

## SWT Executive - 18 November 2020

Present: Councillor Federica Smith-Roberts (Chair)

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

Officers: Dawn Adey, James Barrah, Chris Brown, Paul Fitzgerald, Chris Hall, James Hassett, Simon Lewis, Wendy Lewis, Andrew Low, Gerry Mills, Kate Murdoch, Alison North, Kerry Prisco, Andrew Pritchard, Marcus Prouse, Clare Rendell, Shane Smith, Graeme Thompson, Sue Tomlinson, Christian Trevelyan and Jane Windebank

Also Present: Councillors Sue Buller, Simon Coles, Roger Habgood, John Hassall, Libby Lisgo, Janet Lloyd, Craig Palmer, Derek Perry, Martin Peters, Hazel Prior-Sankey, Andrew Sully, Anthony Trollope-Bellew, Ray Tully, Brenda Weston, Loretta Whetlor and Gwil Wren

(The meeting commenced at 6.15 pm)

### 59. Apologies

No apologies were received.

### 60. 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 J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke
Cllr C Palmer	All Items	Minehead	Personal	Spoke
Cllr D Perry	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr M Peters	All Items	Taunton Charter	Personal	Spoke

		Trustee		
Cllr P Pilkington	All Items	Timberscombe	Personal	Spoke and Voted
Cllr H Prior-Sankey	All Items	SCC & 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 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

Councillor M Kravis further declared a prejudicial interest on agenda items 7 and 14 and left the meeting for the debate.

## 61. Public Participation

Mrs Linda Brierley submitted a letter on agenda item 7 - A proposal for delivering future single rough sleeper and homelessness accommodation in SWT.

Canonsgrove and its effect on Trull and Staplehay

Following consideration of the matter at the Scrutiny meeting on 4<sup>th</sup> November 2020, Officers were asking the Executive to approve the preparation of an Options Appraisal in relation to future permanent homeless accommodation across the Council area.

We attach Trull Residents' Group's representations to the Scrutiny committee for your information. We support the Scrutiny Committee's recommendation that this must be a true Options Appraisal, with full engagement of the local community.

The Scrutiny Committee agreed with us that the report from Simon Lewis of Somerset West and Taunton Council (SWT) was wrongly focused on providing a business case for the ongoing use of Canonsgrove. It was reassuring to hear Members say that any suggestion of a *fait accompli* should be '*dismissed immediately*'.

Councillors also recognised that the Options Appraisal must be led by technical evidence. How then could SWT Officers propose to undertake the Options Appraisal by December 2020, with a business case provided by February 2021? Likewise, how could Officers already be bidding for '*funding in 2021/22 to support delivery of our preferred accommodation options*' before the Options Appraisal had been undertaken? This looked like the *fait accompli* which Councillors had rightly rejected.

Any presumption towards Canonsgrove in the Options Appraisal would overlook the potential for the use or re-use of other sites in the town and would seem to enable procedural challenge via the Local Government Ombudsman and other routes. Given that SWT was looking at the provision of a new or significantly-altered building, and that the Council was in the process of identifying development sites across the district via the new Local Plan, what was actually needed was a wide-ranging, transparent and properly-evidenced review, taking account of all relevant matters including the independent views of the community.

As noted in our earlier letter, it is also wrong for Trull Parish Council's Canonsgrove Working Group to be excluded from deliberations. Comeytrowe Parish Council should also be consulted. Local residents should be party to an open and evidenced Options Appraisal which takes account of all relevant matters and ongoing/future costs in determining which site(s) were most appropriate for future homeless accommodation in the SWT area.

Councillors of the Scrutiny Committee identified that Anti-Social Behaviour (ASB) was the biggest issue in bringing forward new provision for homeless people. Since our last letter, there had sadly been a significant worsening of public safety nearby, with confirmed burglaries (one with a vulnerable young person in the building at the time), bicycle thefts, defecation in residential streets, and ongoing problems with intoxicated people creating road safety issues between the site and town centre. There were four blue-light responses to incidents at Canonsgrove in just one day last weekend.

