

Taunton Deane Borough Council

At a meeting of Taunton Deane Borough Council held at Oake Manor Golf Club, Oake, Taunton on 23 April 2018 at 6.30 p.m.

Present The Mayor (Councillor Prior-Sankey)
 The Deputy Mayor (Councillor Mrs Herbert)
 Councillors Aldridge, Beale, Berry, Mrs Blatchford, Booth, Bowrah,
 Cavill, Coles, Coombes, Davies, Ms K Durdan, Edwards, Mrs Floyd,
 Gage, Gaines, Govier, Habgood, Hall, Henley, C Hill, Mrs Hill, Horsley,
 James, R Lees, Mrs Lees, Ms Lisgo, Martin-Scott, Nicholls, Mrs Reed,
 Ryan, Mrs Smith, Mrs Smith-Roberts, Mrs Stock-Williams, Stone, Sully,
 Townsend, Mrs Tucker, Mrs Warmington, Watson, Ms Webber and
 Williams

Mrs A Elder – Chairman of the Standards Advisory Committee

1. **Minutes**

The Minutes of the special meeting of Taunton Deane Borough Council held on 19 March 2018, copies having been sent to each Member, were signed by the Mayor.

2. **Apologies**

Councillors Mrs Adkins, M Adkins, Brown, D Durdan, Farbahi, Mrs Gunner, Hunt, Mansell, Morrell, Parrish, Wedderkopp and Wren.

3. **Declaration of Interests**

Councillors Coles, Govier, and Prior-Sankey declared personal interests as Members of Somerset County Council. Councillors Bowrah, Cavill, Coombes, Gaines, Govier, Henley, James, Nicholls, Mrs Reed, Mrs Stock-Williams, Stone, Townsend, Mrs Warmington and Watson all declared personal interests as Members of Town or Parish Councils.

3. **Public Question Time**

(1) Mr T Sutcliffe stated that at its last meeting on 10 April 2018, Full Council had agreed to undertake a project for the erection and running of a 120 bedroomed hotel with an unspecified national and international branded hotel chain.

He asked if the Leader and the Portfolio Holder for Asset Management were aware of two similar projects, one in Bournemouth, the other in Leeds both of which were going to be funded by tax-payers money.

In Bournemouth, the Borough Council had agreed to borrow up to £70,000,000 to support a hotel complex near the Bournemouth International Centre in a contract with the Hilton Hotel chain.

However, following a two year delay, building had failed to start and the

project could be shelved altogether.

Mr Sutcliffe went on to say that there appeared to be an uncanny resemblance between the situation where Bournemouth was merging with Poole in the same way as Taunton Deane and West Somerset.

Bournemouth Borough Council did not consult with Poole about the hotel contract it had entered into and therefore had pledged the new merged Council to fulfill its obligations and share its risk. Had Taunton Deane fully consulted on its hotel proposal with West Somerset?

In Leeds, the City Council had sold the site of its similarly planned Hilton Hotel project to an organisation known as Oxford GB Two in 2011 and Leeds City Regional Local Enterprise Partnership had lent it £4,800,000.

However, the GB Group, of which Oxford GB Two had been a subsidiary, had subsequently gone into administration causing the hotel project to come to a complete halt. The site had since been sold by administrators and was set to be redeveloped as student flats.

In light of this, should the dangers of such commercial ventures here in Taunton not be re-examined, especially the Risk Factor included in the report considered by Members on 10 April 2018?

Would the Leader and Portfolio agree that with the acknowledged lack of expertise that the Council had in the field of commercial hotels that enormous pressure was being placed upon senior staff to perform a job which could possibly lead to a mismanagement of tax-payers funds? Had the risks attached to the proposal been underestimated? Had due diligence been undertaken with regard to those involved in the contract to ensure they were fit and proper persons? He hoped that suitable assurance could be given with regard to these matters.

