

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 20 June 2012 at 18:15.

Agenda

- 1 Apologies.
- 2 Minutes of the meeting of the Executive held on 11 April 2012 (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 TDBC Carbon Management Plan for 2012/2013. Report of the Climate Change Officer (attached)
Reporting Officer: Torsten Daniel
- 6 Changes to Right to Buy Policy. Joint Report of the Housing and Health Manager and the Financial Services Manager (attached).
Reporting Officers: James Barrah
Paul Fitzgerald
- 7 Corporate Performance Monitoring - Quarter 4 / Outturn 2011/2012. Report of the Performance and Client Lead Officer (attached).
Reporting Officer: Dan Webb
- 8 Introduction of the Community Infrastructure Levy (CIL) in Taunton Deane.
Report of the Policy Lead Officer (attached)
Reporting Officer: Phil Bisatt
- 9 Proposed Crime and Disorder Reduction Partnership Merger. Report of the Community Development Lead (attached).
Reporting Officers: Tonya Meers
Scott Weetch
- 10 Executive Forward Plan - details of forthcoming items to be considered by the Executive and the opportunity for Members to suggest further items (attached)

Tonya Meers
Legal and Democratic Services Manager

10 September 2012

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

If a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: www.tauntondeane.gov.uk



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

For further information about the meeting, please contact the Corporate Support Unit on 01823 356414 or email r.bryant@tauntondeane.gov.uk

Executive Members:-

Councillor J Warmington (Community Leadership)

Councillor J Williams - Leader of the Council (Leader of the Council)

Councillor V Stock-Williams (Portfolio Holder - Corporate Resources)

Councillor N Cavill (Portfolio Holder - Economic Development, Asset Management, Arts and Tourism)

Councillor K Hayward (Portfolio Holder - Environmental Services)

Councillor J Adkins (Portfolio Holder - Housing Services)

Councillor M Edwards (Portfolio Holder - Planning and Transportation/Communications)

Councillor C Herbert (Portfolio Holder - Sports, Parks and Leisure)

Executive – 11 April 2012

Present: Councillor Williams (Chairman)
Councillors Mrs Adkins, Hayward, Mrs Herbert, Mrs Stock-Williams and Mrs Warmington

Officers: Shirlene Adam (Strategic Director), Simon Lewis (Strategy and Corporate Manager), Tonya Meers (Legal and Democratic Services Manager) and Richard Bryant (Democratic Services Manager).

Also present: Councillors Morrell and A Wedderkopp

(The meeting commenced at 6.15 pm.)

34. Apologies

Councillors Cavill and Edwards.

35. Minutes

The minutes of the meeting of the Executive held on 14 March 2012, copies of which had been circulated, were taken as read and were signed.

36. Public Question Time

Councillor A Wedderkopp asked the Chairman for assurance that neither he nor his fellow Executive Councillors had given instructions to Tone Leisure that the maintenance budget for the swimming pool at Station Road was not to be spent?

Councillor Williams confirmed that he had given no such instruction. The Portfolio Holder, Councillor Mrs Herbert, reported that Tone Leisure was currently assessing its essential maintenance requirements at the swimming pool for the current financial year, but she too was unaware of any plans not to spend anything on maintenance.

Councillor Wedderkopp also referred to the question about the opening of both of the side gates at the main entrance to Vivary Park, Taunton which he had asked at the last meeting. Since then, the situation where only one of the gates being open at weekends had continued. He asked when this situation would be resolved?

Councillor Mrs Herbert confirmed that she had taken the issue up with the Parks Department following the meeting in March, but clearly further words would be necessary. She asked Councillor Wedderkopp to let her know as soon as possible if the issue continued, rather than wait until the next Executive meeting.

37. Update on the proposal to build a swimming pool at Blackbrook Pavilion Sports Centre, Taunton and refurbish the Station Road Pool

Considered report previously circulated, concerning proposals to build a swimming pool at Blackbrook Pavilion Sports Centre, Taunton and refurbish the Station Road Pool.

A Task and Finish Group had been established in 2010 to investigate options and identify the best way forward to deliver a new pool in Taunton and retain adequate swimming facilities.

The Group's recommendations, which had been accepted by the Executive in July 2011, were to undertake a detailed business case to:-

- (a) Undertake essential works at Station Road Pool to keep it operational and viable for a further 15-20 years, with an estimated cost of £1.5m to £1.8m; and
- (b) Build a new 'no frills' 25 metre pool with smaller teaching pool onto the side of Blackbrook Sports Pavilion using design and build designs similar to those used at Ivybridge, Devon and estimated to cost between £2m and £2.5m;
- (c) These recommendations were made on the assumption that St James Street Pool would be decommissioned and sold due to it reaching the end of its operational life.

Reported that in progressing the project and building the business case, the following had been achieved to date:-

- A project brief had been developed, a copy of which had been circulated to Members;
- The Sport England 'Affordable Community Swimming Pools' guidance had been reviewed;
- Meetings had been held with:-
 - the Amateur Swimming Association (ASA) to discuss how to progress the project in a cost effective manner;
 - other Councils who had commissioned and delivered pools, to identify the best path forward. These included Thanet District Council, Calderdale Council and Spiceball Leisure Centre, Banbury;
 - Consultants who had been involved in 'turnkey' projects and 'borrowing through a Leisure Trust'; and
 - Passivhaus architects who had designed a 'Passiv Pool' in Exeter to understand the potential for a similar environmentally friendly scheme at Blackbrook.

As a result of the meetings referred to above and further research, three types of model to provide a new pool had been identified:-

- (a) **The traditional procurement using a swimming pool 'framework'** - Sport England had produced a very helpful toolkit designed to help project teams develop swimming pools that were "attractive, safe and secure". The basis for these pools was a "simple, compact and functional building". Their benchmark construction costs for a 6 lane pool with a learner pool was £3.4m, excluding VAT however this was likely to increase to £4.7m once contingencies,

professional fees, allowances for external works and incoming services were factored in.

Noted that the cost of a pool at Blackbrook would be expected to be somewhat less than the Sport England benchmark as it would be built on to the side of an existing sports centre, thus sharing some features such as the reception.

Using a Government procurement framework and a 'Single Stage Design and Build' procurement route it was possible that the project could be completed within 24 months of the decision to procure.

- (b) **The 'turnkey' approach** – The ASA had confirmed that there were models of procurement and examples of new-build pools around the country which had been built for significantly less than the Sport England benchmark price, largely through reducing the procurement and consultant costs and through adopting a design and build approach.

The ASA believed that if the right approach was chosen a £2.5m pool might still be achievable. However they advised the Council to continue to reference the Sport England build price as a benchmark to be prudent.

A potential model was to use a specialist contractor who would provide a 'turnkey' solution, which would typically include Design and Build and then project managing and overseeing the contractor delivering the pool. Such a pool would be perfectly functional and would comply with European standards but would be 'no frills'.

Reported that the Community Development Lead had recently met with a consultant who specialised in providing swimming pool 'turnkey' services at Calderdale, Halifax where a competition status pool was six weeks from being completed. The consultant provided assurance that a pool could be built for under £2.5m over a '42-44 week period'.

- (c) **Borrowing through the Leisure Trust** - A model used by Thanet District Council and Burnley Borough Council had been for the Council to underwrite Prudential Borrowing by the Leisure Trust.

In Thanet, its leisure trust had worked in partnership with Alliance Leisure to model operational savings from closing an existing defunct pool and additional income from building a new pool onto an existing leisure centre. The model showed that it would not be possible to pay back the money borrowed unless additional complementary leisure facilities which subsidised the swimming were also built, including a Spa, treatment rooms and toning facilities.

Financial modelling on this basis showed that the leisure centre would earn sufficient money to repay the £3.5m loan and reduce the Council's ongoing contribution (allowing the additional contribution to be used to renovate another run-down pool in the District). Apart from an initial short-term loan, the Council believed that it would be able to realise these facilities at zero cost to itself. A similar approach could be modelled and tested at Blackbrook Sports Centre.

The Task and Finish Review had identified a range of potential funding methods, including use of maintenance budgets, capital receipts, Community Infrastructure Levy, external grants and borrowing. However, unless a specific funding source could be identified for this project, the assumption would need to be that the funding would have to be obtained through borrowing.

A steer had been requested by the Corporate Scrutiny Committee to set a ceiling on how much it would support the Council borrowing to fund a new pool at Blackbrook Sports Centre and to renovate and refurbish the Station Road Pool.

For theoretical modelling purposes, this could range from £2m to £7m and an assumption of a 20 year loan period has been used in the table below. The £2m scenario would be for renovation of Station Road Pool alone (assuming a new pool could be built by borrowing through the Leisure Trust at zero cost to the Council). The £7m scenario would be this, plus a £4.7m traditional procurement cost of building a new pool, using the Sport England benchmarks.

| Amount Borrowed | £2m | £3m | £4m | £5m | £6m | £7m |
|---|------------|------------|------------|------------|------------|------------|
| Interest rate* | 3.35% | 3.35% | 3.35% | 3.35% | 3.35% | 3.35% |
| Annual Repayment (principal + interest) | £138,000 | £207,000 | £276,000 | £345,000 | £414,000 | £483,000 |
| Total Repayment (principal + interest) | £2,760,000 | £4,141,000 | £5,521,000 | £6,901,000 | £8,281,000 | £9,661,000 |

It had become clear that to progress this project, independent business modelling would be required to understand the amount of borrowing which would be sustainable and repayable through the operation of a new pool.

A new pool at Blackbrook with a flexible swimming programme would be expected to increase the footfall of paying customers for both swimming and other leisure activities at the sports centre. There would also be a significant reduction in operational costs, through decreased utility bills, staffing costs and renovation at St James Street Pool.

It was therefore recommended that consultants be engaged to work with Tone Leisure to model demand, income and costs under this scenario and other potential scenarios with additional complementary leisure facilities. Expert advice would also be required to evaluate capital borrowing options and advise on procurement models. Discussions with the ASA had suggested that this work could cost up to £20,000.

It had also become clear that a project of this nature, when considered alongside the Station Road requirements required significant officer resource and could not be properly advanced as part of the day-job. It was further recommended that an

officer resource be allocated to progress this project. An outline of the role of this officer was submitted for the information of Members.

Further reported that the project would require appropriate governance which promoted proper reporting and scrutiny and robust approval of key decisions. Details of a suggested model were also submitted.

When this matter was discussed at the meeting of the Corporate Scrutiny Committee on 22 March 2012, Members supported the recommendation that the Council should use £20,000 funding from the Capital Maintenance Reserve to undertake business modelling. The Committee also proposed that a further report should be brought back for consideration recommending a project to take forward, during which further funding requests for capacity would be considered and a decision could be made on a funding ceiling.

Resolved that:-

- (1) The continued commitment to the recommendations of the Task and Finish Review to fund the total cost of building a new pool at Blackbrook Sports Centre, Taunton and to refurbish Station Road Pool be confirmed;
- (2) The allocation of £20,000 from the Leisure Asset Maintenance Reserve be approved to appoint consultants to undertake operational modelling and to obtain independent borrowing and procurement advice. This sum would also fund an estimated £2,000 for additional Finance support from Southwest One.
- (3) A further report be presented to the Executive at its meeting in July 2012 following business modelling that would recommend a specific project to take forward and a funding ceiling. At this point, consideration would also be given to funding capacity and the incorporation of Passiv Principles to progress the project through to completion.

(Councillor Mrs Stock-Williams declared a prejudicial interest in the following item as a Trustee of the Citizens Advice Bureau (CAB). She stated that she would leave the meeting if there was any specific discussions about the CAB.)

38. Taunton Deane Borough Council's Voluntary and Community Sector Spending Review

Reference Minute No. 119/2011, considered report previously circulated, concerning the proposed establishment of a Grants Panel to consider the distribution of future funding to the Voluntary and Community Sector (VCS).

To assist the Authority in making decisions on future VCS funding options, a review of the VCS spending had been undertaken covering the period 2007-2012. This had provided an opportunity to revisit all organisations receiving funding to ensure outcomes supported the Council's own priorities. The main findings of the review could be summarised as follows:-

- (a) The performance of SLAs were not monitored consistently;

- (b) Some SLAs were awarded on an annual basis which was against the recommendation in the Somerset Compact funding code of practice which encouraged authorities to invest in long term funding for more than one year;
- (c) Shared criteria for eligibility had not been established;
- (d) Some SLAs and small grants did not have a scoring mechanism in place to monitor eligibility, spend and/or performance;
- (e) Administration of the various VCS budgets across the authority was time-consuming for both Taunton Deane and for VCS Organisations applying for repeat funding;
- (f) Some SLAs and all grant applications were assessed throughout the year meaning that administering applications was time-consuming and costly and did not allow applications to be judged in comparison to other bids;
- (g) Decision making processes were not consistent and not all applications went through the Member call-in process;
- (h) Some organisations were funded from several different budgets and there was no mechanism to bring these together into one agreement;
- (i) Match funding was not encouraged consistently; and
- (j) There was no mechanism in place to monitor match funded SLA agreements.

The timing of the review had been appropriate in that the majority of Service Level Agreement (SLA) arrangements were due to expire on 31 March 2012. The review had enabled more efficient ways of allocating resources to be considered and to look into best practise examples from other Somerset Authorities.

Noted that the Strategy Unit was currently negotiating new service specifications and monitoring arrangements for 2012/2013 with all eight organisations who had previously entered into SLAs.

At the Executive on the 7 December 2011 it had been agreed that a new Grants Panel should be established with the aim of introducing a more transparent and effective Council-wide system of allocating resources to the Voluntary Sector. The proposed new process would have an impact on the way in which all services in Taunton Deane awarded funding payments to the VCS from 1 April 2013.

The establishment of the panel would enable grants such as VCS small grants, the Youth Initiatives Fund and Arts Development grants, to be assessed simultaneously and in relation to each other.

The proposed aims, role, membership, responsibilities, and governance procedures of the Grants Panel were as follows:-

Aims of the proposed Grants Panel

- To introduce a single, transparent and efficient way of allocating grant aid across the Authority;
- To reduce the cost of administration in processing applications;
- To align application and award processes across the authority;
- To ensure all VCS organisations were treated fairly and equally;
- To ensure that Taunton Deane was compliant with the Somerset Compact; and

- To ensure value for money by reducing duplication and ensuring effective delivery of the Council's Corporate Aims through Voluntary Sector resources.

Role of the proposed Grants Panel

- To recommend funding arrangements for VCS organisations via 3 year SLA agreements from 2013 to 2016;
- To agree the criteria and scoring mechanism for small grant and/or SLA funding across the authority;
- To assess grant applications in a fair and measured way, to ensure funding decisions were transparent;
- To recommend and agree twice yearly the allocation of small grants;
- To identify duplication of grant or SLA applications across the authority and where possible form single agreements; and
- To monitor all service level and small grant agreements twice yearly to ensure the effective use of Council resources

Membership

- One nominated officer from each of the following service areas; Economic Development, Housing, Strategy and Community Development;
- Three Conservative Councillors - The Executive Portfolio Holders for Economic Development, Housing and Community Leadership;
- Two Liberal Democrat Councillors - The shadow Portfolio Holders for Community Leadership and Housing or Economic Development; and
- One nominated Labour or Independent representative.

Supporting Roles

- Business Support – Administration of meetings, grant applications and payments; and
- SouthwestOne Strategic Procurement Service – Advice on contractual arrangements.

Responsibilities - General

- Agree the terms of reference for the Grants Panel, including nomination of a Chairman;
- Agree Governance procedures;
- Agree a process and timescale for bidding and the allocation of funding;
- Agree a process and timescale for monitoring SLA and small grant agreements;
- Agree administration procedures with the Business Support Service;
- Carry out six monthly monitoring of any grant or SLA funding as specified in the SLA or grant agreement; and
- To communicate with VCS organisations throughout the application, award and monitoring processes.

Service Level Agreements

- To agree a generic SLA template which allowed for individual service specifications and monitoring arrangements to be added;
- Ensure contracts met legislative requirements in terms of procurement;
- Consideration of the risks involved in entering three year SLA contracts;
- Agree priority areas for allocating funding in line with the Corporate Strategy and Priority Areas Strategy; and
- Recommend the allocation of funding for 2013 – 2016.

Small Grants

- Agree a generic small grants application form, guidance and agreement allowing for specific criteria to be added depending on the purpose of the grant;
- Agree priority areas for allocating funding in line with the Corporate Aims and Priority Areas Strategy;
- Agree scoring and weighting mechanisms for assessing grant applications; and
- Recommend the allocation of funding at the end of each bidding round to the Portfolio Holder.

Governance

- The main reference documents for informing funding decisions would be the current Corporate Strategy, the Priority Areas Strategy and approved Service or Operational plans;
- The Grants Panel would be responsible for agreeing three year SLA funding for the period 2013 – 2016 across the authority and presenting these recommendations to the Executive for approval;
- The nominated Chairman (Conservative) will receive a casting vote;
- SLA funding recommendations would be scrutinised by the Community Scrutiny Committee prior to the Executive;
- The Grants Panel would be responsible for agreeing the allocation of small grants funding twice a year. The Panel would make recommendations to the appropriate Portfolio Holder; and
- Decisions on the allocation of small grant funding would be published in the Weekly Bulletin by the Portfolio Holder and would be subject to the normal call in process.

Meetings

- It was proposed that the Grants Panel meet for the first time in May 2012; and
- During May, June and July 2012 it was proposed that the Grants Panel agree their terms of reference, governance procedures, generic application forms and SLA template and administration procedures with Business Support. From July 2012 the meetings would be governed by the agreed application and awarding process.

During the consideration of this item, the situation relating to Neighbourhood Care was discussed. The Chairman confirmed that he would attempt to bring Ridgeway

Care and Repair and Neighbourhood Care together with the aim of providing a continuation of the service clients in Taunton Deane had received in the past from the latter organisation.

Resolved that the proposed specific arrangements for membership, responsibilities and processes of the Grants Panel, which would begin to operate during May 2012, be approved.

39. **Executive Forward Plan**

Submitted for information the Forward Plan of the Executive over the next few months.

Resolved that the Forward Plan be noted.

(The meeting ended at 7.10 pm.)

Taunton Deane Borough Council

Executive – 20 June 2012

TDBC Carbon Management Plan for 2012/2013

Report of the Climate Change Officer

(This matter is the responsibility of Executive Councillor John Williams)

1. Executive Summary

This document contains the Council's Carbon Management Plan (CMP) for reducing carbon emissions from its operations during 2012/13. The Plan is accompanied by an action plan of 41 carbon reduction actions across the TDBC / Tone Leisure sites & activities. These actions have been developed by the joint Member / Officer Carbon Management Steering Group (CMSG). The actions in this Plan for which we were able to quantify potential savings would result in a saving of around 300 tonnes of CO₂, if fully implemented. The report also contains information on the implementation of the 2011/12 Carbon Management Plan.

The CMP and Action Plan were considered and supported by the Corporate Scrutiny Committee on 24 May 2012.

2. Background

2.1 Reasons for mitigating the causes of climate change

Over the last 100 years the average temperature around the atmosphere near the Earth's surface has risen by about 0.8 degree Celsius. This is due to human activities such as burning fossil fuels and deforestation that increase the concentration of greenhouse gases like carbon dioxide (CO₂) in the atmosphere. Most climate scientists agree that the global temperatures could continue to rise between 1.1 and 6.4 degrees Celsius above 1980 to 1990 levels by the end of the 21st century depending on how much greenhouse gases get emitted in the near future. If the temperature rise is high, the impact is likely to be extreme and will be difficult to cope with. The main effects of climate change are sea level rise, more extreme weather, biodiversity loss, shortages of food and water and significant damages to the global economy. In order to mitigate the causes of climate change, the UK has set itself the legally binding target to reduce its CO₂ emissions by 80% by 2050 (from 1990 levels). The UK has also signed to the EU Renewable Directive which includes a UK target of 15% of energy from renewables by 2020.

2.2 TDBC's commitment to mitigating climate change

Taunton Deane BC takes climate change serious and is strongly committed to reduce carbon emissions within the Borough and from its own operations.

- TDBC's Corporate Strategy 2010 – 2013 makes climate change one of the Council's four key aims
- The Council is committed to become carbon neutral in the longer term
- In 2010, TDBC, Somerset County Council and the four other Somerset districts jointly committed themselves to reduce the carbon emissions from their operations by at least 3% year-on-year.
- 'Tackling climate change' is also a stated priority in the current Sustainable Community Strategy for the Taunton Deane area.

2.4 TDBC's overall carbon reduction process (Apr 2006 – Oct 2011)

Carbon emissions at TDBC and Tone Leisure come from four different sources: The electricity and gas used within buildings and the petrol/diesel used for transport by the DLO and TDBC's Grey Fleet.

Between 2006/07 and 2010/11 the Council's reduced its carbon emissions by nearly 500 tonnes CO₂ or 10.4% against the baseline that was established for 2006/07. This equates to a reduction of about 3.5% year-on-year over the last four years. This exceeds the 3% year-on-year reduction target that was agreed between Somerset County Council and the Somerset District / Borough Councils.

An Information Report published in November 2011 for Q1 and Q2 of 2011/12 showed a further reduction of 86 tonnes CO₂ or 10.8% compared to the same period in 2010/11. A full Information Report for the period 2006/07 – 2011/12 is to follow as soon as data for Q3 and Q4 of 2011/12 are available.

2.5 Implementation of 2011/12 Carbon Management Action Plan

The 2011/12 Carbon Management Action Plan that was adopted on 10 August 2011 contained 53 carbon reduction actions. By April 2012, out of these 53 actions:

- 21 actions had been implemented or are part of a Rolling programme
- 20 actions were carried forward for implementation in 2012/13
- 12 actions had been cancelled for technical or financial reasons

A copy of the Action Plan can be made available on request.

2.6 Key achievements in 2011/12

Key carbon reduction actions that were implemented during 2011/12 include:

- Theme Managers decided to move from virgin paper to exclusively using recycled paper for office printing. This action will save around 14 tonnes of CO₂ per year (Action 1).
- All cavity walls at Deane House were insulation in October 2011 (Action 22). In a domestic building, un-insulated walls can account for as much as 35% of all heat-losses.
- Lights in the corridors of Kilkenny Court, that used to be ON for 24/7 but were relatively dim, have been replaced with brighter lights on motion sensors that only come on when needed (Action 11). Around 12,000 kWh

- of electricity or 6 tonnes of CO₂ were saved during the first ten months after completion of the installation.
- A vehicle tracking system has been installed to the entire DLO Fleet in September 2011 (Action 47). The system allows for better journey coordination and increased ability to communicate with teams whilst off-site that will result in fuel and carbon savings.

3. Report: TDBC's Carbon Management Plan for 2012/13

The proposed CMP action plan for 2012/13 contains 41 carbon reduction actions. Of these actions, 20 have been carried forward from the 2011/12 CMP, 9 are part of a rolling programme and 12 actions are new. If fully implemented, the actions for which savings could be quantified already would result in a reduction of around 300 tonnes of CO₂. Below is a brief description of the key actions. Further information can be found in the Appendix '2012/13 CMP Action Plan'.

3.1 Key actions carried forward from 2011/12 CMP by site/area

Corporate:

Solar PV installation on Taunton Pool (Action 5): – A 36kW Solar PV array is due to be installed on the roof of Taunton Pool by the end of June 2012. The installation received Exec approval in 2011/12 and will be funded from the TDBC Climate Change Budget. The installation will cost around £70,000. The system will reduce carbon emissions by around 19 tonnes per year and could create an income of up to £10,000 per year to the Council.

