

South Somerset District Council

Minutes of a meeting of the **Area West Committee** held in **The Guildhall, Chard** on **Wednesday 7 December 2022**.

(5.30 pm - 6.30 pm)

Present:

Members:

Robin Pailthorpe
Ben Hodgson
Val Keitch
Jenny Kenton

Paul Maxwell (Chairman)
Tricia O'Brien
Sue Osborne
Martin Wale



Officers:

Kirsty Larkins
Jill Byron
Nathan Turnbull
Jo Morris
Angela Cox

Director (Service Delivery)
District Solicitor & Monitoring Officer
Locality Officer
Case Officer (Strategy & Support Services)
Specialist (Democratic Services)

NB: Where an executive or key decision is made, a reason will be noted immediately beneath the Committee's resolution.

In the absence of the Chair and Vice Chair of Area West Committee, the District Solicitor & Monitoring Officer opened the meeting and took nominations for Chair. It was proposed and seconded and unanimously agreed to appoint Councillor Paul Maxwell as Chair for the meeting.

Councillor Paul Maxwell in the Chair

The Chair announced that the meeting was being recorded.

382. Minutes of the Previous Meeting (Agenda Item 1)

The minutes of the meeting held on 19 October 2022 were approved as a correct record and were signed by the Chairman.

383. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Jason Baker, Mike Best, Ray Buckler, Dave Bulmer, Martin Carnell, Brian Hamilton and Oliver Patrick.

384. Declarations of Interest (Agenda Item 3)

Councillor Paul Maxwell declared a personal interest in Agenda Item 7 – Community Grants in respect of the George Reynolds Centre project, as a member of Crewkerne Town Council.

Councillor Val Keitch declared a personal and prejudicial interest in Agenda Item 10 – Next Steps following the Judicial Review – Planning Application 21/02654/FUL, as a member of Ilminster Town Council. She indicated that she would leave the room during the item and take no part in the discussion or vote.

Councillor Jenny Kenton also declared a personal and prejudicial interest in Agenda Item 10. She indicated that she would leave the room during the item and take no part in the discussion or vote.

Councillor Martin Wale declared a personal interest in Agenda Item 10 - Next Steps following the Judicial Review – Planning Application 21/02654/FUL, as he was previously a member of the Chard Carnival Committee.

Councillor Ben Hodgson declared a personal interest in Agenda Item 7 – Community Grants in respect of the George Reynolds Centre project, as a former member of Crewkerne Town Council.

Councillor Robin Pailthorpe also declared a personal interest in Agenda Item 7 - Community Grants in respect of the George Reynolds Centre project, as the ward member and also a member of Crewkerne Town Council.

Councillor Sue Osborne declared a personal and prejudicial interest in Agenda Item 10, as the ward member and a member of Ilminster Town Council. She indicated that she would leave the room during the item and take no part in the discussion or vote.

385. Date and Venue for Next Meeting (Agenda Item 4)

Members noted that the next meeting of the Area West Committee was scheduled to be held on Wednesday 18th January 2023 at 5.30pm at The Guildhall, Chard.

386. Public Question Time (Agenda Item 5)

The Committee was addressed by a member of the public on Agenda Item 10 - Next Steps following the Judicial Review re Planning Application 21/02654/FUL. Points mentioned included the following:

- It had been reported in the Leveller that South Somerset District Council had been unlawful in their decision to accept plans to build a carnival park because some councillors had failed to excuse themselves resulting in a legal bill being charged to taxpayers.
- It was hard to believe that councillors could not see the problem of voting for proposals they were personally involved with outside of their council duties.
- The Council Code of Conduct stated in its general obligations when undertaking council business that you must not use or attempt to use your position as a member improperly to give yourselves or anyone an advantage or disadvantage. It also stated not to conduct yourselves in a manner which could reasonably be regarded as bringing your office or council into disrepute.

- The councillors involved were aware of the rules around conflict of interest and had received training on this.
- Does this committee believe that it is appropriate for these individuals to continue to sit on council planning committees and what steps will be taken to taxpayers going forward.

The Committee was then addressed by a representative of Kingstone Parish Meeting on Agenda Item 10. Points mentioned included the following:

- Kingstone and the adjoining parishes of Dowlish Wake and Seavington strongly objected to the construction of a 20,000 sq ft warehouse in open countryside. One of the main objections was the lack of a landscape impact assessment statement. The Area West Committee had therefore not yet been given essential information to determine the planning application.
- An independent landscape assessment plan had been commissioned jointly by the three parishes and its conclusion should be heard by the Area West Committee not by the Regulation Committee. Its summary conclusion stated that the proposed large scale industrial development site which is separated from the local settlement was entirely unsuitable for this isolated location.
- Area West Committee should be deferred to allow the Committee to undertake a site visit to appreciate the negative impact on the rural character of the area and to also assess the accessibility of another site that has been proposed by Dillington Estates.

