

## **Executive – 11 June 2014**

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

**Officers:** Penny James (Joint Chief Executive), Shirlene Adam (Director – Operations), Alison North (Community Leisure Manager), Ann Rhodes (Planning Policy Officer), Nick Bryant (Policy Lead), Ian Timms (Assistant Director – Business Development) and Richard Bryant (Democratic Services Manager and Corporate Support Lead)

**Also present:** Councillors Coles, Horsley, Miss James, Morrell and A Wedderkopp. Ian Payne and Dave Bullock both from COACH; Robin Upton - White Young Green; Matt Ballard – Somerset County Council

(The meeting commenced at 6.15 pm.)

### **38. Apology**

Councillor Edwards.

### **39. Minutes**

The minutes of the meeting of the Executive held on 16 April 2014, copies of which had been circulated, were taken as read and were signed.

### **40. Public Question Time**

Councillor Morrell stated that significant improvements to Taunton's High Street had been a key manifesto pledge of the Leader of the Council in the May 2011 election campaign. Please could it therefore be answered:-

1. Why was Taunton's High Street still a disgrace for the town and who would take responsibility for this inaction?
2. In relation to recent drainage works along the High Street:-
  - (i) Which contractor undertook the work?
  - (ii) Which local government officer and Councillor approved the appointment of this contractor?
  - (iii) Who had authority to sign this drainage work off as complete?
  - (iv) Despite the poor workmanship, had the work been signed off and by whom as finished and acceptable?
  - (v) Had the invoice been paid and for how much?
3. Who was the senior Taunton Deane Borough Council officer with responsibility for Taunton's High Street and:-

- (i) What High Street works have been delivered since May 2011?
- (ii) How much money, nevertheless the responsible local government authority, has been spent on Taunton's High Street since May 2011? A breakdown of costs is requested.
- (iii) What future work, including time-scales, is proposed?
- (iv) The break-down of costs involved in delivering the proposed schedule of works. A copy of the plan and costs is requested.
- (v) Has funding been allocated for the proposed works and, if not, can the current position and intent to achieve delivery be detailed.

In response, the Chairman (Councillor Williams) agreed that the improvement of High Street had been an election pledge. He stated that some improvement works had been done but there was still a long way to go before completion.

These works had identified that the services beneath the surface were 'in a state' and had to be brought up to standard before the desired enhancement works could be fully implemented. The works to the services had been expensive and had rapidly used up the limited funding available. Efforts would be continued to identify further funding sources.

Somerset County Council (SCC) as the Highway Authority was responsible for the sign off of works to the High Street. Some of these works remained outstanding. The use of different contractors had made it difficult to identify who was responsible for these incomplete works.

Councillor Williams commented on the replacement of paving in High Street with tarmac. He was aware that SCC used this method on the grounds of cost but was aware that there was a 'policy' which required paving to be properly replaced in sensitive areas of the town. He would be asking officers to liaise with SCC to ensure the correct surface was applied to the High Street in the future.

He promised Councillor Morrell a full written reply to the points he had raised.

#### 41. **COACH Project Update**

Considered report previously circulated, concerning the proposed provision of a Centre for Outdoor Activity and Community Hub (COACH) on a site at French Weir, Taunton. The facility would be both a building, including a floodable boat store, and a community facility.

The intention was to provide a sustainable and functional permanent home for a wide variety of clubs and Community Groups as detailed in the business plan and the replacement of the public toilets as the current ones were sited on land that was required for the COACH scheme.

The Council had been working on the project since 2011 and approval to grant a long lease at a peppercorn rent had been granted subject to planning permission, funding and a business case. The Council had also awarded £40,000 to support the project in meeting design costs, land surveys and a planning application which had been granted permission in November 2013.

Reported that in March 2014 an application had been submitted to Sport England for grant funding. Initial discussions with Sport England had shown a good level of support for the project due to its unique nature.

With regard to contributory funding from the Council, noted that Executive Councillor Norman Cavill had made a decision in August 2013 to accept the Trustees' proceeds from the sale of land at Castle Street, Tangier (the site of the former Taunton Youth and Community Centre) on the understanding that the money would be ring fenced for capital funding of youth projects to be agreed at the appropriate time.

