

South Somerset District Council

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

(7.30 pm - 9.16 pm)

Present:

Members: Councillor Paul Maxwell (Chairman)
Councillor Jenny Kenton (Vice-Chairman)

Robin Bastable	Mike Hewitson	David Recardo
Neil Bloomfield	Val Keitch	Paul Rowsell
Dave Bulmer	Andy Kendall	Dean Ruddle
Hayward Burt	Tim Kerley	Peter Seib
Tony Capozzoli	Mike Lewis	Jeny Snell
Nicola Clark	Tony Lock	Andy Soughton
Louise Clarke	Kevin Messenger	Mike Stanton
Nick Colbert	Graham Oakes	Linda Vijeh
Adam Dance	Sue Osborne	Martin Wale
Sarah Dyke	Robin Pailthorpe	Colin Winder
Peter Gubbins	Crispin Raikes	
Brian Hamilton	Wes Read	

Officers:

Alex Parmley	Chief Executive
Angela Watson	Monitoring Officer
Paul Fitzgerald	Section 151 Officer
Netta Meadows	Director (Strategy & Support Services)
Martin Woods	Director (Service Delivery)
Nicola Hix	Interim Section 151 Officer
Angela Cox	Specialist - Democratic Services

76. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Jason Baker, Mike Best, Martin Carnell, Malcolm Cavill, John Clark, Karl Gill, David Gubbins, Henry Hobhouse, Ben Hodgson, Charlie Hull, Kaysar Hussein, Mike Lock, Pauline Lock, Tricia O'Brien, Tiffany Osborne, Clare Paul, Gina Seaton, Garry Shortland, Alan Smith, Rob Stickland, Lucy Trimnell, Gerard Tucker, Anthony Vaughan and William Wallace.

77. Minutes (Agenda Item 2)

The minutes of the Council meeting held on 17th October 2019, copies of which had been previously circulated, were approved as a correct record of the meeting and signed by the Chairman.

78. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by members present.

79. Public Question Time (Agenda Item 4)

A member of the public congratulated Councillor Tony Capozzoli for standing as a candidate in the recent General Election and he asked why the declaration of the result of that election had taken so long on 13th December?

The Chief Executive advised that there had been a number of factors which led to the delayed declaration of the General Election result the previous week. They included a new counting procedure, a higher electoral turnout, new counting assistants and a new type of ballot paper which officers had found more difficult to count.

In response to a question from a member of the public regarding the procedure adopted by the Council for moving discussions into confidential session and excluding the press and public, the Monitoring Officer acknowledged that the Council did have an informal style but any business to be conducted in confidential session was clearly identified on the Agenda papers and it was for Councillors to accept the officer's recommendation to exclude the press and public from any part of a Council meeting. She noted the matter had been raised previously and would ensure the procedure was clear in the future.

A resident of Allowenshay said they had problems with their water supply since 2010 which was now deemed a danger to health and a two day court hearing was set for early January 2020. She referred to the costs involved and said they had asked for the hearing to be dealt with by written representations so each party would bear their own costs but this had been refused by the Council.

The Monitoring Officer said she would discuss the matter with the Leader and Chief Executive. The Ward Member, Councillor Sue Osborne also asked to be kept informed of proceedings.

A resident of Martock questioned the delay to the start of the Regulation Committee meeting earlier that week and the number of substitute Councillors who attended.

The Chairman of the Regulation Committee said it became apparent before the meeting started that there would be a challenge to the training of the substitute Councillors attending the meeting and so he delayed the start to take legal advice on their eligibility. This was confirmed as acceptable by the Monitoring Officer. There were a number of substitute Councillors as the committee members were unable to attend.

A resident of Martock said he felt the wishes of the developers had taken precedence over local residents at the Regulation Committee meeting. He also questioned the untidy state of Wyndham Street in Yeovil.

Councillors Peter Gubbins and Tony Lock responded and acknowledged that furniture had been left on the street but it had been reported and should have been removed. They said the regeneration of the area would be part of the Yeovil Refresh project.

Two further residents of Martock spoke in opposition to the Regulation Committee decision earlier that week. They said the site proposed for housing was currently flooded and the local doctors surgery was struggling to cope with the existing demand.

