

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 4 August 2016 at 18:15.

Agenda

- 1 Apologies.
- 2 Minutes of the meeting of the Executive held on 7 July 2016 (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 Disposal of Freehold Interest in Land at Frobisher Way, Taunton. Report of the Asset Strategy Supervisor (attached). Also see confidential appendix at agenda item No. 8.

Reporting Officer: Ken Francis
- 6 Disposal of Freehold Interest in former Park Keeper's Bungalow at 277 Cheddon Road, Taunton. Report of the Asset Strategy Supervisor (attached). Also see confidential appendix at agenda item No. 9.

Reporting Officer: Ken Francis
- 7 Executive Forward Plan - details of forthcoming items to be considered by the Executive and the opportunity for Members to suggest further items (attached)

The following items are likely to be considered after the exclusion of the press and public because of the likelihood that exempt information would otherwise be disclosed relating to the Clause set out below of Schedule 12A of the Local Government Act 1972.

- 8 Confidential Appendix - Disposal of Freehold Interest in Land at Frobisher Way, Taunton (to follow). See also agenda item No. 5.
Paragraph 3 - Information relating to financial or business affairs
- 9 Confidential Appendix - Disposal of Freehold Interest in former Park Keeper's Bungalow at 277 Cheddon Road, Taunton (to follow). See also agenda item No.6.
Paragraph 3 - Information relating to financial or business affairs.

Bruce Lang
Assistant Chief Executive

06 January 2017

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.

Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, 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.



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

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Executive Members:-

Councillor M Edwards	(Business Development and Asset Management and
Communications (Deputy Leader))	
Councillor J Warmington	(Community Leadership)
Councillor R Parrish	(Corporate Resources)
Councillor P Berry	(Environmental Services & Climate Change)
Councillor T Beale	(Housing Services)
Councillor J Williams - Leader of the Council	(Leader of the Council)
Councillor R Habgood	(Planning Policy and Transportation)
Councillor C Herbert	(Sports, Parks and Leisure)

Executive – 7 July 2016

Present: Councillor Edwards (Vice-Chairman) (In the Chair)
Councillors Habgood, Parrish and Mrs Warmington

Officers: Shirlene Adam (Director - Operations), Jo Nacey (Finance Manager), Paul Harding (Corporate Strategy and Performance Manager), James Barrah (Director – Housing and Communities), Lucy Clothier (Accountant) and Richard Bryant (Democratic Services Manager)

Also present: Councillors Aldridge and Ms Lisgo
Anne Elder, Chairman of the Standards Advisory Committee

(The meeting commenced at 6.15 pm.)

30. Apologies

The Chairman (Councillor Williams) and Councillors Beale and Berry.

31. Minutes

The minutes of the meeting of the Executive held on 9 June 2016, copies of which had been circulated, were taken as read and were signed.

32. Declarations of Interest

Councillor Edwards declared a personal interest as the Chairman of Governors of Queens College. Councillor Parrish declared a personal interest as the District Councils' representative on the Somerset Pensions Committee.

33. Financial Monitoring – Outturn 2015/2016

Considered report previously circulated, relating to the Council's financial performance for the 2015/16 financial year. The outturn figures included were provisional subject to external audit review, the findings of which would be reported to the Corporate Governance Committee in September 2016.

Monitoring the budget was an important part of the Council's performance management framework. Crucially it enabled remedial action to be taken in response to significant budget variances, some of which might be unavoidable. It also provided the opportunity to assess any consequent impact on reserves and the Council's Medium Term Financial Plan.

The revenue outturn position for the financial year 2015/2016 was as follows:-

- The General Fund (GF) Revenue Outturn position for 2015/2016 was a net underspend of £280,000 (2.07%). The underspend had increased since the end

of quarter 3 due to significant variances in the Street Cleansing budget and Interest Cost and Income.

- The Housing Revenue Account (HRA) was a 'Self-Financing' account for the Council's Housing Landlord function, which was budgeted to 'break even' (net of approved transfers to/from HRA Reserves). The HRA Outturn for 2015/2016 was a net underspend of £476,000 (1.8% of gross income).

Reported that the year-end financial statements reported that Deane DLO had made an overall profit of £47,000 after contributing £101,000 to the GF. This surplus had been transferred to the DLO Trading Account Reserve which had increased the reserve balance to £365,000.

The Deane Helpline had reported a net deficit of £67,000 for the year, which was an underspend of £13,000 against the final budget and represented the net cost of the service to the GF.

Under regulations the Council had to report how its Licencing and Land Charges services performed in the financial year. This was set out in the table below. These services set fees and charges based on estimated reasonable costs, and aimed to break even each year. When this did not occur, the Council could transfer any surplus/deficit to a self-financing reserve. During the next round of fees and charges setting, adjustments would be made with the view to achieving a break-even position on a three year rolling basis.

Licensing and Land Charges Self-Financing Reserves

	Balance Brought Forward £	under/(over)-recovery in 2015/16 £	Balance Carried Forward £
Land Charges	(24,680)	(31,480)	(56,160)
Licencing	23,180	25,870	49,050
Taxi-Licencing	(3,640)	(16,000)	(19,640)

With regard to the budget for the Unparished Area of Taunton, reported that although £46,170 had been allocated to a variety of schemes during the 2015/2016 financial year, £55,610 was available for allocation during the current year.

The capital outturn position for 2015/2016 was as follows:-

- The General Fund profiled Capital Programme at the end of 2015/2016 was £17,345,000. The actual expenditure on the Capital Programme during 2015/2016 was £7,244,000, with £9,976,000 being carried forward to support delivery of approved schemes in 2016/2017. This would leave a net underspend of £125,000 (0.7%) against the overall programme.