The response of Officers of SWT and the YMCA that *'you can't prove these issues relate to Canonsgrove'* was often factually wrong, as well as insensitive and lacking credibility. A standard response of *'prove it'* would never instill confidence in the community. In any case, there was enough evidence – the Police accepted a Community Trigger due to issues relating to Canonsgrove and recorded crime statistics paint a clear picture. Such problems had never previously been experienced in our villages, and it was clearly not coincidental that there had been a significant recorded increase in crime and ASB since the current use of Canonsgrove began.

In short, this was not about removing homeless people from the villages. Rather, local people rightly insisting on public engagement and proper management of whatever facility was ultimately brought-forward, in order to avoid the issues which had previously arisen.

I hope that this is helpful in setting the context for the concerns of the local community. Thank-you for your time in this matter.

Yours sincerely L. Brierley, J. Barker, M. Berry, K. Blackwell, D. Brierley, B. Pretty, C. Flood, C. Holder, D. Johnson, J. Kirk, L. Langham, M. McLoughlin, P. Midgley, T. Saunders, E. Sebright, M. Simmonds, T Smith, D. Spurway, G. Steele, B. Sweeting, R. Teale, A. Temblett, G. Tuckett, C. Warburton and all on behalf of Trull Residents Group.

The following response was given by the Portfolio Holder for Housing:-

Dear Trull Residents Group,

We had responded back to the original letter that was sent to Scrutiny and therefore this response focussed on the covering letter addressed to the Executive Committee.

We, like you, also supported the Scrutiny Committee's recommendations that this should be a true options appraisal. The Executive Summary of the report explains the purpose of the report "To propose an approach to identify our future requirements for single homeless and rough sleeper accommodation in SWT and to evaluate and bring back recommendations on the best options to deliver against this need." The questions raised at the Scrutiny meeting were focussed primarily on Canonsgrove and on reflection the report itself had more content focussed on this one site, simply because it was currently where we were housing a large proportion of our rough sleeper community and there was some urgency to resolve what happened to these people in the future. We fully acknowledge it was one of the options we would consider – but it was one of a number. We could only continue to reiterate that there was no prejudgement on any decisions and any supposition of Canonsgrove being a 'fait accompli' had no factual basis.

The option appraisals would be led by the council (or council officers) with technical support from architects, engineers and other consultants as required.

We had not started on any bid for 2021/22 NSAP Funding.

We would continue to engage with the Trull Parish Council and report to them monthly on Canonsgrove which we were currently doing. Officers attended on Monday this week and provided a report. They had also responded to the 17 questions raised by the Trull Parish Council subgroup, the 'Trull Residents Group.' We would also engage with Comeytrowe Parish Council. As part of our engagement, we would be able to share with you information on:

- Our required housing need for the District, the mix, quantum and types of accommodation we forecast we need;
- Our accommodation strategy that provided greater description of what we were seeking and how this would work;
- An outline methodology of how we would approach undertaking the Options Appraisal; and
- Our analysis of the Canonsgrove site to meet this need once we had done this work.

It was worth saying that the findings and recommendations for this work would be taken back to our councillors for approval before progressing plans on our preferred options. These reports would again be publicly available on our website and would only progress if they had the required democratic approval.

We would not be asking the Trull Parish Council or Trull Residents Group to be involved in the appraisal itself as we need this to remain independent and objective and avoid claims of impartiality from other communities who could end up with accommodation provision within their locality.

With respect to anti-social behaviour, we had provided a report to the Trull Parish Council outlining the 5 complaints we had received in the last month and the 5 compliments from the local community. Most of the complaints were not incidents of serious crime (including someone's dog barking at another dog; and two people walking past, playing loud music at 10.30pm who were assumed to be Canonsgrove residents). However we were aware that one of these complaints related to a serious crime (two burglaries) which included the theft of the bicycles and this was very regrettable that two of our residents were involved in this. The police had confirmed that this was the first burglary that Canonsgrove residents had been implicated in and the situation was managed swiftly and decisively, with strong partnership working between the YMCA and the Police - the police turned up immediately to arrest them, stolen goods were returned and both were evicted and were awaiting trial. Every incident we were made aware of was addressed and managed professionally by the YMCA Dulverton Group.