Crematorium:

Heat recovery system at Crematorium (Action 16): – Excess heat from the new Mercury abatement system will be recovered to heat the building's offices and chapel. The system is likely to reduce carbon emissions by 23 tonnes and save about £2,400 per year on heating costs. The system is anticipated to be installed during summer / winter 2012.

Housing:

The installation of 38 Air-Source-Heat-Pumps (ASHPs) to one-bed and two-bed council owned bungalows that are currently off-gas should see a reduction in heating bills and carbon emissions (Action 13).

Leisure Centres:

Actions carried forward by Tone Leisure include to:

- Improve and zone the lighting at Blackbrook Pavilion
- Modernise lighting and install variable speed drives at Taunton Pool (in line with the Pool Modernisation)

3.2 New key actions by site/area

Corporate:

Sustainable Procurement (Action 2): – The imminent refresh of TDBC's Financial Regulations (due May 2012) will be used to include a policy, criteria and scores for sustainability in the document to inform future procurement exercises.

The Deane House:

A site survey of Deane House (Action 20) will be undertaken by an external company to identify opportunities for Pay-As-You-Save (PAYS) energy efficiency schemes. PAYS schemes would enable the Council to make energy improvements to Deane House at no-upfront cost to the Authority. The projects would be funded by an external company and paid back through the savings made on future energy bills.

If the Deane House Accommodation Project (Action 21) will go ahead, the Carbon Management Steering Group would like to ensure that the Council capitalises on carbon saving opportunities from the project, e.g. by aligning the Accommodation Project with PAYS schemes offered by external companies. This could include changes to lighting, boilers, windows, PCs etc.

DLO:

Waste segregation in street litter bins (Action 24): – Since April 2012, four dual-bins are trialed at the Parade in Taunton town centre with a couple of more bins to be installed at Vivary Park and Goodland Gardens. If the trial is successful, a roll-out to further areas will be considered.

Potential DLO Relocation (Action 25): – Subject to employment land availability, the DLO would like to move to a new site in 2013. A business plan for moving in 2013 has been drawn up. The action comprises ensuring that a site and building are chosen that allow the operations to be as energy efficient as possible whilst keeping the costs down.

Leisure Centres:

The Council is progressing plans to build a new swimming pool at Blackbrook and to modernise the existing Taunton Pool. Both projects are an excellent opportunity for building energy efficiency considerations into each stage of the process to achieve buildings with low running costs and high environmental performance.

Actions for 2012/13 by Tone Leisure include to:

- Install Smart Meters across various sites
- Improve lighting and BMS controls at Wellington Sports Centre. An external company will also undertake an energy efficiency survey of the site to identify PAYS opportunities.

For reference to the above Leisure Facilities actions see Actions 31 – 41 in the Appendix.

3.2 Emission reduction target for 2012/13

For 2012/13 the Council commits itself to reduce its carbon emissions by at least 3% from 2011/12. This is in line with the reduction target of 'at least 3% year-on-year' that was jointly agreed between TDBC, Somerset County Council and the four other Somerset districts in 2010. Target achievement will be monitored through half-annually information reports on changes in TDBC's carbon emissions for Q1 & Q2 and Q3 & Q4.

3.3 Governance/Ownership/Management

The production and implementation of the CMP is coordinated and overseen by the Carbon Management Steering Group. The group is a joint Members & Officers group. It is chaired by the Strategy & Corporate Manager and consists of officers with responsibility for specific sites or relevant working areas, the Portfolio Holder and Shadow Portfolio Holder for Environmental Services and other Members. The group meets quarterly.

3.4 Communications

Throughout the year, progress on implementation of the carbon reduction actions will be discussed and monitored at the quarterly Carbon Management Steering Group meetings. Updates on key actions will also go into the Footprint Newsletter, the Council's e-magazine for environmental issues sent to all Members and staff quarterly. Progress on carbon reduction actions will also be reported in Core Brief when appropriate.

3.5 Comments from Corporate Scrutiny Committee

This report has been to Scrutiny on 24 May 2012. Councillors asked for further details on a number of actions that were provided at the meeting and by email. Paul Fitzgerald will provide further explanation on TDBC's 'Partial Exemption' threshold to all Members. Councillors were concerned that Air-Source-Heat-Pumps (ASHPs) can ice-up, if not specified properly. So far, no issues have been reported from the ASHPs installed by TDBC and further performance will be monitored.

Cllr Nottrodt asked Torsten on his opinion whether the Council was doing well on climate change and whether he thought the Council's approach for reducing carbon emissions was well coordinated. The answer was that the participation in TDBC's Carbon Management programme is voluntary rather than a requirement and therefore more could be done to engage all areas of the Council's operations in this process. The current approach of identifying opportunities year by year is also rather short sighted. Larger projects with more impact could be identified and implemented if the Council would take a longer term, more strategic approach. With regard to improving the council's buildings for instance this could be done through integrating carbon reduction with asset management planning. TDBC's current carbon reduction target of 'at least 3% per year' is relatively modest. Other organisations have set themselves more ambitious targets, for instance West Somerset District Council (20% reduction from 2010 levels by 2015) and Avon & Somerset Police (30% reduction from 2009/10 levels by 2016). – The Scrutiny Committee recommends the Executive to identify ways for improving coordination and performance with regard to reducing carbon emissions from TDBC's operations.

4. Finance Comments

The 2012/13 CMP Action Plan contained in this report provides a range of activities. The funding will come from a variety of sources including the Climate Change revenue budget, various service budgets, approved capital budgets and set aside earmarked reserves. Any actions that are not currently funded will need

formal budget approval before commencement or will need to be prioritised against other existing budgets.

The Climate Change Revenue Budget in 2012/13 is £64k. The budget contains staff costs and support service recharges, plus around £31k for projects and initiatives. Some of the actions included in the Plan will be funded from this pot. In addition there is a currently uncommitted balance of £14k held in a Climate Change Earmarked Reserve, which can be added to the 2012/13 Budget if needed.

There is a budget of £100k within the 2011/12 Capital Programme to fund the Solar PV installation on Taunton Pool (which will be requested to carry forward to 2012/13). The installation received Executive approval in October 2011.

Any schemes creating an income to TDBC need to be checked for their VAT implications. This has already been done for the Solar PV installation on Taunton Pool with the conclusion that the project has no implications. Any potential Rent-a-Roof type schemes would also need to be checked as there is a risk to the Council's 'Partial Exemption' threshold which would have significant cost implications for the Council if breached.

5. Legal Comments

n/a

6. Links to Corporate Aims

Tackling climate change by reducing CO2 emissions from the Council's operations is one of TDBC's corporate aims. The Carbon Management Plan is the main tool for achieving this aim.

7. Environmental and Community Safety Implications

Through implementing the 2012/13 Carbon Management Plan TDBC's annual carbon emissions could be reduced by around 300 tonnes. This amount is equivalent to the carbon emitted by around 50 average households per year.

8. Equalities Impact

A full equalities impact assessment for the carbon reduction actions contained in the CMP will be taken out once the Plan has been approved.

9. Risk Management

The Corporate Risk Register includes the following strategic risk - *There is a risk that TDBC fails to have a coherent programme to address the impact of climate change, and fails to reduce the carbon footprint of the organisation or the community.* The Carbon Management Plan is a key mitigating control measure in addressing this risk.

All projects / actions that are included within the Carbon Management Action Plan are subject to corporate risk management processes, and a separate risk register will be created if appropriate.

10. Partnership Implications

The CMP is drawn up and implemented in partnership with Tone Leisure and the DLO.

11. Recommendation

The Executive is recommended to approve and adopt the Carbon Management Plan for 2012/2013.

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t.daniel@tauntondeane.gov.uk

Appendix '2012/13 CMP Action Plan'

| 2012/13 CMP Action Plan | | | | | | | |
|-------------------------|----------------------------------|--|--|-----------|--------------------|--|--|
| Action number | What? | Type of action: CF carry forward; RP rolling programme; or NEW | Brief explanation of action (if necessary) | Where? | Person responsible | Estimated carbon savings (tonnes of CO2) per annum | Notes |
| 1 | Install Solar PV on Taunton Pool | CF | A 36kW Solar PV array is due to be installed on the roof of Taunton Pool by the end of June 2012. The installation received Exec approval in 2011/12 and will be funded from the TDBC Climate Change Budget. The installation could create an income of up to £10k pa over 25 years. | Corporate | Torsten Daniel | 19 | Late May-12: Following open tender exercise, Earthelements (based in Barnstaple) appointed as contractor. Installation to be completed before the end of June 2012 |
| 2 | Sustainable procurement | RP | Identify opportunities to factor carbon emissions in the procurement decision process, whilst accepting that cost & quality are main drivers. Focus of action is on paper, toner cartridges, printers, copiers, furniture, vehicles, utilities | Corporate | Paul Harding | | Actions for 2012/13 include: 1) Use refresh of TDBC Financial Regulations (due May 2012) as an opportunity to include a policy, criteria and scores for sustainability in the document; 2) Monitor use of recycled paper in TDBC office printing |

| | | | | | | | |
|---|--|----|---|-----------|-------------------------------------|-----|---|
| 3 | Scope opportunities for using pool cars for TDBC business travel | CF | The action is part of the Grey Fleet review. By Feb-12, three pool vehicles (1 car / 2 vans) were provided at Deane House for use by 30 staff who had lost their essential car user allowances. The vehicles were spare at the DLO and have standard fuel efficiency. The scheme will be opened up to all staff during summer 2012. | Corporate | Martin Griffin / Torsten Daniel | | |
| 4 | Monitor use of Club Car for TDBC business travel | RP | Since Jan-11 TDBC has a corporate membership with a company providing a club car for TDBC business travel usage. Action comprises: Monitoring of costs and usage. Giving Best Practice Advice to new users. Acting as a liaison between TDBC and the company. | Corporate | Torsten Daniel | | |
| 5 | Promotion of electric staff bikes | RP | Two electric staff bicycles were bought in Sep-11 for business travel within a 3 mile radius of Deane House and DLO Depot. Action comprises setting up regular staff training session for promoting the e-bikes. | Corporate | Torsten Daniel | | |
| 6 | Reduce water usage | CF | Starting with Deane House: baselining water consumption; find actions to reduce it | Corporate | Torsten Daniel | | Jan-12: Deane House water usage pa about 1300 cubic meters. Costs pa around £9,000. Apr-12: Water audit by Ecosafe would cost around £200 |
| 7 | Generate TDBC energy from renewables | RP | Identify opportunities to reduce carbon emissions and create an income from renewables for TDBC by capitalising on RHI and FiT subsidies | Corporate | Torsten Daniel | | |
| 8 | Provision of actual (rather than estimated) gas and electricity meter readings | RP | Large sites to provide readings monthly; smaller site to provide year-end reading (31 March) to Gill Littlewood | Corporate | All site managers / Gill Littlewood | n/a | |

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|----|--|----|---|--------------------------------|------------------------|-----|---|
| 9 | Provide regular updates about the 'PC refresh' programme | CF | TDBC currently uses about 350 desktop computers and 160 laptops. Under the 'PC Refresh Programme' old machines get replaced with new machines on a regular basis. About 70 machines were replaced in 2010/11. The CMSG would like to know what this means in terms of energy reduction. | Corporate (IT) | Simon Wilkin | n/a | Jan-12: SW to find out whether there is a structured refresh programme for TDBC. Apr-12: Simon assumes there isn't a structured programme in place. However, it might be a good idea to wait and tie future replacements of machines in with Deane House Accommodation Project. |
| 10 | Installation of two electric vehicle charging posts in Canon Street Car Park | CF | Action added to Plan in Dec-11 | Car Parks | John Lewis | | Jan-12: Action to be completed by Mar-12. Apr-12: Action hasn't been implemented yet, due to issues around the fob keys needed to get access to the charging facility |
| 11 | Installation of air source heat pumps | CF | Installation of ASHPs (air source heat pumps) to 38 council owned one-bed and two-bed off-gas bungalows due in April-12 | Communal / Housing | Tim Haynes / Phil Webb | | |
| 12 | Replacement of 16W 2D with HF fittings as they fail | RP | | Communal / Housing flats | Phil Webb | | |
| 13 | Investigate potential for reducing hours of church light flooding | CF | Currently churches lit from dusk until midnight. Total costs to TDBC pa: £9,500 (incl. maintenance). Oct-11: Floodlights have been inspected and made safe. Council has offered third party owners to take on installations by 01/04/12. Remaining installations will be removed. | Communal / Lighting (churches) | Dave Evans | 20 | Apr-12: 26 out of the 35 churches have taken up the offer and will be transferred in summer 2012. DE hopes that eventually all but 2 churches will sign up to the offer. |
| 14 | Install new cremators | CF | Installation due to take place summer / winter 2012 | Crematorium | Paul Rayson | | Tender for building works due back in May-12 |

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| 15 | Install heat recovery from mercury abatement system | CF | Potential to heat the entire Crematorium from the excess heat of the Mercury abatement system of the new cremators. Design work by SWOne Property Team & Design Services underway. | Crematorium | Paul Rayson | 23 | |
| 16 | Provide monthly cremation figures | RP | Monthly cremation figures have been submitted since 2010/11 to monitor correlation of gas usage and number of cremations. | Crematorium | Paul Rayson | n/a | |
| 17 | Sealing of windows to reduce heat loss | RP | In 2011/12, all windows that were draughty at the time were sealed. Action will be repeated when needed. | Deane House | Rob Erskine | | |
| 18 | Improve air conditioning in Committee Rooms | CF | Currently air cons are controlled manually. As a result, rooms are often either too hot or too cold. The aims of the action is to gain more control and to provide more even temperatures (heat point of 21 and cooling point of 24 degrees Celsius). | Deane House | Rob Erskine | | Jan-12: Implementation of action not achievable with current system. Rob Erskine to assess potential for upgrading system. Apr-12: New contractor on board. Action to be progressed in April with site visit by contractor |
| 19 | Investigation of options for separating hot water provision from the boilers | CF | Currently, the hot water used in showers and kitchens at Deane House is heated by the same boilers that heat the water for the radiators. During the summer months, running those large boilers just for heating relatively little hot water is inefficient. | Deane House | Rob Erskine / Torsten Daniel | | Hot water consumption over 5 months 2.2 m3/month (Nov-11 - Apr-12). RE to assess the technical options (incl. ASHP and solar thermal) and produce a Business Plan |
| 20 | Site survey of Deane House | NEW | Free survey to be undertaken by Schneider Electric to identify opportunities for PAYS energy efficiency projects | Deane House | Torsten Daniel | | |
| 21 | Capitalise on carbon saving opportunities from Deane House Accommodation Project (DHAP) | NEW | The DHAP is about investigating the feasibility of bringing a Third Party tenant into Deane House to make most efficient use of space. The feasibility study was produced by Mar-12. The Council currently considers funding and financial implications of the DHAP. | Deane House | John Lewis / Torsten Daniel / Simon Wilkin | | |

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|----|--|-----|--|------------------|--------------------------------|--|---|
| 22 | Capitalise on carbon saving opportunities from Deane House Server Refresh Plan | CF | Servers in Server Room use about 1/3 of all electricity at Deane House. A 5% annual reduction CO2 reduction target for the Server Room to be set. A Plan for upgrading the servers is in place. The action is about finding out the details of the Plan and calculating the energy / carbon savings from it. | Deane House (IT) | Simon Wilkin | | |
| 23 | Consider heat recovery from Deane House server room | NEW | The servers in the IT Room produce excess heat that in theory could be recovered. The project would need to be tied in with the Server Refresh Plan (Action 22 above) | Deane House (IT) | Simon Wilkin / Rob Erskine | | |
| 24 | Consider segregation of recyclable materials in street litter bins | NEW | Since April 2012, four dual-bins are trialed at the Parade in Taunton town centre. One more each will be ordered for Vivary Park and Goodland Gardens. If trial successful, roll-out to other areas considered. | DLO Cleansing | Chris Hall | | Apr-12: CH has suggested using recycling bins at Castle Green to Project Taunton |
| 25 | Ensure energy efficiency of new DLO Depot site | NEW | The DLO wants to move to a new site. Ensure that a site and building is chosen that allows the operations to be as energy efficient as possible | DLO Depot | Chris Hall / Roger Mitchins on | | Apr-12: Note from CH that there needs to be a realistic expectation from the Council about how much money the Authority is willing to spend in build costs for a new Depot site. The aim is to move in 2013, subject to employment land available in the area. A business plan for moving in 2013 exists. |
| 26 | Purchase of fuel efficient vehicle to support business support team | CF | A Kia Rio 1 (one of the most fuel efficient cars in the current market) that was ordered in 2011/12 is due for delivery in May-12 | DLO Fleet | Chris Hall | | |
| 27 | Review of total fuel used by DLO Fleet | NEW | Provide annual data of total fuel used by DLO fleet with aim of reducing it by at least 3% year-on-year. | DLO Fleet | Chris Hall | | Total fuel usage in 2011/12 was 183,159 litres compared to 211,021 litres in 2010/11. This equates to a reduction of 13%. |

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| 28 | Investigate reasons for increase in electricity consumption of Nursery and seek ways for reducing it | CF | One obvious reason for the increase is that Nursery now operates at full capacity. Although annual electricity consumption still is only 23,000kWh or around £2,000 it has increased steadily from 16,000kWh over the last three years. | DLO Parks & Nursery | Cyril Rowe (to be reported by Chris Hall) | | Jan-12: Site visit with Cyril Rowe, Chris Hall, Richard Eastman, Rob Erskine and Torsten Daniel to be set up |
| 29 | Identify opportunities for renewable energy and PAYS schemes on leisure sites | RP | Tone Leisure and TDBC to work in partnership to identify and scope Pay-As-You-Save (PAYS) and renewable energy schemes (including rent-a-roof type schemes) for TDBC owned leisure sites | Tone Leisure | Mark Washington / James Curry / Torsten Daniel | | |
| 30 | Installation of Smart Meters at several Tone Leisure sites | NEW | | Tone Leisure | Mark Washington | | |
| 31 | New lighting for the indoor Tennis Centre at Blackbrook Pavilion | CF | Dec-11: Tone has been offered a Pay-As-You-Save deal for this action. Action will possibly take place in 2012/13. | Tone Leisure | Mark Washington | 71.5 | |
| 32 | Replacement of lights in the Sports Hall at Blackbrook Pavilion | CF | Dec-11: Tone has been offered a Pay-As-You-Save deal for this action. Action will possibly take place in 2012/13. | Tone Leisure | Mark Washington | 12.7 | |
| 33 | Zoning of lighting in Blackbrook Pavilion | CF | Action will possibly take place in 2012/13. (Project would comprise works to the Sports Hall, Main Tennis Hall and the 'Dome' Tennis Centre. Project is similar to what has been done at Wellington SC in 2010/11. Tone has been offered a Pay-As-You-Save deal for this) Apr-12: Awaiting monitoring results from Wellington SC | Tone Leisure | Mark Washington | 133 | |
| 34 | New Pool to be built at Blackbrook Pavilion | NEW | Consider a Passiv-Pool. Initial meeting held with Gale & Snowden Architects, who are in the process of planning a Passiv-Pool for Exeter City Council. | Blackbrook | Simon Lewis | | |

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| 35 | Installation of variable speed drives at Taunton Pool | CF | Part of the discussions around the Taunton Pool Modernisation | Tone Leisure | Mark Washington | | |
| 36 | New lights for Pool Hall at Taunton Pool | CF | Part of the discussions around the Taunton Pool Modernisation | Tone Leisure | Mark Washington | 13.4 | |
| 37 | Taunton Pool Modernisation Project | NEW | Ensure energy efficiency is considered in project | Taunton Pool | Scott Weetch / Simon Lewis | | |
| 38 | New lighting for Pool Hall at Wellington Sports Centre | CF | | Tone Leisure | Mark Washington | 14 | |
| 39 | Improve ventilation at Wellington Sports Centre | NEW | By improving the ventilation, heat losses can be reduced | Tone Leisure | Rob Erskine | | |
| 40 | Upgrading of BMS system at Wellington Sports Centre | NEW | Project proposed as a Pay-As-You-Save scheme. Payback of 1 year. | Tone Leisure | Mark Washington | | |
| 41 | Site survey of Wellington Sports Centre | NEW | Free survey to be undertaken by Schneider Electric to identify opportunities for PAYS energy efficiency projects | Tone Leisure | Torsten Daniel | | |
| TOTAL | | | | | | 306.6 | |

Taunton Deane Borough Council

Executive – 20 June 2012

Changes to Right to Buy Policy

Joint Report of the Housing and Health Manager and Financial Services Manager

(This matter is the responsibility of Executive Councillor Adkins)

1. Executive Summary

This report summarises recent changes introduced by Government concerning the Right to Buy provisions and considers the impact on TDBC. In particular it considers the introduction of a 1 for 1 replacement policy and the implications for future retention of our Right to Buy receipts. Finally the report considers the decision regarding TDBC signing an agreement with Government on one for one replacement that will shape our approach and resources for new affordable housing in future years.

2. Background

The Right to Buy scheme was introduced in 1980 and gives qualifying social tenants the right to buy their home at a discount. The scheme is open to secure tenants of local authorities and non-charitable housing associations, and to those assured tenants of housing associations who have transferred with their homes from a local authority as part of a housing stock transfer.

In *Laying the Foundations: A Housing Strategy for England*, the Government announced its intention to increase the caps on Right to Buy discounts to enable more tenants to achieve their ambition for home ownership. It also set out the Government's commitment to ensure that the receipts on every additional home sold under the Right to Buy are used to fund its replacement, on a one for one basis, with a new home for Affordable Rent.

3. Key Changes to existing policy.

NB The following text is adapted from DCLG documentation.

| Policy | Current Policy | From 2 April 2012 | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|----------------------------|----------|--|-------|------|---|-----|-----|----|-----|-----|----|-----|-----|----|-----|-----|----|-----|-----|----|-----|-----|---------|-----|-----|
| Discount Rates, Cap and Eligibility | <p>Current discount rates are:</p> <ul style="list-style-type: none"> For houses: 35% of the property's value plus 1% for each year beyond the qualifying period up to a maximum of 60%; For flats: 50% plus 2% for each year beyond the qualifying period up to a maximum of 70%. <p>Tenants must have been public sector tenants for 5 years before they qualify for the Right to Buy</p> <p>In practice, most Right to Buy discounts are limited by caps. These currently range from £16,000 in most parts of London and are currently £30,000 in the South West.</p> | <p>The discount cap has been increased to £75,000 across England, giving tenants a much greater incentive to purchase their own home.</p> <p>Discount rates will not change and tenants will still need to have been public sector tenants for 5 years.</p> <table border="1"> <thead> <tr> <th rowspan="2">Years renting from council</th> <th colspan="2">Discount</th> </tr> <tr> <th>House</th> <th>Flat</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>35%</td> <td>50%</td> </tr> <tr> <td>10</td> <td>40%</td> <td>60%</td> </tr> <tr> <td>15</td> <td>45%</td> <td>70%</td> </tr> <tr> <td>20</td> <td>50%</td> <td>70%</td> </tr> <tr> <td>25</td> <td>55%</td> <td>70%</td> </tr> <tr> <td>30</td> <td>60%</td> <td>70%</td> </tr> <tr> <td>Over 30</td> <td>60%</td> <td>70%</td> </tr> </tbody> </table> | Years renting from council | Discount | | House | Flat | 5 | 35% | 50% | 10 | 40% | 60% | 15 | 45% | 70% | 20 | 50% | 70% | 25 | 55% | 70% | 30 | 60% | 70% | Over 30 | 60% | 70% |
| Years renting from council | Discount | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | House | Flat | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | 35% | 50% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | 40% | 60% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15 | 45% | 70% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | 50% | 70% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 25 | 55% | 70% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 30 | 60% | 70% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Over 30 | 60% | 70% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Use of Right to Buy Receipts | <p>Subject to the deductions mentioned below, 75% of the receipts are paid to HM Treasury ("the poolable amount") and the remaining 25% are retained by local authorities.</p> | <p>After calculating transaction costs and compensating authorities for loss of income above what has been covered in the self-financing settlement, HM Treasury and local authorities will receive the amounts they would have expected to receive, had the policy on Right to Buy remained unchanged.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Administration Costs | <p>For the purposes of calculating the poolable amount, local authorities may deduct the actual transaction costs of successful sales from Right to Buy receipts, but there is no allowance for costs relating to Right to Buy applications which do not result in a sale.</p> | <p>Flat rate allowances for London and the rest of England have been set with a 50% uplift for withdrawn applications. Allowances will be fixed at £2,850 for London and £1,300 for the rest of England.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Buy Back | <p>Councils may Buy Back former council properties and claim around 50% of the costs from their total Right to Buy receipts.</p> | <p>We will retain the Buy Back facility, allowing councils to claim up to 50% of the value of each property bought-up to a total of 6.5% of the value of net Right to Buy receipts</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |

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|-------------------|--|--|
| | | (after administration costs, debt and assumed income). 6.5% is around the average level of Right to Buy receipts retained by local authorities for Buy Back over the last three years. |
| Cost Floor | Section 131 of the Housing Act 1985 (the cost floor) limits the Right to Buy discount to ensure that the purchase price of the property does not fall below what has been spent on building, buying, repairing or maintaining it over a certain period of time (relevant expenditure). | The period of time the cost floor covers has been increased from 10 to 15 years for new homes subject to Right to Buy, bringing rules for councils into line with those for Housing Associations and protecting initial investment in the housing. In addition the option for councils to apply for an exemption from pooling receipts for new homes built in future will be retained. |

4. Tenant Awareness and Likely Demand.

The Council has a legal duty to make tenants aware of these changes to the Right to Buy provisions. DCLG have provided a range of materials to be adapted for this purpose. Arrangements will be made to write to all tenants regarding this, along with publicity in our tenant's newsletter in July and information will be published on our website.

