SWT Executive

Wednesday, 21st October, 2020, 6.15 pm

SWT VIRTUAL MEETING WEBCAST LINK

Members: Federica Smith-Roberts (Chair), Benet Allen (Deputy Chair), Chris Booth, Ross Henley, Marcus Kravis, Richard Lees, Peter Pilkington, Mike Rigby, Francesca Smith and Sarah Wakefield

Agenda

1. Apologies

To receive any apologies for absence.

2. Minutes of the previous meeting of the Executive

To approve the minutes of the previous meeting of the Committee.

3. Declarations of Interest

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

4. Public Participation

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue. (Pages 5 - 14)

Somerset West and Taunton

	Temporary measures during the Coronavirus Pandemic Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will either be answered by the Chair of the Committee, or the relevant Portfolio Holder, or be followed up with a written response.	
5.	Executive Forward Plan	(Pages 15 - 16)
	To receive items and review the Forward Plan.	
6.	Access to Information - Exclusion of the Press and Public	
	During discussion of the following item it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 13 13.02(e) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Council will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information. Recomment Act 1972 the public be excluded from the next item of business on the ground that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).	
7.	Delivering Regeneration – Setting up a Special Purpose Vehicle	(Pages 17 - 170)
	This matter is the responsibility of Executive Councillor for Asset Management and Economic Development, Councillor Marcus Kravis.	
8.	Regeneration of Firepool: Business Case for Phase 1 delivery (Infrastructure and Block 1)	(Pages 171 - 202)
	This matter is the responsibility of Executive Councillor for Asset Management and Economic Development, Councillor Marcus Kravis.	

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JAMES HASSETT CHIEF EXECUTIVE

Please note that this meeting will be recorded. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore unless you are advised otherwise, by taking part in the Council Meeting during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact the officer as detailed above.

Following Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will be live webcasting our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, but you can also access them on the <u>Somerset West and Taunton webcasting</u> website.

If you would like to ask a question or speak at a meeting, you will need to submit your request to a member of the Governance Team in advance of the meeting. You can request to speak at a Council meeting by emailing your full name, the agenda item and your question to the Governance Team using governance@somersetwestandtaunton.gov.uk

Any requests need to be received by 4pm on the day that provides 2 clear working days before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Thursday prior to the meeting.

The Governance and Democracy Case Manager will take the details of your question or speech and will distribute them to the Committee prior to the meeting. The Chair will then invite you to speak at the beginning of the meeting under the agenda item Public Question Time, but speaking is limited to three minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group.

Please see below for Temporary Measures during Coronavirus Pandemic and the changes we are making to public participation:-

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will be answered by the Portfolio Holder or followed up with a written response.

Full Council, Executive, and Committee agendas, reports and minutes are available on our website: <u>www.somersetwestandtaunton.gov.uk</u>

For further information about the meeting, please contact the Governance and Democracy Team via email: <u>governance@somersetwestandtaunton.gov.uk</u>

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please email: <u>governance@somersetwestandtaunton.gov.uk</u>

SWT Executive - 16 September 2020

Present: Councillor Federica Smith-Roberts (Chair)

Councillors Benet Allen, Chris Booth, Ross Henley, Marcus Kravis, Richard Lees, Mike Rigby, Francesca Smith and Sarah Wakefield

Officers: Dawn Adey, Nick Bryant, Gordon Dwyer, Paul Fitzgerald, Alison North, Sarah Povall, Andrew Pritchard, Lisa Redston, Clare Rendell, Amy Tregellas and Mark Wathen

AlsoCouncillors Simon Coles, Habib Farbahi, John Hunt, Janet Lloyd,Present:Andrew Sully, Anthony Trollope-Bellew, Ray Tully, Alan Wedderkopp,
Brenda Weston, Loretta Whetlor and Gwil Wren

(The meeting commenced at 6.15 pm)

18. **Apologies**

An apology was received from Councillor P Pilkington.

19. Minutes of the previous meeting of the Executive

(Minutes of the meeting of the Executive held on 15 July 2020 circulated with the agenda)

Resolved that the minutes of the Executive held on 15 July 2020 be confirmed as a correct record.

