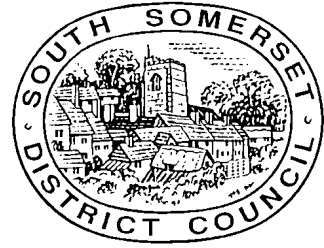


South Somerset District Council

Notice of Meeting



Area West Committee

Making a difference where it counts

Wednesday 16th March 2016

5.30 pm

**Swanmead Community School
Ditton Street
Ilminster
TA19 0BL**

(disabled access and a hearing loop are available at this meeting venue)



The public and press are welcome to attend.

Please note: There are no planning applications.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Morris 01935 462055**, website: www.southsomerset.gov.uk

This Agenda was issued on Tuesday 8 March 2016.

A handwritten signature in black ink that reads 'Ian Clarke'.

Ian Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk



INVESTORS IN PEOPLE

Area West Committee Membership

The following members are requested to attend the meeting:

Chairman: Carol Goodall
Vice-chairman: Jenny Kenton

Jason Baker
Marcus Barrett
Mike Best
Amanda Broom
Dave Bulmer

Val Keitch
Paul Maxwell
Sue Osborne
Ric Pallister
Garry Shortland

Angie Singleton
Andrew Turpin
Linda Vijeh
Martin Wale

South Somerset District Council – Council Plan

Our focuses are: (all equal)

- Jobs – We want a strong economy which has low unemployment and thriving businesses
- Environment – We want an attractive environment to live in with increased recycling and lower energy use
- Homes – We want decent housing for our residents that matches their income
- Health and Communities – We want communities that are healthy, self-reliant and have individuals who are willing to help each other

Scrutiny Procedure Rules

Please note that decisions taken by Area Committees may be "called in" for scrutiny by the Council's Scrutiny Committee prior to implementation. This does not apply to decisions taken on planning applications.

Consideration of Planning Applications

There are no planning applications.

Highways

A formal written report from the Area Highway Officer should be included on the main agenda in May and September. Alternatively, they can be contacted through Somerset County Council on 0300 123 2224.

Members Questions on reports prior to the meeting

Members of the Committee are requested to contact report authors on points of clarification prior to the Committee meeting.

Information for the Public

The Council has a well-established Area Committee system and through four Area Committees seeks to strengthen links between the Council and its local communities, allowing planning and other local issues to be decided at a local level (planning recommendations outside council policy are referred to the district wide Regulation Committee).

Decisions made by Area Committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as “key decisions”. Members of the public can view the council’s Executive Forward Plan, either online or at any SSSC council office, to see what executive/key decisions are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

At Area Committee meetings members of the public are able to:

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the Area Committee Chairman’s discretion, members of the public are permitted to speak for up to up to 3 minutes on agenda items; and
- see agenda reports.

Meetings of the Area West Committee are held monthly at 5.30 p.m. on the 3rd Wednesday of the month in venues throughout Area West (unless specified otherwise).

Agendas and minutes of Area Committees are published on the Council’s website www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

The Council’s Constitution is also on the web site and available for inspection in council offices.

Further information about this Committee can be obtained by contacting the agenda co-ordinator named on the front page.

Public Participation at Committees

This is a summary of the Protocol adopted by the Council and set out in Part 5 of the Council’s Constitution.

Public Question Time

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the Chairman of the Committee. Each individual speaker shall be restricted to a total of three minutes.

Planning Applications

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the Public Question Time session.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the Planning Officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The Planning Officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the Committee Chairman's discretion, members of the public are permitted to speak for up to 3 minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- Town or Parish Council Spokesperson
- Objectors
- Supporters
- Applicant and/or Agent
- District Council Ward Member

If a member of the public wishes to speak they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing. This must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

The same rules in terms of public participation will apply in respect of other agenda items where people wish to speak on that particular item.

If a Councillor has declared a Disclosable Pecuniary Interest (DPI) or a personal and prejudicial interest

In relation to Disclosable Pecuniary Interests, a Councillor is prohibited by law from participating in the discussion about the business on the agenda that relates to this interest and is also required to leave the room whilst the relevant agenda item is being discussed.

Under the new Code of Conduct adopted by this Council in July 2012, a Councillor with a personal and prejudicial interest (which is not also a DPI) will be afforded the same right as a member of the public to speak in relation to the relevant business and may also answer any questions, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

Area West Committee

Wednesday 16 March 2016

Agenda

Preliminary Items

- 1. To approve as a correct record the Minutes of the Previous Meeting held on 17th February 2016**
- 2. Apologies for Absence**
- 3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. As a result of the change made to the Code of Conduct by this Council at its meeting on 15th May 2014, where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

Planning Applications Referred to the Regulation Committee

The following members of this Committee are also members of the Council's Regulation Committee:

Councillors. Mike Best, Sue Osborne and Angie Singleton

Where planning applications are referred by this Committee to the Regulation Committee for determination, in accordance with the Council's Code of Practice on Planning, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter

at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

4. Public Question Time

This is a chance to ask questions, make comments and raise matters of concern.

