

SWT Scrutiny Committee - 4 November 2020 held via Zoom Video Conference

Present: Councillor Gwil Wren (Chair)

Councillors Ian Aldridge, Norman Cavill, Simon Coles, Dixie Darch, Habib Farbahi, Ed Firmin, Dave Mansell, Phil Stone, Nick Thwaites, Sue Buller (In place of John Hunt), Caroline Ellis (In place of Derek Perry), John Hassall (In place of Danny Wedderkopp) and Ray Tully (In place of Keith Wheatley)

Officers: Paul Fitzgerald, Marcus Prouse, Dawn Adey, James Barra, Chris Brown, Chris Hall, Simon Lewis, Andrew Low, Tracey Meadows (Democracy and Governance) and Graeme Thompson

Also Present: Councillors Chris Booth, Roger Habgood, Janet Lloyd, Simon Nicholls, Peter Pilkington, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Sarah Wakefield, Alan Wedderkopp and Loretta Whetlor

(The meeting commenced at 6.15 pm)

72. **Apologies**

Apologies were received from Councillors Lisgo, Hunt, Perry, D Wedderkopp and Wheatley.

Councillor Buller substituted for Cllr Hunt. Cllr Hassall substituted for Cllr Wedderkopp. Cllr Tully substituted for Cllr Wheatley. Cllr Ellis substituted for Cllr Perry.

RESOLVED that Cllr Nick Thwaites be appointed Vice-Chair for the duration of the meeting, in the absence of the Vice-Chair.

73. **Minutes of the previous meeting of the Scrutiny Committee held on 14 October 2020.**

(Minutes of the meeting of the Scrutiny Committee held on 14th October 2020 circulated with the agenda).

Cllr Mansell brought to the attention of the Committee a concern over the accuracy of the recommendations in the Coastal Protection report.

RESOLVED that the minutes of the Scrutiny Committee held on 14th October 2020 be deferred for approval to the next meeting whilst the matter was investigated.

74. **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
Cllr N Cavill	All Items	West Monkton	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr C Ellis	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke
Cllr D Mansell	All Items	Wiveliscombe	Personal	Spoke and Voted
Cllr S Nicholls	All Items	Comeytrove	Personal	Spoke
Cllr P Pilkington	All Items	Timberscombe	Personal	Spoke
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke
Cllr F Smith	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr F Smith-Roberts	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr V Stock-Williams	All Items	Wellington	Personal	Spoke
Cllr R Tully	All Items	West Monkton	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & Taunton Charter Trustee	Personal	Spoke
Cllr L Whetlor	All Items	Watchet	Personal	Spoke

Cllr Thwaites declared a Personal Interest in respect of Item 5 (Rough Sleepers) – that he had been lobbied on the matter.

75. Public Participation

1) Trull Residents Group – Item 5

We understand that you are shortly to hear from officers of Somerset West and Taunton (SWT) Council in relation to the ongoing use of Canonsgrove Halls of Residence as temporary emergency accommodation for homeless people during the Covid-19 crisis. We further understand that you are to be asked to approve the preparation of an Options Appraisal in relation to future permanent homeless accommodation across the Council area, with Canonsgrove being one of the options under consideration.

Simon Lewis of SWT has told Trull Parish Council and local residents that the Options Appraisal was to include a review of potential sites around the town. However, rather than an open, forward-looking review of potential sites, it appears that you are being asked to approve SWT spending £10,000 to formulate a business case for the potential further use of Canonsgrove.

Aside from the Options Appraisal's flawed scope, it is wrong for the Parish Council to be excluded from deliberations until such time as they are presented with Canonsgrove as the preferred option.

Trull Parish Council and 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) are most appropriate for future homeless accommodation in the SWT area. During initial talks with the Parish Council meaningful, ongoing consultation was promised. Then Simon Lewis stated that any involvement would only come if Canonsgrove became the preferred option. In his report he says there will be such involvement. Can we please have a guarantee of this along with terms of reference?

You will be aware that the current use of the site led to issues including antisocial and criminal behavior in Trull and Staplehay which has been deeply unsettling to the village community. A Community Trigger was approved by the Police as a consequence of these problems and, in recent months, conditions have thankfully somewhat improved due to the Police presence around our villages, greater engagement by SWT and the YMCA (who run the site).

The concerns relating to the current and potential future use of the site have led Trull Parish Council to form a Working Group to liaise with SWT and the YMCA. Local residents have also formed a communication group to enable the recording and reporting of the ongoing issues relating to Canonsgrove, as well as the dissemination of news relating to the site. We have prepared the attached summary of the situation at Canonsgrove as it has developed, which we hope you will find useful in framing your discussion.

It is worrying to hear the Leader of the Council go on record to say that Canonsgrove should be promoted as a permanent facility, in advance of any options review or consultation. Likewise, it is concerning to see the Executive Member publicly describe the anti-social behavior, crime and anxiety experienced by the local community as nothing more than 'inconveniences'.

