

# Full Council Meeting – 30 March 2021

## Scrutiny Committee Annual Report 2020/2021

### 1 Foreword

- 1.1 It was a great honour to have been re-appointed as Chair of the Somerset West and Taunton Scrutiny Committee by my Councillor peers at the Annual General Meeting of Council in May last year.
- 1.2 I had hoped that the 'transition' we had embarked on in 2019/20 would continue but as we all know the Covid pandemic severely disrupted normal life including this Council. As a result we had to move to virtual meetings on Zoom and this took some adjusting to. However once we had established a remote working pattern things bedded down quickly and the Committee was able to get to grips with business without too much difficulty.
- 1.3 In 2019 the Government had published new Guidance for Scrutiny Committees which aimed to clarify and broaden their role and influence. Both I and the Vice-Chair have always been keen to ensure that Scrutiny Councillors gained a greater oversight of their work programme than was done previously. This was to give us a stronger voice over the Executive reports we wished to look at in detail and enable maximum influence to be exerted. We also wanted to be more proactive and investigate external matters which had a bearing on the residents of our area.
- 1.4 The Leader of the Council continued to encourage transparency and the involvement of members and the programme of Briefings to provide information and background on Council business was able to continue successfully online. This allowed these matters to be aired and questioned without impinging on the committee process where time is limited.
- 1.5 As a Scrutiny Committee formulating our programme of work and getting updates on our suggestions and recommendations is a key way that this Council can demonstrate the transparency and accountability that the residents of Somerset West and Taunton expect from their decision-makers. Scrutiny's role as critical friend of the Executive is vital in ensuring that the voice of the community is heard and should result in more inclusive decision-making.

### 2. Professional Development

2.1 Before the Covid Pandemic we had planned to have a facilitated Committee 'Away Day' meeting to help us better understand the role and power of the Committee and deliver enhanced scrutiny of the Council and its business. We were very grateful to have the services of Ann Reeder as Facilitator for a full morning session in October.

2.2 We considered what was going well and these tended to centre on the Committee and its commitments.

2.3 Matters for improvement however related to how the Committee felt it was perceived and responded to in terms of being aware of issues, the timing of these coming forward and to an extent a sense that we were seen as part of a process to be gone through rather than a constructive contributor to Council business.

2.4 We concluded that we needed to:

- Improve the involvement of outsiders and third parties to help deliver better outcomes.
- Be made aware of issues early enough to be able to make a positive contribution particularly in policy development.
- Improve the way that questions and issues raised in Committee were tracked and followed up.
- Have better communication with Executive members.

2.5 We concluded by listing our Top 5 Tasks as a Committee;

- 1) Financial Monitoring
- 2) Policy Making
- 3) Holding Exec to Account/Critical Friend – check and balance
- 4) Evidence gathering
- 5) Policy Review – looking back

### **3. 2020/21 Programme**

3.1 Overall the last year has been an extremely busy one for the Committee. We have discussed many and varied issues of community interest and concern such as:

- Taunton Bus Station.
- Distribution of Community Infrastructure Levy monies.
- The Commercial Investment Strategy,
- Town Centre Recovery.
- The establishment of a Community Chest Fund.
- Delivering Regeneration (including Firepool).
- Social Housing developments in Taunton and Minehead.
- The Climate Emergency Strategy and Climate Resilience Action Plan.
- The Electric Vehicle Charging Strategy.
- Rough Sleeper and Homelessness Accommodation.
- Coastal Defence works.
- Phosphate in Watercourses and the impact on developments.
- Taunton Pedestrianisation.

3.2 We also considered the emerging Unitary proposals and received regular reports on Corporate Performance and Budgeting. (More details are in Appendix 1)

3.3 We have also instituted regular slots to question Executive Councillors. Not only does this offer Committee members a greater opportunity for extended questioning

than is possible in normal meetings of the Full Council but it also offers Executive Members the chance to expand on their roles and responsibilities.

3.4 However, while I believe we were able to add value to many of these topics, it was also clear that being adequately sighted on emerging issues was not always straightforward. Although improved, there have also been occasional issues around timeliness and the process for differentiating between topics for Briefing and one's going to Scrutiny. There have also been times when questions asked or information requested had to be chased up. As a result we have made some adjustments to the process of flagging and reviewing topics and reports for Scrutiny. The involvement of Committee members in agenda setting has really helped in that.