Noted that the above figures had been amended slightly from those reported to the Corporate Scrutiny Committee following final completion of the 2015/2016 Statement of Accounts.

- The HRA approved Capital Programme at the end of 2015/2016 was

£23,759,000. This related to schemes which would be completed over the next five years. The actual expenditure on the Capital Programme during 2015/2016 was £11,391,000, with £10,214,000 for planned investment to implement approved schemes in future years. A net underspend of £2,154,000 (9%) was reported against the overall programme.

Further reported that the GF Reserves balance as at 31 March 2016 stood at £2,113,000. The balance remained above the minimum reserves expectation within the Council's Budget Strategy (£1,600,000).

The HRA Reserves balance as at 31 March 2016 stood at £2,675,000, which was above the minimum level (£1,800,000) set within the Council's Budget Strategy and the HRA Business Plan.

The total General Fund Earmarked Reserves balance as at 31 March 2016 was £16,722,000, and for HRA Earmarked Reserves the balance was £4,985,000, representing funds that had been set aside for specific purposes to be spent in 2016/2017 or later years. This had grown largely in respect of funds committed to support growth and infrastructure development, future capital programme spending, the Business Rates funding volatility, and funding set aside to support service restructuring and transformation projects. The majority of this was planned to be spent over the next two years, although experience had shown this might be over a longer period.

Noted that the Outturn Report had also been considered by the Corporate Scrutiny Committee on 30 June 2016 and a summary of the points made by Members was circulated for the information of the Executive.

Resolved that:-

- (1) The Council's financial performance and end of year position for the General Fund and the Housing Revenue Account, including pre-approved carry forwards and transfers to earmarked reserves be noted; and
- (2) Full Council be recommended to:-
 - (a) Note the reported General Fund Revenue Budget underspend of £280,000 in 2015/2016 and the General Reserves Balance of £2,113,000 as at 31 March 2016;
 - (b) Approve the General Fund Revenue Budget Carry Forwards totalling £892,000;
 - (c) Approve a General Fund Capital Programme Budget Carry Forward totalling £9,976,000;
 - (d) Approve a Housing Revenue Account Capital Programme Budget Carry Forward totalling £10,214,000;
 - (e) Approve £333,000 of Supplementary Budget allocations in 2016/2017 for the Housing Revenue Account, utilising 2015/2016 underspends, for the

following areas:-

- i. £33,000 to fund an extension to the employment of the Welfare Reform Officer to March 2018;
- ii. £38,000 to fund an extension to the additional Debt and Benefit Advisor to March 2018;
- iii. £198,000 to increase the Estate Officer capacity by one in each area until March 2018;
- iv. £21,000 to fund an extension to the Mental Health support until March 2017;
- v. £25,000 to provide funding to Pilot a dedicated part-time resource to roll-out, drive and oversee the 'Chill and Chat' peer support group to vulnerable women across all three One Team areas; and
- vi. £18,000 to increase funding available to Community Development Officers in each of the One Team Areas for 2016/2017.

34. Quarter 4 2015/2016 Performance Report




Considered report previously circulated, which detailed the performance of the Council for the final quarter of 2015/2016.

Regularly monitoring performance was a key element of the Council's Performance Management Framework. There were 70 individual measures which were reported within the Corporate Scorecard.

The Taunton Deane Corporate Scorecard contained details of the Quarter 4 2015/2016 position against the Council's key priorities, finance and corporate health indicators. It was stressed that this information was the situation at 31 March 2016.

Each action/measure had been given a coloured status to provide the reader with a quick visual way of identifying whether particular measures were on track or whether there might be some issues with performance or delivery or an action.

The table below provided an overview of the reported indicators within the Corporate Scorecard:-

GREEN 	AMBER 	RED 	NOT DUE	NOT AVAILABLE	TOTAL
43 (41)	8 (12)	7 (7)	9 (6)	3 (4)	70

(The figures in brackets related to Quarter 3)

Submitted a comprehensive summary of each of the 70 performance measures.

The seven indicators on the scorecard allocated 'red' status were:-

- Emergency Housing repairs – Response times;
- Urgent Housing repairs – Response times;
- Staff sickness;
- Rent arrears owed by current tenants;
- Housing Services general need tenants' satisfaction with landlord;
- Visitors to Taunton Town Centre; and
- The number of affordable housing units delivered.

Noted that the first three items on the above list also had 'red' status at the end of Quarter 3.

Reported on the actions that would be taken in an attempt to meet the performance targets that had been set for these seven indicators.

The Performance Report had been considered by the Corporate Scrutiny Committee on 30 June 2016 and some of the views expressed at that meeting were submitted.

Resolved that the report be noted.

35. **Housing Revenue Account (HRA) Business Plan Review**

Considered report previously circulated, which provided an update on the progress of the review of the Housing Revenue Account (HRA) Business Plan.

The Business Plan contained the aims and objectives of the HRA, and included a financial model of the next 30 years. A number of largely external changes had meant that a full refresh of the Business Plan was necessary. The report therefore identified the changes and the impact of these changes.

A copy of the updated Business Plan was included with this report, along with a new Asset Strategy and Development Strategy.

The new Business Plan was more robust than previously with the inclusion of better quality data, in particular around the Council's assets. However, the financial margins were now much tighter with the plan relying on the delivery of savings, which would require the imposition of continuing management vigilance in order to maintain a viable Business Plan.