However due to the national publicity there have already been a number of enquiries from tenants about the new arrangements, suggesting a significant increase in sales. From the 1st April to 25th May we have already received 22 RtB applications, against 25 in all of the last financial year. Our experience reflects similar reports from many other authorities throughout the country. It is of course impossible to predict the potential likely increase in numbers of Right to Buys completed at this stage. Although the increased discount is a significant incentive, the current financial climate continues to make home ownership a challenge.

Increases in numbers of Right to Buys will have an impact on administration and conveyancing, so we will have to continue to monitor capacity in housing and legal services. The addition of an uplift in deductible allowances for withdrawn applications is welcome as a number of these may arise particularly in the early days of the new policy.

5. One for One Replacement

The following are extracts from DCLG documents to best explain the new system:-

“On 2 April 2012 Ministers raised the cap on Right to Buy discounts to £75,000, and confirmed that receipts from the additional sales this would generate would be used to fund replacement stock on a one-for-one basis. At the same time Ministers confirmed that their favoured option of delivering these new homes would be through local authorities retaining receipts to spend in their areas.

In order for your authority to keep these additional receipts it will be necessary for it to enter into an agreement with the Secretary of State for Communities and Local Government.

In short the Secretary of State agrees to

- i. allow your authority to retain additional Right to Buy receipts to fund the provision of replacement stock, and
- ii. allow your authority three years (from commencement of the agreement) to invest those receipts before asking for the money to be returned.

It is worth emphasising that the agreement does not require a local authority to complete the building of any home within three years. All that is required is that the local authority should have incurred expenditure sufficient that Right to Buy receipts form no more than 30% of it.

In return your authority agrees

- i. that Right to Buy receipts will not make up more than 30% of total spend on replacement stock, and
- ii. to return any unused receipts to the Secretary of State with interest.

It will be entirely the decision of your authority whether to enter into such agreements and entirely its decision as to how much of the surplus receipt it retains.

Should your authority not wish to enter into an agreement then any surplus receipts arising in your area will be surrendered to the Secretary of the State and passed to the Homes and Communities Agency (or, in London, the Greater London Authority) for them to invest in replacement stock.

As set out above, the only condition in the agreement will be that the retained Right to Buy receipts must not constitute more than 30% of the total amount invested in replacement stock (which could mean newly built council homes, newly acquired council homes (i.e. existing homes bought on the open market) or social housing provided through local authority grants to housing associations).

The 30% cap is necessary to ensure that we get maximum value for money from the Right to Buy receipts and enable the building of as many new homes as possible (indeed, more than one-for-one if that is feasible). Your authority (or the housing association you are grant funding) will be expected to fund the remaining 70% from its own reserves or through borrowing serviced by the anticipated rental income from the new homes built. To maximise borrowing it may be necessary to charge an Affordable Rent (i.e. up to 80% of market rent), but, in the case of new council homes, that is a decision for your authority.

We have considered historic data, which confirms that 30% is realistic and achievable.

Where retained receipts exceed 30%, then your authority will agree to return the additional receipt (i.e. the receipt above 30%) to the Secretary of State with interest.

Taking into account advice from the Homes and Communities Agency, we consider that three years is sufficient time to develop proposals and invest in replacement / new stock. (As set out above, the agreement will not require a local authority to complete the building of any home within three years. All that is required is that the local authority should have incurred expenditure sufficient that Right to Buy receipts form no more than 30% of it.)

Each financial quarter your authority will report to the Department the cumulative sum it has *retained* for replacement stock and the cumulative amount it has *spent* on replacement stock.

There will be no requirement to return receipts in your first three years of the agreement, but in Quarter 1 of 2015/16 your authority will have to compare

- the total amount spent on replacement stock from the start of the agreement to the end of that quarter, with
- the total amount it has retained from Right to Buy receipts in Quarter 1 of 2012/13 (i.e. receipts it has had two years to spend).

Where the latter is 30% or less than the former then no further action is necessary.

In Quarter 2 of 2015/16 the comparison will be between the total spent on replacement stock since the agreement began with the total it retained on Quarters 1 and 2 in 2012/13. And so forth for each subsequent quarter.

Some common questions:-

How can you replace the additional homes sold on one-for-one basis? Surely, the remaining receipt won't be large enough to cover the cost of a new home?

Drawing on evidence from 2011-2015 Affordable Homes Programme – for which most agreements have now been signed – we are clear that it should be possible to fund new homes let at Affordable Rent levels, with no more than 30% of the cost of the new homes needing to come from the Right to Buy receipt. As in the Affordable Homes Programme, the remainder of the cost will come from borrowing against the net rental income stream from the new property, and cross-subsidy from the landlord's own resources.

So, for instance, for a new home costing £140,000 to build, the Right to Buy receipt would contribute up to £42,000. The Right to Buy receipt would not need to cover the full cost of the new home, just as Government grant only provides a minority of the funding for Affordable Rent in the Affordable Homes Programme.

The only way in which the funding for Right to Buy replacement differs from the main 'Affordable Rent' model is that cross-subsidy from converting re-lets of existing social rented homes to Affordable Rent will not be permitted. The 30% maximum contribution takes this into account (in the Affordable Homes Programme, Government grant only contributes around 20% of the cost of the new homes).

In our area, the remaining receipt will not be sufficient to fund one-for-one replacement. Must a council commit to delivering one-for-one replacement, to be allowed to retain the remaining receipt?

No. As we set out in our consultation paper, our aim is to deliver one-for-one replacement nationally. We recognise that the remaining receipt will not be large enough to fund one-for-one replacement in some areas, and we are not requiring councils to do so. If a council wishes to retain the remaining receipt, all it must do is spend that receipt on new affordable rented homes, making sure that no more than 30% of the cost of the new homes comes from the Right to Buy receipt. It can provide the new homes itself, or contract with another social housing provider.”

A worked example of how this will work is attached at appendix 3.

6. Application in Taunton Deane

Details regarding financial modelling undertaken is included below. Historically Right to Buy receipts have been used to fund our Housing Enabling Programme and have primarily been targeted to schemes in conjunction with Registered Housing Providers. The recent introduction in the new HRA 30 year business plan of a Social Housing Development fund provides a second option for the provision of new units retained within the HRA. In practice if we are minded to accept an agreement with Government for one for one replacement, we will need both of these avenues to allow a suitable level of investment to be made to offset the 30% restriction. The additional investment now available for affordable housing in the HRA improves our ability to meet the 30% requirement.

7. The Agreement.

A copy of the agreement is attached at Appendix 1.

We do not have to sign up to an agreement now, this can be done at a later date but if we do not sign by the deadline of 27th June we will not be able to retain any receipts for the first quarter of this financial year.

Other important issues to note on qualifying spend to put towards the 70% requirement:

- Any contribution from a partner housing association cannot include any Homes and Communities Agency grant.

- The Council cannot use **HRA** receipts from non RtB receipts for example selling surplus to requirements property, as we already receive a dispensation from Government to allow us to keep these receipts if we spend them on affordable housing.

- We can spend receipts on acquisition of property but we must decide if we would utilise the existing provision of Buy Back Allowance which allows us to claim up to 50% of the value of each property bought-up to a total of 6.5% of the value of net Right to Buy receipts (after administration costs, debt and assumed income), or if we do not claim Buy Back Allowance and

instead count such spend as part of our 70%. In practice we would have to decide which route would be more financially favourable to us.

If we enter into the agreement we can then opt out at a later stage, The effect of termination would mean that we could, from that point, no longer retain any receipts but would still have the three years from the start of the agreement to invest the receipts we had already retained (or have to return them).

8. Finance Comments

The change in policy gives the opportunity for more of the Right to Buy receipts to be kept and used for new affordable housing. The receipts can be retained by Taunton Deane Borough Council or passed to a Registered Social Landlord, but must only account for 30% of total spend (ie the remaining 70% must come from other funding). Any receipts not matched with the additional funding within 3 years must be repaid to the Secretary of State along with interest at an intentionally high rate. This can be avoided by not retaining the payment and paying it to the Secretary of State immediately.

The capital receipts that would have been expected under the previous system would still be retainable and do not have the restrictions imposed on the Retained Receipts.

Retaining the additional receipts in Taunton Deane would allow additional investment in new affordable housing or repurchasing former council owned houses, increasing stock held and providing additional rental income over the life of the asset. The average net income per property over the next 5 years is expected to be approximately £3,000 per year.

Retaining Right to Buy receipts gives good opportunity to fund grants to Registered Social Landlords since it is possible that the full funding of the grant can come from Right to Buy Receipts. This relies on the Registered Social Landlord matching the 30% funded from Right to Buy receipts with a further 70%, which cannot come from HCA funding and so would need to come from their own funds or borrowings. However Taunton Deane would remain liable to repay any Right to Buy receipts not matched by the Registered Social Landlord within 3 years and would also need to pay interest dating back to the capital receipt and so agreements would need to be in place with the Landlords to minimise this risk.

The following table shows the level of sales needed before Retained Receipts become available, and before either repayment of receipts is needed, or the Council increases investment above the current Business Plan. For the purposes of this modelling we have used both the Social Housing Development Fund and Grants to RSLs.

A diagram to illustrate the new arrangements versus the old is contained at Appendix 4.

| 2012/13 - 2014/15 | | |
|---|-----------------|--------------------|
| | Number of sales | |
| | 3 Year period | Per year (average) |
| Level at which Retained Receipts start accumulating (ie after payments to government and Taunton Deane in lieu of previous pooling arrangements) | 27 | 9 |
| Level at which some Retained Receipts would need be returned to the Secretary of State (based on current target budgets and with an assumption that all grants to RSLs are matched with 70% of their own funding) | 96 | 32 |

Note: this is using an average receipt of £54,000 (based on average market value of sales in 2011/12)

The numbers and value of properties which are bought through Right to Buy are not easily predicted which would make including the receipts into medium or long term planning difficult since the spend would need to be matched by the further 70% within 3 years. Monitoring of both the capital receipts and expected and actual spend on new affordable housing would need to take place to ensure that any capital receipts that are retained are matched against spend within the 3 year timeframe given. Failure to match the receipt with actual spend within 3 years will result in repayment of the capital receipts (which may have already been used) plus interest. Monitoring would need to be ongoing to ensure that any potential repayments of Right to Buy receipts are made as soon as possible to limit the amount of interest payable.

Given the high level of interest already received in Right to Buys under the new arrangement, the current budgeted spend may not be enough to retain all capital receipts. This enforces the need for thorough monitoring to make sure that receipts are not held when the additional spend is either not available or not attainable due to other restrictions.

Conclusion

With careful management this could give opportunity for additional investment in affordable housing in Taunton Deane, and could potentially be used in conjunction with Registered Social Landlords if Taunton Deane is unable to fund the 70% from its own resources or from additional borrowing.

Repayment of borrowings of up to £3k per property pa is affordable (based on average net income), with headroom for borrowing currently at approximately £15m.

9. Legal Comments

The agreements will be made under powers provided by section 11(6) of the Local Government Act 2003 (as inserted by section 174 of the Localism Act 2011).

10. Links to Corporate Aims

Resource arising from RtB receipts will be directed at the Council's priority of Affordable Housing.

11. Environmental Implications

New homes built with the proceeds of RtB sales will generally be built to a high energy efficiency standard.

12. Community Safety Implications - No direct implications.

13. Equalities Impact .

No detrimental impact on protected groups identified. Full EIA is at Appendix 2.

14. Risk Management

The financial risks associated with the recommendation of this report are considered in the body of the report.

15. Partnership Implications

Delivery of Affordable Housing will inevitably rely on significant levels of partnership working in particular with other housing organisations. Indeed if there is support for signing up to the agreement with Government, financial input from RSL's will be required to maximise the affordable spend locally and therefore give the Council the best possible chance of retaining all RtB receipts. The new affordable housing partnership will be key to securing this ongoing support.

16. Recommendation

1. It is recommended that the Executive approves TDBC signing the agreement which is made pursuant to section 11(6) of the Local Government Act 2003, regarding retention of Right to Buy receipts as outlined in the report.

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Appendix 1.

Agreement – Section 11(6) of the Local Government Act 2003

This agreement is made pursuant to section 11(6) of the Local Government Act 2003.

Parties

The Secretary of State for Communities and Local Government (“the Secretary of State”) and

..... (“the Authority”).

This agreement comprises 10 pages

General

1. In this agreement :

“the due date”, “quarter” and “the relevant quarter” have the same meaning as in the Regulations;

“receipts” means the receipts to which Schedule 1 to the Regulations applies;

“retained amount” means the amount calculated in Part 1;

“the Regulations” mean the Local Authority (Capital Finance and Accounting) (England) Regulations 2003;

“social housing” means low cost rental accommodation as defined by section 68(1)(a) of the Housing and Regeneration Act 2008;

“the sub-liability” means the sub-liability calculated under Schedule 1 to the Regulations;

the terms “A”, “E”, “F”, “G”, “J” and “K” used in this agreement have the same meaning as in Schedule 1 to the Regulations.

2. This agreement applies to receipts received on or after 1st April 2012 (“the commencement date”).
3. The Authority is not required to pay to the Secretary of State such portion of the sub-liability calculated in accordance with Part 1 of this agreement provided the Authority complies with the conditions set out in this agreement.
4. The Authority must use the retained amounts for the provision of social housing. Any amounts not used for this purpose must be paid to the Secretary of State and interest will be payable calculated in accordance with paragraph vi of Part 1.
5. The Authority must provide the information set out in Parts 1 and 4 of this agreement to the Secretary of State at the times and in any format the Secretary of State may request.
6. This agreement may be terminated by the Secretary of State by giving notice of one quarter.
7. This agreement may be amended by agreement.

Part 1 - Calculation of the portion of the sub-liability that the Authority may retain.

- i. Where in any quarter –

A is more than $(3.39847729 \times G) + E + F + J$

the Authority may retain an amount (“the retained amount”) up to–

K less $(2.398347729 \times G)$.

- ii. The Authority must inform the Secretary of State of the following by the due date of the relevant quarter-
 - (a) the value of K less $(2.398347729 \times G)$;

- (b) the retained amount; and
 - (c) any amount not retained by the Authority.
- iii. Where the Authority has informed the Secretary of State (under paragraph ii(c)) that an amount will not be retained, the Authority must pay that amount to the Secretary of State by the due date of the relevant quarter.
- iv. Where the Authority has informed the Secretary of State that an amount will not be retained and fails to pay that amount on the due date of the relevant quarter, interest is payable and incurred from the due date until the Authority pays that amount to the Secretary of State.
- v. Where the Authority does not inform the Secretary of State of the amount it will not retain by the due date of the relevant quarter, it will be assumed that the retained amount for that quarter is the full amount the Authority may retain and where an amount is not retained and is paid to the Secretary of State, interest will be payable and incurred from the due date until the date the Authority pays that amount to the Secretary of State.
- vi. The Authority may pay any part of the retained amount to the Secretary of State and where it does so, interest is payable and incurred from the due date of the relevant quarter in which the retained amount was retained by the Authority until the date it is paid to the Secretary of State.

Part 2– Return of retained amounts

- i. This Part applies where 13 quarters have expired since the commencement date.
- ii. In this Part :
 - “the reckonable quarter” means the quarter 12 quarters prior to the relevant quarter;
 - “quarter 1” means the quarter in which the commencement date falls;

A is the total of the retained amounts for all quarters from quarter 1 to the reckonable quarter;

“the total amount spent on the provision of social housing” is the amount spent on the provision of social housing from quarter 1 to the last day of the relevant quarter;

R is the total of the returnable amounts calculated under paragraph iv of this Part and amounts paid to the Secretary of State under paragraph vi of Part 1 for all the quarters from quarter 1 to the reckonable quarter.

- iii. The total retained amount is calculated as follows –

$$A - R.$$

- iv. Where on the last day of the relevant quarter, the total retained amount exceeds 30% of the total amount spent on the provision of social housing, the Authority must pay to the Secretary of State the portion of the total retained amount in excess of 30% of the total amount spent on the provision of social housing (“the returnable amount”).
- v. Where the Authority must pay a returnable amount to the Secretary of State under paragraph iv of this Part, interest is payable, calculated and incurred from the due date of the reckonable quarter until the date the returnable amount is paid to the Secretary of State.

Part 3 - Calculation of interest

Where interest is payable under this agreement, it will be calculated at a rate of 4% above the base rate on a day to day basis compounded with three-monthly rests and “base rate” has the same meaning as in the Regulations.

Part 4 - Provision of information

On the due date of each relevant quarter the Authority must provide to the Secretary of State the details of the number of starts on site since the commencement date.

“Start on site” means the earlier of commencement of the following by the Authority or other body to which the Authority has paid all or part of the retained amount for the purpose of providing social housing:

- (a) excavation for strip or trench foundations or for pad footings;
- (b) digging out and preparation of ground for raft foundations;
- (c) vibrofloatation, piling, boring for piles or pile driving; or
- (d) drainage work specific to the buildings forming part of the scheme.

Part 5 – The amount spent on the provision of social housing

- i. The amount spent on the provision of social housing shall not include any expenditure which has been used or which the authority intends to use to-
 - (a) reduce a capital receipt under regulation 15(1)(c) of the Regulations (capital allowance); or
 - (b) buy back a relevant interest defined in paragraph 3(1)(b) of the Schedule to the Regulations and claim buy back allowance in respect of that expenditure under paragraph 3 of the Schedule to the Regulations.
- ii. The amount spent on the provision of social housing shall not include any expenditure on dwellings which are social housing at the time of the expenditure.
- iii. The amount spent on the provision of social housing is the amount spent by the Authority or by a body to which the Authority has paid

some or all of the retained amounts (such body must not be a body in which the Authority holds a controlling interest) on the development costs associated with the provision of social housing for the benefit of the Authority's area.

- iv. Where the Authority has paid all or some of the retained amounts to a body for the purpose of contributing towards the cost of providing social housing, the Authority must ensure that only retained amounts provided by the Authority have been used by such body for the provision of social housing for the benefit of the Authority.
- v. Social housing is provided for the benefit of the Authority where it is situated in the area of the Authority or the Authority has nomination rights in respect of the social housing.
- vi. The amount spent on social housing includes the following:
 - (a) the development costs associated with the acquisition of dwellings to be used as social housing;
 - (b) the development costs associated with the acquisition of land for the construction of dwellings to be used as social housing;
 - (c) the development costs of the construction of dwellings to be used as social housing.
- vii. In this Part "development costs" means the costs set out in Part 6.

Part 6 – Development costs

Development costs means the costs relating to the development of social housing in respect to the heads of expenditure set out below.

Heads of expenditure

- 1 ***Acquisition***
 - 1.1 *Purchase price of land/site.*
 - 1.2 *Stamp Duty Land Tax on the purchase price of land/site.*

- 2 **Works**
- 2.1 *Main works contract costs (excluding any costs defined as on costs).*
- 2.2 *Major site development works (where applicable). These include piling, soil stabilisation, road/sewer construction, major demolition.*
- 2.3 *statutory agreements, associated bonds and party wall agreements (including all fees and charges directly attributable to such works) where applicable.*
- 2.4 *Additional costs associated with complying with archaeological works and party wall agreement awards (including all fees, charges and claims attributable to such works) where applicable.*
- 2.5 *Irrecoverable VAT on the above (where applicable).*
- 3 **On costs**
- 3.1 *Legal fees and disbursements.*
- 3.2 *Net gains/losses via interest charges on development period loans.*
- 3.3 *Building society or other valuation and administration fees.*
- 3.4 *Fees for building control and planning permission.*
- 3.5 *Fees and charges associated with compliance with European Community directives, and any requirements relating to energy rating of dwellings, Eco-Homes certification and Housing Quality Indicators.*
- 3.6 *In-house or external consultants' fees, disbursements and expenses (where the development contract is a design and build contract) (see note 1 below).*
- 3.7 *Insurance premiums including building warranty and defects/liability insurance (except contract insurance included in works costs).*
- 3.8 *Contract performance bond premiums.*
- 3.9 *Borrowing administration charges (including associated legal and valuation fees).*

- 3.10 *An appropriate proportion of the development and administration costs of the Authority or the body in receipt of funding from the Authority.*
- 3.11 *Irrecoverable VAT on the above.*

Note 1

Where the development contract is a design and build contract, the on-costs are deemed to include the builder's design fee element of the contract sum. The amount included by the builder for design fees should be deducted from the works cost element referred to above, as should other non-works costs that may be submitted by the builder such as fees for building and planning permission, building warranty, defects liability insurance, contract performance bond and energy rating of dwellings.

Note 2

Some items will not qualify as development costs unless the Authority can clearly demonstrate that such costs are properly chargeable to the social housing, i.e. for the sole use of the residents or to comply with any statutory obligations that may have been imposed.

Examples of these are as follows:

- works to any roads which do not exclusively serve the social housing;*
- landscaping to areas of land which lie outside the boundaries of the land on which the social housing is situated;*
- district heating systems;*
- trunk sewers and sewage disposal works;*
- special refuse treatment buildings;*
- public conveniences;*
- community halls, club rooms, recreation rooms.*

Note 3

Subject to the above, where any cost incurred or to be incurred by the Authority or a body in receipt of funding from the Authority is common both to the development of the social housing and to any other activity, asset or property of the Authority or a body in receipt of funding from the Authority, only such part of that cost as is attributable to the development of the social housing may be treated as a cost in respect of which the retained amount may be paid.

