



South Somerset District Council
Making a Difference Where it Counts



Somerset County Council
PROVIDING FOR LIFE

Notice of Meeting

Joint Area Committee - South

Wednesday 7th October 2009

2.00 pm

**Council Offices
Brympton Way
Yeovil Somerset BA20 2HT**

The public and press are welcome to attend.

Disabled Access is available at this meeting venue.



If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Boucher** on Yeovil (01935) 462462
email: democracy@southsomerset.gov.uk, website: www.southsomerset.gov.uk

This Agenda was issued on Monday 28th September 2009

Ian Clarke, Head of Legal & Democratic Services



INVESTORS IN PEOPLE



South Somerset District Council

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Braille, audio or another language,
Please contact 01935 462203**



Somerset County Council

Joint Area South Membership

Cathy Bakewell (SSDC + SCC)	Peter Gubbins (SSDC + SCC)	Tom Parsley (SSDC)
Lesley Boucher (SSDC)	John Hann (SSDC)	David Recardo (SSDC)
Tim Carroll (SCC)	Andy Kendall (SSDC)	John Richardson (SSDC)
J. Vincent Chainey (SSDC)	Ruth Kendall (SSDC)	Peter Roake (SSDC)
Sam Crabb (SCC)	Tony Lock (SSDC + SCC)	Peter Seib (SSDC)
Tony Fife (SSDC)	Ian Martin (SSDC)	Alan Smith (SSDC)
Julian Freke (SSDC)	Pat Martin (SSDC)	Barbara Strong (PC Rep)
Dave Greene (SSDC + SCC)		

South Somerset District Council – Corporate Aims

Our key aims are: (all equal)

- To deliver well managed cost effective services valued by our customers
- To increase economic vitality and prosperity
- To improve the health and well-being of our citizens
- To ensure safe, sustainable and cohesive communities
- To promote a balanced natural and built environment

Somerset County Council – Corporate Aims

Our key aims are: (all equal)

- Making a Positive Contribution
- Living Sustainably
- Ensuring Economic Well Being
- Enjoying and Achieving
- Staying Safe
- Being Healthy
- Enhancing the Effectiveness of Somerset County Council

Scrutiny Procedure Rules

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

Consideration of Planning Applications

Members of the public are requested to note that consideration of the planning applications will commence at approximately 2.15 p.m. The public and representatives of Parish/Town Councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

A representative from the Area Highways Office will be available from 1.30 p.m. in the Council Chamber to answer questions and take comments from Members of the Committee. Alternatively, they can be contacted direct through Somerset Highways direct control centre on 0845 345 9155.

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 four Joint Area Committees covering South Somerset seek to strengthen links between South Somerset District Council, Somerset County Council and their 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 Joint 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 SSDC council office, to see what executive/key decisions are scheduled to be taken in the coming months. Non executive decisions taken by joint area committees include planning, and other quasi-judicial decisions.

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

- attend and make verbal representations, except where, for example, personal or confidential matters are being discussed;
- at the joint area committee chairman's discretion, members of the public are permitted to speak for up to 3 minutes on agenda items; and
- see agenda reports.

Meetings of the Joint Area Committee - South are held monthly at 2 p.m. on the 1st Wednesday of the month in the Council Offices, Brympton Way, Yeovil.

Agendas and minutes of Joint Area Committees are published on both Councils' websites www.somerset.gov.uk and www.southsomerset.gov.uk.

The Councils' Constitutions are also on their respective web sites 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 SSDC's Constitution.

Public Question Time

The period allowed for participation in this session shall not exceed 15 minutes except with the consent 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 Joint Area 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/Agent

Those County Council Members of Joint Area Committee able only to act with Observer Status *

Parish Council representative member (unless the planning application relates to the member's own Town or Parish Council)

District Council Ward Member and County Council Member of Joint Area Committee (with voting rights)

If a member of the public wishes to speak they must inform the Joint Area 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 Joint Area 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 personal and prejudicial interest

Under the new Code of Conduct, a Councillor will be afforded the same right as a member of the public, except that once the Councillor has addressed the Joint Area Committee the Councillor will leave the room and not return until after the decision has been made.

Excepted Business

Somerset County Councillors have full voting rights on agenda items, where appropriate, unless

- they relate to "Excepted Business" in which case they have Observer Status only

- they have not completed the required training to consider planning applications and will therefore only have an Observer Status in relation to any such items.

Excepted Business refers to (i) all financial decisions involving the District Council's budgets and (ii) all "major" planning applications (Note: other planning applications considered by this Committee are not "Excepted Business") and (iii) all other matters relating to the District Council's Development Control functions.

South Somerset District Councillors may vote on all agenda items, where appropriate.

*** What does Observer Status Mean?**

For the purposes of this Agenda, Observer Status is defined as meaning Councillors may participate fully in the discussion but may **not** vote. This currently applies to Somerset County Councillors as detailed above and to Parish Representatives in relation to all matters.

Parish Representatives

Parish Representatives will hold Observer Status in relation to all matters. However, where the representative's own Parish Council is affected by a planning application then the representative must make representations at the usual point, as would be the case with any other Parish Council spokesperson and would **not** be able to also participate in the debate in relation to that item. The Parish Council Representative is appointed to represent the parish perspective from within Area South.

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Joint Area Committee - South

Wednesday 7th October 2009

Agenda

Preliminary Items

1. **To approve as a correct record the Minutes of the meeting held on 2nd September 2009**
2. **Apologies for Absence**
3. **Declarations of Interest**

In accordance with the Council's Code of Conduct, which includes all the provisions of the statutory Model Code of Conduct, Members are asked to declare any personal interests (and whether or not such an interest is "prejudicial") in any matter on the Agenda for this meeting. A personal interest is defined in paragraph 8 of the Code and a prejudicial interest is defined in paragraph 10.

Planning Applications Referred to the District Council's Regulation Committee

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

Cllr Tony Fife
Cllr Julian Freke
Cllr Peter Gubbins
Cllr Pat Martin

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 Joint 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 Joint Area Committee.

The following members of the Joint Area Committee South are also members of Yeovil Town Council and have declared a personal but non-prejudicial interest in all planning applications where comments have been made by the Town Council:

J Vincent Chainey, Tony Fife, Julian Freke, Dave Greene, Peter Gubbins, John Hann, Andy Kendall, Ruth Kendall, Ian Martin, Pat Martin, Tony Lock, Tom Parsley, David Recardo, Alan Smith.

Councillor Peter Seib is also a member of Brympton Parish Council and has declared a personal but non-prejudicial interest in all planning applications where comments have been made by the Parish Council.

4. Public Question Time

This is a chance for members of the public and representatives of Parish/Town Councils to participate in the meeting by asking questions, making comments and raising matters of concern. Parish/Town Council representatives 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. The public and representatives of Parish/Town Councils will be invited to speak on individual planning applications at the time the applications are considered.

5. Chairman’s Announcements

6. ‘Celebration of Yeovil in Bloom’ DVD

7. Reports from Representatives on Outside Organisations

This is an opportunity for Members who represent the Council on outside organisations to report items of interest to the Committee.

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