

## **Executive – 14 October 2009**

**Present:** Councillor Henley (Chairman)  
Councillors Coles, R Lees, Paul, Prior-Sankey, Slattery, Mrs Smith,  
A Wedderkopp and Mrs Wilson

**Officers:** Penny James (Chief Executive), Joy Wishlade (Strategic Director),  
Tonya Meers (legal and Democratic Services Manager), Caroline  
Corfe (Community Arts Officer), Maggie Hammond (Strategic Finance  
Officer), Adrian Priest (Asset Holdings Manager) and Richard Bryant  
(Democratic Services Manager)

**Also present:** Councillors Cavill, Mrs Court-Stenning, Hayward, Morrell and  
Williams.  
Mark Green, Project Taunton

(The meeting commenced at 6.15 pm.)

### **83. Minutes**

The minutes of the meeting of the Executive held on 16 September 2009, copies of which had been circulated, were taken as read and were signed.

### **84. Declarations of Interest**

Councillors Henley, Paul and Prior-Sankey declared personal interests as Members of Somerset County Council. Councillor Prior-Sankey also declared a prejudicial interest in the item covered by Minute No. 89 below and left the meeting during its consideration. Councillor Coles declared a personal interest as a Director of Southwest One. Councillor Mrs Smith declared a personal interest as an employee of Somerset County Council. Councillor Slattery declared personal interests both as a Member of the Somerset Waste Board and as an employee of Sedgemoor District Council.

### **85. Task and Finish Review into Employment Land in Taunton**

Submitted for information, comment and approval the recommendations of the Employment Land in Taunton Task and Finish Group.

The Task and Finish Review had been set up to seek a solution to the growing demand for employment land in and around Taunton.

At its first meeting, the Task and Finish Review had agreed that its terms of reference should be as follows:-

- To review the strategic employment sites currently available and recommend whether they ought to remain in the Local Plan;

- To identify locations for alternative strategic employment sites which could be more readily available for a wide range and types of businesses;
- To establish what could be achieved through the preparation of the current Local Development Framework (LDF) whilst considering how lengthy potential delays to land coming forward for development might be overcome;
- To undertake consultations with interested parties;
- To consider how the Council should work with statutory bodies such as the Highways Agency and others to enable any proposed sites to be brought forward; and
- To make recommendations to the Executive.

At the first meeting the Task and Finish Group acknowledged that it did not intend to duplicate work already being undertaken by the LDF Steering Group and that any recommendations made by the Task and Finish Group would feed into the preparation of the Core Strategy and the LDF.

A series of meetings of the Task and Finish Review had been held and evidence had been collected from a number of sources including consultants, professional agents and developers and officers from Somerset County Council and other statutory agencies.

The Task and Finish Group had discussed the recommendations it wished to make to the Executive. These recommendations had initially been considered by the Corporate Scrutiny Committee on 6 August when a number of amendments were suggested. The Task and Finish Group has incorporated these amendments into the recommendations which were as follows:-

#### **Recommendation 1**

In line with Circular 02/2009, the Council should initiate discussions with landowners and developers for the release of immediate short term employment land opportunities at Nerrols, Creech Heathfield and Walford Cross and other suitable sustainable sites for up to 5,000 square metres (around 2 hectares per site). Such discussions should aim to encourage the owners of land to release sites to businesses, wherever possible, on a freehold rather than a leasehold basis;

#### **Recommendation 2**

In line with Circular 02/2009, the threshold for out-of-centre office proposals for requiring a sequential assessment be raised to 1,000 square metres. This should enable additional windfall opportunities to come forward in the short term;

#### **Recommendation 3**

A strategic employment site of about 25 hectares with good access to both

the M5 Motorway and the A358 should be brought forward in the medium/long term, through the LDF. The Council recognise that it needed to collaborate closely with all relevant agencies if it wished to build in flexibility into the Core Strategy. The owners of any potential site identified should again be encouraged to release sites to businesses, wherever possible, on a freehold rather than a leasehold basis;

#### **Recommendation 4**

To progress a strategic employment site it was also recommended that a working group be set up and led by the Strategic Director, involving Economic Development, Project Taunton and representatives of all relevant agencies, a Councillor representative and others as appropriate, with the purpose of developing an evidence base and proposal for the LDF Core Strategy. Consideration should be given to a representative from Sedgemoor District Council being invited to sit on the Working Group. As part of this process there should be community engagement with the parishes that would be affected. It was recommended that the strategic employment site should provide opportunities for major inward investment and relocation of existing sites to Taunton. It was accepted development (non Class A1) would be necessary to fund the initial infrastructure to open up the site, but the total proportion of floor space for such uses should remain ancillary (around 10%) and focus on medium sized office suites (300 – 1,000 square metres) in order to remain consistent with Government policy and to avoid undermining Firepool as the strategic office site for the Taunton Strategically Significant City and Town (SSCT). Such a Working Group should report back to the Corporate Scrutiny Committee within 4 months, with a progress report;

#### **Recommendation 5**

The Executive be requested to identify the specific partners for the Working Group which would be led by Taunton Deane with the process and reporting back arrangements (to ensure progress was measured) being led by the Strategic Director, Joy Wishlade.

**Resolved** that the recommendations of the Employment Land in Taunton Task and Finish Group be accepted.

#### **86. The Public Life of Public Space : The Taunton Deane Public Art Code**

Considered report previously circulated, concerning the Taunton Deane Public Art Code and its implications for development of the public realm in the future.

