

South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Thursday 21 March 2019** in the Council Chamber - Council Offices, Brympton way, Yeovil.

(7.30 - 8.23 pm)

Present:

Members: Councillor Tony Capozzoli (Chairman)
Councillor Mike Best (Vice-Chairman)

Clare Paul	Jenny Kenton	Jo Roundell Greene
Jason Baker	Mike Lewis	Sylvia Seal
Cathy Bakewell	Mike Lock	Gina Seaton
Neil Bloomfield	Tony Lock	Garry Shortland
John Clark	Paul Maxwell	Angie Singleton
Nick Colbert	Graham Middleton	Sue Steele
Adam Dance	David Norris	Rob Stickland
Sarah Dyke	Graham Oakes	Andrew Turpin
John Field	Sue Osborne	Linda Vijeh
Peter Gubbins	Tiffany Osborne	Martin Wale
Henry Hobhouse	Ric Pallister	William Wallace
Kaysar Hussain	Crispin Raikes	Colin Winder
Val Keitch	Wes Read	Derek Yeomans
Andy Kendall	David Recardo	

Officers:

Alex Parmley	Chief Executive
Angela Watson	Monitoring Officer
Paul Fitzgerald	Section 151 Officer
Netta Meadows	Director (Strategy & Support Services)
Clare Pestell	Director (Commercial Services & Income Generation)
Nicola Hix	Lead Specialist (Finance)
Jan Gamon	Lead Specialist (Strategic Planning)
James Divall	Income Opportunity Development Manager
Angela Cox	Democratic Services Specialist

112. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Marcus Barrett, Mike Beech, Amanda Broom, Dave Bulmer, Hayward Burt, Nigel Gage, Anna Groskop, Sarah Lindsey, Stephen Page, Dean Ruddle, Peter Seib, Alan Smith, Gerard Tucker and Nick Weeks.

113. Minutes (Agenda Item 2)

The minutes of the Council meeting held on 26th February 2019, copies of which had been previously circulated, were approved as correct records of the meeting and signed by the Chairman.

114. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by Members.

115. Public Question Time (Agenda Item 4)

There were no questions raised by members of the public present.

116. Chairman's Announcements (Agenda Item 5)

The Chairman thanked officers for their assistance to Councillors during their term of office. He also paid tribute to the retiring Councillors and those re-standing for election.

Councillor Val Keitch, Leader of Council, thanked all Members in the Chamber for their service and the staff who had supported them. She wished those Councillors who were seeking re-election good luck and thanked those who were retiring for their service to the Council.

117. Chairman's Engagements (Agenda Item 6)

The list of Chairman's engagements were noted.

118. Equality and Diversity Policy 2019 (Agenda Item 7)

The Portfolio Holder for Environment & Economic Development advised that the policy had been produced in collaboration with the Somerset Equality Officer Group and it covered both officers, Councillors and customers. The Policy listed the all the protected characteristics and groups which all needed to be aware of.

There was no debate and Members unanimously agreed to adopt the new SSDC Equality and Diversity Policy, Equality Objectives and accompanying action plan.

RESOLVED: That Full Council agreed to:-

- a. adopt the new Equality and Diversity Policy
- b. delegate authority for future amendments to the Policy to the Director of Strategy and Commissioning and Equalities Portfolio Holder.

Reason: To approve the new Equality and Diversity Policy which sets out the Council's approach to promoting equality and meeting its equality duties to the public, customers, contractors/suppliers and staff in accordance with the Equality Act 2010.

(Voting: unanimous in favour)

119. SSDC Local Authority Trading Company (Agenda Item 8)

The Portfolio Holder for Property and Climate Change and Income Generation advised that the principle setting-up of a Holding Company & Local Authority Trading Company had been agreed by District Executive and the report before Council was to agree the finance to set up a trading company to allow the Council to start commercial trading.

The Director (Commercial Services & Income Generation) confirmed the proposal was part of the Council's agreed Commercial Strategy and the loan was required to set up the trading company.

In response to questions from Members, the Director (Commercial Services & Income Generation) advised that:-

- There was more than one Act of Parliament governing a local authorities powers to provide services on a commercial basis and there were many local authorities taking advantage of this.
- Void clearance referred to at point 10.4 was to clear empty properties prior to new tenants moving in and if this was a potential future trading company then a separate business case would be presented to District Executive.
- The trading companies would be set up as limited companies so the liability would be limited. Morally, the Council could choose to cover any liability but it would be for Council to decide at that time.
- The proposal was to set up a trading company to bid for work which SSDC as a local authority was not allowed to under the Homes and Communities Association (HCA) regulations.
- It was recommended best practice that Councillors would own the trading company and the Executive Councillors would be shareholders with senior officers as the Directors.
- It was proposed that the land management company would deal with public open spaces and it was not intended to deal with road, kerbs or lighting.

The Chairman of the Scrutiny Committee confirmed that at their request, the Portfolio Holders would brief the Scrutiny Chairmen on their rationale and decisions for company governance arrangements prior to implementation.