In response to a question from Councillor Neil Bloomfield, the Monitoring Officer confirmed that the Council did not have the ability to make any councillor training compulsory and although previous Member Training programmes had been presented to Council for confirmation, if a councillor failed to attend training then legally there was no recourse although there was recourse at a political level by the Group Leaders. The email sent to Councillors on 28 May stated that Regulation Committee training was compulsory as this was an aspiration to receive full training but this had no legal force. She confirmed that the Chairman of the Regulation Committee had consulted her on the eligibility of substitute Councillors and her advice was that they were allowed in the Council's Constitution.

The Leader of Council said the Council were the Local Planning Authority and they had to meet the Government's national housing targets. If applications for housing were refused but subsequently overturned on appeal by the Planning Inspectorate then the houses would be built anyway. The Planning Inspectorate had made it clear that if over 10% of planning appeals were overturned then they may step in and all planning decisions would be taken away from SSDC and made in London or Bristol.

80. Chairman's Announcements (Agenda Item 5)

The Chairman announced with regret the death of ex-District Councillor Keith Ronaldson who had served from 2003 to 2011. Several Councillors paid tribute to Councillor Ronaldson and a minutes silence was observed in his memory.

Councillor Sarah Dyke paid tribute to over 60 volunteers and students who assisted the Countryside Team each year. She said this help equated to 3,000 volunteer days per year which equalled 8 full-time rangers. She said the service was lucky to have their help, support and expertise.

The Chairman then thanked the Monitoring Officer and Section 151 Officer who were both leaving the Council at the end of the month. He said the Monitoring Officer had joined the Council in 1998 and he thanked her for her calm and measured approach to giving advice to Council. He said the Section 151 Officer was returning to work with Somerset West and Taunton Council but would be greatly missed and was leaving SSDC in a financially safe position.

The Monitoring Officer and Section 151 Officers responded by thanking Councillors and stating that it had been a pleasure to serve them and the residents of South Somerset.

81. Chairman's Engagements (Agenda Item 6)

The list of Chairman's engagements were noted.

82. Verbal Update on the progress of projects in the SSDC Environment Strategy 2019 (Agenda Item 7)

Councillor Sarah Dyke as Portfolio Holder for Environment provided an update on the progress of projects in the SSDC Environment Strategy 2019. The full briefing:-

The Env Community of Practice have been working through the delivery plan and most actions are now allocated to lead officers. Whilst working across all the actions, initial progress has been targeted to the following points:

Recruitment to new posts

We have now advertised for the three posts to help deliver the Env Strategy Delivery plan. These posts will be crucial to support existing officers with the amount of work that is required, both for the Council itself and for the wider community. Interviews should take place in January with start dates in Feb/March.

One post will focus on Comms work, setting up an information site for public and interested communities to access. Also liaising with the Environment Champions that we have asked each Parish and Town Council to nominate (please ask members to encourage their PCs and TCs to engage with this and nominate people).

The Environment Case Officer will be focusing on the energy and built environment work, both for SSDC itself and working with communities. Work has already begun on this (see below) and will be picked up by them when they start. They will also support work on transport issues, green travel planning, electric vehicles, planning and so on.

The Living Environment Officer will be focusing on work around the natural environment, picking up the work that has already started on trees and woodlands (see below), and also pollinator work underway. Also strong engagement supporting communities with biodiversity work and nature corridors

Carbon footprint of SSDC

Work is now complete on calculating the carbon footprint of SSDC. The results are as follows:

South Somerset net emissions are 1,634 tonnes CO₂e

Carbon Intensity is 4.68 tonnes CO₂e / tte

Vehicle fuel represents 25% of gross emissions

Gas represents 36% of gross emissions

Electricity represents 34% of gross emissions

This puts SSDC at a fairly average baseline emission which is a good starting point. The work now being undertaken is to look at options to reduce this. We have highlighted our top 5 energy use buildings and are working on identifying options for reducing that energy use. This is likely to need the input of an energy surveyor (which will come from Env Strategy budget money). Business cases will be brought forward for options identified. The 5 buildings identified are: Brympton Way, Lufton depot, Octagon, Westlands entertainment and YIC. Once the Env Case Officer has started we will look more closely at options around travel and transport.