With respect to the notion that there had been a general pattern of increased Crime in the residential and community areas of Trull, I could only go back to what the Police had consistently been telling Trull Parish Council and ourselves, was that that simply wasn't true. The police did get called to incidents and altercations at Canonsgrove itself and that was to be expected with the nature of supporting people in homeless accommodation, but the police had told us that there had not been a noticeable increase in crime within the Trull area itself. An email received from the Police this week confirmed that, explaining "The figure for crimes reported in the Trull area (within ½ mile of postcode TA3 7HP) for April – September 2019 was 13. By comparison, figures for the same period in 2020, not taking into account those incidents that occurred on site at Canonsgrove were only 11, suggesting a slight reduction in reports in the area that would potentially have an impact on the local community."

Officers from the Council were pleased to hear acknowledgement from the Chair of the Trull Parish Council at the October meeting that "troubles had calmed right down".

We have never received any complaints of our residents defecating and the police had confirmed that there had been one complaint to them of this nature in the past six months by person, unknown. Canonsgrove *had* received one complaint of a suspected tenant urinating in public in the past but was able to clearly determine that the culprit was not a resident of Canonsgrove.

The Council and the YMCA Dulverton Group always take every concern and complaint raised seriously at Canonsgrove and address this swiftly and professionally. We never take the stance "that you can't prove these issues are related to Canonsgrove" however both the Police and the Council have requested from the Residents Group and complainants that sufficient information was provided to enable us to identify the culprit as a Canonsgrove resident, understand the nature of the complaint, act on the complaint and ideally provide a description to identify the culprits. An example of this was a complaint we received from a house adjacent to a public footpath into the countryside that did none of these - "two people were sat on the pavement outside of our house", with no further information to go on and no-one there when we arrived. We were not

trying to be obstructive, but genuinely want to be in a position to address issues and need enough information to do so.

We know from our evening patrols that sometimes rowdy groups of young people did walk through Trull making a noise, who were not our residents and as in the example above with the urination, both the Police and the YMCA feel that an immediate assumption that any wrong-doing is undertaken by Canonsgrove residents was false and unfair.

The Council would continue to work with the YMCA Dulverton Group and the Police in partnership to ensure Canonsgrove continued to be managed professionally and we hoped our response above goes some way to answering your questions.

62. **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.

63. **Interim Policy Statement on planning for the Climate Emergency - Draft for public consultation**

During the discussion, the following points were raised:-

- Councillors welcomed the report. They further highlighted that Climate Change was an important issue and the report showed that the Council was taking it seriously.
- Councillors requested clarification on the local validation list mentioned in section 4.24 of the report.  
*Clarification was given and officers understood that it was slightly confusing as the validation list was a separate document.*
- Councillors agreed that a good debate was had by the Scrutiny Committee on the report and highlighted that officers needed to consult properly within the Covid safety guidelines.
- Concern was raised on the section within the report that mentioned parking and public transport and Councillors highlighted the difficulty of using public transport in the former West Somerset area of the district.

**Resolved:-**

- That Executive Committee approved the Draft Interim Policy Statement on planning for the Climate Emergency for public consultation; and
- That responsibility for any minor textual and visual changes and enhancements prior to publication for consultation were delegated to the Director for Development and Place in consultation with the Portfolio Holder for Planning and Transportation.

64. **Somerset Electric Vehicle Charging Strategy**

During the discussion, the following points were raised:-

- Councillors were delighted to see the report coming forward.
- Councillors highlighted that not all charging points would be council led but it was a good document to assist in the implementation process.
- Councillors queried how and where the charging points would be installed. *Council owned car parks would be looked at and then work with other partners to encourage and enable delivery of destination and on-street charge points in other locations across the district. The Strategy would inform these conversations, but the Council would almost certainly not be the body delivering these.*
- Concern was raised on areas that had very limited or lack of off-street parking.
- Concern was raised on other types of fuel being introduced in the future. *It was noted that the report considered alternative fuels including the role that hydrogen was currently expected to play. Working to bring forward EVs was seen as a least regret option.*
- Councillors queried how could planning policy be changed to implement all the positive parts of the document. *The Climate Positive Planning document discussed in the previous item referred to how we could use existing planning policies to ensure EV charge points were implemented in new developments. More explicit reference in planning policy would be explored through the new Local Plan, although it was noted that the Government had consulted previously on amending Building Regulations to make charge points a mandatory requirement.*
- Councillors wanted all local areas to be included and encouraged to take part. *Officers would liaise with local town/parish councils and chambers of commerce etc to assist them.*
- Councillors queried how payment would be made for the charging points. *There are several apps available to make payments.*

**Resolved** that the Executive **recommended** to Full Council that the Somerset Electric Vehicle Charging Strategy was adopted and brought forward into the Council's Carbon Neutrality and Climate Resilience Action Plan.