Councillor Michael Lewis, as Leader of the Conservative group, proposed that recommendation 3 be deferred until the next meeting of the new Council in May 2019 as the Council was in purdah. This was seconded and on being put to the vote, was lost (voting: 13 in favour, 29 against, 2 abstentions).

The Leader of Council advised that Council business could and should progress as usual during the purdah period.

The original recommendations were then put to the vote and the majority of Members agreed to the principle of a working capital loan of up to £132,000 to the Trading Company.

RESOLVED: That Full Council agreed to:-

- a. note that District Executive approved the setting-up of a Holding Company & Local Authority Trading Company (LATC) in the

manner outlined in this report with delegated authority to the Director for Commercial Services and Income Generation, and S151 Officer in consultation with the relevant Portfolio Holders to proceed with the implementation as proposed within the document, following more detailed due diligence on the legal and financial set up of the company;

- b. note that District Executive approved for Elleston - landscape management and horticultural services, to be the first traded service within that LATC structure. This is in accordance with the attached business plan (Appendix 2);
- c. approve the principle of a working capital loan of up to £132,000 to the Trading Company following the creating of the companies following due diligence as outlined in recommendations (a) and (b) above, and delegate authority to the S151 Officer in consultation with the Portfolio Holder - Finance and Legal to agree final amount and commercial terms. The loan advance to be financed from the Council's revenue reserves.

Reason: To confirm that SSDC set up a holding company in order to take forward the trading of its services.

(Voting: 32 in favour, 11 against, 1 abstention)

120. Revision to Member Profiles and removal from the Council Constitution (Agenda Item 9)

The Monitoring Officer advised that the proposals arose from the People and Change Transformation Workstream and a Members Working Group and the Standards Committee had looked at the role profiles and agreed they should sit as a companion document to the Constitution in the future. She noted that an amendment to recommendation 2 was required to 'amend Article 2.03 of the Constitution accordingly'.

The Portfolio Holder for Environment & Economic Development advised that the staff attitudes and approaches framework had been tailored so they were appropriate for Councillors and she stressed the importance of respecting and trusting officers. The Members Working Group had been a cross-party group who had agreed the Councillor role profiles.

In response to a question, the Monitoring Officer advised that there was no absolute bar on briefing Members prior to a meeting of Regulation Committee, particularly if there was a large planning application.

The Chairman of the Regulation Committee advised that briefings prior to Regulation Committee would be held as required. He said that site visits were sometimes required and Councillors could choose to attend the briefings or not.

The amended recommendations were proposed and seconded and on being put to the vote, were confirmed by the majority of Members.

RESOLVED: That Full Council:-

- a. agreed to adopt the Role Profiles and Framework set out in Appendices 1-3 to the report, including the addition of a desirable knowledge and skill set specification;
- b. agreed that the existing member role profiles be removed from the Council's Constitution; and amend Article 2.03 of the Constitution accordingly;
- c. agreed that future revisions to the member role profiles be agreed by a member working group, of political and Area balance, to provide member insight to the learning and development of councillors; such working group to be formed on an 'as needed' basis.

Reason: To confirm approval of the revised member role profiles and removal of them from the constitution making them a companion document.

(Voting: 42 in favour, 1 against, 1 abstention)

121. Report of Executive Decisions (Agenda Item 10)

The report of executive decisions was noted.

122. Audit Committee (Agenda Item 11)

There was no report from the Audit Committee.

123. Scrutiny Committee (Agenda Item 12)

There was no report from the Scrutiny Committee.

124. Motions (Agenda Item 13)

There were no Motions submitted by Members.

125. Questions Under Procedure Rule 10 (Agenda Item 14)

Councillor Andy Kendall submitted the following question under Procedure Rule 10:-

In my new role as the SSDC Armed Forces Community Covenant representative, I attended a meeting in Taunton of the Armed Forces Covenant. There is a Scheme named the **Defence Employer Recognition Scheme**.

<https://www.gov.uk/government/publications/defence-employer-recognition-scheme/defence-employer-recognition-scheme>

On the 17th July 2014 the Prime Minister launched the Employer Recognition Scheme, to recognize and reward UK Employers for their support and commitment towards Defence. The scheme was a commitment made in the July 2013 White Paper: Reserves in the Future Force 2020.

There are three tiers of award - Bronze, Silver and Gold - for employers who first pledge, then demonstrate, then advocate to the Armed Forces Community in alignment with the Armed Forces Covenant.

I would like to ask the Council to Register their Corporate interest using the Employers Recognition Scheme Website.

The Leader of Council confirmed her support for the request, particularly due to the high number of ex-service personnel in the area.

126. Date of Next Meeting (Agenda Item 15)

Members noted that the next scheduled meeting of the Full Council was a reserve date of 18th April 2019.

Unless there was any urgent business to progress on this date, the next scheduled meeting of the Full Council would take place on **Thursday, 23rd May 2019** in the Council Chamber, Council Offices, Brympton Way, Yeovil **commencing at 7.30 p.m.**

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Chairman

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Date