

Taunton Deane Borough Council

At a meeting of Taunton Deane Borough Council held at Oake Manor Golf Club, Oake, Taunton on 10 April 2018 at 6.30 p.m.

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

Mrs A Elder – Chairman of the Standards Advisory Committee

1. **Welcome**

The Mayor welcomed Councillor David Mansell to his first meeting of Full Council following his recent success at the recent Wiveliscombe and West Deane Ward by-election.

2. **Minutes**

The Minutes of the meeting of Taunton Deane Borough Council held on 22 February 2018, copies having been sent to each Member, were signed by the Mayor.

3. **Apologies**

Councillors Ms K Durdan, Mrs Floyd, Hunt, Stone, Sully, Mrs Tucker and Mrs Warmington.

4. **Communications**

- (i) The Mayor thanked all those Members who had pledged sponsorship to the recent Swimathon. In the region of £500 had been collected which was an excellent result.

The Mayor also thanked those Members who had supported the Taunton Deane Male Voice Choir concert last weekend.

- (ii) The Deputy Mayor made reference to her Celebration Party which was scheduled to take place on Friday, 4 May 2018 (the night after the Annual Council meeting) and hoped as many Councillors as possible would purchase tickets.

The Deputy Mayor also mentioned that she had been persuaded to participate in the 50:50 Cycle Ride on 6 May 2018 where she would be sharing a tandem with Councillor Habgood. Sponsorship from Members would again be welcomed.

- (iii) Councillor Mrs Hill expressed concern that agenda papers, including confidential information, had been sent to her in an envelope that had become unsealed during transit. The envelope had also been stamped 'confidential' which, in her view, was an open invitation for someone not entitled to view the 'pink papers' to do just that! She understood that other Councillors had also received their papers in this condition.

She hoped the necessary action would be taken to ensure a similar situation would not arise in the future.

- (iv) Councillor Williams stated that he was in receipt of a copy the minutes of Taunton Bowling Club's recent Annual General Meeting which referred to the appointment of Councillor Bob Bowrah to the Club as Taunton Deane's representative on this 'outside body'.

It had been almost ten years since a Councillor had undertaken this role and the minutes recorded that Councillor Bowrah had been a 'valuable asset' to the club and that the link between the two organisations was working well. Councillor Williams felt that this was very commendable.

5. Declaration of Interests

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

6. Public Question Time

Alan Debenham asked the following questions:-

- (i) Taunton Deane residents were already dismayed at the takeover of our Further Education College and Police Station by Bridgwater and how their wishes had been ignored in relation to outlandish urban sprawl housing developments being forced through. And now the merger with West Somerset Council!

How on earth was it right for the new merged District Council to be named "Somerset West and Taunton" rather than the obvious "Taunton Deane and West Somerset"?

- (ii) Our so-called 'housing crisis' locally was recognised as more one of inadequate supply of affordable, secured tenancy, properly maintained, good quality properties to rent than it was regarding the purchase of new costly houses.

The Chancellor's recent Spring Statement had talked of £44 billion to be invested in local social and affordable housing provision and an implied potential for Councils, not only to borrow sufficient funds to build directly but also for these homes to be 100% Council owned.

Where did the Council now stand regarding these latest Government funding proposals, especially in terms of new Council homes planned and to be completed in the present year and beyond?

And, if the Council had insufficient land within its current ownership to embark on such a potential big uplift in new Council housing, should the housing crisis be considered severe enough to warrant compulsory purchase of land at a price which took building site costs and profits out of making present new houses so unaffordable?

In response, Councillor Williams stated that there had been no takeover of the College. Bridgwater College had sought partners with the real aspiration of a university being established in Taunton. Works to The Deane House were currently being undertaken to accommodate the Police from its current premises at Shuttern. This would ensure a significant Police presence in the town into the future.

As to the name of the proposed new Council, the current name would be reviewed if Members wanted this.

Regarding Mr Debenham's second question, Councillor Beale confirmed that the implications of the Government's Spring Statement were still being considered, particularly the funding opportunities. He agreed that more affordable housing was required in Taunton Deane but conceded that there was an issue over land availability to provide such housing. Nevertheless, all aspects were being looked at including working in partnership with our local housing associations.

