

South Somerset District Council

Minutes of a meeting of the **Scrutiny Committee** held in the **Council Chamber, Council Offices, Brympton Way, Yeovil on Tuesday 4 October 2022.**

(10.30 am - 12.25 pm)

Present:

Members: Councillor Gerard Tucker (Chairman)

Barbara Appleby	Sue Osborne
Robin Bastable	Robin Pailthorpe
Karl Gill	Oliver Patrick
Brian Hamilton	Lucy Trimnell
Tim Kerley	



Also Present:

Jason Baker (on-line) Tony Lock (on-line)

Officers

Stephanie Gold	Specialist (Scrutiny & Member Development)
Angela Cox	Specialist (Democratic Services)
Kirsty Larkins	Director (Service Delivery)
Jill Byron	Monitoring Officer
John Hammond	Lead Specialist (Built Environment)
Robert Orrett	Commercial Property, Land & Development Manager
Jo Boucher	Case Officer (Strategy & Support Services)
Jo Morris	Case Officer (Strategy & Support Services)

51. Minutes (Agenda Item 1)

The minutes of the previous meeting held on 30 August 2022 were approved as a correct record and were signed by the Chairman.

52. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Ray Buckler, Andy Kendall and Paul Maxwell.

53. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

54. Public question time (Agenda Item 4)

(The Chairman noted he would take this item after item 6 on the agenda and then go immediately into item 7).

The Chairman welcomed two public speakers who were both in attendance to address the committee regarding item 7 - Scrutiny Call in Request: Millers Garage Car Park Project, Crewkerne Request for additional funding from the Corporate Capital Contingency Budget

- An adjacent landowner addressed the committee, and raised a number of points including:
 - Value for money –alternative solution possible with less cost to the public purse
 - Background context and history to the situation, including approaches to his family regarding land options.
 - Updates to information relating to the proposals, including other adjacent landowner.
 - Feel the options need to be revisited by the District Executive taking into account value for money.
- A representative of Boon Brown Architects presented the committee with an overview of the proposals regarding possible development of the site. He shared slides indicating outline plans and photographs to assist members in understanding the site in question.

The Chairman thanked both speakers for their representations.

55. Issues arising from previous meetings (Agenda Item 5)

There were no issues raised from previous meetings.

56. Chairman's Announcements (Agenda Item 6)

The Chairman welcomed Councillor Lucy Trimnell as a new member on the Scrutiny Committee.

57. Scrutiny Call-in Request: Millers Garage Car Park Project, Crewkerne - Request for Additional Funding from the Corporate Capital Contingency Budget (Agenda Item 7)

The Chairman referred to the Scrutiny meeting of 2 August 2022, and the question that remained unanswered regarding value for money, and the subsequent decision made by the District Executive on 4 August 22 to allocate £430k from the capital contingency fund to the proposed car park development at the Millers Garage site.

The Chairman explained that he had been contacted directly by the adjacent landowner, agents, and other members of the community regarding another option which would facilitate a car park being built on the site with no significant cost to the Council. He explained that this proposal, which includes a possible land swap with the adjacent landowner had been around for some time and felt that this should be explored further as an alternative option. He concluded that he would welcome the suspension of the car park development until such time as the District Executive had reconsidered the decision.

A Vice-Chair expressed concerns regarding predisposition or predetermination of any future planning decision that may be taken at Area West Committee. The Monitoring Officer explained that there was a clear distinction to be observed here and that as part of their role, councillors were required to take many different decisions. She assured members that this decision was regarding a Council landholding issue, and not a planning application. She added that the debate should not be concerned with any of the planning merits of the proposals seen today.

The Commercial Property, Land and Development Manager stated that the call-in here was concerning his report to the District Executive on 4 August 2022, which called for a significant increase in budget for the development of the Millers Garage site into a car park. He explained that the funding report had made reference to a previous report (considered by Scrutiny on 7 June 2022) which made recommendations concerning a potential land swap deal, but that report was withdrawn by the District Executive. He was not part of the decision to withdraw the report but believed that it was withdrawn until such times as a planning application for the site was received. He explained that the land has been owned by the Council since 2015 and he acknowledged that it should not have taken this long for any agreements to be reached. The delay on this particular project has been due to conflicting priorities as a result of many factors, most recently the Covid-19 pandemic and local government reorganisation, but he accepted the frustrations of local people and apologised that the redevelopment of the site had not been actioned sooner.

Members discussed the call-in request in depth and the general consensus was to refer the decision made by the District Executive on 4 August 2022 (to allocate 430k from the capital contingency budget) to the District Executive for reconsideration, to explore other options which may achieve greater 'value for money' in the development of Millers Garage Car Park site.

A member also recommended that the presentation made to Scrutiny Committee by Boon Brown Architects during Public Question Time (item 4 on this agenda) should be presented to District Executive. A link to the recording of this item was subsequently circulated to District Executive members in advance of their meeting.

