessive
- Whether a contribution should be required in respect of allotments
- The availability of public funding should be taken into account when setting the charges
- Whether contributions towards education should be sought from all developments or only where there is evidence of need
- Various issues relating to transport

5.0 **Proposed response to issues raised in the consultation**

- *Collapse of the housing market – impact of contributions on viability*

- 5.1 The consultants took care to assess whether the level of contributions being sought from developers would be affordable in the context of land and property values in Taunton Deane. Unfortunately, the crisis in the banking system since 2007 has resulted in a near-cessation of development activity and a fall in land values.
- 5.2 The key point to note, however, is that while development viability has temporarily fallen, the need for infrastructure and community facilities remains the same as before. The SPD makes provision for contributions to be reassessed where the developer can demonstrate

that they are not affordable, and thus can accommodate the current difficult market conditions.

- 5.3 What should be avoided is the temptation to reduce the list of requirements or the scale of charges in the SPD. The danger with this approach is that developers will move to obtain planning permission on the basis of minimal contributions, which they will wait until the market is more buoyant to implement (at a time when a higher level of contributions can be afforded). The community risks losing out very substantially if this course of action were taken.
- *Compliance with Circular 05/2005*
- 5.4 Some respondents argued that an SPD can only relate to adopted policies in a Local Plan or a Development Plan Document (DPD)(such as the Core Strategy). However, paragraph B27 of Circular 05/2005 allows for policies on planning obligations to be included in an SPD as an interim measure in advance of a DPD.
- 5.5 Furthermore, whilst the Council's Core Strategy is still being prepared, there is now an adopted Area Action Plan covering Taunton Town Centre. Policies in the AAP make clear that developers will be required to contribute to the measures listed in the SPD.
- 5.6 In addition, a comprehensive evidence base has been prepared by Leisure in terms of the need for open space, built sports facilities and village/community halls. Developers cannot therefore claim that the SPD's requirements are not based on clear evidence of need.
- 5.7 For these reasons, therefore, it is not accepted that the SPD is in conflict with Circular advice. Moreover, the South West Regional Assembly indicated in their response that the SPD is in general conformity with RPG10 and the draft RSS.
- *Whether contributions should be sought in respect of affordable housing*
- 5.8 A number of Housing Associations (RSLs) and developers objected to the proposal in the SPD to require contributions towards various types of community facility from affordable housing schemes.
- 5.9 The RSLs' argument is that affordable housing is substantially concerned with meeting the needs of the existing population and thus does not add to the demand for services. In addition, the Housing Corporation will not fund community facilities associated with the affordable housing.
- 5.10 The counter argument, put forward by the Council's consultants, is that just because a dwelling is 'affordable' does not mean that less open space, sports provision, school capacity, and other infrastructure is

needed. Also, the introduction of choice-based letting will mean that future tenants may no longer be existing residents within the Borough Council's area.

- 5.11 It needs to be remembered that on the basis of the RSS, 35-40% of all new dwellings in Taunton are likely to have to be affordable. If no contributions to infrastructure and community facilities were secured in respect of these dwellings, a serious shortfall in provision would result.
- 5.12 A meeting with Housing Associations was held on 16th October 2008 to discuss their concerns. It appears that their main concern is in respect of 100% affordable housing schemes, and it is recommended that the SPD be modified to acknowledge that 100% affordable housing schemes may need to be given special consideration. In the case of schemes comprising a mixture of market and affordable dwellings, the SPD should be clarified to state that the overall quantum of community facilities needed for the total number of dwellings, must be provided - it will be for the developer and the RSL to agree how the costs are paid. For example, a scheme of 50 dwellings, of which 30 are market housing and 20 are affordable will require the standard of open space for 50 units, not purely for the 30 market houses.
- *The level of maintenance payments being sought*
- 5.13 It was suggested that the Borough Council has been seeking commuted maintenance contributions towards the upkeep of open space for an excessively long period. One developer suggested that a time period of 10 or 12 years would be appropriate, whereas the Borough Council has been seeking contributions for 20 years.
- 5.14 Paragraph B18 of Circular 05/2005 states that where contributions to be secured are towards the provision of facilities 'which are predominantly for the benefit of the users of the associated development, it may be appropriate for the developer to make provision for subsequent maintenance. Such provision may be required in perpetuity.' The Council's request for a commuted sum based on 20 years does not therefore appear unreasonable.
- *Timing of payments*
- 5.15 Developers were concerned that the timing of any payments adequately reflected the realities of cashflow within the development process. This was the intention, and it is recommended that the SPD be amended accordingly. For example, it would be appropriate to state that the timing of payments may need to be different for different types of development, and that payments may be staged.