7. The 50th Anniversary of the founding of the Taunton and Somerset Branch of The Samaritans

The Mayor introduced Mr Geoff Rickson to the meeting.

Mr Rickson explained that The Samaritans had been formed by Reverend Chad Varah in London during 1953 when he became aware that there were often three suicides a day in the city. He identified a real need to provide those contemplating suicide 'somewhere to turn to and someone to talk to'.

Despite its founder and the name of the organisation which the Daily Mirror provided, The Samaritans were not a religious body. They talked to anyone.

The Taunton Branch was established in April 1968. It was one of a network of 201 branches and there were currently over 18,000 volunteers. That meant there was always someone available on the end of the telephone actively listening to those who had made contact. All calls were treated on a confidential basis and no-one was judged from what was said. There were in the region of 5,000,000 contacts made every year.

The Samaritans in Taunton were based in a property in Wood Street which was open for people to 'drop in' between 9 am and 9 pm even though the telephones were answered 24 hours a day. The branch had 80 trained volunteers and a number of support volunteers. Between 60 and 80 calls per

day were received from around the country.

Mr Rickson went on to explain that the Taunton Samaritans had to raise £30,000 each year to run the office. Much of this amount was raised by way of donations.

Outreach work was also important and talks were regularly given to local schools and community based organisations. The Taunton Branch also provided a service called 'Step by Step' where specially trained staff went into schools, colleges and universities to provide support following the death of a student or teacher/lecturer.

Each branch of the Samaritans was subject to an 'OFSTED' type inspection every three years and Taunton had recently been categorised as outstanding.

Mr Rickson concluded by stating that he was proud and privileged to be part of the Samaritans and hoped that it pleased the Council that Taunton had a flourishing and successful branch which was 50 years old.

On behalf of the Council, the Mayor thanked Mr Rickson for his very interesting and informative presentation.

8. **Motion - Consulting with Hoteliers, room providers, Airbnb and the public to ensure business and public support for tens of millions of Pounds for a proposed hotel investment at Firepool, Taunton with public funds**

Proposed by Councillor Habib Farbahi, seconded by Councillor Jefferson Horsley.

"The idea of an international hotel brand coming to Taunton was really interesting and exciting to us all. We were all for commercial investment and a healthy return on our capital. In fact we had been vocal in the last nine years, calling for more commerciality on a win-win basis, especially now that we were at the mercy of the financially challenged authority of West Somerset. As custodians of public funds, we had to ensure there were no risks attached to the Business Case.

Some Members witnessed at the Corporate Scrutiny Committee meeting on 22 March 2018 that no consultation with local businesses had occurred to assess the impact such a development might have on them, some of whose Business Rates would go directly to pay towards a proposal that could potentially push them out of the market.

No evidence was produced as to how many established hotels and other related hospitality facilities were currently in the market within a five-mile radius of the proposed development, to indicate current capacity in this market.

If you did not know your market how did you go about investing in it?

According to Visit England figures for 2017, the reported occupancy for the

South West was 69%. This was much lower than reported to us on the night. Furthermore officers confirmed that the bedroom demand has been steady in the last year and was going to be so in the next year.....but according to a PwC key finding...

'While the full impact of the UK vote to leave the EU will not be known for some time, economic growth is expected to slow. A weak pound should provide a boost to inbound leisure travel, but security concerns, tight corporate travel budgets, above average supply growth (especially in London) and consumer and corporate uncertainty will create an unfavourable backdrop. The industry is also tackling on going disruption via the Sharing Economy. We retain a cautious outlook.'

Officers could not confirm whether more supply into the Taunton market would help or just dilute the market share of the current operators.

No one was aware of the number of Airbnb beds and the impact on this market. Furthermore the new Hotel Mercure in Bridgwater would take the majority of the Hinkley Point business, who currently stayed in Taunton. This would apply to other corporate clients with business in Bridgwater.

There was no idea as to how many white-collar jobs had been created in Taunton Deane in the last five years, so that we could justify demand.

In the related restaurant sector we had, over the last 24 months witnessed extra seats locally and the additional supply had put pressure on the operators, which had resulted in unsustainable outlets. None of the officers or the Portfolio Holder were aware of this despite national discussion and known closures within a number of chains. We had learned only this week Prezzo was going to close its Taunton restaurant.

