

Taunton Deane Borough Council

At a meeting of Taunton Deane Borough Council held in the Council Chamber, Shire Hall, Shuttern, Taunton on 12 December 2017 at 6.30 p.m.

Present The Mayor (Councillor Prior-Sankey)
 The Deputy Mayor (Councillor Mrs Herbert)
 Councillors M Adkins, Mrs Adkins, Aldridge, Beale, Berry, Booth, Bowrah,
 Brown, Cavill, Coles, Coombes, Davies, Edwards, Farbahi, Mrs Floyd,
 Gage, Gaines, Govier, Mrs Gunner, Habgood, Hall, Henley, C Hill, Mrs Hill,
 Horsley, Hunt, James, R Lees, Mrs Lees, Ms Lisgo, Martin-Scott, Morrell,
 Nicholls, Parrish, Mrs Reed, Ross, Ryan, Mrs Smith, Mrs Stock-Williams,
 Sully, Townsend, Mrs Tucker, Mrs Warmington, Watson, Williams and
 Wren

Mrs A Elder – Chairman of the Standards Advisory Committee

1. **Minutes**

The Minutes of the meeting of Taunton Deane Borough Council held on 3 October 2017, copies having been sent to each Member, were signed by the Mayor.

2. **Apologies**

Councillors Mrs Blatchford, D Durdan, Ms K Durdan, Mrs Smith-Roberts and Wedderkopp.

3. **Communications**

The Mayor drew the attention of Members to the Carol Concert that had been arranged in a weeks' time on Tuesday, 19 December 2017 at the St Mary Magdalene Church, Taunton starting at 6.30 p.m.

She hoped as many Councillors as possible would be able to attend.

4. **Declaration of Interests**

Councillor Coombes declared a prejudicial interest in agenda item 8 as he was the owner of land adjacent to the site the subject of the Nexus 25 Local Development Order. He left the room during the discussion of this item.

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

5. **Public Question Time**

(a) Lisa Horman, who was representing a number of local groups with particular interest in The Garden Town Plan for Taunton, was of the

view that the plan had to enshrine the Garden City Principles and draw from other sources of evidence about how the environment in which we lived affected Quality of Life.

It was important that the Taunton Garden Town was, in the future central to all the strategies, policies and functions of the Council, including planning, housing, transport, environment, communities, sustainability and health and wellbeing.

In addition, effective leadership and community participation should call upon the knowledge and experience of existing organisations to ensure that the vision was shared and owned by as many local people as possible and then measured against recognised targets.

There were a number of key themes that could be followed including:-

- Promoting human interaction in the local environment by the co-location of facilities and infrastructure in an integrated way;
- Activating the environment to maximise sustainable community participation;
- Prioritising environmental factors such as wildlife, existing and new green spaces, air quality, energy provision and water management;
- Transport policies and design decisions which prioritised walking and cycling; and
- Inclusive and high quality design and sustainability principles to be used at all levels.

In the view of Ms Horman the Garden Town Plan for Taunton was the perfect opportunity to strive for the highest possible quality of life of everyone who lived, worked in or visited Taunton.

How was the Council going to ensure that this outcome was achieved?

In response, Councillor Habgood thanked Ms Horman for her statement and question which appeared to stem from the recent conference held on the subject. He was really proud that Taunton had achieved Garden Town status and looked forward to working with the local groups whom Ms Horman was representing to ensure that the Garden Town would be of real benefit to local residents.

(b) Paul Partington referred to the questions he had previously raised at Full Council a year ago.

The only improvement he had seen seen was that the turning flags were now in position at the Station Road and Wellington Pools.

He reminded Councillors as to the importance of having proper lane ropes which made a real difference to those who could just swim, those learning and those doing serious swimming. Ropes together with standard lane widths would result in swimmers adhering to lane etiquette, thus making better use of the water area.

Mr Partington also raised issues concerning the need for the timing clocks to

be relocated at both Wellington and Blackbrook Pools so that they could be easily read by swimmers, the lack of a drinking fountain in the swimming hall at Blackbrook and the need to provide additional equipment at the three Leisure Centres in Taunton Deane to cater for all participants.

The Council had, in recent years, spent £7,000,000 on swimming facilities. Would it please now spend the extra insignificant sum to address the above matters?

Councillor Herbert thanked Mr Partington for raising his issues which she would continue to work with GLL address. She added that if he wished, Mr Partington would have the opportunity of raising his issues directly with representatives of GLL at tomorrow evening's Community Scrutiny Committee meeting.

- (c) Roger House referred to the Council's proposed Asset Strategy which might be beneficial in helping to devolve assets to established parishes. However without a new town council for the many Taunton Green Spaces listed in the Strategy, moving them to voluntary sector ownership that could be sustained was unrealistic.

It was estimated that a town council would require a budget of at least £1,500,000 per annum to maintain the green spaces, a number of community buildings and other responsibilities.

Currently the Unparished Area Special Expenses yielded only £45,000 per annum. To raise a further £1,500,000 a £100 rise in local Council Tax for a Band D home would be required.

In April this year Swindon Borough Council imposed four new parishes in its unparished area. In Swindon Central South a new urban parish had 40,000 electors. 23 new Parish Councillors had been elected in five wards with a first year precept of £2,000,000 and local Council Tax rising from £30 to £115 for a Band D home.

That could be Taunton too later in the merger process, to logically free all "parish" duties from the new Council, promising £1,500,000 spending to redirect elsewhere.

Taunton residents needed to be protected from this high risk impact. So the question was could Taunton Deane develop a 'Plan B' Asset Strategy, to identify and reserve a basket of Taunton property, our green spaces plus a meaningful share of our revenue generating buildings or car parks to enable an orderly step by step transfer to a democratically elected town council?

In reply, Councillor Williams reported that a Town Council would need income if one was set up in Taunton. He promised Mr House a full written response to the points he had raised.

- (d) Mrs Dorothea Bradley stated that apart from the problem of affordability to first time buyers resulting from Government subsidy of the housing market, artificially low interest rates and over lending beyond the historic ratio of 3 x annual salary, the main problem was the lack of social housing.

30% of the population were not in a position to buy and/or meet the full cost of their housing needs. Does Taunton Deane recognise in its plans:-

- Need as to tenure: renting;
- Need as to location: within 10 minutes of facilities – buses are too expensive or infrequent; and
- Need as to design: Sufficient space and how it was arranged.

Was the Council aware of the social and health costs arising from the loneliness of these blanket housing estates with their lack of facilities and transport and the isolation resulting from suburban design? Did the Planning Committee recognise the difference between vertical and horizontal lines in building design?

In reply, Councillor Habgood said that the Council did recognise the needs of the community especially over time when needs tended to change. Taunton Deane did listen to the community but could not always agree to what was being said. He promised Mrs Bradley a fuller written response.

The following five speakers all raised questions in relation to agenda item No. 7, the motion relating to the reinforcement of 25% affordable housing in the Core Strategy.

(e) Jackie Calcroft, representing the Residents of Staplegrove Action Group (RoSAG) reported that it was now well recognised that across the country, developers were holding Councils to ransom by stating, well into the planning process, that due to viability issues they no longer found themselves able to meet affordable housing targets. This was recently the case for the Staplegrove development.

In its Core Strategy the Council had a target of 25% affordable housing. In many other neighbouring authorities the target was 35%. This meant that when developers submitted their pleas for viability, the 10% reduction in the percentage of affordable housing they subsequently had to provide averaged 25% and not 15% as with Staplegrove!

Taunton's 2017 Housing Market Profile quoted a terraced house locally as costing 6 x the average Taunton Deane wage [£25,000]. Yet the National minimum wage for over 25's was £15,200. This made a terraced house locally just under 10 x their income!

