

South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Thursday 19 September 2019** in the Council Chamber - Council Offices, Brympton Way, Yeovil.

(7.30 pm - 9.28 pm)

Present:

Members: Councillor Paul Maxwell (Chairman)
Mike Best (Vice-Chairman)

Jason Baker	Peter Gubbins	Wes Read
Robin Bastable	Brian Hamilton	Paul Rowsell
Mike Best	Mike Hewitson	Gina Seaton
Neil Bloomfield	Henry Hobhouse	Peter Seib
Dave Bulmer	Charlie Hull	Alan Smith
Tony Capozzoli	Kaysar Hussain	Jeny Snell
Martin Carnell	Val Keitch	Andy Soughton
Malcolm Cavill	Tim Kerley	Mike Stanton
John Clark	Mike Lewis	Rob Stickland
Nicola Clark	Kevin Messenger	Lucy Trimnell
Louise Clarke	Graham Oakes	Gerard Tucker
Adam Dance	Sue Osborne	Linda Vijeh
Sarah Dyke	Tiffany Osborne	Martin Wale
Karl Gill	Clare Paul	
David Gubbins	Crispin Raikes	

Officers:

Alex Parmley	Chief Executive
Angela Watson	Monitoring Officer
Paul Fitzgerald	Section 151 Officer
Nicola Hix	Lead Specialist (Finance)
Ross Eaton	Specialist - Finance
Robert Orrett	Commercial Property Manager
Richard Birch	Lead Specialist (Communications, Marketing & Media)
Angela Cox	Democratic Services Specialist

(Prior to the commencement of the meeting, in the absence of the Vice Chairman, the Chairman asked that Councillor Mike Best be appointed as Vice Chairman for the meeting to assist him. Members were in agreement with this).

43. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Hayward Burt, Nick Colbert, Ben Hodgson, Andy Kendall, Jenny Kenton, Mike Lock, Pauline Lock, Tony Lock, Tricia O'Brien, Robin Pailthorpe, David Recardo, Dean Ruddle, Garry Shortland, Anthony Vaughan, William Wallace and Colin Winder.

44. Minutes (Agenda Item 2)

The minutes of the Council meeting held on 18th July 2019, copies of which had been previously circulated, were approved as a correct record of the meeting and signed by the Chairman.

45. Declarations of Interest (Agenda Item 3)

Councillor Martin Carnell declared a personal and pecuniary interest in Agenda item 7: Presentation from the Fire Brigade Union on the Safer Together Consultation, as a serving Fire Officer. He confirmed that he would leave the meeting during this item.

Councillors Mike Best and Linda Vijeh declared a personal interest in Agenda item 7: Presentation from the Fire Brigade Union on the Safer Together Consultation, as members appointed to the Devon and Somerset Fire Authority.

At the time the item was discussed, Councillors Graham Oakes and Rob Stickland both declared a personal interest in Agenda item 18: Update on the Refurbishment and Development of Yeovil Crematorium (Confidential) as members of Yeovil Without Parish Council who were joint owners of the Crematorium.

46. Public Question Time (Agenda Item 4)

The Chairman of the Coker Rope and Sail Works thanked the Council for helping to restore the Dawes Twineworks in West Coker. He said that SSDC's help in the early days of the project to compulsory purchase the building, erect scaffolding to protect it and a grant to help towards the restoration had been greatly appreciated. He asked that his thanks for this help be formally recorded. He hoped that Members would be able to accept their invitation to visit the site on Monday 14th October at 2.00pm to view the completed restoration.

A member of the Extinction Rebellion thanked the Council for their Climate and Ecological Emergency declaration at their meeting on 21 May 2019. He noted that at that meeting a point was made that SSDC divest their pension fund investments in fossil fuels. He mentioned other Authorities who had successfully achieved this including the London Pension Fund Authority and Waltham Forest Borough Council and he asked what was preventing SSDC from divesting their fund investments in fossil fuels?

The Portfolio Holder for Finance and Legal said that whilst the subject provoked an emotional response, pension funds were organised on a multiple council basis and SSDC were not the sole operator or regulator of the Somerset fund. He said that he would discuss the options available to SSDC with the Chief Executive.