Councillor Edwards stated that he would not be able to provide a full reply as he had only just received a copy of Mr Sutcliffe's questions. He promised him a full written reply.

However Councillor Edwards stated that he would pass on the details of the cases highlighted to the officers for reference purposes and confirmed that West Somerset Council had been consulted on the Taunton Hotel proposal before it was considered at the last Full Council meeting.

- (2) Mrs Tricia Cavill, Clerk to West Monkton Parish Council, referred to the item on the agenda relating to the West Monkton and Cheddon Fitzpaine Neighbourhood Plan.

She thanked the Council's Policy Officer, Ann Rhodes, for her guidance over the past three years together with Ken Toothill, the Chairman of the Neighbourhood Plan Steering Group who had skillfully carried both Parish Councils forward in putting the Plan together.

All the effort had been borne out by the comments of the Independent Examiner who had described the Plan as being both 'ambitious and innovative'.

The Mayor thanked Mrs Cavill for her comments.

4. **West Monkton and Cheddon Fitzpaine Neighbourhood Development Plan - Formal adoption as a Development Plan Document for Taunton Deane Borough Council**

Considered report previously circulated, concerning the West Monkton and Cheddon Fitzpaine Neighbourhood Plan.

Through the introduction of the Localism Act, Neighbourhood Development Plans had been introduced into the Planning system. The intention was to give communities direct power to develop a shared vision for their neighbourhood and shape a locally distinctive development plan which reflected growth needs and priorities.

From inception, Taunton Deane Neighbourhood Plans were community led development plan documents with the Local Planning Authority providing advice and assistance, and taking regulatory decisions at key legislative stages set out in the Acts and Regulations.

A Neighbourhood Plan was required to be predominantly land-use based. It could not be contrary to National and Local Planning Policy, nor could it conflict with European Legislation. A Neighbourhood Plan could not restrict development but it could shape development that had been allocated through local Planning Policy and allocate land for development.

The West Monkton and Cheddon Fitzpaine Parish Councils began the process of developing a Neighbourhood Plan in 2014 and an application was subsequently received to produce a Neighbourhood Plan and the designation of the Parish as a Neighbourhood Plan Area. As required by the Regulations, the application was published for statutory consultation for a six week period.

Following this consultation exercise, Taunton Deane formally designated the entirety of the Parishes of West Monkton and Cheddon Fitzpaine as a Neighbourhood Planning Area on 24 November 2015.

The Neighbourhood Plan and its supporting documents were submitted to the Council in November 2016 and, in accordance with the regulations, it was subjected to regulatory consultation, also for a six week period. A total of 19 representations were received during the period of consultation.

These representations were submitted to an Independent Examiner who was jointly appointed by Taunton Deane and the Parish Councils, in accordance with the Regulations, to carry out an independent examination of the Neighbourhood Plan.

The Independent Examiner's report was received on 15 January 2018 and stated that the Neighbourhood Plan was compliant and compatible, subject to a number of modifications being incorporated.

Having considered the recommendations made in the Examiner's report, The Council in consultation with West Monkton and Cheddon Fitzpaine Parish Councils and the Local Development Framework Steering Group, decided through an Executive Decision of the Portfolio Holder for Planning and Transport to accept the Independent Examiner's recommendations in full.

The West Monkton and Cheddon Fitzpaine Neighbourhood Development Plan, post examination, contained 15 policies:-

- Housing Suitable for Older Persons;
- External Materials for Residential Development;
- Refuse Bin Storage for Residential Development;
- Affordable Housing;
- Developing a Comprehensive and High Quality and Footpath Network;
- Starter Workshop Units;
- Sustainable Diversification of Rural Buildings for Other Employment Uses;
- Retain Existing Employment Land/Buildings for Employment Usage;
- Social Care Employment Opportunities;
- Wider Roll Out of Broadband Connectivity;
- Dark Skies;
- Green Space and Wildlife;
- Flood Attenuation;
- Recreation and Community Facilities; and
- Local Green Spaces.