Mrs Calcroft also referred to the Land Trajectory table in the Strategic Housing Land Availability Assessment which detailed the total number of houses built year on year on each of the allocated sites. However, it was a total number and did not separately illustrate the quantity of market value houses and the quantity of affordable homes built.

She asked:-

(1) Would the Council please re-appraise its Affordable Housing Policy to include the building of more council houses for those who regrettably will never be in a position to get on the housing ladder? and

(2) Would the Council please introduce another column into its "land trajectory" to clearly indicate both the number of market value price housing and the number of affordable housing?

She also asked Councillors to support the motion on the agenda to show that Taunton Deane was a Council which clearly stood up for all its electorate and publicly committed itself to being a genuine voice for those who needed to have somewhere affordable to live.

(f) Mr Alan Paul said that most of the residents of the communities about to experience a massive new housing estate were prepared to accept it on two conditions.

First, if it came with as much affordable and rented housing as possible - at least matching the 25% target in the Taunton Deane Core Strategy. Second, if it came with adequate infrastructure to overcome the problems the housing brought with it.

The first condition had recently been breached in Staplegrove, which would cost nearly 200 affordable homes for local families and individuals. In Comeytrowe/Trull, the developer was challenging the 25% planning condition.

The motion on the agenda was a serious attempt to provide a robust defence of the Council's targets on affordable housing. Local families who needed low cost and rented homes depended on the Council to provide them

There were only two explanations for what was happening at the moment. Either the Council was letting developers get away with a betrayal of local communities, or developers could not make a reasonable profit while providing effective infrastructure and affordable housing, in which case the Council had chosen the wrong sites. Which was it?

(g) Mr Brian Collingridge, a Wiveliscombe Town Councillor stated that like all of Taunton Deane, Wiveliscombe had a housing problem.

The Town Council had conducted two Housing Needs surveys in Wiveliscombe in the past revealing a real need for housing to rent. By working with Magna Housing Association, two blocks of housing at Tuckers Meadow and Allenslade had been built to partly meet that need.

However, as properties had become available for re-letting it had been clear from the number of applicants that there was still a large unmet demand for such housing. This reflected the national problem. More houses to rent were urgently needed for working people on below average incomes.

The Town Council with Magna, and Taunton Deane, with its 25% Social Housing to rent, were the only way lower paid workers could be enabled to afford to live in our towns and thereby keep our infrastructure intact. Mr Collingridge was sure that this applied in Wellington and Taunton equally well.

He therefore asked why the Council had reduced the Social Housing target to 15% on the Staplegrove Development when there was such obvious need for

Social Housing to rent, from young people and those earning below average salaries? Was this the new policy for Taunton Deane?

- (h) Ms Carolyn Warburton stated that it was a truth universally acknowledged that a young family in possession of only a small fortune must be in want of an affordable home. But this was not supported by the national developers who played the “viability assessment game”. It was hard for Councils to resist.

Taunton Deane had previously demonstrated through a public inquiry that 25% affordable housing was easily viable - and house prices had risen substantially since.

But now the Staplegrave development was only going to provide 15% affordable housing and it was likely the Comeytrove and Monkton Heathfield developers were also likely to seek a reduction in the provision of affordable housing.

The consequences would be costs to the very empty public purse and people with nowhere to live. It undermined the Council’s Local Plan.

The motion on the agenda was an opportunity for Taunton Deane to support its own assessment of viability. When it was discussed, please would you consider the following steps as interim measures to be incorporated in your overall strategy:-

- In assessing the viability appraisals, the Council could make the case that the personal circumstances of the developer did not determine the use of land. Instead of subjective estimates and expectations, the viability test should be based on 'typical' or 'consensus' estimates;
- There was the potential for Taunton Deane to use the residual land value. It was essential for the land value to reflect policy requirements; if not, the land would be overvalued. A market value approach, which then reflected overvalued land, should not be accepted;
- The Planning Inspectorate had previously stated that key variables should only be considered in viability reappraisals if there was clear evidence that there had been changes in the original assumptions – The Council could provide an annual update, identifying the significance of changes;
- Should the developers’ viability constructs be accepted, the legal agreements should include provision for short and long term review to allow subsequent increases in legal payments; and
- Supplementary Planning Guidance on viability to support existing guidance on affordable housing could be delivered more quickly than the revised Core Strategy. There were numerous good examples to draw on.

- (i) Mr Tony Smith pointed out that existing provision of Affordable Housing in the South-West, ranged between 30-50%. Indeed the Council’s own studies had established the need for Affordable Housing in Taunton at 35%. However, the existing Policy was only 25%.

When that Policy was adopted, it complied with national Guidance, in

allowing adequate margins for both landowners and developers, so that applications for housing development would continue to come forward.

Strangely, affordable housing provision only appeared to be contested once outline planning permission had been granted.

In the recent applications relating to Staplegrove, due to 'exceptional circumstances' the affordable housing provision was reduced by 137 dwellings. Why had these circumstances not come to light during the pre-application discussions?

And now the Planning Department had, apparently, been surprised, by the last-minute introduction, by the developers, of their case for reducing the affordable housing provision in Trull and Comeytrowe by 200 houses.

If developers did not intend to comply with existing Policy, of which they were fully aware prior to application, why were they not required to present their cases, including Viability Assessments, before application so that the Planning Councillors could make fully informed decisions?

The Council's existing Affordable Housing Policy, demonstrably, failed to meet proven local need. Why should developers, time after time, be allowed to circumvent it?

In response, Councillor Habgood confirmed that the points raised would be addressed during the discussion of the motion.

The following three speakers all raised questions in relation to agenda item No. 8, the response report on the Statutory Consultation on the draft Nexus 25 Local Development Order.

- (j) Mr Michael Farrell of Stoke St. Mary Parish Council agreed that Taunton needed space for lasting, well paid jobs in our ever expanding town. However, he had always maintained that the proposed Nexus 25 site was in the wrong place and was also a suspicious means to an undesirable end.

If the Local Development Order (LDO) was adopted, the only immediate consequence was that the land value would multiply, many fold.

It was no coincidence that Persimmon, Henry Boot, Taylor Wimpey and Summerfield had bought or optioned most of the land adjacent to Nexus 25. Nor can it be a co-incidence that Tithegrove Limited one of the largest ground works businesses in the South West, whose clients included the above named companies, had just acquired offices locally

Despite all the assurances given by the Council that there were no current plans for the development of this land, because it was not in the Core Strategy, Mr Farrell felt he could be forgiven for wondering.

He went on to say that the Garden Town status heralded as the saviour of Taunton was really a dangerous 'Trojan Horse' which could lead to the Council being asked to find sites for an additional 9,000 new homes. You should be asking yourselves "Where?"

Mr Farrell requested that a decision to adopt the LDO should be deferred until permission to reconstruct Junction 25 was granted. Without this improvement Nexus 25 would be useless.

A decision was likely in two months. A short delay now would surely be better than a long period of suspicion and recrimination later.

- (k) Mr Mike Baddeley, the Chairman of Stoke St. Mary Parish Council stated that having corresponded with the Monitoring Officer, he was addressing the Council directly as their Ward Councillor, John Williams, did not represent the views of the Parish Council. He suggested that as Leader of the Council he had a prejudicial interest with regard to the proposed LDO. He inferred nothing else.

The Nexus site was surrounded by category 2 and category 3 flood plain. The run off from that area flowed into the Blackbrook and then the River Tone. Any increase in run off would adversely affect Creech St. Michael and Ruishton.

