

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 4 January 2018.**

(9.30 am - 12.40 pm)

Present:

Councillor Ric Pallister (Chairman)

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| Peter Gubbins | Sylvia Seal |
| Henry Hobhouse | Angie Singleton |
| Val Keitch | Nick Weeks |
| Jo Roundell Greene | Derek Yeomans |

Also Present:

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| Mike Lewis | Nick Colbert |
| Tony Lock | Colin Winder |
| Sue Steele | |

Officers

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| Alex Parmley | Chief Executive |
| Paul Fitzgerald | Section 151 Officer |
| Angela Watson | Lead Specialist (Legal) |
| Ian Potter | Lead Specialist (Vulnerable Customers) |
| Caron Starkey | Strategic Lead for Transformation |
| Natalie Fortt | Area Development Lead South |
| Nicola Hix | Lead Specialist (Finance) |
| Marie Ainsworth | Neighbourhood Development Officer (South) |
| Angela Cox | Democratic Services Specialist |

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

94. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the District Executive meeting held on 7th December 2017, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

95. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillor Peter Seib and Martin Woods, Director for Service Delivery.

96. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

97. Public Question Time (Agenda Item 4)

There were no members of the public present.

98. Chairman's Announcements (Agenda Item 5)

The Chairman regretted the need to print the Council Tax Support Scheme document in full for all Councillors and suggested that it be circulated electronically and be available in paper only on request.

The Section 151 Officer advised that there had been some legal challenges to Council Tax Support Schemes where Authorities could not demonstrate that their Members had read the document, risking the validity of decisions taken.

The Chief Executive confirmed that the Council needed to demonstrate that Councillors had access to the relevant papers and so they should be available on-line and in the Members Room.

99. Heart of the South West (HotSW) - Joint Committee (Agenda Item 6)

The Chairman advised that it was essential that SSDC needed to be involved in in this Joint Committee. He hoped to focus on market town regeneration and for the modest costs involved, bid for growth money from the Government.

In response to questions from the Scrutiny Committee, the Chairman confirmed that the SSDC had been asked for an initial contribution of £1,400 for 2018/19 to fund the administration and the work programme of the Joint Committee and he could give no further assurance on resources at the current time. He said the Joint Committee would be work in progress but it was essential that SSDC were involved and part of the responses to the Government.

The Monitoring Officer noted that the draft Inter-Authority Agreement had been amended since publication at point 11.5 as it had been agreed that each partner authority would issue press releases themselves.

During a brief debate, Members agreed that SSDC should be involved in the Joint Committee and it was requested that the draft Inter-Authority Agreement be amended to include monitoring of the progress of the Committee. The Chairman agreed to request this at the first meeting of the Committee.

At the conclusion of the debate, Members were content to recommend the report to Council for confirmation.

RESOLVED: That District Executive recommend that Full Council:-

- a. approve the recommendation of the HotSW Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West;
- b. approve the Arrangements and Inter-Authority Agreement

documents set out in appendices A and B (as amended) for the establishment of the Joint Committee with the commencement date of Monday 22nd January 2018;

- c. appoint Councillor Ric Pallister and Councillor Jo Roundell Greene as the Council's named representative and substitute named representative on the Joint Committee;
- d. appoint Somerset County Council as the Administering Authority for the Joint Committee for a 2 year period commencing 22nd January 2018;
- e. approve the transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/18 financial year subject to approval of any expenditure by the Administering Authority;
- f. approve an initial contribution of £1,400 for 2018/19 to fund the administration and the work programme of the Joint Committee, noting that any expenditure will be subject to the approval of the Administering Authority;
- g. agree that the key function of the Joint Committee is to approve the Productivity Strategy (it is intended to bring the Strategy to the Joint Committee for approval by February 2018);
- h. authorise the initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy;
- i. agree the proposed meeting arrangements for the Joint Committee including the timetable of meetings for the Joint Committee as proposed in para 23.

Reason: To enable the Heart of the South West Joint Committee to be formally established.

100. Council Tax Support Scheme 2018/19 (Agenda Item 7)

The Revenues and Benefits Manager advised that a Scrutiny Task and Finish group had reviewed Council Tax Support Scheme for 2018/19 and into 2020/21. No significant changes were proposed for 2018/19 and he listed the minor changes proposed for working people, disabled people and pensioners, a disregard for bereavement support payments and the income for part-time firefighters. He noted that the group had looked at ways to reduce administration costs in the future and the deadline for setting a Council Tax Support Scheme had been changed to 11th March in future years which would give a little more flexibility and may allow the scheme to be agreed alongside the Council's Budget report.

The Chairman of the Scrutiny Committee thanked the Revenues and Benefits Manager and his team for their support and advice during their review meetings.