- *Outline applications*

- 5.16 The draft SPD document stated that where a development already has full planning permission, the provisions of the SPD would not apply. A number of developers suggested that the level of planning obligations should be set at the outline stage rather than being amended when details of the 'reserved matters' are brought forward.
- 5.17 Whilst there is no desire to create problems by introducing additional requirements, equally it would seem unreasonable for a developer to be able to make substantial changes to a development proposal at the reserved matters stage, without this being reflected in the level of planning obligations sought. If developers wish to avoid this situation, they need to include enough information about the numbers and mix of development at the outline stage for the obligations to be determined. It is interesting to note that outline applications have been held to be insufficiently detailed in themselves for the purposes of Environmental Assessment.
- 5.18 By definition, for planning obligations to reflect more accurately the differing impact of particular dwelling types – which developers have stated they want – they have to be levied on a specific number and type of dwellings or floorspace, and thus cannot be purely based on an outline proposal. It is recommended that this is clarified in the SPD.

- *Non-residential developments*

- 5.19 Objections were raised that non-residential developments appeared to be exempt from some of the obligations. For example, the draft SPD document did not propose to levy an administration charge on commercial developments, although it was proposed to charge £100 for each dwelling. It is agreed that this is inequitable, and it is recommended that the SPD be amended to ensure that residential and non-residential developments are treated similarly, as far as this is possible.

- *The SPD does not appear to consider conserving biodiversity or include contributions towards the emerging Green Infrastructure Strategy*

- 5.20 At present, the Green Infrastructure Strategy is in the very early stages of production and it is not therefore possible to incorporate any part of it within the SPD. However, the potential to secure contributions towards the Green Infrastructure Strategy will be addressed when the SPD is reviewed in parallel with production of the Core Strategy.
- 5.21 The conservation of biodiversity is something that needs to be addressed at a site-specific level. It would be appropriate in the SPD to refer to this as being a likely requirement when the document is reviewed.

- *Whether or not an Appropriate Assessment is needed under the Habitats Directive 92/43/EEC*
- 5.22 Under the Habitats Directive 92/43/EEC, any plan not directly connected with or necessary to the management of a Natura 2000 site (such as an SAC, SPA or Ramsar site), but likely to have a significant effect thereon, has to be subject to an Appropriate Assessment (AA) of its implications for the site.
- 5.23 The Borough Council has not carried out a specific AA for the SPD because, in terms of Taunton town centre, the SPD is a mechanism to help deliver the proposals in the Taunton Town Centre Area Action Plan (TCAAP) by setting out how they will be funded. It will not in itself have significant effects on the environment.
- 5.24 In partnership with adjoining district councils and the County Council, the Council is undertaking an AA in respect of any potential cumulative impact of the relevant Core Strategies on the Levels and Moors SPA/Ramsar. A separate AA is also being undertaken for Hestercombe. Together, these will address the requirements of 92/43/EEC, in connection with the Taunton Deane Core Strategy.
- *The document does not deal with the position where on-site provision of a facility by a developer is more appropriate than financial contributions*
- 5.25 It is accepted that the SPD does not make adequate reference to contributions in kind. It is recommended that the text be revised to explicitly state that equivalent contributions in kind will be acceptable (and indeed, in some cases may be preferable to making a financial contribution).
- *Impact on deliverability of brownfield sites*
- 5.26 Developers have expressed concern that, where a brownfield site has a significant existing use value, the imposition of planning obligations could render them unviable. This is understood; however, not all brownfield sites have an existing use value (e.g. non-operational land belonging to the rail industry or utility companies). It is therefore recommended that the SPD addresses this by means of viability assessment – where a developer can demonstrate that they cannot afford to make the contributions, these can be waived or reduced.
- *Omission of some services from the SPD e.g. police, libraries, health, waste*
- 5.27 A number of respondents asked why the draft SPD document did not include particular services such as policing, libraries or healthcare. At the time of preparing the SPD, the information necessary for these