On the southerly aspect of the Nexus site, Stoke St. Mary was bordered by floodplain 3 streams and a large area of category 2 flood plain. In November 2014 the flooding in the area stretched far beyond the boundary of the flood plain. The centre of the village was similarly affected.

The planners had stated that there was a requirement for attenuation ponds within the Nexus site to cope with the run off from the hard surface areas. Given that some of this site was underwater a few years ago it was hard to believe that the ponds proposed would be sufficient.

Who exactly was going to insist that these ponds were built as planned? There was already an example of non-compliance at the affordable housing site on Stoke Road, Henlade which still remained unresolved.

Mr Baddeley went on to say that this was the wrong site for a business park. He was very concerned that the main proponent of the scheme had purchased the strip of land between the houses on the A358 and the edge of the flood plain. He was sure they had not purchased it for the provision of a Country Park but for future building.

If the LDO proposal was approved credibility would be given to a certain local Member of Parliament's allegations made under Parliamentary Privilege which he was unable to repeat in front of the meeting.

- (l) Mr Mike Marshall of Ruishton and Thornfalcon Parish Council hoped that all Councillors were now aware of the far reaching effect the LDO would have on the future development of Taunton and its immediate adverse effects on local residents.

Councillors needed to debate and question the conclusions and recommendations presented by the Planning Officers, who had not seen fit to make changes to their draft LDO to accommodate any of the concerns raised by the public, apart from those demanded by the Environment Agency.

Both the Parish Council and parishioners had been very worried that their views in respect of this LDO had not been brought to this Council by their two Ward Councillors who continued not to attend any parish meetings. We were therefore relying on Full Council to act on our behalf and recognise our concerns.

Mr Marshall went on to flag up some very important points, as follows.

Why was this LDO being decided upon in isolation from two other major schemes that had not been decided upon and which would have a great effect on its viability? Namely Highway England's A358 Improvement Scheme and Somerset County Council's Junction 25 Scheme which had yet to be considered by its Regulation Committee?

This LDO made no provision for the impact that the increased traffic generated by Nexus 25 would have on the A358 through Henlade or the detrimental effect on the residents. It merely assumed that an A358 Improvement Scheme would deal with this.

What would happen if Highways England did not upgrade the A358, or provide a Henlade Bypass should Nexus 25 go ahead?

There was no provision for the effect that the development would have on Ruishton. Improvements to Ruishton Lane for pedestrians, cyclists and local traffic should be included in the scope of this LDO as a community benefit.

We ask that the decision on the LDO should either be deferred until the preferred route for the A358 had been announced or decide that the site could only go ahead on the provision of a Henlade bypass.

Due to the complexity of the issues surrounding the site, the real alternative would be for this Council to adopt the LDO in principle and refer it to an Inspector to confirm that it was fit for purpose.

In response Councillor Williams stated that he felt personally slighted by some of the comments made.

He had no prejudicial interest in the LDO proposal. However, if there was any evidence to the contrary this should be referred to the Council's Monitoring Officer.

He was also still the elected Member for Stoke St. Mary and would continue to serve local residents. He felt he had maintained his integrity throughout the consideration of the LDO. It was often the case that Councillors had to consider the effect of a proposal on the wider community.

The reference to what 'a local Member of Parliament' had said was a reprehensible statement by someone he had worked with for decades. It related to an allegation that he had 'squirrelled away' 30 acres of land at Stoke Hill. Councillor Williams stated that he had once owned the land concerned but had sold it in 1997. The real irony was that the person who had referred to this issue was now the owner of the land.

Councillor Williams was amazed, disappointed and sorry these inferences had been made.

6. Motion - Reinforcement of 25% Affordable Housing in the Core Strategy

Moved by Councillor Fran Smith, seconded by Councillor Simon Coles.

"The Council notes

- That the Council's Core Strategy 2011-2028 - Vision states:-

"By 2028 Taunton Deane will be recognised nationally as a place that is developing sustainably, securing a better life and future for its communities. Taunton Deane will be a more accessible and equitable place where those living and working can access suitable and Affordable Housing, a range of services, recreational and leisure facilities, and where deprivation is tackled.

An Affordable Housing Viability Study has been undertaken to support the Council's Affordable Housing position. This Study, undertaken by Fordham Research, concludes that an Affordable Housing target of 25% would be viable and appropriate for adoption based upon current market conditions. In addition to this study, further viability testing has been undertaken for both the Infrastructure Delivery Plan and in order to demonstrate the deliverability of the Plan's proposed urban extensions. All three studies conclude that the 25% target is viable at present and can generally be achieved in combination with a package of developer contributions.

The Core Strategy will provide for at least 17,000 new dwellings over the period 2008 to 2028 supporting the Plan's employment-led strategy. 25% of new housing stock will be affordable to meet existing and arising need over the plan period. The target percentage will ensure that the Plan accounts for the needs of those unable to access market housing but is not set so prohibitively high so as to inhibit the delivery of essential infrastructure."

- That in Taunton Deane currently there are 2,012 people on the housing waiting list and unless a solution is found immediately the chronic shortage of Affordable Housing will continue to persist.

- The 2012 Core Strategy is still pertinent even though it is now over five

years old and the Government's latest guidance indicates that plans should be reviewed at least every five years.

- West Somerset Members may not wish to progress with the new joint plans. Therefore waiting until May 2019 is not an option for Taunton Deane residents.

The Council accepts that the decision of the Planning Committee has led to the Staplegrove development foregoing Taunton Deane's policy of 25% Affordable Housing in favour of providing only 15%, giving the developers an extra 163 open market homes at the expense of our struggling families and younger generations in our Borough who cannot get onto the housing ladder.

The Council should take note of Shelter's Chief Executive Officer (Polly Neate) warning that the dire lack of Affordable Housing is the main cause of homelessness. The figures from the Department for Communities and Local Government show an increase of 16% on the previous year.

The Council should therefore recognise the need to take action immediately, otherwise other sites will shortly follow suit and the public will end up paying the heavy price for it.

The Council resolves:-

(i) That the viability testing that underpinned the Core Strategy should be updated by independent consultants;

(ii) That the draft Core Strategy policies should be prepared for consultation that would:-

(a) Maximise the provision of Affordable Housing, in line with the Taunton Deane Core Strategy taking into account the Community Infrastructure Levy and other obligations.

(b) The recently adopted Site Allocations and Development Management Plan together with Garden Town status should persist on 25% Affordable Housing until that work is completed.

(c) In Part of Policy CP4

Delete

"Where scheme viability may be affected, applicants will be expected to provide full development appraisals (at their own cost) demonstrating the level of affordable housing provision that is appropriate."

And Insert

"Levels of Affordable Housing in line with the Fordham Research are non-negotiable and integral parts of Taunton Deane's Planning are included in the Policy."

- (iii) The recently adopted Site Allocation and Development Management Plan together with Garden Town status should ensure 25% Affordable Housing is provided wherever possible until the review is completed; and
- (iv) That the officers should begin the process of a full review of the Core Strategy to reinforce its Affordable Housing policy as set out above, including contacting The Planning Inspectorate to seek an expedited time scale for the process.”

In accordance with Standing Order 18(2)(b), the Mayor called for a formal roll call of votes to be taken in respect of the above motion and recorded in the Minutes.