Parish/Town Councils may also wish to use this opportunity to ask for the District Council's support on any matter of particular concern to their Parish/Town.

Anyone wishing to raise matters in relation to items on the agenda may do so at the time the item is considered.

5. Chairman's Announcements

Items for Discussion

- 6. Area West Committee - Forward Plan** (Pages 9 - 11)
- 7. A Better Crewkerne and District (ABCD)** (Pages 12 - 14)
- 8. SSDC Welfare Advice Work in South Somerset** (Pages 15 - 22)
- 9. Planning Appeals** (Pages 23 - 27)
- 10. Date and Venue for Next Meeting** (Page 28)

Please note that the decisions taken by Area Committees may be called in for scrutiny by the Council's Scrutiny Committee prior to implementation.

This does not apply to decisions taken on planning applications.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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Agenda Item 6

Area West Committee - Forward Plan

Assistant Director: Helen Rutter (Communities)
Service Manager: Andrew Gillespie, Area Development Manager (West)
Agenda Co-ordinator: Jo Morris, Democratic Services Officer , Legal & Democratic Services
Contact Details: jo.morris@southsomerset.gov.uk or 01935 462055

Purpose of the Report

This report informs members of the proposed Area West Committee Forward Plan.

Recommendation

Members are asked to:-

- (1) comment upon and note the proposed Area West Committee Forward Plan as attached.
- (2) identify priorities for further reports to be added to the Area West Committee Forward Plan.

Forward Plan

The Forward Plan sets out items and issues to be discussed by the Area West Committee over the coming few months.

The Forward Plan will be reviewed and updated each month in consultation with the Chairman. It is included each month on the Area West Committee agenda and members may endorse or request amendments.

To make the best use of the Area Committee, the focus for topics should be on issues where local involvement and influence may be beneficial, and where local priorities and issues raised by the community are linked to SSDC corporate aims and objectives.

Councillors, service managers, partners and members of the public may request that an item is placed within the forward plan for a future meeting by contacting the agenda co-ordinator.

Background Papers: *None.*

Notes

- (1) Items marked in italics are not yet confirmed, due to the attendance of additional representatives.
- (2) Further details on these items, or to suggest / request an agenda item for the Area Committee, please contact the Agenda Co-ordinator; Jo Morris, 01935 462055 or e-mail jo.morris@southsomerset.gov.uk
- (3) Standing items include:
 - (a) Chairman's announcements
 - (b) Public Question Time

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
<i>20th April 2016</i>	<i>Chard Business Hub Project</i>	<i>A report outlining further details of the project</i>	<i>Dylan Martlew, Neighbourhood Development Officer</i>
<i>20th April 2016</i>	<i>Report on the Performance of the Streetscene Service</i>	<i>Service report on performance and priority issues in Area West</i>	<i>Chris Cooper, Streetscene Manager</i>
<i>20th April 2016</i>	<i>Community Health & Leisure Service Update</i>	<i>Service update report</i>	<i>Lynda Pincombe, Community Health & Leisure Manager</i>
<i>18th May 2016</i>	<i>Ilminster Forum</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Carol Goodall Zoe Harris, Neighbourhood development Officer</i>
<i>18th May 2016</i>	<i>Highways Update</i>	<i>To update members on the highways maintenance work carried out by the County Highway Authority.</i>	<i>Mike Fear, Assistant Highway Service Manager, Somerset County Council</i>
<i>18th May 2016</i>	<i>Historic Buildings at Risk</i>	<i>Confidential report to update members on current Historic Buildings at Risk cases in Area West.</i>	<i>Greg Venn, Conservation officer</i>
<i>18th May 2016</i>	<i>Area West Committee Working Groups and Outside Organisations – Appointment of Members</i>	<i>To review the appointment of members to various working groups and outside organisations.</i>	<i>Jo Morris, Democratic Services Officer</i>
<i>18th May 2016</i>	<i>Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice Chairman</i>	<i>To review the appointment of two members to act as substitutes for the Chairman and Vice-Chairman in the exercising of the Scheme of Delegation for planning and related applications.</i>	<i>Jo Morris, Democratic Services Officer</i>

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
<i>15th June 2016</i>	<i>S106 Obligations</i>	<i>6 monthly update report</i>	<i>Neil Waddleton, S106 Monitoring Officer</i>
<i>15th June 2016</i>	<i>Countryside Service Update</i>	<i>Service update report</i>	<i>Katy Menday, Countryside Manager</i>
<i>20th July 2016</i>	<i>Environmental Health Service Update Report</i>	<i>Service Update Report</i>	<i>Alasdair Bell, Environmental Health Manager</i>

Agenda Item 7

A Better Crewkerne and District (ABCD)

Strategic Director: Rina Singh, Place and Performance
Assistant Director: Helen Rutter, Communities
Service Manager: Andrew Gillespie, Area Development Manager (West)
Lead Officer: Zoe Harris, Neighbourhood Development Officer (West)
Contact Details: zoe.harris@southsomerset.gov.uk or 01460 260423

Purpose of the Report

To update members on the work of ABCD regeneration charity based in Crewkerne that develops projects and initiatives that help make improvements in the town.