Signed on behalf of the Authority by

(insert name and position in capitals)

..... (add signature and date)

Signed on behalf of the Secretary of State by Graham Duncan – Deputy Director – Affordable Housing Regulation and Investment

.....(add signature and date)

Equality Impact Assessment – pro-forma

Appendix 2

| | | |
|--|--|---|
| Responsible person | James Barraah | Job Title - Housing and Health Manager |
| Why are you completing the Equality Impact Assessment? (Please mark as appropriate) | Proposed new policy or service | Yes |
| | Change to Policy or Service | Yes |
| | Budget/Financial decision – MTFP | Yes |
| | Part of timetable | |
| What are you completing the Equality Impact Assessment on (which policy, service, MTFP proposal) | Proposal to sign up to new agreement with Government to allow TDBC to retain greater net receipts from Right to Buy sales of Council Houses. | |
| Section One – Scope of the assessment | | |
| What are the main purposes/aims of the policy? | <i>Greater incentives (financial discounts) have been introduced by Government from 1/4/12 that will inevitably encourage higher levels of RtB's. The opportunity exists for TDBC to retain a greater proportion of the net receipts in future to spend on new Affordable Housing.</i> | |
| Which protected groups are targeted by the policy? | <i>Consideration given to all protected groups in terms of the impact of this report.</i> | |
| What evidence has been used in the assessment - data, engagement undertaken – please list each source that has been used The information can be found on.... | <i>Inevitably the Right to Buy provision has been more accessible in the past to the more financially secure tenants, even with increased discounts now available the same principle will apply. Promotional material provided by DCLG is being used to communicate the changes to TDBC tenants. We will make sure this is accessible to all our tenants in the usual way. In particular we will scrutinise this material to ensure it strikes the right balance between promoting the new opportunity for home ownership arising from the increased discounts and adequate warnings on the financial risk and responsibility that goes with buying and maintaining your own home.No specific data sources used or available in this circumstance.</i> | |
| Section two – Conclusion drawn about the impact of service/policy/function/change on different groups highlighting negative impact, unequal outcomes or missed opportunities for promoting equality | | |
| No negative impact on any protected group. | | |

| | |
|--|-------------------------|
| I have concluded that there is/should be: | |
| No major change - no adverse equality impact identified | Yes |
| Adjust the policy | |
| Continue with the policy | |
| Stop and remove the policy | |
| Reasons and documentation to support conclusions: see above | |
| Section four – Implementation – timescale for implementation | |
| Agreement to be signed and returned to Government by end of June, impact will then form part of ongoing consideration for TDBC finance and affordable housing programme. | |
| Section Five – Sign off | |
| Responsible officer: James Barraah Date: 31/5/12 | Management Team Date |
| Section six – Publication and monitoring | |
| Published on: June 2012 | |
| Next review date. N/A | Date logged on Covalent |

| | 2012/13 | | | | 2013/14 | | | | 2014/15 | | | | 2015/16 | | | |
|---|---------|-----|-----|-----|---------|-----|-----|-----|---------|-----|-----|-----|---------|-----|-----|-----|
| | Q1 | Q2 | Q3 | Q4 | Q5 | Q6 | Q7 | Q8 | Q9 | Q10 | Q11 | Q12 | Q13 | Q14 | Q15 | Q16 |
| Receipts | 100 | 100 | 100 | 100 | 100 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Cumulative Receipts | 100 | 200 | 300 | 400 | 500 | 600 | 600 | 600 | 600 | 600 | 600 | 600 | 600 | 600 | 600 | 600 |
| Spend | 0 | 0 | 50 | 100 | 100 | 50 | 50 | 40 | 40 | 40 | 30 | 30 | 30 | 30 | 30 | 30 |
| Cumulative Spend | 0 | 0 | 50 | 150 | 250 | 300 | 350 | 390 | 430 | 470 | 500 | 530 | 560 | 590 | 620 | 620 |
| Total of all retained amounts from Q1 to the reckonable quarter | | | | | | | | | | | | | 100 | 200 | 277 | |
| 30% of total amount spent on provision of social housing | | | | | | | | | | | | | 168 | 177 | 186 | |
| Returnable Amount (R) | | | | | | | | | | | | | 0 | 23 | 91 | |

Total of all retained amounts from Q1 to the reckonable quarter
 30% of total amount spent on provision of social housing
 Returnable Amount (R)

Receipts in Q1 are less than 30% of total spend up to the end of Q13, therefore nothing to surrender to central Govt

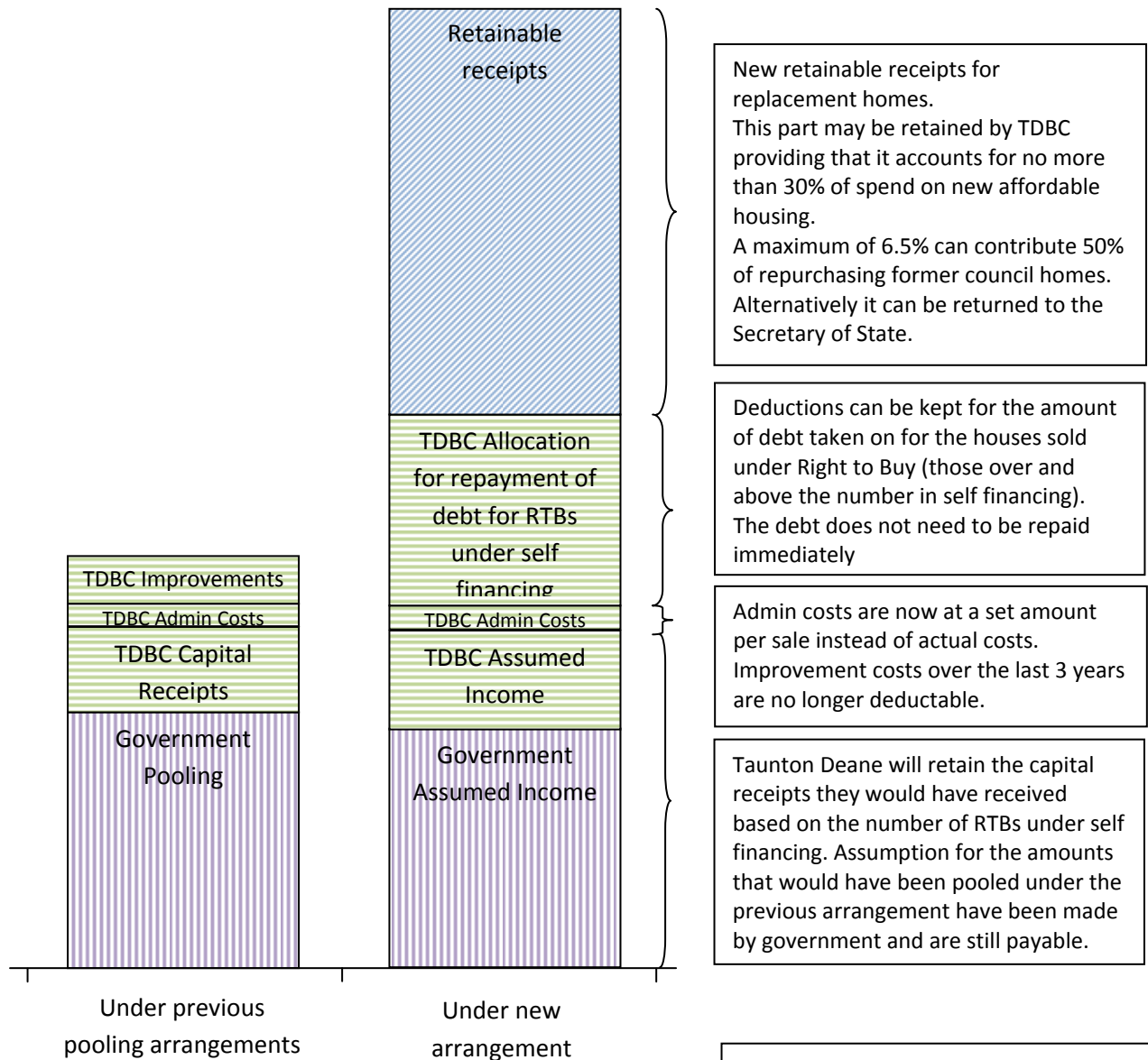
Receipts in Q1 and are more than 30% total spend up to the end of Q14, therefore £ (ie the difference) r be surrendered to Govt and receipts received in Q2 will be reduced by £23k

Adjusted to take account of money surrendered in the previous quarter

1 and Q2
1 30% of
) to the end
ore £23k
nce) must
d to central
ipts
2 will be
23k

Right to Buy Capital Receipt Allocations

Appendix 4



New retainable receipts for replacement homes. This part may be retained by TDBC providing that it accounts for no more than 30% of spend on new affordable housing. A maximum of 6.5% can contribute 50% of repurchasing former council homes. Alternatively it can be returned to the Secretary of State.

Deductions can be kept for the amount of debt taken on for the houses sold under Right to Buy (those over and above the number in self financing). The debt does not need to be repaid immediately

Admin costs are now at a set amount per sale instead of actual costs. Improvement costs over the last 3 years are no longer deductible.

Taunton Deane will retain the capital receipts they would have received based on the number of RTBs under self financing. Assumption for the amounts that would have been pooled under the previous arrangement have been made by government and are still payable.

Key

- Taunton Deane
- Payable to Government
- Retainable Receipts

Taunton Deane Borough Council

Executive committee – 20 June 2012

Corporate Performance Monitoring – Quarter 4 / Outturn 2011/2012

Report of the Performance and Client Lead Officer

(This matter is the responsibility of Executive Councillor Mrs Vivienne Stock-Williams)

IMPORTANT – PLEASE NOTE:

In order for this performance information to be debated in the most efficient manner at the Executive committee, we would encourage Members who have queries with any aspect of the report to contact the appropriate officer(s) named (at the end of the report) before the meeting so that information can be collated in advance or relevant officers can be invited to the meeting.

1. Executive Summary

This report outlines the final performance data of the Council for the 2011/12 year.

The detailed 2011/12 financial outturn data is to be submitted in a separate report in June.

The monitoring of the Corporate Strategy, service delivery, performance indicators and budgets is an important part of the overall performance management framework.

Analysis of the overall performance of the Council reveals that 65% of all performance measures are on target (ie Green alert). This is a slightly improved position compared to the previous quarter (Quarter 3 was 64%).




2. Introduction to the Performance Scorecard (please see Appendix A)

- 2.1 The TDBC Scorecard at **Appendix A** contains full details of Quarter 4 performance, however section 4 (below) of the report provides further information and guidance for members on the key issues that have been identified through analysis of the data. Additional commentary has also been provided by responsible officers and CMT where appropriate
- 2.2 Scorecard explanation / key




Each section of the scorecard uses the same template and is structured as follows:

| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS |
|-----|---|--|---------------------------------|---|
| | Strategic & corporate objectives categorised in the 7 sections of the scorecard | Key performance indicators (& targets where possible) used to measure the objective. | Red, Amber or Green (see below) | A brief summary highlighting reasons for and issues surrounding the alert reported (see Green, Amber, Red below). Also any known problems that may jeopardise attainment. Where relevant, CMT will provide further information in addressing under performance. |

2.3 Key to performance alerts:

| | Reasons for alert | Notes |
|--|---|--|
|  Green | Planned actions are on course | Justification for the Green alert will be provided. Key successes or exceptional performance will be outlined. |
| | Performance indicators are on target | |
|  Amber | Some uncertainty in meeting planned actions | The reason for the Amber alert will be made clear. Mitigating actions will be outlined |
| | Some concern that performance indicators may not achieve target | |
|  Red | Planned actions are off course | A brief high level summary is included within scorecard. Where the Corporate Management Team consider a Red alert to be a priority issue requiring further detail and explanation, a separate one page information sheet for more detail will be appended to the report |
| | Performance indicators will not achieve target | |

2.3 A summary / overview of the Quarter 4 scorecard (appendix A) is in the table below

| Section | No. of measures |  Green |  Amber |  Red | N/A | Trend (from last quarter) |
|----------------------------|-----------------|--|--|--|-------------------|---------------------------|
| 1) Corporate Strategy Aims | 20 | 60% (12) | 25% (5) | 10% (2) | 5% (1) | ↓ |
| 2) Service Delivery | 15 | 73% (11) | 20% (3) | 7% (1) | | ↑ |
| 3) Managing Finances | 7 | 71% (5) | 14% (1) | 14% (1) | | N/A - awaiting year-end £ |
| 4) Key Projects | 4 | 50% (2) | 50% (2) | | | ↔ |
| 5) Key Partnerships | 9 | 55% (5) | 11% (1) | 33% (3) | | ↓ |
| 6) People | 6 | 83% (5) | | 17% (1) | | ↑ |
| 7) Corporate Management | 11 | 64% (7) | 36% (4) | | | ↑ |
| TOTALS | 72 | 65% (47) | 22% (16) | 11% (8) | 1% (1) | ↑ |

KEY:

- ↑ = Improving (ie more Green, less Amber &/or Red alerts)
- ↓ = Worsening (ie less Green, more Amber &/or Red)
- ↔ = No change

3. Comments from Scrutiny

This report was considered by the Corporate Scrutiny Committee on 24th May. The list below includes the key comments, queries and concerns that were raised. These points are being addressed by the relevant Officer, and further responses will be circulated as appropriate to members of the Corporate Scrutiny & Executive Committees.

- Tackling deprivation (1.1, objective 1) – worsening deprivation within Taunton Deane, and reducing resources at TDBC – concerns that we are letting down the most deprived areas
- Job Clubs (1.1, objective 2) – good feedback being received from residents – Members are reminded to use the Customer Feedback process to capture this (the guidance and process is to be circulated)
- North Taunton & Link Partnerships (1.1, objective 3) – some disquiet due to a recent lack of communication from TDBC
- Customer Contact KPI failures in March (2.3 & 5.2) – a concern that management did not learn lessons from previous trends of increases in call volume. A report has been provided by Southwest One’s Head of Customer Contact to the Client team – this

details the reasons for the high demand in March, as well as actions that were taken to mitigate impact, ie: additional hours offered to staff; movement of multi-skilled Customer Service Advisors across service lines; temporary staffing for those on long term sickness; additional staffing provided by SWOne. Discussions continue between SWOne Revenues & Customer Contact on future delivery programmes for future summons runs.

- Debt Management / Sundry Debts (3.4) – request that reports include more detailed information, and the cost to TDBC of carrying unpaid debts (a report is due to be taken to Corporate Governance committee in June)
- Fly-tipping (2.4) – it was confirmed that the number of actions (eg investigations) increased significantly reflecting the increase in incidents
- Staff sickness levels (6.1) – concerns over the increase in 2011/12 – more detail and analysis was requested (ie breakdown data by short/long-term, Themes, grades). The Retained HR Manager is preparing an action plan for CMT to consider.
- Southwest One service delivery (5.2) – question raised as to what credible plans are in place to ensure service delivery is as required – this was responded to by Cllr Nottrodt (ref Service Delivery Plans, KPI monitoring by the Client team)

4. Finance Comments

The 2011/12 Budget Outturn report will follow as a separate report at June's Corporate Scrutiny committee meeting.

5. Legal Comments

There are no legal implications in this report.

6. Links to Corporate Aims

As this report covers all aspects of the Council's performance, all Corporate Priorities are affected.

7. Environmental and Community Safety Implications

Please see the following sections of the Scorecard for those areas contributing to the above: 2.4 (Service Delivery – 'Street Scene'); 5.4 (Somerset Waste Partnership).

8. Equalities Impact

See the scorecard section 7.3 for details of equalities progress within the council.

9. Risk Management

Significant risks associated with each 'key issue' are identified in this report (section 4).

See the scorecard section 7.4 for details of risk management progress within the council.

10. Partnership Implications

See the scorecard section 5 for details of the council's key partnerships.

11. Recommendations

It is recommended that the Executive review the Council's performance and financial position as at the end of Quarter 4, taking corrective action or requesting further information from Theme Managers where necessary.

Contacts:

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1. CORPORATE STRATEGY AIMS

Tackling Deprivation & Sustainable Community Development (Aim 1)

| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS |
|---|--|--|---|--|
| 1.1 | Objective 1 Focus on Taunton East, North Taunton & Rural Deprivation | Index of Multiple Deprivation (IMD) score <i>For Information only</i> |  Red | IMD data is only published every 3 years, consequently this indicator will remain as 'Red' throughout this period and is ' <i>for information only</i> ' as it does not reflect current TDBC performance re delivery of this corporate aim. The latest IMD data for 2010 highlights that levels of deprivation within Taunton Deane are worsening (especially North Taunton & Taunton East). Our focus is on the delivery of the 'Priority Areas Strategy' (PAS) programme. |
| | | Actions – Progress against key activities |  Amber | A Priority Areas Strategy (PAS) for urban & rural has been completed and work stream leads identified. Taunton Deane Partnership has approved the Strategy which includes 4 new priorities & a supporting action plan. (Presented to Community Scrutiny March 12). The 4 priorities are: 1) Encourage strong, informed & active communities; 2) Improve access to services, information & advice; 3) Improve the lives of our most vulnerable households; 4) Improve the look and feel of the local area. Key issues: A) Limited staff resource within TDBC Strategy Team will mean that success is increasingly dependent on the contribution of Partners. B) The level of resource that partners are able to commit remains unclear Work is underway to refine governance arrangements; clarify partner role/responsibilities and find out the level of input that they can make. This will be completed in May 2012. Success criteria has been identified for each priority & leads are responsible for monitoring each work component. |
| | Objective 2 'One-Stop' advice on skills, employment & training | Actions – Progress against key activities |  Green | Vista commenced a new contract to manage the delivery of the 3 Job Clubs in November 2011 (Priorswood, Halcon, & Wellington). This is now a funded project until March 2013. Vista staff are working extremely hard to deliver a enhanced scheme and the project is developing well. |
| | | Number of people supported / back to work |  Green | SLA targets – 40 attendances per month (combined); 4 jobs per month; 6 'soft' outcomes (placements, training etc). Reports in March 2012 indicate that targets are being met, although job outcomes are proving to be very challenging in the current climate. All targets will be reviewed with Vista in May. |
| Objective 3 Secure medium term future of N. Taunton & Link Partnerships | Funding & delivery against Service Level Agreement (SLA) |  Amber | Funding for 2012/13 has been agreed and this is the final year of a 3 year agreement. We need more clarity over output & outcomes which in some cases are currently unclear and not easily measured or monitored. A Service Level Agreement with both the Resource and Link Centres re roles & responsibilities, output & outcomes will be agreed for 2012/13 and future funding / SLAs will be decided / agreed by the new Grants Panel | |

As at: 12/06/2012 **TDBC SCORECARD Q4 2011/12** (Appendix A)

| Regeneration (Aim 2) | | | | |
|----------------------|--|---|--|---|
| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS |
| 1.2 | Objective 4 Facilitate the creation of a leading Green Knowledge economy | Actions – Progress against key activities |  Amber | <ul style="list-style-type: none"> Shifting priorities this year (ie Olympic Torch event) have affected the delivery plan Proactive programme of events & PR for local businesses is on-going and award of 3 business grants during 2011/12 Members agreed to withdraw from the 'Into Somerset' partnership at the end of 2011/12 – Ec Dev are now working with Project Taunton to design a new inward investment marketing programme (aiming for launch summer 12) Engagement with the Hinkley supply forum to encourage Taunton Deane businesses to benefit from Hinkley supply opportunities A busy programme of TDBC planned events for businesses include: Tourism conference (March); Wellington Business conference (Feb); Carbon Reduction meeting (Jan); Olympic Torch relay celebrations (May); Business breakfast (May); Leaders dinner (May); Ambassadors lunch (May) Business Improvement District (BID) proposal for Taunton town centre was rejected by businesses at end March 12 – discussions underway re future of town centre management in Taunton |
| | | Number of companies visited & supported |  Amber | The target is to visit approx 100 companies during the year. During 2011/12 approx 60 – 70 companies were visited or engaged with on a 1-2-1 basis. |
| | Objective 5 Facilitate Housing growth | Actions – Progress against key activities |  Green | The examination of the Core Strategy by a Government appointed independent inspector is due to start on 7 February 2012. Anticipated that the plan will be adopted by summer 2012. Work on the Strategic Housing Land Availability Assessment has been completed and is published on the TDBC website. |
| | | Net additional homes provided |  Red | The target for 2011/12 = 700 dwellings Net increase of domestic dwellings = 474* in 2011/12. (2010/11 = 459; 2009/10 = 458) * NB – final data still to be validated |
| | | Supply of ready to develop housing sites |  Amber | Target = 5 year supply of housing land within Taunton by December 2011 The assessment has now been published and indicates a marginal under supply against 5 year requirements. Members have agreed to the identification of further interim release sites capable of contributing to the 5 year supply (although at present these sites are not counted towards deliverable supply). |
| | Objective 6 Deliver Infrastructure | Actions – Progress against key activities |  Green | <ul style="list-style-type: none"> Infrastructure Delivery Plan published July 11 (subject to future reviews) TDBC has adopted an interim policy on Planning. Consulting on a draft Community Infrastructure Levy (CIL) charging schedule May 2012. The document will be subject to formal representation & examination in autumn 2012 (adopted by end 2012/13). |



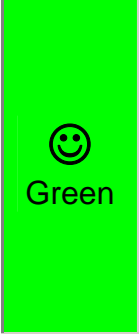

As at: 12/06/2012 **TDBC SCORECARD Q4 2011/12** (Appendix A)

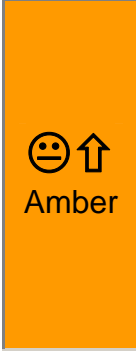




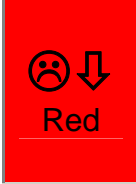

Affordable Housing (Aim 3)

| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS | | | | | | | | | | | | | |
|--|---|---|--|---|--|---------|--|-------------------|--|---|--|--|--|--|---|--|---|
| 1.3 | Objective 7 Making homes more affordable | Actions – Progress against key activities | Green | <ul style="list-style-type: none"> Affordable Housing Development Partnership has been established and the Partnership will facilitate the provision of new high quality affordable housing and help meet the identified housing need £6.7 million secured HCA Funding for affordable housing schemes completed in 2011/12 and £2.75 million secured to date for 2012/13 schemes. | | | | | | | | | | | | | |
| | | Target of 200 affordable homes delivered | Green | <p>218 affordable units were completed during the period 01 April 2011 – 31 March 2012. The key schemes that completed this year were: Waterside House (Firepool); Wordsworth Drive; Hyde Lane; Bishops Hull.</p> <p>Previous years data: 2008/09 = 65; 2009/10 = 124; 2010/11 = 197</p> <p>The 2012/2013 affordable housing target is 200 units.</p> | | | | | | | | | | | | | |
| | | % of non-decent council homes | Green | <p>0.07% were non decent (4 out of 5971 properties) as at end March 2012</p> <p>Target = max 0.5% (25 properties)</p> | | | | | | | | | | | | | |
| | Somerset West Private Sector Housing Partnership Objective: Better standards and interventions in the private sector stock, by improving housing conditions | | | | <table border="1"> <thead> <tr> <th>Measure</th> <th>Quarter 4 - cumulative performance 2011/12</th> </tr> </thead> <tbody> <tr> <td>Energy efficiency</td> <td>670 loft insulations; 481 cavity wall insulations; 21 boiler replacements; 13 night storage heater replacements; 18 gas heating system replacements (no targets as demand led/budget constrained)</td> </tr> <tr> <td>No of private sector homes improved to Decent Homes</td> <td>180 made decent Annual Target = 100</td> </tr> <tr> <td>No of empty properties brought back into use</td> <td>New Homes Bonus (year 2: Oct 10 – Oct 11) = 45 empty properties brought back into use (Annual Target 60). 2011/12 cumulative = 67 (In addition 110 through a street survey in last quarter)</td> </tr> <tr> <td>No of statutory Disabled Facilities Grants* approved & implemented</td> <td>47 in private sector stock, 49 in Council stock Annual Target = 36 private sector, 48 in Council stock * statutory responsibility if eligibility proven</td> </tr> <tr> <td>No of statutory housing standards interventions (enforcement activities)</td> <td>32 Houses in Multiple Occupation (HMO) inspected Target = 30 HMO inspections to be completed 36 fitness conditions complaints dealt with Target = 15 fitness complaints to be dealt with</td> </tr> </tbody> </table> | Measure | Quarter 4 - cumulative performance 2011/12 | Energy efficiency | 670 loft insulations; 481 cavity wall insulations; 21 boiler replacements; 13 night storage heater replacements; 18 gas heating system replacements (no targets as demand led/budget constrained) | No of private sector homes improved to Decent Homes | 180 made decent Annual Target = 100 | No of empty properties brought back into use | New Homes Bonus (year 2: Oct 10 – Oct 11) = 45 empty properties brought back into use (Annual Target 60). 2011/12 cumulative = 67 (In addition 110 through a street survey in last quarter) | No of statutory Disabled Facilities Grants* approved & implemented | 47 in private sector stock, 49 in Council stock Annual Target = 36 private sector, 48 in Council stock * statutory responsibility if eligibility proven | No of statutory housing standards interventions (enforcement activities) | 32 Houses in Multiple Occupation (HMO) inspected Target = 30 HMO inspections to be completed 36 fitness conditions complaints dealt with Target = 15 fitness complaints to be dealt with |
| | | Measure | Quarter 4 - cumulative performance 2011/12 | | | | | | | | | | | | | | |
| | | Energy efficiency | 670 loft insulations; 481 cavity wall insulations; 21 boiler replacements; 13 night storage heater replacements; 18 gas heating system replacements (no targets as demand led/budget constrained) | | | | | | | | | | | | | | |
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| | | Green | | | | | | | | | | | | | | | |
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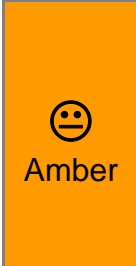