47. Chairman's Announcements (Agenda Item 5)

The Chairman advised that Chief Inspector Sharon Baker of Avon & Somerset Police would be attending the next Full Council meeting on 17th October to provide a brief introduction and overview of Policing for members followed by questions.

The Chairman reminded all Councillors to complete their GDPR refresher training as soon as possible.

The Chairman reported that he had been touring various Council services and sites during August to thank staff for their commitment during Transformation. He said that the council was fortunate to have both natural and cultural assets but he said the greatest asset were the staff. He said that during his tour all staff had been professional, loyal and hard working. He thanked them all for the work they provided on behalf of the council.

The Chairman advised that he had the honour and privileged to attend a memorial service on behalf of the late Lord Paddy Ashdown at Westminster Abbey in London the previous week. He noted that 4 former Prime Ministers attended along with many politicians from all parties and many Liberal Democrat members. He advised that Lord Ashdown had cared deeply about the country and his beloved Somerset and especially South Somerset.

Finally, the Chairman thanked Councillor Kaysar Hussain for hosting an enjoyable visit to the Yeovil Mosque recently and for the impressive lunch provided.

The Leader of Council provided Members with a briefing on the Council's preparations for Brexit. She advised that the issues were the continuing uncertainty over the likely outcome, timings and impacts which made planning and preparation challenging. She said a full assessment of the risks was being led by SCC and they had been identified as:

- **Citizenship and Workforce.** There were potential impacts particularly in health and social care, haulage, construction, seasonal pickers and veterinary services. These would be mitigated by the EU Settled Status Scheme.
- **Business and Economy (incl Agriculture).** Changes in regulatory requirements; the possible loss of export markets; supply chain issues; cost growth in raw materials and utilities, all could challenge businesses – especially to SMEs and those less prepared and less resilient. This was mitigated by more and clearer guidance on .gov.uk website; streamlining of EU trading registration; UK funding to backfill loss of EU funds; rural charities and NFU ramping up mental health support services.
- **Supply Chain.** This was most likely to affect medicines and medical equipment, and fresh/perishable foodstuffs, which was compounded by a lack of warehousing capacity nationally. Fuel shortages were unlikely but rumor and speculation may lead to panic buying.
- **Concurrent Risks.** Pressure elsewhere on responders and partners may limit mutual aid across boundaries. So response to issues such as severe weather may be sub-optimal.

She said that SSDC's preparations included:

- **Partnership working.** SSDC are closely networked with MHCLG, Local Resilience Forum, Somerset Local Authorities, HoSW Local Enterprise Partnership and other community, business and voluntary groups. The network was continually sharing information and updating risk assessments and response plans.
- **Communications.** We are ensuring our website signposts visitors to the most up to date information. Our internal Staff Portal also has the most current guidance documents for Local Authorities. Both are updated as soon as new information is received. Customer Focus Officers will receive bespoke briefings to help them deal with face to face and telephone enquiries.

- **Contingency Planning.** As part of our Civil Contingencies capability we have well established protocols for emergency planning. These have been adapted to suit the likely demands of (a no-deal) Brexit and those involved have been reminded of the part they play. Practice drills were being considered in the run up to 31 October.

In response to questions from Members, the Leader and Chief Executive replied:-

- a Specialist Project Officer had been working on the project for over 12 months and the statement provided by him covered what the Government had asked Local Authorities to do.
- SSDC had been allocated £35,000 over two years by the Government to make the preparations.

During a brief discussion it was noted that a Press Release should be issued to encourage any settled European migrants in the district to apply for settled status.

Councillor Peter Seib, Portfolio Holder for Finance and Legal Services, provided Members with an update on the Government's recent spending review. He said that whilst overall there was an increase in funding in a number of areas including social care and children's services, there was not much for local government. The fair funding review and Business Rates review would not happen before 2021. There would be no Business Rates pilot in 2020 so the current Somerset Pilot would definitely be for one year only. New Homes Bonus remained under review by Ministers and it was a concern that this funding would be significantly reduced in future. Indications were that the Council Tax increase cap of 2% was likely although the current MTFP assumption was an increase of 2.99% which would impact on the Medium Term Financial Plan. He concluded that whilst excellent progress had been made towards the £6m savings target, greater savings would be required.

