

To:

Members of Scrutiny Committee

(Councillors P H Murphy (Chairman), R Lillis (Vice Chairman), D Archer, A Behan, R Clifford, G S Dowding, B Maitland-Walker, J Parbrook, and R Woods)

Members of Cabinet

(Councillor A Trollope-Bellew (Leader), M Chilcott (Deputy Leader), M Dewdney, K J Mills, C Morgan, S J Pugsley, K H Turner, D J Westcott)

Our Ref CS

Contact Emily McGuinness emcguinness@westsomerset.gov.uk

Date 08 October 2015

**THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING  
THIS DOCUMENT CAN BE MADE AVAILABLE IN LARGE PRINT, BRAILLE, TAPE FORMAT  
OR IN OTHER LANGUAGES ON REQUEST**

Dear Councillor

I hereby give you notice to attend the following meeting:

**SCRUTINY COMMITTEE**

**Date: Thursday 15 October 2015**

**Time: 3.30 pm**

**Venue: Council Chamber, Council Offices, Williton**

**There will be a pre-meeting held in the Grabbist Room at 2.30pm to which all Scrutiny Members are invited.**

Please note that this meeting may be recorded. At the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during the recording will be retained in accordance with the Council's policy.

Therefore unless you advise otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact Committee Services on 01643 703704.

Yours sincerely



**BRUCE LANG**  
Proper Officer

WEST SOMERSET COUNCIL

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## RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

**Risk Scoring Matrix**

<b>Likelihood</b>	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
<b>Impact</b>							

<b>Likelihood of risk occurring</b>	<b>Indicator</b>	<b>Description (chance of occurrence)</b>
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%

- Mitigating actions for high ('High' or above) scoring risks are to be reflected in Service Plans, managed by the Group Manager and implemented by Service Lead Officers;
- Lower scoring risks will either be accepted with no mitigating actions or included in work plans with appropriate mitigating actions that are managed by Service Lead Officers.

## **SCRUTINY COMMITTEE**

**Meeting to be held on Thursday 15 October 2015 at 3.30 pm**

**Council Chamber, Williton**

### **AGENDA**

**1. Apologies for Absence**

**2. Minutes**

Minutes of the Scrutiny Committee held on 10 September 2015, to be approved and signed as a correct record – **SEE ATTACHED.**

**3. Declarations of Interest**

To receive and record any declarations of interest in respect of any matters included on the Agenda for consideration at this Meeting.

**4. Public Participation**

The Chairman to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public wishing to speak at this meeting there are a few points you might like to note.

A three-minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue. There will be no further opportunity for comment at a later stage. Your comments should be addressed to the Chairman and any ruling made by the Chair is not open to discussion. If a response is needed it will be given either orally at the meeting or a written reply made within five working days of the meeting.

**5. Notes of Key Cabinet Decisions/Action Points**

To review the Key Cabinet Decisions/Action Points from the Cabinet Meeting held on 2 September, 2015 – **TO BE CIRCULATED AT MEETING.**

**6. Cabinet Forward Plan**

To review the latest Cabinet Forward Plan for the months of November onwards, published on 7 October 2015 – **SEE ATTACHED.**

**7. Empty Homes Strategy**

To consider Report No. WSC 135/15 to be presented by Councillor M Dewdney, Portfolio Holder - Environment - **SEE ATTACHED**

This purpose of the report is to consider the issue of empty homes. Empty homes are a particular issue for West Somerset. We have some of the highest rates of long term empty homes in England. This report seeks to quantify this problem and the reasons for it. It then introduces the various initiatives that are seeking to address the problem of bringing empty homes back in to use.

**8. Budget Strategy 2016/17**

To consider Report No. WSC 136/15 to be presented by Councillor M Chilcott, Portfolio Holder – Resources and Central Support - **SEE ATTACHED**

The purpose of this report is to set out the framework and approach to delivering a balanced budget for the Council for next financial year and over the medium term. This is fundamental to the future sustainability of the Council and the valuable services it delivers to the community of West Somerset.

**9. Licensing Staffing Arrangements**

To consider Report No. WSC 134/15 to be presented by Councillor K Turner, Portfolio Holder – Housing, Health and Wellbeing - **SEE ATTACHED.**

The purpose of this report is to make permanent the current temporary additional resource of Licensing Officer which will ensure the sustainable delivery of this statutory function on behalf of West Somerset Council. This will promote the corporate priorities particularly with regard to ‘ensuring everyone has access to our services and is treated equally and fairly’.

**10. Update on Scrutiny Task and Finish Asset Management Recommendations**

**SEE ATTACHED.**

**11. Scrutiny Committee Work Plan**

To receive items and review the Scrutiny Committee Work plan for 2015/16. - **SEE ATTACHED.**

**COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS**

**The Council’s Vision:**

To enable people to live, work and prosper in West Somerset

**The Council’s Corporate Priorities:**

- Local Democracy:

Securing local democracy and accountability in West Somerset, based in West Somerset, elected by the people of West Somerset and responsible to the people of West Somerset.

- New Nuclear Development at Hinkley Point  
Maximising opportunities for West Somerset communities and businesses to benefit from the development whilst protecting local communities and the environment.

**SCRUTINY COMMITTEE**

**Minutes of the Meeting held on 10 September 2015 at 3.30 pm**

**Present:**

Councillor P H Murphy .....Chairman  
Councillor R Lillis .....Vice Chairman

Councillor D Archer  
Councillor G S Dowding  
Councillor J Parbrook

Councillor R Clifford  
Councillor B Heywood  
Councillor B Maitland-Walker

**Members in Attendance:**

Councillor M Dewdney (from 4pm)

Councillor A Trollope-Bellew

**Officers in Attendance:**

Assistant Chief Executive and Monitoring Officer – (B Lang)  
Democratic Services Coordinator (E McGuinness)  
Director – Director of Growth and Development (B Cleere)  
Assistant Director – Operational Delivery (C Hall)  
Asset Data Manager (M Hill)  
Administrative Support (A Randell)

**SC102 Apologies for Absence**

An apology was received from Councillor R Woods.

Councillor B Heywood attended as a substitute.

**SC103 Minutes**

(Minutes of the Meeting of the Scrutiny Committee held on 6 August 2015 –  
circulated with the Agenda.)

**RESOLVED** that the Minutes of the Scrutiny Committee held on 6 August 2015  
be confirmed as a correct record.

**SC104 Declarations of Interest**

Members present at the meeting declared the following personal interests in  
their capacity as a Member of a County, Parish or Town Council:

Name	Minute No.	Description of Interest	Personal or Prejudicial or Disclosable Pecuniary	Action Taken
Cllr P H Murphy	All Items	Watchet	Personal	Spoke and voted
Cllr D Archer	All Items	Minehead	Personal	Spoke and voted
Cllr J Parbrook	All Items	Minehead	Personal	Spoke and voted

**SC105 Notes of Key Cabinet Decisions/Action Points**

(Copy of Notes of Cabinet Decisions/Action Points, circulated with the agenda.)

**RESOLVED** that the Key Cabinet Decisions/Action Points from the meeting held on 2 September 2015, be noted.

**SC106 Cabinet Forward Plan**

(Copy of the Cabinet Forward Plan published 2 September 2015, circulated with the agenda.)

**RESOLVED** that the Cabinet Forward Plan published on 2 September 2015, be noted.

**SC107 The Somerset Rivers Authority (SRA) and Flood Action Plan.**

Considered report, WSC 131/15 previously circulated.

The purpose of the report was to update the Council on the development of the Somerset Rivers Authority (SRA) since the report to Corporate PAG and Cabinet in November / December 2014. The report set out progress since that date along with the ongoing discussions for future funding and governance. It sought approval for a recommendation to Full Council, relating to WSC's preferred long term funding option for the SRA.

During the course of discussion the following points were made:-

- It was questioned if the action plan was restricting itself to river flooding or if coastal flooding could be included in the Flood Action Plan.
- It was stated that there were other areas where the Rivers Authority boundaries included the areas around the coast. The Environment Agency still remained responsible for coastal protection.
- It was stated that coastal protection had been included in the Lincolnshire Model and requested this to be revisited.
- Concerns were expressed in instances where properties, due to flood risk, were proving difficult to insure.
- The fairness of an increase in Council Tax was questioned.
- As West Somerset did not meet the criteria of more urban areas it was questioned if they were at a disadvantage in terms of priority from the Environment Agency formula.
- If a land levy option was introduced then it was deemed WSC would pay a disproportionate sum.
- The option of precepting businesses had been raised previously but it was thought that this would not be pursued.

- Discussion took place around flood protection in redesigning Porlock Weir.
- The favoured option was believed to be the creation of a precepting body, represented by all local authorities within Somerset.

**Resolved that:-**

- (i) The Scrutiny Committee noted the progress to date in the development of the Somerset Rivers Authority and West Somerset Council's position on the way forward, as set out in the report.
- (ii) Progress in the delivery of the Levels and Moors 20 Year Flood Action Plan (2014) be noted.
- (iii) The formal approval of Full Council is sought on 16 September 2015, for the creation of a separate precepting body as WSC's preferred funding option, noting that the Council's position will be confirmed to the Somerset Rivers Authority Board meeting in late September.

**SC108 Introduction of Charges for the Street Naming and Numbering Administration Function**

Considered report, WSC 132/15 previously circulated.

The purpose of the report was to support the introduction of a scale of charges for the administration of the Street Naming and Numbering service in accordance with the details set out in this report. It was intended that the introduction of charging would be a Portfolio Holder decision.

During the course of discussion the following points were made:-

- Reported that projected income was calculated by estimating from figures received in the last three years.
- House names registered before 1<sup>st</sup> October would still be processed with no charge. This was being introduced to meet the administrative costs of the service due to no charges being calculated at present.
- Land Registry notification was done through a separate process. This updated the address databases for the banks, utilities and emergency services.
- Confirmed that addresses would still need to re-register through the Post Office and Royal Mail.

**Resolved that:-**

- (1) The introduction of a scale of charges for the administration of the Street Naming and Numbering service in accordance with the details set out in this report be supported; and
- (2) The appropriate Portfolio Holder be recommended to approve the introduction of the proposed scale of charges.



**SC109 Harbour Operations**

Considered report, WSC 133/15 previously circulated.

The purpose of the report was to raise Member's awareness of the statutory Harbour responsibilities, to request that a Harbour Board be created and request appropriate resources be provided to deliver the statutory requirements.

During the course of discussion the following points were made:-

- Discussion took place relating to tourist attractions that required harbour operations services and instances where vessels would be required to dock at Minehead.
- The regulatory work around harbour operations was something that had to be done.
- Councillors requested that the question of charging be brought back to Members for consideration.
- Details of the job role were discussed. It was not anticipated for any additional funding to be required. Furthermore it was requested that any harbour improvements relating to the new role be cost effective.
- A request was made for moorings to be resourced adequately to ensure that income was collected.
- The Scrutiny Committee was in agreement for this to be taken to Council as an urgent item and commended the work that had been undertaken.

**Resolved** that the Committee supports that this matter be considered at the September meeting of the Council as an emergency item in the interests of public safety and endorses the following recommendations:-

- (a) The creation of the Harbour Board with Membership as set out in section 6.16 of the report to include the following:-
  - The Harbour Board would welcome as non-voting representatives, one elected Member from Watchet Town Council and one elected Member from Minehead Town Council.
  - The Board would welcome as non-voting Members representatives from the Watchet Harbour Advisory Committee.
- (b) The approval of the roles set out within the report to be identified as accountable in respect of the conditions set out in the Port Marine Safety Code.
- (c) The following increases in funding be approved (revenue funding to be pro-rata for 2015/16):-
  - i) £26,000 pa increase in the Harbours budget to support the Harbour Master role; and
  - ii) A £5,000 one off sum to update West Somerset Council Port Marine Safety Code.

**SC110 Scrutiny Committee Work Plan**

(Copy of the Forward Plan for 2014/15, circulated with the agenda.)

Requested that the future staffing levels in Licensing would be considered at the October Committee.

It was questioned if an Asset Management Task and Finish report could be revisited to establish how the recommendations have progressed. Members were informed by the Portfolio Holder for Environment that due to a significant workload within this service, there was little capacity to undertake this work at present.

The Democratic Services Co-ordinator undertook to progress this matter outside of the meeting and report back to Members.

**RESOLVED** that the Scrutiny Forward Plan published on 2 September 2015, be noted.

The meeting closed at 5.05 pm.

**Weekly version of Cabinet Forward Plan published on 7 October 2015**

<b>Forward Plan Ref / Date proposed decision published in Forward Plan</b>	<b>Date when decision due to be taken and by whom</b>	<b>Details of the proposed decision</b>	<b>Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?</b>	<b>Contact Officer for any representations to be made ahead of the proposed decision</b>
FP/15/11/01 10/02/2015	4 November 2015 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/15/11/02 02/09/2015	4 November 2015 By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218
FP/15/11/03 03/09/2015	4 November 2015 By Lead Member Housing, Health and Wellbeing	Title: Licensing Officer Post – West Somerset Council Decision: to achieve a sustainable resolution to the resources needed in the Licensing team by formalising the current temporary arrangements	No exempt / confidential information anticipated	Ian Carter, Licensing Manager 01823 358406
FP/15/11/04 04/06/2015	4 November 2015 By Lead Member Resources & Central Support	Title: <b>Review of Financial Regulations [FR2]</b> Decision: to recommend to Council to approve updated Financial Regulations	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/15/11/05 25/09/2015	4 November 2015 By Lead Member Resources & Central Support	Title: Award of Hardship Relief Decision: to consider a referral by the Section 151 Officer of an application for hardship relief	Confidential - there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972	Heather Tiso, Revenues & Benefits Manager 01823 356541
FP/15/12/01 10/02/2015	2 December 2015 By Leader of Council	Title: <b>Corporate Performance Report 2015-16 Quarter 2</b> Decision: to provide Members with an update on	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
		progress in delivering corporate priorities and performance of council services		
FP/15/12/02 10/02/2015	2 December 2015 By Lead Member Resources & Central Support	Title: <b>Budget Monitoring Report Quarter 2</b>  Decision: to provide Members with details of the Council's expected financial outturn position in 2014/15 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/15/12/03 10/02/2015	2 December 2015 By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/15/12/04 03/06/2015	2 December 2015 By Lead Member for Community and Customer	Title: Council Tax Rebate Scheme 2016/17  Decision: to present the Council Tax Rebate Scheme 2016/17 for recommendation to Council	No exempt / confidential information anticipated	Heather Tiso, Revenues and Benefits Manager 01823 356541
FP/15/12/05 01/07/2015	2 December 2015 By Lead Member Resources & Central Support	Title: Earmarked Reserves Review  Decision: to provide Members with details of Earmarked Reserves Review and recommend use of surplus reserves	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/15/12/06 10/02/2015	2 December 2015 By Lead Member Resources & Central Support	Title: <b>Fees and Charges 2016/17</b>  Decision: to propose levels of fees and charges for the period 1 April 2016 to 31 March 2017 (in some cases fee increases will be implemented earlier, this will be stated in the relevant sections of the report)	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/15/12/07 04/08/2015	2 December 2015 By Lead Member Community and Customer	Title: Council Tax Rebate Scheme 2016/17  Decision: to present the Council Tax Rebate Scheme 2016/17 for recommendation to Council	No exempt / confidential information anticipated	Heather Tiso, Revenues and Benefits Manager 01823 356541

