

South Somerset District Council

Minutes of a meeting of the **District Executive** held at the **Council Chamber, Brympton Way, YEOVIL, Somerset BA20 2HT** on **Thursday 6 April 2017**.

(9.30 am - 11.42 am)

Present:

Councillor Ric Pallister (Chairman)

Clare Aparicio Paul	Sylvia Seal
Carol Goodall	Peter Seib
Peter Gubbins	Angie Singleton
Henry Hobhouse	Nick Weeks
Jo Roundell Greene	

Also Present:

Mike Lewis	Sue Steele
Tony Lock	Colin Winder

Officers

Alex Parmley	Chief Executive
Ian Clarke	Director (Support Services)
Martin Woods	Director (Service Delivery)
Clare Pestell	Director (Commercial Services & Income Generation)
Helen Rutter	Assistant Director (Communities)
David Crisfield	Third Sector & Partnerships Co-ordinator
Paul Fitzgerald	Section 151 Officer
David Norris	Development Manager
Jo Wilkins	Senior Policy Planner
Ian Potter	Revenues and Benefits Manager
Sharon Jones	Revenues Team Leader
Angela Cox	Democratic Services Manager

Note: All decisions were approved without dissent unless shown otherwise.

149. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the District Executive meeting held on 2nd March 2017, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

150. Apologies for Absence (Agenda Item 2)

There were no apologies for absence.

151. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made.

152. Public Question Time (Agenda Item 4)

There were no members of the public present.

153. Chairman's Announcements (Agenda Item 5)

The Chairman introduced and welcomed Paul Fitzgerald as the Council's new Section 151 Officer, for a temporary period of 6 months.

The Chairman reminded Members of the Special Scrutiny and District Executive Committee meetings due to be held on Tuesday 18th April to discuss the Transformation Project and new Council Plan.

154. Approval of Local Development Scheme (2017 - 2020) (Agenda Item 6)

The Chairman noted that the Council had been unable to recruit a replacement Principal Spatial Planner and so the Senior Policy Planner was standing in with the assistance of the Development Manager.

The Senior Policy Planner drew Members attention to the table 4.1 in the report which demonstrated the work achieved during the previous 18 months. She advised that it took forward their programme of work for producing an early review of the Local Plan. Table 4.2 showed the future timetable which included public consultation in the Autumn and adoption of the early review Local Plan in December 2020. Other monitoring work would continue and it was hoped that additional resources would be found to assist. External consultants were also being used for specific projects.

In response to questions from the Scrutiny Committee, the Senior Policy Planner and the Development Manager advised:-

- Information required by the Local Government Boundary Commission review had been factored into the team's timetable of work.
- The team would work as effectively as it could within their resources and any delays would be reported to the LDS Board.
- There was no penalty for not completing the early review of the Local Plan by March 2018. If a major planning application was submitted in Wincanton then the Spatial Policy team could demonstrate they were working towards the early review.
- There would not be a great deal of money raised through CIL contributions during the first year and the majority of it was for infrastructure projects identified in the Council's Regulation 123 list. 15% of the money collected would be distributed to the parishes where development took place.
- The monitoring of the delivery of evidence base documents would be through the Authority Monitoring Report and LDS Board. Recent appeal decisions had shown that the lack of a 5 year land supply did not necessarily mean the appeal would be allowed if there were good planning reasons for refusing the application.

In response to questions from Members, the Senior Policy Planner advised that:-

- The public consultation would take place in accordance with the Council's Statement of Community Involvement.
- The Council was committed to an early review of the Local Plan to address issues in Wincanton and the Spatial Policy team could demonstrate they were working towards the early review if there was ever an appeal challenge.
- It was too early to rely on the projected housing figures (objectively assessed housing need) although the Strategic Housing Market Assessment had been published on the website. The report could be referred to but would not carry weight at this time.
- A consultation strategy including how Members would be involved would be produced in due course.