services to be included was not available. However, there will be scope to incorporate additional services when the SPD is reviewed to encompass the whole Borough, in parallel with preparation of the Core Strategy. In the case of policing and primary healthcare, there have already been some preliminary discussions about their inclusion.

- *There is a need for an audit trail - contributions cannot be spent flexibly but only in accordance with a previously agreed purpose*

5.28 The draft SPD document proposed that, because of uncertainty over the availability of future funding, contributions might be used flexibly towards an agreed set of priorities in Taunton town centre. In response to objections, it is now recommended that the SPD be amended to state that contributions will only be used for the purposes specified in the relevant S106 agreement.

- *Contributions should not be sought from developments outside Taunton town centre to improvements within the centre*

5.29 A number of developers suggested that development outside Taunton town centre should not be required to make contributions to town centre improvements (such as public realm works). However, it is not correct to suggest that development outside the town centre has no impact on it. The RSS housing allocations will have the effect of increasing Taunton's population by 45%, and it is clear that this will significantly increase the demands on town centre infrastructure and facilities.

5.30 Furthermore, there are already precedents elsewhere for requiring contributions to town centre improvements from peripheral sites (Swindon and Peterborough, for example). The scale of contributions to public realm improvements required by Swindon Borough Council is in fact somewhat greater than that proposed in the SPD. It is therefore recommended that in this respect, no change is made to the SPD.

- *The time horizon of the SPD (to 2016) is too short*

5.31 Planning obligations strategies typically have a short time horizon because the elements within them are subject to regular review. For example, Local Development Frameworks tend to be rolled forward every five years; the availability of Government funding is not known more than a few years in advance; and so on. What matters is not so much the timescale itself but the inclusion of appropriate schemes for carrying out within the chosen timescale, and ensuring that the quantum of development that will be expected to contribute to the schemes is correct.

5.32 Given that the SPD will be subject to review (initially in parallel with preparation of the Core Strategy), the need to include schemes and development beyond the draft timescale of 2016 can be addressed as

part of the review process. As a comparison, Swindon Borough Council's developer contributions strategy and the Milton Keynes tariff both cover a period of 5 years.

- *Administration fees, legal charges, timing of payments, planning performance agreements*

5.33 Developers raised a number of concerns relating to the way in which the Council proposed to charge for legal and administration costs, and the timing of payment of the obligations. Discussions with the Legal Services Manager have clarified the main issues and the suggested amendments to the SPD should address the concerns.

5.34 One developer suggested that the Council should commit itself to Planning Performance Agreements, rather than merely offering them. However, offering them to a developer gives them the choice as to whether or not they wish to use them. No change is therefore recommended to the SPD in this respect.

- *The proposed level of contribution to public art is excessive*

5.35 The draft SPD document proposed that, in line with the long-established concept of 'Percent for Art', developers be required to make a contribution to public art on the basis of 1% of construction costs. This would amount to £800 per dwelling on the basis of an average dwelling size of 80 sq m. While this may seem high, other local authorities have had a similar policy for some years: Swindon Borough Council, for example require a payment of £853 per dwelling.

5.36 The Civic Society have pointed out, correctly, that the primary aim of the Council's Public Art and Design Strategy is not to obtain a payment of money but to secure public art as an integral aspect of better quality design.