For information as people may ask what the carbon figure includes: It is based mainly on energy and transport emissions as trying to account for carbon from things like products we procure is extremely complex and full of statistical errors. Other actions such as our procurement policy, recycling policies etc. will help control the impact of these factors

Costings on energy switch

We are currently looking into the options available to SSDC to switch to a green energy supplier. The current supplies are complicated (not just one tariff) as we have a very mixed portfolio of businesses from office buildings to large entertainment venues. A cost

benefit analysis of switches to a green supplier will be carried out based on figures supplied by Crown Commercial Services. There are a variety of options available from purchasing of Renewable Energy Guarantees of Origin (REGOs) to Power Purchase Agreements (PPAs). Once all the figures are available a business case will help inform decision making.

Trees and woodland work

An officer group has been established to lead on the roll out of enhanced tree planting and woodland creation for our own land and across the wider district. Officers have been seeking external grant funding to help cover the costs of tree planting and once funds are secured if there are implications for particular wards then members will be consulted. A list of potential tree planting grant funds has been compiled and will be posted on the Members portal ready for January. This document will be issued to the parishes via the Environment Champions but may also be of use to members wishing to support tree planting initiatives in their wards. The Great Parish Tree Giveaway is being coordinated for early 2020, SSDC are funding 60 free tree packs of 50 cell grown trees and stakes, with all the instructions required to our parishes for planting in their open spaces. A full set of instructions and guidelines will be available and information will be issued to Parish Clerks and Environment Champions before Christmas. The packs will also be posted on the member's portal.

In response to questions from Members, the Portfolio Holder for Environment advised:-

- There was no specification to plant orchards in the first phase of the Great Parish Tree Giveaway and initially there were only 60 tree packs in the current scheme, however, there were other organisations offering trees like the Woodland Trust and further information was on the Members Portal for other groups or trusts.
- She would look at the area of land in Martock which the Ward Member advised had been identified for development by SSDC but the parish felt was suitable for tree planting.
- The officers appointed would be part of the communities of practice and they would be a conduit of expertise into the planning system on environmental matters.

During discussion it was noted that finding available land to plant trees within parishes was often difficult for town and parish councils. It was also noted that planting fruit trees was beneficial to communities.

At the conclusion of the debate, Members were content to note the update on the progress of the Environment Strategy provided by the Portfolio Holder.

83. Appointment of Section 151 and Monitoring Officers (Agenda Item 8)

The Leader of Council advised that the Local Government Act 1972 required all Local Authorities to appoint a suitably qualified officer to be responsible for their financial affairs. The Local Government and Housing Act 1989, Section 5, outlined the legal basis for the Monitoring Officer. She noted that both posts had been advertised and a suitable candidate had been found for the post of Section 151 Officer, who was currently the Deputy Section 151 Officer at Mid-Devon DC and she would take the position in 3 months time. The position of Monitoring Officer would be re-advertised and an interim Monitoring Officer, Richard Ward was proposed to be appointed with immediate effect,

whilst another recruitment process was undertaken to appoint a permanent member of staff into this role.

In response to a question from the Leader of the Conservative Group, the Chief Executive confirmed that all the members of the Appointment Panel had been invited to participate in the appointment process but only 3 had chosen to do so.

Councillor Peter Seib, as Portfolio Holder for Finance and Legal Services, confirmed that proper process had been followed and rigorous testing of the candidates had taken place during the appointment process.

It was proposed and seconded that Council endorse the recommendations for the appointment of officers and, on being put to the vote were carried by 26 in favour, 0 against and 8 abstentions.

RESOLVED: That Full Council agreed to:-

- a. note that the current Section 151 arrangement with Somerset West & Taunton Council will come to an end at the end of December 2019, and the current S151 Officer, Paul Fitzgerald, will no longer be acting in this role on behalf of South Somerset District Council;
- b. endorse the decision of the Appointments Committee to appoint Joanne Nacey as the new permanent S151 Officer;
- c. endorse the appointment of Nicola Hix into the role as Interim S151 Officer effective immediately, to cover the period between the current S151 Officer leaving, and the new permanent employee starting their role;
- d. endorse the appointment of Richard Ward as Interim Monitoring Officer effective immediately, whilst another recruitment process is undertaken to appoint a permanent member of staff into this role.

Reason: To confirm for the appointment of two of the Councils key statutory roles; the Council's Section 151 Officer, and the Monitoring Officer.