During discussion the following points were made:-

- The Council should write to the Secretary of State to point out the contradictory proposal in the Governments White Paper regarding the re-use of brownfield industrial sites for housing.
- Officers should meet with the Wincanton Ward Members to discuss the early review of the Local Plan and the impact of any current development.
- It would be helpful for communities and Members to receive an explanation of how the CIL payments would operate so they could understand the new process.
- The option in the West Dorset, Weymouth & Portland Local Plan Review, Issues and Options Consultation to build houses on Babylon Hill (immediately next to the border with SSDC) should be addressed through the Duty to Co-operate.
- Officers from SSDC should contact senior officers from SCC to discuss the slow responses by the Strategic Highways service and its impact on the Local Plan review process.
- The District Council Network (DCN) had raised the issue of the inconsistency of Planning Inspectors decisions as it created difficulties in relying on their decisions as a material consideration in future planning applications.

At the conclusion of the debate, Members agreed to confirm the recommendations of the report.

RESOLVED: That District Executive agreed to:

- a. endorse the Local Development Scheme (2017 – 2020) and resolved that it is effective as of 6th April 2017 (see Appendix A).
- b. delegate responsibility to the Director: Service Delivery in consultation with the Portfolio Holder for Strategic Planning to make any final minor text amendments which may be necessary to enable the Local Development Scheme (2017 – 2020) to be published.

Reason: To consider and endorse the revised Local Development Scheme (LDS) for the period 2017 to 2020.

155. Proposal to Establish a Commercial Income Generation Fund (Agenda Item 7)

The Portfolio Holder for Property and Climate Change outlined the Council's need to generate an income to supply services to the ratepayers of the district. The proposal was to invest capital to produce a minimum rate of 7% return.

The Director for Commercial Services and Income Generation advised that the appointed consultants were due to produce their strategic land and property project findings in June 2017. By ringfencing the money from the capital programme meant that they could progress proposed projects when the report was received. All the proposed projects for investment would be subject to approval by the District Executive and Council.

The Chairman of the Scrutiny Committee thanked the Portfolio Holder and Chief Executive for attending their meeting and explaining the proposals in detail. She said they had questioned the need to separate the two funds and had offered to help scrutinise any proposed investment opportunities.

During discussion, some Members felt the report required more detail before presentation to Council and the Director for Commercial Services and Income Generation agreed to include this. Members also felt that ringfencing the two funds could hamper a potential investment opportunity if it exceeded the ringfenced sum and so it was agreed to remove this and allocate the £15,000,000 as one amount.

The Chief Executive confirmed the need for a balanced portfolio of investments and said the Council may look to invest outside its area if the return was good.

At the conclusion of the debate, Members were content to propose the recommendations for confirmation by Full Council.

RESOLVED: That District Executive agreed to request that Full Council:-

- a. approve the ringfencing of £15,000,000 within the Capital Programme for a Renewables, Property Investment and Development Project Fund;
- b. note that the findings of The Strategic Commercial Land and Property Project will be reported to District Executive for approval no later than July 2017.

Reason: To agree to ringfence a capital sum to purchase property, land, and renewables as part of agreeing the revised capital programme for 2017/18 to 2021/22.

156. Business Rates Relief - Spring Budget 2017 Measures (Agenda Item 8)

The Portfolio Holder for Finance and Legal Services said that he was pleased to recommend the Council use its local discount powers to introduce the Supporting Small Businesses Relief Scheme from 1 April 2017 to cover public houses. He also noted that

a further Discretionary Relief Scheme and package of funding would come forward in due course.

The Chairman of the Scrutiny Committee confirmed that they supported the recommendations.

There was no debate and Members unanimously confirmed the recommendations of the report.

RESOLVED: That District Executive agreed to:-

- a. approve the use of the Council's local discount powers to introduce the Supporting Small Businesses Relief Scheme from 1 April 2017;
- b. approve the use of the Council's local discount powers to introduce the Business Rate Relief Scheme for Pubs from 1 April 2017;
- c. note that Government had also announced a Discretionary Relief Scheme and package of funding which it was currently consulting on the design of. Introduction of the scheme would require member approval and a further report would follow in due course.

Reason: To approve the use of the Council's local discount powers to introduce a Supporting Small Businesses Relief Scheme and a new Business Rate Relief Scheme for pubs.

157. Capital Programme 2017/18 to 2021/22 (Agenda Item 9)

Members noted that this item had been withdrawn from the Agenda and would be re-presented at the next special District Executive meeting on 18th April 2017.