5.37 Policy ED2 of the Taunton Town Centre Area Action Plan states that:

All developments in excess of 15 residential units or 2500 square metres (gross) of commercial floorspace will be required to contribute towards the provision of public art and public realm enhancements through either a commuted sum or by commissioning and integrating public art into the design of buildings and the public realm to the value of one percent of development costs. Locational decisions for public art will be informed by the Design Code SPD.

5.38 It is therefore recommended that the SPD is amended to reflect Policy ED2 of the TCAAP, retaining the 1% figure but incorporating the development size thresholds.

- *Whether a contribution should be required in respect of allotments*

5.39 In principle, there is no reason why development should not have to provide, or finance the provision of allotments (as with other forms of open space or community facility). However, at present a formula to accurately define the level of provision that is required, is not available. It is therefore recommended that the requirement for allotments is removed from the SPD at this stage, and is incorporated when the SPD is reviewed in parallel with the Core Strategy. This will also enable the requirements arising from the proposed Urban Extensions to be accurately assessed. It is proposed to commission consultants to carry out detailed planning work on the Urban Extensions during 2009.

- *The availability of public funding should be taken into account when setting the charges*

5.40 In principle this is a perfectly reasonable suggestion. However, the availability of Government funding is not known very far in advance. Indeed, discussions with the Government Office in December 2007 suggested that the SPD ought not to make any assumptions about the level of public funding that might be available. This issue will, however, be discussed further with Project Taunton in the light of the current New Growth Point bid before setting the level of contributions for public realm works.

- *Whether contributions towards education should be sought from all developments or only where there is evidence of need*

5.41 Some developers argued that education contributions should relate to the actual size of dwelling. This is a reasonable point of view, and the SPD proposes that contributions to other elements, such as town centre public realm improvements, take account of dwelling size (this being a proxy for numbers of people, and thus impact on infrastructure services).

5.42 However, the County Council does not have information on average number of school pupils per dwelling type and it objected to the proposed method of factoring contained in the SPD.

5.43 In essence, one of three things has to happen. One option is for the County Council's costs per place to be factored along with all other contributions to reflect dwelling size. A second possibility would be for the average number of pupils per dwelling type to be established and used to determine a standard charge per dwelling. The third option is that negotiations continue to be conducted as now on a site-by-site basis. Given that the SPD will be reviewed in parallel with production of the Core Strategy, it is recommended that the SPD be amended to state that – at least until the review - contributions towards education will continue to be negotiated on a site-by-site basis.

- *Various issues relating to transport*

- 5.44 For some years, local authorities elsewhere in the UK have been requiring developers to contribute towards an overall package of transport measures within an area. It was thought by the consultants that an attempt should be made to identify schemes which could be funded in a similar way from development in Taunton.
- 5.45 Various difficulties have arisen. Firstly, as drafted, contributions are required primarily from residential development, which does not reflect the transport impact arising from commercial schemes. Secondly, although a list of schemes was produced by the County Council, there has as yet been no discussion with the Borough Council regarding the policy context in which these schemes sit. It would therefore be difficult for the Council as local planning authority to justify requiring developers to make a financial contribution to them.
- 5.46 There is no objection in principle to a policy-led approach to developer contributions to transport projects. Indeed, experience elsewhere suggests that it is essential. It is therefore recommended that (apart from the town centre road schemes and Silk Mills Park and Ride), contributions to transport measures are not included in the SPD at this stage. They will be reconsidered when the SPD is reviewed in parallel with preparation of the Core Strategy

6.0 **Conclusions**

- 6.1 It is felt that the various issues raised during the consultation process on the SPD can be addressed by making the amendments outlined above, and that the SPD can therefore proceed to adoption.

7.0 **Corporate Priorities**

- 7.1 The draft SPD impacts directly on Project Taunton in its regeneration of Taunton town centre, and by providing a means to secure improvements to infrastructure and services, directly or indirectly on every corporate priority.

