

Executive – 3 December 2014

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

Officers: Shirlene Adam (Director – Operations), Caroline White (Housing Development Project Lead). Jo Humble (Housing Development and Enabling Officer), Brendan Cleere (Director – Growth and Development), Jo Nacey (Finance Manager), Tim Burton (Assistant Director – Planning and Environment), Scott Weetch (Community and Client Services Manager), Nick Bryant (Planning Policy Manager) and Richard Bryant (Democratic Services Manager and Corporate Support Lead)

Also present: Councillors Coles, Gaines, Horsley, Mrs Waymouth and A Wedderkopp
Natasha Smiljkovic representing PM Asset Management and Ptarmigan Land
Mrs A Elder, a Co-opted Member of the Standards Committee

(The meeting commenced at 6.15 pm.)

64. Apology

Councillor Edwards.

65. Minutes

The minutes of the meeting of the Executive held on 12 November 2014, copies of which had been circulated, were taken as read and were signed.

66. Declarations of Interest

Councillor Mrs Herbert declared a personal interest as an employee of the Department of Work and Pensions. Councillor Hunt declared a personal interest as a Member of Somerset County Council.

67. Regeneration of Weavers Arms, Rockwell Green, Wellington

Considered report previously circulated, concerning proposals to demolish and redevelop the recently acquired redundant public house, the 'Weavers Arms', the adjacent public toilet block and ten Woolaway properties in Rockwell Green, Wellington.

The redevelopment scheme was currently being designed with an estimated delivery of approximately 26 new build Council homes at a cost of approximately £3,500,000.

A primary deciding factor in purchasing the public house was the proximity of this site to the redundant public toilets and the nearby Woolaway houses. Together these three areas would provide an opportunity to regenerate an area of under-utilised land and buildings, to provide much needed additional affordable housing.

The land under the toilet block was currently owned by the General Fund and had been valued at £10,000.

The Council was seeking to facilitate a sustainable community by providing a mix of properties of 1, 2, 3 and 4 bedrooms to meet the housing need for the area, with the majority being 1 bed flats and 2 bed houses, with some wheelchair suitable properties.

The Development Team was working closely with Procurement to appoint the appropriate consultants. It was proposed that Deane Housing Development would oversee the pre-planning process and work with the appointed architects, Boon Brown Architects to arrive at a suitable scheme proposal. Knightstone Housing Association would be appointed as a Development Agent, thereby giving the Council access to their Framework Agreements for consultants and Contracts Management services during the build process.

Once the site investigations and surveys had been completed, a community consultation event would be held at the beginning of 2015 to show local residents the proposed plans prior to a planning application being submitted.

Further reported that it was intended to design these properties to the Code for Sustainable Homes Level 4. This meant the properties would be considerably more energy efficient than current Building Regulations. The Code for Sustainable Homes also required features such as low water use bathrooms and sinks, A* rated combination boilers and highly insulated building fabric which would mean these properties would be cheaper to heat than the existing Woolaway houses.

Noted that the North/North-West orientation of the development was not favourable for photovoltaic panels on the roofs of the new properties. The Lifetime Homes design standard and 'Secured by Design' would also apply to the scheme.

Initial consultation had been carried out with tenants living in the Woolaway properties directly affected by the redevelopment and their feedback was reported.

An appointed decant officer would assist the affected families throughout the process from this point forward and would assist them with either relocating or returning to the development when it was completed.

The properties immediately around the development and the wider community would have an opportunity to comment on the scheme proposals at a publicised community event which was scheduled to be held in early 2015 prior to the submission of a planning application.

Reported that the proposals had recently been considered by both the Tenants Services Management Board and the Community Scrutiny Committee which both supported the redevelopment scheme.