65. **A proposal for delivering future single rough sleeper and homelessness accommodation in SWT**

During the discussion, the following points were raised:-

- Councillors thanked officers for their work on the Proposal.
- Councillors were aware of the issues experienced at the site and advised that officers were trying to rectify those.
- Councillors requested clarification on section 1.4 in the report on adopting new voluntary responses and whether it would be going beyond the statutory response.

*The Assistant Director for Housing and Communities advised that the scheme was set up to assist homeless people and was part of the legislation put in place during the Covid Pandemic. Councillors needed to decide whether the Council should continue to assist those people going forward.*

- Concern was raised that the scheme would take management time away from other important projects.
- Councillors queried whether there was accommodation available for the residents once they needed to move on from Canonsgrove.

*The Assistant Director for Housing and Communities advised that the scheme would assist the residents to find accommodation.*

- Councillors queried whether there would be a separate piece of work carried out for helping homeless families.

*The whole scheme would be used to find out what the wider need was and to get feedback on the services provided to all homeless cases.*

- Councillors agreed that the multi-agency work carried out at Canonsgrove was positive and helped the vulnerable people in the district who required support.

**Resolved** that the Executive noted the proposed steps and timeline outlined in 4.16 including the resource requirements to undertake the options appraisal proposed to bring back a recommended solution.

#### 66. **Staplegrove New Community - Housing Infrastructure Fund**

During the discussion, the following points were raised:-

- Councillors were pleased to support the recommendations.
- Councillors requested assurance that the project would only go ahead if the Council received the funding from Homes England and could complete the build within the timescales quoted.

*The Strategy Specialist gave the councillors reassurance about the funding.*

**Resolved** that the Executive approved:-

- Delegated authority to the Director of Development and Place and s151 Finance Officer, in consultation with the Planning Portfolio Holder, to agree and enter into a suitable loan facility between Somerset West and Taunton and the Staplegrove developers (or alternatively the landowners with appropriate covenants to bind developers when they were appointed), to ensure draw down of the HIF funding in line with the requirements of the Homes England Grant Funding Agreement; and
- A Supplementary Budget of £14.2m was added to the General Fund Capital Programme for the provision of the loan funding to the developer, dependent on the agreement of terms.

#### 67. **Amendment to the Private Sector Renewal Policy - Disabled Facilities Grants, Repairs Assistance and New Special Purpose Grant**

During the discussion, the following points were raised:-



- Councillors were pleased to see the work move forward which supported the disabled residents within the district.
- Councillors queried the make-up of the panel and who would be involved. *The Partnership Manager advised that officers from all the District Councils would be involved along with officers from mental health agencies and Adult Social Care from Somerset County Council.*
- Councillors were pleased to see that if the funding limit was reached, that no more applications would be allowed until the new financial year.

**Resolved** that the Executive **recommended** that Full Council approved:-

- The amendments to the Somerset West Private Sector Renewal policy;
- The new Appendix B zero interest equity loan product providing additional support to owner occupiers in regeneration areas where SWT were comprehensively refurbishing HRA homes; and
- Phase E of the NTWP as a location and phase where the Special Purpose Grant would be adopted by the Council with a capped Better Care Funding allocation of £600k for 2021/2022.

#### 68. **Access to Information- Exclusion of the Press and Public**

**Resolved** that the press and the public be excluded from the meeting for the appendices for items numbered 11, 12 and 13 and for the whole debate on item 14 on the Agenda as the items contained exempt information as defined in Paragraph 3 of Part 1 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.

#### 69. **North Taunton Woolaway Project**

During the discussion, the following points were raised:-

- Councillors were pleased to see the work coming forward and that it included climate considerations with the zero carbon work involved.
- Councillors queried whether the wheelchair accessible properties would be required. *The Portfolio Holder for Housing advised that those would only be completed for those who plan to return to the properties who require the adaptations.*
- Clarification was requested on the amount of residents who had decanted and planned on returning to the properties. *Clarification was given on the reasons why some were not returning, which included the need for a larger property.*
- The Chair of Scrutiny gave feedback from their debate on the report.