At present there were financial pressures on hotels and the hospitality industry from minimum/living wage increases, Business Rate increases, utility and insurance cost increases and general cost inflation, an additional supply into this market might depress average rates for all hotels.

Interest rates on loans are due to be raised in May - the days of "cheap money" is rapidly disappearing. How would this affect the potential Business Plan?

There was no clear Business Case to justify the use of public money, as the risk and the return had not been properly assessed. There was a real risk that millions of Pounds of public money and a long term debt carried by Council Tax and Business Rate payers would merely facilitate an external operator to make money with no investment and no risk.

We are being asked to pay tens of millions of Pounds to build a hotel so that they could put their brand name on it for a disproportionately large fee.

It was therefore recommended that:-

- (1) The decision for the taxpayer's to invest in a hotel venture be delayed

until a consultation had taken place with the hoteliers, Airbnb and room providers as well as Taunton Deane taxpayers;

- (2) Should the Council decide to invest and operate a hotel business, the authority should ensure that the Business Plan was solid and not based on assumptions;
- (3) The option of not to pay the franchise fee and have our own distinct name should be on the table, saving taxpayers millions of Pounds over the period;
- (4) Future investment strategy should be open, transparent and open to public scrutiny; and
- (5) The decision should only be taken after the new Council was established, as Taunton Deane should not commit a successor organisation to such a financial commitment.”

The motion was put and was lost.

9. **Acquisition of land near Nerrols Farm, Taunton as a Country Park**

Considered report previously circulated, concerning the proposed establishment of a Country Park near Nerrols Farm, Taunton.

Such a park had been an aspiration of the Council for some time having been included as part of the adopted Core Strategy in 2012. The proposed site was currently owned by the Crown Estate and leased to a local farmer.

West Monkton and Cheddon Fitzpaine Parish Councils had recently produced a joint Neighbourhood Plan which included an intention to oversee the establishment and management of the Country Park. This plan would go to referendum shortly.

The establishment of a Country Park formed an important component of the Council's Garden Town status and adopted Green Infrastructure Strategy. The finished project would consist of a Community Woodland/Country Park which could be utilised as an asset for a new community forest school being established as part of the wider Monkton Heathfield development.

The location of the park was important in the continuing development of Monkton Heathfield as it provided links east to west to the development currently being developed at Nerrols Farm and the allocated development site to the west of Greenway.

Once built, the Western Relief Road and re-alignment of the A3259 would provide much safer crossing points and allow easier pedestrian links north and south. A Bus Rapid Transit (BRT) link could follow along the southern boundary of the site. This could also make provision for a cycle lane.

Further reported that the Community Scrutiny Committee had resolved to support the purchase of the land and development of the Country Park in

October 2017. A planning application (08/17/0044) made by the Council for the change of use of the land from agricultural to recreational uses had been approved on 11 January 2018.

Since these meetings officers, the Project Champion, and our retained consultant had been working with the Valuation Office Agency, other stakeholders and the Crown to take forward proposals, including negotiating a purchase price for the land.

Funding of the project would need to come from a variety of sources. The majority of the funding was likely to come from the New Homes Bonus and West Monkton Parish Council had agreed in principle to a contribution towards the project costs. It was hoped that the remaining cost would be met from a combination of grant funding although Taunton Deane would need to underwrite the funding gap in the event these bids were unsuccessful.

Subject to Member approval, the Council's consultant would continue to lead on project delivery with input from the Planning Policy Team, colleagues in Finance, Asset Management, Legal Services provided through Shape and Leisure and Recreation.

Councillor Cavill as a local Member and key stakeholder had agreed to act as Member Champion for the project. An important aspect was the involvement of the local community from an early stage. Such engagement would be undertaken through a 'planning for real' type approach with input from landscape and biodiversity specialists. Negotiations with the Crown would be progressed with a view to planting being carried out in 2019.

Resolved that:-

- (a) A supplementary estimate to the Capital Programme of £479,000 be approved for the acquisition of land near Nerrols Farm, Taunton, tree planting and other associated costs, for the purposes of the creation of a Country Park (subject to the total cost of the land acquisition not exceeding the anticipated amount as outlined in the confidential Appendix to the report). To be funded from the Garden Town Reserve less any contributions from West Monkton Parish Council and any successful grant applications; and
- (b) It be agreed in principle that responsibility for the future maintenance of the Country Park be passed on completion to the West Monkton and Cheddon Fitzpaine Parish Councils.

