

South Somerset District Council

Minutes of a meeting of the **District Executive** held at the **Council Chamber, Brympton Way, Yeovil, Somerset. on Thursday 5 July 2018.**

(10.30 am - 1.51 pm)

Present:

Councillor Ric Pallister (Chairman)

Peter Gubbins	Sylvia Seal
Henry Hobhouse	Peter Seib
Val Keitch	Angie Singleton
Graham Middleton	Nick Weeks
Jo Roundell Greene	

Also Present:

Mike Lewis	Derek Yeomans
Sue Steele	

Officers:

Alex Parmley	Chief Executive
Clare Pestell	Director (Commercial Services & Income Generation)
Paul Fitzgerald	Section 151 Officer
Rachel Saltonstall	Legal Specialist
Sarah Hickey	Senior Planning Lawyer
Nicola Hix	Lead Specialist (Finance)
Jo Manley	Specialist (Strategic Planning)
Colin McDonald	Corporate Strategic Housing Manager
Vicki Dawson	Lead Specialist (Environmental Health)
Lynda Pincombe	Specialist (Strategic Planning)
Jan Gamon	Lead Specialist (Strategic Planning)
Caron Starkey	Strategic Lead for Transformation
Katy Menday	Leisure & Recreation Manager
Charlotte Jones	People, Performance & Change Lead
Angela Cox	Democratic Services Specialist

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

11. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the District Executive meeting held on 7th June 2018, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

12. Apologies for Absence (Agenda Item 2)

There were no apologies for absence.

13. Declarations of Interest (Agenda Item 3)

At the time the item was discussed, Councillor Peter Gubbins declared a personal interest in Agenda item 7: Affordable Housing Development Programme, as a close relative worked for Yarlinton Homes, who were mentioned in the recommendations. He confirmed that he would abstain from voting on this item.

14. Public Question Time (Agenda Item 4)

A representative of Brympton Parish Council referred to the recent Local Government Boundary Commission review of South Somerset and the proposed changes to Brympton Parish which were not part of the original consultation but proposed in the final recommendations. He said they had written to question this as it meant the parish would now be warded and could potentially have two elections for each ward, but they had been informed the proposals could not be changed except by Parliament. He noted they had also lobbied their MP as well.

The Chief Executive said he had questioned the validity of the newly proposed changes at late notice but had been advised they could not be altered unless the proposals were rejected in their entirety by Parliament.

The Chairman offered to write to Marcus Fysh MP to draw the matter to his attention.

15. Chairman's Announcements (Agenda Item 5)

The Chairman advised that at the National Practitioner Support Service Conference which focussed on front-line housing services, Barbie Markey, Senior Housing Options Officer, had won a national recognition award for her work with homeless people. He confirmed that he would write to her on behalf of all Members to congratulate her on receiving the award.

The Chairman also noted that a number of Members were yet to complete their GDPR training and whilst it was not compulsory, it was good practice to demonstrate that all had completed it.

16. Dualling of the A303 from Sparkford to Ilchester (Agenda Item 6)

The Specialist (Strategic Planning) advised that Highways England were expected to submit their Development Consent Order (DCO) planning application to the Planning Inspectorate on 27th July. They had asked for Statements of Common Ground to be signed between SCC, SSDC and Highway England, setting out where issues had been agreed, not agreed or where further work was required in association with the planning application however, as the DCO application had not been submitted and officers had not seen or had time to consider the detail contained within the planning application, it was proposed to sign a joint Statement of in Principle Support at this time. This statement should give the Planning Inspectorate the confidence that both authorities supported the scheme and were committed to working with Highways England to enter into Statements of Common Ground. Highways England was content with this approach.

She noted that the Scheme of Delegation proposed at Appendix 2 would allow the Lead Specialist (Strategic Planning) to progress the proposal on behalf of SSDC.