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/16/1/01 10/02/2015	6 January 2016 By Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 3</b>  Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position	No exempt / confidential information anticipated	Tim Burton, Assistant Director Planning and Environment 01823 358403
FP/16/1/03 10/02/2015	6 January 2016 By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/16/1/04 13/07/2015	6 January 2016 By Chairman of Scrutiny Committee	Title: CIM fund Scrutiny Task and Finish Group  Decision: to consider the report of the results from the work undertaken by the Task and Finish Group	No exempt / confidential information anticipated	Emily McGuinness, Democratic Services Coordinator 01984 635223
FP/16/1/05 02/09/2015	6 January 2016 By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding  Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218
FP/16/2/01 10/02/2015	3 February 2016 By Lead Member Resources & Central Support	Title: <b>Annual Budget &amp; Council Tax Setting 2016-17</b>  Decision: to provide Members with all the information required for Council to approve the revenue budget and capital programme for 2016/17 for recommendation to Council.	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/16/2/02 10/02/2015	3 February 2016 By Leader of Council	Title: <b>Draft Corporate Plan for 2016-17</b>  Decision: to introduce the draft West Somerset Council Corporate Plan 2016/17 for recommendation to Council	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/16/2/04 10/02/2015	3 February 2016 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/16/2/05 10/02/2015	3 February 2016 By Lead Member Resources & Central Support	Title: <b>Capital Programme 2016-17</b> Decision: to present the Capital Programme 2016/17 for recommendation to Council.	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/16/3/01 10/02/2015	2 March 2016 By Leader of Council	Title: <b>Corporate Performance Report 2015-16 Quarter 3</b> Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/16/3/02 10/02/2015	2 March 2016 By Lead Member Resources & Central Support	Title: <b>Budget Monitoring Report Quarter 3</b> Decision: to provide Members with details of the Council's expected financial outturn position in 2014/15 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/16/3/03 10/02/2015	2 March 2016 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/16/3/04 02/09/2015	2 March 2016 By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/16/4/01 10/02/2015	6 April 2016  By Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 4</b>  Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position	No exempt / confidential information anticipated	Tim Burton, Assistant Director Planning and Environment 01823 358403
FP/16/4/02 10/02/2015	6 April 2016  By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/16/6/01 02/09/2015	June 2016	Title: <b>Cabinet Appointments on Outside Bodies</b>  Decision: to appoint representatives to serve on outside bodies for the period to the Annual Meeting in 2017 (except where specific periods are stated)	No exempt / confidential information anticipated	Bruce Lang, Assistant Chief Executive 01984 635200
FP/16/6/02 02/09/2015	June 2016  By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/16/7/01 02/09/2015	July 2016  By Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 1</b>  Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position	No exempt / confidential information anticipated	Tim Burton Assistant Director Planning and Environment 01823 358403
FP/15/7/02 02/09/2015	July 2016  By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding  Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/16/8/01 02/09/2015	August 2016 By Leader of Council	Title: <b>Corporate Performance Report Quarter 4</b> Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/16/8/02 02/09/2015	August 2016 By Lead Member Resources & Central Support	Title: <b>Budget Monitoring Report Quarter 4</b> Decision: to provide Members with details of the Council's expected financial outturn position in 2015/16 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/16/8/03 02/09/2015	August 2016 By Lead Member Resources & Central Support	Title: <b>Medium Term Financial Plan Update</b> Decision: to present the updated Medium Term Financial Plan	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680

Note (1) – Items in bold type are regular cyclical items.

Note (2) – All Consultation Implications are referred to in individual reports.

The Cabinet comprises the following: Councillors A H Trollope-Bellew, M Chilcott, M Dewdney, K M Mills, C Morgan S J Pugsley, K H Turner and D J Westcott.

The Scrutiny Committee comprises: Councillors P H Murphy, R Lillis, D Archer, G S Dowding, B Maitland-Walker, J Parbrook, R Clifford, R Woods and A Behan.



Report Number: [\[Click here and type Report No\]](#)  
 Presented by: Keith Turner  
 Author of the Report: Mark Leeman  
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Report to a Meeting of: SCRUTINY COMMITTEE  
 To be Held on: 15<sup>th</sup> October 2015  
 Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: [\[Click here and type Date\]](#)

# DRAFT EMPTY HOMES STRATEGY AND IMPLICATIONS FOR WEST SOMERSET

## 1. PURPOSE OF REPORT

- 1.1 This report considers the issue of empty homes. Empty homes are a particular concern for West Somerset. We have some of the highest levels of long term empty homes in England. This report seeks to quantify this problem and the reasons for it. It then introduces the various initiatives that are seeking to address the problem of bringing empty homes back in to use. This includes:
- Empty Homes Strategy (Draft) 2015 - 2018
  - the financial benefits of bringing empty homes back in to use
  - projects that are currently being prepared / delivered to bring empty homes back in to use

## 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 This topic relates directly to Objective 5 that seeks to increase the supply of housing in West Somerset in order to mitigate the impact of extra demands associated with Hinkley Point C. It also relates to Objective 2 concerning income generation and financial sustainability. West Somerset Council will receive between £6k and £7k approx. for each long term empty home that is reoccupied.

## 3. RECOMMENDATIONS

- 3.1 It is recommended that Scrutiny considers the content of the Draft Empty Homes Strategy and provides their support subject to any recommended changes.

(note: following public consultation the Empty Homes Strategy will go to Cabinet for formal approval)

## 4. RISK ASSESSMENT (IF APPLICABLE)

### Risk Matrix

Description	Likelihood	Impact	Overall
-------------	------------	--------	---------

New Homes Bonus may not be maximised due to lack of resources	4	4	16
<i>The newly appointed Empty Property Coordinator is having a positive impact</i>	3	3	9
We may be inefficient in our use of time and resources (and miss out on New Homes Bonus) by concentrating on the 'difficult to shift' empty properties	3	4	12
<i>The Empty Homes Strategy establishes priorities for the type of empty properties to tackled</i>	2	3	6

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before and after the mitigation measures have been actioned.

## 5. **BACKGROUND INFORMATION**

5.1 Tackling "Empty Homes" is a national, regional and local priority.

### **Laying the Foundations – A Housing Strategy for England (November 2011)**

5.2 This national strategy for housing in England set out the government's key areas of action to ensure a thriving, active but stable housing market is in place that offers choice, flexibility and affordable housing given how critical this is to our economic and social wellbeing. The Strategy contains four priorities, one of which is to 'tackle empty homes'.

### **Somerset Strategic Housing Framework (2013)**

5.3 The Strategic Housing Framework contains three priorities. Priority 2 seeks to 'make the best use of the sub-regions existing housing stock'. A key area of focus is to 'bring empty homes back in to use and utilise them for those in housing need'. The framework notes that (during 2010-2011) there were 7,837 empty homes in Somerset with almost 90% of these in the private sector and 36% of them being empty for more than six months. The Framework goes on to state: 'This is a wasted resource that can be brought back in to use to help combat the shortage in housing'.

### **Current Empty Homes Strategy**

5.4 The Council's existing local Empty Homes Strategy was developed during 2009/10. This strategy is no longer fit for purpose. Legislation has changed and so too have the financial incentives. In addition, Hinkley C will have a significant impact. The context has completely changed requiring the development of a new strategy.

### **Revenue implications**

5.5 Bringing long term empty homes (LTE) back in to use has revenue implications for local authorities. For each LTE that is brought back in to use, West Somerset Council will receive approx. £7k through New Homes Bonus (NHB). However, if the number of LTE goes up (from one year to the next) then this number is deducted from the number of newly constructed properties from which NHB is also claimed. So there is a 'carrot and stick' financial approach to bringing LTE back in to use – New Homes Bonus is calculated on the *net change* in the number of empty homes each year.

### **Local Context – Setting the Scene**

5.6 Homes from Empty Homes (the national campaigning charity) recently published Empty Homes in England (Autumn 2015).

5.7 This excellent report can be viewed here:

<http://www.emptyhomes.com/wp-content/uploads/2011/05/Empty-homes-in-England.pdf>

5.8 The report uses Council Tax Base returns to central Government to map a picture of empty homes across England. It shows that local authorities with a higher proportion of empty dwellings tend to be in the North, but also along some coastal places (see map on page 5). The report acknowledges that there is, of course, a need for some empty properties – housing markets need empty properties to function. However, the principle concern of this report is with properties that have been vacant for six months or more. These are Long Term Empty (LTE) properties and can often prove difficult to reoccupy without some form of intervention. The majority of local authorities with the highest percentage of LTE are mostly in the north. There are only a few in the south and only two in the South west, including West Somerset (see the map on page 9).

5.9 The report goes on to explore the reasons why homes are long term empty, the relationships between deprivation/house prices and concentrations of LTE (although this does not explain the situation in West Somerset which is somewhat unique), as well as ways of tackling the problem.

5.10 The report contains a number of recommendations (page 22) including the need for local authorities to develop empty homes strategies and to employ dedicated resources to undertake case work.

5.11 The issues raised in this report are explored further in the sections below.

## **6.0 EMPTY HOMES STRATEGY (DRAFT)**

### **Introduction**

6.1 The draft Empty Homes Strategy for 2015-2018 is attached at Appendix A. This has been prepared by the Somerset West Private Sector Housing Partnership (SWPSHP). It therefore applies to three local authority areas: Sedgemoor, Taunton Deane and West Somerset.

### **Content**

6.2 The draft strategy discusses the following themes

- Why do homes become empty?
- What problems do they cause?
- The benefits of bringing a home back in to use
- How to bring homes back in to use
- National & local context
- Numbers

6.3 The draft strategy has two key priorities:

- To provide encouragement and support to owners of empty homes to bring them back in to use
- To use appropriate enforcement action to bring empty homes back in to use

6.4 To achieve these priorities, the Partnership will take into account the following key elements:

- The length of time the property has been empty, with officers focussing on those empty for more than 6 months;
- If the property is having a negative impact on the area; and

- If the owner is taking steps to deal with the problems and return the property back into occupation

6.5 The strategy identifies how these priorities will be delivered through

- Identifying empty homes
- Advice and assistance
- Enforcement options

6.6 The draft strategy concludes with an Action Plan together with targets and arrangements for monitoring and review.

### **Next steps**

6.7 A consultation period will commence on 28<sup>th</sup> October for one month. The strategy will be posted on the SWPHSP website and interested parties will be invited to respond to select questions. SWPSHP will be contacting Registered Social Landlords, private landlords, advertising on Homelet and Homefinder etc. Communities will also be contacted – especially those with clusters of empty properties.

6.8 Comments will then be scrutinised and appropriate amendments will be made to the EHS. The draft EHS will then be presented to the individual Executives of Sedgemoor, Taunton Deane and West Somerset Councils for final sign-off.

6.9 Members are requested to scrutinise the content of the draft report and suggest any proposed changes

## **7.0 EMPTY HOMES IN WEST SOMERSET / NEW HOMES BONUS**

### **Empty Homes Coordinator**

7.1 Through the One Team, Taunton Deane and West Somerset councils recently appointed an Empty Homes Coordinator on a one-year fixed term contract from 1<sup>st</sup> July. The postholder works three days per week (33% funding coming from WS). He is based in the Revenues and Benefits Service. The role is to:

- Maintain and develop the empty homes property database
- Ensure that the Council Tax register is clean and accurate
- Provide information, advice and guidance (IAG) to empty home owners to assist them in bringing properties back into use. This includes signposting owners to help available in the form of grants and loan; and
- Provide accurate numbers i.e. number of empties and those brought back in to use – and to use these to inform our claim for New Homes Bonus (NHB)

7.2 The Coordinator works closely with the Council's Housing Enabling Lead. Together they are able to provide an accurate picture of the number of empty homes in West Somerset, with an understanding of why properties may remain empty for long periods.

### **Empty Homes in West Somerset**

7.3 The stock of Long Term Empty (LTE) properties as at October 2014 was 235 for West Somerset. Records show that as of 1<sup>st</sup> September 2015 we had 236 LTE properties – 55 of these had been empty in excess of 2 years.

7.4 65 (27.5%) of these were empty as the result of a death and are in various stages of awaiting Probate: Probate having been granted and the 6 month exemption having expired, on the market for sale, etc.

- 7.5 41 are currently undergoing works, have undergone works, are uninhabitable or were classed as uninhabitable and the 12 month exemption has now expired.
- 7.6 5 are new-build properties awaiting sale or new owner information.
- 7.7 The remainder of properties are a real mixture. Some have been empty since they were sold and are probably undergoing some form of work, although this has never been confirmed, some are between tenants, and some have owners with whom we have tried (unsuccessfully – through lack of interest/concern on their part) to engage.
- 7.8 There are undoubtedly properties on the empty homes list which shouldn't be there, either because they are occupied but no-one has confirmed this or because they require some form of re-classification. The Empty Homes Coordinator has a key role here i.e. carrying out a canvas of properties to update our records for the October Council Tax Return (see below). However, we have to acknowledge that we have insufficient staffing resources to undertake regular visits. Our records will always be slightly inaccurate unless we are able to increase resources in this area of activity. Our focus at the moment has to be desk top monitoring, which has its limitations.

### **New Homes Bonus**

- 7.9 New Homes Bonus (NHB) is a grant funding system through which councils are rewarded for the housing growth. The system rewards councils in an equal way for homes provided through bringing empty homes back into use and for newly built homes. The system provides two incentives for bringing empty homes into use. Firstly, the council receives funding for empty homes that are returned to use, and secondly, an increase in empty homes numbers will reduce funding.
- 7.10 The system does not differentiate between homes the council was actively involved in providing and those that it was not. It simply rewards the annual net increase in homes in the council's area. This means that if the number of empty homes increases the council could lose out on rewards it might have otherwise received for newly built homes. For example, if 100 new homes were built, but there had been a net increase of 25 empty homes during the year, the council would be rewarded for the net increase of 75 homes.
- 7.11 The amount of reward the council receives is calculated based on the council tax banding of each property brought into use, and gives the council the national average council tax figure for the band of each property involved x 80%. This payment is made for each of the six years after the new home is created. Of course, in addition, the council is due to receive the actual council tax from the taxpayer as well. An affordable housing supplement of £280 (£350 x 80%) also runs for each of the 6 years, and that amount does not vary for different bands of property.
- 7.12 The reward paid to councils is not ring fenced, and can be used for whatever is a local priority. For this Council the NHB grant is essentially fully allocated to support the annual budget for services – although in 2015/16 the Council was able to be used to support the Capital Programme. Projections of future NHB funding is incorporated in the Council's Medium Term Financial Plan.
- 7.13 West Somerset will be reporting 202 LTE on the CTB1 return for 5<sup>th</sup> October 2015. This is a reduction of 22 on the number for the previous year.

### **8.0 PROJECTS**

- 8.1 There are several projects that seek to bring empty homes back in to use. This includes various forms of financial assistance (see the draft EH Strategy – para 7.4).