In short, this is not about removing homeless people from the villages. Rather, local people rightly insist on proper management of the facility in order to avoid the issues which have previously arisen.

Any presumption towards Canonsgrove in the Options Appraisal would be procedurally wrong – it overlooks the potential for the use or re-use of other sites in the town and, it seems to us, would enable procedural challenge via the Local Government Ombudsman and other routes. What is actually needed is a wider-ranging, transparent and properly-evidenced review, taking account of all relevant matters including the views of the community.

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.

The Portfolio Holder and Report Officer stated that a written response would be provided to the Trull Residents Group and the points they raised.

Cllr Habib Farbahi requested to pass on the concerns of Comeytrowe Parish Council also. They had met in October and discussed Canonsgrove and had sent a letter to Cllr Fran Smith outlining their concerns. The crux of their concern was a site in Town Centre would be more appropriate to be nearer the services required to support the individuals.

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

The report was introduced by the Executive Councillor Francesca Smith, Portfolio Holder for Housing and Simon Lewis (Assistant Director - Housing and Communities).

During the discussion, the following points were raised:-

- The use of the former Bus Station was raised as a possible option and homeless people were still a visible presence in the town centre. Officers clarified that the Station would be difficult to convert into accommodation, and that as part of the 'Everyone In' campaign some people had rejected the offer, and some people had unfortunately had to be evicted from Canonsgrove due to breaking house rules.
- It was appreciated the use of Canonsgrove was one that had to be taken in extraordinary circumstances.
- The feedback from the residents was concerning, and engagement with the residents needed to be addressed.
- Further clarity was sought on the activity package in place and the funding available from Government to support this. Officers had clarified this was now enhanced and further details were shared on this. Unfortunately the age profile of YMCA volunteers meant that in the early stages Covid had had an impact.
- An update on the extension of leases was requested, and whether the County Council/District Council would be the lead commissioner going forward. Officers clarified that SWT had a statutory duty around accommodation and SCC had a duty around care and support so there was a Memorandum of Understanding between the two authorities.
- An emphasis on strong communications with the community and parish council was important (Trull and Comeytrowe both being mentioned)
- Strong partnership working with the YMCA and police was important and should continue.
- It was strongly felt the options appraisal should consider all options and sites and reach an objective and fair conclusion based on evidence.
- Dealing with incidents and antisocial behaviour was important.

- Officers commented that interventions by SWT, YMCA Dulverton Group and Police working together had reduced the incidents and concerns to a minimal level in recent weeks.
- The town centre should be considered and had advantages, although there was also discussion on the benefits of more rural / semi-rural locations.
- Discussion was had on seeking further engagement with all communities' at all potential sites.
- Officers highlighted that pragmatically this would be difficult due to in some cases commercial confidentiality and that the purpose of the options appraisal was to objectively appraise which sites would best meet the council's strategic homeless accommodation and support requirements for the whole district, whereas local communities would be more focussed on their immediate neighbourhood impact.

The Scrutiny Committee **RECOMMENDED:**

1. That the Scrutiny Committee 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.
2. The Scrutiny Committee expected the Executive to take full regard of the comments and concerns raised at Scrutiny and to take these into account when making a full decision on this matter. In particular, any options appraisal must be open, transparent and a forward looking review of all potential sites. Any appraisals involving Canonsgrove should be communicated with both Trull and Comeytrove Parish Councils as well as local residents.

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

The report was introduced by the Executive Councillor Peter Pilkington Portfolio Holder for Climate Change.

During the discussion, the following points were raised:-

- It was questioned what involvement the Planning Dept has had in the development of the draft Statement, and how they will be involved as it progresses. – The Strategy Specialist had attended a Development Management team meeting to present and discuss the Statement as well as conducted internal consultation with various officers. As the final Statement neared the point of approval, the intention was to hold training sessions with Development Management officers and the Planning Committee to help with understanding of its role and what tools planning has available to it.