3.5 As the current Municipal Year ends I am optimistic that 2021/22 will allow the return to some sort of normality. In particular I hope we will be able to meet face to face as a Committee again as Zoom meetings are no substitute for personal contact and interaction.

3.6 In conclusion I believe the Committee has made significant progress this year despite the unusual circumstances and that we have a strong foundation going forward.

**This Report is the responsibility of Councillor Gwilym Wren – Chair of the Scrutiny Committee and has been compiled in collaboration with the Vice Chair Councillor Libby Lisgo.**

# Somerset West and Taunton Scrutiny Committee 2020/2021\*

\*As constituted at Annual Council on 26<sup>th</sup> May 2020



- 1 Councillor Gwilym Wren (Chair)
- 2 Councillor Libby Lisgo (Vice-Chair)
- 3 Councillor Ian Aldridge
- 4 Councillor Sue Buller (replaced in year by Cllr Simon Coles)
- 5 Councillor Norman Cavill
- 6 Councillor Dixie Darch
- 7 Councillor Ed Firmin
- 8 Councillor John Hunt (replaced in year by Cllr Sue Buller).
- 9 Councillor Dave Mansell
- 10 Councillor Derek Perry
- 11 Councillor Hazel Prior-Sankey (replaced in year by Cllr Habib Farbahi)
- 12 Councillor Phil Stone
- 13 Councillor Nick Thwaites
- 14 Councillor Danny Wedderkopp (replaced in year by Councillor Ray Tully)
- 15 Councillor Keith Wheatley

## APPENDIX 1

### Topics considered By SWT Scrutiny Committee this year:

#### June 2020

- **Taunton Bus Station and Bus Services in Somerset West and Taunton.**
- **Resolved:-** *The Committee resolved to establish a task and finish group to examine the current provision in relation to public transport in the district and what is required to increase provision and improved modal links including consideration of carbon neutrality*
- **Call-in, by Councillors Norman Cavill, Anthony Trollope-Bellew, Vivienne Stock-Williams and Libby Lisgo of the decision made by Executive Councillor Mike Rigby to approve an allocation of £91,518.06 of Community Infrastructure Levy (CIL) funds to provide enhanced materials for the repaving of the forecourt at Taunton Railway Station**
- **Resolved:-** *that The Scrutiny Committee did not support Call-in.*
- **Commercial Investment Update**  
*The Chief Executive Officer set out to the Committee that due to delays with the Covid-19 pandemic, progress had been stalled in respect of the Commercial Investment Update. Commitment was given to provide further details of projects in the pipeline to the committee. The committee voiced their unease about commercial investments outside of the public and community interest, details impacts of Covid-19 on potential decisions were also requested.*

#### July 2020

- **Signing of the Charter for Compassion**
- **Resolved:-** The Scrutiny Committee recommend that the Council does not sign the Charter of compassion at Full Council
- **Hinkley Point C Housing Fund Strategy**
- **Resolved that:-** the Scrutiny Committee considered the proposed Hinkley Point C Housing Fund Strategy and supporting project activity, and noted the report.
- **SWT Corporate Performance Report 19/20**
- **Resolved that:-** The Scrutiny Committee noted the report.

#### September 2020 (3 meetings!)

- **Emergency Town Centre Recovery and back-fill of Economic Growth and Prosperity Fund**
- **The Scrutiny Committee:-** 1. Noted that £535,000 has been repurposed for Emergency Town Centre Recovery following Covid-19 Lockdown utilising the Council's Economic Growth and Prosperity Fund held in earmarked reserves. 2. Recommended that Full Council approves a budget allocation of £500,000, funded from General Reserves, to back-fill the Economic Growth and Prosperity fund. 3. Recommended that Full Council delegated authority to approve expenditure of both funds to the Director of Development and Place in consultation with the Economic Development Portfolio Holder. 4. Requested that the Director of Development and Place and Economic Development Portfolio Holder, in consultation with Taunton Councillors, consider including Visit Taunton in addition to the Taunton Chamber of Commerce as the grant distributing bodies for Taunton.