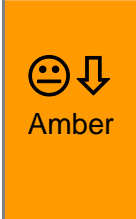

As at: 12/06/2012 **TDBC SCORECARD Q4 2011/12** (Appendix A)

Climate Change (Aim 4)


| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS |
|-----|--|--|---|--|
| 1.4 | Objective 8 Meet TDBC's & partner organisation's internal climate change commitments | Actions – Produce and implement Carbon Management Plan (CMP) |  Green | <ul style="list-style-type: none"> • CMP (containing 52 actions in 2011/12) - 81% are on track or completed (42/52) and 19% (10 actions) have either been removed or deferred. • A formal progress monitoring report will be produced in May 2012 • The Carbon Management Steering Group informally tracks progress quarterly and is also reported informally to staff in the quarterly Footprint Newsletter • The Green Champions project on reducing paper usage is on-going • Draft CMP for 2012/13 has been produced with adoption anticipated June 2012 |
| | | 3% reduction in CO2 by Mar 12 | | <p>2011/12 outturn data will be ready by end May</p> <p>TDBC's annual 3% reduction in Co2 (2009/10 to 2010/11) is slightly better than the average reduction of the 9 districts in our 'family group'</p> |
| | | Adapting to climate change |  Green | LAA target now removed, however Climate Change Adaptation plans were updated by Core Council Managers early 2010, and are currently included within the 2011/12 Core Council Service Plans. |
| | Objective 9 Work with communities to reduce carbon emissions across the Deane | Actions – Progress against key activities |  Green | <ul style="list-style-type: none"> • Taunton Deane Partnership has agreed the setting up of working groups to coordinate the development of a Climate Change & Local Resilience Strategy. A scoping workshop with community stakeholders was held in January. 3 working groups are now operational. All Stakeholders to reconvene in June. Strategy to be completed Dec 2013. • TDBC has made a commitment to build 4 flats on a council owned site for elderly people to 'Passivhaus' standard • Planning has commenced on a workshop for Councillors on Sustainable Construction in partnership with Building Control (Sept 12) |
| | Per capita CO2 emissions in TD area |  Green | <p>Latest data published in Sept 2011 showed an 11% reduction from 2006 to 2009 in Taunton Deane. At 5.8 tonnes per head, Taunton Deane is 7% better than the South West average, and 10% better the UK average.</p> <p>(NB - data published annually in September but with a 2 year time lag)</p> | |

| 2. SERVICE DELIVERY | | | | | | | |
|---|--|--|--|---|----------------------|---------|----------|
| Excellent services - Customer driven - A dynamic organisation - Local focus | | | | | | | |
| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS | | | |
| 2.1 | Ensuring development proposals are dealt with positively, with an emphasis on quality outcomes Delivering the Development Management Service aims | Planning Applications Speed of Processing |  Amber | Type | Outturn | Targets | Comments |
| | | | | a) Major | 48.7% ↑ (19/39) | 65% | |
| | | | | b) Minor | 78.8% ↑ (242/307) | 75% | |
| | | | | c) Other | 86.5% ↑ (660/763) | 85% | |
| | | % of appeals allowed against the authority's decision |  Green | Outturn 2011/12 = 22.7% (Target max 25%) Total of 22 appeals lodged, with 5 of these allowed against the council's decision. Last year was 31% (4 / 13) | | | |
| 2.2 | Safeguarding the health, safety & welfare of everyone in the Borough Delivering the aims of the Environmental Health Service | Satisfaction with EH regulatory services |  Green | Outturn 2011/12 = 99% (Target = 75%) | | | |
| | | Food Safety compliance |  Green | Outturn 2011/12 = 87% (Target = 80%) | | | |
| | | Environmental Protection Team reactive tasks |  Green | Outturn 2011/12 = 86% Total Service Requests responded to in target time Requests for service (eg pest control, dog warden, noise, odour, drainage, air pollution, public health) | | | |
| | | Health & Safety intervention visits (Commercial premises only) |  Red | Outturn 2011/12 = 31% (Target = 90%) The target number of health and safety inspections has been reduced in line with the most recent HSE guidance, however, staff resources have been diverted as a result of events in November 2011, leaving a significantly depleted staffing level to cover the ongoing intensive workload | | | |
| | | Licensing inspections |  Green | Outturn 2011/12 = 112% of annual inspection programme completed (161 inspections completed against annual target 144) Target 75% | | | |







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| 2.3 | Delivering customer driven services To deliver customer focussed services, achieving high levels of customer satisfaction. | Calls resolved at 1 st point of contact |  | 2011/12 monthly average = 96.5% (Target 91%) The monthly KPI target was achieved for all 12 months during 2011/12. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|--|--------------|----------------------|----|-------------------|--|----------|--|----|--------------|----|--------------|----|--------------|------|----|----|--|-----|--|-----|-----|----|----|--|-----|--|-----|--------------|-----------|-----------|--------------|------------|--------------|------------|
| | | Calls answered within 20 seconds |  | 2011/12 monthly average = 81% (Target 80%) The monthly KPI target was achieved for 10 out of 12 months during 2011/12. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Calls abandoned |  | 2011/12 monthly average = 4.8% (Target <5%) The monthly KPI target was achieved for 9 out of 12 months during 2011/12. NB: issues occurred in Qtr 4 (March) with combination of CTAX summonses, new bills and Garden Waste bills all being sent within a few days of each other | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Complaints measures -10 day response - % Complaints upheld |  | <table border="1"> <thead> <tr> <th rowspan="2"></th> <th colspan="2">Total no. complaints</th> <th colspan="2">% 10 day response</th> <th colspan="2">% upheld</th> </tr> <tr> <th>Q4</th> <th>Q4 last year</th> <th>Q4</th> <th>Q4 last year</th> <th>Q4</th> <th>Q4 last year</th> </tr> </thead> <tbody> <tr> <td>TDBC</td> <td>57</td> <td>26</td> <td></td> <td>96%</td> <td></td> <td>22%</td> </tr> <tr> <td>SWP</td> <td>11</td> <td>29</td> <td></td> <td>52%</td> <td></td> <td>92%</td> </tr> <tr> <td>Total</td> <td>68</td> <td>55</td> <td>90% *</td> <td>73%</td> <td>38% *</td> <td>53%</td> </tr> </tbody> </table> <p>A detailed Customer Feedback report for 2011 was taken to Corporate Scrutiny 22 March. * Please note that these results are based on closed complaints – some complaints from Qtr 4 remain open on the recording system, therefore the overall results may change</p> | | Total no. complaints | | % 10 day response | | % upheld | | Q4 | Q4 last year | Q4 | Q4 last year | Q4 | Q4 last year | TDBC | 57 | 26 | | 96% | | 22% | SWP | 11 | 29 | | 52% | | 92% | Total | 68 | 55 | 90% * | 73% | 38% * | 53% |
| | | | Total no. complaints | | | % 10 day response | | % upheld | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | Q4 | Q4 last year | Q4 | Q4 last year | Q4 | Q4 last year | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TDBC | 57 | 26 | | 96% | | 22% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SWP | 11 | 29 | | 52% | | 92% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total | 68 | 55 | 90% * | 73% | 38% * | 53% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Benefits Service: Time to process new claims |  | Outturn 2011/12 = 18.68 days (Target = 22 days) (Q4 last year 2010/11 was 18.28 days) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Landlord Services – satisfaction with repairs |  | 98.2% satisfied overall with the repairs service (Target = 98%) Results from most recent survey results Q2 & Q3 (July – Dec 2011) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2.4 | Ensuring the Borough is a clean and attractive place to live, work & visit Delivering Parks, Street Cleansing, Highways & Transport Services that are high quality & cost-effective | Street & environmental cleanliness Fly-tipping target |  | 2011/12 outturn = Grade 3 “not effective” Target: Grade 2 “effective” A significant increase in fly tipping has occurred since the reduced opening hours have been in place at the civil amenity site. The grade is made up the number of incidents and the number of actions taken. Incidents in 2010/11 = 407; Incidents in 2011/12 = 667. NB - Somerset County Council are funding any additional Fly-Tipping over & above the level of previous years | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Quality assurance accreditation / Awards |  | Taunton was awarded a Gold medal in the Britain in Bloom competition and the judges commented that ‘the standard of street cleansing was exceptional’ and ‘the street floral displays were outstanding’. In the same competition Vivary Park was awarded a heritage award and there were three local neighbourhood awards given. The four Green Flags (French Weir, Victoria, Vivary and Wellington Parks), Heritage Award (Wellington Park) and the Green Pennant (Swains Lane) have all been successfully retained. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |




3. MANAGING FINANCES Separate Budget Outturn report to Corporate Scrutiny June 2012

| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS |
|-----|---|--|--|--|
| 3.1 | Budget monitoring To control spending within approved budget total for the year | General Fund Revenue within 0.5% = 😊 0.5 – 2% = 😐 over 2% = 😞 | | 2011/12 Outturn = xxxx (= xx%) against budgeted net expenditure of £xxxx Separate Budget Outturn report to follow - Corporate Scrutiny June 2012 |
| | | General Fund Capital within 2% = 😊 2 – 3.5% = 😐 over 3.5% = 😞 | | 2011/12 Outturn = xxxxx (excluding slippage) (= xx%) against budgeted net expenditure of £xxxx Separate Budget Outturn report to follow - Corporate Scrutiny June 2012 |
| | | Housing Revenue (HRA) within 0.5% = 😊 0.5 – 2% = 😐 over 2% = 😞 | | 2011/12 Outturn = xxxxx (= xx%) against budgeted gross expenditure of £xxxx Separate Budget Outturn report to follow - Corporate Scrutiny June 2012 |
| | | HRA Capital within 2% = 😊 2 – 3.5% = 😐 over 3.5% = 😞 | | 2011/12 Outturn = xxx (xx%) against budgeted net expenditure of £xxxm Separate Budget Outturn report to follow - Corporate Scrutiny June 2012 |
| 3.2 | Reserves To maintain an adequate reserve (based on financial risk analysis) | General Fund reserve >£1.25m = 😊 £1 - £1.25m = 😐 <£1m = 😞 | | General Fund Reserve Balance as at March 2012 is £xxm. Separate Budget Outturn report to follow - Corporate Scrutiny June 2012 |
| 3.3 | Next year's budget gap | A balanced budget 2012/13 |  Green | At its meeting on 21 st February 2012 Full Council set a balanced budget for 2012/13 |


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| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS |
|-----------------------------------|--|--|--|--|
| 3.4 | Debt collection | Council Tax Target = 97.8% |  | 2011/12 outturn = 98.34% (last year 2010/11 was 98.21%) |
| | | NNDR Target = 98.4% |  | 2011/12 outturn = 99.22% (last year 2010/11 was 99.01%) |
| | | Housing Rent Target = 98.3% |  | 2011/12 outturn = 98.43 % (last year 2010/11 was 98.1%) |
| | | Sundry Debts position In SAP only* |  Amber | |
| Outstanding debt | £2.93m | £3.53 | | |
| Aged debt over 90 days old | £1.24m | £1.46m | | |
| | | | | As can be seen above, the outstanding debt position at 31st March, 2012 was appreciably lower than for the corresponding time in 2011, which in turn was significantly lower than the balance of £5.88m which existed at 31st March 2010. Similarly debt over 90 days old is lower than the corresponding point in 2011 and less than half the value of over 90 day debt which existed at 31st March 2010 (£2.52m). The overall direction of travel of sundry debt levels is therefore downward. A report is due to go before Corporate Governance in June 2012 providing more detail on the progress which has been made in reducing sundry debt levels. |
| 3.5 | Benefits subsidy | To achieve 100% subsidy |  | Projection for 2011/12 = 100% (by remaining in the lower threshold for LA error overpayments). NB: This is subject to final validation by the Audit Commission |
| 3.6 | Procurement Transformation Project Ensure TDBC realises benefits of the various transformation projects | Value of Procurement Savings against original expectation (£10m over 10 years) |  Red | This alert is red because the procurement savings which have been delivered to date remain significantly below the level envisaged at the start of the SwOne contract. Progress is being made however. The gas servicing contract has recently been re-let, which should deliver significant savings (which are not yet included within the figures below). Work is also ongoing in respect of DLO stores and planned and routine property maintenance in addition to other initiatives. Procurement savings are 'top sliced' from budgets, in recognition of procurement initiatives signed-off, some of which deliver savings in just one year and others which deliver savings over several years. The sum to be 'top sliced' in respect of 2012/13 will be calculated in early June 2012 and again during the year as new procurement savings are identified. At the end of the 2011/12 financial year, a cumulative total of £1.2m had been top-sliced from budgets in recognition of procurement savings made so far. To date £2.2m of procurement savings have been signed-off, of which approx £1m will be delivered over future years. |




4. KEY PROJECTS

| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS |
|-----|--|---|--|---|
| 4.1 | <p>Local Development Framework (LDF) Core Strategy To create a plan to deliver sustainable growth</p> | <p>- Publish Core Strategy for consultation in Mar/Apr 2011 - Adopt the LDF Core Strategy in March 2012</p> |  Amber | <p>The Core Strategy has been subject to an Examination in Public. Following publication of the new National Planning Policy Framework, the Inspector has requested further submissions to be made by interested parties before issuing his final report. It is anticipated that the Plan will now be adopted by September 2012.</p> |
| 4.2 | <p>DLO transformation project</p> | <p>To deliver the specified benefits (financial and non-financial) of the DLO transformation</p> |  Green | <p>The transformation plan was approved by Full Council on 16 Aug 2011 and is on course to deliver above and beyond the specified benefits. Progress is overseen by the DLO Transformation Members' Steering Group</p> |
| 4.3 | <p>SAP BOP (Back Office Processing) system re-launch</p> | <p>SAP Back Office Processing (BOP) system implementation</p> |  Amber | <p>As previously reported, all essential business critical modules of SAP are LIVE and in use across the organisation. Progress has been made in relation to the list of 106 items which the SwOne partners have been pursuing with SwOne in relation to SAP (some of these items are quite minor and others are more significant). This list has reduced to approx 48 items in recent months (not all of which does TDBC have an interest in, as some are partner specific). During the past 12 months, in addition to a number of smaller changes being made to SAP to improve the user experience or improve functionality, the following key changes have been implemented within SAP: LSO – online learning booking tool; Expenses; EPRF - electronic payment request functionality; PCR – Personnel change request form; Equalities – enhanced functionality now in SAP; HR headcount reports; Access rights for retained HR. The four key areas where TDBC are pursuing change with SwOne, before the remaining functionality is rolled out across the organisation are: Sickness, PRED (performance review), Corporate Feedback and E-Recruitment. For each of these functions adequate alternative arrangements are in place, and are working well, until such time as the SAP functionality is delivered by SWOne to meet the requirements of the Council. This alert will consequently remain amber until these 4 areas of functionality have been rolled out across the Council.</p> |




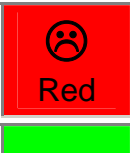
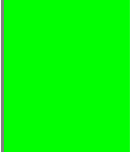

As at: 12/06/2012 **TDBC SCORECARD Q4 2011/12 (Appendix A)**

| | | | | |
|-----|---------------------------|--|---|--|
| 4.4 | HRA Reform Project | Monitor progress against required outputs for each workstream as detailed in the project outline |  Green | <p>The Business Plan 2012-42 and recommendations in the accompanying report received final approval from Community Scrutiny Committee and Executive in February 2012.</p> <p>A final debt settlement figure was received from the CLG in January 2012 and following advice from our Treasury Management Advisors the required sum was borrowed from the Public Works Loan Board. The financial transaction to exit the negative subsidy system was made successfully to the CLG on the 28th March 2012.</p> <p>The Project Group is now establishing how to effectively monitor the new business plan including a Social Housing Development Fund and is ensuring that the actions from the business plan are incorporated into Housing Services 'business as usual'.</p> <p>The project is now coming to a close and will not be monitored in the Corporate Performance Report in future. A project closedown report including lessons learnt has been produced.</p> |
|-----|---------------------------|--|---|--|







5. KEY PARTNERSHIPS

| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS |
|-----|--|--|--|--|
| 5.1 | Taunton Deane Partnership (TDP) | Progress against the 3 TDP priorities |  Green | <p>Priority Areas Strategy (PAS):</p> <ul style="list-style-type: none"> Please see section 1.1 (Tackling Deprivation, Objective 1) of the scorecard <p>Planning Cycles:</p> <ul style="list-style-type: none"> This priority is being delivered through the Troubled Families Programme. This is a national programme which is seeking to improve the lives of vulnerable households through intervention and more joined-up partnership service delivery. Key issue <ul style="list-style-type: none"> Districts across the County are putting resources into the Project to fund a designated resource. Limited budget within the TDP and limited resource within the TDBC Strategy Team will mean that a similar resource commitment may not be possible. This will mean that success will be largely dependent on the work of partners within the TDP in progressing the Troubled Families work. <p>Promoting Taunton Deane:</p> <ul style="list-style-type: none"> Having scoped this priority in some detail, it is clear that there are many agencies that are undertaking similar work. There is ongoing discussion with Partners about the need to continue with this priority. |
| 5.2 | Southwest One | Efficient delivery of in-scope services (basket of KPIs) |  Green | Key Performance Indicators – Quarter 4 (2011/12) |
| | | | | <p>Quarter 4 = 95.5% KPIs on target (63 / 66) Year (2011/12) = 96.2% KPIs on target (204 / 212) (last year 2010/11 = 96.9%) A full Southwest One performance report will be brought to Corporate Scrutiny in July.</p> |
| | | | | Quarter 4 KPI failures ☹️ |
| | | | | Quarter 4 Successes 😊 |
| | | | | <p>Customer Contact: % of calls answered in 20 secs – failed in March Abandoned call rate - <5% - failed in March (Failures due to high level of inbound calls in first two weeks of the month).</p> |
| | | Progress against key business objectives |  Amber | <p>Broadly business objectives are being met in most services and service delivery is stable. The Finance Advisory improvement plan is complete – service delivery has improved and continues to be monitored as business as usual. The ICT service still has areas of poor delivery which are being addressed with our authority partners & through contractual remedies. Service delivery improvement plans are now agreed for most services & actions are in place for those not agreed. Delivery of these plans will be monitored and tracked. The SW1 Board continues to progress the financial plan to address economic challenges & the authorities continue to work with them to ensure service delivery is not impacted.</p> |








As at: 12/06/2012 **TDBC SCORECARD Q4 2011/12** (Appendix A)

| | | | | |
|-----|--|---|---|--|
| 5.3 | Tone Leisure 'More people, more active, more often' | Target 1% increase in total leisure visits |  Red | Quarter 4 saw a 1% growth in usage across the contract with fitness class usage very strong, Swimskool visits high and an improvement in casual swimming. However, overall for the full year the number of visits decreased by 3%, with declines in swimming, leisure activity and club and school usage. |
| | | Progress against Tone Leisure key business objectives |  Red | 2011-12 proved to be a very challenging year for Tone as projected. Though the full year accounts are not yet complete, the income in quarter 4 remained off target -£31k and the company ended the year £77k adrift of sales budget. The company focus remains very much on balancing costs with sales performance and during quarter 4 a number of SMT led projects commenced to allow Tone to flex its cost base in line with sales. A full Tone Leisure performance report will be presented to Community Scrutiny in June. |
| 5.4 | Somerset Waste Partnership To increase participation in the recycling service through promotion and enforcement | % of household waste sent for reuse, recycling & composting |  Green | 2011/12 outturn (cumulative to Quarter 4) = 46.2% (Target = 45.4%) (last year 2010/11 was 45.0%) |
| | | Residual household waste |  Red | 2011/12 outturn (cumulative to Quarter 4) = 394 kg per household Target = 380 kg per household (last year 2010/11 was 383 kg per household) |
| | | Progress against key business objectives |  Green | The recycling rate (and tonnage of captured material) has risen slightly giving a slightly above target outcome. We have however also seen a moderate upturn in tonnage of residual household waste set out for collection. Both are assumed to be due in some measure to two potentially linked factors:- 1. The introduction of Sort It Plus has diverted voluminous material such as cardboard and plastic bottles out of wheeled bins. This has left more spare capacity for the householder to use for items that may not have been placed in bins previously. This hypothesis can only be fully tested by waste composition analysis. 2. People are less inclined to make trips to Recycling Centres and more inclined to use the kerbside service (which has net carbon / traffic reduction benefits). There are at least 3 possible reasons for this: (a) Sort It Plus has removed the need to take plastic bottles and cardboard to the RCs for recycling (b) Petrol/ Diesel prices have risen steeply in the period (c) Reduced hours introduced at Recycling Centres in 2011/12. Detailed performance reports are reported quarterly at the Somerset Waste Board – Members are provided access to these papers & minutes. |
| 5.5 | South West Audit Partnership | Target min 90% of 2011/12 Audit plan delivered |  Green | 95% of planned audits as at end of quarter 4 were complete or are at draft report. |

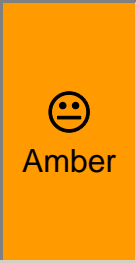
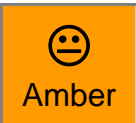
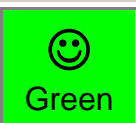