At the conclusion of the debate, Members were content to recommend the report to Council for confirmation.

RESOLVED: That District Executive recommend that Full Council agree:-

- a. that personal allowances and premiums are uprated in line with those for Housing Benefit;
- b. that non-dependent deductions are uprated in line with the annual percentage increase in Council Tax;
- c. that the non-dependent income bands are increased by the same percentage as those applied to the national Council Tax Support scheme for pensioners;
- d. that Bereavement Support payments are disregarded in line with their treatment in Housing Benefit;
- e. that the hardship scheme budget be set at £30,000 for the 2018/19 financial year;
- f. to note the recommendations of the Scrutiny Task and Finish Group attached at Appendix 1 (published as a separate appendix to this report);
- g. to note the scheme has been amended to reflect changes to the Prescribed Requirements;
- h. that the 2018/19 Council Tax Support Scheme attached at Appendix 2 is adopted (published as a separate appendix to this report);
- i. to note that the proposed Council Tax Support Scheme has been reflected within the overall Council Tax Base.

Reason: To recommend the proposed amendments to the Council Tax Support scheme for the 2018/19 financial year to Full Council for approval.

101. **SSDC Transformation Programme - Progress Report (Agenda Item 8)**

The Portfolio Holder for Environment, Economic Development and Transformation advised that Phase 1 was about to go live and Phases 2 and 3 were being combined and brought forward to reduce staff concerns. She noted that communication to Members would now be stepped up.

The Strategic Lead for Transformation advised that overall, the programme was on track and on budget. She noted that:-

- They had engaged with Yeovil College on a design concept.
- They had engaged a specialist in learning and development for the new managers so they understood how to engage in the new operating model.

- Phase 1 would go live on 23rd January and Phases 2 and 3 were being brought forward.
- There was resource for communication with staff and Members.

In response to questions from the Scrutiny Committee and Members, the Strategic Lead for Transformation and Chief Executive advised that:-

- Officers had a good relationship with Civica, the software providers, and they were working closely on the development of technology.
- Locality working was still in the development stage and feedback from a members survey would be shared in a later report.
- The majority of vacancies were being filled internally
- A good selection of external candidates had applied for the 4 posts which had been advertised on the external microsite.
- Although it was recognised that some service levels could temporarily dip, the South West Audit Partnership (SWAP) were assisting with identifying pinch points and developing plans to maintain appropriate performance levels.

During discussion, the following points were made:-

- The Technology Implementation Manager had set up an officer group from other District Councils using the Civica software to refine their technology.
- Further explanation of the Strategic Risk Register was required before circulating to Members.
- It would be helpful for Portfolio Holders to be made aware of key staff changes within their Portfolio.
- It was natural there would be some loss of staff due to job uncertainty which was why Phases 2 and 3 had been combined and brought forward sooner.

At the conclusion of the debate, it was agreed that the Strategic Lead for Transformation would informally attend the Area Committee meetings to update Members on the progress of the project and with this, Members were content to note the Transformation Programme progress report.

RESOLVED: That the District Executive noted the report.

Reason: To note the progress of the council's Transformation Programme.

102. Annual review of the Regulation of Investigatory Powers Act 2000 (RIPA) (Agenda Item 9)

The Lead Specialist (Legal) said the Council had not needed to apply to the Magistrates Court to use RIPA powers since 2013 and officers were generally able to carry out their duties without resort to these powers. The Policy and Procedures attached at Appendix A had been updated with a new Using Social Media and Networking Sites in Investigations Policy which would guard officers if they needed to use social media as evidence. She concluded by noting that the Director of Service Delivery would be the Senior Responsible Officer in the future, supported by a member of the Legal team.

In response to questions from the Scrutiny Committee, the Lead Specialist (Legal) advised that officers had to be alert to other legislation when considering RIPA and this requirement would be covered in the training of officers

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

RESOLVED: That District Executive:-

- a. noted the Council's use of RIPA powers;
- b. approved and adopted the revised Regulation of Investigatory Powers Act 2000 Policy and Procedures attached at Appendix A along with the new Using Social Media and Networking Sites in Investigations Policy (Appendix 5);
- c. appointed the Director of Service Delivery as Senior Responsible Officer and amendments to authorising officers were noted.

Reason: To ensure compliance with the Regulation of Investigatory Powers Act 2000 (RIPA).

103. 2018/19 Draft Budget and Medium Term Financial Plan Update (Agenda Item 10)

The Section 151 Officer advised that since the Agenda had been published, the Government had published the Provisional Local Government Finance Settlement and the implications for the draft budget position had been circulated in the appendix to his report. He noted that the settlement was slightly better than anticipated and although Business Rates Retention was increased, there was a major reduction in New Homes Bonus funding which had been predicted and planned for. The limit on the increase in Council Tax without the need for a referendum had increased to 2.99% or £5.00 and as the £5.00 was higher for SSDC, this had been built into the Medium term Financial Plan. Using capital receipts flexibly had been extended for a further 3 years and new regulations allowed for a 20% increase in planning fees.