10. **Approval of the Annual Pay Policy Statement 2018/2019**

Considered report previously circulated, which sought approval of the Annual Pay Policy Statement for 2018/2019.

Section 38 (1) of the Localism Act 2011 required local authorities to prepare and publish a Pay Policy Statement for each financial year.

The statement described the pay arrangements and policies that related to the pay of the workforce which served the Joint Management and Shared

Services Partnership between Taunton Deane Borough Council and West Somerset Council.

The changes in the data detailed in the latest Pay Policy Statement were minimal. The amendments to senior pay reflected the 1% pay award, awarded to all employees on 1 April 2017.

The ratios between senior pay and the lowest paid employee had been updated and there had been one change to the pension discretions of both Councils' which related to the definition of an actual week's pay. This was used to calculate the compensatory payment for employees being made redundant.

Resolved that the Pay Policy Statement 2018/2019 be approved for publication.

11. **Comprehensive Compulsory Purchase of Third Party Land and Interests at Firepool, Taunton**

Considered report previously circulated, concerning the proposed comprehensive compulsory purchase of third party land and interests at Firepool, Taunton.

Support from Members was sought to enable the Council's legal representatives (Ashfords working together with the Shape Partnership) to proceed with the compulsory acquisition of the remaining third party land and interests that were required to enable delivery of the next phases of the Firepool Development and the comprehensive mixed use scheme approved earlier in the year by the Council's Planning Committee.

In December 2014, Full Council had approved in principle the acquisition of land and interests, by agreement, alongside preparations for the making of a future Compulsory Purchase Order (CPO), subject to a future planning approval.

The agents, Bruton Knowles, acting on behalf of the Council had successfully negotiated and acquired through agreements the majority of land and interests required to deliver a comprehensive scheme. However some land remained in third party ownerships, primarily situated between the Old Cattle Market and the Northern Inner Distributor Road (NIDR).

The CPO proposals were consistent with the recent resolution to grant outline planning consent and acquisition of the remaining interests were a priority and precursor to development aligned with the Taunton Garden Town programme and would contribute to a thriving and sustainable town centre.

Further discussions were currently underway with agents and owners of affected interests, and the Council was in communication with occupiers. However, if we are unable to agree acquisition by agreement then the Council would need to use its CPO powers.

Resolved that:-

- (1) Authority be granted to proceed with the final stages required to make a Compulsory Purchase Order for the acquisition of all relevant property interests required to facilitate the implementation of the proposed comprehensive Firepool development, which were unable to be acquired by agreement, comprising the land edged in red on confidential Appendix A to the report.
- (2) Authority be delegated to the Director of Growth and Development in consultation with the Portfolio Holder for Business Development, Asset Management, Arts and Culture, Tourism and Communications and the Leader of the Council, under legal advice (from Ashfords and Shape Partnership) to:-
 - a. Make a CPO and to progress through the appropriate procedures to secure the confirmation of the CPO once made;
 - b. Negotiate with parties affected by the CPO with a view to acquiring their interests by agreement;
 - c. Make any necessary steps and applications in relation to the stopping up or diversion of highways under powers contained in the Town and Country Planning Act 1990, as relevant to the comprehensive Firepool Compulsory Purchase Order;
 - d. Ensure the Equalities Impact Assessment and any relevant action plan are completed, identify any potentially adverse effects of CPO and clarify mitigation through an appropriate plan of action to protect any persons involved.

12. Development of an Hotel at Firepool, Taunton

Considered report previously circulated, which introduced a proposal for Council investment in the development of a new high quality, mid-market hotel at Firepool, Taunton.

The proposal was consistent with the outline planning consent for Firepool which had recently been approved. Subject to specific requirements such as reserved matters, Council approval of the Business Case, exchange of contracts with the hotel brand and management operator, appointment of professional services advisors and a construction company, preparatory work on the site was anticipated to start next year (2019).

The proposal aligned well with the vision for Taunton as a Garden Town, contributed to a thriving and sustainable town centre and would generate a healthy commercial return to the Council.