20. **Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of	Reason	Action Taken
		Interest		
Cllr C Booth	All Items	Wellington and	Personal	Spoke and Voted
		Taunton Charter		
		Trustee		
Cllr S Coles	All Items	SCC & Taunton	Personal	Spoke
		Charter Trustee		
Cllr J Hunt	All Items	SCC & Bishop's	Personal	Spoke
		Hull		
Cllr R Lees	All Items	Taunton Charter	Personal	Spoke and Voted
		Trustee		
Cllr L Lisgo	All Items	Taunton Charter	Personal	Spoke
		Trustee		
Cllr J Lloyd	All Items	Wellington &	Personal	Spoke

		Sampford Arundel		
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke and Voted
Cllr F Smith	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr F Smith- Roberts	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr R Tully	All Items	West Monkton	Personal	Spoke
Cllr A Wedderkopp	All Items	SCC & Taunton Charter Trustee	Personal	Spoke
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr L Whetlor	All Items	Watchet	Personal	Spoke
Cllr G Wren	All Items	Clerk to Milverton PC	Personal	Spoke

21. **Public Participation**

No members of the public had requested to speak on any item on the agenda.

22. **Executive Forward Plan**

(Copy of the Executive Forward Plan, circulated with the agenda).

Councillors were reminded that if they had an item they wanted to add to the agenda, that they should send their requests to the Governance Team.

Resolved that the Executive Forward Plan be noted.

23. Emergency Town Centre Recovery and back-fill of Economic Growth and Prosperity Fund Report

During the discussion, the following points were raised:-

• The Chair of Scrutiny gave an update on the discussions raised on the report at the previous Scrutiny Committee meeting. He advised the Executive of the reasons why they had proposed an additional recommendation.

The Portfolio Holder for Asset Management and Economic Development advised he had spoken to members of the Taunton Chamber of Commerce and they were happy to include members of the Taunton Charter Trustees in the decision making process.

- The Vice Chair of Scrutiny thanked the Executive for acknowledging the comments made by the Scrutiny Committee. She wanted to ensure that the Charter Trustees were included as Taunton did not have a Town Council to include in the consultation.
- The Executive agreed that the Taunton Charter Trustees should be included in the Working Group for the Taunton area.

The Economic Development Operational Manager gave reassurance on the governance arrangements within the terms of reference for the distribution of funds. She also gave information on the composition of each working group and that she was keen to ensure each group were represented.

• Councillors queried the wording used for the additional recommendation from the Scrutiny Committee.

The Director for Development and Place advised that the Governance Specialist had listened back to the recording of the meeting and confirmed that the wording had been read out at the meeting and voted on by the Scrutiny Committee. She also confirmed that the report had been brought forward because the original funds had already been approved and allocated to the project but that they had been used to assist with the work carried out during the Covid Pandemic and that Councillors were being asked to approve for the budget to be backfilled to allow the Town Centre Recovery Project to carry on.

Resolved that the Executive:-

- Noted that £535,000 had been repurposed for Emergency Town Centre Recovery following Covid-19 Lockdown utilising the Council's Economic Growth and Prosperity Fund held in earmarked reserves;
- Recommended that Full Council approved a budget allocation of £500,000, funded from General Reserves, to back-fill the Economic Growth and Prosperity fund;
- Delegated authority to approve expenditure of the budget allocation of £500,000 as referred to in 2.2 to the Director of Development and Place in consultation with the Economic Development Portfolio Holder; and
- 4) The Director of Development and Place and the Economic Development Portfolio Holder consulted with councillors from the Taunton Charter Trustees alongside the Taunton Chamber of Commerce as part of the Working Group for Taunton.

24. Small Scale Industrial Space Local Development Order Report

During the discussion, the following points were raised:-

- Councillors thanked the Councillors for their hard work and they were pleased to see cross party involvement.
- Councillors requested some changes to the wording in the Design Guide. The Assistant Director for Strategic Place Planning advised that it was the Local Development Order that the permissions were binded to and that the Design Guide advised how the work should be done, hence the wording used, which would allow for flexibility. The Strategy Specialist advised that they could make changes to the document prior to the report going to Full Council.
- Councillors thanked the officers for their hard work on the documents.