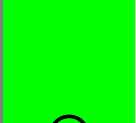
6. PEOPLE (Human Resources)

| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS |
|-----|---|--|--|--|
| 6.1 | Staff Sickness Reduce sickness absence through strong absence management, revised policies & procedures, & training | Target = 8.5 working days max lost per FT employee |  Red | 2011/12 actual = 9.96 days (2010/11 actual 9.62 days) Please refer to appendix B for further detail. |
| 6.2 | PRED / Training Plans Maintain effective performance management of people and establish & deliver development needs | 100% completion of PREDs (staff appraisals) |  Green | Theme 1 are 100% up-to-date (where due) Theme 2 are 100% up-to-date (where due) Theme 3 are 90% complete (with remainder scheduled by the end of April) Theme 4 are 98.4% complete. |
| | | 100% completion of training plans |  Green | Although only 76% training plans were completed in 2011/12 , there has been 100% completion with the 2012/13 training plans (ie service training plans received as part of the annual service Learning & Development budget allocation). |
| | | 100% delivery of 'essential' training activities (corporate training plan) |  Green | All planned activity completed including work on 2012/13 training plans. |
| 6.3 | Staff Turnover | Target 12% (voluntary leavers as % of staff in post) |  Green | Total turnover = 10.2% Voluntary turnover = 4.3% Early retirement / redundancy = 2.7% Ill-health retirement = 0% Other (End of contract/ dismissal/TUPE) = 3.2% |
| 6.4 | Improve Staff Satisfaction | Results from staff survey / resulting action plan |  Green | The Staff Survey results have been provided to CMT and will now be discussed with UNISON and Leads to develop a new action plan. The previous action plan has helped achieve an improvement in 56 of the 69 comparable questions (from 2010 to 2011) and the average increase was 10.3% per question. |

7. CORPORATE MANAGEMENT

| Ref | OBJECTIVES | MEASURES | ALERT | ISSUES (current & future) and IMPACTS | | | | | | | | | | | | |
|----------------------|--|--|--|--|--|------------------------------|----------------------|-------------------|--------------|---------------|----------------------|--------------|--------------|------------------|------|------|
| 7.1 | Corporate Governance Action Plan Deliver the action plan, focussing on high priority areas | Deliver 95% of High priority Actions, and 80% of Medium priority actions by target dates |  Amber | The 2011/12 Corporate Governance Action Plan has been reviewed and updated to include the most recent <i>external</i> audit recommendations. 24 actions from the previous plan have been completed – the new plan now includes 22 actions, with the status as at end December 2011 being: <table style="margin-left: 20px; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;"><u>High priority actions</u></th> <th style="text-align: center;"><u>Total actions</u></th> </tr> </thead> <tbody> <tr> <td>Green (on course)</td> <td style="text-align: center;">= 50% (5/10)</td> <td style="text-align: center;">= 73% (16/22)</td> </tr> <tr> <td>Amber (some concern)</td> <td style="text-align: center;">= 50% (5/10)</td> <td style="text-align: center;">= 27% (6/22)</td> </tr> <tr> <td>Red (off course)</td> <td style="text-align: center;">= 0%</td> <td style="text-align: center;">= 0%</td> </tr> </tbody> </table> <p>A detailed report was taken to the Corporate Governance Committee 12th December, and the next progress update report is due in June</p> | | <u>High priority actions</u> | <u>Total actions</u> | Green (on course) | = 50% (5/10) | = 73% (16/22) | Amber (some concern) | = 50% (5/10) | = 27% (6/22) | Red (off course) | = 0% | = 0% |
| | <u>High priority actions</u> | <u>Total actions</u> | | | | | | | | | | | | | | |
| Green (on course) | = 50% (5/10) | = 73% (16/22) | | | | | | | | | | | | | | |
| Amber (some concern) | = 50% (5/10) | = 27% (6/22) | | | | | | | | | | | | | | |
| Red (off course) | = 0% | = 0% | | | | | | | | | | | | | | |
| 7.2 | Audit & Inspection Ensure that statutory Audit & Inspection obligations are met | Internal audit findings |  Amber | 2011-12 Internal Audit Work: In relation to quarters 1, 2, 3 & 4 there were 38 audits of which 29 audits are complete and 7 at draft report and 2 in progress. <p>The following audit assessments were reported in respect of these audits where complete or draft (draft reports could be subject to change):</p> <ul style="list-style-type: none">  Comprehensive assurance = 3  Reasonable assurance = 14  Partial assurance = 10*  No assurance = 0 (Non-Opinion = 6) <p>Internal Audit (SWAP) reports quarterly on audit plan progress, assurance levels and priority recommendations to the Corporate Governance Committee (next report due June 2012).</p> <p>*Creditors & debtors examined Q1 and Q3 so opinion recorded once to avoid duplication of same system.</p> | | | | | | | | | | | | |
| | | 2010/11 Final Accounts unqualified |  Green | The 10/11 accounts were unqualified by District Audit | | | | | | | | | | | | |

As at: 12/06/2012 **TDBC SCORECARD Q4 2011/12** (Appendix A)

| | | | | |
|-----|--|---|---|---|
| 7.3 | Equalities & Diversity Develop practices & policies based on Equalities Framework for Local Govt ('achieving' level) | Council reports including Equality Impact Assessments (EIA) |  Amber | 21 reports sent to the Executive during Quarter 4 were monitored for equality impact, 16 of which had potential equality implications. 81% of these contained either an EIA or a full explanation of any equality implications. This is a marked improvement on previous performance. (Breakdown - EIA's attached = 8; Full explanation within body of report = 5; No mention of equality implications = 3). Of the 5 reports with no apparent equality impacts, only 2 gave a full explanation as to why this was concluded. |
| | | Themes/Service Equality Action Plans |  Amber | The strategy unit are currently developing new Equality Objectives for 2012/13. These will be published on the TDBC website, as required by new legislation, and will be embedded within the Performance Scorecard from Quarter 1 2012/13. |
| 7.4 | Risk Management | Delivery of RM Strategy & Policy & Procedures |  Green | A full review of strategic risks was undertaken by CMT in January – February 2012, and a refreshed Corporate Risk Register was discussed at the Corporate Governance Committee March 2012. The Corporate Risk Management Action Plan is on track. |
| 7.5 | Value for Money / Benchmarking To ensure that Services provide excellent Value for Money (VfM) | Council Tax charges – in lowest quartile |  Green | TDBC remained in the lowest quartile in 2011/12. (£136* = ranked 40 th out of 201 English Districts; 4 th out of 15 in 'Family Group'; & 3 rd out of the 5 Somerset Districts). * Council Tax average band D tax bill - amount paid to local services (excluding parishes) |
| | | Target efficiency savings at areas with poor VfM |  Green | A project is underway to deliver a Value for Money analysis report for all TDBC services using comparative information on cost and performance. This analysis will inform the project to develop a new 3 year Corporate Business Plan for TDBC. |
| 7.6 | Asset Management Develop the Council's Asset Management arrangements | Implementation of Asset Mgt Plan (AMP) |  Green | Over 80% of the action points are complete or on target |
| | | Target 70% of maintenance spend planned |  Green | All maintenance spend is now separated into planned and unplanned. Condition surveys now complete to enable more works to be planned. |
| 7.7 | Health & Safety To raise the standard of Health & Safety knowledge & performance | Delivery of H & S Action Plan |  Green | Health and safety performance continues to improve across the priority issues identified in the current TDBC Health and Safety Forward Plan. However these priorities are now over three years old and a new approach is required to ensure consolidation and compliance across all functions of the Council. The Chief Executive has been asked to consider and consult on a new twelve month strategy which will achieve this aim and provide the data for the three H&S key performance indicators. This approach is fully aligned and supportive of the aim for "proper governance and safe stewardship of the organisation" as set out in the recent Theme 5 Core Council Review paper. |

Appendix B – Sickness absence (scorecard ref 6.1)

| | |
|---|--|
| Description of the issues / areas of concern | Sickness Absence 3.6% increase in level of absence since 2010/11 per employee to 9.96 days * per employee . * This figure is subject to further examination and detailed analysis |
| Risks & impact | Increased costs; Potential to lower team morale; Impacts on service delivery. |
| Reasons that the issues have emerged | Based on the returned BVPI the sickness levels for Core Council employees in 2011/12 are in the region of 9 days per employee and for 2010/11 were in the region of 8.5 days. NB 2010/11 figures were audited by SWAP. |
| Management actions & CMT comments | The BVPI returns for the last 8 years are set out below: 2004/5 12.6 days 2005/6 11.59 days 2006/7 11.62 days 2007/8 11.02 days 2008/9 10.9 days 2009/10 10.39 days 2010/11 9.62 days 2011/12 9.96 days * Since 2008/9 several initiatives have been undertaken to reduce the level of sickness absence and this has included: <ul style="list-style-type: none"> • Revision of Absence Management Policy and provision of training; • Specific training for DLO Supervisors in 2011/12 with Retained HR Manager; • Monthly reporting of sickness statistics by Theme to Retained HR Manager; • Monthly reporting of all long term sickness cases and management discussion on position/progress each month between SW1 HR and Retained HR Manager; • Monthly monitoring of employees who might trigger monitoring categories to identify early interventions; • Monthly reports to managers on staff meeting triggers and 1 follow up meetings now being held in accordance with Policy; • Increased use of Occupational Health Service for referral to achieve support for the employee and early return to work with assistance; • Additional advice on Occupational Health Services and processes to be followed has |

| | <p>recently been completed for line managers;</p> <ul style="list-style-type: none"> • Specific interaction with SW1 to achieve reduction of 4 days per employee in 2011/12 from the previous year; • Work with SCC, ASP and SW1 to develop an improved sickness absence module within SAP. <p>.</p> <p>To ensure that we maintain a focus on wellbeing and sickness absence management further initiatives include:</p> <ul style="list-style-type: none"> • Work with SW1 and UNISON on wellbeing initiatives; • Improvements to monthly reporting to include greater detail within Themes and also split between short term and long term; • Ability from 2012/13 for the Retained HR Manager to undertake more ad hoc reporting on all TDBC employees so that sickness types and trends can be monitored. | | | | | | | | | | | | | | | | | | | | | | | | |
|-----------------------------------|---|----------|---------|---------|---------|------|-------|------|--------|-----|------|------|------|-----|------|------|------|------|------|------|------|-----|------|------|------|
| <p>Sickness Comparison</p> | <p>Set out below is the comparison for Somerset districts over the last three years.</p> <table border="1" data-bbox="584 987 1326 1218"> <thead> <tr> <th>District</th> <th>2009/10</th> <th>2010/11</th> <th>2011/12</th> </tr> </thead> <tbody> <tr> <td>TDBC</td> <td>10.39</td> <td>9.62</td> <td>9.96 *</td> </tr> <tr> <td>MDC</td> <td>7.89</td> <td>8.74</td> <td>9.71</td> </tr> <tr> <td>SDC</td> <td>9.78</td> <td>9.40</td> <td>7.56</td> </tr> <tr> <td>SSDC</td> <td>9.56</td> <td>8.69</td> <td>6.92</td> </tr> <tr> <td>WSC</td> <td>6.39</td> <td>5.65</td> <td>3.42</td> </tr> </tbody> </table> <p>Data provided by the 'Sickness Absence Survey' in May 2011 by the Confederation of British Industry demonstrates that the average absence levels in the public sector is 8.1 days compared with 5.9 days in the private sector and an overall average of 6.5 days.</p> | District | 2009/10 | 2010/11 | 2011/12 | TDBC | 10.39 | 9.62 | 9.96 * | MDC | 7.89 | 8.74 | 9.71 | SDC | 9.78 | 9.40 | 7.56 | SSDC | 9.56 | 8.69 | 6.92 | WSC | 6.39 | 5.65 | 3.42 |
| District | 2009/10 | 2010/11 | 2011/12 | | | | | | | | | | | | | | | | | | | | | | |
| TDBC | 10.39 | 9.62 | 9.96 * | | | | | | | | | | | | | | | | | | | | | | |
| MDC | 7.89 | 8.74 | 9.71 | | | | | | | | | | | | | | | | | | | | | | |
| SDC | 9.78 | 9.40 | 7.56 | | | | | | | | | | | | | | | | | | | | | | |
| SSDC | 9.56 | 8.69 | 6.92 | | | | | | | | | | | | | | | | | | | | | | |
| WSC | 6.39 | 5.65 | 3.42 | | | | | | | | | | | | | | | | | | | | | | |

Taunton Deane Borough Council

Executive – 20 June 2012

Introduction of the Community Infrastructure Levy (CIL) in Taunton Deane

Report of the Policy Lead Officer

(This matter is the responsibility of Executive Councillor Edwards)

1.0 Executive Summary

This report proposes that the Council introduces the Community Infrastructure Levy (CIL) from 1 April 2013 as a key mechanism for funding the infrastructure identified in the Council's Infrastructure Delivery Plan (IDP), which supports the Core Strategy, and the Taunton Town Centre Area Action Plan (TCAAP). The report explains why the Council needs to introduce CIL and sets out the key steps that it will need to take to introduce the levy, including the financial, staffing and administrative implications. It also sets out the Council's proposed Preliminary Draft Charging Schedule which will be subject to consultation.

2.0 Purpose of Report

- 2.1 The Borough Council has prepared its Core Strategy which sets out the long-term vision for the Borough up to 2028. Linked to this is the Infrastructure Delivery Plan (IDP) (q.v.) which identifies the infrastructure that will be required to deliver the Core Strategy proposals, and the scale of expenditure that is anticipated to be needed.
- 2.2 In 2008 the Council published the Taunton Town Centre Area Action Plan (TCAAP), which contains detailed priorities for infrastructure investment linked to the regeneration of the town centre by Project Taunton. The IDP includes infrastructure identified through the TCAAP.
- 2.3 This report sets out the process by which the Council can introduce the Community Infrastructure Levy by April 2013 as a key means of delivering the proposals in the Core Strategy and TCAAP, and how the Council needs to manage the collection and spending of receipts. It seeks Members' endorsement of the suggested way forward.

3.0 Background

- 3.1 The Planning Act 2008 made provision for local authorities to raise a levy from development to fund essential infrastructure. The Community Infrastructure Levy Regulations came into force on 6th April 2010 and were revised in April

2011. The Coalition government elected in 2010 decided to continue with CIL with relatively few changes.

- 3.2 Traditionally, local authorities have negotiated contributions from developers via S106 agreements (S278 for highways). However, many developments (particularly smaller schemes) do not currently make any contribution to infrastructure costs. By contrast, CIL is applicable to all development meeting certain criteria. It will therefore be a more comprehensive and more effective means of raising money for the provision of infrastructure.
- 3.3 Estimates of likely income from CIL will depend on the level (in £ per square metre of floorspace) at which the charge is eventually set, and the number and area of dwellings and other developments that are liable to pay it, but are likely to be several million pounds per annum. In the early years, the income from CIL will be lower owing to the fact that many developments will already have planning permission and CIL cannot be charged retrospectively. However, the amounts received will steadily 'ramp up' as more developments become liable over time.
- 3.4 In two-tier areas, district councils are the charging authorities for CIL on account of their role as the local planning authority. Taunton Deane will therefore be the charging authority within its area.
- 3.5 Local authorities comparable to Taunton Deane are already well advanced in introducing CIL. For example, CIL is already in operation in Shropshire and Newark & Sherwood. More locally, proposals are also well advanced in Mid-Devon and South Somerset.
- 3.6 A practical reason for introducing CIL is that, from April 2014, the ability to 'pool' contributions from developers via S106, to deliver infrastructure, will be substantially curtailed. The Government's intention is that CIL will be used to deliver larger strategic items with S106 retained only for direct mitigation of site-specific impacts. This clearly has implications for major items such as schools, swimming pools and transport schemes which are unlikely to be able to be funded in future via S106. When added to the fact that use of CIL will also be financially advantageous – probably raising several million pounds per annum in Taunton Deane – it is therefore essential that the Council takes steps to introduce CIL.
- 3.7 A more immediate reason for moving CIL forward as quickly as possible, in simple terms, is to minimise the number of developers who are able to avoid paying CIL by securing outline planning permission linked to S106 agreements. Under the Regulations, such developments cannot be made liable for CIL at the subsequent stage of securing detailed planning permission. The longer that the introduction of CIL is delayed, the more money that Taunton Deane and its communities stand to lose.
- 3.8 The Council's Preliminary Draft Charging Schedule is underpinned by detailed viability testing. This testing has been carried out by the Council's consultants, Three Dragons and Roger Tym and Partners, and is based upon different assumptions about development values and costs. The residential

modelling is on the basis of 25% affordable housing (consistent with the Core Strategy) of which 45% would be social rent, 15% affordable rent and 40% intermediate housing. This detailed viability testing for both residential and non residential uses will be available on the Council's website alongside the Preliminary Draft Charging Schedule.

- 3.9 Regulation 14 of the CIL Regulations (as revised) states that a charging authority '...must aim to strike what appears... to be an appropriate balance...' between the desirability of raising money from development to fund infrastructure, and the impact of the levy on the viability of development across the authority's area as a whole. In other words, the levy should not be set so high as to render a large proportion of development unviable; but equally, it should not be set so low that every development would remain viable (while raising insufficient money for infrastructure). The consultants have carried out their viability studies across a range of developments to identify the level of charge at which this 'balance' can reasonably be struck.
- 3.10 It is important to note that the Council will be able in future to amend the CIL rates if there is consistent evidence to show that development viability has changed. Amendments to the CIL Charging Schedule would need to be the subject of consultation and an independent examination.

4.0 Timescale for introducing CIL

- 4.1 It is considered reasonable to aim to introduce CIL by April 1st 2013. In practice, this means completing the majority of work needed to put CIL in place by the end of 2012. To achieve this, a number of key steps have to be undertaken:

(i) *Production of Preliminary Draft Charging Schedule*

Consultants Three Dragons and Roger Tym & Partners have prepared an initial schedule setting out what levels of CIL are likely to be justified in Taunton Deane. This will need to be agreed by the Council as a basis for consultation, on the following suggested timescale:

- Community Scrutiny 12th June
- Executive 20th June

There will need to be public consultation on the Preliminary Draft Charging Schedule. It is proposed that this will start on Thursday 28th June and to comply with the CIL Regulations, it will need to run for a minimum of 4 weeks.

The Preliminary Draft Charging Schedule is included with this report as Appendix 2.

(ii) *Production of Draft Charging Schedule*

In the light of comments received, the Preliminary Draft Charging Schedule will be reviewed and, if necessary, any proposed changes brought back to

Scrutiny and the Executive, before the Schedule is published as a draft for submission to the person appointed as the examiner. The timescale for this is suggested as:

- Community Scrutiny 4th September
- Executive 12th September
- Special Full Council mid-September

Formal representations on the Draft Charging Schedule can then be made, prior to it being submitted for examination

(iii) *Submission to examiner*

- End of October – following Portfolio Holder / LDF Steering Group sign-off

(iv) *Examination*

It is assumed that the examination will be in early 2013, although the precise date will need to be confirmed by the examiner.

(v) *Adoption*

Taking account of any changes recommended by the examiner in his/her report following the examination, the Charging Schedule will need to be considered by the Council and adopted on the following suggested timescale:

- Executive March 2013
- Full Council March 2013

4.2 Further information on the process of introducing CIL and its implications is included in Appendix 1.

5.0 Political Agreement

5.1 The Council needs to decide how the process of recommending the level of CIL, deciding on the content of the Regulation 123 list (see Appendix 1), and establishing priorities for use of CIL receipts, will be managed politically. It is suggested that this is handled through the existing LDF Steering Group, which is cross-party and contains the Portfolio and Shadow Portfolio Holders for planning policy, as well as the Chair of the Planning Committee. At each stage – preliminary, draft and submission – the LDF Steering Group will need to be involved. Final decisions would be subject to Scrutiny and approval of the Executive/Full Council in the normal way.

6.0 New Homes Bonus

6.1 It is already clear that the level of CIL received will not by itself be sufficient to fund all the infrastructure that is required. The level of CIL needs to be set with regard to the funding gap that will exist between what it collects and the expenditure on infrastructure that is required (as identified in the IDP). To provide the infrastructure needed for our planned levels of growth, a policy decision will be required on where other funding can be found to fill this gap and undoubtedly NHB would be a logical choice as the resultant growth would generate further NHB for the Council.

7.0 Links to Corporate Aims

7.1 The funding that will be obtained through the introduction of CIL is fundamental to delivering the Council's objectives for tackling deprivation and sustainability community development, regeneration and climate change. At present, under the Regulations CIL cannot be used to deliver affordable housing.

8.0 Environmental Implications

8.1 There are no direct environmental implications; however, failure to deliver the infrastructure identified in the IDP would have significant implications for flood alleviation, accessibility and reduction of carbon emissions. Development funded through CIL is likely to include infrastructure that will enhance the environment, such as country parks and green spaces.

9.0 Community Safety Implications

9.1 There are no identified community safety implications.

10.0 Equalities Impact

10.1 No separate Equalities Impact Assessment has been carried out as CIL is essentially a mechanism, rather than a proposal in its own right. A separate Equalities Impact Assessment has however been prepared to accompany the Core Strategy, whose proposals CIL is intended to help implement.

11.0 Risk Management

11.1 The principal risks associated with failure to introduce CIL are that the infrastructure needed to deliver the growth in the Core Strategy cannot be provided. This would undermine the long-term strategy for Taunton Deane and the achievement of the Council's corporate objectives.

12.0 Partnership Implications

12.1 The Council will need to work in partnership with a range of other organisations to deliver the proposals using CIL receipts.

13.0 Recommendations

- 13.1 The Executive is requested to approve the introduction of the Community Infrastructure Levy in Taunton Deane and endorse the Preliminary Draft Charging Schedule for public consultation.

14.0 Persons to Contact

Phil Bisatt, Strategy Officer

Tel: (01823) 356305; E-mail: p.bisatt@tauntondeane.gov.uk

Appendix 1

Work to be undertaken to introduce CIL and following its introduction, and its implications

1.0 Production of Regulation 123 list

- 1.1 A key task for the Council during the remainder of 2012 will be the production of a list setting out the types of infrastructure that it intends to fund through CIL, prior to the adoption of the Charging Schedule. This infrastructure list needs to be drawn from the IDP, although it is not essential that all items in the IDP are funded in this way. The Council has to prepare the list because, if it does not, its ability to use S106 agreements to fund other items will be effectively curtailed: a key aim of the Regulations is to make sure that developers do not end up 'paying twice' for something (via CIL and via S106). Items not on the Regulation 123 list are not allowed to be funded through CIL, so considerable thought will be needed when the list is being drawn up.
- 1.2 Another key issue will be the delivery of infrastructure where responsibility for the service rests with the County Council. This applies in particular to education and transport, which account for a major proportion of the infrastructure investment that will be needed over the next 10-15 years. Whilst CIL is likely to be an important means of delivering such schemes, the County Council also receives 20% of the New Homes Bonus (q.v.) in respect of development that takes place in Taunton Deane, as well as direct funding from central Government in respect of its statutory functions. There will need to be discussions with the County Council as to which items are to be included on the Regulation 123 list.
- 1.3 There is also likely to be some infrastructure funded by CIL where delivery will rest with other partners (for example, certain types of health care facility).
- 1.4 The Council will need to make its decisions on the Regulation 123 list taking account of the availability of funds in the Capital Programme and the use of other funding sources, such as New Homes Bonus.

2.0 Setting up a CIL management IT system

- 2.1 A computerised management system will need to be acquired to handle CIL. There is already clear evidence that the CIL process is complicated and it will have to be administered using software linked to the processing of planning applications.
- 2.2 With CIL, the Council will need to identify the liable party; issue Liability Notices at the time planning permission is granted, issue Demand Notices on commencement; take action to surcharge for non-payment and issue Warning and Stop Notices where development has commenced but payment of CIL has not been made. (This list of actions is by no means exhaustive). It will also have to manage the collection and distribution of CIL monies. The chargeable amount payable is a local land charge.