Market testing and specialist advice had also confirmed high trading confidence in the Taunton area as a visitor and business destination. A well-recognised brand of hotel would improve the range and quality of mid-market accommodation in the town centre, encourage more businesses and visitors into the heart of the town and boost the wider daytime and evening economy.

It was the result of an initial feasibility, marketing and procurement exercise that had yielded strong interest from potential occupiers and operators of the hotel. A Business Case for Council investment in the development and continuing ownership of the hotel had subsequently been developed, taking account of key risks (financial and non-financial).

The above steps, including selection of hotel brand, operator and construction project management team, had been subject to the necessary Council approvals and consents and formal exchange of contract. Council approval of the proposal was now needed to enable the project to move forward to delivery of the hotel development programme.

To allow Members to discuss the contents of the Confidential Appendices A-F, it was **resolved** that the press and public be excluded from the meeting because of the likelihood that exempt information would otherwise be disclosed relating to Clause 3 of Schedule 12A 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.

The project cost estimates had been provided by cost management professionals and advisors who had experience of successfully delivering similar hotel schemes.

The Business Case showed a satisfactory level of return on investment. It was based on an established trading model of the Council developing and retaining the asset (the hotel) and leasing the building to a newly created Special Purpose Vehicle (SPV) (a trading company), which the Council would own. The Council would nominate directors to the company to manage the SPV's operations, contracts and bank accounts.

The new hotel business, through the SPV, would be managed by a professional operating company, to ensure hotel brand compliance, maximising efficiencies and returns for the Council and limiting potential liabilities.

Construction cost management would be a major element of the scheme and, as such, processes would be put into place to address any cost overrun risks through both design and the form of contract management.

The Business Case had been developed by the Council's Finance Team, informed and verified by hotel specialists and professionals, including our Treasury Management advisors, Arlingclose. The estimated capital cost of the project would be financed by external borrowing through the Public Works Loan Board.

Further reported that both the Corporate Scrutiny Committee and the Executive had previously considered this matter and had resolved to support the proposal.

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 eight Councillors in favour and twenty voting against:-

Resolved that:-

- (i) A Council investment in the development and ownership of a hotel at Firepool, Taunton based on the detailed information contained in the Confidential Appendices be supported;
- (ii) A supplementary estimate to the Council's Capital Programme (detailed in Confidential Appendix B) for the planning, design and engineering, construction and fit out of the hotel be supported, to be funded as set out in the report;
- (iii) To enable the hotel project to progress within the programme timescales indicated and approved budget, that the relevant delegated authorities be provided to the Director – Growth and Development and the Section 151 Officer, in consultation with the relevant Portfolio Holder and the Leader of Council to:-
 - (a) Appoint specialist and professional services to support officers and the Hotel Project Team to complete the planning, design and engineering of a new mid-market hotel on a suitable site identified at Firepool, Taunton (on the south-side of the River Tone);
 - (b) Finalise legal agreements with the preferred brand and operator;
 - (c) To create a Council owned Special Purpose Vehicle, to lease the asset and manage commercial arrangements of the new hotel (on behalf of the Council); and
 - (d) Arrange the procurement and appointment of a main building and fit-out contractor to complete the hotel building to specification and standards within the budget approved.

Yes	No
Councillor M Adkins	Councillor Mrs Adkins
Councillor Beale	Councillor Aldridge
Councillor Berry	Councillor Booth
Councillor Mrs Blatchford	Councillor Coles
Councillor Bowrah	Councillor Farbahi
Councillor Brown	Councillor Gaines
Councillor Cavill	Councillor Govier
Councillor Coombes	Councillor Henley
Councillor Davies	Councillor Mrs Hill
Councillor D Durdan	Councillor Horsley
Councillor Edwards	Councillor R Lees
Councillor Gage	Councillor Mrs Lees
Councillor Mrs Gunner	Councillor Ms Lisgo

Councillor Habgood	Councillor Mansell
Councillor Hall	Councillor Morrell
Councillor Mrs Herbert	Councillor Nicholls
Councillor C Hill	Councillor Prior-Sankey
Councillor James	Councillor Mrs Smith
Councillor Martin-Scott	Councillor Wedderkopp
Councillor Parrish	Councillor Wren
Councillor Mrs Reed	
Councillor Ryan	
Councillor Mrs Smith-Roberts	
Councillor Mrs Stock-Williams	
Councillor Townsend	
Councillor Watson	
Councillor Ms Webber	
Councillor Williams	

13. **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.