Recommended that Executive:-

1) Delegated authority to the Assistant Director for Strategic Place Planning and the Portfolio Holder for Planning and Transportation to make any minor amendments in accordance with the discussion had at the Executive meeting held on 16 September 2020 and any changes in legislation, prior to the report being taken to Full Council for approval; and

2) Approved the progress of Small Scale Industrial Space Local Development Order in the Somerset West and Taunton Area to Full Council for adoption.

25. Delivering Regeneration - Setting up a Special Purpose Vehicle

Resolved that the item be deferred until the meeting of the Executive being held on 21 October 2020.

(The Meeting ended at 7.40 pm)

SWT Executive - 23 September 2020 held via Zoom Video Conference

Present:	Councillor Federica Smith-Roberts (Chair)		
	Councillors Benet Allen, Chris Booth, Ross Henley, Marcus Kravis, Richard Lees, Mike Rigby, Francesca Smith and Sarah Wakefield		
Officers:	Alison North, Andrew Pritchard, Marcus Prouse, Amy Tregellas, Tim Bacon, Scott Weetch, Joe Wharton, Jo Comer and Julie Jordan		
Also Present:	Councillors Simon Coles, John Hassall, Libby Lisgo, Nick Thwaites, Anthony Trollope-Bellew, Ray Tully, Loretta Whetlor and Gwil Wren		

(The meeting commenced at 6.15 pm)

26. **Apologies**

Apologies were received from Councillor Pilkington.

27. **Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr C Booth	All Items	Wellington and Taunton Charter Trustee	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke
Cllr R Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Lisgo	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke and Voted
Cllr F Smith	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr F Smith- Roberts	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr R Tully	All Items	West Monkton	Personal	Spoke
Cllr L Whetlor	All Items	Watchet	Personal	Spoke

28. **Public Participation**

No members of the public had requested to speak on any item on the agenda.

29. **Executive Forward Plan**

(Copy of the Executive Forward Plan, circulated with the agenda).

Councillors were reminded that if they had an item they wanted to add to the agenda, that they should send their requests to the Governance Team.

Resolved that the Executive Forward Plan be noted.

30. **Community Chest Report**

The report was introduced by the Executive Councillor Chris Booth, Portfolio Holder for Community and the recommendations seconded by Councillor Smith-Roberts.

During the discussion, the following points were raised:-

- A query was raised as to whether there were criteria around organisations receiving grants from other places?
- This was specifically queried in the application forms.
- It was understood this fund would only be for those organisations that were very small and did not employ paid staff?
- This was confirmed but there was flexibility. Those organisations with an income of £10,000 or less would be prioritised.
- It was queried as to the Budget identified if not spent by the end of the current financial year?
- A dashboard had been created which would identify the spend in real time. A decision would be taken as to where to utilise the funds if an underspend remained.
- The Leader expressed her support for the scheme and stated that it had been highlighted during the current pandemic how the organisations to be supported by this fund underpinned everything the Council did.
- The Portfolio Holder confirmed that the intention was to launch the fund on 1st October 2020.

RESOLVED:

- 1. To approve a supplementary budget of £250,000 for the Community Chest, to be funded from Business Rates Retention Pilot surplus income due to be received in 2020/21.
- 2. Delegate authority to the Communities Portfolio Holder to make decisions relating to the spend of this fund.
- 3. The Communities Portfolio Holder will engage with ward members on proposed spending within their wards.

31. Shared Legal Service Report

The report was introduced by the Executive Councillor Ross Henley, Portfolio Holder for Corporate Resources and the recommendations seconded by Councillor Allen.

During the discussion, the following points were raised:-

- It was commented that pooling of legal resources was considered prudent when legal services could potentially be expensive.
- Queries were raised over how successful the link with Mendip District Council had been, and how the fair sharing of the service had been monitored?
- Regular monitoring meetings were held with Mendip District Council and Service Level Agreements were in place. This piece of work would be the time to ensure the proposal was reviewed and was fit for purpose.
- It was commented that it was important to ensure the legal service was available during the next phase of the unitary process.