The Chairman concluded that Agenda item 8: Presentation from St Margaret's Somerset Hospice had been withdrawn from the Agenda and their Chief Executive would attend a future Council meeting.

48. Chairman's Engagements (Agenda Item 6)

The list of Chairman's engagements were noted.

49. Presentation from the Fire Brigade Union on the Safer Together Consultation (Agenda Item 7)

(Councillor Martin Carnell, having earlier declared a personal and pecuniary interest, left the room during consideration of this item).

The Chairman introduced Mr Bradley Atkinson of the Fire Brigade Union to speak on the Devon and Somerset Fire Service 'Safer Together' consultation.

Mr Atkinson advised that the proposals in the consultation would have consequences for the towns of Yeovil, Martock and Chard. The proposals would mean the closure of 8 Fire Stations and the downgrading of a further 5 or 6 Stations and a further loss of 33 fire engines which was a 33% reduction in fire cover. Martock would lose 1 fire engine

(leaving only 1 engine) and Chard would lose 50% of its day cover – leaving 1 engine during the day and 2 at night.

He outlined recent incidents which had happened in the Yeovil area and the consequences which the proposed reductions in service would have had on the incident. He said:-

- the service required resilience and back-up during incidences to deal with any second calls.
- this was not about saving jobs but his concern was the safety of the public.
- more houses had smoke alarms and so there were less incidences of house fires, however, fires in flats were often an issue where the only exit was blocked by fire.
- There was an issue with dementia patients not understanding the danger raised by a smoke alarm and so they did not understand to leave safely.
- Certain historic houses in the area had a minimum attendance of 5 fire engines due to their significant historic value and the proposals would mean fire engines would have to travel greater distances to attend.
- when fire engines were moved around the district to provide cover in an area where the local engines were on a call, this was not counted in statistics as an incident.
- the prescriptive duties placed on retained firefighters impacted on staffing and many gave 60 to 80 hours per week to keep their local fire station open.
- The turnover of fire officers was 130 per year and it took two years to fully train a fire fighter at a cost of £15,000 per officer.
- The consultation proposed that once implemented, fire engines would be available 100% of the time.
- The Fire Chief said they used predictive analytics to ensure fire engines were in the right place at the right time.
- The consultation proposed 6 roving fire engines but this was a concept and the proposal said they would be crewed by 2 to 3 fire officers when 4 or 5 were needed.
- The Fire Brigade Union considered that the consultation was flawed as local people were being asked to make responses to proposals without understanding the consequences on other towns in Devon and Somerset.
- The consultation only mentioned front line cuts but since 2007 over 460 fire fighters had been lost when back office staff had increased by 25%.
- It would cost £40,000 to keep the fire engine in Yeovil, £25,000 to keep the one in Chard and £30,000 to keep the one in Martock.
- Yeovil's population was growing and in 2014 there were 635 calls on the fire service in the town; it was predicted to rise to 900 in 2019.

He concluded that there were serious questions raised regarding the statistics used in the consultation which caused the Fire Brigade Union concern.

In response to questions from Members, Mr Atkinson advised:-

- Devon and Somerset Fire Authority found it difficult to attract Government funding as they had £38m in contingency funding.
- Rather than receiving support from the fire teams at Yeovilton Air Station, the Yeovil fire engines attended any fires not on the airfield at Yeovilton.
- Population figures indicating increases in population, particularly in Yeovil, were not included in the consultation document.

- Increasingly, the fire service were being called out to incidences previously covered by the police service.
- He was not able to confirm if consultation with the Dorset Fire Service had taken place.
- The fire engine from Yeovil was called to any incidence at the two prisons in Dorset as it had a hydraulic platform.
- The justifications for the proposals in the consultation changed from the need to find savings, to modernise the fire service and the result of not sufficient central government funding.

At the conclusion of the debate, the Chairman thanked Mr Atkinson for attending to update Council on the proposed changes to the Fire Service in South Somerset.

Noted.