8.0 **Recommendation**

- 8.1 That the draft SPD be formally adopted, subject to the amendments proposed in this Report, which are as follows:
- (i) The SPD is modified to acknowledge that 100% affordable housing schemes may need to be given special consideration
 - (ii) In the case of schemes comprising a mixture of market and affordable dwellings, the SPD be clarified to state that the overall quantum of community facilities needed for the total number of dwellings, must be provided

- (iii) The SPD is amended to state that the timing of payment of obligations may need to be different for different types of development, and that payments may be staged.
- (iv) The SPD be amended to make clear that planning obligations have to reflect the differing impact of particular dwelling types and floorspace and cannot be purely based on an outline proposal.
- (v) The SPD be amended to ensure that residential and non-residential developments are treated similarly, as far as this is possible.
- (vi) The SPD makes reference to the conservation of biodiversity as something that needs to be addressed at a site-specific level, and that other requirements may be introduced when the SPD is reviewed.
- (vii) The text of the SPD is revised to explicitly state that equivalent contributions in kind will be acceptable
- (viii) The SPD clarifies that where brownfield sites have an established development value, where a developer can demonstrate that they cannot afford to pay planning obligations, these can be waived or reduced.
- (ix) The SPD is amended to state that contributions will only be used for the purposes specified in the relevant S106 agreement.
- (x) The SPD is amended to reflect Policy ED2 of the TCAAP, retaining the 1% figure but incorporating the development size thresholds.
- (xi) The requirement in the SPD to contribute towards the cost of allotment provision is removed
- (xii) The level of contributions sought for public realm works takes account, as far as possible, of the availability of public funding.
- (xiii) The SPD is amended to state that – at least until the review - contributions towards education will continue to be negotiated on a site-by-site basis.
- (xiv) The SPD is amended to remove the requirement for developers to contribute to transport measures (apart from the town centre road schemes and Silk Mills Park and Ride), but to state that these will be reconsidered when the SPD is reviewed.

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Taunton Deane Borough Council

Executive: 12 November 2008

Report of Strategic Director – Brendan Cleere

National Free Swimming Programme

(This matter is the responsibility of Executive Councillor Richard Lees)

Executive Summary

The Government has announced a package of grant funding to enable local authorities to offer free swimming to residents in their areas.

Grant funding will be available for over 60s and under 16s. Councils will be able to use the grants to offer free swimming either to over 60s or a combination of over 60s and under 16s. Councils will not be able to use the grant to support under 16s free swimming alone.

The funding will be available for the financial years 2009/2010 and 2010/2011. Funding beyond this period will depend on the outcomes of a national evaluation of the free swimming programme.

The Chief Executive has confirmed an intention to participate in both elements of the free swimming scheme. This intention is subject to a final decision being taken by the Executive at its meeting on 12 November 2008. Grant funding to this Council will be £37.4k and £52.8k for the over 60s and under 16s elements of the scheme respectively. In addition the local PCT have offered a grant of £31.5k to support the Council's participation in the scheme over two years.

If the Council decided to participate in both elements of the scheme, the annual funding gap is estimated at £76k, of which it is proposed TDBC would fund up to a maximum of £45k. This assumes a 50% increase in take-up across both age groups. The funding gap for the over 60s element of the scheme would be largely funded by Government/PCT grant, again assuming a 50 increase in take-up.

This report proposes a model for operating the free swimming scheme in Taunton Deane which shares the financial risk between the Council and Tone Leisure, in view of the many uncertainties and unknown factors.

In addition to revenue support, there is potential for capital funding to modernise swimming pool provision, if the Council takes part in the over 60s and under 16 elements of the scheme.

1. Purpose of Report

1.1 The purpose of this report is to:

- (i) Outline the Government's free swimming 'offer' to local authorities.
- (ii) Provide an estimate of the costs that would be incurred in providing free swimming for over 60s and under 16s.
- (iii) Propose a model for operating a free swimming scheme in Taunton Deane.