The Business Plan had brought everything together and had set out the aims and objectives of the HRA. The review had updated strategic objectives for the service, which were to provide quality homes, support the most vulnerable, provide a better service and build a stronger business.

The review had also detailed the way in which the HRA would work in the future, including setting out a new operating model that would allowed tenants, where appropriate, to move into additional services such as shared ownership. This model

showed the way in which the HRA would support tenants into and through the Housing service.

Following consultations with Members, the Tenant Services Management Board, the Tenants Forum and all staff members in the Housing and Communities Directorate, the following conclusions had been established:-

- The HRA's Core Business should be social rented housing for the most vulnerable in our communities.
- The proposed new objectives for the HRA were appropriate.
- That much could be done to improve the customer experience of the Housing Service.
- Subject to continuing commitments with repairs and maintenance service standards, that it would be acceptable to prioritise new build projects over some maintenance expenditure.
- The priority for the tenants groups was not to allow standards in the Council's existing housing to fall.
- To make better use of current repairs and maintenance service in order to free up resources.
- There was an appetite for looking at housing products closer to the market in order to generate additional income on new build/regeneration schemes.
- The current revised debt repayment approach was acceptable based on treasury management advice and to achieve a viable Business Plan and protect services.

Due to a number of changes driven by both internal and external factors, which included a reduction in rent by 1% for four years, rental income by 2042 was likely to be reduced by 39%. Noted that there was likely to be a reduction in income of £185,000,000 over the next 30 years. This substantial impact on the financial position of the Business Plan had meant the Council had to consider some corrective action to mitigate these impacts within the updated Plan.

The new financial position and baseline assumptions of the HRA Business Plan included the following:-

- Right to Buy (RtB) – This had been updated to include 60 sales per annum for a three year period, followed by a reduction to 30 sales a year. This would result in a reduced number of dwellings in the Housing stock and reduced rental income.
- Pay to Stay – The introduction of this meant that tenant households of local authorities earning over £31,000 per annum must be charged a higher rent, depending on their income, up to market, or near market rents.
- Welfare Reform – This included a provision for lower income for a period of three years due to an increase in bad debt. This would cover the roll out of Universal Credit in Taunton Deane.
- Maintenance – Inclusion of a slight increase to major works spend following the recent Stock Condition Survey as well as a reduction over five years to the day to day spend on maintenance.

- New Developments – Committing a budget over the full 30 years of £77,000,000, which equated to 15 units per year at an average rate of £130,000 per unit, rising with inflation.
- Disabled Facilities Grant – A budget reduction from £435,000 per annum to £300,000 per annum over a five year period.
- Capital Improvements - This once separate budget for Sustainable Energy had been 'mainstreamed' into the heating replacement programme and would now be included within the core capital programme. The Estate Improvements annual budget of up to £50,000 would be continued, which the Council had acknowledged was very important to tenants.
- Management Costs – This included efficiency savings of £253,000, which had been identified from management and service costs as well as a new permanent provision of £140,000 per annum was being included for schemes currently being covered with temporary funding.
- Debt – Where the Council's reserves allowed debt was being repaid, otherwise it would be refinanced. Also included were provisions for long term debt repayment to be spread over 60 years. This should result in the debt being reduced to less than £50,000,000 by year 30.

Further reported that the Business Plan faced a number of risks and uncertainties that were not currently quantifiable and so had not been included within the Business Plan finances. These included the introduction of Pay to Stay, selling off Higher Value Void Stock, the introduction of Local Housing Allowance Rates and the full roll out of Universal Credit replacing Housing Benefit.

The HRA had a well-established development programme and to ensure a continuing and deliverable programme, and the best use of the funding, a Development Strategy had been established which would allow opportunities for the development pipeline and other new challenges to be identified. A copy of the Development Strategy was attached as an appendix to the Business Plan for the information of Members.

The review had also identified some future drivers for the HRA priorities, which included dealing with the loss of housing stock through Right to Buy, the Council's investment priorities and dealing with non-traditional stock and poor performing stock as identified in the Asset Management Strategy.

Through the Asset Management Strategy, the Council had identified its objectives and principles in relation to active asset management and these included:-

- Objectives:-
 - Good quality homes and environmental standards;
 - Strengthening financial viability; and
 - Improving social sustainability.
- Principles:-
 - Using information on performance to target investment; and

- The use of Options appraisals where performance was poor – prior to long term investment decisions.

This strategy had been developed so that decisions could be made in order to fund the contribution to Government, but also to start active asset management and stock churn. This was in order to make sure that the housing held was right for both the HRA and tenants.

This tool had been created to take all of the data and assess the Housing stock using this information. This did not indicate what stock should be sold but showed which groups should have an options appraisal. Following an appraisal, it was the Council's intention that decisions should be made regarding the disposal of vacant dwellings or related assets through an Executive Portfolio Holder decision in conjunction with the Director of Housing and Communities.

A copy of the Asset Strategy was also submitted as an appendix to the Business Plan for the information of Members.

The financial position of the HRA Business Plan had changed considerably from a forecasted reserves balance of £156,000,000 at 2042 (year 30 of the existing Business Plan) to £18,000,000 at 2046 (year 30 of the new Business Plan). This was largely due to external changes such as the national rent policy, which had greatly reduced income expectations.

These changes meant that the HRA would not be able to continue the financing of the repayment of the current self-financing loans by year 2030 (year 18 of the Business Plan 2012) without a significant reduction in service quality.

The Council's Treasury Advisors had confirmed that the HRA would have a shortfall in cash when the loans were repaid. It would not therefore be beneficial to refinance the existing loans immediately and replace them with new longer term loans. Instead, it had been recommended to refinance the loans on maturity as and when needed, over the period required.