50. Presentation from the St Margaret's Somerset Hospice, Yeovil (Agenda Item 8)

The Chairman advised that the Chief Executive of St Margaret's Somerset Hospice, Mrs Ann Lee, was unable to attend the meeting but would be present at a future meeting of the Council

51. Commercial Strategy 2017-2021 (Interim Update 2019) (Agenda Item 9)

The Portfolio Holder for Economic Development introduced the report and advised that the District Executive had approved the Commercial Strategy document and that any capital received from the disposal of an investment asset would be recycled as part of a revolving investment fund at their meeting on 5th September. Full Council was now asked to approve an increase in investment fund limits and borrowing limits and agree an increased level of delegation of individual investments. He said the commercial investments had been a huge success and had already achieved an income of £2m ahead of target and he thanked the Commercial Investment team for achieving this. He said that Commercial investment was in place to maintain SSDC services to the public as income from the Government and the political environment was uncertain. He advised that the increase in the investment fund was proposed because of its success and also because of future funding uncertainty. He noted that the level of commercial investment by other Councils had been considered together with the advice of the Section 151 Officer and the proposed increase in investment was considered appropriate.

Members requested that questions be asked relating to the confidential appendix and it was agreed to move the remainder of the debate on this item to the end of the meeting in confidential session.

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

RESOLVED: That Full Council:-

- a. noted that District Executive approved the Commercial Strategy 2017-2021 (Interim Update 2019) as per the attached revised

Strategy at Appendix 1;

- b. noted that District Executive approved that any capital received from the disposal of investment assets (only) are used as part of a revolving investment fund, unless specifically agreed otherwise by council;
- c. approved an increased investment fund limit and borrowing limit to take the council through to 2021, as set out at Appendix 2 as a Confidential item;
- d. agreed the increased level of delegation of individual investment / acquisition approvals to the CEO in consultation with the Leader as set out at Appendix 2 as a Confidential item.

Reason: To note the mid-term review of the Commercial Strategy 2017-2021 which was originally approved by District Executive and Full Council in August 2017 and to update and strengthen the Strategy to ensure that it is fit for purpose until 2021.

(Voting: 30 in favour, 11 against, 0 abstentions)

52. Membership of Committees - Appointment of New Councillor to Regulation Committee and change of representation on the Health and Well-Being Partnership (Agenda Item 10)

Members were content to confirm the appointment of Councillor Linda Vijeh to the Regulation Committee and Councillor Brian Hamilton to represent SSDC on the Health and Well-Being Partnership.

RESOLVED: In accordance with Section 16 (1) Local Government and Housing Act 1989 and the duty therein to give effect to the wishes of the political group to which seats on any committee are allocated, the Council confirmed that:-

- a. Councillor Linda Vijeh be appointed to the Regulation Committee to replace Councillor Colin Winder.
- b. Councillor Brian Hamilton be appointed to represent SSDC on the Health and Well-Being Partnership to replace Councillor Jeny Snell.

Reason: To confirm an amendment to the Regulation Committee membership and representation on the Health and Well-Being Partnership following the appointment of Councillors to various committees and working groups at Council on 21st May 2019 and 20th June 2019.

(Voting: unanimous in favour)

53. Report of Executive Decisions (Agenda Item 11)

The Leader of Council advised that the Heart of the South West Housing Strategy Task Force had met that day to look at accelerating housing growth for local authorities in Somerset and Devon.

The report of Executive Decisions was NOTED.

54. Audit Committee (Agenda Item 12)

Councillor Martin Carnell, Chairman of the Audit Committee, advised that following the advertisement, two applications for the position of independent person on the Audit Committee had been received and interviews would be held shortly. Members of the Audit Committee had also been asked to complete a skills audit to identify any good skills and any training needs.

Councillor Peter Seib, as Finance and Legal Services Portfolio Holder, thanked the Audit Committee members and finance officers for the good Internal Audit Annual Report and Opinion 2018/19 that year and for their diligence in reviewing it.

The report of the Audit Committee was noted.