14. **Recommendation to Council from the Executive**

Financial Monitoring – 2017/2018 as at 31 December 2017

The Corporate Scrutiny Committee considered a report at its meeting on 22 March 2018 which provided an update on the projected outturn financial position of the Council for the financial year 2017/2018 (as at 31 December 2017).

The current revenue forecast outturn for the financial year 2017/2018 was reported as follows:-

- The General Fund (GF) Revenue Outturn was forecasting a gross underspend of £318,000 (2.14% of Net Revenue Budget) before proposed transfers of £30,000 for Tonedale Mill urgent repairs and £288,000 to the Transformation Reserve.
- The Housing Revenue Account (HRA) was forecasting an underspend of £334,000 before a proposed transfer of £144,000 to the Transformation Reserve.

The current capital forecast position for 2017/2018 was as follows:-

- The GF capital account was forecasting spend of £4,477,000 against a budget of £33,032,000 with £28,494,000 forecast to be spent in future years;

- The HRA capital account was forecasting spend of £12,658,000 against a budget of £20,029,000 with £7,371,000 forecast to be spent in future years.

The GF Reserves forecast balance as at 31 March 2018 was projected to be £2,278,000 which was above the recommended minimum reserves level.

The HRA Reserves forecast balance as at 31 March 2018 was £2,824,000, which also was above the recommended minimum level.

Following careful consideration, the Corporate Scrutiny Committee had supported proposals to transfer parts of the GF Revenue and HRA underspends to the Transformation Reserve.

An amendment proposed by Councillor Farbahi, seconded by Councillor Mrs Smith requiring some of the underspend to be used to support people in priority housing need was put to the vote and was lost.

Resolved that:-

- £258,000 of the General Fund underspend be transferred to the Transformation Reserve with the balance of £30,000 being used towards tackling the problem of homelessness by making the Streetwise Co-ordinator post full time rather than part time; and
- £144,000 of the Housing Revenue Account underspend be also transferred to the Transformation Reserve.

15. **Exclusion of the Press and Public**

Resolved that the press and public be excluded from the meeting for the following item as it included exempt information as defined in paragraphs 1 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and that the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

16. **Proposed Acquisition of Land at Norton Fitzwarren**

Considered report previously circulated, relating to the proposed acquisition of an area of land at Norton Fitzwarren.

The Council had been working with the South West Heritage Trust (SWHT), Norton Fitzwarren Parish Council (NFPC) and Historic England (HE) to secure the site which was a Scheduled Ancient Monument, currently on the HE Risk Register.

The site had important archaeological remains which were at risk due to the legal invasive farming techniques that had occurred in the past and was likely to take place again in the near future. The Council's aim was to acquire the site and remove it from intensive farming.

Further reported that the site also formed part of the Green Infrastructure Strategy and would provide open space to the community. There would also

be education opportunities taking account of the ecological and archaeological interests on the site.

The total cost of site acquisition would be in the region of the figure included within the report. The funding for the purchase would largely be met by HE (80%) with the SWHT and the NFPC each making a small contribution. It was proposed that the remainder should be funded from the Council's general reserves.

The SWHT had indicated that they would be prepared to take on a 30-year lease on the site and help to find funding for a Conservation and Management Plan with applications to the Heritage Lottery Fund, Viridor Credits and other such bodies.

The Council would need to work with HE, SWHT and NFPC to work up an agreed management plan for the site. This would mean that the continuing maintenance of the site would not be the responsibility of the Council, thereby removing any continuing impact on Taunton Deane's Revenue Budget.

Resolved that a supplementary estimate to the value of the sum identified in the report to the capital programme be approved for the acquisition of the land at Norton Fitzwarren, including the use of the required sum from the Council's General Reserves.

Due to the lateness of the hour, the Mayor suggested that rather than further 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.

17. **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:-

- Formation of a Single Council;
- Firepool, Taunton;
- Staplegrove;
- Housing Infrastructure Funding; and
- The Deane House.