She explained that Highways England had agreed to reimburse the Council its costs for certain activities which required the Council to provide additional resources over and above their statutory requirements, via a Planning Performance Agreement (PPA). The sum offered was £60,000 between SCC and SSDC. The Lead Specialist (Strategic Planning) explained that in reality this may only be £15,000 to £20,000 for SSDC. District Executive was asked to support the principle of entering into the PPA with Highways England. It was noted that officers would continue to negotiate with Highways England.

Additional funding was requested from District Executive to bring in the external specialist resource that would be required to support the project. The Lead Specialist (Strategic Planning) explained that assistance would be needed in key areas such as conservation and project management which would free up the Specialist (Strategic Planning) to focus on her Local Plan work which she had been diverted from to lead on this project. The Chairman agreed to write to the Highways England to ask for a review of this offer in order to meet their accelerated time scales for the development.

The Senior Planning Lawyer advised that recommendation (b) should be amended to include the detail and completion of a Planning Performance Agreement and Members were in agreement with this.

The Chairman of the Scrutiny Committee noted they had also queried whether the funding from Highways England was adequate to cover SSDC resources.

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

RESOLVED: That District Executive noted the report and its contents, and reviewed and approved:-

- a. The Statement of in Principle Support for the scheme to be submitted to Highways England (Appendix 1).
- b. The principle of the Council entering into a Planning Performance Agreement with Highways England, the detail and completion to be delegated to Lead Specialist – Strategy and Commissioning.
- c. That £100,000 is allocated from estimated revenue underspends in 2018/19, under-written by general balances, to resource the Council's involvement in this project.
- d. The Scheme of Delegation for the Council's input into the Development Consent Order process (Appendix 2).

Reason: To update Members on the A303 Sparkford to Ilchester Dualling Scheme and set out how the Council will engage in the Development Consent Order (DCO) process.

17. Affordable Housing Development Programme (Agenda Item 7)

The Chairman noted that although the number of new affordable houses built per year had reduced, the number of households on the housing register remained at around a constant 2,000. He said that concern had been expressed by several council leaders at the LGA Conference at the deliverability and viability of housing schemes.

The Corporate Strategic Housing Manager introduced his report and advised that there were a further 329 affordable houses in the pipeline that may be delivered within the next few years above the figures in his report. He also noted that Magna Housing had been appointed as the Council's fourth housing provider and pointed out that SSDC often forward funded housing developments which were subsequently funded by Homes England.

In response to questions from Members, officers advised:-

- The proposed development site at Goldcroft was included in the pipeline 329 affordable houses.
- Although Yeovil and Chard were the preferred housing development towns in the Local Plan, private developers were applying for permission to build in Castle Cary, South Petherton & Somerton as they were sustainable locations and the Local Plan could only be developed in line with the NPPF.
- Small parcels of land had sold recently for employment use but there seemed little appetite for large acres of un-serviced sites.
- 26 properties were sold by Yarlington under the preserved right to buy scheme the previous year, bringing an income of £1.4m to SSDC.
- Whilst officers were fully aware of individual cases, SSDC did not currently keep a cumulative record of affordable housing granted planning permission but not subsequently built out because developers claimed the sites were not viable, however, this could be recorded in the future.

At the conclusion of the debate, the Corporate Strategic Housing Manager asked if Members were content to withdraw the grant to Yarlington for the proposed scheme at Misterton in the event that suitable planning permission is not in place before 5th July 2019 and Members were content to confirm this.

RESOLVED: That District Executive:-

- a. Noted the affordable housing development programme outcomes to date;
- b. Agreed to withdraw the award of £396,661 grant to Yarlington for the proposed scheme at Misterton in the event that suitable planning permission is not in place before 5th July 2019.

Reason: To update the Executive on the final position of the Affordable Housing Development Programme for 2017/18, the current position for 2018/19 and future prospects.

18. Private Sector Housing Enforcement Policy and associated charges (Agenda Item 8)

The Chairman said it was appropriate for the private sector housing landlords to pay for the new charges and penalties introduced by the Housing and Planning Act 2016, rather than the SSDC council tax payers.