In response to questions from Members, the Section 151 Officer advised that:-

- In previous years SSDC had set aside some New Homes Bonus money into the Revenue Support fund and some of that money was now required to offset the drop in New Homes Bonus funding.
- An update report on the Commercial Strategy and income generation was due to be presented to the Executive in February 2018.
- An assessment of adequate reserves and robustness of the budget would be included in the Council Budget report in February.

The Chairman noted that they were still able to precept 1.25% of the 2015/16 tax rate towards the Somerset Rivers Authority although this could not show as a separate item on the Council Tax bill until the Government passed an Act allowing them to be a precepting authority. He also agreed to raise the issue of sustainable drainage system

payments to management companies and the replacement of the administrator at the next meeting of the SRA.

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

RESOLVED: That District Executive:-

- a. noted the current estimates and next steps in respect of the draft Medium Term Financial Plan and Capital Programme.
- b. approved in principle the changes to budget estimates in respect of pressures and savings included within the report (para 16).

Reason: To note and confirm the latest estimates for 2018/19 draft budget and Medium Term Financial Plan estimates for the period 2018/19 to 2022/23, together with an update on the Capital Programme.

104. Yeovil Street Markets (Agenda Item 11)

The Portfolio Holder for Area South and Yeovil Markets regretted he had not attended the Scrutiny Committee meeting and he provided answers to their questions regarding the report.

The Area Development Lead (South) said the Yeovil Street Markets had been in decline for a number of years and despite a re-launch in 2013 with incentives and entertainment it had continued to decline. The National Association of British Market Authorities' (NAMBA) were commissioned to report on the market and their study concluded that either heavy investment was required, do nothing and draw the markets to a close, or, seek an experienced operator to run the market. A Task and Finish group from Area South Committee agreed that the third option to seek an experienced operator was the way forward and MSD had been selected. A Service Level Agreement containing performance measures and break clauses would be drawn up and the Area South Committee would receive 6 monthly updates on progress.

In response to questions from Members, the Area Development Lead (South) confirmed that no payment would be made to MSD to operate the market. They believed they could operate the market at a profit. The retention of part of the annual markets budget would be a contingency in case they stepped back from the agreement.

During discussion, it was proposed that £17,000 of the annual markets budget be retained as the contingency, however, Members felt that if the market operator were able to provide useful advice to boost other markets within South Somerset then the contingency should be increased to £20,000 to fund this expertise. This proposal was seconded and agreed.

At the conclusion of the debate, Members were content to confirm the amended recommendations of the report.

RESOLVED: That District Executive:-

- a. agreed to remove the current income target for Yeovil's markets of £39,020 from 2018/19 as SSDC will no longer be receiving a direct income from market traders. This will be covered within the provision for unavoidable loss as detailed in the financial implications.
- b. agreed to retain the annual markets budget of £20,000 for 2018/19 only to allow the new market operator/partner to successfully establish. Thereafter the future of Yeovil Street Markets will be an Area South Committee issue in discussion with other stakeholders.

Reason: To approve the future financial arrangements and proposed market management structure of the Yeovil Street Markets.

105. District Executive Forward Plan (Agenda Item 12)

The following amendments to the Forward Plan were noted:

- SSDC Operational Office Accommodation Review (Headquarters Feasibility Report) – moved to March 2018
- SSDC Operational Office Accommodation Review (Areas and Locality Working) – moved to March 2018

The following new consultations were noted:-

- Provisional local government finance settlement 2018 to 2019: consultation
- Fair funding review: a review of relative needs and resources
- Business rates in multi-occupied properties

RESOLVED: That the District Executive:-

1. approved the updated Executive Forward Plan for publication as attached at Appendix A, with the following amendments:-
 - SSDC Operational Office Accommodation Review (Headquarters Feasibility Report) – moved to March 2018
 - SSDC Operational Office Accommodation Review (Areas and Locality Working) – moved to March 2018
2. noted the contents of the Consultation Database as shown at Appendix B, with the following additional consultations:-
 - Provisional local government finance settlement 2018 to 2019: consultation
 - Fair funding review: a review of relative needs and resources
 - Business rates in multi-occupied properties

Reason: The Forward Plan is a statutory document.

106. Date of Next Meeting (Agenda Item 13)

Members noted that the next scheduled meeting of the District Executive would take place on Thursday 1st February 2018 in the Council Chamber, Council Offices, Brympton Way, Yeovil commencing at 9.30 a.m.

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Chairman

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Date