The current balance of HRA General Reserves was £2,686,000, which was £886,000 over the minimum recommended balance of £1,800,000. These forecasted deficits would reduce the HRA general reserves balance to £1,800,000 in 2018/2019. This meant that all of the available funding in general reserves (over the minimum balance) was needed over the next two years, and no further allocations would be possible.

As a result of the review, an Action Plan had been developed based on the HRA Business Plan's key priority areas of providing quality homes, supporting the most vulnerable, providing a better service and building a stronger business. This detailed the future action for each priority and the sponsor for that priority.

Resolved that Full Council be recommended that:-

Business Plan:

- (1) The Housing Revenue Account Business Plan 2016-2046 be approved;

Finance:

- (2) The policy for voluntary revenue provision for the repayment of capital debt in the Housing Revenue Account be changed to be over the average life of Housing Revenue Account assets (estimated at 60 years);

Development Strategy:

- (3) The new Housing Revenue Account Development Strategy be adopted;
- (4) A supplementary estimate of £950,000 be added to the Housing Revenue Account Social Housing Development Fund capital programme in 2016/2017. This would bring the total development programme to £1,950,000 which represented the 15 units in the new Development Strategy to be delivered in 2017/2018. This would be funded through capital receipts and revenue funding in line with the Business Plan; and

Asset Strategy:

- (5) The new Housing Revenue Account Asset Strategy be adopted

36. **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 7.53 p.m.)

Usual Declarations of Interest by Councillors

Executive

- **Employee of the Department of Work and Pensions – Councillor Mrs Herbert.**
- **Councillor Beale declared personal interests as a Board Member and Director of Tone FM and as a Governor of the South West Ambulance NHS Trust.**
- **Councillor Edwards declared a personal interest as the Chairman of Governors of Queens College.**
- **District Council's representative on the Somerset Pensions Committee – Councillor Richard Parrish.**

Taunton Deane Borough Council

Executive – 4 August 2016

Disposal of Freehold Interest in Land at Frobisher Way, Taunton

This matter is the responsibility of Executive Councillor Mark Edwards, Portfolio Holder Business Development, Asset Management and Communications

Report Author: Ken Francis, Asset Strategy Surveyor

1 Executive Summary / Purpose of the Report

- 1.1 The Frobisher Way site is an underutilised plot of land within an industrial estate. The land is in use as a transport depot. A planning permission exists for the development of 10 industrial units. Approval to sell the Freehold interest by way of auction is sought.

2 Recommendations

- 2.1 It is recommended that the Executive is requested to support the sale of the Frobisher Way land by auction with a legal requirement (exact method upon advice from Legal) for the purchaser to ensure that the planning permission (or similar) is implemented.

3 Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Key Issue b. of Key Theme 4, Corporate Strategy 2016-20. Make better use of our land and property assets; investing in, transferring or selling assets where it makes sense to do so, not achieved	Almost certain (5)	Moderate (3)	High (15)
<i>The mitigations for this are the proposed changes as set out in the report</i>	<i>Unlikely (2)</i>	<i>Moderate (3)</i>	<i>Low (6)</i>

Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

4 Background and Full details of the Report

- 4.1 The land comprises a flat regular shaped site of approximately 0.9 acres (0.36 Ha) located within an established industrial estate and shown edged by a bold line on the below plan. High voltage power lines overfly the site. A planning permission was granted on 9 September 2015 for development of 10 small industrial units. A previous similar planning permission had expired.



- 4.2 Various sales have been attempted over the years. Details are included in the confidential Appendix.
- 4.3 The site is presently tenanted by Cooks Transport for use as a transport depot. The rent is indicated in the confidential Appendix. This is considered to be under utilisation of the land. Representations have been made by Cooks Transport and these are formalised in the letter from Cooks Transport which is also contained in the confidential Appendix.
- 4.4 There was a thought that the site could be developed by TDBC in partnership with the private sector. TDBC would provide the land, the private sector would carry out the development and TDBC would retain finished units to the value of the land and would hold these as an investment. This course of action is not recommended due to the adverse effect on the value of the site (and therefore on the value of the investment retained by TDBC) of the resulting two smaller investments (as opposed to one larger investment) and also due to the adverse effect on the site value of the requirement to work in partnership. As an investment, the small units would be far from ideal for TDBC as they would be management intensive.

- 4.5 Auction is proposed in preference to a tender process as the sale is contractually enforceable upon the fall of the hammer, therefore adding speed and certainty and minimising ongoing cost. The auction process should ensure market value is obtained. Costs are not excessive and are approximately 0.5% of the transaction figure plus £1,000 for advertising with an additional £1,000 for further advertising should we consider it necessary at the time. There are likely to be other relatively minor ancillary costs also.
- 4.6 There is a possibility that a purchaser might not wish to implement the planning permission. This would mean that TDBC economic development aspirations would not be realised. For this reason, it is intended to create a legal obligation on any purchaser to implement the permission within a reasonable and agreed time period. Legal advice will be sought on the best way to do this. There should be a negligible effect on Market Value arising from this positive obligation.
- 4.7 A contamination report will be commissioned before marketing and this will form part of the legal pack. The content of this report will affect the Market Value and the likely capital receipt.
- 4.8 The auction reserve price will be set in consultation with the Portfolio Holder prior to sale and will be influenced by feedback and responses to marketing and advice from the auctioneer.
- 4.9 Use of Lambert Smith Hamptons auction services has been confirmed by David Carpenter, Procurement Manager, TDBC as meeting the Council's procurement requirements.