## Hinkley/EDF funded projects

8.2 The Housing Funding Strategy (for West Somerset & Sedgemoor) is attached at Appendix B. This provides the details of three empty homes related projects. A summary of progress is given below:

- Empty Homes Grant (value + £45k). Provider: Somerset Care & Repair. Project has been running for one month and no grant has yet been issued
- Empty Homes Loans (value = £30k). Provider SWPSHP. Proposal at Wimbleball currently being considered (but yet to be agreed). Currently being assessed by technical officers
- Living Over the Shop (value = £45k). Provider: Somerset Care & Repair. Currently negotiating a scheme at Williton (High Street) that would bring back 2 x 1 bed units.

8.3 In addition, local authority partners are keen to take advantage of other external funding opportunities. When required, we shall establish new partnerships with the voluntary and private sectors. For example, we have recently been made aware of new funding provided by the Nationwide Foundation (ref hyperlink below). This is a good example of the type of grant that we need to be bidding for. However, resources and capacity are always an issue.

<http://www.grin.coop/index.php?mact=News.cntnt01.detail.0&cntnt01articleid=230&cntnt01returnid=61>

8.4 We also have to be alert to funding that is made available through the Homes and Community Agency (HCA).

## 9.0 FINANCIAL /RESOURCE IMPLICATIONS

9.1 As described in this report, bringing empty homes back into use has a positive impact on the Council's funding as well as improving housing supply. The Council has invested in 0.2FTE of an Empty Homes Co-ordinator post for one year – funded from earmarked underspends in the last financial year (together with a contribution from the County Council as SCC also receives New Homes Bonus grant from Government based on net housing growth). The cost to WSC for the post for one year is £5.5k. This post is funded through to June 2016, and there is no provision in the Medium Term Financial Plan (MTFP) for this resource beyond this point.

9.2 It is evident that the work undertaken so far by the Empty Homes Co-ordinator has had a positive impact on the empty homes position – and is expected to continue to do so – and this should be reflected in the New Homes Bonus settlement figures in respect of Council Tax Base returns in October 2015 and October 2016. As an indication (using 2015/16 grant calculation figures), for each empty home brought back into use the Council should attract New Homes Bonus Grant as follows:

Council Tax Band	2015/16 Average Council Tax Rate (nearest £)	One Year NHB Grant allocation to WSC per property (x 80%) £	NHB Due over 6 Years for each home brought back into use £
A	979	783	4,698
B	1,142	914	5,484
C	1,305	1,044	6,264
D	1,468	1,174	7,044
E	1,794	1,435	8,610
F	2,120	1,696	10,176
G	2,447	1,958	11,748

Council Tax Band	2015/16 Average Council Tax Rate (nearest £)	One Year NHB Grant allocation to WSC per property (x 80%) £	NHB Due over 6 Years for each home brought back into use £
H	2,936	2,349	14,094

- 9.3 The Council's MTFP currently includes projected NHB grant funding as summarised in the table below. The achievement of these levels of grant funding will be subject to the net increase in housing supply including a net reduction in empty homes. If the NHB allocations fall below the sums below this will have an adverse impact on the Budget Gap – increasing the scale of financial challenge faced by the Council. Similarly, exceeding these sums will have a positive impact in reducing the Budget Gap. Provisional grant allocations are usually confirmed in December each year alongside the annual Funding Assessment.

***New Homes Bonus Forecast in the MTFP***

	2015/16 £	2016/17 £	2017/18 £	2018/19 £	2019/20 £	2020/21 £
<b><i>Confirmed Grant:</i></b>						
2011/12 Allocation	91,342	91,342	0	0	0	0
2012/13 Allocation	147,213	147,213	147,213	0	0	0
2013/14 Allocation	145,401	145,401	145,401	145,401	0	0
2014/15 Allocation	59,688	59,688	59,688	59,688	59,688	0
2015/16 Allocation	127,371	127,371	127,371	127,371	127,371	127,371
<b><i>Estimates:</i></b>						
2016/17 Allocation	0	139,053	139,053	139,053	139,053	139,053
2017/18 Allocation	0	0	155,360	155,360	155,360	155,360
2018/19 Allocation	0	0	0	63,437	63,437	63,437
2019/20 Allocation	0	0	0	0	50,000	50,000
2020/21 Allocation	0	0	0	0	0	50,000
<b>Totals</b>	<b>571,015</b>	<b>710,068</b>	<b>774,086</b>	<b>690,310</b>	<b>594,909</b>	<b>585,221</b>

- 9.4 With reference to paragraph 7.13 (above) and the CTB1 return of 202 empty dwellings. By just changing the empty homes figure in the MTFP calculation of NHB and leaving everything else as previously forecast that increases the annual grant from £139,053 to £148,333 and the total grant received from £710,068 to £719,348 a change of £9,280.

- 9.5 The cost of delivering the Empty Homes Strategy will be through the following resources:

- Empty Property Coordinator
- Hinkley CIM funding (Housing Implementation Officer and various grants)
- Any external grants that may be applied for
- Housing Standards Officers: staff time should enforcement action need to be considered.

- 9.6 Any enforcement action would be on a case by case basis. This is difficult to quantify as it will depend on the case, intensity etc. However, the Council can recover the costs associated with formal action.

**10.0 COMMENTS ON BEHALF OF SECTION 151 OFFICER**

- 10.1 New Homes Bonus is a fundamental source of funding for the Council. Measures that optimise this funding are essential to the over-arching priority of achieving ongoing financial

resilience for the Council. Members will need to ensure the costs of the implementing the proposed strategy is understood and affordable, and recognise the clear links with delivering NHB funding over the medium term.

## **11.0 EQUALITY & DIVERSITY IMPLICATIONS**

**Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.** The three aims the authority **must** have due regard for are:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

11.1 An Equality Impact Assessment has been undertaken in support of the development of the draft EHS. This is included at Appendix C. To avoid potential discrimination (particularly relating to age, disability and gender) and to promote equality of opportunity, the EIA identifies a range of actions including monitoring to inform decision making, staff training, ensure effective communications etc

## **12.0 CRIME AND DISORDER IMPLICATIONS**

12.1 It is in everyone's interest to bring empty homes back into use to prevent neglect, blight and vandalism. If we do not do this it will leave us with a legacy of neighbourhoods with deteriorating housing stock for the future which will reduce house prices, impact negatively on the quality of the built environment, and attract crime.

## **13.0 CONSULTATION IMPLICATIONS**

13.1 Public consultation will commence on October 28<sup>th</sup> 2015. Please see paragraph 6.7 for more details.

## **14.0 ASSET MANAGEMENT IMPLICATIONS**

14.1 None

## **15.0 ENVIRONMENTAL IMPACT IMPLICATIONS**

15.1 Potential negative impact on the quality of the built environment if we do not adopt the EHS strategy and commit ourselves to action (see paragraph 12.1 above)

## **16.0 HEALTH & WELLBEING**

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

16.1 The delivery of housing is critical to the overall health and wellbeing of the population. This is recognised within the Health and Wellbeing Strategy where 'housing' is a key priority. Bringing empty properties back in to use (particularly as affordable accommodation wherever possible) has a key role to play.



## **17.0 LEGAL IMPLICATIONS**

- 17.1 Comments of the Strategy & Partnerships Lead Officer (no other legal comments received):  
The principal legal implications are through any enforcement action (see paragraphs 9.4 and 9.5). Enforcement (e.g. EDMOs) is complex and very time consuming. We have very limited staff resources. As a consequence, enforcement will always be a measure of last resort and we do not anticipate pursuing many cases through this route

# Appendix A

## Empty Homes Strategy

### Foreword

I have pleasure in introducing the Somerset West Private Sector Housing Partnership's (SWPSHP) Empty Homes Strategy 2015 – 2018.

The SWPSHP is a partnership between Sedgemoor District Council, Taunton Deane Borough Council and West Somerset Council to deliver private sector housing services. In addition to empty properties, the service also embraces Disabled Facilities Grants, low interest loans for essential repairs, energy efficiency and landlord and tenant services through SWeLT (The Somerset West Landlord and Tenant Services) for instance housing standards and landlord accreditation.

This Strategy sets out a clear direction and action plan for tackling empty properties, which are a blight on our communities, often an eyesore and adversely affect the neighbourhood. The Empty Homes Strategy, alongside the partner Council's Housing Strategies, demonstrates our commitment to providing sustainable and thriving communities across our districts.

It is crucial with the new nuclear project and the development of Hinkley C that working with partners such as EDF we are making best use of the available stock, bringing these valuable properties back into use to house members of our community and Hinkley workers.

The Strategy builds on the work undertaken in the last four years across the three districts to proactively reduce empty properties. It also sets out the partnership's approach and commitment to tackling empty properties. The Councils aim to bring up to **X** empty properties back into general use and **Y** for affordable housing over the five year period. This could generate valuable income to the authorities in the form of New Homes Bonus.

I commend this Strategy and look forward to reporting its success and achievements in the future.

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2.0 How do homes become empty and remain that way?

3.0 What problems do empty homes cause?

4.0 The benefits of bringing empty homes into use again

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6.0 Empty homes in the partnership area – the local context

7.0 Delivery of the Strategy

7.1 Previous approach and success

7.2 First Approach: To provide encouragement and support to owners of empty homes to bring them back into use

7.3 Second Approach: To use appropriate enforcement action to bring empty homes back into use.

7.4 Resources

7.5 Monitoring and review

8.0 Action Plan for Empty Homes: 2015-2018

Appendix A: Local Authority Enforcement Powers (Homes from Empty Homes)

Appendix B: Case study?

## 1.0 Introduction

### Importance to the political agenda in recent years

The coalition Government set out their aim in the Housing Strategy for England (Laying the Foundations: A Housing Strategy for England 2014) to increase the number of empty homes brought back into use as a sustainable way of increasing the overall supply of housing, and to reduce blight on neighbourhoods. The Government made a commitment to put in place the right incentives and levers, both practical and financial to support local authorities, housing providers and community and voluntary groups. An example of this is match funding Council Tax on long-term empties for the following six years.

### Strain of housing demand and how empty homes are a wasted resource

At best empty properties are a waste of valuable resources but often empty properties can have devastating effects on neighbourhoods and their environment.

*For example, the Royal Institution of Chartered Surveyors (RICS) states that an empty property reduces the market value of adjoining properties by up to 18%.*

The basis of the strategy is to focus on the long term empty homes; those properties which have been left empty for six months or more. There is less emphasis on properties empty for less than six months as they have a tendency to be in probate or on the housing market. Registered Social Landlords (RSL's) are outside of the scope of the strategy as RSL's are administered by the Homes and Communities Agency, and commercial properties are dealt with by the respective district council.

There are various strategic drivers which underpin the strategy; including partner housing strategies. All three Councils recognise these are difficult and unprecedented times with increasing numbers of households seeking decent and affordable housing across the range of tenures. The situation is exacerbated by benefit reforms and, in Sedgemoor and West Somerset in particular, the influx of new workers at Hinkley C who will undoubtedly put further pressure on the local housing market.

It is part of the Council's strategic housing role to make effective use of empty homes. In consequence, the various partner housing strategies include actions on ensuring the most efficient use of housing resources, by bringing empty properties back into occupation.

All three Strategies prioritise improving the standards in the private sector housing stock, especially rented accommodation and all three commit to tackling long-term empty homes.

There are 'income incentives' for local authorities to bring empty homes back into use in the form of the New Homes Bonus and the ability to charge 150% Council Tax for owning a long term empty home. This can be vital to the Council's ability to balance budgets as the General Revenue Support Grant from Central Government is reduced year on year.

There are currently 610,000 empty homes in England with 205,821 long-term vacant dwellings (that is homes unoccupied for over six months); (Homes from Empty Homes 2015). In Somerset there were approximately 2,049 long term empty properties reported in October 2014. At 1.02% of the

total homes, this proportion was marginally below the regional and national averages. The picture since 2004 is:

District	Year										
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Mendip	360	461	468	434	486	530	473	445	485	470	439
Sedgemoor	921	989	814	399	473	528	488	415	470	390	277
South Somerset	809	787	905	922	1,138	1,124	1,029	1,103	1,016	470	636
Taunton Deane	292	331	445	395	345	443	540	495	429	428	473
West Somerset	206	248	287	290	295	303	324	239	209	211	224
Totals	2,588	2,816	2,919	2,440	2,737	2,928	2,854	2,697	2,609	1,969	2,049
Total in England	318,642	313,616	314,719	314,285	326,954	316,251	299,999	277,529	254,059	216,050	205,821

- Source: Department for Communities and Local Government; Live tables updated as at 25<sup>th</sup> September 2015

The Partnership's Empty Homes Strategy 2015 – 2018 sets out a clear direction and action plan to reduce the number of empty properties, which will help to tackle the issues associated with these properties.

## 2.0 How do homes become empty and remain that way?

One of the commonest questions asked about empty homes is "Why are they empty?" There are many reasons that can vary over time from place to place. The most common reasons are:

Individual factors	Property factors	Housing market factors
<ul style="list-style-type: none"> <li>• Unresolved ownership usually following the death of an owner</li> <li>• Bankruptcy of owner</li> <li>• Relationship breakdown</li> <li>• Owner may be institutionalised – admitted into hospital, prison etc.</li> <li>• Lack of expertise in property and tenancy management</li> <li>• The owner is reluctant to</li> </ul>	<ul style="list-style-type: none"> <li>• The property may have been acquired solely for speculative investment purposes</li> <li>• The owner may not fully appreciate the financial benefits of bringing the empty property back into use</li> <li>• Poor property condition where the costs of bringing the property back into use may be prohibitive relative to the income that could be</li> </ul>	<ul style="list-style-type: none"> <li>• Low demand</li> <li>• Housing market collapse – repossession, negative equity</li> <li>• Over supply of certain property types</li> <li>• Area regeneration may result in properties being empty pending renovation or demolition</li> <li>• Slow property sales</li> </ul>

take any action	generated	
	<ul style="list-style-type: none"> <li>• Repossession</li> </ul>	

### 3.0 What problems do empty homes cause?

Empty homes can have a negative and sometimes divisive effect on a community. These include:

- Increased dereliction, vandalism, litter and other anti-social behaviour;
- Reduced market values in neighbouring properties, contributing to a spiral of decline;
- Reduced demand for goods and services in the area; and
- Waste of useful and much needed units of accommodation;
- Wasted financial resources for the Council and also for the owners.

### 4.0 The benefits of bringing empty homes into use again

The re-use of empty homes brings financial and social rewards to the Council, private owners and the community in the followings ways:

Council	Community
<ul style="list-style-type: none"> <li>• Provides greater housing choice, whether this be through housing sales or rental</li> <li>• Improves/restores older buildings and homes to modern standards</li> <li>• Provides a range of good quality homes for people in need of rented property</li> <li>• Generates additional revenue through Council Tax</li> <li>• Prevents properties from falling into disrepair and becoming a focus of vandalism and anti-social behaviour</li> <li>• Reduces the need to build new dwellings on Greenfield sites</li> </ul>	<ul style="list-style-type: none"> <li>• Prevents empty properties becoming the focus of anti-social behaviour</li> <li>• Improves market values in neighbouring properties and the local area by reducing a spiral of decline</li> </ul>

For the purpose of the strategy, efforts will principally be focused on the problematic properties which are usually those houses which are inactive in the housing market, often in poor condition and empty for six months or more. This definition usually allows enough time for market forces to return an empty home back into use without intervention from an external agency.