55. Scrutiny Committee (Agenda Item 13)

Councillor Crispin Raikes, Chairman of the Scrutiny Committee advised that as well as a Commercial workshop, they had also had a valuable Environment Strategy workshop prior to their last meeting. He noted that Councillors Paul Maxwell and Gerard Tucker were both members of the county-wide Environment Strategy Task and Finish Group and he was pleased to note that SSDC were at a similar point in the compilation of their Strategy to neighbouring Councils. He drew Members attention to the Scrutiny Specialist's email of 5th September asking for topics for future scrutiny by the Committee.

Councillor Gerard Tucker noted that as part of the Environment Strategy workshop a point had been made that environmental considerations for planning applications should be included in the Local Plan. He said this would be helpful to be included in the Environment Strategy aims and planning policy. He congratulated the Lead Specialist for Strategic Planning and her team for their work in producing the Strategy.

In response to a question, the Chairman of the Scrutiny Committee said he would check what questions were asked of the District Executive on the Commercial Strategy report.

Subsequent to the meeting, the following was minuted (Minute 41) in the Scrutiny Committee minutes of 3rd September 2019:-

During discussion the Director (Commercial Services & Income Generation), Portfolio Holder (Economy & Income Generation), Section 151 Officer, and the Commercial Property, Land & Development Manager responded to points of detail. Some of the queries and comments raised by members included.

- *Regarding the assessment groups (IAG and DAG) – members asked that as the current Monitoring Officer and S.151 Officer were due to leave around the end of the year, if there would be any gap in expertise.*

- *Members sought reassurance that the S.151 Officer was happy with the level of funding proposed and the proposed increase in delegated powers*
- *If the Opium project was not fully operational by October – what will the financial implications be?*
- *Given changes on the High Streets nationally, and that Marks and Spencer has announced store closures etc. – what assurances were there regarding the stability/security of the income stream from the investment in the Yeovil store?*
- *Members sought reassurance that there is a mix of rental types and dates of leases were staggered, and hence multiple investments were not due to expire at similar times.*
- *Members asked if all expenditure associated with any predicted void periods are taken account of in financial projections.*
- *Regarding Elleston, members asked if there was intention for the company to go out to market seeking contracts and tenders and to potential diversify in the future.*
- *Members queried when all the investment properties/projects had been purchased and finalised, if the costs associated with running the Commercial Services and Income Generation Team would reduce?*
- *Members asked if there was any intention to work with other local authorities to manage assets and property investments.*

Answers to all the comments raised were provided by the officers, and members were satisfied to support the recommendations as detailed in the agenda report.

The report of the Scrutiny Committee was noted.

56. Motions (Agenda Item 14)

There were no Motions submitted by Members.

57. Questions Under Procedure Rule 10 (Agenda Item 15)

There were no questions submitted by Members under Procedure Rule 10.

58. Date of Next Meeting (Agenda Item 16)

Members noted that the next scheduled meeting of the Full Council would take place on **Thursday, 17th October 2019** in the Council Chamber, Council Offices, Brympton Way, Yeovil **commencing at 7.30 p.m.**

59. Exclusion of the Press and Public (Agenda Item 17)

RESOLVED: That the following item 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).

60. Notification of an Urgent Executive Decision - Update on the Refurbishment and Development of Yeovil Crematorium (Confidential) (Agenda Item 18)

Councillor Peter Gubbins, Portfolio Holder for Yeovil Crematorium, advised that a decision was urgently required to be made to progress the tender to refurbish the Yeovil Crematorium.

The Commercial Property Manager and the Portfolio Holder responded to Members questions on points of detail.

At the conclusion of the debate, Members were content to note the urgent decision that had been taken by the Chief Executive in consultation with the Chair of Council, the Chair of Scrutiny and the Portfolio Holder in August 2019 relating to the refurbishment and development of Yeovil Crematorium.

RESOLVED: That Full Council agreed to note the urgent decision that had been taken by the Chief Executive in consultation with the Chair of Council, the Chair of Scrutiny and the Portfolio Holder in August 2019 relating to the refurbishment and development of Yeovil Crematorium.

Reason: Full Council agreed to the refurbishment and development of Yeovil Crematorium in June 2017 and this report provided an update to that decision.

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Chairman

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Date