Public Interest

This report provides a regular update on the activities and projects carried out by the registered charity ABCD, which is a community regeneration group based in Crewkerne.

Recommendation

That members note the report and continue to support the work of ABCD.

Background

ABCD is a charity with the aim of helping to make Crewkerne a better place to live. In 2004 the group was awarded funding from the then Market & Coastal Towns Initiative which allowed them to carry out extensive consultation with residents and organisations in and around Crewkerne. The results of that consultation were used to produce a Community Plan for the town which was published in 2005. A number of significant projects benefiting the town emerged from that Plan and they include:

- George Reynolds Centre a new purpose built sports and youth facility for Crewkerne
- New pedestrian link behind the M&Co store
- Various walks & promotional leaflets
- Business Showcase
- Theatre in Shops

New Community Plan for Crewkerne

Throughout 2015 a significant amount of work took place to produce a new Crewkerne Community Plan. A household survey was delivered to every home in the town to consult residents on issues relating to the town centre, green spaces, community life, safety and getting about. 708 (20%) of households completed and returned their surveys and the data from that, along with data from a focus group with Wadham School students and the 2011 Census, has been used to draft a new Community Plan for Crewkerne which will span the next 10 years.

Some of the main issues that have arisen are:

- Desire for a greater choice of places to eat in the evening
- More evening events, particularly music and arts related and especially for young people

- More markets and town centre events at the weekend
- General lack of awareness of what services and activities some of the local organisations provide
- Interest in short term volunteering for one off projects and activities
- Overgrown shrubs and fallen trees restricting use of paths
- Poorly lit paths in residential areas at night
- Poor lighting in parts of town centre
- Poor pedestrian crossing at top South Street
- Lack of bus shelter to protect passengers from poor weather
- Inconsiderate parking – on pavements and outside Nationwide

A Community Plan document has now been drafted and 5 themes have emerged:

- Strong community
- Vibrant Town Centre
- Easy Access to get about
- Thriving Local Economy
- Local Environment

ABCD has started putting together an Action Plan of potential projects to address the issues identified. The draft Action Plan will be presented to the public where residents will get the opportunity to have their say and contribute comments and proposals for relevant projects. The final version of the Crewkerne Community Plan with accompanying Action Plan will be available later in the year.

The new Community Plan with its accompanying evidence will be used to influence decision makers and convince funders to support the projects identified in the Action Plan.

Creative Projects & Activities

After the success of Theatre in the Shops in 2014, many people said they wanted more arts events and activities in the town. During 2015 ABCD started to build on the interest generated and create a legacy from Theatre in the Shops by putting on a number of events and activities:

- New Rope String Band, a very popular folk band performed at the Victoria Hall last April.
- Performance Poets Hip Yak Poetry Shack delivered a number of free poetry workshops and performed those poems live in various locations around the town centre in May 2015.
- Creative Crewkerne was launched in July at a garden party consultation, aimed at engaging with Crewkerne's arts lovers, particularly those interested in helping to bring more arts events into the town.
- Pom-pom making workshops commenced in the autumn and over the past few months dozens of residents have been making pompoms, which will be used in a decorative fashion later this year.

Creative Crewkerne are now working on a community singing project, involving a variety of singing groups based in the town, which will culminate in a performance at the Henhayes Fete in June 2016.

Financial Implications

Although there are no financial implications relating to this report it should be noted that the Area West Committee has supported ABCD projects that emerged from the first Community Plan. The new Community Plan will identify new projects to meet the needs of Crewkerne's residents, so there may be requests for funding contributions towards those in the future.

Council Plan Implications

Working in partnership with ABCD helps address Focus Four of the SSDC Council Plan:

To ensure South Somerset has healthy and self-reliant communities where people are willing to help each other.

Carbon Emissions & Climate Change Implications

Not applicable

Equality and Diversity Implications

A variety of methods are used to ensure that the views of as many people as possible are gained from the residents of Crewkerne. The evidence gathered will be used by a number of voluntary and public sector organisations to develop their projects and services which will benefit a wide range of people from all sectors of the community.