A representative on behalf of the Grouped Parish Councils Seavington St Michael and Seavington St Mary also addressed the Committee on Agenda Item 10. Points mentioned included the following:

- Request for the planning application to be redetermined by the Area West Committee by councillors who respect the wishes of local rural communities.
- Concerns about multiple road safety issues including access from all directions to the proposed site, access lanes narrow with few passing places which would lead to conflict with construction traffic and local users.
- It was hoped that Area West Committee would accept an invitation for a site visit.
- The busiest carnival construction period clashed with the peak of agricultural activity.
- Residents were concerned about the increase in traffic that the site would generate.

The Committee was then addressed by a representative from the CPRE on Agenda Item 10. Points mentioned included the following:

- A letter had been sent to the Monitoring Officer detailing why the planning application should be re-determined by the Area West Committee, and why none of the seven members who will be excluded from participating in the re-determination may participate in the debate this evening relating to this agenda item.
- There was a legitimate public expectation that the application must be re-determined by the same committee.
- Members of the Area West Committee had a lawful right to participate in the re-determination and not be unjustifiably silenced or otherwise disadvantaged in doing what they have to do.
- Four alternative sites offered by Dillington were not disclosed in the Officer's Report and no evidence had been published showing that a full analysis was made of them. The Area West Committee had therefore not yet been given essential information to determine this application.
- Dillington were very concerned about so much opposition from the local parish councils and had now proposed an alternative site which the CPRE and the parish councils could support.

- Request to defer the re-determination until the end of January, so that there is sufficient time to find a better solution that can be supported by all parties.
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387. Chairman's Announcements (Agenda Item 6)

The Chair asked if members could make their residents aware of the warm hubs available in their wards.

388. Community Grants (Executive Decision) (Agenda Item 7)

West & Middle Play Equipment Project

The Locality Officer presented the report which asked members to consider awarding a grant of £9,996 towards installing play equipment at the recreational field. The total project cost was £21,996 and the amount requested was 45.5%.

A member commented that the provision of play equipment was very important in the current times.

At the conclusion of the item, members unanimously approved the recommendation of the report.

RESOLVED: That £9,996 be awarded to West & Middle Chinnock Parish Council towards West & Middle Chinnock play equipment project, to be awarded from the Area West Community capital and revenue grant fund, subject to SSDC standard conditions for community grants (Appendix A).

Reason: To consider a grant fund request towards West & Middle Chinnock play equipment project.

(Voting: unanimous in favour)

Ashill Village Hall Project

The Locality Officer presented the report which asked members to consider awarding £5,946 towards removal of asbestos and the installation of a new roof at Ashill Village Hall. The total project cost was £37,423 and the amount requested was 15.89%.

A member commented that the amount requested was a relatively modest amount in relation to the project costs. The village hall had a very serious problem with asbestos on the roof and the work desperately needed to be undertaken. The hall was a very well used and important facility in the village. She said that the Village Hall Committee should be commended on raising funds for the project.

At the conclusion of the item, members unanimously approved the recommendation of the report.

RESOLVED: That £5,946 be awarded to Ashill Community Village Hall Committee towards the Ashill Village Hall project, to be awarded from the Area West Community capital and revenue grant fund, subject to SSDC

standard conditions for community grants (Appendix A)

Reason: To consider a grant funding request towards the Ashill Village Hall project.

(Voting: unanimous in favour)

Merriott Tithe Barn Project

The Locality Officer presented the report which asked members to consider awarding a grant of £8,185 towards installation of new guttering, new flooring and dampproof membrane. He advised that the original application submitted included repointing the west side of the building but this would now be paid for by the Tithe Barn first and the other works would follow. The total project cost was £21,391 and the amount requested was 38.3%.

The ward member expressed his support for the application and commented that the Tithe Barn was an historic building in Merriott and was very well used and a great asset to the village. He paid tribute to the Locality Officer and the applicant who had worked hard in refining the application.

In response to questions, members were informed that:

- The church or the diocese were not providing any funding towards the project. The church was in need of extensive repairs and working on a very small margin in which it didn't have enough money to make its own repairs.
- The building was given to the church for the benefit of the church and the village.
- The building was not listed.
- The application had come forward to committee because the building was a community asset.
- Merriott Parish Council were not contributing towards the project. They were in favour of the project but due to the Local Government Act 1872 and NALC guidelines they were unable to contribute towards the project.

