

Executive – 21 April 2016

Present: Councillor Williams (Chairman)
Councillors Beale, Berry, Edwards, Mrs Herbert, Parrish and
Mrs Warmington

Officers: Penny James (Chief Executive), Ian Timms (Assistant Director – Business
Development), Jo Nacey (Finance Manager), Mark Leeman (Strategy and
Partnership Lead), Simon Doyle (Performance and Development Manager),
Christian Trevelyan (Partnership Manager, South West Private Sector
Housing Partnership) and Richard Bryant (Democratic Services Manager)

Also present: Councillors Aldridge and Coles
Anne Elder, Chairman of the Standards Advisory Committee

(The meeting commenced at 6.15 pm.)

18. Apology

Councillor Habgood.

19. Minutes

The minutes of the meeting of the Executive held on 9 March 2016, copies of which
had been circulated, were taken as read and were signed.

20. Declarations of Interest

Councillor Mrs Herbert declared a personal interest as an employee of the
Department of Work and Pensions. Councillor Beale declared personal interests as
a Board Member and Director of Tone FM and as a Governor of the South West
Ambulance NHS Trust. Councillor Parrish declared a personal interest as the
District Councils' representative on the Somerset Pensions Committee.

21. Superfast Broadband – Delivery of Phase Two Rollout

Considered report previously circulated, which sought to update Members on the
procurement process for the delivery of Superfast Broadband Phase Two.

This programme was being delivered through the Connecting Devon and Somerset
Partnership (CDS) through its non-commercial rollout out programme. Phase One
of this project was currently seeking to bring Superfast Broadband to a minimum of
90% of all premises by end of 2016.

The second phase would seek to increase the level of coverage to a minimum of
95% across the partnership area. In order to support this goal a range of partners,
which included Taunton Deane had agreed in principle to make a financial

contribution to the project. In the case of Taunton Deane, this was a capital contribution of £380,000. All of the partners had been asked to sign a Collaboration Agreement to confirm their financial commitment to this phase.

The signing of this agreement would enable the overall financial package to be finalised. This would, in turn, lead to the invitation to tender (ITT) being issued.

The initial exercise to procure this additional coverage had culminated in early summer 2015. The deadline for that procurement phase was driven by the expiry of a State Aid Notice on 30 June 2015 which had enabled the funding package to be delivered.

The initial procurement was split into two packages:-

- The main package related to the wider CDS area; and
- The smaller package covered Exmoor and Dartmoor which were areas that required alternative solutions to provide the desired level of coverage.

The main package was procured using the framework agreement. Only one bid had been received from BT which failed to meet the contract requirements and had therefore been rejected.

The secondary package covering the two Moors was procured on an open tender basis. The contract was awarded to Airband who were delivering a Wi-Fi solution to provide the required coverage.

The new procurement phase for the main package had been underway over the past 6-9 months. In order to enter the next phase of the procurement CDS were seeking to ensure that all partners had signed off the Collaboration Agreement. Noted that the securing of a delivery partner would also require a State Aid Notice to be granted which would be used alongside the financial package.

In committing to sign the agreement there were some key risks and issues to consider:-

Indemnity - There was a specific risk related to the procurement itself as each partner would indemnify the lead authority for its proportionate share of the procurement exercise and the contract management process. The exposure of the Council (at 6.22%) was therefore relatively small but remained a risk associated with process. This risk would be mitigated by the measures outlined in the report.

Board Representation - In the initial procurement exercise the Somerset Districts were offered one representative on the CDS board. This was currently occupied by Councillor John Williams. Since then there had been further negotiations which had led to the offer of an additional place to represent Districts on the Board to reflect the relative financial commitment being made by them.

Local Outcomes and Ring Fencing - The agreement reflected the requirement from each funder that the monies provided were spent in their respective district.

There is also a clear commitment to secure Value for Money which translated into securing the maximum possible benefit for the monies committed by each partner.

The tender would set a minimum threshold of 95% Superfast coverage across the CDS area. However as the procurement was subject to bidders assessing what was technically possible it was not possible to issue a guarantee around the specific gains in each district.

The secondary consideration related to how much extra benefit would be gained from contributing. As the Council had Broadband as a priority it appeared logical to make the financial contribution that had been requested.

Repayment of contributions - All partners had requested clarification on what circumstances could enable their withdrawal from the rollout delivery phase. Although this risk would be addressed through the tender process, in reality withdrawal would only be possible in the situation where the contract was inoperable.

Reported that the Executive was recommended to endorse the signing of the Collaboration Agreement by the Assistant Director – Business Development, in consultation with the Portfolio Holder.

Noted that the subject had been discussed by the Corporate Scrutiny Committee on 31 March 2016. Although a number of issues were highlighted these had since been addressed via a CDS newsletter which had been circulated to all Councillors. The Committee had also requested that the Shadow Portfolio Holder be added to the second part of the recommendation. With regard to this latter point, the Executive agreed that this would be unnecessary.

Resolved that:-

- (1) The update on the procurement process to deliver Phase 2 Superfast Broadband be noted; and
- (2) The proposal to grant delegated powers to the Assistant Director - Business Development to sign the Collaboration Agreement in consultation with the Portfolio Holder for Economic Development be supported.

The Chairman, Councillor Williams, left the meeting at 6.30 p.m. Councillor Edwards took the Chair.)