Background Papers

- Update report on A Better Crewkerne and District – January 2015
 - Update report on the work of ABCD – December 2013.
 - AWC report on the progress of the Crewkerne Community Plan – September 2010.
 - Progress Report on the priority projects of 'A Better Crewkerne & District' Community Plan - Area West Committee January 2008
 - Progress Report on A Better Crewkerne & District 17th October 2007.
 - Progress Report on the Community Projects of A Better Crewkerne & District 18th July 2007.
 - Progress Report on 'A Better Crewkerne & District' and the Community Plan Projects 17th January 2007
 - Progress of the Crewkerne & District Community Plan and associated projects 18th October 2006
 - The launch of Crewkerne & District Community Plan 19th July 2006
-

Agenda Item 8

SSDC Welfare Advice Work in South Somerset

Assistant Director: Steve Joel, Health and Well Being
Head of Service: Kirsty Larkins, Housing and Welfare
Service Manager: Alice Knight, Careline and Welfare Manager
Lead Officer: Catherine Hansford, Welfare Advice Team Leader
Contact Details: catherine.hansford@southsomerset.gov.uk or 01935 463737

Purpose of the Report

To update and inform Members on the work of the Welfare Advice Team for the financial year 2014/15.

Public Interest

The report gives an overview of the work of the SSDC Welfare Advice Team.

Recommendation

Members are invited to comment on the report.

What is the Welfare Advice Team?

The Welfare Advice Team consists of 3.1 full time equivalent staff responsible for undertaking casework for clients across the whole of South Somerset. We provide specialised advice and advocacy; preparing claims, representing clients at Appeals, up to and including First-Tier and Upper Tier Tribunals.

The Team are situated within the Housing and Welfare Service and based at Petters House. We provide advocacy and advice by telephone, appointments at Petters House and the Area Offices and carry out home visits where appropriate.

Annual Statistics

During 2014/15 the Welfare Advice Team undertook casework for **593** clients across South Somerset achieving an Annual Income for clients of **£1,220,143.17**. In addition clients received a total of **£242,834.07** in Lump Sums. Combined total **£1,462,977.24** (at 17/02/2016).

Please note that these figures are provisional due to the time lag involved in benefits being awarded/clients confirming their award. This lag is longer than in previous years due to the extended delays with existing and new benefits (one year for new claims for Employment and Support Allowance (ESA) – although a basic rate is paid until that time). We would expect these figures to show a further increase as some cases remain open awaiting outcomes.

We undertook casework for **230** clients in Area West, achieved an annual income of **£576,313.62** and a lump sum of **£98,682.45**, combined total of **£674,996.07**.

Out of the total 593 clients we worked with across South Somerset we helped dispute 55 decisions (Appeals and Mandatory Reconsiderations). This is a drop in previous year's figures as fewer decisions are being made.

At Mandatory Reconsideration stage:

- 23 decisions were successfully overturned
- 3 were withdrawn
- 1 is still outstanding

The unsuccessful MR's, we can progress to appeal (First Tier tribunal) stage, if our clients are agreeable.

Some cases that come to us are already at this stage.

At Appeal Stage:

- 24 cases progressed to Tribunal stage
- 2 were withdrawn.
- 16 were successful
- 4 unsuccessful
- 2 remain outstanding

As before, these figures are subject to change as decisions on open cases are made and progressed as appropriate.

It is also worth noting that of all the 55 disputed decisions, 46 were for disability benefits – 9 Disability Living Allowance, 15 Personal Independence Payment and 22 Employment and Support Allowance.

Where We Are Now.

The 2012 Welfare Reform Act represents the biggest change to the welfare system in over 60 years. All these changes are also taking place against a backdrop of reductions in funding from central government across both the statutory and third sectors.

Passported Benefits

The impact of completely redesigning the whole system of means-tested benefits and tax credits goes beyond those just immediately affected by losing a benefit.

Over time a whole raft of secondary benefits have been developed and eligibility depends on receiving Income Support, income based Jobseeker's Allowance, income related Employment and Support Allowance and Child Tax Credits.

These are known as 'passported benefits' and include free school meals, school travel, prescriptions, dental treatment and other reductions in prices for services, e.g. leisure, Careline etc.

The Social Security Advisory Committee, a statutory independent committee which advises Department of Work and Pensions (DWP) on the operation of the benefits system, has recently produced a report (1) which raises clear concerns about the loss of these passported benefits.

It points out that these benefits make significant contributions to the health and wellbeing of low income families and to preventing child poverty and social exclusion.

If families lose benefits and in turn eligibility for free school meals this also impacts on the overall funding the schools receive in the 'pupil premium'.

In addition if families migrate because of the Housing Benefit caps and other loss of income arising from the reforms, then this will have significant impact sub-regionally and could exacerbate disparities of wealth in rural areas.

The application of the Spare Room Subsidy to Social Housing Tenants (known as the Bedroom Tax) was rolled out from April 2013 and, as of March 2015, 764 tenants in South Somerset experienced a reduction in Housing Benefit as a result of this.