RESOLVED to:

- 1. Noted the contents of this report.
- 2. Authorised the establishment of a project team to work on the development of a business case and options appraisal for the sharing of legal services between Mendip District Council, Somerset West and Taunton Council, South Somerset District Council and Sedgemoor District Council.
- 3. Authorised the Director of Internal Operations or her delegated representative, following consultation with the Districts' Unitary Programme Board and Unitary Steering Group, to take any and all decisions as deemed necessary to enable the business case and options appraisal to be developed to include, without limitation, finalising, approving and signing Heads of Terms and engaging any external advisers.
- 4. Agreed a contribution of up to £5,000 to fund the Councils one quarter share in relation to the engagement of any external advisors.
- 5. Authorised the Director of Internal Operations or her delegated representative to review the progressing of the shared legal services project in the event that Central Government decide to proceed with one Unitary Authority for Somerset.

32. National Living Wage Report

The report was introduced by the Executive Councillor Ross Henley, Portfolio Holder for Corporate Resources and the recommendations seconded by Councillor Smith-Roberts.

During the discussion, the following points were raised:-

- It was confirmed the Council currently paid employees equally regardless of characteristic and fulfilled its statutory obligations in terms of reporting on pay.
- Was the Council looking to re-negotiate existing contracts?
- The Council would not look to re-negotiate existing contracts but would talk to existing suppliers that the Council would be looking to move forward on this issue in future contracts.
- A question was raised as to whether this had been adopted elsewhere across the country?
- Just over forty Councils in England had brought this forward, and there was an opportunity for SWT to be an exemplar in the South West on this issue.
- It was suggested that in negotiating with suppliers, the Council needed to be robust in ensuring the requirement for a real Living Wage was being passed on to the contracted employee.
- The Portfolio Holder for Corporate Resources expressed that it be included in the minutes that it was his keen aspiration that Steps 2 and 3 of the process as outlined in the report were completed in time for a decision by Council to be made on this matter by the end of May 2021.

<u>RESOLVED</u> to endorse the four stage process listed;

- 1. Stage 1 Obtain approval from the Executive to proceed to Stage 2 of the process.
- 2. Stage 2 Carry out an Internal Review with directorates to ascertain whether it is feasible to become an accredited Living Wage employer.
- Stage 3 Carry out a consultation and impact assessment with our suppliers and partners to ascertain if it is feasible to change our procurement process to become an accredited Living Wage Employer.
- 4. Stage 4 If stages 2 and 3 identify that it is feasible to proceed with this project, develop an Action Plan to work towards becoming an accredited Living Wage Employer.

33. Unitary Programme Delivery Funds Report

The report was introduced by the Executive Councillor Federica Smith-Roberts, Leader of the Council and the recommendations seconded by Councillor Wakefield.

During the discussion, the following points were raised:-

- It was queried as to what exactly the budget would be required for?
- The budget was required for a variety of anticipated activity as outlined in the report, including external advice, implementation, and communications with residents. Any unspent funds would be returned to reserves.
- The specific amount of £249,000 had been requested as the maximum threshold the Executive could approve under the Constitution.

RESOLVED to:

- Approve a supplementary budget of £249,000 funded from general reserves, for expenditure to provide resources and advice to the Council as it progresses the Stronger Somerset business case and prepares for transition.
- 2. Delegate authority to the Leader of the Council and/or the Chief Executive, to approve individual items of expenditure against the budget.

34. Access to Information - Exclusion of the Press and Public

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

35. **Purchase and Development Report**

The confidential report was introduced by the Executive Councillor Marcus Kravis, Portfolio Holder for Asset Management and Economic Development and the recommendations seconded by Councillor Booth.

<u>RESOLVED</u> that the Executive approved;

- 1. The principle of purchasing the site for up to a maximum of a confidential amount identified in the report.
- 2. An additional confidential budget to progress detailed design up to construction stage.
- 3. That funding is sought from Homes England and if a viable solution is not identified then the site should be opened up as a green space with car parking for the benefit of the area.
- 4. Delegated authority to the Executive Portfolio Holder for Asset Management and Economic Development and the Chief Executive, in consultation with the S151 Officer, to agree the final terms and complete the transaction, subject to satisfactory due diligence and satisfactory professional advice is received in relation to Finance, Procurement, Title, SPV, Tax and VAT and Legal and Ground Conditions specifically.
- 5. The acquisition to be subject to an independent valuation confirming the purchase represents value for money and the scheme is valued as outlined in the report.
- 6. That the development will achieve zero carbon and if possible contribute affordable housing.