5 Links to Corporate Aims / Priorities

- 5.1 The proposal supports Key Issue d. of Key Theme 1, Corporate Strategy 2016-20. *Facilitate the creation of a broad range of high quality employment opportunities that recognises the different needs of rural and town communities in order to provide local people with more rewarding futures.*
- 5.2 The proposal supports Key Issue a. of Key Theme 2, Corporate Strategy 2016-20. *Encourage inward investment and the promotion of the district as a place in which to visit and do business.* Sale of the site with a positive obligation to develop presents a vehicle through which private sector finance will be raised and invested (development and investment funding).
- 5.3 The proposal supports Key Issue h. of Key Theme 2, Corporate Strategy 2016-20. *Support business start-ups and expansion within the Deane.*
- 5.4 The proposal supports Key Issue b. of Key Theme 4, Corporate Strategy 2016-20. *Make better use of our land and property assets; investing in, transferring or selling assets where it makes sense to do so.* It makes sense to sell in this case to facilitate development of the site and remove an underperforming asset.
- 5.5 The proposal is in line with the adopted Asset Strategy and Decision Making

Framework 2014-17. Particularly:-

- in meeting the council's property objective, "To have a lean property portfolio that meets the council's business and service needs efficiently".
- in complying with the overall approach element of releasing capital from the portfolio.
- in complying with the overall approach element of making sure that the Council only holds land that it will need in the foreseeable future.

6 Finance / Resource Implications

- 6.1 A capital receipt in the region of the figure indicated in the confidential Appendix A, after direct costs. However the loss of rental revenue as also indicated in the Appendix.

7 Legal Implications

- 7.1 SHAPE has been instructed to provide initial advice to Asset Management regarding aspects of the title and access. SHAPE has been requested to provide advice on methods of ensuring that a purchaser implements the planning permission. SHAPE will be required to produce a legal pack before auction.

8 Environmental Impact Implications

- 8.1 These aspects were considered by TDBC as part of the decision to grant planning permission.
- 8.2 There have been complaints from other occupiers in the vicinity regarding the dust created by the present transportation business. Development of the site will remove this source of dust.
- 8.3 The planning permission considers the possibility of flooding and requires that the land is built up slightly.

9 Safeguarding and/or Community Safety Implications

- 9.1 None.

10 Equality and Diversity Implications

- 10.1 The proposed method of disposal does not discriminate and should be neutral with regard to equality and diversity.

11 Social Value Implications

- 11.1 Use of a national auctioneer should ensure market value is achieved.

12 Partnership Implications

12.1 None

13 Health and Wellbeing Implications

13.1 No negative implication

14 Asset Management Implications

14.1 This is an Asset Management led report.

14.2 The proposal removes management activity from Asset Management. Asset Management has invested resource in bringing this proposal forward for consideration.

14.3 The proposal is in line with the adopted Asset Strategy and Decision Making Framework 2014-2017. Particularly: -

- in meeting the Council's property objective, "To have a lean property portfolio that meets the Council's business and service needs efficiently";
- in complying with the overall approach element of releasing capital from the portfolio;
- in complying with the overall approach element of making sure that the Council only holds land that it will need in the foreseeable future

15 Consultation Implications

15.1 Economic Development has been consulted by Asset Management and support the proposal. Economic Development has been approached by prospective purchasers enquiring whether they might purchase the land for development. The portfolio holder has expressed support subject to there being some certainty that the site will be developed.

16 Scrutiny Comments

16.1 The Corporate Scrutiny Committee supported further consultation and negotiation with the existing tenant, exploring any interest in the purchase of the land, or through a new rental agreement based on the tenant's reported turnover.

Democratic Path:

- **Scrutiny – Yes**
- **Executive – Yes**
- **Full Council – No**

Reporting Frequency: Once only

List of Appendices

Appendix	Confidential elements of the report
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Contact Officers

Name	K Francis	Name	T Child
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Email	k.francis@tauntondeane.gov.uk	Email	t.child@tauntondeane.gov.uk

Taunton Deane Borough Council

Executive – 4 August 2016

Disposal of Freehold Interest in former Park Keeper's Bungalow at 277 Cheddon Road, Taunton

This matter is the responsibility of Executive Councillor Mark Edwards, Portfolio Holder Business Development, Asset Management and Communications

Report Author: Ken Francis, Asset Strategy Surveyor

1 Executive Summary / Purpose of the Report

- 1.1 The property is vacant, having formerly been in use as park keeper's residential accommodation. Support is requested to sell the Freehold interest by way of auction.

2 Recommendations

- 2.1 It is recommended that the Executive is requested to support the sale of 277 Cheddon Road, Taunton by auction, with a reserve price to be set by Asset Management in conjunction with the Portfolio Holder prior to sale.