Resolved that Full Council be recommended:-

- (1) To approve a supplementary budget of £3,500,000 within the Housing Revenue Account Capital Programme for the Weavers Arms Regeneration Scheme;
- (2) To approve in principle the proposed funding of the scheme with allocations of £488,000 capital receipts; £586,000 Social Housing Development Fund contribution; and £2,426,000 through borrowing and that the determination of the final funding arrangements (in line with the Council's Capital and Treasury Strategies) be delegated to the Section 151 Officer;
- (3) That the Rockwell Green Public Convenience land be transferred from the General Fund to the Housing Revenue Account at the market valuation of £10,000, in compliance with Section 122 of the Local Government Act 1972;
- (4) That the Housing Revenue Account budget and 30 Year Business Plan be updated to reflect the additional income and expenditure arising from this investment; and
- (5) The service of Initial and Final Demolition Notices be approved for the demolition of Nos 1-10 Oaken Ground, the Weavers Arms buildings and public toilets and site clearance to facilitate new development.

68. Photovoltaic systems to be fitted to existing Housing Stock

Considered report previously circulated, concerning a proposal to design, install and commission 350 Photovoltaic systems to the retained Housing Stock.

Photovoltaic panels (PV) harnessed sunlight to create electricity, therefore utilising an infinite resource, making it a renewable energy source. Whilst their orientation required a Southerly aspect it was not necessary to have bright sunshine. PV Panels continued to generate electricity in daylight hours, even on overcast days.

In order to achieve the Council's goal of reducing tenants' electricity bills, generating an income via feed in tariffs (FITs) and reducing carbon emissions, it was considered beneficial to draw on the experience of The Carbon Savings Alliance (CSA).

The CSA was a consortium of social landlords committed to reducing electricity prices for their tenants. The consortium had created a number of purchasing frameworks that were OJEU compliant and suitable for members, such as the Council, to access.

It was proposed to access the CSA's Photovoltaic Framework in order to secure a competitive price and reduce the need for tendering, thus saving valuable time considering the Feed in Tariffs were predicted to drop in early 2015.

A desktop study had been carried out to identify approximately 700 suitable properties that had a southern orientation, the correct roof pitch and suitable construction type. The Senior Leadership Team had chosen to focus on 350 of

these properties as a 'pilot scheme', to allow for tenant refusal and to borrow an amount that the Housing Revenue Account could feasibly permit.

Submitted details of the processes that would be followed to encourage tenant uptake. It was noted that as the PV panels would pose a material change to the property, Taunton Deane would have to amend the tenancies of affected properties to include the panels as part of the structure.

Full details relating to the installation and costs of the PV panels and the collection of the FITs were provided for the information of Members.

The scheme would provide significant financial benefits to our tenants through free electricity generated by the PV Panels and was calculated based on the Government Standard Assessment Procedure (SAP) with a saving on average of £247.54 per annum per household on current electricity bills.

Taunton Deane would also generate income through the FIT which was guaranteed for 20 years as detailed within the Energy Act. It was Indexed Linked and, based on Government SAP calculations, would generate a positive cash flow of £1,200,000 over the fixed 20 year FIT.

Although the PV panels would have a 25 year guarantee, the CSA stated that studies had shown their lifespan could be up to 40 years, with efficiencies of the panels dropping by only half a percent per annum. This meant tenants would continue to receive free electricity long after the FIT the Council received had ended.

Further reported that the United Kingdom was the first country in the world to have a legally binding long term goal to cut Carbon emissions. This involved a 34% reduction in emissions by 2020, and 80% by 2050, based on 1990 levels. By installing 350 systems to the Housing stock, the Council could save approximately 11,015 tonnes of Carbon over 20 years.

The initial capital investment for 350 properties would be £1,509,000 for fitted systems. The systems should be paid back within the first 13 years and the revenue stream would then be additionally guaranteed for 7 years.

Consideration had also been given to the prospect of a Council property with photovoltaic panels being sold under Right to Buy (RtB). It was recommended the panels were removed prior to a RtB purchase completed, for a number of reasons including the following:-

- When valuing the property for RtB application, the panels could not be considered as a separate commodity and could not be added onto the value of the property. The RtB discount would also apply to the PV panels. The Council would therefore not recoup the cost of installing the PV and lose projected FIT income if the panels were sold with the property;
- If the PV panels were sold to a RtB applicant there might be a perceived risk of future claims against the Council for issues such as future damage to roofs arising from installation of PV panels; and

- If the Council was to exclude the PV panels from the sale of the property, but provide the option of the tenants to buy the panels, the tenants would have to consider the cost of the panels, averaging £4,472, and to reimburse the Council the future FIT, which could be in the region of £4,072 for 20 years' worth of FIT income.