To support the COACH project in their application to Sport England a proportion of these funds - £200,000 - would be earmarked for the project as the required funding.

The COACH trustees had provided a Business Plan for Councillors to review, the main points of which were as follows:-

(a) Financial Summary - The figures and projections provided by COACH had taken a prudent stance which provided room for expansion and the prospect of enhanced returns. They were based on existing income and, as such, were reliable and robust. The Trustees were confident that the surpluses would be exceeded, providing further contingency. The support from Somerset College would be vital to ensure that the accounts and reporting were timely and accurate. Given the charitable status of the entity, returns would be required and this would be a new challenge for COACH which would require a systematic approach.

(b) Public Toilets - The proposed facility would use the site of the existing public toilets at French Weir. The COACH facility would provide public access toilets to replace that existing resulting in a saving to the Council of in the region of £8,000 per annum.

(c) Implications for the Council – The project was the responsibility of COACH as an organisation and there would be no legal responsibility for the Council to underwrite any losses or failure of the project.

Further reported that the extent of the land to be included in the proposed lease was as detailed in the report, with the proposed term being 125 years from a date to be agreed at a peppercorn rent. The lease would provide that the land should be developed and used in accordance with the planning permission granted and that there should be no rights to assign or sublet (save for casual hiring).

All other terms and conditions, including those relating to the provision of public toilets, would be agreed by the Council's Property Estates Team in consultation with the Executive Councillors for Leisure and Property.

To allow discussion to take place on the confidential appendices to the report, it was **resolved** that the press and public be excluded from the meeting because of the likelihood that exempt information would otherwise be disclosed relating to Clause 3 of Schedule 12A to the Local Government Act, 1972 and the public interest in

withholding the information outweighed the public interest in disclosing the information to the public.

**Resolved** that it be recommended to Full Council that:-

- (a) The grant of a long lease at a peppercorn rent on the terms and conditions set out in the report be approved;
- (b) A proportion of the funds - £200,000 – from the sale of the former Taunton Youth and Community Centre be assigned as funding for the COACH project to support the application for funding made to Sport England; and
- (c) When the funds were forthcoming from the sale, they be added to the Council's Capital Programme.

#### 42. **Jurston Development Brief, Wellington**

Considered report previously circulated, informing Members of imminent consultation which was due to be undertaken on the Jurston Design Brief.

The Taunton Deane Core Strategy 2011-2028 Development Plan Document had been adopted in September 2012. This document had set the strategic framework for development across Taunton Deane for the period to 2028.

Jurston was part of the Cades/Jurston strategic development site. In the Core Strategy, it was identified in Policy SS4 as a new compact urban extension east of Wellington. Full details as to the wording of this policy was set out in the report.

The Core Strategy had also stated that the development of this strategic site would be further guided by a masterplan and design code to ensure a coordinated approach to the delivery of the site.

The promoters of the site, C J Fry, and their consultants, WYG, had worked with the Council to prepare a draft Development Brief for the site to guide its development. A copy of this document which encompassed the required masterplan and design code had been circulated to Members of the Executive.

It had been shaped by community and stakeholder involvement. The Prince's Trust had been commissioned to facilitate independent consultation with statutory consultees, local interest groups and societies, Councillors and officers from the County, District and Town Councils. The first phase of this process in October 2011 had identified key issues and opportunities relating to the site. The second phase in November 2011 had produced a collaborative vision, masterplan and delivery strategy for the site.

The draft Development Brief set out contextual information (location, history, planning policy, and consultation), constraints and opportunities presented by the site and a set of principles to guide the type, form, layout and look of development for it.

The Council intended to publish this document for public consultation prior to adopting it as a Supplementary Planning Document (SPD). Under the National Planning Policy Framework and Town and Country Planning (Local Planning) Regulations the Council could adopt such documents where they added value, detail and guidance to the existing policies in the Core Strategy Development Plan Document. Once adopted it would be an important consideration in the determination of a planning application for Jurston.