- **The Creation of a Community Chest Fund**
- The Scrutiny Committee:- 1. Recommended 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.
- **Delivering Regeneration – Setting up a Special Purpose Vehicle**
- The Scrutiny Committee recommended to the Executive to:- 1. Approve the creation of (name to be confirmed) as a company limited by shares and wholly-owned by the Council in accordance with the principles of future business cases set out in this report; subject to the provision of the tax and compliance advice from the SWT Scrutiny Committee, 2 09 2020 PricewaterhouseCoopers (PWC) report and construction industry scheme information. 2. Delegate authority to the Director of Place (in consultation with the Executive) to register the name of (the SPV) and complete all practical, financial and legal matters to enable (the group SPV) to be established including approval of the final form of all necessary legal documentation and thereafter oversee operations of the Council. 3. That Projects and services are added to the Group on a business case by business case basis as approved by Full Council and performance monitored through the Shareholder Agreement.
- **Tangier**
- The Scrutiny Committee Recommended:- 1. The principle of purchasing the current site. 2. An additional budget to be identified to progress detailed design will be tested with sub-contractors on a construction management SWT Scrutiny Committee, 2 09 2020 approach. 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. Specifically a detailed business case will be presented to Executive for the final decision to proceed. 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
- **Stronger Somerset Business Case**
- Scrutiny Committee Recommended to: a. Endorse the Business Case for the reform of local government including the creation of two unitary Councils within Somerset, and recommend its approval to Full Council, at the next meeting on 10th September 2020. b. Delegate authority to the Leader of the Council and the Chief Executive, in consultation with the other Somerset District Leaders and Chief Executives, to make minor amendments to the Business Case as necessary and / or appropriate, ahead of its submission to the Secretary of State. c. Support the continuing consultation with local stakeholders, above and beyond any programme of consultation that may be required by the Government in due course. d. Note that in the best interests of

the communities and residents of Somerset West and Taunton, the Council will continue to work with colleagues across all tiers of local government and public service in Somerset.

- **Financial Strategy 2020/21 to 2022/23 – Review and Update**

- The Scrutiny Committee supported the report and the following proposed recommendations to the Executive and Full Council:

- 1.1 The Executive approves the updated Financial Strategy for 2020/21 to 2022/23, including agreement of the principle of using general reserves to reduce the Budget Gap in 2021/22 and 2022/23.

- 1.2 The Executive recommends that Full Council approves the amended CIL Allocation Principles as set out in paragraph 21.15 of this report.

- 1.3 The Executive recommends that Full Council approves the reallocation of reserves to provide increased resilience and flexibility to mitigate COVID related financial pressures, and to support the Revenue Budget in the medium term, as follows:

- (a) To transfer £3.949m of New Homes Bonus reserve to General Reserves, noting alternative financing for relevant capital schemes through Community Infrastructure Levy and borrowing as set out in para 21.7.

- (b) To transfer £1.0m from the Business Rates Volatility Reserve to General Reserves as set out in para 14.6.

- The Committee voted in favour of the recommendations with one abstention.

- **2020/21 Financial Monitoring as at Month 4, ended 31 July 2020, and In Year COVID Budget Changes**

- Scrutiny Committee reviewed the report and supported the following proposed recommendations to the Executive and Full Council:

- 1.1 The Executive reviews the Council's forecast financial performance and projected reserves position for 2020/21 financial year as at 31 July 2020.

- 1.2 The Executive recommends that Full Council approve a supplementary estimate of £657k from General Reserves to fund the estimated overspend related to COVID.

- 1.3 The Executive recommends that Full Council approves the realignment of budgets for COVID related income and expenditure to offset the reported variances that net off to zero when including the £657k in 2.2 above.

- 1.4 The Executive recommends that Full Council approve changes to the General Fund Capital Programme by a total of -£1.370m for the following headings as referred in para 11.3:

- a) £295,000 reduction to Major Transport Schemes budget

- b) £375,000 reduction to remove budget for Creech Castle Road Improvements contribution

- c) £200,000 reduction to Employment Site Enabling schemes budget
- d) £1,000,000 reduction to Public Transport Improvements budget as Housing Infrastructure Fund bid not successful
- e) £500,000 increase to Education Provision budget funded by Community Infrastructure Levy.
  
- 1.5 The Executive recommends that Full Council approve the revised Budget Total for the Growth Programme of £3.56m to be funded by New Homes Bonus as set out in para 11.7 Table 8, and CIL-funded Infrastructure Capital Programme totalling £16.262m as set out in para 11.10 Table 9.
  