Reported that the proposals have recently been considered by both the Tenants Services Management Board and the Community Scrutiny Committee which both supported the PV scheme.

Resolved that Full Council be recommended:-

- (1) To approve a supplementary budget of £1,509,100 within the Housing Revenue Account Capital Programme for the Photovoltaic Systems Investment Scheme to install systems at 350 properties;
- (2) To approve in principle the funding of the scheme through borrowing and that the determination of the final funding arrangements (in line with the Council's Capital and Treasury Strategies) be delegated to the Section 151 Officer;
- (3) That the Housing Revenue Account Revenue budget and 30 Year Business Plan be updated to reflect the additional income and expenditure arising from this investment.
- (4) To approve the principle that systems were removed from properties prior to disposal and reinstalled on an appropriate alternative Housing Revenue Account dwelling.

69. The Somerset Levels and Moors Levels Flood 20 Year Action Plan – Proposed Somerset Rivers Authority

Considered report previously circulated, concerning the formation of a Somerset Rivers Authority (SRA) which had been proposed within the Levels and Moors Flood Action Plan developed following the extensive flooding experienced during last Winter.

A Leaders Implementation Group had been established to determine the most appropriate SRA which was to have greater responsibility for maintaining and improving water and flood risk management, including a new catchment wide funding mechanism. A Project Key Partners Group had also been established to advise on developing the project, with representation from numerous Councils, agencies and bodies.

It was proposed that, with its strategic overview, the SRA would be the advocate of what was needed for Somerset in reducing flood risk. Through its influence and decisions, the SRA would be accountable for the Flood Action Plan, for a co-ordinated approach to delivery, and on a Somerset-wide basis, for the funding it raised, and for how it was spent.

As currently proposed, the SRA would empower the Flood Risk Management Authorities (FRMAs) to take on a broader role, to ensure that Somerset's flood risk management activity benefitted from the collective wisdom, experience and knowledge of all its members.

The SRA would not diminish the responsibilities of the individual partners, nor those of riparian owners. The existing FRMAs and their existing associated funding streams, responsibilities and accountabilities would continue. However, opportunities would be taken to join up delivery where this was agreed.

As proposed, the SRA would commission the delivery of a costed, co-ordinated Business Plan for enhanced maintenance of river channels, important ordinary watercourses and river flood banks across the whole of Somerset. This would include dredging, and maintenance of dredged profiles. The SRA would also oversee an associated Common Works Programme.

It is also envisaged that the SRA could commission capital works and land management programmes which reduced flood risk, and could provide "partnership funding" to allow more schemes to enter the Environment Agency's (EA) Work Programme.

The scope of the SRA would include strategic planning, land management and building local resilience as key activities, and with community engagement around these responsibilities.

The proposal was to set up the SRA as a separate precepting body (like the Fire and Rescue Authority), which would raise funds from all households across the whole of Somerset, and from agricultural landowners in Somerset outside the existing Internal Drainage Board (IDB) areas.

The IDBs would continue to set budgets for their work programmes as at present, but the special levy would, in future, be placed on the SRA. Existing sources of capital funding for flood risk management would need to continue to be available to the individual partner organisations.

The report went on to detail the proposed governance arrangements for the SRA, its relationships with other organisation, the likely way forward and the consultations that had been undertaken.

Further reported that discussions had been continuing between the Government and the Somerset Local Authorities and partners about the creation of the SRA. In particular these discussions had centred on the provision of interim funding to enable the new body to operate in 2015/2016.

The Government had agreed to provide interim funding of £1,900,000 towards the £2,700,000 requested and to conduct a joint review with local partners of the long term funding of the SRA and report back to Ministers in July 2015. Conditions placed on local partners were that Somerset County Council (SCC) and local partners contributed the remaining £800,000 and that the SRA was established by 31 January 2015.