### **5.0 How empty homes are brought back into use**

The Partnership's primary approach in tackling the issue of empty homes is to work with the owners to encourage them to bring the property back into use voluntarily. Partnership staff provide advice and support, on a one-to-one basis, where each case is assessed on its merits. The Partnership offers low interest loans through our preferred loan provider Wessex Resolutions CIC. The Partnership's Private Sector Renewal Policy provides more information on the loan types available and the eligibility.

Letting schemes are another option whereby landlords lease properties to a management company for a set period of time. Other offers include a deposit guarantee paid on behalf of the tenants and advice to landlords and tenants on tenancy issues. Social Enterprise Schemes to provide education, training and employment opportunities in construction skills to vulnerable people are encouraged through organisations involved in the refurbishment of empty property.

Local Authorities can use enforcement action for problematic longer term empties. Such powers include:

- Enforced sale: allows the local authority to force the sale of a property to recover debts. Debts may be secured either against a property or person.
- Compulsory Purchase Order: Allows local authorities to apply to the Secretary of State for the purchase of properties that have been empty for a minimum of 6 months.
- Empty Dwelling Management Orders (EDMO): Allows local authorities to secure occupation and responsible management of privately owned houses and flats.

### **6.0 National and local context**

#### National context

Bringing homes back into use links into wider Government objectives including; creating sustainable communities, tackling low demand and market failure, tackling anti-social behaviour, the provision of affordable homes and ensuring that homes meet a decent standard. This is reflected in the Governments document 'Laying the Foundations a Housing Strategy for England 2011 (Strategy 2011).

In May 2010 the Coalition Government set out a commitment to look at a range of measures to bring empty homes back into use. It was recognised that potential empty homes could meet pressing housing need, if brought back into use.

The Government 'are committed to bringing empty homes back into use, as a sustainable way of increasing the overall supply of housing and reducing the negative impact that neglected empty homes can have on communities.'

Laying the Foundations: A Housing Strategy for England 2011 outlined a number of objectives including:

- Award of the New Homes Bonus to encourage local authorities to increase housing stock;
- Providing information and advice to deal with empty homes, investing £100million to enable Registered Providers to support local authorities to bring over 3,000 empty homes back into use as low cost housing;
- Consultation on Council premium for long term empty homes;
- Proposing changes to EDMO's to tackle the worst long-term empty homes.

#### Housing Act 2004

The Housing Act 2004 provides local authorities with powers to tackle long term empty homes. It introduced Empty Dwelling Management Orders to enable local authorities to take over the rights and responsibilities of the owner and to refurbish and rent out the property without becoming the legal owner.

The Act also introduced the Housing Health & Safety Rating System (HHSRS) to assess hazards in dwellings and a new power of selective licensing to target areas suffering from low demand and/or high levels of anti-social behaviour.

#### Local Government Act 2003

This legislation allows information to be obtained from council tax records to be used for;

- a) Identifying vacant dwellings;
- b) Taking steps to bring vacant dwellings back into use.

The Act also allows local authorities to reduce or remove entirely discounts for homes that have been empty for over 6 months.

#### Council Tax reform

Recent reforms of the council tax legislation gave discretion over the relief from council tax available in respect to some empty properties.

- Replacing exemption Class A and exemption Class C with discounts, the amount of which would be for billing authorities to determine.
- Abolishing class L exemption and making mortgagees in possession of empty dwellings liable to council tax in respect of them.
- Allowing billing authorities to levy an 'empty homes premium.'



## National Planning Policy Framework 2012

The National Planning Policy Framework 2012 states that “Local planning authorities should identify and bring back into residential use, empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use class) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.”

### Empty Homes - Local context

The Partnership covers the Districts of Sedgemoor, Taunton Deane and West Somerset, which is approximately 1,805 square kilometres with an estimated population of approximately 258,379. The Partnership area is a mixture of urban and rural hamlets. There are various market towns including the County town of Taunton, Bridgwater, Wellington, as well as coastal towns such as Burnham on Sea and Minehead. Exmoor National Park provides a large rural location with small hamlets such as Porlock and Timberscombe. Sedgemoor accommodates 21% of the population of Somerset, West Somerset is the smallest district council in Somerset and according to the Office for National Statistics 2014, has the oldest average population in the United Kingdom at 52. The average house price was £180,000 as at 2014.

Table One below shows the partner Councils’ empty homes statistics as at October 2014 for the Council Tax (CTB1) return to central government:

Table One: CTB1 Return for each partner Council, October 2015 excluding Council owned properties

Council	Total private sector dwellings	Total number of empty homes	Percentage of empty homes	Number of homes empty six months or more	Percentage of homes empty six months or more
Sedgemoor District Council					
Taunton Deane Borough Council					
West Somerset Council					

## 7.0 Delivery of the Strategy

### 7.1 Aim

The aim of the strategy is to bring empty homes back into use. To achieve this we have identified two key approaches:

- To provide encouragement and support to owners of empty homes to bring them back into use; and
- To use appropriate enforcement action.

To achieve the aim, the Partnership will take into account the following key elements:

- The length of time the property has been empty, with officers focusing on those empty for more than 6 months;
- If the property is having a negative impact on the area; and
- If the owner is taking steps to deal with the problems and return the property back into occupation.

As mentioned in 2.0 above, there are many reasons why properties become empty. It is important therefore, for the Partnership to be able to offer solutions to suit the individual circumstances. This flexible approach is shown in the procedure flow chart for dealing with empty homes – see appendix 2. Initially advice will be provided prior to taking enforcement action unless there is a serious safety issue.

7.2 First Approach: To provide encouragement and support to owners of empty homes to bring them back into use

- Knowledge of empty homes

The Partnership may become aware of the existence of empty homes through various routes including:

- ✓ Council tax records;
- ✓ Complaints usually from residents;
- ✓ Residents associations active in an area;
- ✓ Council Officers working in the Partnership area; and/or
- ✓ Owners/landlords requesting help or advice.

It is essential to maintain a good knowledge of the location and type of empty homes in the area. Whilst the partner Council's use the council tax records to update information held on problematic properties, the Partnership recognise that these may not be fully precise enough for the purpose. The Partnership will use the APP database to register empty homes against which Partnership

Officers are taking action. This enables officers to keep up to date records of the property and possible reasons why the property is empty and of works being undertaken.

- Awareness raising

It is appreciated that there is a need to raise awareness of issues and problems associated with long-term empty homes and provide more publicity about the strategy and our approach to tackling empty homes.

Through raising awareness and encouraging home owners to think about the future of their empty properties the Partnership will seek to ensure that home owners make decisions leading to the re-use of the property rather than leaving them empty.

- Advice and assistance

Where owners of long term empty homes ask for help, officers will provide advice and assistance.

The Partnership maintains a comprehensive section on the website [www.SWPSHP.org](http://www.SWPSHP.org) for issues relating to housing. The site is updated with changes in legislation, topical issues and has direct links to specialist sites. Additional and relevant information concerning empty homes will be posted on the web page and kept updated.

Officers currently write to owners of empty homes which have been included on our database as being the subject of complaint and offer appropriate advice and assistance. Taunton Deane and West Somerset are currently sending out a questionnaire to all owners of long term vacant homes to find out what the owner's intentions are so that advice can be suitable to the issues facing the them.

In some cases owners are not able to deal with the property and the Partnership will provide advice to help owners to sell their properties. In particular where the owner wishes, they can be referred to Sedgemoor or West Somerset's preferred provider for them to improve and manage the property on the owners' behalf. The empty homes service that is provided will be actively promoted through various media including the landlords' forums, and the database of accredited landlords.

Where an owner requires assistance in finding building contractors that meet minimum legal standards, the Partnership can provide advice through the Home Improvement Agency.

7.3 Second Approach: To use appropriate enforcement action to bring empty homes back into use.

Whilst, whenever possible, voluntary measures will be used to encourage owners to bring properties back into use, it must be recognised that in some cases owners will refuse to co-operate and enforcement action will be necessary.

The statutory action that can be taken will depend upon the condition and location of a property and the circumstances of the owner. Properties in a poor condition which are a hazard to the health and safety of the public will be a priority for enforcement action.

The available options for enforcement are:

- Building Act 1984 Section 77
- Building Act 1984 Section 78
- Building Act 1984 Section 79
- Environmental Protection Act 1990 Sections 78-81
- Housing Act 1985 Section 17
- Housing Act 1985 Part 9
- Housing Act 2004 Part 1
- Housing Act 2004 Section 132-138
- Law of Property Act 1925
- Council Tax (Administration and Enforcement) Regulations 1992
- Local Government (Miscellaneous Provisions) Act 1982 Section 29
- Town and Country Planning Act 1990 Section 215
- Town & Country Planning Act 1990 Section 226 (as amended by Section 99 Planning and Compulsory Act 2004)

More details on the legislation can be found in Appendix 3.

- Longer Term Empty Homes

It is important that the Partnership distinguishes that the properties that have been empty for two years or more are targeted as these properties are most likely to lead to a complaint from neighbours and the community, in disrepair and attracting anti-social behaviour.

The Partnership aims to make contact with all owners of empty homes, empty for 2 years or more and write to them indicating any issues or complaints and providing advice in bringing their property back into use. It is however acknowledged that if a home owner has refused to engage with the Council in the preceding 2 years then it is very unlikely that they will accept advice and return their empty property back into use. It is therefore anticipated that in these circumstances, enforcement action under the relevant legislation outlined above will be taken.

#### 7.4 Resources

- Staff

The key resource available to deliver the strategy is staff within the Partnership. The lead positions and staffing levels are indicated in the action plan. The overall responsibility for overseeing the implementation of the strategy will be the Partnership Manager.

- Budget

Staff time will be met from the Revenue budget. The three partner Councils are offering various forms of financial assistance and these are listed in the table below.

Assistance type	Council		
	Sedgemoor	Taunton Deane	West Somerset

As highlighted in the action plan the Council will wherever possible seek to work in partnership with appropriate agencies to maximise knowledge and capability. Where opportunities arise the Partnership will seek to establish appropriate partnerships and make funding bids. The use of funding through EDFe, as part of the section 106 planning agreement, is a good example .

Where significant financial resources are required or compulsory purchase/enforced sale are recommended by officers then the case will be reported through the relevant council's financial mechanism's and Portfolio Holder for authorisation. As it can be costly to take action, whether by default or legal proceedings, council's will seek to keep costs to a minimum level and reclaim costs incurred from home owners.

## 7.5 Monitoring and Review

The Partnership monitors the number of private sector empty homes that are brought back into use or demolished during the year as a direct result of action by the Local Authority.

Council	Number of empty homes brought back into use by year			
	2012/13	2013/14	2014/15	2015/16 (estimated)
Sedgemoor District Council				
Taunton Deane Borough Council				
West Somerset Council				

The Council identifies the need to consider empty homes in the form of those empty for more than 6 months and longer term empty homes which have been vacant for more than 2 years.

The Partnership aims to bring Z empty properties back into use each year over the next 3 years. W in Sedgemoor, X in Taunton Deane and Y in West Somerset. These targets will contribute to the Council's overall CTB1 returns. The methods to achieve the targets will be a mixture of advice and financial incentives as listed in 7.4 above.

Progress against targets is reported within the SWeLT meetings and through the Partnership's monitoring system Covalent.

This strategy will be reviewed after 12 months to ensure that the approach and policies adopted are appropriate. A full review leading to the production of a new strategy will be undertaken in 2018.

### ACTION PLANS

#### **1. Encourage owners to bring empty homes back into use**

Action	Target date	Lead section	Resources	Measurable outcome
Maintain an accurate database of empty homes	Ongoing	Partnership	Excel database/Accreditation Coordinator	Successful CB1 return in October of each year.
Hold publicity campaigns to promote available services	Annually; July to August	Partnership	Officer time and funding	Annual checks to ensure information is accurate and useful
Develop a	June 2015	Partnership	Officer time - Partnership	Adoption of

procedure for dealing with empty homes			Manager/Strategy and Development	procedure
Bring X empty homes back into use annually through advice and assistance; <ul style="list-style-type: none"> <li>• X in SDC</li> <li>• Y in TDBC</li> <li>• Z in WSC</li> </ul>	31 <sup>st</sup> October every year	Partnership	Officer time and financial assistance in the form of capital – Partnership staff and Council Tax	Annually reduce the number of empty homes by X

## 2. Bring problematic empty homes back into use through enforcement action

Action	Target date	Lead section	Resources	Measurable outcome
Adopt the Partnership Empty Property Enforcement Policy	April	Partnership	Existing procedure Input from officers of the Partnership and other services/agencies	Create procedure and adopt policy
Identify problematic empty homes for appropriate enforcement action	Ongoing	Partnership	Officer time – close working with internal departments, database analysis and street surveys.	Six-monthly review
Set up procedure and template documents for CPO, EDMO and enforced sale	May 2015	Partnership	Officer time - Partnership and Partnership Manager	Confirm with District Solicitors. Adoption of procedure
Establish a working group with other relevant departments to oversee the enforcement action	May 2015	Partnership	Officer time – Partnership and Partnership Manager along with Officers from other relevant services	Check progress annually

## 3. Devise and explore new and innovative ways to bring empty homes back into use and increase the housing options across the three Districts.

Action	Target date	Lead section	Resources	Measurable outcome
Explore other solutions and set up relevant policies	Ongoing	Partnership	Officer time – Partnership and Partnership Manager along with Officers from other relevant services	Implement and monitor each scheme throughout its duration in line with the new policy.
To promote options available for bringing empty homes back into use	Ongoing	Partnership	Officer time – Council Press Officers and funding	Two landlord events per year and website advert every six months
Review the current Grant Policy for empty homes		Partnership, Partnership Manager and Implementation Officers for Sedgemoor and West Somerset	Officer time – current policy	Review, amend the current policy to include the EDFe project.