2. The Government's Free Swimming 'Offer'

2.1 The Government Department of Culture, Media and Sport (DCMS) announced on 6 June 2008 that it intends to fund councils to provide free swimming for over 60s and under 16s for the financial years 2009/10 and 2010/11.

2.2 The grant is provided to enable participating local authorities to offer:

- a.) either free swimming for those aged 60 or over
- b.) or free swimming for those aged 60 and over and free swimming for those aged 16 or under.

2.3 For authorities that choose option b.) above, the Government is also providing a total of £60million under the *Free Swimming Capital Modernisation Programme*. £10 million will be available in 2008/09 and £25 million in each of 2009/10 and 2010/11. The programme aims to support capital projects designed to modernise pool provision, which are integrated with providing free swimming.

2.4 The Government also intends to stimulate ambitious authorities to maximise and sustain uptake through other initiatives such as free lessons for adults who cannot swim, and free swim co-ordinators which will be a key component to the effectiveness of both free swimming schemes.

2.5 Government guidance states that the revenue grant funding available nationally will cover 75-100 per cent of the revenue costs to local authorities of providing free swimming to these age groups.

Over 60s

2.6 The amount of the grant offered to TDBC for this element of the free swimming programme has been fixed by DCMS at **£37,420 per annum**. This figure is based on the resident population of over 60s in Taunton Deane. In addition the local PCT has offered a grant of £31.5k over two years, to part fund the Council's participation in the scheme.

PCT funding can be used to assist with the cost of both the over 60s and under 16 elements of the scheme.

- 2.7 Under this part of the programme over 60s who wish to swim, at any time throughout the year when they would normally be admitted to the pool for public swimming, and in accordance with local programming, should not be charged for doing so.

Under 16s

- 2.8 The amount of the grant offered to TDBC for this element of the free swimming programme has been fixed by DCMS at **£52,766 per annum**. This figure is based on the resident population of under 16s in Taunton Deane.
- 2.9 Under this part of the programme under 16s who wish to swim, out of normal school hours through the year, when they would normally be admitted to the pool for public swimming, should not be charged for doing so.
- 2.10 The Chief Executive has confirmed an intention to participate in both elements of the free swimming scheme. This intention is subject to a final decision being taken by the Executive at its meeting on 12 November 2008.

Payment of Grants

- 2.11 The Government circular states that revenue grants to participating authorities will be paid to participating authorities as early as possible in the financial years 2009/10 and 2010/11.

Ring-fencing and Monitoring

- 2.12 Any Government funding for free swimming is ring-fenced solely for this purpose until the end of 2010/11. Local monitoring and evaluation of the success of free swimming schemes will be used to determine future funding and delivery arrangements.

Capital Funding – modernising pool provision

- 2.13 A share of a £10 million one-off capital reward grant will be available in 2008/09 to those authorities who sign up to both over 60 and under 16 elements of the scheme. This Council's share of the grant, if we sign up to both elements of the scheme, will be £24,440. This one-off money is designed to be used to meet swimming related project development costs for capital bids for 2009/10 and 2010/11.
- 2.14 Local authorities who have signed up to both elements of the free swimming programme will also be able to bid for further capital funding for 2009/10 and 2010/11. The funding is for development of capital

infrastructure, which can be taken to contribute to the costs of new build, modernisation and major fixed equipment. Local authorities may supplement the resources available under the scheme, either from their own resources or other sources of funding such as sponsorship. The closing date for bids for a share of capital funding for 2009/10 (round 1) was 24 October 2008. Closing dates to apply for a share of the £25 million available in 2010/11 (round 2) will be published in April 2009.

- 2.15 Officers are currently working with Tone Leisure colleagues on the possibilities of a bid under round 2 of the capital programme. This would fit well with previous exploratory discussions around new swimming facilities for Taunton.