(The Meeting ended at 7.43 pm)

Executive Meeting	Draft Agenda Items	Lead Officer
0 October 2020	Coastal Protection Works	Chris Hall
	Somerset Wide Climate Emergency Strategy	Graeme Thompson
RD = 9 October	SWT Carbon Neutrality and Climate Resilience Action Plan	Graeme Thompson
ERD = 15 September	Urgent Report - Confidential Report for Proposed Sale of Land	Chris Hall
MTRD = 2 September		
1 October 2020	Firepool (Infrastructure Approval)	Tim Bacon/Joe Wharton
RD = 9 October	Delivering Regeneration – Setting up a Special Purpose Vehicle	Tim Bacon/Joe Wharton
ERD = 15 September		
MTRD = 2 September		
8 October 2020	2020/21 Budget Monitoring Q1	Emily Collacott
inance Reports Only	Financial Strategy Review and MTFP Update	Paul Fitzgerald
RD = 16 October	2019/20 Financial Outturn Report	Emily Collacott
	Q1 Performance Report	M. Riches
8 November 2020	Amendment to the Private Sector Renewal Policy – Disabled facilities Grants, Repairs assistance and new Special Purpose Grant	Chris Brown/James Barrah
RD = 6 November	Future SWT Rough Sleeper Provision	Simon Lewis
RD = 13 October	Interim Policy Statement on Planning for the Climate Emergency	Graeme Thompson
MTRD = 30 September	Somerset EV Charging Strategy	Graeme Thompson
	HIF Loan Agreement	Kate Murdoch
	Commercial Investment Review	Gerry Mills
	North Taunton Woolaway Project – NTWP phases B and E	Jane Windebank/Chris Browr
	Oxford Inn New Affordable HRA Homes	Chris Brown
	Seaward Way - New Affordable Homes in Somerset West	Wendy Lewis/Chris Brown
	NO MORE ITEMS	
6 December 2020	acco (as Dudant Maritarian Co	
	2020/21 Budget Monitoring Q2 Public Realm Design Guide for Taunton Garden Town – Feedback	Emily Collacott
enue =		Fiona Webb
RD = 4 December	Somerset West and Taunton Districtwide Design Guide	Fiona Webb
ERD = 10 November	Everyone Active Update	Natalie Green
MTRD = 28 October	Monkton Heathfield Phase 2 Masterplan: Feedback	Andrew Penna/ Nick Bryant
	Voluntary and Community Sector Grants Review	Scott Weetch
	2021/22 Budget Progress Update	Emily Collacott
0 January 2021	Housing Strategy - Action Plan for SWT	Mark Leeman
enue =	Safeguarding Policy Update	Scott Weetch
RD =		
ERD =		
MTRD =		
February 2021	General Fund Revenue Budget and Capital Programme 2021/22	Emily Collacott
UDGET ONLY	HRA Revenue Budget and Capital Programme 2021/22 HRA Revenue Budget and Capital Programme 2021/22	Emily Collacott
	Policy Framework	Amy Tregellas
enue = RD =	HRA Business Plan	James Barrah
RD = ERD =		
- 1 1 =		

24 February 2021		
enue =		
RD =		
ERD =		
SMTRD =		
7 March 2021	2021/22 Partnership Grants Schedule	Scott Weetch/Christine Gale
enue =	2020/21 Budget Monitoring Q3	Emily Collacott
RD =	Capital, Investment and Treasury Strategies 2021/22	Paul Fitzgerald
ERD =	Pay Policy	Alison North/HR
SMTRD =		
1 April 2021		
enue =		
RD =		
ERD =		
MTRD =		
ems to be Confirmed	Firepool LDO	Andrew Penna/ Nick Bryant
	Obridge	Tim Bacon/Joe Wharton
	Strategic Acquisition Report (Confidential)	Joe Wharton

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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