From September 2013, the Benefit Cap (the total amount of benefit that working-age households can receive) was implemented and whilst there were a relatively small number of households affected in the whole Somerset (around 100 by April 2014), South Somerset, as of March 2015 has 27 affected households (2).

This is in addition to households with private tenancies affected by the Local Housing Allowance.

There has been an almost three fold increase in the households in Somerset receiving extra help with housing costs through Discretionary Housing Payments (DHP) in 2013-14 compared to 2012-13. DHP's in South Somerset rose from 230 to 487. (2). The number of households in South Somerset that received extra help through DHP's in 2014/15 was 513.

Saved and Maintained Tenancies

The figures for Saved and Maintained Tenancies for 2014-15 stand at 3 and 22.

Saved Tenancies are those cases which would have resulted in the loss of the tenancy but for the intervention of the Welfare Benefit Team. Maintained Tenancies are those where the Welfare Benefit Team have undertaken a significant amount of work with the clients towards assisting in the successful maintenance of the tenancy.

The cost to SSDC of dealing with a homeless application is estimated at £2,630 per family. The 3 tenancies saved by the intervention of the Welfare Benefit Team equates to a potential saving of £7,890. Further savings were made by the 22 x Maintained Tenancies, as it is highly probable that a number of these would have progressed to the stage of loss of tenancy without early intervention, which is key in the current financial climate.

The need for support for people to retain their homes has never been greater than now given the consequences of Welfare Reform.

Housing Benefit

More recent research from the National Housing Federation (3) shows that middle-income households earning between £20,000 - £30,000 a year accounted for two thirds of all new Housing Benefit claims during the last six years, as the struggle to afford a home gets tougher.

With the proportion of households having to claim Housing Benefit despite being in work doubling to 22 per cent (one in five) since 2008, the National Housing Federation predicts that this figure could rise to one in three in the next five years. (3).

Here in South Somerset, out of a Housing Benefit caseload of 9,540 (active claims as of March 2015), working age claimants make up 6,052 and of these 2,238 are earning which equates to 23% (higher than the national average) of the total caseload and 37% of working age claimants. This does not include those in receipt of passported benefits who also work.

The estimated cost for a 2 child family if an eviction took place without a homeless application being made is £3,563. The wider social costs in relation to education and health services are estimated to be £4896. (4). In addition the emotional impact on clients' health is considerable.

Becoming homeless is of course the very last resort for families and experience has shown that considerable financial pressure will be absorbed and debt accrued by families before they accept it. The impact of this can be widely felt in families, children and vulnerable adults in these families can be particularly at risk.

Nationally, the number of Housing Benefit claimants who are in work broke the *one million* barrier for the first time when DWP statistics published in November 2013 show that 1,013,822 people in employment were claiming Housing Benefit in August 2013.

DWP statistics published in August 2015 show that nationally, 1,073, 238 people in employment were claiming Housing Benefit in May 2015 out of a total number of 4,865,567 – 22%. Again, this does not include working households who are also in receipt of passported benefits.

Unemployment

Unemployment is not so much an issue in South Somerset as underemployment - few people realise just how many in work rely on Housing Benefit to pay their rent, not to mention earnings top up's such as Working Tax Credits due to typically low wages in the area.

UK figures published in December 2013 found that the largest group in poverty are working age adults without dependent children - 4.7 million people are in this situation, the highest on record. Pensioner poverty is at its lowest level for 30 years. (5).

The Value of Welfare Advice

By ensuring the maximisation of income and helping to challenge decisions, welfare rights services ensure that national government covers such housing costs instead of the council by way of the homelessness route and/or loss in rent collection

The Low Commission, in May 2014, published a major follow up work on the economic value of social welfare advice (6) and presents compelling evidence from different sources that social welfare advice saves public services money. So apart from putting money in the pockets of those who need it, there is also widespread added value from our work.

Looking at all work to date on Cost Benefits Analysis (CBA) and Social Return on Investment data, the report finds that this not only pays for itself, but it also makes a significant contribution to families/ households, to local area economics, and also contributes to significant public savings.

Different studies done in the UK, US, Canada and Australia have all demonstrated similar findings that for every pound or dollar invested, there's a multiple of 10 in the savings produced by, for example, keeping people their homes with jobs and incomes intact rather than having to utilise expensive crisis and emergency services. The review shows that

advice across different categories of law result in positive outcomes for clients and their households. (6)

Commenting on the findings Lord Colin Low said:

“This research, carried out independently, demonstrates with hard economics the true value of social welfare advice. It can no longer be argued that funding social welfare advice is too much of a burden on the state. Early and necessary interventions from advice and legal support prevent problems and expense further down the line”

Partnership Work

Co-ordinated joined up working with other agencies is now more important than ever with the emphasis on making advice more accessible in rural areas and taking service out across the district. We are striving to maintain and improve ways where we can complement each other's services, focusing on each agencies strong points, exploring new technologies and access routes and better referral systems.