#### 4. Develop a co-ordinated approach to help identify and tackle empty homes

Action	Target date	Lead section	Resources	Measurable outcome
Create a communication channel with relevant departments and external bodies	Ongoing	Partnership Manager	Officer time – Partnership and Partnership Manager along with officers from other relevant services	Agree periodic referrals with four meetings per year
Develop a protocol for a referral mechanism		Partnership	Officer time – Partnership and Partnership Manager along with Officers from within the Councils and relevant agencies	Agreed protocol
Set up a proactive program to help identify		Partnership	Officer time – current	Monitor additional



empty homes		staff	policy	properties identified every six months
Undertake a foot survey of empty homes in the districts		Partnership	Officer time – Partnership staff	Once a year

DRAFT

## Appendix

### Enforcement Powers

- Building Act 1984 Section 77 – enables the council to deal with buildings that it considers to be dangerous. It can apply to a Magistrate's Court for an order requiring the owner to make the building safe or demolish it.
- Building Act 1984 Section 78 – allows the council to deal with buildings that pose an immediate danger. This emergency measure allows the local authority to carry out remedial works itself without the duty to seek permission from the owner. The council is only entitled to carry out works that remove the danger.
- Building Act 1984 Section 79 – This empowers the council to deal with ruinous and dilapidated buildings or structures and neglected sites and if necessary carry out work in default.
- Environmental Protection Act 1990 Sections 78-81 – allows the council to require the abatement of statutory nuisances. The term statutory nuisance applies to a range of problems that might arise from empty homes, including accumulations of rubbish or dampness affecting neighbouring properties. The council can serve an abatement notice on the owner of the premises requiring works to abate the nuisance and if the notice is not complied with can carry out works in default.
- Housing Act 1985 Section 17 – allows the council to acquire under-used or ineffectively used property/land etc. for residential purposes if there is a general housing need in the area through compulsory purchase.
- Compulsory Purchase is perhaps the strongest power available to tackle empty homes. It is not, however, a power that rests with the council and it must apply to the Secretary of State for an order to be made. The whole process is drawn out, complex and resource intensive as the council will need to demonstrate that there is a compelling case in the public interest for the property to be compulsorily purchased, and that other methods of returning the property to use have been tried and have failed. In addition, the council will need to show that it has clear intentions for the use of the property/land and be able to show that it has the necessary resources available to go through with the Compulsory Purchase Order. This means that compulsory purchase will be a method of last resort.
- Housing Act 1985 Part 9 – gives the council powers to make Demolition Orders and Slum Clearance Areas to require the demolition of individual or groups of unsafe houses where that is the most satisfactory course of action.
- Housing Act 2004 Part 1 – requires the council to serve a notice to deal with category one hazards to which a member of the public may be exposed to.
- Housing Act 2004 Section 132 – 138 – allows the council to take over the management of an empty home, undertake works, let out the property and collect rent. The council must notify the owners of its proposal and try to work voluntarily to find an acceptable solution. Only if

no agreement can be reached can the council seek approval to make an Interim Empty Dwelling Management Order initially for 12 months. If agreement is still not possible, a final order, which can last for 7 years, can be made. The process is time consuming and will require the council to prepare a plan as to how it intends to manage any property throughout the duration of the Order.

The council will develop a process for using such orders and consult with partners to determine the most practical way of carrying out and delivering the management of a scheme. It is anticipated that providers will competitively tender to manage such properties on a one to one basis ensuring value for money in terms of management costs and that any particular issues with the property are considered on an individual basis.

- Law of Property Act 1925 – the council can force the sale of an empty property where abatement notices have been served and the work has been carried out in default by the council. An enforced sale can only be pursued if the cost of the default works is comparable with the market value of the property.
- Council tax (Administration and Enforcement) Regulations 1992 – the council can also force the sale of an empty home where council tax debt is owed. The council can apply for a charging order then force the sale of the property to recover the debt.
- Local Government (Miscellaneous Provisions) Act 1982 Section 29 – allows the council to carry out works to an unoccupied building to prevent unauthorised entry or to prevent it from becoming a danger to public health. 48 hours' notice is needed unless the works are required immediately.
- Town and Country Planning Act 1990 Section 215 – allows the council to deal with unsightly land or the external appearance of property.
- Town and Country Planning Act 1990 Section 226 (as amended by Section 99 Planning and Compulsory Act 2004) - allows the council to acquire land or buildings if acquisition will allow improvements or redevelopment to take place provided the improvement, development, or redevelopment will contribute to the promotion or improvement or economic, social or environmental wellbeing. This power can be used to acquire empty properties that adversely affect the street scene because of the dilapidated condition.

## APPENDIX B: Extract From....

### HOUSING FUNDING STRATEGY

#### Summary of Joint Bids by West Somerset Council and Sedgemoor District Council

<b>EMPTY PROPERTY REGENERATION</b> – Key principle of bringing empty properties back into use in the Hinkley priority areas <b>S106 initiatives: 3.2.3</b>	<b>Total bed spaces &amp; Initial costs over 2 yrs.</b>		<b>Total Joint Costs over 2 yrs</b>	<b>Cost per b/s</b>	<b>5% admin</b>	<b>Other resource</b>	<b>Delivery</b>
<b>Empty Property Regeneration</b> tends to be very time and resource intensive.	<b>SDC</b>	<b>WSC</b>					
<p><b>9.Empty Homes Grant</b> for long term empty properties (over 6 months) at up to £15k per property to underwrite a SC&amp;R scheme. This project builds on the success of the existing well-developed Empty Property Strategy. Our proposal is to work in partnership with Somerset Care &amp; Repair (SC&amp;R) to provide a management service and bring empty properties back into use with sustainable tenancies. SC&amp;R have an established track record of delivery in neighbouring districts (Mendip and South Somerset).Financing of the works is made up of three elements; HCA loan, owner’s contribution, and LA grant, where applicable. The HCA funds are loaned to the owner as an interest free loan and repaid by the owners through the rental income. The funding is recycled over time to bring additional homes back into use, but the pot depreciates by 15% (through fees) each time. Properties are leased to SC&amp;R and fully managed on a 7 – 15 year lease agreement.</p> <p>The scheme requires access to a £15k grant to be used where the total cost of the scheme exceeds the HCA loan and owner contribution, or for those developments where there is potential for conversion to maximise bed spaces.</p> <p>SC&amp;R has submitted a separate bid to the Homes &amp; Community Agency to cover the Loan element of the financing, which if successful will provide sufficient funds to offer an average loan of £11k per property or to also purchase those empty homes which require substantial renovation.</p> <p>It is conservatively estimated that the grant will provide 23 bed spaces over the 2</p>	<p><b>15 (6)</b>  6x £15k = £90k</p>	<p><b>8 (3)</b>  3 x £15k = £45k</p>	<p><b>£185,000</b>  £135k grants  £50k Social Enterprise Training</p>	<p>£185k/23 =  £8043 per bed space</p>	<p>£9,250</p>	<p>&lt;£1.4m HCA NEHP funding if successful bid;</p>	<p>SC&amp;R</p>

<p>years. Projected numbers will substantially increase if the HCA funding is successful by funding additional loans and the option to purchase empty homes.</p> <p>The SC&amp;R model, also offers scope for “added value” to the project. This includes developing a social enterprise “Help Yourself” model as part of the bid, to provide education/training and employment (ETE) opportunities in construction skills to vulnerable people (e.g. young people, long-term unemployed, probation clients, former prisoners) to carry out the improvement work. An additional goal and further ‘added value’ of the Empty Homes scheme is that properties brought back into use can be used to address a range of housing needs for specific groups of clients that are seeking accommodation within the districts. Proposals are being developed in partnership with SC&amp;R, DWP, Probation and the Restore Trust for SC&amp;R to offer voluntary work placements on the project alongside their contractors. Additional support would be put in place for individuals employed on the scheme. It is important that the work placement has a pathway onto further training and/or employment; ideally at Hinkley. The pathway from the Empty Homes Project training opportunity into employment would be through the Hinkley Jobs Brokerage which contains details of all available jobs relating to Hinkley and EDF. DWP are currently working and supporting projects to improve access to Hinkley jobs for local people. There is a gap in local provision for individuals to gain practical experience following training courses. The Empty Homes Project would assist with providing that practical training resulting in obtaining CSCS cards on successful completion of the course.</p> <p>SC&amp;R would provide high levels of tenancy support including assistance with managing budgets to ensure tenancy sustainment. The properties could be used to address a range of housing needs in the area for specific groups, including move on accommodation from supported housing projects, housing of specific groups such as ex-offenders as well as individuals on the housing waiting list.</p>							
<p><b>10.DIY -Empty Homes Loans-</b> for those not interested in the SC&amp;R model; a top up loan for properties in more substantial disrepair by enhancing WHIL loan with an additional £15K loan @ 4% to bring the property back into use.. The number of properties is in brackets, following the number of additional bed spaces over 2 years, in addition to the numbers for the Empty Homes Grant.</p>	<p>12 (5) 5 x £15k = £75k</p>	<p>5 (2) 2 x £15k = £30</p>	<p>£105k,</p>	<p>£105k/17 = £6176.</p>	<p>£5250</p>	<p>WHIL Loan Pot recyclable loans</p>	<p>SWPSHP</p>
<p><b>EMPTY PROPERTY REGENERATION TOTAL</b></p>	<p><b>27</b></p>	<p><b>13</b></p>	<p><b>£290,000</b></p>	<p><b>£7,250</b></p>	<p><b>£14,500</b></p>		
<p><b>LIVING OVER THE SHOP – Key principle of bringing empty properties back into use in Bridgwater – SDC Pilot; S106 initiatives: 3.2.3</b></p>	<p><b>Total b/s &amp; Initial Costs over 2 yrs</b></p>	<p><b>Total Joint Costs-</b></p>	<p><b>Cost per b/s</b></p>	<p><b>5% admin</b></p>	<p><b>Other resource</b></p>		<p><b>Delivery</b></p>

			2yrs				
<b>Living Over the Shop</b> initiatives tend to be very time and resource intensive.	<b>SDC</b>	<b>WSC</b>					
<p><b>11. SDC Pilot - Living Over the Shop Grant</b> – Bringing empty space above shops into use is a sustainable solution that provides significant regeneration benefits alongside an increase in the overall supply accommodation. Properties will be targeted in areas of Economic Regeneration, to bring both the commercial premises and empty space above into use. This supports corporate initiatives within the Priority 1 zone like the Eastover Regeneration Project and Bridgwater Challenge. Conversion of empty properties above commercial premises tends to be more expensive and challenging than bringing existing accommodation back into use primarily because of the increased fire protection costs required and the cost of providing direct access to living accommodation, change of use and business rates. Larger costs tend to require more attractive incentives to encourage the owners of commercial premises to bring them into use. This will be a 2 year pilot with Year 1 concentrated on SDC priority areas.</p> <p>£15K grant offer to mix with SC&amp;R Loan Funding in specified areas; No separate scheme required – provide additional funding to SC&amp;R to take this forward as above Item 9. Grant is per property, no of properties in brackets following no b/s</p>	<p><b>30</b> (10)</p> <p>10 x £15k grant= £150k;</p>	<p><b>8</b> (3)</p> <p>3 x £15k grant=£45k ;</p>	<p>£195,000</p>	<p>£5,131</p> <p>£195k/38</p>	<p>£9,750</p>	<p>Match funded by SC&amp;R?</p>	<p>SC&amp;R</p>
<b>LIVING OVER THE SHOP TOTAL</b>	<b>30</b>	<b>8</b>	<b>£195,000</b>	<b>£5131</b>	<b>£9,750</b>		

## **APPENDIX C**

### **EQUALITY IMPACT ASSESSMENTS**

- **Empty Homes Strategy**

## Equality Impact Assessment – Empty Homes Strategy

Responsible person	<i>Christian Trevelyan</i>	Job Title: Partnership Manager – Somerset West Private Sector Housing Partnership
Why are you completing the Equality Impact Assessment? (Please mark as appropriate)	Proposed new policy or service	
	Change to Policy or Service	√
	Budget/Financial decision – MTFP	
	Part of timetable	
What are you completing the Equality Impact Assessment on (which policy, service, MTFP proposal)	The Council has reviewed and updated the Empty Homes Strategy.	
<b>Section One – Scope of the assessment</b>		
What are the main purposes/aims of the policy?	<p><i>The strategic objectives of private sector housing work are to: improve the health and wellbeing of vulnerable people; reduce fuel poverty; bring empty properties back into use; increase the supply and affordability of good quality private rented accommodation; reduce the number of households with preventable ill health and housing inequalities; improve housing conditions; deal with inadequate energy efficiency and carbon emissions ratings; and ensure local people have sufficient choices of housing to meet their needs, at a standard and price they can afford, where they want to live.</i></p> <p><i>The Strategy aims to fulfil the Council’s strategic housing role in tackling empty homes and making effective use of them to meet housing need. The strategy sets out the various tools available to the Council to enable this to happen, such as informal advice, financial incentives in the form of low interest loans and through enforcement.</i></p>	
Which protected groups are targeted by the policy?	<p><i>The Strategy is primarily aimed at owners of empty homes and prospective purchasers. It may also be useful to tenants or prospective tenants who are considering renting from a landlord who has brought the property back into use or is considering purchasing one. An owner of an empty home or tenant could be anyone of the protected groups including: Age; Disability. Gender Reassignment; Pregnancy and Maternity; Race; Religion or belief; Sex; Sexual Orientation; Marriage and civil partnership.</i></p>	
What evidence has been used in the assessment - data, engagement	<p>Evidence and Data used for assessment</p> <ul style="list-style-type: none"> <li>• Private Sector housing staff performance data</li> <li>• Joint Strategic Needs Assessment 2013/14</li> </ul>	



undertaken – please list each source that has been used

- CTB1 returns to Central Government
- ONS data 2014.

The information can be found on....

The Joint Strategic Needs Assessment (JSNA) was updated for Somerset in 2014. The JSNA sets out the demographics of the population in Somerset and by district level. The data includes information around the housing stock and tenure.

Homes from Empty Homes 2015 states that there are 610,000 empty homes in England with 205,821 long-term vacant dwellings. In Somerset there were 2,049 long term empty homes recorded in October 2014. At 1.02% of the total homes, this proportion was marginally lower than the regional and national averages. Taunton Deane recorded the highest number of empties at 473 with Sedgemoor recording 277 and West Somerset 224.

The average house price in Taunton Deane as in 2013 was £174,500 and in West Somerset £175,000. 2.73 per 1,000 households were homeless in Taunton Deane and 2.35 per 1,000 households in West Somerset.

Data suggests that there are approximately 111,660 people aged over 65 resident in Somerset. This is 21% of the County's population. 29.1% are in the West Somerset area and 20% in Taunton Deane, larger than the regional and national average for both districts. 47.3% of residents living in Minehead are over 65 and 34.6% of the population in Taunton are aged over 65. The number of older people in the Housing Market Area is expected to increase by 41.1% in the next 20 years in Taunton and by 36% in West Somerset. The Sustainable Community Strategy underlines the housing and support needs of Taunton's older population. It states that Taunton Deane has a higher than average dependency ratio due to there being proportionately more pensioners, and fewer 15 - 44 year olds. The dependency ratio is a measure of the proportion of a population who are too young or too old to work. A rising dependency ratio is a concern in Taunton Deane and West Somerset both facing an ageing population, since it becomes difficult for pension and social security systems to provide for a significantly older, non-working population. In West Somerset the ratio of older people to younger persons is proportionally higher than the national average. This means that there is very little house movement with households staying put. Proportionally, there is a higher number of single young persons than young households, which are seeking single bedroom accommodation. There will also be increased demand from Hinkley workers seeking accommodation during the build of Hinkley C. Funding is being provided by EDFe to mitigate the effects of the influx of workers. The capital will be used to finance the scheme options such as the loans.

**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

***All Groups:***

With limited resources, there is the need to prioritise which empty homes to tackle. There are two key approaches in the strategy:

- To provide encouragement and support to owners of empty homes to bring them back into use; and
- To use appropriate enforcement action.

To achieve the aim, the Partnership will take into account the following key elements:

- The length of time the property has been empty, with officers focusing on those empty for more than 6 months;
- If the property is having a negative impact on the area; and
- If the owner is taking steps to deal with the problems and return the property back into occupation.

It is hoped that most engagement will be made through the informal approach. This will provide a flexible approach to finding solutions to meet individual circumstances. Examples include advice, financial assistance in the form of a loan or possibility of a management solution should the owner not want to manage the property themselves. The Partnership will recognise properties through council tax records, raising awareness, approaches by the owners for advice or assistance and through complaints by neighbours.

The method should ensure consistency across all protected groups as the focus is on the property being empty and the individual's circumstances are not known. Language barriers can be overcome through an interpreter if requested and literature is offered in braille.