There was also one Community Action relating to the development of high quality bus infrastructure.

Further reported that to comply with the Neighbourhood Planning (Referendum) Regulations and Neighbourhood Planning (Prescribed Dates) Regulations, the Neighbourhood Plan had to be subjected to a referendum. This had taken place on 5 April 2018. Those persons on the Electoral Register eligible to vote were asked whether they wanted Taunton Deane to use the Neighbourhood Plan for West Monkton and Cheddon Fitzpaine to help it decide planning applications in the neighbourhood area.

From the 4,731 electorate in the Neighbourhood Plan Area, 1,086 persons voted and 94% (1,021) of those eligible to vote voted in support of the neighbourhood plan, 5.8% (63) voted against and two ballot papers were rejected.

Noted that the Planning Guidance stated that as soon as it was reasonably practical following a referendum, the Council – as the Local Planning Authority – was required to decide whether the Neighbourhood Plan should be adopted.

Resolved that the West Monkton and Cheddon Fitzpaine Neighbourhood Plan be formally adopted (“made”) as a Taunton Deane Borough Council Development Plan Document.

5. **Proposed Warding Pattern for the New Council**

Considered report previously circulated, concerning the proposed warding pattern for the new Council.

Following the decision of the Secretary of State to confirm his 'minded to' decision to create a new Council, it would be necessary for the Local Government Boundary Commission for England (LGBCE) to establish the electoral arrangements in time for the May 2019 local elections.

The Structural Change Order (SCO) that had been laid before Parliament made provision for the size of the new Council to be 58 Councillors. The focus was therefore to establish warding arrangements for the distribution of these Councillors across the new Council area. The output from this process would be to determine the number of wards, the ward boundaries, the number of Councillors to be elected to each ward and the names of each ward.

Before undertaking their formal process, the LGBCE would normally invite interested parties to submit any proposals for them to consider prior to making their initial formal recommendations.

However, whilst the LGBCE would not be commencing their work until the SCO was approved, the Minister of Housing, Communities and Local Government (MHCLG) would ensure that the process was not held up by requesting the receipt of any initial proposals to be submitted to him by 4 May, 2018.

This was therefore an important opportunity for the Council to influence the recommendations that the LGBCE would make with regard to the warding arrangements.

Once the SCO had been approved, all representations received by the MHCLG would be forwarded to the LGBCE to formally commence their review. The LGBCE would then formally adopt the size of 58 Councillors for the new Council and publish their initial recommendations for the warding arrangements which would be the subject of public consultation from 3 July, until 27 August, 2018. The LGBCE would then publish their final recommendations in October 2018 with the Electoral Arrangements Order being made in early 2019.

As part of the formal LGBCE review process, the Council was required to prepare electorate forecasts for five years hence taking into account possible new developments and inward and outward migration.

This has been done and the LGBCE was in the process of validating these forecasts. If the current figures were signed off, then in respect of the new Council it was estimated that there should be an average electorate of 2,063 per Councillor.

In order for a credible proposal to be put forward, regard needed to be given to the three statutory criteria as set out in the LGBCE statutory guidance. These criteria were:-

- (1) Electoral Equality for Voters;

- (2) Reflecting Community identities and interests; and
- (3) Providing for convenient and effective local government.

Reported that a New Council Working Group, had been established to help co-ordinate Member activity in respect of arrangements to establish the new Council.

It had been agreed that in order to facilitate discussions to assist in the formulation of any proposal(s) at this stage, an indicative plan should be prepared demonstrating one option for how 58 Councillors could be warded across the new Council area.

This plan had used existing Parish Council boundaries and had initially allocated the urban areas of Taunton, Minehead and Wellington a number of Councillors each that did not prejudice electoral equality across the whole area. The plan had been circulated to all Councillors and Parish and Town Councils and community groups in the unparished area of Taunton seeking views on the warding arrangements for the new Council area by early April 2018. Noted that meetings with the various political groups had also taken place.