- 1.6 In the light of the recent adoption by Council of policy on an Affordable Employment Land Local Development Order, the Scrutiny Committee recommend to the Executive a new fund of £575,000 is allocated towards Employment Site enabling schemes to support that policy.
  
- **Financial Monitoring - Outturn Position 2019/20**
- The Scrutiny Committee reviewed and supported the following proposed recommendations to the Executive:
  - • Note the reported General Fund Revenue Budget underspend of £1.836m in 2019/20 and the General Reserves Balance of £4.522m as at 31 March 2020 which provided financial resilience and flexibility to meet increased financial pressures in 2020/21 and subsequent years.
  - • Note the reported Housing Revenue Account Budget underspend of £8k in 2019/20 and the HRA General Reserves Balance of £2.701m as at 31 March 2020.
  - • Approve the transfer of £1.2m of General Fund Earmarked Reserves back into General Fund General Reserves, as set out in Appendix B.
  - • Note the Capital Outturn position and approve the proposed carry forward of £29.996m approved budget to 2020/21 General Fund Capital Programme (as per Appendix C) and £15.822m to the 2020/21 Housing Revenue Account Capital Programme (as per Appendix D).
- **Corporate Performance Report, Month 4, 2020/21**
- The Scrutiny Committee noted the Corporate Performance Report

### **October 2020**

- **Regeneration of Firepool: Business case for Phase 1 delivery (Infrastructure and Block 1)**
- **Resolved** that Scrutiny Committee recommended to Executive and Full Council the recommendations numbered 2.1 to 2.8 within the confidential report and added an additional recommendation:
  - 2.9 The committee request that a risk assessment be put in place recognising the recent Natural England advice around phosphates and potential impacts on the projects.”
- All but one of the committee members agreed the recommendations with one abstention.

- **Somerset Climate Emergency Strategy and SWT Carbon Neutrality and Climate Resilience Action Plan**
- The Scrutiny Committee recommend to the Executive that:-
- 2.1 The Somerset Climate Emergency Strategy progresses to Council for adoption.
- 2.2 The Carbon Neutrality and Climate Resilience Action Plan is approved.
- 2.3 A local, multi-agency Climate Emergency Task Force is established to aid delivery and implementation of the Carbon Neutrality and Climate Resilience Action Plan.
- 2.4 A recommendation is made to Full Council that a supplementary “Climate Change Fund” budget of £500,000 is approved within the General Fund 2020/21 Revenue Budget, funded from General Reserves, for the delivery of Somerset West and Taunton priority actions with delegated authority to the Director External Operations and Climate Change / Assistant Director Climate Change, Regulatory Services and Asset Management to agree those priority actions in consultation with the Portfolio Holder for Climate Change. Council also be asked to approve the principle that any unspent balance of this Fund at the end of 2020/21 be carried forward to 2021/22 financial year.
- 2.5 The Committee request that the report to full council gives more details for proposals on the groups to take forward the strategy and action plan, including on member involvement, or that these details are brought back to a future Scrutiny meeting before they are finalised.
- 2.6 £50k of £500k Climate Change fund (referred to in 2.4) to be allocated for tree planting.
- The committee voted by majority in favour of recommendation 2.6 with three abstentions.
- **Coastal Protection Works Associated with the B3191**
- The committee wished to support moves to protect the coastline and coastal communities, there were significant concerns expressed in relation to the potential for responsibility and long term liability and recommend Executive and Full Council fully understand and request details on the long term liabilities going forward to ensure a full understanding of the longevity of the scheme and mitigate long term liability and risk.

### **November 2020**

- **A proposal for delivering future single rough sleeper and homelessness accommodation in SWT**
- 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 Comeytrowe Parish Councils as well as local residents.
- **Interim Policy Statement on planning for the Climate Emergency - Draft for public consultation**

- 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.
- **Somerset Electric Vehicle Charging Strategy**
- 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.
- **Confidential Report - Commercial Investment Review**
- 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.
- **Verbal Update on Section 106 Spend**
- The Committee noted the update.
- **North Taunton Woolaway Project**
- The Scrutiny Committee supported the following recommendations to Full Council:-
- 1. 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.
- 2. Delegate 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.
- 3. To approval the decant of tenants within Phases B which will allow Gold band status in the Homefinder Somerset allocations system for tenants in this Phase and allow those who wish to move outside the regeneration area sufficient priority to move home.
- 4. Delegate 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.
- 5. All new build properties (Phase A-D) will be set at affordable rents in line with the 2020 Rent Setting Policy. The affordable rents will 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, will have their rents capped at the equivalent social rent if

being rehoused in the new NTWP development. These rents will remain with the tenant as long as they retain their tenancy. No current NTWP SWT tenant will 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.