In view of Merriott Parish Council being unable to fund the project, members queried whether the council could also fund church buildings and felt that further clarification was needed on this point.

At the conclusion of the item, members unanimously agreed to defer consideration of the application to the next meeting of the Area West Committee to allow for further information to be obtained on local authorities funding church buildings.

RESOLVED: That consideration of the grant application for Merriott Tithe Barn project be deferred to the next meeting of the Area West Committee to allow for further information to be obtained regarding local authorities funding church buildings.

Reason: To allow for further information to be obtained regarding local authorities funding church buildings.

(Voting: unanimous in favour)

George Reynolds Centre Project

The Locality Officer presented the report which asked members to consider awarding a grant of £4,675 towards the installation of four air conditioning units at the George Reynolds Centre. The total project cost was £ £9,350 and the amount requested was 50%.

Ward member, Cllr Robin Pailthorpe commented that the George Reynolds Centre was built over ten years ago with large glass frontage to enable good views of the sports pitches below but in the summer months the rooms were extremely hot, making them uncomfortable for users.

The other ward member, Cllr Ben Hodgson said that the George Reynolds Centre was a fantastic facility, but the lack of ventilation had been a limiting factor and it would be good to see the facility reaching its full potential in summer months.

During the discussion, a member said he would have expected to see an application submitted for funding to organisations such as Sport England to off-set the costs.

In response to questions raised, members were informed that:

- Air conditioning was never planned to be installed upstairs from the outset. There was ventilation for the lower levels but it was always planned that air conditioning would be retrofitted.
- The community assessment scores could not be increased anymore as the application did not have the same impact as a play area project would.
- The George Reynolds Centre were not in a position to request funding from the users of the building as it was owned by the Town Council.

At the conclusion of the item, members proposed and seconded to approve the recommendation of the report. On being put to the vote there were 6 votes in favour, 0 against and 1 abstention.

RESOLVED: That £4,675 be awarded to Crewkerne Town Council towards the George Reynolds Centre project, to be awarded from the Area West Community capital and revenue grant fund, subject to SSDC standard conditions for community grants (Appendix A)

Reason: To consider a grant funding request towards the George Reynolds Centre project.

(Voting: 6 in favour, 0 against, 1 abstention)

389. Area West Committee Forward Plan (Agenda Item 8)

Members noted that a report on S106 obligations would be considered by District Executive in January 2023.

In response to a member comment on S106 obligations, members were informed that the data being provided in the report would be broken down into the four areas as well as an overall total. Moving forward into the new Somerset Council, future reports would be very detailed and available for the public to view on the website.

Members were content to note the Area West Committee Forward Plan.

390. Planning Appeals (Agenda Item 9)

Members were content to note the report that detailed the planning appeals which had been lodged, dismissed or allowed.

391. Next Steps following the Judicial Review re Planning Application 21/02654/FUL (Agenda Item 10)

Having earlier declared personal and prejudicial interests in the item, Councillors Val Keitch, Jenny Kenton and Sue Osborne left the meeting during consideration of the item.

The District Solicitor & Monitoring Officer introduced the item. She said that the decision of the Committee made in January on Planning Application 21/02654/FUL was judicially reviewed and that the application had been referred back to the Council for reconsideration and the application needed to be taken afresh. One of the issues in considering the application was the question of member interests and that a significant proportion of the Area West Committee were members who had either previously declared an interest or were now required following the judicial review decision to declare an interest. She advised that the Regulation Committee also dealt with South Somerset planning matters and that the application could be dealt with at Regulation Committee or by Area West Committee. The District Solicitor & Monitoring Officer referred to a letter received from the CPRE setting out their views to the contrary and suggesting that there might be further reviews if a different view was taken.

During the discussion on the item, members made the following comments:

- The application should be heard by the Area West Committee and should be viewed as afresh application.
- Area Committees were appointed to deal with planning applications at a local level and it was inappropriate to defer the application to the Regulation Committee.
- A member commented that he would be surprised to see the application being two starred as it was not a Major Major application.
- It was felt that a site visit would be useful.

During the discussion on the item, it was proposed and seconded that the application be redetermined at Area West Committee. A vote was taken and the decision was unanimously approved.

RESOLVED: That the application be redetermined at Area West Committee.

(Voting: unanimous in favour)

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Chairman