158. Implementing Charges for Pre-Application Development Control Advice (Agenda Item 10)

The Development Control Manager advised that SSDC were the final Council in the area to propose the introduction of charging for pre-application development control advice. They received approximately 1,500 formal pre-application requests per year and there would be no change to the current system. Payment for the service would be in advance and the charges could be reviewed in 12 months time. There were exemptions for Listed Building consent and charity based organisations, including Town & Parish Councils.

The Chairman of the Scrutiny Committee asked if the recommendation could be amended to include an annual review of the charging schedule at the same time as other council fees and charges.

In response to questions from Members, the Development Control Manager and Director of Service Delivery advised that:-

- The Government had allowed for a 20% increase in fees and charges to cover the cost of the development control service

- If a development required planning permission, then an applicant would pay the appropriate fee for pre-application advice, however, if they only required listed building consent, then there would be no fee.
- A planning fee was not a penalty so it could not be increased for retrospective planning applications.
- They did not wish to discourage applicants and developers from seeking pre-application advice by setting high fees.

During discussion, Members agreed that the charging schedule fees should be reviewed in 12 months time, and, with this amendment they unanimously agreed to the introduction of a charging regime for development control pre-application advice to commence from 1st May 2017.

RESOLVED: That District Executive approved the introduction of a charging regime for development control pre-application advice in accordance with the attached schedule, subject to an annual review at the same time as other council fees and charges.

Reason: To continue to operate an efficient planning service the council agreed to introduce charges for providing some forms of pre-application development control advice.

159. Community Right to Bid Half Year Report - October 2016 to March 2017 (Agenda Item 11)

The Portfolio Holder for Strategic Planning (Place Making) drew Members attention to the new assets added to the register, the unsuccessful applicants and those assets removed during the previous 6 months. She said there had been one successful acquisition by Stoke sub Hamdon Parish Council of the village's Methodist Church.

The Assistant Director (Communities) advised that the Diocese of Bath & Wells had made a claim for compensation relating to Barrington Primary School, however, the Council's legal officers had asked for clarification of some anomalies of the claim and so far, no response had been received. She noted that SSDC continued to bear the cost of operating the scheme in officer time.

The Third Sector and Equalities Co-ordinator advised that since writing the report, the public house in Winsham had been sold and so the community had lost the opportunity to acquire it.

During discussion it was also reported that the Castle Cary Constitutional Club was now for sale at twice the original price and so the community had little chance in acquiring it.

At the conclusion of the debate, Members were content to note the report.

RESOLVED: That the District Executive noted the Community Right to Bid Half Year Report – October 2016 to March 2017

Reason: To note the current status of the register of Assets of Community Value in South Somerset.

160. District Executive Forward Plan (Agenda Item 12)

Members noted the following amendments and additions to the Executive Forward Plan and Consultation Database:-

- Capital and Revenue Budget monitoring reports – moved to July 2017
- Intensification of use of easement from St James St, South Petherton into Prigg Lane Car Park – removed from plan
- Disposal of Third Party Properties – report from Scrutiny Committee – June 2017

Councillor Nick Weeks also requested that a report on the Somerset Rivers Authority budget and spending plans be published for public clarification.

RESOLVED: That the District Executive:-

1. approved the updated Executive Forward Plan for publication as attached at Appendix A, with the following amendments;
 - Capital and Revenue Budget monitoring reports – moved to July 2017
 - Intensification of use of easement from St James St, South Petherton into Prigg Lane Car Park – removed from plan
 - Disposal of Third Party Properties – report from Scrutiny Committee – June 2017
2. noted the contents of the Consultation Database as shown at Appendix B.

Reason: The Forward Plan is a statutory document.

161. Date of Next Meeting (Agenda Item 13)

Members noted that a special meeting of the District Executive would be held on Tuesday, 18th April 2017 in the Council Chamber, Council Offices, Brympton Way, Yeovil commencing at 1.00 p.m.

It was also noted that the next scheduled meeting of the District Executive would take place on Thursday, 11th May 2017 in the Council Chamber, Council Offices, Brympton Way, Yeovil commencing at 9.30 a.m. (one week later than usual due to the County Elections).

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Chairman

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Date