We are also working in conjunction with other advice agencies on Social Policy issues. The agencies we work with, such as the National Association of Welfare Rights Advisers and Citizens Advice Bureaux campaign on a national level, which we feed into, as well as highlighting individual cases via the local MP's.

Our partner agencies include South Somerset CAB, Age UK, Yarlinton Housing Group, South Somerset Mind, Village Agents and many more.

Case Studies and Feedback

The advice we provide helps our clients get back on their feet again and encourages them to be pro-active as we try to empower and avoid over dependence.

This local face to face responsive support has become more essential as more and more services are rolled out digitally or through central processing centres.

This is highlighted in the feedback we receive from our clients.

"The welfare was excellent help. Everything was brilliant. Thanks for all the help and care, we appreciate it. God bless you."

"Catherine was brilliant, if I'd met her a while ago life would have been a lot easier. Very motivated, positive, helpful and friendly. Can't thank her enough."

"From the start of the process I felt supported. Andy explained every step thoroughly to me and answered any questions. Huge thanks to Andy, I was extremely happy with the service I received. I would recommend highly."

"The lady who called on us (Helen) was wonderful I cannot commend her enough."

"Helen Parrott was very kind, caring and professional. She filled in my claim form making sure to include every comment. She didn't rush me and made sure the questions were answered in my own words. I would recommend Helen to other people, she made a stressful time more relaxed by her caring nature."

"Thank you for the excellent service - you've been very helpful"

"Excellent service provided by Andy Pennington, with regular updates until all benefits were received."

"My case worker was very efficient and helpful"

"Thank you very much for the assistance gave to me. I am very happy for your supporting and your kindness."

Case Study

Philip is 25 years old with Noonan's Syndrome – a genetic disorder with a wide range of symptoms including mental health and learning difficulties, anxiety and depression.

As a result Philip is significantly limited in his mental state, struggling with day to day activities that most of us take for granted – reading, cooking meals, budgeting, as well as personal care.

Philip was in supported temporary housing following homelessness due to not coping with managing his finances. He signed off of Employment and Support Allowance (ESA) and on to Jobseeker's Allowance (JSA) because he wanted to work, unaware of the strict requirements he would be subjected to.

Philip had previously gained employment but was unable to hold down a job because of the amount of support he needed to do so –navigating the route to work, using public transport, getting himself organised etc etc.

Philip was referred to us in November 2014 by adult support services in who had been working with him for some time.

We suggested that he move back on to ESA and explained he could still look for work whilst claiming this benefit but he would be given appropriate support to do so.

Philip re-claimed ESA and we also helped him put in a claim for Personal Independence Payment (PIP) which is a non-means tested benefit that has replaced Disability Living Allowance.

Unfortunately Philip was turned down for PIP, with points scored for difficulties with budgeting and reading. We helped him request a Mandatory Reconsideration (MR) of this decision and provided additional medical evidence as well as a written submission in support of an award.

Unfortunately the original decision was upheld in March 2015 and by this time Philip's situation was causing him significant distress. His depression worsened and he started forgetting appointments.

Philip's stepmother intervened and made contact with us. With his permission we worked with her to help him through what was a difficult time. He was still only receiving the assessment phase amount of ESA (£72.40 per week) and struggling financially.

Philip's Tribunal Hearing was finally listed in August 2015 and the panel awarded him points for difficulties with cooking a simple meal, managing his therapy, washing and bathing, reading, budgeting and planning the route of a journey. This amounted to an additional £102.85 per week plus the addition of a Severe Disability premium of £61.10 per week.

At this time Philip's ESA was still in the assessment phase and he had not had a medical. We forwarded the Tribunals PIP decision with the medical evidence and a covering submission to the DWP Medical services who took this on board and made recommendation to the DWP without the need to a face to face medical.

Subsequently Philip was placed in the ESA Support Group amounting to an additional £51.30 per week.

As a result of the work we carried out, Philip has an increased annual income of £11,193 plus back paid benefit in the sum of £11,282. He has successfully moved into permanent accommodation with a Registered Social Landlord and continues to be supported. This has also had a significant positive impact on his mental health.

Corporate Priority Implications

Council Plan 2012-2015:

Focus 3: Homes

Focus 4: Health and Communities

Equality and Diversity Implications

The work within the Welfare Advice Team brings us into daily contact with vulnerable clients, people with disabilities and non-English speaking communities.