The Lead Specialist - Environmental Health advised that although they could already charge landlords for a number of issues, the Housing and Planning Act 2016 was an opportunity to introduce other charges and deal with poorer landlords. She noted that following discussion at Scrutiny Committee she had revised the table in Appendix 1.1 which detailed the charges for private sector housing services. It would now detail the charge per hour 'or part thereof' in the final version of the document. She concluded that officers had good working relationships with local landlords and did not envisage issuing many penalties.

During discussion, it was noted that there was currently no change proposed for the licensing of Houses in Multiple Occupation (HMOs) to encourage them to bring further properties into the market but this would be reviewed in the future.

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

RESOLVED: That District Executive agreed and adopted the attached Private Sector Housing Enforcement Policy in Appendix 1 and agreed the charges in the following Appendices:-

- a. Appendix 1.1 Charging Policy for Private Sector Housing Enforcement Services (as amended)
- b. Appendix 1.2 Civil Penalties Policy for Private Sector Housing Related Offences
- c. Appendix 1.3 Statement of Principles for determining a penalty charge for offences under the Smoke and Carbon Monoxide Alarm Regulations 2015 and related legislation

Reason: To adopt the Private Sector Housing Enforcement Policy and agree associated charges for enforcement and civil penalties.

19. Adoption of the South Somerset Playing Pitch Strategy 2017 - 2028 (Agenda Item 9)

The Portfolio Holder for Leisure and Culture introduced the report and reminded Members that SSDC would work in partnership with groups and volunteers to deliver facilities, as they were enablers, not providers. She said they would try to bring forward priority projects until 2028 within the resources which the council had.

The Specialist (Strategic Planning) advised that although the Scrutiny Committee had questioned the number of responses to the consultation, she was content with the 50 responses from Parish Councils and local groups as the document was quite technical.

She noted the key priority projects listed on pages 110 to 113 and the area priority action plan. She confirmed the document supported the evidence base at planning appeals for the need for facilities in the district and the identified gaps in provision.

In response to a question from a representative of Brympton Parish Council regarding the current position on the Yeovil Town Football Club planning application, the Chairman said that dialogue was ongoing and SSDC were waiting for the football club to bring forward their proposals and they would assist them in what was reasonable and realistic.

In response to questions from the Scrutiny Committee the Specialist (Strategic Planning) advised that they were trying to secure land in Chard for community use.

During discussion, it was noted that:-

- Community use of school pitches should be secured via shared use agreements, particularly where they were awarded Section 106 funding.
- Although the strategy document was based upon population projections within the Local Plan Annual Monitoring Report of 2016, the report would be formally reviewed and updated during its lifetime.
- Some Members felt there was a need for Artificial Grass Pitches in Area East as hockey was no longer played in grass pitches and access to private school facilities was not formally secured.
- Facilities for netball would be looked at as part of the needs assessment for built leisure facilities which would commence in July and take approximately 6 months.
- SSDC had grant aided the covering of the open-air pool in Huish Episcopi but there was concern that the community use would reduce as the school use increased.

The Chairman of the Scrutiny Committee thanked the Senior Play and Youth Facilities Officer and the Community Health & Leisure Manager for their help in facilitating the Multi Use Games Area (MUGA) in Ilton which had opened the previous week.

At the conclusion of the debate, the Portfolio Holder for Leisure and Culture thanked the Specialist (Strategic Planning) for her work in bringing the Playing Pitch Strategy document forward. The Chairman noted that community support for projects was required to progress them with support and advice from SSDC. He then asked that a vote be taken on each recommendation and it was:

RESOLVED: That District Executive:-

- a. Formally adopted the new South Somerset Playing Pitch Strategy 2017 – 2028;

(voting: 6 in favour, 1 against, 2 abstentions)

- b. Adopted the revised standards for playing pitch and changing room provision outlined in the Agenda report.