3. Financial Implications

- 3.1 The main financial implications of the free swimming programme in Taunton Deane are:

- Lost income to Tone Leisure(TL) for which they would require some form of recompense
- Increased costs, through, for example extra life-guarding, utility costs and cleaning
- The level of external funding to cover the scheme
- An unknown level of take-up of the scheme in either age group.

- 3.2 The expected annual costs of providing free swimming to both age groups, based on an estimated 50% increase in usage, are shown in the table below:

Heading	Over 60's £000	Under 16's £000	Total £000
Lost Income	41	94	135
Additional Staffing Costs	4	35	39
Cleaning/Water costs	3	5	8
Total Cost	48	134	182
PCT Grant	(8)	(8)	(16)
DCMS Grant	(37)	(53)	(90)
Net Cost to TDBC/TL	3	73	76

- 3.3 Government funding is offered for an initial 2 year period only. Funding beyond this period will depend on the outcomes of a national evaluation of the free swimming programme. If funding was withdrawn, the Council would have to reconsider whether or not to continue the scheme and fund it entirely itself. The expected annual cost of

providing free swimming to both age groups, in the event of all external funding being withdrawn, would rise to £182,000. If the scheme was discontinued at the end of the two year period, there needs to be recognition that casual swimming for over 60s and under 16s could suffer a detrimental decline in participation.

- 3.4 As shown in the table above, Officers expect the Government funding and PCT grant to fully cover the cost of the over 60s free swimming but that the under 16s swimming would run at a deficit and would have to be paid for by the Council/TL.
- 3.5 The budget gap reported to the Overview and Scrutiny Board at its last meeting did not include anything for this new initiative and therefore this would increase the gap.
- 3.6 The Executive is advised that any agreement to participate in the Free Swimming programme could only be for the years 2009/10 and 2010/11, due to the current uncertainty over future Government funding of the initiative. Sign up to the scheme must be for the two year period.

4. Proposed Model for Operating Free Swimming in Taunton Deane

- 4.1 The table above predicts a net cost of the scheme for both over 60s swimming and under 16s swimming of £76,000. Officers have been discussing with Tone Leisure a suitable model which could be used to operate the scheme in the Borough. The main consideration has been one of spreading the financial risk between the partners in the face of no reliable data being available on the increased participation in swimming that such a scheme will generate.
- 4.2 At the time of writing this report it is not clear whether the other Somerset District Councils will be supporting free swimming in their own areas. Because the scheme cannot be restricted to Taunton Deane residents only, there is the probability of people coming from outside of the Borough to swim and the Council not having any additional resources to meet the extra costs. A verbal update on the stance of neighbouring authorities will be provided at the meeting.
- 4.3 Taking account of the above factors and uncertainties, it is proposed that for 2009/10 the Council reimburse Tone Leisure for the lost income that free swimming will cost them at a rate of 60p for a 0-5 age group swim, £2.10 for 5-15 age group swim, £2.40 for a fun swim and £2.50 for an over 60s swim. This liability, after taking into account the external Government/PCT grant would be capped at £45,000. This is the equivalent of £1.12 on a Band D Council Tax (0.85%). This assumes an increase in usage of 50% over current levels. For TDBC this equates to 60% of the expected net cost of the scheme – with Tone Leisure bearing the remaining 40%, including full liability for all additional costs (ie staff), which the scheme may incur.