Financial Implications

None

Carbon Emissions & Climate Change Implications

None

Background papers:

1. *Universal Credit: the impact on passported benefits*, Report by the Social Security Advisory Committee, DWP, March 2012
 2. Somerset Welfare Reform Impact Monitoring 2013-14
 3. *Broken Market, Broken Dreams*, Home Truths 2014/15, report by the National Housing Federation 2014
 4. Somerset Community Legal Service Partnership: County Court Project
 5. *Annual Monitoring Poverty and Social Exclusion 2013* published by the Joseph Rowntree Foundation and written by the New Policy Institute (08/12/2013)
 6. *Social Welfare Advice services – A Review* by Graham Cookson, an economist at the University of Surrey
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Agenda Item 9

Planning Appeals

Strategic Director: Rina Singh (Place and Performance)
Assistant Director: Martin Woods (Economy)
Service Manager: David Norris, Development Manager
Lead Officer: David Norris, Development Manager
Contact Details: david.norris@southsomerset.gov.uk or 01935 462382

Purpose of the Report

To inform members of the appeals that have been lodged, decided upon or withdrawn.

Recommendation

That the report be noted.

Background

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the Committee.

Report Detail

Appeals Received

15/04646/FUL – Devonian, Furnham Road, Chard, TA20 1BE (Officer Decision)
The erection of a front boundary wall (Retrospective Application) (GR 33036/109780)

15/04537/FUL – Homeleigh, Axeford, Chard Junction, TA20 4QL (Officer Decision)
Formation of a new access and hardstanding (GR334021/105068)

Appeals Dismissed

14/03877/PAMB – Cranway Farm, Cranway Lane, Forton, Chard, TA20 2LT (Officer Decision)
Prior approval for the change of use of agricultural buildings into 3 No. dwellings (GR 333666/107731)

The Inspector's report is shown on the following page.

Background Papers: None

Appeal Decision

Site visit made on 11 January 2016

by Gareth Symons BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09/02/2016

Appeal Ref: APP/R3325/W/15/3049381
Cranway Farm, Forton, Chard, Somerset TA20 2LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Mr Keith Robbins against the decision of South Somerset District Council.
 - The application Ref: 14/03877/PAMB, dated 20 August 2014, was refused by notice dated 28 October 2014.
 - The development proposed is the change of use of agricultural buildings to dwellinghouses.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. On 15 April 2015 the Town and Country Planning (General Permitted Development) (England) Order (GPDO) came into force which replaced the previous order dated 1995. However, the legislation provides that any applications made under the previous GPDO should be treated as if made under the new GPDO. The main consequence of this change is that Class MB development consisting of the change of use of agricultural buildings to dwellinghouses under Schedule 2, Part 3 of the 1995 Order became Class Q development in the 2015 Order. I shall consider the appeal accordingly.
3. The Council's first reason for refusal of the prior approval application related to the concern that the cumulative number of dwellings at the farm would exceed three and thus be in breach of former limitation MB.1(c). However, the Council has since confirmed its understanding that the limit of three does not include existing dwellings and as such this reason for refusal is no longer contested. I agree with the Council and so I shall not consider this issue any further.
4. Class Q development is subject to condition Q.2(1) in that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required for a number of matters. The one disputed by the Council, upon which the second reason for refusal is based, is Q.2(1)(a) the transport and highway impacts of the development. The Council is concerned about the suitability of the access to the farm off Forton Road to serve the proposal.

5. The appellant has also referred to the Council's alleged failure to comply with what is now paragraph W(11)(c) under Part 3 in that the Council did not notify the applicant as to whether prior approval was given or refused within the requisite 56 days from the date that the application was received by the local planning authority.

Main Issues

6. In view of the above, the main issues and the order in which I intend to deal them are as follows:
 - Did the local planning authority notify the applicant as to whether prior approval was given or refused within the requisite 56 days;
 - The effect of the appeal development on highway safety;

Reasons

56 days

7. The application was initially received by the local planning authority on 26 August 2014 and the date on the Council's decision notice is 28 October 2014. On its face therefore the authority was 7 days too late in its notification to the appellant. However, under paragraph W of Part 3 of the GPDO '*Procedure for applications for prior approval under Part 3*' certain provisions apply where under this part a developer is required to make an application to a local planning authority for a determination as to whether the prior approval of the authority will be required. Provision W(2) states that "*the application **must be accompanied by...any fee required to be paid***" (my emphasis).
8. In this case the fee originally sent with the application was not correct. As a matter of fact therefore on 26 August 2014 the application was not accompanied by "*any fee required to be paid*". Whether or not this was down to an error or a miscommunication over the amount required, the correct fee was not paid until 3 September 2014. It was only at that stage that the application was accompanied by the required fee. As set out under W(11)(c) the 56 days would expire following the date on which the application under sub-paragraph (2) was received and that must include the required fee. It is noted that the 2015 GPDO uses the phrase "*the application must be accompanied by*" whereas in the previous Order the phrase was "*the application shall be accompanied by*". I do not agree that *shall* has a lesser and not compulsory meaning as compared to *must*. Nevertheless, bearing in mind what I have set out above the appeal is now to be considered under the provisions of the 2015 GPDO.
9. As a matter of fact and degree the local planning authority did notify the applicant as to whether prior approval was given or refused within the requisite 56 days.