Taunton Deane Borough Council had adopted the 1% for Public Art and Design Policy in June 2007. However, recognising the difficulties associated with requesting 1% of costs towards public art, the Public Art and Design Panel had commissioned independent Cultural Consultants to produce clearer guidelines for developers and a commissioning plan for Taunton as developments moved forward.

The Taunton Deane Public Art Code clarified the Council's policy statement. It had been re-worded as follows:-

“Taunton Deane Borough Council adopted a Public Art and Design Policy in June 2007. The aim was to promote and support excellence in public art as an integral element of the design of buildings and development and enhancement of the public realm. The policy related to large new buildings and open space developments in Taunton Deane under private and public ownership.

All developments in excess of 15 residential units or 2500 square metres (gross) of commercial floorspace would be required to contribute towards the public art and public realm enhancements through commissioning and integrating public art into the design of buildings and the public realm or by a commuted sum to the value of one percent of development costs.”

The Code contained policy and guidance on the planning process and how artists could be used at each stage of development, from the master planning process to community engagement as well as the creation of site specific pieces of work.

The Commissioning Plan gave the creative rationale underlying the Code, and recommended adopting the three themes of 'Play, Knowledge and Nature' to inspire public art approaches. This Plan also identified connectivity and legibility as key issues that public art could help address.

Reported that the Code would be designed into an attractive publication with images and examples of best practice. Noted that the Council was aiming to achieve best practice in developing Taunton as a sustainable, green, imaginative and distinctive town through creative contributions into planning and using public space.

The plan for the remainder of the current financial year included the need to move ahead with the Connectivity and Legibility Study and secure agreement on approaches to routes to and from the station and other transport interchanges, the River Tone and the town centre. A copy of the draft brief was submitted for the information of Members.

It was hoped to secure £10,000 for the specialist public art consultant to facilitate the study and for artists to undertake community engagement.

**Resolved** that the “Public Life in Public Spaces: The Taunton Deane Public Art Code” be endorsed.

#### 87. **Growth Point Funding – Re-profiling the Spending Plan**

Reference Minute No. 23/2009, considered report previously circulated, concerning the need to re-profile the Growth Point Funding Spending Plan.

In December 2008 Taunton Deane and Somerset County Council were advised that the Growth Point allocation for Taunton was £3,338,104 capital and £301,249 revenue in 2009/2010 and a provisional amount for 2010/2011 of £3,972,516 capital and £300,698 revenue.

The priorities for using this funding were discussed with members of the Project Taunton Steering Group and the Project Taunton Advisory Board and were subsequently approved by the Executive earlier in the year. Details of the Funding Plan were submitted.

A letter from the Minister for Housing and Planning had been received in July 2009 reducing the capital allocation for 2009/2010 by 43% to £2,248,263. The revenue funding had not been reduced. The Minister also advised that there would be formal consultation on this proposal. Although this consultation period had only just commenced, a joint letter with the County Council had already been sent to the Minister setting out the reasons why the reduction should not be as onerous in Taunton.

Discussions had also been held with the Homes and Communities Agency (HCA), the Regional Development Agency (RDA) and with the Government Office for the South West (GOSW). All had agreed that it would be unlikely that the reduced figure quoted in the letter would be increased.

In view of all the other statements on the reduction in public spending next year and in the absence of any firm commitment from the Government about even the reduced figure being available, it was felt prudent to have two delivery options: one with no further Growth Points being available and the other with the reduced figure for 2010/2011.

Details of the re-prioritised spending plan were also submitted. The new element was the completion of the Northern Inner Distributor Road. This showed that if the Council continued to undertake the works previously prioritised and if no Growth Point funding was received next year, there would be an overspend of £2,691,000.

In this scenario it would be Castle Green which would be at risk as this was the project that was least aligned to the delivery of housing and economic growth. If the reduced Growth Point funding was received an overspend of £443,000 would still occur. However, in the current economic climate it was expected some tenders were likely to be well below the budget amount reducing the anticipated overspend significantly.

**Resolved that:-**

- (1) the amended priorities for Growth Points be approved; and
- (2) Full Council be recommended to agree the change to the Capital Programme of the capital elements of the Growth Point Funding Plan.

## 88. **Exclusion of the Press and Public**

**Resolved** that the Press and Public be excluded from the meeting for the following item because of the likelihood that exempt information would otherwise be disclosed relating to Clause 7 of Schedule 12(A) 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.

89. **Potential Purchase of Capital Asset, Taunton**

Reference Minute No. 55/2009, reported on the progress made to date with the proposed purchase of this capital asset.

As part of the due diligence for this project a legal report on various obligations in the lease was requested in order to identify what terms had / had not been complied with that would affect an investment / development appraisal. This advice had now been received and details were reported. A particular course of action had been recommended to the Executive as a result.

In addition, and as outlined in Minute No. 87 above, the reduction in Government funding meant that Project Taunton's budget/Growth Points would not be in a position to become involved in this project financially. Ownership of this project would now pass to the Property Asset Management Team.

**Resolved** that:-

- (1) Due to the change in circumstances and the new information received in connection with the lease, the decisions taken by the Executive on 17 June 2009 concerning this matter (Minute No. 55/2009) be rescinded; and
- (2) Either officers with relevant experience in Southwest One, or an external professional agent, be instructed to carry out negotiations with the current leaseholder with a report being submitted to the Executive for further decision by 13 January 2010 at the latest.

(The meeting ended at 7.20 p.m.)