- Government Planning Reforms were raised, with some concern over the timing of this document meaning that it would quickly become obsolete. Some considered that a document like this would be of great value in presenting the Council's requirements within any new "growth" areas as proposed by the Planning White Paper. – However, the Planning Reforms were only proposals at present, and there was no guarantee of exactly what they would look like in the end or when they would be enacted. The Statement could easily be reviewed at such point, but it was felt not sensible to wait for the reforms.
- It was noted that it was good to see the document include reference to the recent Ecological Emergency declaration. However, it was suggested that there could be an additional question in the IPS1 checklist relating to this. – Officers would consider this point.
- It was noted that the document stated that developments in West Somerset would be encouraged to comply with policy DM5 of the Taunton Deane Core Strategy, but it was felt that this was not clearly and obviously referenced in the document and could be missed. – Officers were happy to look at how reference to this could be bolstered, though reiterated that it could only be encouraged in the context of adopted policy NH13 of the West Somerset Local Plan.
- There were concerns raised around accessibility of consultation if it were online only. – Officers would consider how this could be enhanced whilst recognising the difficulties presented by the current lockdown circumstances.
- A number of specific suggestions and questions were raised including in relation to trees on new developments, natural regeneration, public rights of way and links to health and wellbeing. Councillors with specific suggestions of changes to wording in the document were encouraged to contact the Portfolio Holder and Report Author outside of the meeting in advance of the Executive Committee meeting. Following Scrutiny Committee, a few Councillors forwarded comments on the draft Statement and officers considered these in drafting the updated version appended for Executive Committee.
- There were some concerns raised over the formatting of the document including the lack of paragraph numbers, font and the need for an index. – Officers agreed to explore ways to improve the legibility and navigation of the document.
- A concern was raised about Solar PV farms and the impact they can have on landscapes and particularly taking high quality agricultural land out of agricultural use. – Existing policies do allow for solar farm developments where criteria are met and the Statement refers to this in the context of wider renewable and low carbon energy generation. No reference is made to agricultural land specifically in relation to solar farms in the Statement, but this issue is covered by national policy.
- More clarity was requested on the purpose and status of the document. – Officers would improve the clarity on this issue in the

document. The Statement is explanatory guidance to support existing adopted planning policies. It was clarified that the Statement itself would not be referenced in planning decisions, but would guide consideration against the policies themselves, which it provides additional explanation and guidance for. It is the policies themselves which have “teeth”.

- It was asked how the Statement would be communicated to developers. – An agent’s forum is planned to be arranged during the consultation. It will be important to sell the benefits of policy compliance.

The Scrutiny Committee **RECOMMENDED:**

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

78. **Somerset Electric Vehicle Charging Strategy**

The report was introduced by the Executive Councillor Peter Pilkington Portfolio Holder for Climate Change.

During the discussion, the following points were raised:-

- Councillors praised the report and its balanced account of the benefits of EV Charging, and it was commented that it was felt worth proceeding with but would not be the whole solution.
- Councillors expressed a wish that that this Strategy was translated into a plan for action, and officers confirmed if approved these measures would be programmed into the Councils Carbon Neutrality and Climate Resilience Plan.
- It was commented that only 22% of EV Charging points would be placed in the SWT area, despite this being the largest geographic district in the County.
- Further information was sought on the trends relating to private car ownership and the placing of points where cars would be owned and not travel to. Officers confirmed that the locations were based on propensity and would not be the final locations. The purpose of the Strategy and the Councils role would be as an enabler in the delivery.
- It was raised that there was Government grant funding in this area that the Council needed to pursue e.g. EV Charging points in SWT staff car parks.
- It was commented that the Delivery section of the report needed further refinement before this went to Full Council, to better reflect the need for a further spread of points in the rural centres.

The Scrutiny Committee **RECOMMENDED** to the Executive to;

1. That Executive recommend to Full Council that the Somerset Electric Vehicle Charging Strategy is adopted and brought forward into the Council's Carbon Neutrality and Climate Resilience Action Plan.
2. Requested that the Report to Full Council contains more detail on how the Strategy will be delivered in the SWT area.

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

Councillor Mansell raised his concerns that the entire item was being taken in confidential session. This error had been taken from the start when the Strategy was first taken through the democratic process. The Council had not issued any information substantially on the borrowing amounts for its residents, and the Council needed to do more in this regard. Councillor Ellis supported the comments and stated that too many decisions were being taken in private and if investments went wrong the public would be picking up the cost. She stated that statutory guidance was clear that the Strategy should have been published in full originally so that the public could know what the Strategy is and what type of investments the Council was going to make.

The Chair thanked Councillors for their comments.

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).

80. **Confidential Report - Commercial Investment Review**

The confidential report was introduced by the Leader of the Council, Cllr Federica Smith-Roberts.

The Scrutiny Committee **RECOMMENDED** to the Executive to;

1. Receive Part 1 of the report which is the review of the Commercial Property Investment activity and performance since the last report of the 07/07/20 as set out in Section 10.4 of the original strategy.
2. Receive Part 2 of the report which is the first annual portfolio review of the Commercial Property Investment Strategy (CPIS) as set out in Section 11.1 of the original strategy.
3. Agree the amendments set out in the review of the strategy as shown in Appendices 3 and 4.

81. **Scrutiny Committee Forward Plan**

(Copy of the Scrutiny Committee 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 Scrutiny Committee Forward Plan be deferred for consideration until the Special meeting next week.

82. **Full Council Forward Plan**

RESOLVED that the Full Council Forward Plan be deferred for consideration until the Special meeting next week.

83. **Executive Forward Plan**

RESOLVED that the Executive Forward Plan be deferred for consideration until the Special meeting next week.

(The Meeting ended at 9.45 pm)