The motion was put and was lost with twenty one Councillors in favour and twenty seven against, as follows:-

Yes	No
Councillor Mrs Adkins	Councillor Beale
Councillor M Adkins	Councillor Berry
Councillor Aldridge	Councillor Bowrah
Councillor Booth	Councillor Brown
Councillor Coles	Councillor Cavill
Councillor Farbahi	Councillor Coombes
Councillor Mrs Floyd	Councillor Davies
Councillor Gaines	Councillor Edwards
Councillor Govier	Councillor Gage
Councillor Henley	Councillor Mrs Gunner
Councillor Mrs Hill	Councillor Habgood
Councillor Horsley	Councillor Hall
Councillor R Lees	Councillor Mrs Herbert
Councillor Mrs Lees	Councillor C Hill
Councillor Ms Lisgo	Councillor Hunt
Councillor Morrell	Councillor James
Councillor Nicholls	Councillor Martin-Scott
Councillor Prior-Sankey	Councillor Parrish
Councillor Ross	Councillor Mrs Reed
Councillor Mrs Smith	Councillor Ryan
Councillor Wren	Councillor Mrs Stock-Williams
	Councillor Sully
	Councillor Townsend
	Councillor Mrs Tucker
	Councillor Mrs Warmington
	Councillor Watson
	Councillor Williams

7. **Response report on the Statutory Consultation on the Draft Nexus 25 Local Development Order and Adoption of the Order**

Considered report previously circulated, concerning the proposed adoption of a Local Development Order (LDO) aimed at delivering a new strategic employment site at M5 Junction 25.

The adopted Taunton Deane Core Strategy had included the provision of a new strategic employment site under Policy SS8. Initial steps had been taken to allocate the new strategic employment site in the Site Allocations and Development Management Policies Plan (SADMP), however by the Preferred Options stage of the plan preparation process in October 2013, it had become clear that the timescale for the provision of the County Council's scheme to upgrade M5 Junction 25 (including the provision of access to the new strategic employment site) was such that the site could not be included in the SADMP without incurring very substantial delays to this urgently needed statutory planning document.

Subsequently, in December 2015, the Council resolved to progress the implementation of the new strategic employment site through the preparation of a LDO.

LDOs had been introduced by the Planning and Compulsory Purchase Act 2004 with the purpose of granting planning permission for a specified type of development on a particular, defined site. LDOs were made by Local Planning Authorities and they streamlined the planning process by removing the need for developers to make a planning application. They created a greater level of certainty for prospective developers, helping to expedite the implementation of the Council's land use strategy and improving the likelihood of new investment being made in the local area. Developers had to demonstrate that their proposals satisfied the terms of the LDO before being able to implement their development scheme.

The Consultants Peter Brett Associates had subsequently been commissioned to prepare a LDO to deliver a new strategic employment site of some 25 hectares which could provide up to 4,000 new jobs. The LDO included the Council's 'Statement of Reasons' together with its accompanying Design Guide and Environmental Impact Assessment / Environmental Statement. The LDO had been developed through a process of working with other stakeholders and had also been informed by an informal public consultation exercise which was additional to the requirements of the Regulations.

The creation of a second strategic employment site was a long standing ambition of the Council, helping to fulfill the need for additional employment provision as an integral part of the Council's Growth Strategy and the subject of a Member Task and Finish Group. In the current context, the proposal was also an important element in the Town's Garden Town agenda, providing new high quality employment opportunities to compliment the new strategic residential development areas around the town.

The development of the Nexus 25 site was closely linked to Somerset County Council's project to upgrade M5 Junction 25 in order both to increase its capacity

and to provide access to the Nexus 25 site. The Local Economic Partnership had provided funding for the improvement scheme because it also provided access to the Nexus 25 site. Without the junction improvement scheme, currently the subject of a Somerset County Council planning application, the employment site could not be delivered.

Although Highways England was currently progressing a trunk road improvement scheme which included the upgrading to the dual carriageway of the A358 between its junction with the A303 to the east, and the M5 at Taunton the delivery of Nexus 25 was in no way dependent on this trunk road scheme, furthermore, Nexus 25 did not prejudice an A358 scheme from coming forward.

Further reported that a Transport Appraisal Report (TAR) and Framework Travel Plan (FTP) had been produced in accordance with the scope and parameters of assessment that were agreed with Somerset County Council and Highways England.

The TAR had concluded that there was an appropriate mitigation and intervention strategy capable of accommodating the impact of the development. Moreover, the potential traffic impact generated by the proposed development scheme, subject to interventions and mitigation, was not considered to be severe and therefore accorded with the requirements of the National Planning Policy Framework.

The FTP had been prepared in accordance with Somerset County Council's Travel Planning Guidance Supplementary Planning Document and would serve as an overarching travel plan for the development.

The FTP would therefore set the parameters for the requirement for individual plots within the overall Nexus 25 development to prepare and implement their own Subsidiary Travel Plans as and when they came forward in accordance with the LDO.

Noted that the informal consultation exercise had been carried out between the 1 and 30 March 2017 setting out the nature of the proposals and inviting representations on a number of questions about the proposals. There were some 71 responses to this consultation, which were used to help inform the development of the draft LDO and the LDO Design Guide.

The Statutory Consultation on the Draft LDO took place between the 20 July and 30 August 2017, a period of six weeks. There were some 43 responses to the consultation exercise.

Whilst there was considerable support expressed for the employment opportunities which the Nexus 25 development would bring, there were also a significant number of points made in objection, essentially on matters of process, detail and impact. A schedule summarising the matters raised by respondents and the Council's comment on each one had been prepared as an Appendix to the report with any recommended amendments. In addition, an overview of some of the most commonly raised points made by respondents with comments from the Council were submitted for the information of Members.

The views of the Ruishton and Thornfalcon, Stoke St Mary, Creech St. Michael, West Monkton, Cheddon Fitzpaine, North Curry and Hatch Beauchamp Parish Councils were set out in full in the report.

Reported that the matter had been considered by the Community Scrutiny Committee on the 14 November 2017. Having heard verbal representations from a number of members of the public and after extensive debate, the Committee had decided to recommend Full Council to adopt the Nexus 25 LDO.

The planning application for Somerset County Council’s M5 Junction 25 improvement was currently likely to be considered in February 2018. It was therefore recommended that the decision to adopt the Nexus 25 Local Development Order be delegated to the Assistant Director - Planning and Environment conditional on planning permission being granted for the M5 junction improvement.

Further reported as to how proposed development schemes would be brought forward as part of the LDO.

The Council would continue to work with the owners and developers of Nexus 25 in a continuing promotional role as part of its status as key promoter of economic development for the Taunton Deane area and its strategy for growth. This would also involve working with potential occupiers and continuing to seek the involvement of high value occupants in line with the terms of the LDO.

Noted that the Council would require a Certificate of Compliance to be in place in order to confirm that any development proposed complied with the LDO. Other Local Planning Authorities had introduced charges for this process to cover its administration. It was proposed that the Council should make a charge for an application for a Certificate of Compliance of a development proposal with the Nexus 25 LDO which would be 50% of the planning fee for a planning application for an equivalent development.

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.

The substantive Motion, which is detailed below, was put and was carried with twenty nine Councillors in favour, six Councillors voting against and eleven abstaining:-

Resolved that:-

- (1) Having taken account of the content of representations made, the findings of the report be noted and endorsed; and
- (2) Delegated authority be granted to the Assistant Director - Planning and Environment to adopt the Nexus 25 Local Development Order, together with the Design Guide, Transport Appraisal Report and Framework ‘Umbrella’ Travel Plan and the proposed charging regime; conditional on planning permission being granted for the M5 Junction 25 improvement.