SCC had pledged £600,000, with the balance of £200,000 being sought from local partners. Taunton Deane had previously allocated a sum of £50,000 towards a programme of dredging on the Somerset Levels and Moors. As the dredging programme on the Levels and Moors was fully funded within the Flood Action Plan, and the purposes of SRA interim funding are similar in purpose, any contribution could be sourced from this budget. Potential sources of funding for the shortfall were as follows:-

Authority	Contribution
Taunton Deane Borough Council	£43,750
Sedgemoor District Council	£43,750
Mendip District Council	£43,750
South Somerset District Council	£43,750
West Somerset Council	£5,000
Internal Drainage Boards	£20,000
Total	£200,000

The longer-term funding arrangements for the proposed SRA remained unresolved and would be subject to discussions and agreement between the Government and all Somerset local authorities and partners

The Corporate Scrutiny Committee had met on 20 November 2014 and had supported the proposals although the following issues were raised:-

- A need for co-ordination with the EA's work;
- Concerns over a new tax raising body and the importance of tangible outcomes;
- Conflicting views that this was a national issue that needed to be addressed at that level, balanced by a view that Local Government in Somerset needed to be proactive in developing solutions; and
- A need for greater clarity on the proposed funding mechanisms and how these might apply in different areas.

Resolved that:-

- (i) The progress to date in the development of the Somerset Rivers Authority be endorsed;
- (ii) Authority be delegated to the Leader to nominate a Member of the Executive to sit on the proposed new Somerset Rivers Authority from 31 January 2015. This might be the Leader or the relevant portfolio holder, depending on the positions taken by the other Somerset local authorities; and
- (iii) It be agreed to contribute £43,750 towards the interim funding required by the Somerset Rivers Authority, to be sourced from the funding set aside for dredging purpose. It be also noted that longer term funding and operation of the Somerset Rivers Authority (beyond any interim funding period) be subject to further development and agreement between local partners and the Government and that a further report on this matter would follow in due course.

70. Fees and Charges 2015/2016

Prior to the report on this topic being presented, the Chairman invited Mr Mike Davis of A1 Taxis to address the meeting.

Mr Davis acknowledged that the proposed Licensing charges for taxis would mean that the cost of vehicle plates would be £58 lower than those charged in 2011.

However, there remained two issues of concern. The first issue was in respect of the checking of vehicles by the Licensing Officers. To his knowledge, the detailed inspection set out in the model had not been undertaken in the past six and a half years. He added that the Council had no records of inspections it had undertaken during this time although it had been suggested to him that when such inspections had taken place they had only involved looking at the outside of the vehicles

Mr Davis believed that the Council in Court would not be able to justify the £30 charge per vehicle on just looking at the outside of cars without having a record.

The second issue concerned drivers who applied for a three year licence. The Council was only allowed to charge the reasonable costs for issuing the licence and, in his view, it was not reasonable to charge three times the administration fee when the administration activity occurred only on the issue of the licence. There was no continuing monitoring which would justify these charges. He also queried the mathematical calculation upon which the current fees levied were based.

The Chairman responded that he was aware that further investigation of these issues was being undertaken. If this resulted in further adjustment of the fees being necessary, this would be done without having to wait for the next annual review to take place.

Considered report previously circulated, which set out the proposed fees and charges for 2015/2016 for the following services:-

- Cemeteries and Crematorium – It was proposed to increase the main cremation fee by £23 to £650 and make minor increases for other charges within the service. This was likely to increase income by £40,000;
- Waste Services – The Somerset Waste Partnership proposed to increase its charges for the Garden Waste Service Charge from £46.50 to £48 as well as for the removal of bulky items. It was anticipated this would generate additional income of £14,000;
- Local Land Charges – It was proposed to keep Land Charges fees the same as the current year. The Regulations required local authorities to ensure that the price charged was an accurate reflection of the costs involved in providing the function and not for creating surpluses;
- Housing and Community Services – The proposal was to increase charges by 2.3% (September Retail Price Index (RPI)) with the following exceptions:-

- 1) Private rented garages rents private tenants and owner occupiers would be increased by 5%;
- 2) Hire charges for the meeting halls and guest rooms would not be increased to increase the take up of their use; and
- 3) The meal provision at Kilkenny Court had increased in accordance with the meal service contract.