**Resolved that:-**

- (1) The report be noted; and
- (2) The publication of the Jurston Development Brief for public consultation be approved.

#### **43. Superfast Broadband Extension – Request for Match Funding**

Considered report previously circulated, concerning the proposed extension of superfast broadband in Taunton Deane.

Increasing the availability and take-up of superfast broadband was a key driver for enterprise and growth, and therefore remained a high priority. Extending deployment in under-served areas could also safeguard employment in areas which would otherwise place businesses at a serious disadvantage and support inclusion in the digital economy for consumers in rural areas.

Improving the availability of superfast broadband also had a role to play in increasing the resilience of the Council and its infrastructure for the communities particularly during events such as the severe flooding of the Somerset Levels during the past winter.

The current Connecting Devon and Somerset (CDS) Programme would deliver 90% superfast broadband coverage to the area by the end of 2016. This would leave 10% of the CDS area without any improvement in broadband speeds, which equated to approximately 90,000 premises.

This gap in broadband provision had been recognised by Government, which under the Superfast Extension Programme (SEP) had made available an additional £250,000,000 with the objective of bringing the United Kingdom (UK) up to 95% superfast broadband coverage by the end of 2017.

The Government had recently announced how this funding would be allocated. CDS had been granted £22,750,000 - the largest single allocation made to a programme in England. To draw down this funding the Government had stipulated that Local Authorities should provide 50% match funding.

Reported that Somerset County Council (SCC) had already taken the decision to agree an in principle capital match contribution of up to £2,000,000, which had to be confirmed by its Cabinet later in the month. Devon County Council had undertaken

a similar process resulting in an in principle capital match contribution of £2,000,000 too.

Following the in principle decision by SCC, the District Councils had been briefed on the SEP and asked to consider their own capital contributions to support a full application to BD:UK (Broadband Delivery UK) and asked collectively to contribute an additional £2,000,000.

Noted that in terms of an indicative capital contribution for each District Council and a figure for the number of additional premises expected to benefit from a superfast broadband connection, the CDS had analysed the latest available data. However, this could change as a result of a number of circumstances including a new procurement exercise which might alter the exact match funding.

Such an exercise would be required as the current contract with BT would breach materiality if funding in excess of 10% of the contract value (£94m) was to be introduced. A new procurement would also be required so that more appropriate technologies, such as wireless or 4G, could be deployed. Given the nature of the geography in question, CDS expected that these technologies would be required so as to ensure value for money and to deliver 95% superfast broadband coverage into deeply rural areas.

A detailed partnering agreement and governance arrangements would be required at a later date following full consultation with all of the Councils in Somerset who were able to make available a capital contribution.

Members were asked to note that the BD:UK Strategic Economic Plan guidance stated that any allocations not drawn down by local authorities could be redistributed to other local authority areas throughout the UK. Therefore, there was a danger that a proportion of the current SEP allocation could be reallocated to other Local Authorities if the full match funding requirement was not to be met.

Further reported that Taunton Deane Borough Council had been asked to agree in principle a capital funding commitment of £380,000 which could be spread over three years (£130,000 in 2014/2015, £130,000 in 2015/2016, and £120,000 in 2016/2017). It was estimated that this would deliver an additional 3634 superfast premises by the end of 2017 – in addition to the premises that would be delivered under the current CDS programme.

Although this proposal clearly met the Councils ambitions, there currently were very limited unallocated capital resources. Members would therefore need to prioritise their ambitions in terms of delivering capital schemes. If Broadband was to be the top priority, then it was recommended this should be funded from the Growth Reserve (which included the 2014/2015 New Homes Bonus funding).

**Resolved that:-**

- (1) The principle to fund the share of match funding requested from Taunton Deane Borough Council towards the Superfast Broadband Extension be agreed; and

- (2) Full Council be recommended to approve the inclusion of £380,000 within the Council's approved Capital Programme either from the previous years underspend or from the Growth Reserve subject to final agreement as to the area to be covered and the identification of alternative funding sources.

44. **Executive Forward Plan**

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

**Resolved** that the Forward Plan be noted.

(The meeting ended at 7.49 p.m.)