Highway Safety

10. The Local Highway Authority has stated that in accordance with the advice in 'Manual for Streets' (MfS), based on the 30mph traffic speed limit along Forton Road, the visibility splays required for emerging drivers are 2.4m x 43m in either direction. Although it has been suggested that traffic speeds may be

less than 30mph there is no substantive evidence to back up this claim. It thus seems reasonable to apply the MfS requirements based on the speed limit.

11. Despite the appellant's submitted evidence about the availability of such splays, I checked the situation for myself at the site visit. At about 43m away on the nearside road edge either side of the site access, due to the hedge next to the road I was not able to see the Council officer who was stood in the access 2.4m back from the carriageway edge. When the officer moved forward to only 2m back, which may be an acceptable 'x' distance in some situations, it was still not possible to see that the required visibility on the 'y' arm of the splay could be achieved.
12. It seemed to me that in order to be able to see oncoming vehicles from far enough away so as to pull out safely, the vehicle would have to be nudged forward so that the driver would be about 1.4m back. However, the bonnet of the vehicle would then be protruding out into the highway. This would not be appropriate particularly given the relative narrowness of the road at this point meaning that when two cars are passing each other they are likely to be very close to the road edge. There is a clear and significant risk therefore of an emerging driver not having adequate visibility of oncoming vehicles and other road users thus seriously increasing the likelihood of a collision.
13. Looking at the appellant's photographs showing a vehicle emerging from the site access, these do not appear to have been taken at the nearside edge of the carriageway in accordance with where the 'y' arm of the splay should be taken to as set out in MfS. Moreover, there is no confirmation that the driver is at a position 2.4m back. The driver appears to be much closer than that. As such they give a misleading impression of what an emerging driver may be able to see. It is acknowledged that the roadside hedge is more trimmed in the photographs than when I visited and the local highway authority has reduced hedge maintenance. However, this would provide only limited improvements to driver views and would not address serious visibility shortcomings. I have also had regard to the appellant's highway visibility sketch plan. However, the relevant splays have not been marked on and the A4 size of the plan does not allow the full splays to be measured. In these circumstances I cannot accord this evidence any significant weight.
14. Turning to the frequency of use of the access the appellant advises that there has been a significant reduction in traffic at Cranway Farm since it ceased to be a dairy farm. Although it is stated that the farm is still working, when I visited the site there appeared to be very little farm activity. There is also no detailed evidence about how many movements the farm had in the past other than reference to a milk collection lorry or how many there is now or could be.
15. I agree with the LHA that a typical dwelling generates between 6-8 vehicle movements a day. Given the appeal site's rural setting and the lack of continuous footways along the road into Chard or Forton to access services or catch the bus, it is likely that occupiers of the proposed houses would regularly rely on their car to go to and fro. As such the vehicle movements would not be less than the average. Against this background and taking account of the existing dwelling at the farm and the other house served by the track, the appeal scheme would lead to a material increase in traffic. Even if the farm traffic was to increase, to my mind a further 18-24 vehicle movements would

still materially intensify the use of the access with the clear substantial harm to highway safety as a result.

16. The access may not be perpendicular to the road but it is wide enough to accommodate two cars swinging in and out. Furthermore, the use of the separate agricultural entrance just inside the access does appear to be used very infrequently. Therefore I do not share the other highway authority concerns about the potential for these factors to increase the risk to road safety. However, this finding does not persuade me away from my previous strongly held concerns.
17. The appellant may not know of any accidents at the junction with Forton Road. However, that does not mean that accidents could not happen. The change in circumstances related to the appeal scheme lead me to the firm conclusion that the highway impacts of the development would be serious and unacceptable. The proposal may not generate the levels of movement envisaged by the first sentence of paragraph 32 from the National Planning Policy Framework that would require a Transport Statement or Transport Assessment. However, paragraph 32 also requires decisions to take account of whether safe and suitable access to the site can be achieved for all people. For the reasons given the proposal would not meet this aim.

Other Matters

18. Although not a reason for refusal, in its appeal statement the Council has raised concern about the structural integrity of the building in the context of what is proposed and how that relates to advice at paragraph 105 of Planning Practice Guidance and limitation Q.1(i) of the GPDO which sets out the extent of building operations reasonably necessary to enable the dwellinghouse function. I have read the evidence from both sides on this matter. However, the appeal is failing for the substantive reasons given above and a finding on this matter would not make any difference to the appeal outcome. Consequently I do not need to consider the structural matter any further.
19. No other matters raised outweigh the above findings.

Conclusion

20. For the above reasons it is concluded that the appeal should be dismissed.

Gareth Symons

INSPECTOR

Agenda Item 10

Date and Venue for Next Meeting

The next scheduled meeting of the Committee will be held on Wednesday 20th April 2016 at 5.30pm at The Guildhall, Chard.