22. **Empty Homes in Taunton Deane and the Draft Empty Homes Strategy and Review of the Empty Homes Coordinator Post**

Considered report previously circulated, concerning the issue of empty homes. At best empty homes were a waste of valuable resources but often empty properties could be a blight on neighbourhoods and their environment.

Tackling “Empty Homes” was a national, regional and local priority as follows:-

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

This Government Strategy contained four priorities, one of which was to ‘tackle empty homes’.

Somerset Strategic Housing Framework (2013) - Priority 2 of The Strategic Housing Framework sought to ‘make the best use of the sub-regions’ existing housing stock’ and to ‘bring empty homes back in to use and utilise them for those in housing need’. The framework noted 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.

Current Empty Homes Strategy (2009/2010) - The Council’s existing Strategy was no longer fit for purpose. Legislation had changed and so too had the financial incentives. In addition, Hinkley C would have a significant impact. The context had completely changed requiring the development of a new Strategy.

Bringing Long Term Empty (LTE) homes back into use had revenue implications for local authorities. For each LTE that was brought back in to use, the Council would receive approximately £7,000 through New Homes Bonus (NHB) based on receiving NHB for six years. However, if the number of LTE homes increased (from one year to the next) then this number would be deducted from the number of newly constructed properties from which NHB was also claimed. So there was a ‘carrot and stick’ financial approach to bringing LTE homes back in to use.

Reported that an Empty Homes Strategy for 2015-2018 had been drafted in conjunction with the Somerset West Private Sector Housing Partnership (SWPSHP). It therefore applied to three local authority areas: Sedgemoor, Taunton Deane and West Somerset.

The draft Strategy had two key priorities:-

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

To achieve these priorities, the SWPSHP would take into account the following key elements:-

- (1) The length of time the property had been empty, with officers focussing on those empty for more than six months;
- (2) If the property was having a negative impact on the area; and
- (3) If the owner was taking steps to deal with the problems to return the property back into occupation.

The draft Strategy identified how these priorities would be delivered and concluded with an Action Plan together with targets and arrangements for monitoring and review.

A consultation exercise had been undertaken earlier in the year and details of the 45 responses received were submitted. Specific comments related to the availability of

grant funding and the use of enforcement powers. It was acknowledged that enforcement would be a matter of last resort and that any desire to proceed with enforcement would require a decision of the relevant Executive member.

Further reported that through the One Team, Taunton Deane and West Somerset Councils had appointed an Empty Homes Coordinator (EHC) on a one-year fixed term contract from 1 July 2015. The postholder worked three days per week (33% funding coming from West Somerset) and their role was to:-

- Maintain and develop the Empty Homes Property database;
- Ensure that the Council Tax register was clear and accurate;
- Provide information, advice and guidance to empty home owners to assist them in bringing properties back into use; and
- Provide accurate numbers to enable NHB to be claimed.

Empty Homes in Taunton Deane

As at 11 January 2016, the number of LTE homes within Taunton Deane was 472. 118 of these properties had been empty for over two years and the owner of the property was charged a 50% premium or levy on their Council Tax – the equivalent of 150% of the normal Council Tax charge.

The EHC had a key role to carry out a canvas of properties to update the Council's records for the October Council Tax Return. Ideally, the EHC would undertake validation visits to all properties once a year, however, this would not be feasible, given the limited resources available. Nevertheless, the EHC would undertake as many visits as possible, as there were potentially significant financial gains to be achieved.

Noted that Central Government counted the number of empty homes brought back into use by comparing the number of such properties reported on the annual Council Tax Base (CTB) return each October.

The role of the EHC was therefore very much focused on ensuring the Council Tax database was as accurate as possible and to ensure owners of LTE's promptly reported changes of circumstances, as well as providing information and guidance on how best to get the property back into use.

Noted that there were several projects that sought to bring empty homes back in to use. This included various forms of financial assistance which were outlined in the report.

Further reported that the EHC post was an initial 12 month temporary appointment and it was now time to review this post and to make a decision as to whether to extend the contract.

Submitted details of the activities undertaken by the EHC to date and the lessons that had been learnt. For 2015, the Council had reported 464 LTE properties on the CTB return, compared to 478 in 2014, a net reduction of 14. This had resulted in an extra £17,091 claimed from the NHB in one year.

Despite this, measuring the success of the EHC post needed careful consideration. It was not as simple as merely taking the baseline figure of the CTB1 returns as a measure of success and this was significantly impacted by new empty homes / LTEs being recorded. A smarter set of indicators would be required based on the recording of direct interventions and the resulting success rate. Such performance indicators would be developed in due course.

Accordingly, it was proposed to extend the contract of the EHC post on the following basis:-

- Maintain the existing job description and salary;
- The post to continue to be based in the Revenues and Benefits service;
- Three days per week (One day for West Somerset and two days for Taunton Deane); and
- Two year fixed term contract to 30 June 2018 (before which a further review would be undertaken).

Funding to be provided as follows:- Somerset County Council: 20%; Of the remainder: 33% West Somerset, 67% Taunton Deane.

Reported that the Community Scrutiny Committee had considered this matter at its meeting on 5 April 2016. No formal comments or recommendations on this proposal were provided for consideration by the Executive.

Resolved that:-

- (1) The Draft Empty Homes Strategy be approved; and
- (2) A two year extension to the contract for the Empty Homes Coordinator be approved on the basis of three days per week (i.e. as existing: one day for West Somerset and two days for Taunton Deane) with the Council's share of the cost funded from an underspend in 2016/2017 budget.

23. **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 6.48 p.m.)