Yes	No	Abstain
Councillor Mrs Adkins	Councillor Henley	Councillor Aldridge
Councillor M Adkins	Councillor Mrs Hill	Councillor Booth

Councillor Beale	Councillor Mrs Lees	Councillor Farbahi
Councillor Berry	Councillor Ms Lisgo	Councillor Mrs Floyd
Councillor Bowrah	Councillor Ross	Councillor Gaines
Councillor Brown	Councillor Mrs Smith	Councillor Horsley
Councillor Cavill		Councillor R Lees
Councillor Coles		Councillor Morrell
Councillor Davies		Councillor Nicholls
Councillor Edwards		Councillor Prior-Sankey
Councillor Gage		Councillor Wren
Councillor Mrs Gunner		
Councillor Habgood		
Councillor Hall		
Councillor Mrs Herbert		
Councillor C Hill		
Councillor Hunt		
Councillor James		
Councillor Martin-Scott		
Councillor Parrish		
Councillor Mrs Reed		
Councillor Ryan		
Councillor Mrs Stock-Williams		
Councillor Sully		
Councillor Townsend		
Councillor Mrs Tucker		
Councillor Mrs Warmington		
Councillor Watson		
Councillor Williams		

8. Review of the Council Tax Support Scheme for 2018/2019

Considered report previously circulated, concerning the annual review of the Council's Council Tax Support Scheme.

Responsibility for Council Tax Support (CTS) passed to Local Authorities on 1 April 2013. The Government had also passed funding for CTS to Local Government, but reduced the amount of funding compared to the costs of the previous Council Tax Benefit (CTB) scheme where responsibility had been held by central Government and funded through the Department for Work and Pensions (DWP).

Local Authorities therefore had to decide whether to absorb the funding reduction across other areas of their budget or pass it on to recipients of CTS by requiring them to make a contribution to their overall Council Tax bill.

Billing Authorities were tasked with designing a CTS scheme for people of

working age. It was a requirement that people of pension age would continue to receive assistance at no less amount than had been available under the CTB scheme.

The Department for Communities and Local Government (DCLG) provided funding through the annual Settlement Funding Assessment (comprising Revenue Support Grant and Business Rates Baseline) to help meet the cost of localised CTS schemes. Each of the major precepting authorities in Somerset received the initial funding based on their share of Council Tax receipts. The initial grant awarded to precepting authorities was £6,110,080, with Taunton Deane's share being £587,775 (based on a 9.62% share). From 1 April 2014, funding for localised CTS was incorporated in the Local Government Finance Settlement and was not separately identified.

It was now impossible to ascertain funding provided for CTS in the LGFS. Government grants to Councils were being phased out and Local Government would move to 100% Business Rates retention by 2020. It was possible that this might well be how Councils would be expected to fund CTS schemes in future.

The approach taken by many authorities had been to assume the funding for CTS had been reduced at the same rate as the Settlement Funding Assessment which had reduced by 45.7% since 2013/2014. Therefore, in applying this methodology, the funding available for localised CTS had reduced by £2,792,307 to £3,317,773.

In 2016/2017, CTS of £2,932,313 was paid to people of pensionable age. Based on the assumptions stated above, this would leave just £385,000 available to spend on CTS for people of working age. As the expenditure for working age recipients in 2016/2017 was £2,445,657, this would leave a funding shortfall of £2,060,197. Based on its precepting share of Council Tax for 2017/18 of 9.61%, the share of this shortfall in funding for Taunton Deane Borough Council equated to £197,985.

Until recently, the administration of our localised CTS scheme had been both cost effective and efficient as information supplied by claimants for a Housing Benefit claim or directly from the Department for Work and Pensions had been able to be used. However, CTS administration had become increasingly difficult since the roll out of the "full service for Universal Credit (UC) in October 2016, with the number of working age customers claiming UC significantly increasing. The implications of this were set out in the report.

As a result, administration of the CTS scheme could become progressively financially burdensome, as well as being increasingly complex for customers.

Reported on the possible options to reduce the projected shortfall as well as simplifying the CTS scheme to not only make it easier for our customers, but also to contain what could be increasing administrative costs.

The report also set out in detail the background of Taunton Deane's CTS Scheme which had first been adopted in December 2012, including the various changes made to it over the intervening years.

In annual billing for 2017/2018, Taunton Deane sent Council Tax bills that after the award of CTS, totalled more than £64,200,000. Approximately 13% of residents received financial support through CTS, with just under 7% of those liable to pay some Council Tax, being CTS recipients of working age.

There were 8,513 people who moved from the Council Tax Benefit scheme to the localised CTS scheme. At 31 March 2017, this had reduced to 7,033.

The Local Government Finance Act 2012 stated that before making a scheme consultation with any major precepting authorities had to be undertaken, a draft scheme published and then consulted upon with other such persons who were likely to have an interest in the operation of such a scheme.

Consultation with the precepting authorities and the public had taken place in respect of the following three options:-

Option 1 – Change CTS so entitlement was based on bands of income. This option involved setting bands of awards based on an applicant's net income (and that of their partner). Whilst this was the least complex option to administer and potentially provided less sophisticated protection for some groups, it would be simpler to administer. This could be an important factor as the Council anticipated a falling Central Government administration grant which would mean the Council would potentially bear a greater proportion if not all of the administration costs of any new scheme in the years ahead. Response - 59% in favour;

Option 2 - Reduce maximum CTS for working age recipients from 80%. This meant working age CTS recipients would need to pay more and the Council could reduce the funding required to support the scheme in 2018/2019 to assist in off-setting cuts in the LGFS. Under our current CTS scheme the minimum contribution was 20%. Response - 21% in favour;

Option 3 – Introduce entitlement limits. There were two types of entitlement limits - minimum and maximum. A minimum limit was where there was no entitlement below a certain level. The advantage in setting a minimum weekly level at which the Council would award CTS was that this would avoid collecting small balances from customers and would focus limited resources towards the most needy. A maximum limit was where entitlement was capped at a certain level. Response - 11% in favour;

Any of the options to reduce the level of support offered through CTS would have an adverse impact on certain applicants or groups of applicants. If the Council needed to cut the support offered through the CTS scheme, a careful selection of options for our particular demographic would need to be considered unless additional funding could be raised through other Council initiatives or by cuts in services generally.

The reality was that any revised scheme that had less funding, needed to establish which applicants were more able to pay an increased level of Council Tax with the reduction in their CTS.

A decision to reduce CTS for people of working age would mean that Council

Tax Collection would be a much harder task. This would result in more pressure on Revenues staff and might require additional capacity to maintain tax collection rates.

The above options had been considered by the Corporate Scrutiny Committee on 12 October 2017. Members had recommended to amend the current CTS scheme for 2018/2019 to that illustrated in Forecast C contained in the report. This would award entitlement to working age recipients based on bands of income and would:-

- a) increase the maximum support available to working age recipients to 85% of their Council Tax liability;
- b) apply a flat rate deduction of £5 a week for each non-dependant; and
- c) disregard carers' allowance from the income used to work out CTS.

The Committee had also recommended that the Council provided extra assistance for young people who had left local authority care and that the effects in moving to a Banded Income CTS scheme for working age applicants be mitigated by inviting applicants with protected characteristics who would receive reduced CTS from April 2018 to submit a claim for a discretionary reduction.

A copy of the full, proposed Council Tax Support Scheme together with a copy of the report presented to the Executive on 9 November 2016 that included an Equality Impact Assessment was circulated to all Members of the Council to increase understanding of the issues prior to a decision being taken.