- 2.3 The Council presently uses a computerised development management system provided by Acolaid. Acolaid is supplied by IDOX who are known to be supplying modules to other systems free of charge. It is assumed that the same will apply to Acolaid. It would also be preferable to use something that is part of a system which is already supported.
- 2.4 Another IT system on the market is supplied by Exacom, which is already being used in Shropshire and by other authorities in the South West, such as South Somerset (who are using Exacom linked to Microsoft Access for managing S106 agreements).
- 2.5 It is clear that the identification and acquisition of CIL management software is vitally important, and needs to be progressed so that a system can be 'up and running' by April 2013. Initially an approach needs to be made to IDOX to see what capability they can offer to manage CIL via Acolaid,

3.0 Work following adoption

- 3.1 CIL is payable per unit (sq m) of interior floorspace of development. The Council's case officer in Development Management will need to approve the final floorspace figure against which CIL will be charged. There will also be a need to ensure that the floorspace of the development that is actually constructed accords with the planning permission; this appears to raise the issue that the Council is no longer a sole provider of Building Control services within its area.
- 3.2 Once CIL is adopted, the charging rates proposed will be indexed to account for inflation using a nationally accepted index (e.g. BCIS) so that changes are on a uniform basis across authorities. The charges will need to be regularly reviewed to take account of changes in viability and any proposed changes to the Schedule will need to be submitted for further examination.

Payment by Instalments

- 3.3 CIL is payable on commencement of development. The Council are able to consider introducing payment by instalments, but this will need to be agreed before any development commences and will also need to be in accordance with a published policy. Thought needs to be given to such a policy during 2012, as there are a number of large-scale developments in Taunton Deane where phased payments will make a difference to the economics of development.

Charitable Relief

- 3.4 Under Regulation 43, development for a charitable use is exempt from CIL. The Council could also decide under Regulation 44 to allow relief for development by charities where the whole or greater part of the development is held by the charity as an investment for charitable purposes. It should be noted, however, that other councils appear not to be doing so. There is, in any event, specific provision exempting social housing from liability for CIL and developments used directly for charitable purposes.

Local Communities

- 3.5 The Council will be required to pass a 'meaningful' proportion of CIL receipts to parish councils for use on infrastructure identified as important by the local community. Further guidance on what constitutes a meaningful proportion is awaited from central Government.

Reporting

- 3.6 For each financial year, the Council will be required to prepare a report identifying the total CIL receipts for that year and how the receipts have been expended. This report will need to be published on the Council's website.

4.0 Staffing implications

- 4.1 The Council is facing a significant issue of staffing in respect of CIL. At present, it has no full time officer dedicated to handling the S106 process. CIL is considerably more complex. The advice received to date makes it clear that the Council will need to employ at least one full time member of staff to administer CIL, together with a second person to provide 'back up' and absence cover.
- 4.2 This staffing requirement can, in the longer term, be funded by top slicing CIL receipts. Under the CIL Regulations, the Council is allowed to use 5% of receipts for the purposes of administering the process.
- 4.3 There is also a need for other staff to be trained to understand and administer the CIL process.
- 4.4 A separate report will be brought back to Members which will identify how the staffing requirement can be met.
- 4.5 Thought also needs to be given to the role of SWOne in procurement (issuing tenders, reviewing bids etc.) and potentially in the recovery of debt.

5.0 Ongoing role of the IDP

- 5.1 The level of CIL that is charged and the use of CIL receipts will be substantially influenced by the Council's IDP, which was prepared in 2010 and is linked to the LDF Core Strategy. The IDP sets out what infrastructure will be required over the life of the Core Strategy (2012-2028), though with an emphasis on the initial five years. CIL receipts will need to be combined with funding from other sources (such as New Homes Bonus – q.v.) to deliver the projects identified as priorities. In the short term, the main priorities are flood alleviation for Taunton, Taunton town centre improvements, and the swimming pools.
- 5.2 The IDP requires periodic (although not frequent) review, which in turn could require a review of the Regulation 123 list.

6.0 Delivery of schemes using CIL

- 6.1 Under the CIL Regulations, there is normally no provision for developers to make payments in kind (i.e. by directly providing infrastructure or community facilities in lieu of paying CIL). However, developers will still be able under Regulation 73 to provide land to the Council to accommodate infrastructure, as long as that land is independently valued and that the land is made available on the day of payment. The Council will need to consider (in consultation with partners) how it proposes to ensure delivery of schemes for which funding is received through CIL or for which it receives land. In some cases this may involve direct delivery by the Council (e.g. certain types of open space provision).
- 6.2 In preparation for this, it is proposed to establish an officer Infrastructure Planning Group which would include representatives from Strategy, Development Management, Project Taunton, Housing, Legal Services, the DLO and Finance. This group would report to the LDF Steering Group.

Appendix 2

Taunton Deane Borough Council

Community Infrastructure Levy

Preliminary Draft Charging Schedule

June 2012

Community Infrastructure Levy (CIL) – Preliminary Draft Charging Schedule

Introduction

The Community Infrastructure Levy (CIL) was introduced under the Planning Act 2008 and is defined in the CIL Regulations 2010 (as amended 2011). Local authorities in England and Wales can elect to charge CIL on new developments. Essentially it is a tariff-based approach to assist in funding infrastructure associated with planned growth.

CIL takes the form of a charge per square metre of additional floorspace (new build or extensions) and can be charged on most new development. There are exemptions for charitable organisations and affordable housing, together with some size thresholds for non-residential uses. Developments under 100 sq m of net additional floorspace are not liable for CIL. The money raised will be used to deliver prioritised infrastructure that is needed to support the growth proposals set out in the Council's Core Strategy.

The introduction of CIL is seen as necessary in part because, from April 2014, the ability to pool planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), will be restricted. It will therefore become difficult to deliver larger scale items of infrastructure such as schools, swimming pools and transport schemes, where pooling of numerous individual planning contributions is often necessary. Section 106 will continue to be used to deliver some infrastructure, but this will largely be restricted to site-specific mitigation and for providing affordable housing.

Evidence to support CIL

The evidence to support this Preliminary Draft Charging Schedule is available on the Council's website at www.tauntondeane.gov.uk as part of the Council's evidence base. The links are given at the end of this document. The viability evidence to support the proposed charges has been prepared on behalf of the Council by Three Dragons and Roger Tym and Partners.

The Community Infrastructure Levy Evidence Base looks at market analysis and viability testing of different development types and recommends rates of CIL that can be charged without putting the majority of development proposed at risk. This indicates that for residential development, CIL would not render the majority of development unviable. For non-residential uses the only types of development which could support CIL and remain viable, at present, are retail warehousing, superstores, supermarkets and convenience stores.

The Proposed Levy

The Preliminary Draft Charging Schedule attached has been prepared in accordance with Part 11 of the Town and Country Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended). The Council has sought to strike a balance between ensuring appropriate development comes forward and the impact of CIL on development viability. It has also sought to balance costs between aspects of site-specific infrastructure which will continue to be secured through Section 106 planning obligations and those that will be funded through CIL.

The CIL rates proposed are set out in the Preliminary Draft Charging Schedule. They have been arrived at taking account of the list of infrastructure needs from the Borough Council's IDP and identifying what infrastructure could be paid for through CIL, and what could be funded from other sources (such as Section 106 agreements). An assessment of viability of development in different parts of the Borough has been carried out by the Council's consultants to determine what level of CIL could be charged without affecting the viability of most development. The Regulations recognise that the CIL charge may make some development unviable and that CIL should not be set at such a low rate as to ensure that every development remains viable.

Viability evidence suggests that there is no scope to charge CIL on residential development within Wellington urban area, nor on non-food retail development within defined town, district/local or rural centres in Taunton Deane. Employment development in the Borough is also not able to support CIL.

Once CIL is adopted, the charging rates proposed will be indexed to account for inflation using a nationally recognised index so that changes are on a uniform basis across authorities. The charges will be regularly reviewed to take account of changes in viability, and any proposed changes to the Charging Schedule will be submitted for further examination.

CIL Relief

The CIL Regulations provide for full relief from the CIL charge for any part of a development which is affordable housing (and includes social and affordable rent and shared ownership). Charity landowners will also benefit from relief provided that the development is to be used for charitable purposes. If a development is initially granted CIL relief and then circumstances change, there is a claw-back period of 7 years within which the development will become liable for CIL. Relief can also be given in exceptional circumstances, subject to the Council publishing a policy to this effect. Such exceptional circumstances will only apply where there is a Section 106 planning obligation in place that has costs greater than the chargeable amount and where the addition of CIL would make the development unviable; additionally the amount of relief granted must not be sufficient to qualify as notifiable state aid under EU law.¹ The fact that an application may be unviable is unlikely, in itself, to constitute an exceptional circumstance in terms of the CIL Regulations, and given the restrictions imposed regarding state aid, the Council does not intend to apply such a policy at this time.

Payment of CIL

CIL is payable on commencement of development. The Council are able to consider introducing a policy for payment by instalments, but this will need to be agreed before any development commences and will also need to be in accordance with a published policy. Such a policy does not form part of the proposed CIL Charging Schedule, and as yet the Council has not taken a view as to whether there should be such a policy or how it should operate.

¹ The current de minimis threshold is €200,000 (€100,000 for undertakings in the road transport sector) over a rolling three year fiscal period. Community Infrastructure Levy Relief Information document published by CLG.

Relationship between CIL and Section 106 agreements

Provision for Section 106 agreements will remain, but from April 2014, under Regulation 123, the ability to pool contributions from developers via S106 to deliver larger items of infrastructure will be substantially curtailed. The Council's intention is that CIL will be used to deliver larger strategic items with S106 retained only for direct mitigation of site-specific impacts.

Under Regulation 123, the Council will also need to prepare a list setting out the types of infrastructure that it intends to fund through CIL, prior to the adoption of its Charging Schedule. CIL cannot be used as well as Section 106 to deliver the same piece of infrastructure.

CIL for local communities

The Council will be required to pass a 'meaningful' proportion of CIL receipts to parish councils for use on infrastructure identified as important by the local community. Further guidance on what constitutes a meaningful proportion is awaited from central Government.

Next Steps

The CIL Regulations require the Council to carry out two stages of consultation on the proposed CIL Charging Schedule, but there are no specific guidelines as to what this should comprise other than a minimum of 4 weeks prior to submission. This Preliminary Draft Charging Schedule will be the subject of consultation for 4 weeks starting on Thursday 28th June and ending on Friday 27th July at 17.00. Consultation is aimed particularly at local community representatives and representatives of the development industry.

Following consultation on the Preliminary Draft Charging Schedule, the Council will review the comments received with a view to publishing a Draft Charging Schedule for examination in early 2013.

Your Views

We would like to receive any comments you may have on:

1. The Preliminary Draft Charging Schedule.
2. The introduction of a policy for payment of CIL by instalments, and the form this could take.

Comments should be put in writing and sent to:

The Strategy Unit
Taunton Deane Borough Council
The Deane House
Belvedere Road
Taunton
Somerset
TA1 1HE

e-mail: talkingtomorrows@tauntondeane.gov.uk

Links

Report to Executive 20th June 2012: To be added

CIL Evidence Base: To be added

Taunton Deane Borough Council Infrastructure Delivery Plan:

<http://www.tauntondeane.gov.uk/irj/go/km/docs/CouncilDocuments/TDBC/Documents/Forward%20Planning/Evidence%20Base/IDP.pdf>

Taunton Deane Community Infrastructure Levy Preliminary Draft Charging Schedule

This charging schedule has been prepared in accordance with Part 11 of the Town and Country Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended by the 2011 Regulations). It is supported by local evidence regarding infrastructure requirements and the impact of the levy on the viability of development, as set out in the consultants' reports. These can be found on the Council's website as part of the Core Strategy and CIL Evidence Base (see links on previous page).

Levy Rates

The rates below will be charged against the gross internal floor area of:

- All new dwellings
- All other development exceeding 100 sq m in size

| Development Uses | Levy (per sq m) |
|--|------------------------|
| Residential Development in Taunton, including urban extensions | £80 |
| Residential Development in Wellington urban area | £0 |
| Residential Development in Wellington urban extensions | £25 |
| Residential Development outside Taunton and Wellington | £125 |
| Retail Warehousing of any size throughout Taunton Deane | £300 |
| Retail superstores – over 2,500 sq m food and convenience shopping stores but with a significant proportion of comparison goods throughout Taunton Deane | £300 |
| Supermarkets and convenience stores – under 2,500 sq m and predominantly food and convenience shopping throughout Taunton Deane | £150 |
| All other development | £0 |

How the CIL charge will be calculated

In accordance with the Regulations, where applicable the Council will issue a Liability Notice that states the chargeable amount on grant of planning permission or as soon as possible after the grant of planning permission. The Council will calculate the amount of CIL chargeable using the formulae set out in the Regulations.

Full details of the way in which CIL will be calculated, together with an overview of CIL and the full Regulations, can be found on the CLG website:

www.communities.gov.uk.

Taunton Deane Borough Council

Executive –20 June 2012

Proposed Crime and Disorder Reduction Partnership Merger

Report of the Community Development Lead

(This matter is the responsibility of Executive Councillor Warmington)

1. Executive Summary

- To inform members of the move to merge East and West Crime and Disorder Reduction Partnerships (CDRP) into one countywide structure, with the aim of streamlining governance and leadership in the community safety structure, allowing for more effective community engagement at a local level.
- This report details the recommendations made to the Safer Communities Group for a merger of the East and West CDRPs to form a Countywide Crime and Disorder Reduction Partnership (CDRP) structure.
- The Crime and Disorder Act 1998 places a statutory duty on responsible authorities to work in partnership to address matters of crime and disorder, those statutory bodies are:
Police, Police Authority, Fire and Rescue Services, Primary Care Trusts, Local Authorities and Probation Services.

RECOMMENDATION(S)

- Members agree and approve the merger of Safer Somerset West CDRP with Mendip and South Somerset Community Safety Partnership (Somerset East) to form a Countywide CDRP currently operating as the Safer Communities Group.
- That Taunton Deane Executive formalises the informal merger agreement that has been in place since 2010.
- That the report is put before Full Council for approval

2. Background

2.1 The Crime and Disorder Act 1998 (CDA) as amended by the Police Reform Act 2002 and the Police and Justice Act 2006 (the '2006 Act'), places a duty on specific agencies, known as responsible authorities to work together and with other agencies within the community to tackle crime and disorder and the misuse of drugs. This legislation requires that a Crime and Disorder Reduction Partnership (CDRP) be organised. Taunton Deane first fulfilled this statutory requirement with the formation of Taunton Deane CDRP.

The 2006 Act introduced the requirement for minimum standards to be placed upon all Crime & Disorder Reduction Partnerships (CDRPs).

The standards are:

To convene a **strategy group** comprising all the responsible authorities in the CDRP and others as they choose.

To prepare a **strategic assessment** (a document identifying the crime and community safety priorities in the area through the analysis of information provided by partner agencies and the community).

To produce a **partnership plan** (which lays out their approach for addressing those priorities)

To meet minimum standards of **community consultation** and engagement on issues of crime and disorder and substance misuse.

To ensure that each CDRP has an **information sharing protocol** in place and that each responsible authority has a designated information sharing liaison officer to promote and facilitate information sharing.

In **two-tier areas**, there are minimum standards for organisations at county level to ensure that there is an appropriate linkage between decisions which might be made at the county level (for example by a Police Authority for a force covering the whole county) and those taken more locally. Further, this coordination at county level will allow the identification of county-wide priorities to feed into the new Police and Crime Commissioner's plans from November 2012 and opportunities for cross-border working.

In light of the minimum standards, in 2007 the decision was taken for the Taunton Deane CDRP to enter into a period of informal merger with Sedgemoor and West Somerset CDRPs to form the Safer Somerset West Partnership. In 2010, this was widened to include the whole county.

3. Current Position

- 3.1 In January 2009, the Safer Communities group, a sub group of the Somerset Strategic Partnership with responsibility for the safer LAA theme, approved a proposal to carry out a review of the community safety structures in Somerset with the primary aim to investigate how Somerset priorities are aligned to the available resources and make recommendations for improvement. The Community Safety Network (CSN), a group of practitioners from the statutory agencies, undertook the review.
- 3.2 A paper was submitted to the Safer Communities group in December 2009 outlining the recommendations of the CSN. A recommendation was made that the Safer Communities Group become the CDRP, as all statutory agencies already attend this meeting.
- 3.3 Member representation in the structure is at portfolio holder level. This reflects how members have historically been represented on the CDRP. The added value here is that with a countywide structure there is increased member involvement from across the county, six voices being stronger than one.
- 3.4 Scrutiny of this new group by members can be achieved through the scrutiny structure agreed by members at the Community Scrutiny Committee in 2009. Effectively this recommended two members from each of the districts, Taunton Deane, Sedgemoor and West Somerset to be co opted to look at community safety scrutiny issues.
- 3.5 Somerset has been operating on an informal merger basis since 2010. The recommended minimum informal merger period was 12 months.

4. Options

- 4.1.1 Members oppose the countywide merger, instead opting to remain informally merged. Please note, *The Home Secretary has power under the 'Act' to force a merger, making an order for two or more CDRP areas to work as a combined partnership.* This option will only be achievable if West Somerset and Sedgemoor also decide to oppose the countywide merger or if Taunton Deane has an appetite for its own CDRP.
- 4.2 **Members acknowledge and approve the merger of East and West CDRPs to a County CDRP, currently operating as the Safer Communities Group. Further work will then follow to ensure tactical and operational structures beneath reflect the local delivery needs.**

5. Finance Comments

- 5.1 As this is an external partnership, finance has not been consulted.

6. Legal Comments

- 6.1 Again, this is an external partnership operating within the constraints set by Government. Legal has not been consulted.
- 7. Links to Corporate Aims** (Please refer to the current edition of the Corporate Strategy)
- 7.1 The work of a countywide CDRP is likely to impact on deprivation and sustainable community development primarily. There may be some links to regeneration.
- 8. Environmental and Community Safety Implications** (if appropriate, such as Climate Change or measures to combat anti-social behaviour)
- 8.1 Environmentally there will be fewer meetings and therefore carbon emissions will be reduced. Fewer resources will be used in producing minutes and agendas.
- 8.2 Community safety will only be impacted through a changed structure for meetings. It is anticipated that local working structures at a tactical level will remain in place. This structure will allow for greater cohesion at a strategic level and clearer governance.
- 9. Equalities Impact** (An Equalities Impact Assessment should be carried out in respect of:-
- The Safer Somerset group has its own Equalities Champion and EIA.
- 10. Risk Management** (if appropriate, such as reputational and health and safety risks. If the item the subject of the report has been included in a Service Plan, the result of the risk assessment undertaken when the plan was prepared should be entered here.

| RISK | CONSEQUENCE | PROBABILITY | IMPACT | TREATMENT |
|--|---|-------------|--------|-----------------|
| If TDBC refuse to agree a merger of the Somerset West CDRP to a countywide group | Then there may be a missed opportunity to improve governance, leadership and structure of the CDRP. | 3 | 1 | Agree to merger |

| | | | | |
|---|--|--|--|---|
| If TDBC decline merger option and formulate a district CDRP | Then, partners may not be able to support. The Home Secretary may force a merger if all other responsible authorities join the Countywide CDRP. | | | Agree to merger |
| If TDBC approve the Countywide merger. | Then there may be a loss of effective partnership arrangements already established in Somerset West. | | | Approve merger with further work to be undertaken by the Community Safety Network to ensure the structure at tactical level reflects partnership working across Somerset West. Community Safety Officers to work together on tactical options. |

11. Partnership Implications (if any)

11.1 Partnership implications are that if Taunton Deane fails to agree the merger, we risk being ostracised and not gaining the benefits of wider county working. It is likely that a county merger is the only way to deliver on the varied agenda which now includes preventing violent extremism and managing prolific offenders, amongst many other issues which are probably best dealt with at a county level.

12. Recommendations

12.1 Members agree and formally approve the merger of Safer Somerset West CDRP with Mendip and South Somerset Community Safety Partnership (Somerset East) to form a Countywide CDRP currently operating as the Safer Communities Group.

12.2 That the report is put before Full Council for approval

Contact: Scott Weetch
01823 356317
s.weetch@tauntondeane.gov.uk

11/07/2012, Report:2011/2012 Budget Outturn Report

Reporting Officers:Paul Fitzgerald

11/07/2012, Report:Localism Act 2011 - Discretionary Rate Relief

Reporting Officers:Heather Tiso,Paul Harding

11/07/2012, Report:Potential Relocation of Priory Depot, Taunton

Reporting Officers:Brendan Cleere

11/07/2012, Report:Somerset West Local Lettings Agency Report

Reporting Officers:Vikki Hearn

11/07/2012, Report:New Cremators and Mercury Filtration Project

Reporting Officers:James Barra

10/10/2012, Report:Community Infrastructure Levy - Draft Charging Schedule and Affordable Rent

Reporting Officers:Nick Bryant

10/10/2012, Report:Halcon North Review of Regeneration Proposal

Reporting Officers:Alison North

14/11/2012, Report:Taunton Deane Borough Council Local Council Tax Support Scheme

Reporting Officers:Paul Harding

14/11/2012, Report:Draft Corporate Business Plan

Reporting Officers:Simon Lewis

14/11/2012, Report:Community Infrastructure Levy

Reporting Officers:Nick Bryant

14/11/2012, Report:Housing Revenue Account 30 Year Business Plan Review

Reporting Officers:James Barra

14/11/2012, Report:Fees and Charges Report

Reporting Officers:Maggie Hammond

14/11/2012, Report:Funding to support Somerset County Cricket Club development

Reporting Officers:Joy Wishlade

05/12/2012, Report:2013/2014 Provisional Budget Proposals and Savings Plans

Reporting Officers:Paul Fitzgerald

05/12/2012, Report:2013/2014 Council Tax Base

Reporting Officers:Paul Fitzgerald

05/12/2012, Report:Quarter 2 Performance Report

Reporting Officers:Dan Webb

07/02/2013, Report:2013/2014 Capital Programme Estimates
Reporting Officers:Paul Fitzgerald

07/02/2013, Report:2013/2014 Housing Revenue Account Estimates
Reporting Officers:Paul Fitzgerald

07/02/2013, Report:2013/2014 General Fund Revenue Estimates
Reporting Officers:Paul Fitzgerald

07/02/2013, Report:2013/2014 Council Tax Setting
Reporting Officers:Paul Fitzgerald

Executive – 20 June 2012

Present: Councillor Williams (Chairman)
Councillors Mrs Adkins, Hayward, Mrs Herbert, Mrs Stock-Williams and Mrs Warmington

Officers: Torsten Daniel (Strategy Officer - Climate Change), James Barraah (Community Services Manager), Dan Webb (Performance Lead), Nick Bryant (Strategy Lead), Tonya Meers (Legal and Democratic Services Manager) and Richard Bryant (Democratic Services Manager and Corporate Support Lead).

Also present: Councillors Coles, Horsley, Tooze and A Wedderkopp

(The meeting commenced at 6.15 pm.)

40. Apology

Councillor Edwards.

41. Minutes

The minutes of the meeting of the Executive held on 11 April 2012, copies of which had been circulated, were taken as read and were signed.

42. Taunton Deane Borough Council Carbon Management Plan 2012/2013

Considered report previously circulated, concerning the Council's Carbon Management Plan (CMP) for reducing carbon emissions from the Council's operations during 2012/2013.

The Council took climate change seriously and was strongly committed to reducing carbon emissions within Taunton Deane and from its own operations.

Carbon emissions came from four different sources: The electricity and gas used within buildings and the petrol/diesel used for transport by Deane DLO and the Council's Grey Fleet.

Between 2006/2007 and 2010/2011 the Council had reduced its carbon emissions by nearly 500 tonnes CO₂ or 10.4% against the baseline figure. This equated to a reduction of about 3.5% year-on-year over the last four years which exceeded the reduction target that had previously been agreed between the six Somerset Councils.