3 Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Key Issue b. of Key Theme 4, Corporate Strategy 2016-20. Make better use of our land and property assets; investing in, transferring or selling assets where it makes sense to do so, not achieved	Almost certain (5)	Moderate (3)	High (15)
<i>The mitigations for this are the proposed changes as set out in the report</i>	<i>Unlikely (2)</i>	<i>Moderate (3)</i>	<i>Low (6)</i>

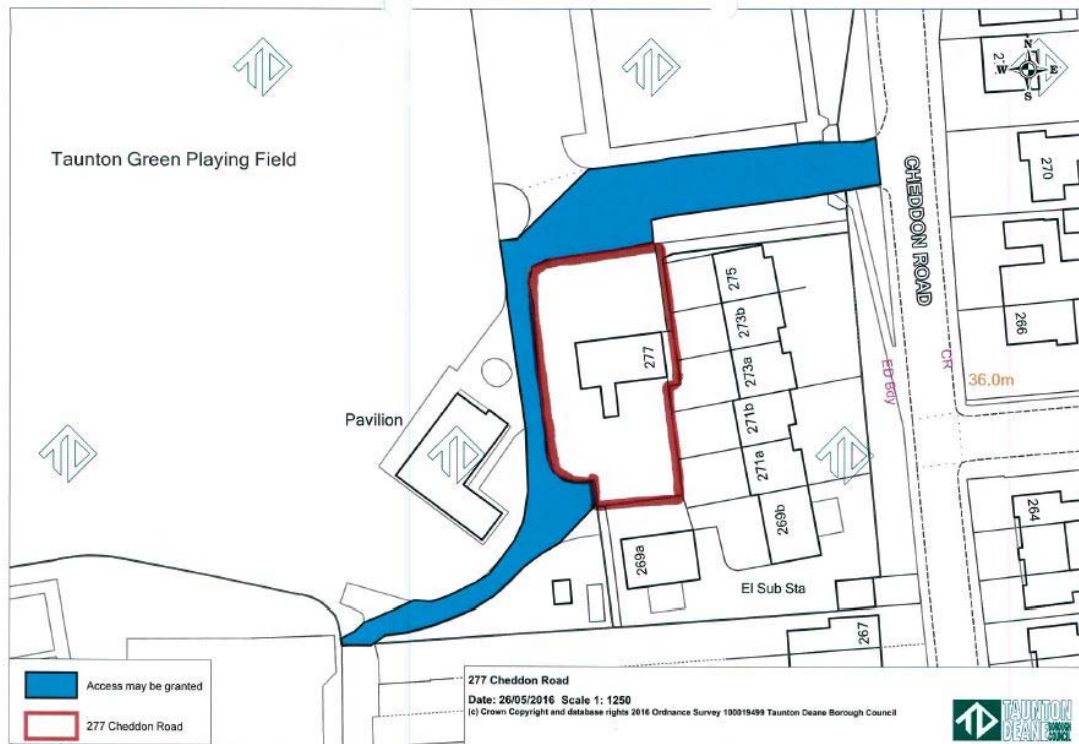
Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

4 Background and Full details of the Report

- 4.1 The property comprises a 2 bedroom detached bungalow on a flat regular shaped plot of approximately 0.19 acres (0.08 Ha) and for identification purposes shown edged by the bold line on the plan below. The site is located within an established residential area, bordering Taunton Green Recreation Ground.
- 4.2 The shaded area on the plan is the area that will be considered for granting rights of access to the bungalow. Rights of access will not necessarily be granted over the entirety of the shaded area.



- 4.3 The bungalow has been vacant for some time and has fallen into a state of disrepair following lack of occupation and vandalism.
- 4.4 An assessment of investment return has been carried out assuming that the bungalow is refurbished and let at a market rent. This shows a low investment return, reflecting low rent relative to the capital value of the property. Higher investment returns would be available from compact 2 and 3 bedroom houses.
- 4.5 TDBC's Planning Department have confirmed that they would be supportive of a proposal to redevelop the site for denser single storey housing. Such development would comprise 3 or 4 semi-detached or terraced bungalows. No schemes have been drawn up and so it is not clear how many bungalows would be accommodated on the site. Market forces, controlled by planning considerations, will dictate the extent and form of development.
- 4.6 Valuations commentary is set out in the confidential Appendix, as are the merits of applying for a planning permission for development before sale.
- 4.7 Auction is proposed in preference to a tender process as the sale is contractually enforceable upon the fall of the hammer, therefore adding speed and certainty and minimising ongoing cost. The auction process should ensure market value is obtained. Costs are not excessive being approximately 0.5% of the transaction figure plus £1,000 for advertising with an additional £1,000 for further advertising should we consider it necessary at the time. There are likely to be other relatively minor ancillary costs also.
- 4.8 The auction reserve price will be set in consultation with the Portfolio Holder prior to sale and will be influenced by feedback and responses to marketing and advice from

the auctioneer.

- 4.9 Use of Lambert Smith Hamptons auction services has been confirmed by David Carpenter, Procurement Manager, TDBC as meeting the Council's procurement requirements

5 Links to Corporate Aims / Priorities

- 5.1 The proposal supports Key Issue b. of Key Theme 4, Corporate Strategy 2016-20. *Make better use of our land and property assets; investing in, transferring or selling assets where it makes sense to do so.* It makes sense to sell in this case as the asset is redundant. Visibility of this redundant and deteriorating asset provides a strong impetus. A private firm or individual will invest in the property and bring it into productive economic use.
- 5.2 The proposal is in line with the adopted Asset Strategy and Decision Making Framework 2014-17. Particularly:
- in meeting the council's property objective, "To have a lean property portfolio that meets the council's business and service needs efficiently";
 - in complying with the overall approach element of releasing capital from the portfolio;
 - in complying with the overall approach element of making sure that the Council only holds land that it will need in the foreseeable future.

6 Finance / Resource Implications

- 6.1 A capital receipt in the region of the figure indicated in the confidential Appendix , after direct costs. Removal of management workload from Asset Management. Removal of ongoing maintenance obligation. Removal of cost in responding to vandalism.
- 6.2 Finance support this proposal.