Resolved that:-

- (1) Having regard to the consultation response and the Equality Impact Assessment, the recommendations from the Corporate Scrutiny Committee that the 2018/2019 Council Tax Support scheme should be amended to that shown in Appendix 1 to the report be agreed. This would award entitlement to working age recipients based on bands of income and would:-
 - (a) increase the maximum support available to working age recipients to 85% of their Council Tax liability;
 - (b) apply a flat rate deduction of £5 a week for each non-dependant;
 - (c) disregard carers' allowance from the income used to work out Council Tax Support; and
 - (d) provide extra assistance for young people who had left local authority care by increasing maximum support to 100% of the Council Tax liability for single applicants up to the age of 25 where their weekly income fell within Band 1; and
- (2) It be agreed that working age applicants with protected characteristics who would receive reduced Council Tax Support from 1 April 2018, should be invited to submit a claim for a discretionary reduction to mitigate the effects in moving to a Banded Income Council Tax Support scheme.

9. **Heart of the South West – Joint Committee**

Considered report previously circulated, concerning the proposed establishment

of a Joint Committee for the Heart of the South West (HotSW).

Since August 2015, Devon and Somerset County Councils, all Somerset and Devon Districts, Torbay Council, Plymouth City Council, Dartmoor and Exmoor National Parks, the Local Enterprise Partnership (LEP) and the three Clinical Commissioning Groups had worked in partnership to progress towards securing a devolution deal for the HotSW area focusing on delivering improved productivity. Since that time the partnership had continued to progress its objectives in spite of policy shifts at a national level.

On 15 February 2017 an Executive Councillor Decision was published, which confirmed 'in principle' approval to the establishment of a HotSW Joint Committee, subject to approving the Joint Committee's constitutional arrangements and an inter-authority agreement necessary to support it.

The report set out detail the necessary documents which, if agreed by the partner authorities, would enable the Joint Committee to be formally established.

Reported that the Government was keen to engage with areas such as HotSW that could demonstrate:-

- Unity, clarity of purpose and a shared, ambitious vision built on local strengths;
- Strong partnership between business and the public sector with solid governance arrangements that provided assurance in capacity to deliver;
- Compelling ideas that could help to deliver Government objectives; and
- Clarity about the offer to Government in terms of savings and was prepared to take hard decisions based on a robust analysis of risk and benefits.

The Joint Committee would provide the ideal governance framework at this stage to take forward this dialogue with Government.

The key role of the HotSW Joint Committee was to develop, agree and ensure the implementation of the Productivity Strategy. This could only be achieved by working, where appropriate, in collaboration with the individual constituent authorities and the Local Enterprise Partnership (LEP).

The detail of the proposed functions of the Joint Committee and how it would operate were set out in the Arrangements document. An Inter-Authority Agreement detailed how the Joint Committee would be supported and set out the obligations of the Council if it agreed to become a constituent member.

The Joint Committee had a much more limited role than a Combined Authority. Its role would focus on collaboration, negotiation and influencing with full decision making responsibilities limited to developing and agreeing the Productivity Strategy.

The aim of the Joint Committee through the delivery of the Productivity Strategy would be to:-

- Improve the economic prosperity of the wider area by bringing together the public, private and education sectors;
- Work together to realise opportunities and mitigate impacts resulting from

Brexit;

- Increase understanding of the local economy and what needed to be implemented locally to improve prosperity for all; and
- Ensure the necessary strategic framework was in place across the HotSW area to enable sub-regional arrangements to fully deliver local aspirations; and improve the efficiency and productivity of the public sector. This work would be supported by a Joint Committee budget based on an agreed work programme.

Although the Joint Committee was a cost-effective formal structure, some provision needed to be made to meet the support costs of what would be a fully constituted local authority joint committee. It was proposed that Somerset County Council would take on the support role from 22 January 2018.

It was estimated that the operating cost of a Joint Committee would be £89,000 in 2018/2019 which it was proposed would be met by contributions from the Constituent Authorities. This would exclude the LEP and the CCGs from contributing as non-voting partners.

Taking into account a carry forward of £42,000 from the 2015 devolution budget, there would be a shortfall of £47,000 to meet the total estimated budget requirement of the Joint Committee in 2018/2019. Using the formula of contributions agreed in 2015 to support the devolution project the contribution requested of each Constituent Authority was as follows:-

- County Councils - £10,500;
- Unitary Councils - £4,000; and
- District Councils (and National Parks) £1,400.

In terms of the proposed meeting arrangements, it is recommended that the Joint Committee should meet formally immediately after the LEP Board meetings to assist with engagement and co-operation between the bodies and allow co-ordination of the respective work programmes. A proposed timetable of future meetings was submitted.

Further reported that the Productivity Strategy proposed to deliver prosperity and productivity across the entire HotSW area in an inclusive way. It proposed to build on existing strengths such as aerospace, advanced manufacturing, nuclear energy and agri-tech as well as exploiting new opportunities and releasing untapped potential.

The Strategy was built around three key objectives:-

- Developing leadership and knowledge within businesses in our area;
- Strengthening the connectivity and infrastructure our businesses and people relied on; and
- Developing the ability of people in our area to work and learn in a rapidly changing economy.

It was recommended that one of the first tasks of the Joint Committee would be to approve the Productivity Strategy early in the New Year.

Resolved that:-

- (a) The recommendation of the Heart of the South West Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West be approved;
- (b) The Arrangements and Inter-Authority Agreement documents for the establishment of the Joint Committee with the commencement date of Monday 22 January 2018 be approved;
- (c) Councillors John Williams and Mark Edwards be appointed as the Council's named representative and substitute named representative on the Joint Committee;
- (d) Somerset County Council be appointed as the Administering Authority for the Joint Committee for a two year period commencing on 22 January 2018;
- (e) The transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/2018 financial year be approved subject to approval of any expenditure by the Administering Authority;
- (f) An initial contribution of £1,400 for 2018/2019 to fund the administration and the work programme of the Joint Committee be approved, noting that any expenditure will be subject to the approval of the Administering Authority;
- (g) It be agreed that the key function of the Joint Committee was to approve the Productivity Strategy (it is intended to bring the Strategy to the Joint Committee for approval by February 2018);
- (h) The initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy be authorised; and
- (i) The proposed meeting arrangements for the Joint Committee, including the timetable of meetings for the Joint Committee, be agreed.

10. Taunton Deane Borough Council 2018-2020 Asset Strategy

Considered report previously circulated, concerning the draft Taunton Deane Borough Council 2018-2020 Asset Strategy.

The issues identified within the draft strategy were very significant and actions were needed to be taken to address them via the protocols within the strategy. It was critical that delivery of the strategy, when adopted, was not delayed due to lengthy decision making cycles.

The Asset Strategy required the General Fund asset portfolio to be managed more proactively and commercially moving forward to enable disposal of poor performing assets, acquisition where there was a sound Business Case, investment in a proactive and informed manner and much greater commercialism in respect of the 'let' portfolio. Unless the strategy was adopted then significant additional budget would need to be secured to maintain this

portfolio.

What was key was the ability for the Council to make informed and proportionate decision making but in a way that did not stifle the delivery of the strategy and the need for more 'agile' decision making. For the previous three years this had been a significant issue which had impacted on delivery.

Noted that Full Council was recommended to choose one of the following two options as the favoured decision making route moving forward:-

- (a) Detailed asset specific final protocol decisions that flowed from the approved strategy, including key decisions being undertaken by delegation to a Director in consultation with the Portfolio Holder for Asset Management (no call in); or
- (b) Detailed asset specific final protocol decisions that flowed from the approved strategy, including key decisions being undertaken as Executive Portfolio Holder decisions {call-in possible}.

From a speed of delivery perspective and in terms of generating the receipts and increasing the revenue income, decision making option (a) was the preferred route. However, if decision making option (b) was the outcome eventually agreed, the portfolio holder and officers would review any impact to the delivery of the Asset Strategy if it was deemed that the use of the Scrutiny 'Call in Procedure' negated the delivery of the strategy.