- **Seaward Way – New Build HRA Low Carbon Homes**

- The Scrutiny Committee recommended:-
- (a) Approval of the development of Affordable Homes built to very low carbon standards, subject to planning approval.
- (b) To approve the supplementary budget as stated in confidential appendix A.
- (c) 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.
- (d) Delegate authority to the Section 151 Officer to determine the final funding profile for this scheme once the finalised design has received planning approval and tenders have been received.
- (e) 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 a percentage of market rates.

- **Oxford Inn New Build HRA Zero Carbon Homes, Taunton**

- The Scrutiny Committee recommended:-
- (a) Support of the use of the vacant SWT public house for new zero carbon affordable homes.
- (b) Approve the demolition of the Oxford Inn.
- (c) Approve the development of affordable homes built to standards emerging from the Zero Carbon Affordable Homes Pilot, subject to planning approval.
- (d) Allocate a total budget and borrowing requirement in line with confidential Appendix A.
- (e) Delegate authority to the Section 151 officer to determine the final funding profile for this scheme once the finalised design has received planning approval and tenders have been received.
- (f) Note the use of affordable rents for these new build HRA homes in line with the 2020 Rent Setting Policy. The affordable rents will be set to ensure scheme viability at a percentage of market rates.

## **December 2020**

- **Update on addressing Phosphate Levels**

- The Scrutiny Committee requested that the Executive consider the huge impact on our SME's and request they expedite, whilst working with officers and the consultants, the short term solutions for treatment requirement and mitigation measures to provide certainty to our local construction industries.
- The Scrutiny Committee noted the update.

- **Corporate Performance Report – Qtr. 2, 2020/21**

- Resolved: - The Scrutiny Committee noted the report.

- **2020/21 Financial Monitoring as at Quarter 2 (30 September 2020)**

- The Scrutiny Committee noted the Council's forecast financial performance and projected reserves position for 2020/21 financial year as at 30 September 2020.

- **Review of Voluntary and Community Sector Grants**

- The Scrutiny Committee Recommended: - 1. To maintain or increase current levels of funding for the final year of the current agreement to end in March 2022. 2. To recommend to Executive that a cross party Members Working Group is established to work with officers to ensure that clear funding criteria are in place for future work with the Voluntary and Community Sector beyond March 2022. 3. As part of the review of the Voluntary and Community Sector Grants, the increased workload for the two Citizens Advice Bureaus that cover the SWT area must be recognised accordingly with a grant increase in line with their objectives to meet increased demands due to Covid, and that this support is equalized across population areas that they cover, but not to the detriment of other organisations being funded by SWT.
- **Extension of Public Space at Belvedere Road**
- The Scrutiny Committee recommended to the Executive:- The Committee consider that the historic importance of the building to Taunton in the long term requires that its future needs to be secured and the decision of its future needs to be taken at Full Council.

#### **January 2021**

- **To consider reports from Executive Councillors – Cllrs Pilkington and Rigby**
- **Heritage Project Update**
- The committee expressed concerns around the risk of the project and the liabilities if the project was undertaken. The Scrutiny Committee noted the update.
- **HRA Revenue and Capital budget setting 21/22, including Dwelling Rent setting 21/22 and 30 year Business Plan Review**
- **Draft General Fund Revenue Budget and Capital Programme 2021/22**

#### **February 2021**

- **Scrutiny Requests and Recommendation Tracker**
- **East Street/St. James Street Taunton Pedestrianisation**
- **To consider reports from Executive Councillors – Cllr Kravis**

#### **March 2021**

- **Options appraisal for delivering future single rough sleeper and homelessness accommodation in SWT**
- **Capital Loan to Third Party**
- **20/21 Budget Monitoring Q3**
- **Q3 Performance Report**
- **Scrutiny Chair Annual Report**

#### **April 2021**

- **To consider reports from Executive Councillors – Cllr F Smith and 1 other**