- 4.4 Tone Leisure would need to review its swimming programme in to accommodate an introduction of free swimming in April 2009. The current programme of restricted swimming sessions to over 50s will need to be looked at as part of this review. If the Executive decides to introduce free swimming, officers would work closely with Tone Leisure on this issue. There are no plans to extend opening hours at swimming pools to accommodate free swimming.
- 4.5 During 2009/10 the Council would work with Tone Leisure to develop a model for 2010/11 which more accurately shares the additional costs, and risks based on actual usage data. However, any commitment to offer free swimming will be for the two years up to and including 2010/11. It is therefore proposed for budget setting purposes that the Council's share of the financial risk for providing free swimming to both age groups in 2010/11 should not exceed £46,350, pending development of a model based on actual usage. Considerations for such a model could include:
- Auditable usage data across all age groups
 - Scheme review frequency, probably quarterly
 - Actual costs incurred
 - Actual income lost by TL
 - Income gained by TL (such as increased vending and participation by paying adults accompanying free swimmers)
- 4.6 Should the Council decide to participate in either element of the free swimming scheme, Tone Leisure advises the introduction of a simple 'card entry' system for eligible members of the public from April 2009, to assist with the administration of the scheme and to provide reliable data for the Council and Government. Tone Leisure will charge a small one off fee to eligible customers wishing to take part in free swimming, to cover the cost of introducing this card system.

5. Views of the Overview and Scrutiny Board

- 5.1 At its meeting on 30 October 2008, the Overview and Scrutiny Board decided to recommend the Executive to support the proposal for the National Free Swimming Programme for both the over 60s and the under 16s for the 2009/10 and 2010/11 Financial Years. Members were however concerned that it was a difficult recommendation to make without knowing how the Executive intended to reduce the current budget gap.

6. Recommendations

- 6.1 The Executive is **recommended**:
- (i) to consider the proposed model for operating free swimming in Taunton Deane and decide whether or not the Council should

participate in the free swimming programme for the years 2009/10 and 2010/11:

a.) for those aged 60 or over.

b.) For over 60s and under 16s

(ii) to note the position in respect of capital funding, as described in sections 2.13 – 2.15.

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Taunton Deane Borough Council

Executive - 12 November 2008

Housing and Planning Delivery Grant

Report of Strategic Director - Joy Wishlade

(This is the responsibility of Executive Councillor Simon Coles)

Introduction

Housing and Planning Delivery Grant (HPDG) has replaced the Planning Delivery Grant. We have received notification that our allocation for 2008/2009 will be:

Revenue: £88,905
Capital: £43,789

We have also brought forward from 2007/2008:

Revenue: £193,303
Capital: £15,772

The amount to be allocated is therefore:

Revenue: £282,208
Capital: £59,561

Proposals for 2008/2009

Revenue items	Cost
Continue to fund staff in Forward Plan and Development Control for 2008/2009	£87,000
Consultants' studies including <ul style="list-style-type: none">• Planning Obligations Supplementary Planning Document• Core Strategy Appropriate Assessment• Hestercombe Appropriate Assessment• Green Infrastructure Strategy• Wellington Urban Fringe Landscape Character Assessment	£10,000 £ 3,000 £ 7,500 £10,000 £ 4,000

<ul style="list-style-type: none"> • Strategic Housing Land Availability Assessment • Affordable Housing Protocol 	£12,000 £16,000
Total	£149,500

The contribution from HPDG is only a proportion of the cost – the remainder will be found from New Growth Point (NGP) funding.

Capital items	Cost
Firepool Weir Study (in partnership with Environment Agency)*	£10,000
Total	£10,000

* The Taunton Weirs Investigation Report (April 2008) by Black and Veatch was jointly funded by EA and TDBC (NGP funding). It recommended “that a detailed economic, technical and environmental appraisal of the Firepool Weir options now be undertaken during 2008/2009. This work will ensure that the weir improvements will be integrated with the wider development proposals and maximise the opportunity for financial contributions from the development under the planning process.”

Conclusion

If the above proposals are approved this would leave unallocated:

Revenue: £132,708

Capital: £ 49,561

These monies could be allocated to funding requirements identified for 2009/2010. These will be finalised during the budget setting process.

Revenue

Staffing £100,000

Studies £ 32,500

Total £132,500

Capital

Studies £30,000

Total £30,000

This would leave a final remainder of **£208 revenue** and **£19,561 capital**

Recommendation

The Executive is recommended to approve the 2008/2009 allocation of the Housing and Planning Delivery Grant.

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