In accordance with the strategy, protocol decisions would result in an options appraisal as part of the flowchart contained in the document. All options appraisals would be undertaken using a standard format.

Ward Councillors would be consulted where assets in the ward were being appraised and given an opportunity to discuss any concerns, with the Asset Management Team. The team would seek to address any apprehensions and suggestions the Ward Councillor might have, including considering alternative options or what compromises might be possible.

However, if their support on the outcome for the asset in question could not be mutually agreed, then it would be for the Portfolio Holder to decide how to proceed. In addition to Ward Councillors, appropriate Portfolio Holders would also be consulted.

An Asset Management Group (AMG) for the General Fund portfolio would be re-established and would include relevant Portfolio Holders who would consider these options appraisals and agree how to proceed.

Further reported that delivery of the strategy and realisation of the benefits would be reliant on adequate staffing resource, asset data in easily reportable datasets and the prioritisation of projects to focus on delivery of the strategy with less emphasis on non-key tasks. Noted that the current way of working would need to change.

The strategy made it clear that disposals were just one consideration and would be pursued alongside Investment In assets, acquisitions and being

more commercial with the let portfolio but officers did need the ability to implement the strategy. Investment plans and the results from options appraisals would be reported to the Council through the AMG.

The Action Plan would be reviewed quarterly by the AMG and reported to Scrutiny, the Executive and Full Council annually.

Further reported that this item had been considered by the Executive on 29 November 2017. The views expressed previously by Members of the Corporate Scrutiny Committee were reported verbally. From these, it had been agreed that when the report was considered by Full Council, it should contain an updated list of all the Council's assets. It was also noted that Scrutiny had opted for decision making 'route (b)' which would allow for call-ins to be made.

An amendment proposed by Councillor Ross, seconded by Councillor Mrs Adkins requiring any disputes between the Ward Councillor and the Portfolio Holder over the disposal of an asset to be referred to the Corporate Scrutiny Committee for consideration was put to the vote and was lost.

A further amendment proposed by Councillor Horsley, seconded by Councillor Farbahi to alter the recommendations to read as follows was also put to the vote and was lost:-

“1) All non-revenue generating asset disposals should be replaced with revenue generating assets to ensure that the "family silver" was not diminished over time by a reduction in capital assets.

2) All assets disposed of within Taunton Deane should be reinvested in Taunton Deane to benefit its taxpayers.

3) Detailed asset specific final protocol decisions that flowed from the approved strategy, including key decisions would be undertaken by delegation to the Portfolio Holder, Shadow Portfolio Holder and a member of the Independent and Labour party in conjunction with the Director of Asset Management.”

Resolved that:-

- (a) The Taunton Deane Borough Council 2018-2020 Asset Strategy, the principles within and the recommendations be formally adopted; and
- (b) It be agreed hat the favoured decision making route moving forward should be:- "Detailed asset specific final protocol decisions that flowed from the approve Strategy. including key decisions being undertaken by delegation to a Director in consultation with the Portfolio Holder for Asset Management (no call-in)".

Note : The Director might, if appropriate, choose to take a decision through Committee if such a decision was likely to be contentious.

11. **Suspension of Standing Order**

Resolved that Standing Order 28, Time limits for all meetings be suspended to enable the meeting to continue for a further half an hour.

12. **Recommendations to Council from the Executive**

(a) Somerset Business Rates Pool and 100% Business Rates Retention

Following a recent meeting with Group Leaders, the Executive had been informed that a bid had been submitted to the Department of Communities and Local Government (DCLG) to become a pilot for 100% Business Rates Retention (BRR) in 2018/2019 with our County-wide district and County neighbours.

The current 50% BRR system had been introduced in the 2013/2014 financial year and, as a result, Taunton Deane had joined a Business Rates Pool with Bath and North East Somerset, North Somerset, Somerset County Council (SCC), Mendip District Council (MDC), Sedgemoor District Council (SDC), and South Somerset District Council (SSDC).

Although this pooling arrangement had ended earlier in the year, at the beginning of September 2017, DCLG had issued an invitation to local authorities to pilot 100% Business Rates retention in 2018/2019 – for one year only – and to pioneer new pooling and tier-split models.

In assessing applications the Government had set out a criteria. This included aspects that would suggest the potential for a successful Somerset bid, such as:-

- The proposed pooling arrangements operating across a functional economic area;
- The Government was particularly interested in piloting in two-tier areas focusing on rural areas; and
- There was a variation in the types of Business Rates base represented.

The pilot areas – if selected - would retain 100% of Business Rates growth above the baseline. Under the 50% system, half of this growth would be paid over to the Government. This provided an opportunity therefore to keep more funding locally and the Government had indicated it was looking for authorities to show how the additional retained resources would be of benefit locally.

Following the publication of the Government's invitation, the Section 151 Officers within the six local authorities in Somerset had sought to urgently assess the potential gains from establishing a wider pool and applying to be a pilot for 100% BRR.

Having considered the analysis, advantages and disadvantages, it was thought the case for a County-wide pool and becoming a pilot was overwhelming and an application was therefore submitted.

It was expected DCLG would announce successful applications for new pools and pilot areas through the provisional Local Government Finance Settlement in

December 2017. The Government had indicated that the Safety Net for a 50% pool would remain at 92.5% of Baseline, and that under a 100% Pilot the Safety Net would rise to 97% of Baseline – reducing the risk of losses.

The principle put forward by the authorities within the pool was that each Council should be no worse off than if it were to remain outside the pool. This meant that the pool shared the risk of maintaining the safety net position for each individual Council as a ‘first call’ on pooling gains. Each Council would be exposed to risk of volatility in its Business Rates income, most notably in respect of appeals.

The Government had recently confirmed that any new 100% BRR pilots for 2018/2019 would benefit from a ‘no detriment’ clause within the funding agreement which would remove the risk of volatility in respect of 100% BRR gains in 2018/2019.

The analysis undertaken to assess the potential financial benefits, and potential benefit sharing arrangements, had indicated that a Somerset Pool would benefit by an estimated £4,400,000 and a further £10,300,000 if the bid to be a pilot area for 100% BRR was successful. This was summarised in the table below:-

	Projected Potential Gain in 50% BRR Pool £m	Projected Additional Gain under 100% BRR Pilot £m	Total Projected Gain if 100% BRR Pilot £m
Mendip	0.8	0.9	1.7
Sedgemoor	1.0	1.1	2.2
South Somerset	0.5	0.5	1.0
Taunton Deane	0.2	0.5	0.7
West Somerset	0.6	0.7	1.3
Somerset County	1.2	6.6	7.8
TOTALS	4.4	10.3	14.7

On the motion of Councillor Williams, it was

Resolved that:-

- (a) The urgent decision made by the Leader of the Council and the Section 151 Officer that the Council participated in the pooling arrangement together with the other Somerset authorities under the 50% Business Rates Retention scheme for 2018/2019 be endorsed;
- (b) The urgent decision to apply to the Government for the Somerset Business Rates Pool comprising the County and five Districts Councils to become a pilot area for 100% Business Rates Retention in the 2018/2019 financial year be also endorsed; and
- (c) Authority be delegated to the Section 151 Officer, in consultation with the Leader of the Council, to decide whether to remain in the Pool and, if approved by the Government, the 100% Business Rates Retention Pilot scheme when the Government’s Provisional Settlement Details.

(b) Earmarked Reserves Review

A review of a number of earmarked reserves held by the Council for various purposes had recently been undertaken with a view to balances being returned to the General Fund.

The level of earmarked General Fund reserves as at 31 March 2017 was £17,344,000 which was equivalent to 120.5% of the Council's Net Revenue Budget.