The solutions are designed to achieve positive outcomes for owners as it is in everyone's interest to bring the property back into use to prevent neglect, blight and vandalism. If we do not do this it will leave us with a legacy of neighbourhoods with deteriorating housing stock for the future which will reduce house prices and attract crime. With a shortage of available affordable homes, it is imperative that the number of empty properties brought back into use is maximised.

The previous Home Finder Lettings Review has seen that priority awarded to those with medical conditions has increased, resulting in more people being able to qualify for a 'gold band' status, alongside other vulnerable applicants who are unable to remain in their homes. The Localism Act 2011 also allows the council to house vulnerable people (such as homeless applicants) into the private rented sector with one offer of accommodation. If adequate funding is not provided to improve private sector housing standards to meet at least decent homes levels, legal challenges to the council on homelessness housing suitability grounds will almost certainly increase. Cuts elsewhere to housing support funding will also significantly affect vulnerable adults via reductions in floating support services. Combined with housing and benefit changes, financial hardship in this sector is likely to increase the number of vulnerable applicants applying to the council for housing assistance and advice. This makes the importance of available, affordable, decent homes imperative.

The information used to inform the strategy was partly obtained through the Council working with owners and agencies on current projects. Information was also captured through daily working with individuals. The anticipated main impacts on specific groups are:

**Age:**

A further reduction by agencies providing essential proactive services to help vulnerable private sector housing residents will have an adverse impact on independence, health and well-being which will, in turn, increase the need for care and support services. By increasing the supply of private sector rented properties by bringing them back into use can help to facilitate independent living, energy efficiency, better housing conditions, and housing functionality, allowing vulnerable people to live more meaningful lives in their own homes – and thus for housing standards in this sector to move closer to those in the social housing sector, leading to a more balanced housing market.

Understanding people's position in the housing market is important: There is considerable demand for single bedroom accommodation in Taunton Deane and West Somerset for younger people.

**Disability:**

The Council can adjust to an owners requirements to access the service regardless of their disability. The challenge is in evolving the private sector stock to meet an ever changing population and its needs, which can sometimes be complex. There is a larger call on housing with supported need to maintain independence. Empty homes can provide this flexibility as whilst empty, they can be redesigned to meet the needs of a disabled person. For example, wheelchair access and bathing.

**Race:**

It is important to be culturally sensitive when providing private sector housing services, and statutory and/or enforcement interventions are not always appropriate in achieving equitable equality outcomes, particularly for owners for whom English is not their first language. For example, the Council's enforcement responsibility could inadvertently discriminate against minority ethnic groups such as Black and Minority Ethnic (BME) owners. It is therefore important to ensure consistency and transparency in any enforcement decisions.

**Sex:**

No obvious direct impact identified although it is recognised that women generally have longer life expectancy than men and may therefore be a group which benefit most from the interventions outlined above and any reduction in funding for these interventions could disproportionately impact more female than males.

**I have concluded that there is/should be:**

No major change - no adverse equality impact identified	
Adjust the policy	Actions will be identified that will help mitigate the impacts identified above.
Continue with the policy	
Stop and remove the policy	

Reasons and documentation to support conclusions  
Actions will be put in place to limit the actions as far as possible.

**Section four – Implementation – timescale for implementation**

Empty Homes Strategy - This will involve quarterly monitoring of: performance against budget; key service measures; and service outcomes.

<b>Section Five – Sign off</b>	
Responsible officer: Christian Trevelyan Date:	Management Team Date
<b>Section six – Publication and monitoring</b>	
Published on	
Next review date	Date logged on Covalent

### Action Planning

The table should be completed with all actions identified to mitigate the effects concluded.

Actions table					
Service area	Strategy	Date	2013/14		
Identified issue drawn from your conclusions	Actions needed	Who is responsible?	By when?	How will this be monitored?	Expected outcomes from carrying out actions
General discrimination when targeting empty homes.	Need to ensure choice of property to target is based solely on a property by property type basis. <ul style="list-style-type: none"> <li>Properties identified through council tax and determined by the length of time empty.</li> <li>The negative impact on the surrounding neighbourhood.</li> </ul>	Partnership Manager	From when the Strategy is agreed by the various members of the partnership Council's.	Somerset West Private Sector Housing Board quarterly reports	Increase in the number of properties brought back into use.  Increases the revenue of Councils through the New Homes Bonus and council tax revenue.  Services maintained for vulnerable private sector residents in future by providing suitable affordable accommodation.

Identified issue drawn from your conclusions	Actions needed	Who is responsible?	By when?	How will this be monitored?	Expected outcomes from carrying out actions
	<ul style="list-style-type: none"> <li>If the owner is taking steps to deal with the problems and return the property back into occupation.</li> </ul>				Effective, lower cost private sector housing interventions in quantitative terms (property conditions and living standards) and qualitative terms (how satisfied residents are in this sector).
Significance of age, disability, race and sex equality groups in private sector housing activities	<p>Raise awareness of characteristics of all these protected groups in relation to local housing market.</p> <p>Close monitoring of informal and formal action on empty home owners, and ensure managers and councillors are kept apprised of any impact.</p>	Partnership Manager	Ongoing	Scrutiny and information reports, staff briefings and housing briefings	Easily understood and accessible data and information on protected groups and specific characteristics in private housing
Ensure consistency, accessibility and equality of all advice and assistance given by council staff to private sector housing residents	Induction process for all new staff (including any temporary/agency staff); clear written procedures; effective staff supervision; and regularly reviewing all customer satisfaction returns and comments	Partnership Manager	Ongoing	Quarterly Housing Partnership Board reports	Private sector housing residents receive the same level and quality of advice and assistance, irrespective of who they are, where they live, and who they deal with.
The strategic need for the council to intervene in and	Critically assessing affordability, choices of housing, the varied housing needs of local residents,	Partnership Manager	Ongoing	Executive, Scrutiny and Partnership	A greater understanding and shaping of the local housing market .

Identified issue drawn from your conclusions	Actions needed	Who is responsible?	By when?	How will this be monitored?	Expected outcomes from carrying out actions
influence the local housing market and thus ensure better private sector housing conditions, costs, and choices for local people in need	and housing conditions, in the context of changing housing market conditions, public funding, and national housing policy			Board reports	
Ensure effective communications, monitoring and equality protocols with relevant partner organisations	Regular meetings with relevant partner organisations; a common understanding of priorities and pressures; initiatives to utilise complimentary work skills and experience; joint awareness and information exchange sessions	Partnership Manager	Ongoing	Partnership Board	More effective joint working and focus on priorities, better use of limited resources and consensual, co-operative approach to challenges in private sector housing
The specific needs of younger/older home owners in the local housing market	Evaluation of housing needs and choices for younger/older people, which is affordable.	Partnership Manager	Ongoing	Executive, Scrutiny and Partnership Board reports	Ensure regular monitoring is made of the housing stock demands in relation to need.

Report Number: WSC 148/15

Presented by: Cllr M Chilcott, Lead Member for Resources & Central Services

Author of the Report: Paul Fitzgerald, Assistant Director – Resources

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Report to a Meeting of: Scrutiny

To be Held on: 15 October 2015

Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:

## BUDGET STRATEGY 2016/17

### 1. PURPOSE OF REPORT

1.1 To share the proposed Budget Strategy for the Council for 2016/17.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

2.1 The Budget Strategy sets out the framework and approach to delivering a balanced budget for the Council for next financial year and over the medium term. This is fundamental to the future sustainability of the Council and the valuable services it delivers to the community of West Somerset.

### 3. RECOMMENDATIONS

3.1 Scrutiny is requested to note and support the proposed Budget Strategy for 2016/17.

### 4. RISK ASSESSMENT (IF APPLICABLE)

**Risk Matrix**

Description	Likelihood	Impact	Overall
The Authority fails to develop a sustainable financial plan for 2016/17 and beyond.	4	4	16
<i>Mitigation: to support and deliver the recommended approach to budget setting</i>	2	4	8

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.



## 5. **BACKGROUND INFORMATION**

- 5.1 In July 2014 the Director Operations presented to Scrutiny Committee her report entitled "Towards a Financially Fit Future". That report provided financial forecasts and emphasised that the Council faces significant financial challenges and uncertainty, and needs to adopt a robust Budget Strategy to deal with the tightening funding conditions, and unprecedented levels of financial risk now "localised" by the Government.
- 5.2 Members recognised the scale of the challenge and, through work undertaken last summer, agreed a strategic approach to budget setting, determined service priorities, and developed a set of corporate budget principles that were approved in October 2014. This provided the framework to determine the 2015/16 Budget, and the corporate budget principles are summarised as follows.

### *Strategic Financial Principles*

- Seek to reduce reliance on New Homes Bonus to fund annual running costs
- Seek to maximise Council Tax income in preference to Freeze Grants
- Review discretionary policies to increase funding from business rates
- Scarce capital resources will be prioritised for essential statutory/priority services and then invest to save schemes
- Match Hinkley Funding to areas of corporate priority, whilst ensuring compliance with funding conditions
- Contain spending within external funding allocations – minimising need for match funding
- Continue to prioritise disposal of surplus assets, and seek to transfer assets to help maintain local services
- Seek to increase investment returns whilst minimising risks to capital

### *Service Principles*

- Service reductions based on service prioritisation rather than 'top-slice' all budgets
- Continue to review service delivery options to reduce costs
- Seek to identify service efficiency, e.g. through IT investment and invest to save schemes
- Seek to transfers services to town/parish councils, community and voluntary sectors
- Target grant-funded expenditure to highest priority areas, minimising dependency on WSC funding
- Review affordability of customer access provision in Williton and Minehead
- New services funded by New Burdens will be delivered at statutory minimum within funding received

### *Income Generation*

- Fees and charges will be maximised to recover full costs
- New income opportunities will be explored
- Seek to invest in income-generating assets
- Seek to share assets to reduce costs / generate additional income

5.3 The implementation of the strategy has thus far been successful:

- The Council approved a balanced budget for 2015/16
- The Council did not need to use general reserves to fund day to day service running costs
- The JMASS project delivered the business case savings targets, with >£300k savings incorporated into ongoing 'base budget'
- The council was able to allocate a proportion of its New Homes Bonus funding (£76k) to part-fund the 2015/16 Capital Programme
- Council tax was increased by 1.99%, providing sustainable increase on one of our main funding streams.

## 6. THE FINANCIAL CHALLENGE

6.1 As part of the Council's normal budget cycle, the Medium Term Financial Plan (MTFP) was reviewed earlier this year, with an updated position reported to both Cabinet and Scrutiny in August 2015. This reflected important updates of the core assumptions in terms of spending pressures and funding projections, and significantly reflected reduced business rates funding through the reduction in business rates payable for Hinkley B Power Station together with a higher than anticipated level of appeals lodged with the Valuation Office Agency (VOA) by other business rate payers during 2014/15.

6.2 These reports in August informed Members of a revised forecast **Budget Gap of £566k for 2016/17** (11% of net expenditure), rising to **£1.538m by 2020/21** if no action is taken to match spending with resources available. A high level summary of the current MTFP is provided again in the following table:

**Table 1: Medium Term Financial Plan Forecast**

	2015/16 £	2016/17 £	2017/18 £	2018/19 £	2019/20 £	2020/21 £
Forecast Net Expenditure	4,962,066	5,220,306	5,332,436	5,517,694	5,705,104	5,832,729
Earmarked Reserves	-149,928	-2,780,202	0	0	0	0
<b>WSC NET BUDGET</b>	<b>4,812,138</b>	<b>2,440,104</b>	<b>5,332,436</b>	<b>5,517,694</b>	<b>5,705,104</b>	<b>5,832,729</b>
Parish precepts	870,603	870,603	870,603	870,603	870,603	870,603
<b>TOTAL NET BUDGET</b>	<b>5,682,741</b>	<b>3,310,707</b>	<b>6,203,039</b>	<b>6,388,297</b>	<b>6,575,707</b>	<b>6,703,332</b>
Retained Business Rates	-1,554,776	-1,437,620	-1,469,181	-1,500,299	-1,533,172	-1,565,843
Collection Fund Surplus(-) / Deficit – Business Rates	149,928	2,780,202	0	0	0	0
Revenue Support Grant	-880,491	-572,319	-286,159	-143,079	0	0
New Homes Bonus	-571,015	-710,068	-774,086	-690,310	-594,909	-585,221
Council Tax – WSC	-1,885,584	-1,934,551	-1,984,855	-2,036,378	-2,089,259	-2,143,531
Collection Fund Surplus(-) / Deficit – Council Tax	-70,200	0	0	0	0	0
<b>WSC NET FUNDING</b>	<b>-4,812,138</b>	<b>-1,874,356</b>	<b>-4,514,281</b>	<b>-4,370,066</b>	<b>-4,217,340</b>	<b>-4,294,595</b>
Council Tax – Parishes	-870,603	-870,603	-870,603	-870,603	-870,603	-870,603
<b>TOTAL FUNDING</b>	<b>-5,682,741</b>	<b>-2,744,959</b>	<b>-5,384,884</b>	<b>-5,240,669</b>	<b>-5,087,943</b>	<b>-5,165,198</b>
Budget Gap – In Year	0	565,748	252,407	329,473	340,136	50,371
Budget Gap – Cumulative	0	565,748	818,155	1,147,628	1,487,764	1,538,134

- 6.3 The Council has made significant progress in recent years in taking necessary steps to balance the budget and maintain services. Despite this, **the ongoing financial situation is serious** – made even more so with the reduction in business rates funding through factors beyond the Council’s control. There is no doubt that difficult decisions will be needed to ensure the Council remains financially viable.
- 6.4 This challenge has been emphasised through the report of our external Auditor – Grant Thornton LLP – which was presented to the Audit Committee on 28 September 2015. In the Audit Findings Report the Auditor has provided a “qualified value for money conclusion” – due to the Auditor’s concerns over the financial resilience of the Council. Specific concerns highlighted include:
- a) The level of general reserves being very close to the acceptable minimum level;
  - b) The scale of the Budget Gap within the Medium Term Financial Plan, resulting in the council facing significant difficulties in setting a balanced budget for 2016/17.

## **7. 2016/17 BUDGET APPROACH**

- 7.1 In the context of the financial position explained above, the Council must take action to ensure it can set a robust budget for 2016/17 and maintain adequate reserves. In terms of the general approach, the budget principles agreed last year – set out above – remain valid.
- 7.2 The longer term strategic approach moving forward will be guided through the outcome of two key reviews currently underway.
- 1) Corporate Plan: The current Corporate Plan covers the period 2013 to 2016. A strategic review of corporate priorities is underway, which will result in a new Corporate Plan being developed which will help to determine where the Council’s resources are directed.
  - 2) Affordability Review and Transformation Programme: Following the completion of JMASS Phase 1 – bringing together the shared management and staff of both West Somerset and Taunton Deane into “One Team” – the next important element of the business case is the development of the ‘Phase 2’ Transformation Programme. It is important to consider that transformation on its own may not provide all the savings needed and deliver resources to meet the Council’s ambitions in full, underlining the importance of service prioritisation and that Members face difficult choices. The objectives of the Affordability Review are: to ensure that proceeding with transformation is made from a sound financial base (our financial plan is robust); financial sustainability and the delivery of the Councils’ priorities and ambitions are achievable through transformation. Once completed, the outcomes of the Review will be reported later in the year.
- 7.3 Both of these reviews will result in plans that aim to deliver financial savings over the medium term, however it is recognised that at this stage the Council cannot realistically rely on savings being delivered before 2017/18 financial year.