Given that the current number of Members was 84 and this figure was to be reduced to 58, it was recognised that there were likely to be changes required in any new warding arrangements with the majority of district wards covering larger areas than they did at present.

Further reported that copies of all comments received from Parish and Town Councils, organisations and individuals received in response to the request for views would be submitted in full to the LGBCE.

After full consideration, the Working Group had agreed to put forward the option set out on the plans forming Appendix A to the report for consideration at special meetings of the Taunton Deane and West Somerset Full Councils.

This preferred option had been modified from that originally circulated to accommodate where possible at least some of the representations that had been received.

Appendix A included a map showing a geographical distribution of the proposed single and multi-Member wards which were cross referenced in the supporting table that set out a proposed ward name, the number of Councillors for the ward, the estimated electorate as at 2023 and the forecast electoral variance for the ward together with any explanatory text providing evidence and rationale that the proposals met the three statutory criteria.

If the preferred option as drafted in respect of Minehead and Wellington was approved for consideration by both the MHCLG and LGBCE, it would result in some of the existing Town Council Wards being split across the proposed district wards for the new Council. Therefore if the MHCLG/LGBCE agreed to take these proposals forward they would be requested to make consequential parish warding arrangements within these towns so that each Parish Ward wholly aligned with the new district ward.

Reported that whilst it would be ideal if the two Councils agreed to support the same or similar option for submission to the MHCLG, there was no requirement for this to happen and the Councils could agree to submit different representations or make no representations at all at this stage.

It was also open for political groups, organisations and individuals to submit any representations at his stage direct to the MHCLG. With a further public consultation period planned over July and August 2018, provisional dates for potential special meetings of the two Councils would be scheduled in August to provide the opportunity for further formal representations to be made at that stage should this be considered appropriate by either/both Councils.

During the discussion of this item, various points were made about the proposed names of some of the wards, the potential to split Wellington West away from Rockwell Green and what appeared to be a 'democratic deficit' in the proposed number of Councillors who would represent the unparished area of Taunton. Members were encouraged to make their representations on these points to the MCLHG.

In accordance with Standing Order 18(2)(b), the Mayor called for a formal roll call of votes to be taken and recorded in the Minutes in relation to the recommendation, which is detailed below, was put and was carried with 28 Councillors in favour, 14 against and 1 abstention as follows:-

Resolved that the proposed warding arrangement for the new Council area as set out in Appendix A to the report as the preferred proposal put forward by the New Council Working Group with or without amendments be submitted to the Minister of Housing, Communities and Local Government for consideration.

Yes	No	Abstain
Councillor Beale	Councillor Booth	Councillor Aldridge
Councillor Berry	Councillor Coles	
Councillor Mrs Blatchford	Councillor Mrs Floyd	
Councillor Bowrah	Councillor Govier	
Councillor Cavill	Councillor Henley	
Councillor Coombes	Councillor Mrs Hill	
Councillor Davies	Councillor Horsley	
Councillor Ms Durdan	Councillor R Lees	
Councillor Edwards	Councillor Mrs Lees	
Councillor Gage	Councillor Ms Lisgo	
Councillor Gaines	Councillor Nicholls	
Councillor Habgood	Councillor Mrs Smith	
Councillor Hall	Councillor Mrs Smith-Roberts	
Councillor Mrs Herbert	Councillor Stone	
Councillor C Hill		
Councillor James		
Councillor Martin-Scott		
Councillor Prior-Sankey		

Councillor Mrs Reed		
Councillor Ryan		
Councillor Mrs Stock-Williams		
Councillor Sully		
Councillor Townsend		
Councillor Mrs Tucker		
Councillor Mrs Warmington		
Councillor Watson		
Councillor Ms Webber		
Councillor Williams		

(The meeting ended at 7.31 p.m.)