(voting: unanimous in favour)

Reason: To endorse the new South Somerset Playing Pitch Strategy and associated action plan, and, the proposed new standards of provision for playing pitches and changing facilities.

20. Capital Budget Outturn Report for 2017/18 (Agenda Item 10)

The Portfolio Holder for Finance and Legal Services introduced the report noting that the capital expenditure had increased during the year as the council had invested in two large property investments. He thanked officers for producing the reports, with new staff members and new ways of working.

The Section 151 Officer advised that there was a variance of only £4,000 on the capital schemes which represented good budget planning. He also drew members attention to the financing of the Capital Programme detailed at paragraph 16.

During discussion, it was noted that the borrowing should be labelled as either internal or external in future reports.

In response to questions from the Scrutiny Committee, the Section 151 Officer confirmed that all financial detail relating to the Transformation Programme was contained in that report to be discussed later in the Agenda. He also confirmed that the capital schemes would be reviewed and any stalled schemes would have their financing returned to balances.

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

RESOLVED: That District Executive:-

- a. noted the content of the report including the net spend of £16.424m on capital schemes during 2017/18; and small variance of only £4K underspend across 33 completed schemes.
- b. approved the revised Capital Programme spend as detailed in paragraph 10.

Reason: To inform Members of the outturn of the capital programme of the Council for 2017/18.

21. Revenue Budget Outturn Report for 2017/18 (Agenda Item 11)

The Portfolio Holder for Finance and Legal Services introduced the report which asked Members to formally note the Council's net spend for 2017/18 and approve the carry-forward amounts requested. He also drew Members attention to paragraph 7 which listed the reasons for the budget underspend.

The Chairman confirmed that the Chief Executive had previously reported that an element of the Transformation Programme had not been identified and the proposed funding in the report would be the final amount to complete the programme.

In response to questions from Members, the Section 151 Officer advised that a significant amount of the useable reserves were already committed but the reserve was part of good financial planning to guard against New Homes Bonus and Business Rates volatility. He also confirmed that the Risk Management Reserve was now in general balances and the treasury reserve and was not spent.

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

RESOLVED: That District Executive:-

- a. noted the net spending for the year of £17,318,942, an underspend of £663,318 (3.7%) compared to final budget, and explanations of variances from budget holders for the 2017/18 financial year as shown in paragraphs 7-10;
- b. approved budget carry forwards of £118,648 into the 2018/19 budgets (as shown in Appendix B);
- c. approved the transfer of £646,103 to the Transformation Reserve as detailed in paragraph 18;
- d. approved individual service overspends are funded from general balances and the net underspend of £544,670 after carry forwards are returned to general balances;
- e. noted the use of the specific reserves in paragraph 26 and the transfers to and from balances outlined in the General Fund table paragraph 28;
- f. noted the position of the Area Committee balances in paragraph 31;
- g. approved the virements in paragraph 36 and note the virements in Appendix F.

Reason: To inform Members of the actual spend against revenue budgets for the 2017/18 financial year.

22. **SSDC Annual Performance Report 2017-18 (Agenda Item 12)**

The Chairman introduced the report and asked Members for their opinion of the new format of presentation of the performance report.

The People Performance and Change Lead advised that the report reflected the Council's achievements during 2017/18 although they could add a note regarding the success of the Chard Regeneration consultation event.

During discussion, it was noted that the reference to £2.5m to deliver the council's Transformation Programme was not clear if this was a saving to the Council or the cost of programme. It was also noted that the Yeovil and Chard regeneration projects were

agreed as priorities in 2017/18 whereas Wincanton regeneration was a priority for 2018/19. Similarly, the new Recycle More scheme was a future event and would be reported in a future Performance Report.

At the conclusion of the debate, Members confirmed they were content with the new layout of the report and were content to confirm it for presentation to Full Council.

RESOLVED: That the District Executive noted the 2017/18 performance information at Appendix A.