7.4 In recognising the above two key strands that will provide the over-arching framework for achieving financial sustainability over the medium term, it is considered appropriate to adopt a short-term approach **for one year only** in respect of 2016/17. The approach also needs to reflect the change in our underlying financial resilience through the impact of reduced Hinkley business rates.

7.5 In summary, the proposed approach for 2016/17 is:

**1) Take action in 2015/16 to identify savings and release earmarked reserves**

The aim is to provide some flexibility for Members *for one year* to use reserves towards the budget gap for 2016/17. This is essentially to 'buy time' for ongoing sustainable savings to be implemented through delivery of the new Corporate Plan and Transformation Programme. It is important Members understand that using reserves doesn't reduce the underlying budget gap through reducing costs – it is only a one-off / short-term funding measure.

**2) Identify Savings Options for 2016/17**

This will aim to provide options for Members to deliver some ongoing budget savings from 2016/17 and therefore reduce the underlying budget gap. In line with the previously agreed budget principles, this will include:

- Service reductions / other cost-saving options
- Review of Fees and Charges
- Identification of income generation options (likely to require up-front investment, which is currently limited due to lack of surplus funding)
- Potential transfer of service to other providers (e.g. town/parish councils)
- Review of capital strategy and approach to capital debt repayment

7.6 It is important that members engage in the budget process and take action to ensure an affordable budget is ultimately approved in February 2016. Lead Members and Assistant Directors will continue to work on potential options in the coming weeks, and these will be shared for consultation with all members through the process. A summary of the key dates and meetings is included in the Appendix to this report.

## **8. COMMENTS ON BEHALF OF SECTION 151 OFFICER**

8.1 The proposed approach – if agreed – provides officers and members with a clear framework and set of principles upon which to develop budget proposals for next year and prepare longer term financial plans.

8.2 It is important for members to recognise the impact of the decisions that will be needed. General reserves are currently at the lowest 'safe' level and my strong advice is that reserves should not be reduced below the acceptable minimum in setting a budget for next year. Reserves will need to be increased in the current year to enable use of reserves to be a viable option in supporting the 2016/17 budget.

8.3 Members are encouraged to engage in the process and to embrace the challenge ahead, and work to deliver a sustainable solution for the Council and the community of West Somerset. The financial position is serious and difficult choices will need to be made.

## **9. EQUALITIES & DIVERSITY IMPLICATIONS**

9.1 Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process. The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

9.2 For the purpose of this report there are no implications to report. However specific budget proposals that emerge for Members to consider for the Budget and Medium Term Financial Plan will be assessed with details provided to support the decision process.

## **10. CRIME AND DISORDER IMPLICATIONS**

10.1 There are no implications in respect of this report.

## **11. CONSULTATION IMPLICATIONS**

11.1 There are no implications in respect of this report.

## **12. ASSET MANAGEMENT IMPLICATIONS**

12.1 There are no implications in respect of this report.

## **13. ENVIRONMENTAL IMPACT IMPLICATIONS**

13.1 There are no implications in respect of this report.

## **14. HEALTH & WELLBEING**

14.1 There are no implications in respect of this report.

## **15. LEGAL IMPLICATIONS**

15.1 There are no implications in respect of this report.

## 2016/17 Budget Timetable

August	Cabinet (5 <sup>th</sup> ), Scrutiny (6 <sup>th</sup> )	MTFP Update
15 Oct	Scrutiny	2016/17 Budget Strategy
4 Nov	Cabinet	2015/16 Budget Savings and Earmarked Reserves Review
12 Nov	Scrutiny	Draft Fees and Charges reviewed Budget Update and Savings Options reviewed
18 Nov	Council	2015/16 Budget Savings and Earmarked Reserves Review
25 Nov	<b>Spending Review 2015</b>	<b>Government sets out departmental budget cuts for next five years</b>
2 Dec	Cabinet	Fees and Charges approval
Early Dec (tbc)	<b>Provisional Funding Assessment</b>	<i>Provisional Funding Assessment announced by Government</i>
16 Dec	Full Council	Fees and Charges approval
23 Dec		Members Consultation Pack issued
Jan	Group Meetings	Members Consultation Pack reviewed / discussed
4 Jan	Scrutiny Agenda Setting	Draft Revenue and Capital Programme Budgets
14 Jan	Scrutiny	Draft Revenue and Capital Programme Budgets reviewed
Early Feb (tbc)	<b>Final Funding Assessment</b>	<i>Final Funding Assessment announced by Government</i>
3 Feb	Cabinet	Draft Revenue and Capital Programme Budgets considered
24 Feb	Full Council	Revenue and Capital Programme Budgets approved, Council Tax setting

*Report Number:* WSC 149/15  
*Presented by:* Councillor Keith Turner  
*Author of the Report:* John Rendell  
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*Report to a Meeting of:* Scrutiny Committee  
*To be Held on:* 15<sup>th</sup> October 2015

## LICENSING OFFICER POST – WEST SOMERSET COUNCIL

### 1. PURPOSE OF REPORT

- 1.1 To achieve a sustainable resolution to the resources needed in the Licensing team by formalising the current temporary arrangements.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 Making permanent the current temporary additional resource of Licensing Officer will ensure the sustainable delivery of this statutory function on behalf of West Somerset Council. This will promote the corporate priorities particularly with regard to 'ensuring everyone has access to our services and is treated equally and fairly'.

### 3. RECOMMENDATIONS

- 3.1 Scrutiny Members are requested to support a recommendation to Cabinet and Full Council increasing the Licencing team resources by 1 FTE in order to provide an acceptable level of service delivery, with associated increase in expenditure and income budgets of £33,000 in a full financial year.

### 4. RISK ASSESSMENT (IF APPLICABLE)

#### Risk Matrix

Description	Likelihood	Impact	Overall
Reputational and Financial risk from complaints and/or legal challenge by failing to meet with published service standards	5	4	20
<i>Creation of permanent Licensing Officer Post</i>	2	4	8

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before and after the mitigation measures have been actioned.

## **5. BACKGROUND INFORMATION**

- 5.1 Historically West Somerset Council was served by a single Licensing Officer post which became vacant upon the retirement of the post holder following an extended period of sick leave.
- 5.2 During this period of absence and up until the commencement of the JMASS project a basic level of service delivery was provided by the West Somerset Council Environmental Health Team with support from the Taunton Deane Borough Council Licensing Staff.
- 5.3 The JMASS process removed this post as it was envisaged that the current workload at that time, could be undertaken within the defined resources of the shared structure. Increasing workloads have meant that the team's resources were over stretched and struggled to maintain an acceptable level of service delivery across the two Councils.
- 5.4 This resulted in, amongst other issues, a back log of applications to be processed and a regrettable drop in the level of customer service. Redeployment and up skilling of staff improved the situation but a lack of resilience within the team resources showed that this approach was not sustainable.
- 5.5 Authority to create a licensing officer post was sought from West Somerset's Cabinet which agreed an initial funding of £10k and the recruitment of a temporary Licensing Officer was secured in March of this year. This funding was sufficient to fund the post until 24 July 2015. This report seeks to prevent the service falling back into the position experienced prior to the approval of this resource.
- 5.6 The temporary post holder has cleared sufficient levels of the application and enquiries backlog to allow the service to get back on track which in turn has created improvements in the administration and supervision of the licensing function to service users within West Somerset. This has also moved the Council to a position where it can demonstrate the proper consideration and effective determination of all licensing applications received. Appendix 1 shows the increase in levels of applications determined since their appointment bringing performance levels back to those maintained by the previous post holder.

### Workload

- 5.7 Taking the number of applications received in the financial year 2014 – 2015 as representative of an average year's figures Appendix 2 shows the required commitment of officer time to maintain a normal level of service delivery. The officer time commitments have been calculated from the time and motion studies used to create the fee construction method adopted by Taunton Deane Borough Council and now being used by other licensing authorities both locally and nationally.
- 5.8 Historically the Licensing Officer would have had greater input and responsibility for some of the strategic policy and procedural development, now undertaken across both Councils, taking the commitment from the level shown in Appendix 2 closer to one and half times the available resources of a single Licensing Officer post.

### Funding

- 5.9 The Licensing Service is largely self-financing and the funding for the Licensing Officer post will be through the self-financing account with no anticipated impact on the General Fund. Licensing income is from a combination of self-determined and nationally set fees levied by the Council. As a service Licensing must set fees intended to cover reasonable costs and cannot set out to make a profit or cross subsidise any other Council function. If an over or



under recovery from licensing fees were to be identified this would be managed through the self-financing account and factored into future fee setting so as not to place West Somerset Council in an unlawful position.

- 5.10 Whilst Taunton Deane Borough Council employ the staff through the JMASS arrangements West Somerset Council is accountable for the costs and income in respect of Licensing within its area and therefore this Council must determine its own resource and budget requirements.

Future

- 5.11 If Members felt unable to support the recommendations of this report the current additional temporary arrangements would cease and likely lead to applications not being progressed on time, no resilience within the team and a lack of time available to conduct long term strategic activities, project planning and performance management.
- 5.12 If the Licensing function is not carried out in an efficient manner and the proper consideration and effective determination of applications cannot be demonstrated the Council may be subject to complaints or legal challenges and public safety may be compromised.
- 5.13 The creation of a permanent Licensing Officer post would ensure compliance with legal timescales and performance indicators for the progression and determination of applications and help to address any potentially unlawful over recovery.
- 5.14 Retaining the post will also provide the team with sufficient sustainable resources to effectively monitor and where necessary to enforce compliance with legislation.

## 6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 The licensing service within local authorities is self-financing. Any surplus or deficit transferred into the self-financing account would lead to adjustments being made to the fees and charges to bring the service to a rolling break-even level.
- 6.2 A full time licensing officer for West Somerset Council, at the current 2015/16 pay and on costs amounts to £32,684 plus additional sums for vehicle usage etc. The tables below identify the current and proposed budgets and their split of funding across WSC and TDBC.

### Salary costs per Council 2015/16 budgets

	FTE	WSC £	TDBC £	Total £
Licensing Manger	1	8,678	34,713	<b>43,391</b>
Licensing Officers x2	2	13,105	52,422	<b>65,527</b>
Licensing Assistant	1	4,718	18,874	<b>23,592</b>
<b>Totals</b>		<b>26,501</b>	<b>106,009</b>	<b>132,510</b>

### Proposed staffing levels costs FTE

	FTE	WSC £	TDBC £	Total £
Licensing Manger	1	No Change	No Change	<b>No Change</b>
Licensing Officers x3	3	43,348.40	No Change	<b>98,292</b>
Licensing Assistant	1	No Change	No Change	<b>No Change</b>

<b>New Totals</b>		<b>59,266</b>	No Change	<b>165,275</b>
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6.3 The additional expenditure in a full year for West Somerset is estimated at £33,000. The Licensing Manager has indicated that the additional capacity is required to meet the demand for licensing services within West Somerset, therefore the full additional cost will be accounted for within West Somerset and be funded by licences fee payers within the district. At the end of 2014/15 West Somerset Council had £8,642 in their licensing self-financing earmarked reserve which will be taken into account when meeting service costs and calculating fees for 2016/17.

## **7. COMMENTS ON BEHALF OF SECTION 151 OFFICER**

7.1 The Council's financial position has been well-reported, and faces ongoing and increasing financial pressures.

7.2 Under regulations, the costs of the majority of licensing activity is chargeable to license fee payers and the Council can charge up to the full estimated reasonable costs of the associated activities. Certain fees are set by central government – and these may fall above or below the cost of the related licenses. For locally set fees, we assess the reasonable costs of each licensing function and set fees for the purpose of fully recovering such costs.

7.3 The expenditure and income estimates will be updated as part of the annual fees and charges process to inform the fee levels for 2016/17 onwards, and any under- or over-recovery within 2015/16 financial year would be managed through the self-financing earmarked reserve mechanism. Members will need to appreciate that fees may therefore change up or down from year to year to reflect volatility in costs and income projections and the intended break-even approach.

## **8. EQUALITY & DIVERSITY IMPLICATIONS**

8.1 **Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.** The three aims the authority **must** have due regard for are:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

8.2 None

## **9. CRIME AND DISORDER IMPLICATIONS**

9.1 None

## **10. CONSULTATION IMPLICATIONS**

10.1 None

## **11. ASSET MANAGEMENT IMPLICATIONS**

11.1 None

## **12. ENVIRONMENTAL IMPACT IMPLICATIONS**

12.1 None

**13. HEALTH & WELLBEING**

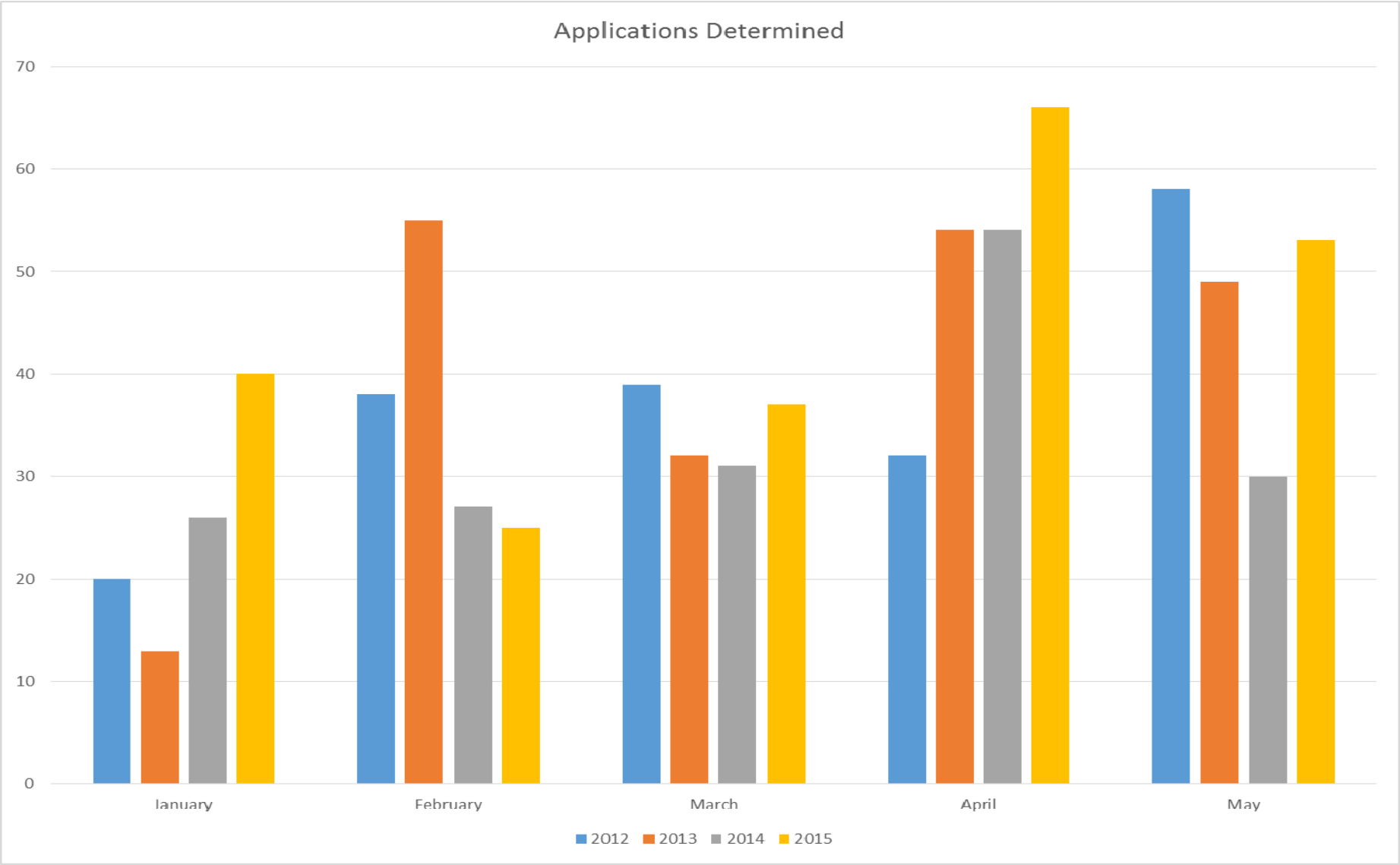
Demonstrate that the authority has given due regard for:

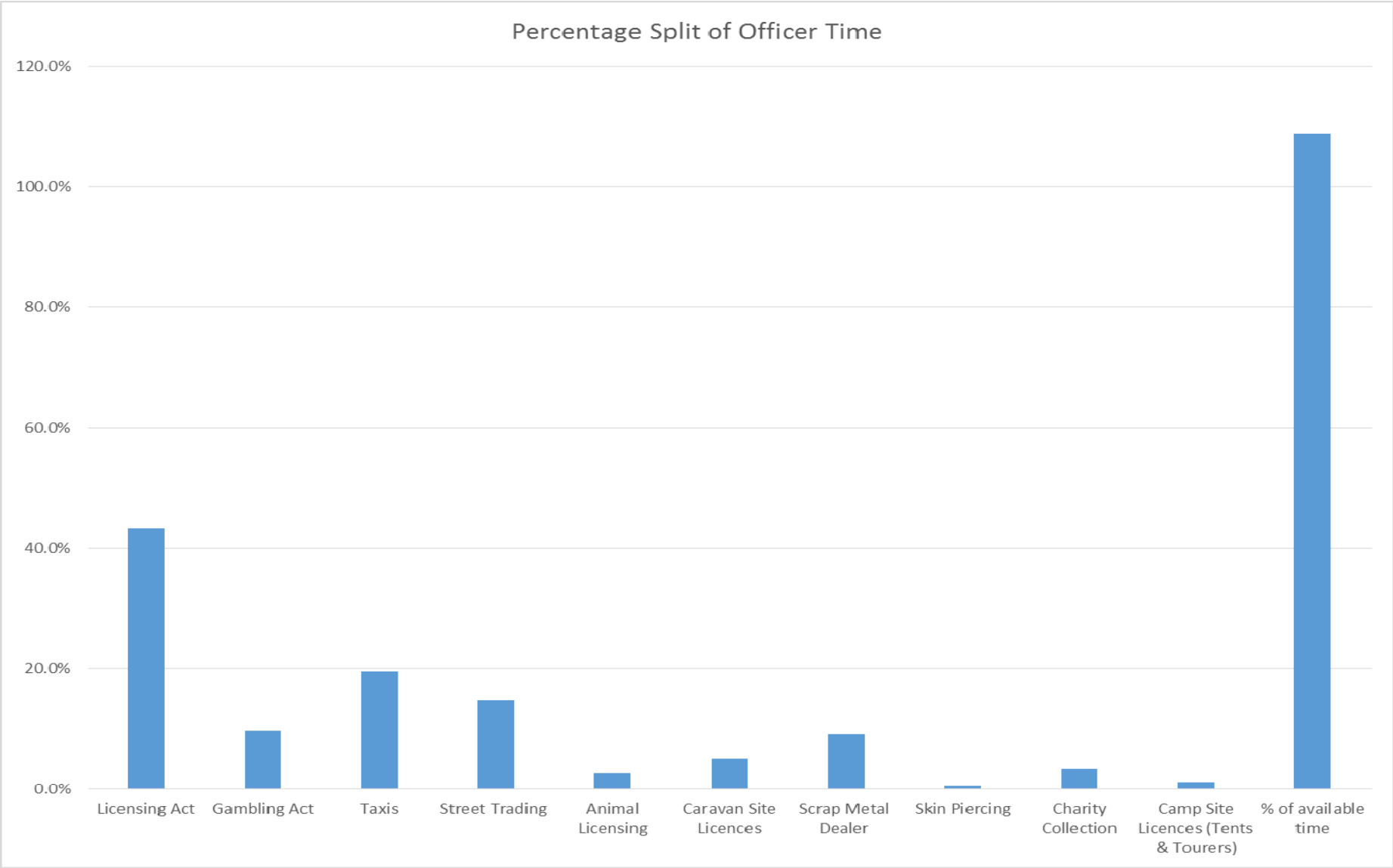
- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

13.1 None

**14. LEGAL IMPLICATIONS**

14.1 Failure to comply with the requirements of legislation may result in legal challenge to the Council.





## **Asset Management Recommendations – update for Scrutiny Committee**

### **Background**

At the September 2015 Scrutiny Committee meeting it was agreed that officers would seek to update members of the Committee on the recommendations made by the Asset Management Task and Finish Group in January 2014. At the Scrutiny Committee meeting there was some concern expressed by Executive Members that there are some high priority areas within the Asset Management Service and that diverting resources to address this Scrutiny request was not prudent at this time.

### **Update**

The Democratic Services Co-ordinator undertook to progress this matter and report back to Members, hence this short report. Following a meeting with the Asset Manager, an update on the recommendations of the Task and Finish Group is attached.

Whilst the recommendations of the Task and Finish Group are very wide ranging and reflect the priorities of Councillors, the financial and organisational implications of the recommendations are not explicit in the report. Having aspirations to transfer assets to the community is an important element of the Localism Agenda, but given the current financial position of West Somerset Council it may be considered more beneficial to place a greater priority on income generation and Health and Safety compliance. The transfer of an asset to a community group can cost the authority in the region of £10k, taking into account legal and professional officer time.

In providing this update to Members, a number of issues were highlighted that Member should be aware of. As with all aspects of service delivery at West Somerset Council, since adopting the 'One Team' approach, things have rapidly moved on in Asset Management. We now have access to a larger Asset Management Resource with more professional in-house capacity. This has meant that a more holistic approach to Asset Management at West Somerset Council is now possible. Such an approach has identified significant priority areas for the service such as Health and Safety compliance and income generation.

Whilst West Somerset Council may now have access to a larger team, resources remain limited and the team has to focus on these priority areas in order to protect the council from expensive non-compliance issues as well as trying to contribute to the future sustainability of the authority.

### **Recommendation:**

1. Note the update as provided on the recommendations of the Asset Management Task and Finish Group January 2014.

## Asset Management Scrutiny Task & Finish Review Recommendations

Final Report presented to the meeting of the Scrutiny Committee on the 20<sup>th</sup> January, 2014.

### **Townsend House**

**Recommendation:** Consideration is given to initiating exploratory discussions with Minehead Town Council to gauge interest in the asset transfer of Townsend House to the Town Council.

**Reason for Recommendation:** The current lease of 99 years is in the name of the trustees of Townsend House. The rent is set at a peppercorn amount of £5 per year. It is a full repairing lease and therefore, there is no cost to the Council by retaining this asset and there is also little scope in being able to generate additional income by charging a commercial rent. It is acknowledged that Townsend House is considered to be a community asset to the town and therefore suggest that the asset be offered to the Town Council.

**Update:** Asset management Group have begun to discuss this in recent months. This asset does not cost WSC anything at present and there would be costs attached to any transfer in terms of officer time (Asset Management and Legal)

### **Blenheim Garden Café**

**Recommendation:** Consideration is given to obtaining an up to date valuation of a commercial rent from the District Valuer

**Reason for Recommendation:** There is some concern as to whether the current annual rent of £1600 is an accurate reflection of the assets commercial value.

**Update:** Under consideration by Asset Management Group. The rent can only be set at a level that someone is prepared to pay. There are significant maintenance issues associated with this property.

### **Wellington Square**

**Recommendation:** Consideration is given to initiating exploratory discussions with Minehead Town Council to gauge interest in the asset transfer of Wellington Square to the Town Council.

**Reason for Recommendation:** This is considered to be an unused asset and there is a liability for the Council regarding the cost of maintenance. There are also restrictions in place regarding the use of the space for commercial purposes which limit its financial value.

**Update:** Under consideration

### **Culvercliffe Open Space**

**Recommendation:** Consideration is given to initiating exploratory discussions with Minehead Town Council to gauge interest in the asset transfer of Culvercliffe

to the Town Council.

**Reason for Recommendation: This is considered to be an unused asset and a financial liability regarding maintenance.**

**Update: Not a priority**

**Various small parcels of land (Minehead)**

**Recommendation:** Consideration is given to initiating exploratory discussions with Minehead Town Council to gauge interest in the asset transfer to the Town Council.

**Reason for Recommendation: Considered to be of no financial value whilst being a financial liability to the Council regarding maintenance.**

**Update: Not a priority as no approach has been made by Minehead Town Council – if any approaches are made, they will be considered as appropriate.**

**Land, North Hill Road (Molly's Patch)**

**Recommendation:** Consideration is given to obtaining a valuation for the land with a view to disposal.

**Reason for Recommendation: This is considered to be an unused asset that may have some financial value.**

**Update: Not a priority.**

**Old Gasometer Site, Quay Street**

**Recommendation:** Ownership of this land should be retained pending future possible requirements of RNLI.

**Reason for Recommendation: Any disposal/transfer could hinder any future requirement of RNLI.**

**Update: Not a priority**

**Public Conveniences**

**Recommendation:** Consideration is given to commencing discussions with parish and town councils and interested groups on the asset transfer of public conveniences.

**Reason for Recommendation: Continuing future cost pressures will almost certainly result in the closure of public conveniences. The Task & Finish Group suggest that preparatory work is initiated to identify alternative solutions that will mitigate the impact of closures on tourism and the community. It was acknowledged that the Service Level Agreement with**



**Veolia expires in October 2015.**

**Update:** Action Complete

**Watchet Boat Museum**

**Recommendation:** Enter into dialogue with the Watchet Boat Museum and Watchet Town Council concerning the duration of a new lease, future maintenance requirements, that will enable Watchet Boat Museum to proceed with seeking grant funding to update the building and associated facilities.

**Reason for Recommendation: This is a valuable but unused asset in Watchet that requires support to enable its viability to improve.**

**Update:** Action complete.

**Watchet Library**

**Recommendation:** Consideration is given to initiating exploratory discussions with Watchet Town Council to gauge interest in the asset transfer of Watchet Library to the Town Council.

**Reason for Recommendation: The current lease of 99 years is in the name of Somerset County Council and remains in force until 2050. The rent is set at £1 per year with an obligation to pay all taxes, rates and outgoings. It is a full repairing lease and therefore, although there is no cost to the Council by retaining this asset, there is also little scope in being able to generate additional income by charging a commercial rent.**

**Further it is acknowledged that Watchet Library is registered on the list of assets of community value and it is therefore suggested that thought should be given as to whether ensuring its continuing benefit to the local community could be better served by Watchet Town Council.**

**Update:** This has been considered and is not considered a priority at the current time, primarily due to the nature of the lease and responsibility for maintaining the property. Again, the cost of transfer to WSC would be substantial.

**Former Quay West Radio Building**

**Recommendation:** To review the future use of this building should it not form part of the future plans of the Marina Operator.

**Reason for Recommendation: The building is currently unused and not realising its commercial value.**

**Update:** Discussions are underway with the Onion Collective to agree mutually beneficial terms.

**Watchet Footbridge**

**Recommendation:** Consideration is given to initiating discussions with the Railway & WTC to explore the potential for an asset transfer.

**Reason for Recommendation: This asset has been fully repaired and it is thought to be an opportune moment to investigate its transfer and removal of future liabilities.**

**Update: Not a priority at the current time.**

**Road Bridge, Mill Street**

**Recommendation:** Consideration is given to initiating discussions with Somerset County Council with a view to an asset transfer.

**Reason for Recommendation: The bridge is classed as a highway and Somerset County Council maintain the road over the bridge.**

**Update: Not a priority at the current time**

**Bus Shelter, The Cross, Watchet**

**Recommendation:** Consideration is given to initiating discussions with Watchet Town Council to explore the potential for an asset transfer.

**Reason for Recommendation: This is considered to be an unused asset and a financial liability regarding maintenance.**

**Update: Not a priority at the current time**

**Exmoor Lawns, Dulverton**

**Recommendation:** Consideration is given to initiating discussions with Dulverton Town Council and Exmoor National Park to explore the potential for an asset transfer.

**Reason for Recommendation: This is considered to be an unused asset and a financial liability regarding maintenance.**

**Update: Not a priority at the current time**

**Mill Leat, Dulverton**

**Recommendation:** Consideration is given to initiating discussions with Dulverton Town Council to explore the potential for an asset transfer.

**Reason for Recommendation: Considered to be a financial liability regarding maintenance.**

**Update: In discussions with community group who are currently seeking external funding.**

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<b>Barle Bridge to Caravan Park, Dulverton</b> <b>Recommendation:</b> Consideration is given to initiating discussion with Somerset County Council to explore the potential of an asset transfer.
<b>Reason for Recommendation: Considered to be a financial liability regarding maintenance.</b>
<b>Update: Not a priority at the current time</b>

<b>Land at Upton</b> <b>Recommendation:</b> Consideration is given to obtaining a valuation for the land with a view to disposal.
<b>Reason for Recommendation: This is considered to be an unused asset.</b>
<b>Update: Action complete</b>

<b>Various Playing Fields</b> <b>Recommendation:</b> Consideration is given to initiating discussions with parish/town councils and/or Magna West Somerset to explore the potential of an asset transfer.
<b>Reason for Recommendation: Considered to be a financial liability regarding maintenance.</b>
<b>Update: Not a priority at the current time, but any requests from Town or Parish Councils will be considered as appropriate if and when they come forward.</b>

<b>Non income generating car parks (Crowcombe/Kilve/Withypool)</b> <b>Recommendation:</b> Consideration is given to initiating discussions with parish/town council to explore the potential of an asset transfer.
<b>Reason for Recommendation: Considered to be an unused asset and financial liability regarding maintenance.</b>
<b>Update: Further investigation required as any opportunity to increase income needs realising but initial thoughts are all such opportunities already maximised.</b>

**Additional recommendation following Scrutiny Committee 20th January 2014**

Consideration be given into entering into discussions with Dulverton and District Civic Society with regard to the asset transfer of the Old Cheese Store situated in the Guildhall Car park.



**Note: Members of the Scrutiny Committee and all other Members of West Somerset Council are invited to contribute items for inclusion in the work programme. Please contact Sam Rawle, Scrutiny Officer, who will assist you in submitting your item.**