7 Legal Implications

- 7.1 The proposed disposal has been publicised as legally required by Section 123 of the Local Government Act 1972 and has not raised significant objections.
- 7.2 The property is subject to a restrictive covenant, "Not to use or permit the land to be used other than as a public recreation ground and open space for the playing of games and the public recreation of the community". This has not been registered and so does not apply to a purchaser. It does apply to the Council as the existing owner, however.
- 7.3 A right of way will be granted across retained land.

8 Environmental Impact Implications

- 8.1 No exceptional matters.

9 Safeguarding and/or Community Safety Implications

9.1 None.

10 Equality and Diversity Implications

10.1 The proposed method of disposal does not discriminate and should be neutral with regard to equality and diversity.

11 Social Value Implications

11.1 Use of a national auctioneer to ensure market value achieved.

12 Partnership Implications

12.1 None.

13 Health and Wellbeing Implications

13.1 No negative implication.

14 Asset Management Implications

14.1 This is an Asset Management led report.

14.2 Asset management has invested resource in bringing this proposal forward for consideration.

14.3 The proposal is in line with the adopted Asset Strategy and Decision Making Framework 2014-17. Particularly:-

- in meeting the council's property objective, "To have a lean property portfolio that meets the council's business and service needs efficiently";
- in complying with the overall approach element of releasing capital from the portfolio;
- in complying with the overall approach element of making sure that the Council only holds land that it will need in the foreseeable future.

15 Consultation Implications

15.1 TDBC service units have been consulted and are supportive. This consultation has involved publication of the proposal by e.mail and discussion with Cyril Rowe, Open Spaces Manager. James Barra, Director Housing and Communities, requested that we discuss the investment argument (market rent) with Jo Humble, Enabling and Development Manager and Lucy Clothier, Project Manager HRA Business Plan. There is consensus that the returns are insufficient.

15.2 Disposal has been publicised as legally required by Section 123 of the Local

Government Act 1972 and has not raised significant objections.

16 Scrutiny Comments

16.1 The Corporate Scrutiny Committee supported the sale of 277 Cheddon Road, Taunton by auction, with a reserve price set by Asset Management in conjunction with the Portfolio Holder prior to the sale and look into obtaining outline planning permission prior to auction.

Democratic Path:

- Scrutiny – Yes
- Executive – Yes
- Full Council – No

Reporting Frequency: Once only

List of Appendices

Appendix	Confidential elements of the report
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Contact Officers

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04/08/2016, Report: Disposal of Freehold Interest in Land at Frobisher Way, Taunton

Reporting Officers: Ken Francis

Contains exempt information requiring private consideration: Yes

Exempt reason: The report will include a confidential appendix.

04/08/2016, Report: Disposal of Freehold Interest in former Park Keeper's Bungalow at 277 Cheddon Road, Taunton

Reporting Officers: Ken Francis

Contains exempt information requiring private consideration: Yes

Exempt reason: The report will include a confidential appendix.

08/09/2016, Report: Update on Coal Orchard Consultation

Reporting Officers: Ian Timms

06/10/2016, Report: Report on the Amendment to the Private Sector Renewal Policy

Reporting Officers: Mark Leeman

09/11/2016, Report: Review of Council Tax Support Scheme

Reporting Officers: Heather Tiso

09/11/2016, Report: Quarter 2 Performance Report

Reporting Officers: Paul Harding

09/11/2016, Report: Quarter 2 Financial Monitoring Report

Reporting Officers: Jo Nacey, Steve Plenty

09/11/2016, Report: Report on Housing Standards Enforcement

Reporting Officers: Christian Trevelyan

30/11/2016, Report: Task and Finish Group Report on Parishing the Unparished Area of Taunton

Reporting Officers: Richard Bryant

30/11/2016, Report: Somerset Waste Partnership Recycle more/New Service Model

Reporting Officers: Chris Hall

Contains exempt information requiring private consideration: Yes

Exempt reason: The report is likely to contain some confidential information.

11/01/2017, Report: Earmarked Reserves

Reporting Officers: Jo Nacey

09/02/2017, Report: Financing Development of Coal Orchard, Taunton – Borrowing Approval Request

Reporting Officers: Ian Timms

09/02/2017, Report: Hinkley Point C Housing Fund Strategy

Reporting Officers: Lisa Redston

09/02/2017, Report: Genral Fund Revenue Budget Estimates 2017/2018

Reporting Officers: Jo Nacey

09/02/2017, Report:Housing Revenue Account Budget Estimates 2017/2018

Reporting Officers:Jo Nacey

09/02/2017, Report:Capital Programme Estimates 2017/2018

Reporting Officers:Jo Nacey

09/02/2017, Report:Treasury Management Strategy 2017/2018

Reporting Officers:Jo Nacey

09/02/2017, Report:Somerset Waste Partnership Business Plan

Reporting Officers:Chris Hall

08/03/2017, Report:Supported Housing Property Review

Reporting Officers:Tim Child

08/03/2017, Report:Investment in The Collar Factory, Taunton.

Reporting Officers:David Evans

Contains exempt information requiring private consideration: Yes

Exempt reason:This item is likely to contain confidential information relating to financial and business affairs.

Executive – 4 August 2016

Present: Councillor Edwards (Vice-Chairman) (In the Chair)
Councillors Beale, Berry, Habgood, Mrs Herbert, Parrish and
Mrs Warmington

Officers: Shirlene Adam (Director - Operations), Terry May (Assistant Director –
Property and Development), Ken Francis (Assistant Strategy Officer) and
Richard Bryant (Democratic Services Manager)

Also present: Councillors M Adkins, Booth, Cavill, Farbahi, Gaines and Horsley
Anne Elder, Chairman of the Standards Advisory Committee

(The meeting commenced at 6.15 pm.)