**Resolved** that the Executive approved the purchase of the private dwelling as set out in confidential Appendix D; and

**Recommended** to Full Council:-

- To allocate a total scheme budget and borrowing requirement for Phases B-E and the conclusion of the regeneration scheme as set out in confidential Appendix A;

- Delegated authority to the Section 151 Officer to determine the final funding profile for each future phase once the finalised designs have been received for Phases B-E and any relevant planning approval and contract costs have been received;
- To approve the decant of tenants within Phases B which would allow Gold band status in the Homefinder Somerset allocations system for tenants in this Phase and allow those who wished to move outside the regeneration area sufficient priority to move home;
- Delegated authority to the Director of Housing and Communities in consultation with the Portfolio Holder for Housing authority to approve future decanting and demolition for future phases; and
- All new build properties (Phase A-D) would be set at affordable rents in line with the 2020 Rent Setting Policy. The affordable rents would be set to ensure scheme viability at between 60% and 80% of market rates. However, all NTWP SWT secure tenants who lived within the NTWP (Phases A-D) at February 2019, when the Council made its decision to regenerate the neighbourhood, would have their rents capped at the equivalent social rent if being rehoused in the new NTWP development. These rents would remain with the tenant as long as they retained their tenancy. No current NTWP SWT tenant would be required to pay above the equivalent social rent and service charge for their home in line with the Council Shadow Full Council approval to allow existing SWT tenants to remain on a social rent level.

#### 70. **Oxford Inn New Build HRA Zero Carbon Homes, Taunton**

During the discussion, the following points were made:-

- Councillors were pleased to see the development of the land coming forward.
- Some councillors were concerned on the loss of the public house in the area.
- Councillors queried whether the development would include electric vehicle charging points.

*The Portfolio Holder for Housing advised that it would be looked at as part of the planning stage.*

**Resolved** that the Executive **recommended** to Full Council the following:-

- Support the use of the vacant SWT public house for new zero carbon affordable homes;
- Approve the demolition of the Oxford Inn;
- Approve the development of 11 affordable homes built to standards emerging from the Zero Carbon Affordable Homes Pilot, subject to planning approval;
- Allocate a total budget and borrowing requirement in line with confidential Appendix A;
- Delegate authority to the Section 151 officer to determine the final funding profile for this scheme once the finalised design had received planning approval and tenders had been received; and

- Note the use of affordable rents for these new build HRA homes in line with the 2020 Rent Setting Policy. The affordable rents would be set to ensure scheme viability at between 60% and 80% of market rates.

71. **Seaward Way, Minehead - New Build HRA Low Carbon Homes**

During the discussion, the following points were raised:-

- Councillors were pleased to see the report coming forward and that it included the infrastructure to combat the issues on flooding in the area.
- Councillors were pleased to see houses being built in the former West Somerset area.
- Councillors advised they would be keen to request that bus stops were added within the new development.

**Resolved** that Executive **recommended** to Full Council the following:-

- Approve the development of 54 Affordable Homes built to very low carbon standards, subject to planning approval;
- To approve the supplementary budget as stated in confidential appendix A;
- To approve the transfer of land from the general fund to the housing revenue account for the use of social housing development and to delegate authority to the Section 151 officer to approve the final land transfer amount;
- Delegate authority to the Section 151 Officer to determine the final funding profile for this scheme once the finalised design had received planning approval and tenders had been received; and
- Note the use of affordable rents for these new build HRA homes in line with the 2020 Rent Setting Policy. The affordable rents would be set to ensure scheme viability at between 60% and 80% of market rates.

72. **Commercial Property Investment Strategy Review**

**Resolved** that the Executive **recommended** that Full Council:-

- Receive Part 1 of the report which was the review of the Commercial Property Investment activity and performance since the last report of the 7 July 2020 as set out in Section 10.4 of the original strategy;
- Receive Part 2 of the report which was the first annual portfolio review of the Commercial Property Investment Strategy (CPIS) as set out in Section 11.1 of the original strategy; and
- Agree the amendments set out in the review of the strategy as shown in Appendices 3 and 4.

(The Meeting ended at 9.45 pm)