The increases were likely to generate £27,600 for the Housing Revenue Account;

- Licensing – Fees for applications under the Licensing Act 2003 and Gambling Act 2005 were set by statute so increases under local arrangements were not possible. For those fees where local discretion existed they could not exceed the parameters set out within the appropriate statutes.

Guided by case law and through the results of the costs analysis detailed in the report, suggested fee levels were recommended to achieve, as far as possible, full recovery for the projected costs to the Council of unfettered administration and supervision of the various licensing regimes.

Noted that it would be unlawful for the Council to deliberately set fees to make a profit and any over (or under) recovery would need to be redressed in future fee levels.

In order to ensure fees levied were reasonable and lawful, consideration could only be given to setting fees at the level suggested or at a level lower than those set out within the report thereby subsidising those businesses regulated by the Council's Licensing Service.

It was anticipated the proposed adjustment in the Taxi Licensing charges would result in £20,000 less being collected;

- Planning and Environment – It was proposed to keep the fees the same as the current year;
- Environmental Health – It was proposed to increase the charges for Pest Control by the Consumer Price Index of 1.5%. This would raise additional income of £500;
- Promotional 'Rotunda' Units in Taunton Town Centre – A charge for advertising was to be introduced which would raise £4,000.
- Deane Helpline – It was proposed to increase the current installation fee from £25 to £35. Corporate Contracts would also be increased by 1.84%. Both measures were likely to increase income by £15,100;
- Building Control - No changes to current charges were proposed for 2015/2016.

This matter had been discussed by the Corporate Scrutiny Committee at its meetings on 18 November 2014 and comments on the proposals that had been made by Members were considered.

Resolved that:-

- (1) It be agreed that with regard to the Taxi Licensing fees the Council's procedures with regard to the recording of vehicle inspections be reviewed and that any errors in those procedures be corrected;
- (2) It also be agreed that the mathematical calculation upon which the Taxi Inspection fees were based be checked and any necessary adjustment be introduced at the earliest opportunity; and
- (3) Full Council be recommended to approve the proposed fees and charges for 2015/2016 as detailed in the report.

71. Report on Staplegrove Framework Masterplan

Considered report previously circulated, concerning the proposed consultation to be undertaken on a 'Framework Masterplan' for the proposed site allocation at Staplegrove, Taunton.

This consultation would be hosted by the Council, with a final Masterplan to be submitted to the Council later in the year and agreed prior to any planning applications being made on the land in question.

Whilst no allocation had been made at Staplegrove through the adopted Core Strategy, the Plan had made reference to the need to bring forward a 'comprehensive development after 2015'.

The Core Strategy Inspector had introduced this modification to the Plan as submitted and had also noted that should masterplanning work progress more rapidly than anticipated, any planning application would fall to be determined against the presumption in favour of sustainable development.

To date the Council had undertaken a number of consultation exercises on the Site Allocations and Development Management Plan and this has been supplemented by various elements of technical work and consultation carried out by the promoters of the site.

The Framework Masterplan, a copy of which had been submitted to the Members of the Executive, sought to consolidate some of this work into a series of principles and a concept plan which would inform subsequent, more detailed masterplanning, required to support outline planning applications at both eastern and western ends of the allocation.

The Masterplan did not prejudge the outcome of the Site Allocations and Development Management Plan process but did represent an important requirement

given the general thrust of national policy through the Framework and the Core Strategy and the comments of the Core Strategy Inspector.

Further reported that the parameters and fundamental requirements of the Framework Masterplan reflected technical work and public consultation already undertaken by both the Council and the promoters of the site.

During the discussion of this item the Ward Member, Councillor Mrs Waymouth, stated that although local residents had accepted that land in the area could not be 'held in aspic', there was concern that the proposed development was coming forward far quicker than envisaged.