37. Apologies

The Chairman (Councillor Williams).

38. Minutes

The minutes of the meeting of the Executive held on 7 July 2016, copies of which had been circulated, were taken as read and were signed.

39. Declarations of Interest

Councillor Mrs Herbert declared a personal interest as an employee of the Department of Work and Pensions. Councillor Beale declared personal interests as a Board Member and Director of Tone FM and as a Governor of the South West Ambulance NHS Trust. Councillor Edwards declared a personal interest as the Chairman of Governors of Queens College. Councillor Parrish declared a personal interest as the District Councils' representative on the Somerset Pensions Committee.

40. Disposal of Freehold Interest in Land at Frobisher Way, Taunton

Considered report previously circulated, concerning an under-utilised plot of Council-owned land within an industrial estate at Frobisher Way, Taunton. Approval to sell the freehold interest by way of auction was sought.

The land comprised a flat regular shaped site of approximately 0.9 acres (0.36 Ha) and currently benefitted from a planning permission granted in September 2015 for the development of 10 small industrial units.

However, the site was presently tenanted by Cooks Transport for use as a transport depot at a level of rent which was considered to be under utilisation of the land.

Representations had been made by Cooks Transport who wished to remain on the site and these had been formalised in a letter which was available to Members of the Executive. Mr Cook also took the opportunity to attend the meeting and address the Executive.

Although the site could be developed by the Council in partnership with the private sector, this course of action was not recommended due to the adverse effect on the value of the site and therefore on the value of the investment retained by Taunton Deane. As an investment, the small units would be far from ideal for the Council as they would be management intensive.

As a result, the disposal of the land at auction was proposed. This was in preference to a tender process as the sale was contractually enforceable upon the fall of the hammer, therefore adding speed and certainty and minimising costs. The auction process should ensure market value was obtained.

Noted that there was a possibility that a purchaser might not wish to implement the planning permission. For this reason, it was intended to create a legal obligation on any purchaser to implement the permission within a reasonable and agreed time period.

A contamination report would be commissioned before marketing and this would form part of the legal pack. The content of this report could well affect the Market Value and the likely capital receipt.

The auction reserve price would be set in consultation with the Portfolio Holder prior to sale and would be influenced by feedback and responses to marketing and advice from the auctioneer.

The matter had been discussed at the Corporate Scrutiny Committee on 21 July 2016. Members expressed concern that:-

- Disposal of the land could damage the interests of the existing tenant and that this would have a negative economic impact on Taunton Deane; and
- The planning permission on the land had not been shown to maximise the value of the land.

There was also a view that the costs of remediation of any contamination would be high and would impact directly upon the price achieved.

During the discussion of this item, Members were of the view that further negotiations should be undertaken with the current occupier of the site to establish whether there was an opportunity to enable this successful business to remain on the land at Frobisher Way as well as meeting Taunton Deane's Economic Development objectives.

Resolved that further engagement with the existing tenant be undertaken with the aim of using best endeavours to reach a solution that met the Council's aspirations for Economic Development. Should this not be forthcoming, the sale of the Frobisher Way, Taunton land by auction be supported, with a legal requirement (exact method upon advice from Legal) for the purchaser to ensure that the planning

permission (or similar) was implemented.

41. **Disposal of Freehold Interest in former Park Keeper's Bungalow at 277 Cheddon Road, Taunton**

Considered report previously circulated, concerning 277 Cheddon Road, Taunton which was currently owned by the Council.

The property was vacant, having formerly been in use as park keeper's residential accommodation. Approval to sell the Freehold interest by way of auction was sought.

The property comprised a two bedroom detached bungalow on a flat regular shaped plot of approximately 0.19 acres (0.08 Ha) within an established residential area, bordering Taunton Green Recreation Ground. The bungalow had been vacant for some time and had fallen into a state of disrepair following lack of occupation and vandalism.

An assessment of investment return had been carried out assuming that the bungalow was refurbished and let at a market rent. This showed a low investment return, reflecting low rent relative to the capital value of the property.

Further reported that the Council's Planning Department had confirmed that it would be supportive of a proposal to redevelop the site for denser single storey housing. Such development would comprise three or four semi-detached or terraced bungalows.

Currently, no schemes had been drawn up and so it was not clear how many bungalows could be accommodated on the site.

During the discussion of this item it was **resolved** that the that the press and public be excluded from the meeting because of the likelihood that exempt information would otherwise be disclosed relating to Clause 3 of Schedule 12A to the Local Government Act, 1972 and the public interest in withholding the information outweighed the public interest in disclosing the information to the public. This was to enable the proposed reserve price of the site to be discussed and to allow the details as to the merits of applying for a planning permission for development prior to any sale to be made available to the Members of the Executive.

Noted that an auction of the property was proposed in preference to a tender process as the sale was contractually enforceable upon the fall of the hammer, therefore adding speed and certainty and minimising costs. The auction process should ensure market value was obtained.

This matter had also been discussed at the Corporate Scrutiny Committee on 21 July 2016. Members had expressed surprise that the Council did not wish to let or develop the site for income. The wisdom of disposing of the site without first obtaining a planning permission for its re-development was questioned too.

The Executive was also of the view that it was likely the site would have a higher

value if a planning permission to erect further dwellings was successfully obtained.

Resolved that subject to outline planning permission being obtained for the redevelopment of the land at 277 Cheddon Road, Taunton, the subsequent sale of the land by auction be supported with a reserve price to be set by Asset Management in conjunction with the Portfolio Holder prior to sale.

42. **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 7.34 p.m.)