An Information Report for the first half of 2011/2012 had shown a further reduction of 86 tonnes CO₂ or 10.8% compared to the same period in 2010/2011.

Reported that the 2011/2012 Carbon Management Action Plan had contained 53 carbon reduction actions. By April 2012:-

- 19 actions had been implemented or were part of a Rolling programme;

- 22 actions had been carried forward for implementation in 2012/2013; and
- 12 actions had been cancelled for technical or financial reasons.

Key carbon reduction actions that had been implemented during 2011/2012 included:-

- (a) The decision by Theme Managers to use recycled paper for office printing. This action would save around 14 tonnes of CO₂ per year;
- (b) All cavity walls at The Deane House had now been insulated;
- (c) Lights in the corridors of Kilkenny Court had been replaced with brighter lights on motion sensors that only came on when needed. Initial monitoring had shown a reduction of about 4% in electricity usage or 2 tonnes of CO₂ per year as a result of the action; and
- (d) A vehicle tracking system had been installed to the entire Deane DLO Fleet. The system allowed for better journey coordination and increased ability to communicate with teams whilst off-site that would result in both fuel and carbon savings.

The proposed CMP Action Plan for 2012/2013 contained 41 carbon reduction actions. Of these, 20 had been carried forward from the 2011/2012 CMP, 9 were part of a rolling programme and 12 actions were new. If fully implemented, the actions for which savings could be quantified already would result in a further reduction of around 300 tonnes of CO₂.

Details of the key actions to be carried forward from the 2011/2012 CMP and the new key actions proposed were submitted. Among the new actions were measures to identify opportunities for Pay-As-You-Save energy efficiency schemes, ensuring the Council capitalised on potential carbon savings in conjunction with The Deane House Accommodation Project and including building energy efficiency considerations into plans to build a new swimming pool at Blackbrook and to modernise the existing Taunton Pool.

Further reported that the production and implementation of the CMP was coordinated and overseen by the Carbon Management Steering Group which comprised both Members and officers group.

The Executive noted the comments that had been received from the Corporate Scrutiny Committee, particularly the points that more could be done to engage all areas of the Council's operations in the process to reduce carbon emissions and that larger projects, which would have more impact, could be identified and implemented if Taunton Deane took a longer term, more strategic approach.

One suggestion put forward was that the 'performance' of the Council's buildings could be improved by integrating carbon reduction with asset management planning. Thermal imaging of such buildings would be the first step towards assessing how energy efficient they were.

During the discussion of this item Councillor Hayward proposed that the Carbon Management Plan should be re-titled to reflect the increasing importance of 'energy resilience' alongside the overall reduction of carbon emissions.

Resolved that:-

- (i) The Carbon Management and Energy Resilience Plan for 2012/2013 be adopted;
- (ii) The improvement of the performance of buildings owned by the Council by linking carbon reduction with asset management planning in the future be fully considered; and
- (iii) The possibility of undertaking, on a trial basis, a scheme involving the thermal imaging of a sample of the buildings owned by Taunton Deane, be investigated.

43. Changes to the Right to Buy Policy

Considered report previously circulated, which summarised recent changes introduced by the Government concerning the Right to Buy provisions and the impact this would have on the Council.

The Right to Buy scheme was introduced in 1980 and gave qualifying social tenants the right to buy their home at a discount. The scheme was open to secure tenants of local authorities and non-charitable housing associations, and to those assured tenants of housing associations who had transferred with their homes from a local authority as part of a housing stock transfer.

The Government had recently announced its intention to increase the caps on Right to Buy discounts to enable more tenants to achieve their ambition for home ownership. It also set out the Government's commitment to ensure that the receipts on every additional home sold under the Right to Buy were used to fund its replacement, on a one for one basis, with a new home for Affordable Rent.

Reported that the key changes to existing policy were set out in the following table:-

| Policy | Current Policy | From 2 April 2012 |
|--|---|--|
| Discount Rates, Cap and Eligibility | <p>Current discount rates were:-</p> <ul style="list-style-type: none">• For houses: 35% of the property's value plus 1% for each year beyond the qualifying period up to a maximum of 60%;• For flats: 50% plus 2% for each year beyond the qualifying period up to a | <p>The discount cap had been increased to £75,000 across England, giving tenants a much greater incentive to purchase their own home.</p> <p>Discount rates would not change and tenants would still need to have been public sector tenants for 5 years.</p> |

| | <p>maximum of 70%.</p> <p>Tenants must have been public sector tenants for 5 years before they qualified for the Right to Buy</p> <p>In practice, most Right to Buy discounts were limited by caps. These currently ranged from £16,000 in most parts of London and were currently £30,000 in the South West.</p> | <table border="1"> <thead> <tr> <th rowspan="2">Years renting from council</th> <th colspan="2">Discount</th> </tr> <tr> <th>House</th> <th>Flat</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>35%</td> <td>50%</td> </tr> <tr> <td>10</td> <td>40%</td> <td>60%</td> </tr> <tr> <td>15</td> <td>45%</td> <td>70%</td> </tr> <tr> <td>20</td> <td>50%</td> <td>70%</td> </tr> <tr> <td>25</td> <td>55%</td> <td>70%</td> </tr> <tr> <td>30</td> <td>60%</td> <td>70%</td> </tr> <tr> <td>Over 30</td> <td>60%</td> <td>70%</td> </tr> </tbody> </table> | Years renting from council | Discount | | House | Flat | 5 | 35% | 50% | 10 | 40% | 60% | 15 | 45% | 70% | 20 | 50% | 70% | 25 | 55% | 70% | 30 | 60% | 70% | Over 30 | 60% | 70% |
|-------------------------------------|---|---|----------------------------|----------|--|-------|------|---|-----|-----|----|-----|-----|----|-----|-----|----|-----|-----|----|-----|-----|----|-----|-----|---------|-----|-----|
| Years renting from council | Discount | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | House | Flat | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | 35% | 50% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | 40% | 60% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15 | 45% | 70% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | 50% | 70% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 25 | 55% | 70% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 30 | 60% | 70% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Over 30 | 60% | 70% | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Use of Right to Buy Receipts | Subject to the deductions mentioned below, 75% of the receipts were paid to HM Treasury (“the poolable amount”) and the remaining 25% was retained by local authorities. | After calculating transaction costs and compensating authorities for loss of income above what had been covered in the self-financing settlement, HM Treasury and local authorities would receive the amounts they would have expected to receive, had the policy on Right to Buy remained unchanged. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Administration Costs | For the purposes of calculating the poolable amount, local authorities could deduct the actual transaction costs of successful sales from Right to Buy receipts, but there was no allowance for costs relating to Right to Buy applications which did not result in a sale. | Flat rate allowances for London and the rest of England had been set with a 50% uplift for withdrawn applications. Allowances would be fixed at £2,850 for London and £1,300 for the rest of England. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Buy Back | Councils could Buy Back former council properties and claim around 50% of the costs from their total Right to Buy receipts. | The Council would retain the Buy Back facility, allowing councils to claim up to 50% of the value of each property bought-up to a total of 6.5% of the value of net Right to Buy receipts (after administration costs, debt and assumed income). 6.5% was around the average level of Right to Buy receipts retained by local authorities for Buy Back over the last three years. | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | |
|-------------------|--|--|
| Cost Floor | Section 131 of the Housing Act 1985 (the cost floor) limited the Right to Buy discount to ensure that the purchase price of the property did not fall below what had been spent on building, buying, repairing or maintaining it over a certain period of time (relevant expenditure). | The period of time the cost floor covered had been increased from 10 to 15 years for new homes subject to Right to Buy, bringing rules for councils into line with those for Housing Associations and protecting initial investment in the housing. In addition the option for councils to apply for an exemption from pooling receipts for new homes built in future would be retained. |
|-------------------|--|--|

Further reported that the Council had a legal duty to make tenants aware of these changes to the Right to Buy provisions.

Although arrangements to do this were in hand, due to the national publicity there had already been a number of enquiries from tenants about the new arrangements, suggesting a significant increase in sales. From the 1 April to 25 May, 22 Right to Buy applications had been received, against 25 in all of the last financial year.

Increases in numbers of Right to Buys would have an impact on administration and conveyancing, so capacity in both Housing and Legal Services would have to be monitored. The addition of an uplift in deductible allowances for withdrawn applications was welcomed as a number of these may arise particularly in the early days of the new policy.

With regard to the new provision for the one to one replacement of dwellings, submitted for information an extract from documents released by the Department for Communities and Local Government (DCLG) which explained the new system.

In essence, receipts from additional sales would be used to fund replacement stock on a one-for-one basis and that delivering these new homes would be through local authorities retaining receipts to spend in their areas.

In order for Taunton Deane to keep these additional receipts it would be necessary to enter into an agreement with the Secretary of State for Communities and Local Government who would:-

- i. allow the Council to retain additional Right to Buy receipts to fund the provision of replacement stock, and
- ii. allow the Council three years (from commencement of the agreement) to invest those receipts before asking for the money to be returned. (The agreement would not require the Council to complete the building of any home within three years. However, the Council would be required to have incurred expenditure sufficient that Right to Buy receipts formed no more than 30% of it.)

In return Taunton Deane would be expected to agree that:-

- i. Right to Buy receipts would not make up more than 30% of total spend on replacement stock, and
- ii. any unused receipts were returned to the Secretary of State with interest.

Should the Council not wish to enter into an agreement then any surplus receipts arising would have to be surrendered to the Secretary of the State for them to investment in replacement stock.

Noted that the 30% cap was necessary to ensure that the Government obtained maximum value for money from the Right to Buy receipts and enabled the building of as many new homes as possible. The Council would be expected to fund the remaining 70% from its own reserves or through borrowing serviced by the anticipated rental income from the new homes built.

Where retained receipts exceeded 30%, the Council would be required to return the additional receipt to the Secretary of State with interest.

Each financial quarter a report would have to be submitted to DCLG showing the cumulative sum the Council had retained for replacement stock and the cumulative amount it had spent on replacement stock.

Although there would be no requirement to return receipts in the first three years of the agreement, in Quarter 1 of 2015/2016 Taunton Deane would have to compare

- the total amount spent on replacement stock from the start of the agreement to the end of that quarter, with
- the total amount it had retained from Right to Buy receipts in Quarter 1 of 2012/2013.

Where the latter was 30% or less than the former then no further action would be necessary.

In Quarter 2 of 2015/2016 the comparison would be between the total spent on replacement stock since the agreement began with the total it retained on Quarters 1 and 2 in 2012/2013 and then for each subsequent quarter.

Historically Right to Buy receipts had been used to fund our Housing Enabling Programme and had primarily been targeted to schemes in conjunction with Registered Housing Providers.

The recent introduction in the new Hosing Revenue Account (HRA) 30 year business plan of a Social Housing Development fund provided a second option for the provision of new units retained within the HRA. In practice if the Executive was minded to accept an agreement with the Government for one for one replacement, both of these avenues would be needed to allow a suitable level of investment to be made to offset the 30% restriction. The additional investment now available for affordable housing in the HRA would improve our ability to meet the 30% requirement.

Reported that the Council did not have to sign up to an agreement now. However, if it was not signed by the deadline of 27 June 2012, the Council would not be able to retain any receipts for the first quarter of this financial year.

Other important issues to be noted on qualifying spend to put towards the 70% requirement included:-

- Any contribution from a partner housing association could not include any Homes and Communities Agency grant; and
- The Council could not use HRA receipts from non Right to Buy receipts for example selling surplus to requirements property, as a dispensation from Government already existed which allowed the Council to keep these receipts if spent on affordable housing;
- The Council could spend receipts on the acquisition of property but would have to decide whether to utilise the existing provision of Buy Back Allowance or not depending on which route would be more financially favourable.

Resolved that the agreement offered by the Secretary of State for Communities and Local Government, made pursuant to Section 11(6) of the Local Government Act 2003 relating to the retention of Right to Buy receipts (as outlined above), be signed.

44. **Corporate Performance Monitoring – Quarter 4 / Outturn 2011/2012**

Considered report previously circulated, concerning the final performance data for 2011/2012.

The monitoring of the Corporate Strategy, service delivery, performance indicators and budgets was an important part of the overall performance management framework.

Analysis of the overall performance of the Council had revealed that 65% of all performance measures were on target – see table below. This was a slightly improved position compared to the previous quarter (Quarter 3 was 64%).

| Section | No. of measures | ☺ Green | ☹ Amber | ⊗ Red | N/A | Trend (from last quarter) |
|----------------------------|------------------------|--------------------|--------------------|------------------|------------|--------------------------------------|
| 1) Corporate Strategy Aims | 20 | 60% (12) | 25% (5) | 10% (2) | 5% (1) | ↓ |
| 2) Service Delivery | 15 | 73% (11) | 20% (3) | 7% (1) | | ↑ |
| 3) Managing Finances | 7 | 71% (5) | 14% (1) | 14% (1) | | N/A - awaiting year-end £ |
| 4) Key Projects | 4 | 50% | 50% | | | ↔ |

| | | | | | | |
|-------------------------|-----------|-------------|-------------|------------|------------|---|
| | | (2) | (2) | | | |
| 5) Key Partnerships | 9 | 55% | 11% | 33% | | ↓ |
| | | (5) | (1) | (3) | | |
| 6) People | 6 | 83% | | 17% | | ↑ |
| | | (5) | | (1) | | |
| 7) Corporate Management | 11 | 64% | 36% | | | ↑ |
| | | (7) | (4) | | | |
| TOTALS | 72 | 65% | 22% | 11% | 1% | ↑ |
| | | (47) | (16) | (8) | (1) | |

The Executive noted the comments that had been received from the Corporate Scrutiny Committee particularly with regard to the aged debt situation, the Customer Contact Centre and fly-tipping.

During the discussion of this item, the Chairman asked whether the indicator relating to the Index of Multiple Deprivation (IMD) score could perhaps be 'broken down' into more local indicators which reflected the real improvements that were taking place in the Priority Areas. Because the IMD scores were only refreshed every three years, there was very little that could be done to show an improvement in performance between times.

This would be looked into.

Resolved that the report be noted.

45. **Introduction of the Community Infrastructure Levy in Taunton Deane**

Considered report previously circulated, which proposed the introduction of the Community Infrastructure Levy (CIL) from 1 April 2013 as a key mechanism for funding the infrastructure identified in the Council's Infrastructure Delivery Plan.

The Council had prepared its Core Strategy which set out the long-term vision for the Taunton Deane up to 2028. Linked to this was the Infrastructure Delivery Plan (IDP) which identified the infrastructure that would be required to deliver the Core Strategy proposals, and the scale of expenditure that was anticipated to be needed. The IDP included infrastructure identified through the preparation of the Taunton Town Centre Area Action Plan.

The Planning Act 2008 had made provision for local authorities to raise a levy from development to fund essential infrastructure.

Traditionally, local authorities had negotiated contributions from developers via Section 106 Agreements (or Section 278 for highways). However, many developments did not currently make any contribution to infrastructure costs.

By contrast, CIL would be applicable to all development meeting certain criteria. It would therefore be a more comprehensive and more effective means of raising money for the provision of infrastructure.

Estimates of likely income from CIL would depend on the level (in £ per square metre of floorspace) at which the charge was set and the number and area of dwellings and other developments that were liable to pay it. However, it was anticipated that CIL was likely to be several million pounds per annum.

In two-tier areas, district councils were the charging authorities for CIL on account of their role as the Local Planning Authority. Taunton Deane would therefore be the charging authority within its area.

A practical reason for introducing CIL was that, from April 2014, the ability to 'pool' contributions from developers via Section 106 Agreements (S106's) to deliver infrastructure, would be substantially curtailed. The Government's intention was that CIL would be used to deliver larger strategic items, with S106's retained only for direct mitigation of site-specific impacts.

A more immediate reason for moving CIL forward as quickly as possible, was to minimise the number of developers who were able to avoid paying CIL by securing outline planning permission linked to S106's. Under the Regulations, such developments could not be made liable for CIL at the subsequent stage of securing detailed planning permission. The longer that the introduction of CIL was delayed, the more money that Taunton Deane and its communities stood to lose.

Reported that the Council's Preliminary Draft Charging Schedule was underpinned by detailed viability testing and was based upon different assumptions about development values and costs. The residential modelling was on the basis of 25% affordable housing of which 45% would be social rent, 15% affordable rent and 40% intermediate housing.

The Government had advised that the levy should not be set so high as to render a large proportion of development unviable; but equally, it should not be set so low that every development would remain viable (while raising insufficient money for infrastructure).

If there was consistent evidence to show that development viability had changed, the Council would be able in future to amend the CIL rates, although amendments to the CIL Charging Schedule would need to be the subject of consultation and an independent examination.

It was considered reasonable to aim to introduce CIL by 1 April 2013. In practice, this meant completing the majority of work needed to put CIL in place by the end of 2012. To achieve this, a number of key steps had to be undertaken as follows:-

(i) Production of Preliminary Draft Charging Schedule

A copy of the Preliminary Draft Charging Schedule was attached as an appendix to these minutes.

There would need to be public consultation on the Preliminary Draft Charging Schedule. It was proposed that this would start on 28 June 2012 and would run for a minimum of 4 weeks.

(ii) Production of Draft Charging Schedule

In the light of comments received, the Preliminary Draft Charging Schedule would be reviewed and, if necessary, any proposed changes brought back to Members for consideration in September 2012 before the Schedule was published as a draft for submission to the person appointed as the examiner.

Formal representations on the Draft Charging Schedule could then be made, prior to it being submitted for examination.

(iii) Submission to examiner

End of October 2012 – following Executive Councillor / LDF Steering Group sign-off.

(iv) Examination

It was assumed that the examination would be in early 2013, although the precise date will need to be confirmed by the examiner.

(v) Adoption

Taking account of any changes recommended by the examiner in his/her report following the examination, the Charging Schedule would need to be considered by Members and adopted by Full Council in March 2013.

Further reported that it was already clear that the level of CIL received would not by itself be sufficient to fund all of the infrastructure that was required. The level of CIL needed to be set with regard to the funding gap that would exist between what it collected and the expenditure on infrastructure that was required.

To provide the infrastructure needed for our planned levels of growth, a policy decision would be required in the near future as to where other funding could be found to fill this gap and undoubtedly the New Homes Bonus (NHB) would be a logical choice as the resultant growth would generate further NHB for the Council.

Resolved that:-

- (1) the introduction of the Community Infrastructure Levy in Taunton Deane be approved in principle; and
- (2) the Preliminary Draft Charging Schedule be endorsed for public consultation.

46. Proposed Crime and Disorder Reduction Partnership Merger

Considered report previously circulated, concerning proposals to merge the Somerset East and West Crime and Disorder Reduction Partnerships into one countywide structure.

The Crime and Disorder Act 1998 (CDA) as amended by the Police Reform Act 2002 and the Police and Justice Act 2006 (the '2006 Act'), placed a duty on specific agencies, known as responsible authorities, to work together and with other

agencies within the community to tackle crime and disorder and the misuse of drugs.

This legislation required that a Crime and Disorder Reduction Partnership (CDRP) be organised. Taunton Deane first fulfilled this statutory requirement with the formation of a Taunton Deane CDRP.

The 2006 Act introduced the requirement for minimum standards to be placed upon all CDRPs.

The standards were:-

- To convene a strategy group comprising all the responsible authorities in the CDRP and others as they choose;
- To prepare a strategic assessment;
- To produce a partnership plan;
- To meet minimum standards of community consultation and engagement on issues of crime and disorder and substance misuse; and
- To ensure that each CDRP has an information sharing protocol in place and that each responsible authority has a designated information sharing liaison officer to promote and facilitate information sharing.

In two-tier areas, there were minimum standards for organisations at county level to ensure that there was an appropriate linkage between decisions which might be made at the county level (for example by a Police Authority for a force covering the whole county) and those taken more locally. Further, this coordination at county level would allow the identification of county-wide priorities to feed into the new Police and Crime Commissioner's plans from November 2012 and opportunities for cross-border working.

In light of the minimum standards, a decision was taken in 2007 for the Taunton Deane CDRP to enter into a period of informal merger with Sedgemoor and West Somerset CDRPs to form the Safer Somerset West Partnership. In 2010, this was widened to include the whole county.

In January 2009, the Safer Communities Group, a sub group of the Somerset Strategic Partnership, approved a proposal to carry out a review of the community safety structures in Somerset. Its primary aim was to investigate how Somerset priorities were aligned to the available resources and to make recommendations for improvement. The Community Safety Network (CSN), a group of practitioners from the statutory agencies, undertook this review.

Following the review, a recommendation was made that the Safer Communities Group become the CDRP, as all statutory agencies already attended this meeting. Member representation in the structure was at portfolio holder level.

Scrutiny of this new group by Members could be achieved through the scrutiny structure agreed at the Community Scrutiny Committee in 2009. Effectively this

recommended two members from each of the districts, Taunton Deane, Sedgemoor and West Somerset to be co opted to look at community safety scrutiny issues.

Somerset had been operating on an informal merger basis since 2010. As the recommended minimum informal merger period was 12 months a decision was needed as to whether a formal merger should take place.

There were two options for consideration:-

- (1) Members could oppose the countywide merger, instead opting to remain informally merged. However, this option would only be achievable if West Somerset and Sedgemoor also decided to oppose the countywide merger or if Taunton Deane has an appetite for its own CDRP. Also noted that the Home Secretary had the power to force a merger, making an order for two or more CDRP areas to work as a combined partnership; and
- (2) Members could acknowledge and approve the merger of East and West CDRPs to a County CDRP, currently operating as the Safer Communities Group. Further work will then follow to ensure tactical and operational structures beneath reflected the local delivery needs.

Resolved that Full Council be recommended to approve the merger of the Safer Somerset West CDRP with Mendip and South Somerset Community Safety Partnership (Somerset East) to form a Countywide CDRP which was currently operating as the Safer Communities Group.

47. **Executive Forward Plan**

Submitted for information the Forward Plan of the Executive over the next few months.

Resolved that the Forward Plan be noted.

(The meeting ended at 7.55 pm.)

Appendix

Taunton Deane Community Infrastructure Levy Preliminary Draft Charging Schedule

This charging schedule has been prepared in accordance with Part 11 of the Town and Country Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended by the 2011 Regulations). It is supported by local evidence regarding infrastructure requirements and the impact of the levy on the viability of development, as set out in the consultants' reports. These can be found on the Council's website as part of the Core Strategy and CIL Evidence Base (see links on previous page).

Levy Rates

The rates below will be charged against the gross internal floor area of:

- All new dwellings
- All other development exceeding 100 sq m in size

| Development Uses | Levy (per sq m) |
|--|-----------------|
| Residential Development in Taunton, including urban extensions | £80 |
| Residential Development in Wellington urban area | £0 |
| Residential Development in Wellington urban extensions | £25 |
| Residential Development outside Taunton and Wellington | £125 |
| Retail Warehousing of any size throughout Taunton Deane | £300 |
| Retail superstores – over 2,500 sq m food and convenience shopping stores but with a significant proportion of comparison goods throughout Taunton Deane | £300 |
| Supermarkets and convenience stores – under 2,500 sq m and predominantly food and convenience shopping throughout Taunton Deane | £150 |
| All other development | £0 |

How the CIL charge will be calculated

In accordance with the Regulations, where applicable the Council will issue a Liability Notice that states the chargeable amount on grant of planning permission or as soon as possible after the grant of planning permission. The Council will calculate the amount of CIL chargeable using the formulae set out in the Regulations.

Full details of the way in which CIL will be calculated, together with an overview of CIL and the full Regulations, can be found on the CLG website: www.communities.gov.uk.