(ii) **Housing Services (Councillor Beale)**

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

- Deane Housing Development – North Taunton; Weavers Arms, Rockwell Green, Wellington; 12 Moorland Close, Taunton; Laxton Road, Taunton; Completions; Parmin Close, Taunton and Future site opportunities;
- Deane Housing Repairs and Maintenance;
- Welfare Reform – Discretionary Housing Payment;
- Deane Helpline;

- Anti-Social Behaviour Service; and
- The draft Strategic Housing Framework for Somerset and the forthcoming Affordable Housing Open Day.

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

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

- Environmental Health (Food Safety; Food Hygiene; Private Water Supply sampling; Noise investigations; Safety Advisory Groups; and Food – New Registrations – Feasibility Study);
- Licensing (Review of Policies; Working with HM Revenues and Customs; A re-vamped knowledge test and a practical driving test for taxi drivers);
- Street Sweeping and Toilet Cleaning;
- Somerset Waste Partnership; and
- Cemeteries and Crematorium.

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

The report from Councillor Edwards covered:-

- Communications;
- Business Development - Productivity Strategy; Taunton Deane Business Awards; Heathrow Business Summit; Growth Communications and Marketing – Business Envoy Programme;
- Events, Place, Retail Marketing and Visitor Centre – Events; Place and Retail Marketing; and Visitor Centre;
- Growth Strategy and Specific Projects – Coal Orchard Redevelopment, Taunton; and
- Asset Management Service Update – Asset Management System (Open Assets by Capita); Leisure Procurement – Facilities Lease Heads of Terms; The Deane House Accommodation Project; Flook House; Annual Asset Valuation; and Blackdown Business Park, Wellington.

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

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

- Planning Policy;
- Garden Town Strategy and Plan;
- Nexus 25 – Local Development Order;
- Junction 25 Upgrade – Somerset County Council Highways Authority;

- Highways England Consultation – Taunton to Southfields Dualling Scheme;
- Taunton Urban Realm;
- Car Park Pay on Foot and Variable Message Signage;
- Neighbourhood Plans;
- Major Planning – Staplegrove; Firepool, Taunton; and Comeytrowe;
- Heritage at Risk – Tonedale Mill, Wellington; and
- A different approach to unlawful encampments?

(vi) **Sport, Parks and Leisure (Councillor Mrs Stock-Williams)**

The report from Councillor Mrs Stock-Williams` dealt with activities taking place in the following areas:-

- Community Leisure – Play and Recreation; Summer Sunday Bandstand Concerts; Carols around the Bandstand; the Council's Capital Grant Scheme; Cuckoo Meadow, Minehead; Section 106 Funding for Play, Sport, Allotments and Community Halls; and Victoria Park, Taunton;
- GLL (Taunton Deane) – Community Sport and Health; and Facilities;
- Parks and Open Spaces – Adverse Weather; Grass Cutting; Vivary Park, Taunton; Wellington Park; and Green Flag Judging;
- Property – Blackbrook Pavilion Site, Taunton; Leisure Facilities; Station Road Pool, Taunton; Wellington Sports Centre; Wellsprings Leisure Centre, Taunton; and Wilton Lands, Taunton; and
- Leisure Provider Procurement.

(vii) **Corporate Resources (Councillor Parrish)**

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

- Corporate Services;
- Corporate Performance;
- Customer Services;
- Facilities Management;
- ICT/Technology;
- Member Case Management;
- HR and Organisational Development;
- Procurement Team;
- Finance; and
- Revenues and Benefits.

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

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

- Somerset One Team Toolkit;
- A different approach to unlawful encampments?
- Update on Preventing Radicalisation in Partnership (PREVENT);
- Resettled Refugees; and
- Rough Sleepers One Team.

(The meeting ended at 10.09 p.m.)

Taunton Deane Borough Council

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

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

Mrs A Elder – Chairman of the Standards Advisory Committee

1. **Minutes**

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

2. **Apologies**

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

3. **Declaration of Interests**

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

3. **Public Question Time**

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

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

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

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

project could be shelved altogether.

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

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

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

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

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

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

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

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

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

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

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

The Mayor thanked Mrs Cavill for her comments.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) Electoral Equality for Voters;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(The meeting ended at 7.31 p.m.)