One of the main concerns was the provision of infrastructure and when this would occur. It was clear that the existing roads were not suitable for taking the additional volume of traffic generated by the development.

Mrs Waymouth also referred to the proposed development of an employment site at Henlade which was bound to lead to more cross town congestion. It was worrying that advice received from Urban Initiatives appeared to indicate that there would be insufficient funding to provide a link road between Silk Mills and the new development at Staplegrove.

In response, the Planning Policy Manager stated that in terms of the timing of the development at Staplegrove the approved Core Strategy, as amended by the Government's Inspector, encouraged bringing forward the site. With regard to road infrastructure, this would be fully considered through a Transport Assessment where early delivery of a new road would be a pre-requisite. The availability of funding to provide a link between Silk Mills and Kingston Road was a complex issue which would need to be resolved. In the meantime, steps would be taken to 'future-proof' the route of what would be an Outer Distributor Road.

Resolved that:-

- (1) The content of this information report and accompanying draft Framework Masterplan be noted; and
- (2) The draft Framework Masterplan be approved for six weeks public consultation in early 2015.

72. **Report on Publication of the Taunton Deane Site Allocations and Development Management Plan**

Considered report previously circulated, concerning the publication of the Taunton Deane Site Allocations and Development Management Plan, a copy of which had been circulated to Members of the Executive.

The Taunton Deane Core Strategy had been adopted by Full Council in September 2012. This plan provided an overarching framework for the Borough and its long-term development over the period up to 2028.

Whilst the Core Strategy had established long-term requirements for growth and its broad distribution, barring a number of larger, strategic site allocations and some high level development management policies, it had not included smaller allocations or more detailed development management policies to guide decision-making.

The Site Allocations and Development Management Plan (SADMP) had set out development management policies and further site allocations to ensure sustainable development was delivered, consistent with the objectives of the National Planning Policy Framework and the adopted Core Strategy. The Plan included strategic urban extensions at Comeytrove/Trull and Staplegrave as well as further allocations in Taunton and elsewhere in the Borough consistent with the adopted Core Strategy.

Work had commenced on the SADMP in early 2013 with the Council publishing an 'Issues and Options' consultation. The comments made through this exercise subsequently informing a 'Preferred Options' Plan which had been issued towards the end of 2013.

At all stages the SADMP has been through the Local Development Framework Steering Group which had acted as a 'sounding board' and discussion forum for planning policy matters. The Issues and Options and Preferred Options Plans had also been considered by the Community Scrutiny Committee and the Executive prior to publication.

The current stage reached in the process was referred to as 'Publication'. It was the point at which the Council agreed the draft plan which it intended to submit for consideration by The Planning Inspectorate. The Published Plan was underpinned by a considerable evidence base and the findings of previous consultation.

Following the Plan's approval by the Council it would be published. Comments were then invited relating to the 'soundness' of the Plan from communities and other stakeholders. The Plan and these comments would then be considered by an independently appointed Planning Inspector at an Examination which was likely to take place in late Spring / early Summer 2015.

The table below illustrated the remaining stages in the process of Plan preparation and an anticipated time frame. Noted that the Council would need to review its Local Development Scheme which was a project plan for the preparation of Development Plan Documents like the SADMP prior to the Plan's submission.

SADMP TIMELINE

Key Stage/Milestone	Anticipated/Actual Date
Issues and Options consultation	January/February 2013
Preferred Options consultation	October/November 2013
Published Plan stage	January/February 2015
Submission of Plan to Sec. of State	April 2015
Examination	June/July 2015
Adoption	Autumn 2015

Resolved that:-

- (1) The contents of the Draft Site Allocations and Development Management Plan be noted and that Full Council be recommended to approve the Plan;
- (2) It be agreed that minor typographical amendments to the Plan could be made following the Plan's approval but prior to its publication; and
- (3) It be also agreed the Published Plan be submitted to the Secretary of State following the formal representation period subject to the Executive Councillor for Planning and Transportation, as guided by officers, considering there are no substantive soundness issues raised which would warrant further amendment to the Plan.

73. **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 8.20 p.m.)