As a result of the review, there were various earmarked reserves, totalling £91,649, that were no longer required. These related to budgets in connection with Climate Change, the F E Colthurst Trust, Waste, Debt Recovery, Legal Civica Hosting Costs and Transparency.

On the motion of Councillor Williams, it was

Resolved that a Budget Return of £91,649 to General Reserves of surplus Balances currently held in Earmarked Reserves be approved.

(c) Fees and Charges 2018/2019

The Executive had very recently considered a report concerning the proposed fees and charges for 2018/2019.

Those services proposing an increase to charges included:-

- Cemeteries and Crematorium – It was proposed to increase the main cremation and interment fees and make minor increases for other charges within the service. The income increase from this was expected to be £120,000;

Waste Services – The Somerset Waste Partnership proposed to make modest increases to its charges for the Garden Waste Collection and Recycling Service. The price increases would allow the service to continue on a cost neutral basis in terms of the contract price paid to Kier;

- Housing Services – It was proposed to increase housing (non-rent) fees and charges by applying Retail Price Index (RPI) inflation as at September 2017 (3.9%), with some exceptions. The increases were likely to generate £336,000 for the Housing Revenue Account;
- Licensing – Although the fees in some areas had been increased last year any surplus or deficit would be dealt with across a rolling three years such that the balance was zero on those fees which were set locally;
- Environmental Health – It was proposed to introduce a cost recovery fee for the provision of food hygiene advice to food businesses in Taunton Deane which could provide a potential increased income of up to £2,450;
- Flag Post Pennants and Promotional Spaces – The proposed increase for the

pennant service would cover the increase in the installation charge. The fees for promotional spaces had been altered to reflect research which showed that the Council's charges were not comparable to other towns and actually deterred bookings;

- Court Fees – Following a High Court Case, there was a requirement to evidence a detailed breakdown of how the Court Fees were calculated. This had resulted in a proposal to reduce the Court Fees to £72. This was likely to result in a reduction of £860; and
- Open Spaces – The aim of this proposal was to formalise the charging for roundabout sponsorship and plant beds. It was anticipated that these proposals would generate additional income of £3,500.

No increases to the fees charged by Land Charges, Planning, Deane Helpline and Freedom of Information Enquiries were proposed.

The proposed fees and charges had recently been discussed by the Corporate Scrutiny Committee. Although generally supportive of the proposals, Members suggested that in relation to charges for Open Spaces, a list should be drawn up of approved Community Organisations which would have an equal status to "Friends of" Groups in order to ensure that there would be no charges levied on Community Events organised by non-profit making organisations which were non-ticketed events.

This had been considered by the Executive and it was agreed that a criteria should be drawn up against which requests for the waiving of charges could be assessed in the future.

On the motion of Councillor Parrish, it was

Resolved that:-

- (a) The fees and charges for 2018/2019 in respect of the Cemeteries and Crematorium, Garden Waste Collection and Recycling, Housing Services, Licensing, Environmental Health, Flag Post Pennants and Promotional Spaces, Court Fees and Open Spaces be agreed; and
- (b) The Portfolio Holder for Sports, Parks and Leisure be authorised to introduce a criteria against which requests to waive charges for the use of the Council's Open Spaces could be assessed. This criteria would be circulated to all Councillors for information.

Due to the lateness of the hour, the Mayor suggested that rather than extend the duration of the meeting, questions for the Executive Councillors in respect of their reports (details follow) could be dealt with via e-mail. This was agreed.

12. **Reports of the Leader of the Council and Executive Councillors**

(i) **Leader of the Council (Councillor Williams)**

Councillor Williams's report covered the following topics:-

- John Collins VC DSM Honoured;
- Taunton Garden Town;
- Nexus 25;
- A358;
- Joint Committee for the Heart of the South West;
- Plaque unveiled to commemorate the Monmouth Rebellion;
- Wellington Heritage at Risk Manager; and
- The Deane House.

(ii) **Economic Development, Asset Management, Arts and Culture, Tourism and Communications (Councillor Edwards)**

The report from Councillor Edwards covered:-

- Communications – The Local Government Authority’s tweetathon #Ourday on 21 November 2017;
- Business Development - Productivity Strategy; Rural Productivity Commission; South West Growth Summit; and Events to support small businesses;
- Events, Place, Retail Marketing and Visitor Centre – Place and Retail Marketing; and Visitor Centre;
- Growth Strategy and Specific Projects – Growth Strategy; Growth communications, marketing and promotion; Coal Orchard Redevelopment; and Lisieux Way Site, Taunton;
- Asset Management – Asset Strategy; and Transactions.

(iii) **Planning Policy and Transportation (Councillor Habgood)**

The report from Councillor Habgood provided information on the following areas within his portfolio:-

- Planning Policy Development;
- Nexus 25 – Local Development Order;
- Mid Devon and Sedgemoor Local Plans;
- Neighbourhood Plans;
- Major Planning – Staplegrove Garden Communities, Comeytrove/Trull Garden Community, Firepool, Monkton Heathfield Garden Community;
- Planning Appeals;
- Planning Application Performance;
- Parking – Fees and Charges; Performance against budget expectations; Firepool Parking; Parking Strategy; and Variable Message Signage and Pay on Exit parking;
- Connecting our Garden Town; and
- A358 Upgrade.

(iv) **Sport, Parks and Leisure (Councillor Mrs Herbert)**

The report from Councillor Mrs Herbert dealt with activities taking place

in the following areas:-

- Parks and Open Spaces;
- Community Leisure – Leisure Procurement; and
- GLL (Taunton Deane) – Whirlwinds Academy; Wellsprings Holiday Activity Programme; Try Short Mat Bowls; Vibe Youth Group; Go Tri; Back to Cycle Course; and Walk Well in Taunton.

(v) **Corporate Resources (Councillor Parrish)**

The report from Councillor Parrish provided information on the following areas within his portfolio:-

- Electoral Services;
- Democratic Services;
- Revenues and Benefits;
- HR and Organisational Development – Payroll; Building Services and Open Spaces; and Chaplaincy Service;
- Procurement;
- Finance – Medium Tern Financial Plan/Budget; New Finance and Payroll System; and Projects;
- Corporate Performance;
- Customer Services;
- Facilities Management;
- ICT/Technology;
- Resource and Priorities Planning; and
- Print Function.

(vi) **Community Leadership (Councillor Mrs Jane Warmington)**

Councillor Mrs Warmington presented the Community Leadership report which focused on the following areas within that portfolio:-

- Strategic Partnerships;
- One Teams;
- Homelessness; and
- Good Customer Care.

(vii) **Housing Services (Councillor Beale)**

Councillor Beale submitted his report which drew attention to the following:-

- Deane Housing Development – Woolaways; Weavers Arms, Rockwell Green, Wellington; and 12 Moorland Close, Taunton;
- Welfare Reform – Discretionary Housing Payment and Universal Credit;
- Deane Helpline;
- Property Maintenance – Grounds Maintenance Contract and New Service Charge;

- Tenants Talk;
- Responsive Repairs and Voids; and
- Somerset West Private Sector Housing Partnership – Private Sector Housing.

(viii) **Environmental Services and Climate Change (Councillor Berry)**

The report from Councillor Berry drew attention to developments in the following areas:-

- Licensing;
- Street Sweeping and Toilet Cleaning;
- Somerset Waste Partnership;
- Cemeteries and Crematorium; and
- Environmental Health.

(Councillors Govier, Aldridge and Henley left the meeting at 8.54 p.m, 9.28 p.m. and 9.32 p.m. respectively.)

(The meeting ended at 10.10 p.m.)