(Voting: 28 in favour, 0 against, 8 abstentions)

84. 2019/20 Treasury Management Mid-Year Performance Report and Strategy Update (Agenda Item 9)

The Portfolio Holder for Finance and Legal Services introduced the report which proposed approval of the mid-year Treasury Management Strategy Statement and Investment Strategy for 2019/20. He advised that the report had been written just before the General Election and its presentation to Council had been delayed. He thanked the Audit Committee for compiling and monitoring the strategy and he drew Members attention to Appendix 1A – the existing Investment & Debt Portfolio Position and Appendix 1B – the Half Year Interest position & Year end Projection. He said if there were any significant changes, for example, in interest rates then the strategy would be reviewed.

In response to a question, the Portfolio Holder for Environment confirmed that the Council's battery storage project was due to be commissioned in January 2020 and would then start generating energy. A site visit for Members would be arranged in the New Year and regular update reports would be made to Council. There had been a delay due to access and easement issues which had been outside the control of SSDC. Phase 2 for an additional 5MW had commenced to invest in more green energy and to maximise the site license for battery storage energy. She further confirmed that this Phase 2 should not impact upon the delivery of Phase 1 and all mitigation work to connect had taken place.

In response to a question, the Chief Executive confirmed that any payments for easements over land would be through SSDC Opium Power Ltd and not made by SSDC.

The Portfolio Holder for Finance and Legal Services agreed to provide a written answer to a question relating to the comparison Pooled funds rate of return compared to SSDC's investments in property during the same period. He noted that a report on the Council's commercial assets was due to be presented to the Executive in January 2020.

In response to a question, the Chief Executive and Section 151 Officer advised that a report of both treasury and commercial investments would be presented in the future to provide greater transparency as part of the wider financial strategy.

Members welcomed the proposal for a consolidated report of treasury and commercial investments in the future. At the conclusion of the debate, the majority of Members were content to confirm the recommendations of the report.

RESOLVED: That Council agreed to approve the updated Treasury Management Strategy Statement and Investment Strategy for 2019/20.

Reason: To approve the mid-year Treasury Management Strategy Statement and Investment Strategy for 2019/20.

(Voting: 35 in favour, 0 against, 2 abstentions)

85. Membership of Committees - Appointment of New Councillor to Scrutiny, Audit and Regulation Committee and change of representation on the Avon and Somerset Police Crime Panel (Agenda Item 10)

The Leader of Council proposed the Councillor Malcolm Cavill be appointed to Regulation Committee, Councillor Jeny Snell be appointed to Audit Committee, Councillor Mike Lewis be appointed to Scrutiny Committee and Councillor Neil Bloomfield be appointed to Regulation Committee as the independent representative.

Councillor Martin Wale was nominated and seconded to represent SSDC on the Avon and Somerset Police Crime Panel. This was confirmed by 29 votes in favour, 1 against and 1 abstention

Councillor Andy Soughton was nominated and seconded for the position of Vice Chairman of Regulation Committee. This was confirmed by 27 votes in favour, 0 against and 6 abstentions.

The above proposals were confirmed by 35 votes in favour, 0 against and 1 abstention.

Councillor Martin Wale thanked Members for their support in appointing him to the Somerset Police Crime Panel and he asked the Leader to look at a reporting channel to provide feedback from all Councillors appointed to outside organisations.

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 Malcolm Cavill be appointed to the Regulation Committee;
- b. Councillor Jeny Snell be appointed to the Audit Committee;
- c. Councillor Mike Lewis be appointed to the Scrutiny Committee;
- d. Councillor Neil Bloomfield be appointed to the Regulation Committee;
- e. Councillor Martin Wale be appointed to represent SSDC on the Avon and Somerset Police Crime Panel;
- f. Councillor Andy Soughton be appointed as Vice-Chairman of Regulation Committee.

Reason: To confirm amendments to the Scrutiny, Audit and Regulation Committee membership and representation on the Avon and Somerset Police Crime Panel.

(Voting: 35 in favour, 0 against, 1 abstention)

86. Report of Executive Decisions (Agenda Item 11)

The report of Executive Decisions was NOTED.

87. Motions (Agenda Item 12)

There were no Motions submitted by Members.

88. Questions Under Procedure Rule 10 (Agenda Item 13)

There were no questions submitted under Procedure Rule 10.

89. Date of Next Meeting (Agenda Item 14)

Members noted that the next scheduled meeting of the Full Council would take place on **Thursday, 16th January 2020** 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