Reason: To present a summary of outcomes achieved against the Council Plan for the year April 2017 to March 2018.

23. **SSDC Transformation Programme - Progress Report (Agenda Item 13)**

The Portfolio Holder for Environment, Economic Development and Transformation introduced the report and advised that all staff appointments for Phases 2 and 3 had now been completed. The programme was on budget and on target and the £250,000 requested in the report was for alterations and refurbishments at Petters House. She paid tribute to the officers who had conducted the interviews in Phases 2 and 3 as they had also maintained their normal work as well as the additional interview work.

The Strategic Lead for Transformation advised of a small text error in paragraph 18 which should read 'unable' rather than 'able'. She also noted the importance of paragraphs 22 to 27 to sustain and maintain the financial benefits of the programme.

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

- Consultation with staff in Phases 2 and 3 was ongoing so it was not yet possible to confirm how many staff in total across all 3 phases had not been offered roles and what this figure would be as FTEs;
- Some budget overspends had been set against other budget underspends and there was still significant amounts not yet spent to support officers.

The Portfolio Holder for Strategic Planning (Place Making) reminded Members of the new hours to contact planning officers to allow them time to deal with the back-log of work. She said that Town & Parish Councils had been advised of the new contact hours as well.

The Portfolio Holder for Property and Climate Change reported that Civica had increased their support to SSDC on the progress of the 'golden record' and the system was improving but there was still room for further improvement.

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

RESOLVED: That District Executive:-

- a. noted and commented on the report.
- b. approved the transfer of £250,000 from the capital programme

reserve schemes to fund necessary alterations to Petters House as detailed in this report.

Reason: District Executive receive quarterly updates on the progress of the council's Transformation Programme.

24. District Executive Forward Plan (Agenda Item 14)

RESOLVED: That the District Executive:-

1. approved the updated Executive Forward Plan for publication as attached at Appendix A, with the following amendments;
 - Economic Development Strategy – moved to November 2018
 - Purchase of Land at Ham Hill Country Park – removed from plan
2. Noted the receipt of the following Government consultation:
 - Overcoming the barriers to longer tenancies in the private rented sector

Reason: The Forward Plan is a statutory document.

25. Date of Next Meeting (Agenda Item 15)

Members noted that the next scheduled meeting of the District Executive would take place on Thursday 2nd August 2018 in the Council Chamber, Council Offices, Brympton Way, Yeovil commencing at 9.30 a.m.

26. Exclusion of Press and Public (Agenda Item 16)

RESOLVED: That the following items be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

27. Purchase of Land at Ham Hill Country Park (Confidential) (Agenda Item 17)

The Portfolio Holder for Leisure and Culture introduced the report and advised that the opportunity to purchase the land made good sense.

The Leisure and Recreation Manager advised the land was for sale at short notice. She confirmed it was for sale and not for auction.

There was no debate and Members were content to confirm the recommendations of the report.

RESOLVED: That District Executive approved the recommendations of the report.

Reason: To ask for approval to progress the purchase of the land so that it can continue to be managed as part of Ham Hill Country Park

28. Notification of an Urgent Executive Decision: Battery Project - Establishing a Special Purpose Vehicle (Confidential) (Agenda Item 18)

The Chairman noted that the decision had been taken prior to the report presented to District Executive on 7th June 2018 which endorsed in the Establishing Special Purpose Vehicles for SSDC Investments in the future.

There was no debate and Members were content to note the urgent executive decisions taken by the Leader of Council relating to the Battery Project - Establishing a Special Purpose Vehicle.

RESOLVED: That the District Executive noted that the Leader of Council had taken urgent executive decisions according to the provisions of Part 3, Section 4, subsection 2a and, Part 3, Section 6, subsection 4 of the Constitution, relating to the Battery Project - Establishing a Special Purpose Vehicle.

Reason: To note the urgent executive decisions made by the Portfolio Holder for Strategy and Policy on 30th April 2018

.....
Chairman

.....
Date