RESOLVED: The Scrutiny committee resolved to refer the decision made by the District Executive on 4 August 2022 (to allocate £430k from the capital contingency budget) to the District Executive for reconsideration, to explore other options which may achieve greater 'value for money' in the development of Millers Garage Car Park site.
(referred to the District Executive committee meeting of 3 November 2022 for re-consideration).

(Voting: Unanimous in favour)

58. Verbal update on reports considered by District Executive on 1 September 2022 (Agenda Item 8)

There were no updates on reports considered by District Executive members at the September meeting.

59. Reports to be considered by District Executive on 6 October 2022 (Agenda Item 9)

Members considered the reports within the District Executive agenda for 6 October 2022 and raised comments and questions as detailed below. Responses to most questions and comments were provided at Scrutiny Committee by the relevant officers - except any marked by an asterisk.

Planning to support the release of phosphate credits within the Somerset Levels and Moors Ramsar catchment to unlock stalled housing developments (Agenda item 6)

- One member expressed frustration that Councils need to do this. He felt that it is a failure of government for not regulating water companies sufficiently. He added that Councils now need bring in policies like this to lock up agricultural land which could otherwise be used to produce food. He felt strongly that the water companies are selling the mitigation for the issue, despite causing the issue in the first place and concluded that the situation is unfair.
- It was understood that the district councils in Somerset are bringing in their own policies regarding phosphates and planning policy, will there be a county wide approach to this when the unitary authority comes in being next year?
- What about the future? By locking in land to offset phosphates now, are we limiting availability of high-grade land for future generations?
- If a national policy/solution to this issue comes forward, would South Somerset landowners get a refund on the credits they bought to offset the phosphates through the SSDC scheme?
- How critical is this 15% in terms of land supply? Are we talking about major development being held up, or small sites/single dwelling applications?
- Workforce planning: Are planning and legal teams prepared for the spike in workload expected from Dec 22– Mar 23?
- What else is the Council doing in terms of retrofitting in existing properties/developments to reduce phosphate levels?
- How much agricultural land will be locked up? Can we make sure this doesn't include high grade land that can be used for food production?
- Do we run the risk of developers opting to build outside of South Somerset to avoid the phosphate credit fee?
- Scrutiny members requested more updates and members briefings.

The 'Making' of the North Cadbury and Yarlinton Neighbourhood Plan (Agenda item 7)

- When will the CIL contribution change to 25% (from 15%). Is it when DX approve the recommendation or is it after the referendum, presuming residents are in favour?
- The Chairman acknowledged the huge amount of work that goes into making Neighbourhood Plans and congratulated all who were involved.

Public Space Protection Orders: Yeovil (Agenda item 8)

- *Has the extension of the PCPO through Yeovil Country Park last year resolved the problems in that area? Members asked for more detail on incidents in Yeovil Country Park prior to, and since the PCPO extension was enforced.

District Executive Forward Plan (Agenda item 9)

- *S106 - Members of Scrutiny committee expressed frustration at the absence of any recent updates on S106 funding and allocation at SSDC.
 - *Do we have a confirmed date for the Full Council to receive an update on Opium Power Ltd?
-

60. Verbal update on Task and Finish reviews (Agenda Item 10)

The Chairman provided a brief update on progress of Task and Finish Groups, including:

Flooding in South Somerset – The Chairman noted there would be no further workshops as a few weeks previously the group had met to consider the draft SCC Section 19 flood investigation reports for Chard and Ilminster, and raised some comments and made suggested recommendations to the LLFA (Lead Local Flooding Authority). He noted a summary report had been circulated to members and he encouraged members to take a look as the comments were due to be raised further afield with the Somerset Rivers Authority and Environment Agency.

61. Update on matters of interest (Agenda Item 11)

Councillor Brian Hamilton provided a brief verbal update following a recent meeting of the Somerset Waste Partnership (SWP) Joint Scrutiny Panel. Some of his points included:

- As Recycle More had been rolled out across the whole county, more data was available about recycling rates, and the figures were encouraging.
- Exploring options for using electric vehicles,
- They had received a presentation about carbon capture

The Chairman noted that during the height of the pandemic when there had been some issues with staffing availability, he recalled a trial had taken place whereby a vehicle had collected cardboard only in order to help free up capacity regarding the usual collection vehicles. He asked if it was known whether the trial had been successful in bringing about some efficiencies? A member appointed to the SWP Board, responded that he believed four panel vehicles were being rolled out across the county permanently for that purpose as it did help with capacity.

Councillor Brian Hamilton also briefly noted there had been a recent meeting of the Local Government Reorganisation Implementation Joint Scrutiny Committee. It was a long meeting and there had been much discussion about the Local Community Networks (LCNs). He encouraged members to listen to the meeting online if the detail was of interest.

62. Scrutiny Work Programme (Agenda Item 12)

The Chairman noted that the Work Programme was easing up, due to the transition towards the new Somerset Council.

There was no discussion and members were content to note the Scrutiny Work Programme.

63. Date of next meeting (Agenda Item 13)

Members noted that the next meeting of Scrutiny Committee was scheduled for Tuesday 1 November 2022 at 10.30am, in the Council Chamber, SSDC Council Offices, Brympton Way, Yeovil.

.....
Chairman