

## South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Wednesday 19 February 2020** in the Council Chamber - Council Offices, Brympton Way, Yeovil

(7.30 - 9.17 pm)

### Present:

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

Jason Baker	Brian Hamilton	Paul Rowsell
Robin Bastable	Mike Hewitson	Dean Ruddle
Mike Best	Henry Hobhouse	Gina Seaton
Neil Bloomfield	Ben Hodgson	Peter Seib
Dave Bulmer	Kaysar Hussain	Garry Shortland
Hayward Burt	Val Keitch	Jeny Snell
Tony Capozzoli	Andy Kendall	Andy Soughton
Malcolm Cavill	Tim Kerley	Mike Stanton
Louise Clarke	Tony Lock	Rob Stickland
Adam Dance	Graham Oakes	Lucy Trimnell
Sarah Dyke	Tricia O'Brien	Gerard Tucker
Karl Gill	Sue Osborne	Linda Vijeh
David Gubbins	Clare Paul	William Wallace
Peter Gubbins	David Recardo	Colin Winder

### Officers:

Alex Parmley	Chief Executive
Netta Meadows	Director (Strategy & Support Services)
Clare Pestell	Director (Commercial Services & Income Generation)
Richard Ward	Monitoring Officer
Nicola Hix	Interim Section 151 Officer
Angela Cox	Specialist - Democratic Services

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### 102. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Martin Carnell, Nicola Clark, John Clark, Nick Colbert, Charlie Hull, Michael Lewis, Mike Lock, Pauline Lock, Kevin Messenger, Tiffany Osborne, Robin Pailthorpe, Crispin Raikes, Wes Read, Alan Smith and Martin Wale.

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### 103. Minutes (Agenda Item 2)

The minutes of the Council meeting held on 16<sup>th</sup> January 2020, copies of which had been previously circulated, were approved as a correct record of the meeting and signed by the Chairman.

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### 104. Declarations of Interest (Agenda Item 3)

At the time the item was discussed, Councillor Neil Bloomfield declared a personal interest in Agenda item 11: Future of Local Government in Somerset as a member of Somerset County Council.

The Monitoring Officer advised him that although the interest had been declared, it was still appropriate for him to vote on the item of business.

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#### **105. Public Question Time (Agenda Item 4)**

The Council were addressed by 2 members of the public regarding 5G mobile phone coverage. Their comments included:-

- The 5G technology was being rushed through by Government and industry before many people found out how dangerous and intrusive it was.
- 5G transmits higher frequencies to increase the transfer of data and the existing systems were already a major problem. There was a great deal of scientific evidence from the major medical databases and over 400 reports indicating health effects. The key interactions is with cells where too much calcium goes into the cells, causes disruption and causes oxidated stress which is a precursor to many illnesses including cancer.
- The current guidelines date to 1998 and only list the heating effects and not the biological interaction effects. The World Health Organisation and Public Health England had no credible evidence to support the low radiation levels as being safe.
- 5G has 2 phases – the sub-6GHZ meant extra antennas on existing masts which used beams to transmit signals which increased the intensity of the signal. Phase 2 was to place small cells on lampposts approx. every 200m which would send signals by beams to the end users. It is a complex radiation regime and virtually nobody has a clue of the problem.
- It is a particular issue to wildlife as bees will absorb even more radiation.
- Industry say this is a live experiment
- An alternative would be to install LIFI as they had done in the Orkney Islands which transmits by light and takes the bio-active ingredient out of the signal.
- Wireless is an environmental toxin – at least a class 2B carcinogen and studies indicate that it does cause cancer through the oxidated stress mechanism but the official position is that this is either non-existent or wrong.
- We urge the council to do whatever is in their powers to consider very carefully plans to extend mobile and wireless coverage within the district.

The Portfolio Holder for Environment thanked the presenters for bringing the matter to the Council's attention and for the information provided and said the Council would take advice on the roll-out of 5G technology.

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#### **106. Chairman's Announcements (Agenda Item 5)**

The Portfolio Holder for Environment said she wished to recognise the work of the Environmental Services Team during the recent storms. She said the arboricultural team had assisted with tree damage and the streetcleaning teams had responded to sand bag requests to protect homes at risk of flooding and they remained ready to assist in any other major incident. She wished to formally record her thanks to the teams.

The Chairman advised that he had attended an event organised by the Ilminster Rotary Club called Youth Speaks which was for local primary school students to practice their public speaking. He said that nearly all the students had spoken passionately about environmental matters, climate change, habitat loss and endangered species. He said it had been a very interesting and useful event to attend.

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#### **107. Chairman's Engagements (Agenda Item 6)**

The list of Chairman's engagements was noted.

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#### **108. SSDC Council Plan 2020-2024 (Agenda Item 7)**

The Leader of Council thanked the staff involved in the compilation of the new Council Plan. She commended the clear and simple layout and the list of realistic priority projects. She noted that whilst SSDC had its own Climate Strategy, it was also part of the wider County Strategy and she thanked Members for their contributions to their Area Chapters.

There was no debate and Members unanimously agreed to endorse the new Council Plan 2020-2024 and the annual action plan and key performance indicators for 2020-2021.

**RESOLVED:** That Full Council agreed to:-

- a. endorse the new Council Plan 2020-2024 and vision, values and aims it includes;
- b. confirm the annual action plan and key performance indicators for 2020-2021;
- c. note the detailed milestones and desired outcomes for each Priority Project.

**Reason:** To adopt the South Somerset District Council (SSDC) Council Plan 2020 – 2024, Annual action plan 2020-2021 and a revised set of Key Performance Indicators.

*(Voting: unanimous in favour)*

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#### **109. 2020/21 Revenue and Capital Budgets and Medium Term Financial Plan (Agenda Item 8)**

The Portfolio Holder for Finance and Legal Services thanked the Interim Section 151 Officer, the Directors and the specialist officers for producing the budget report. He also thanked the previous Section 151 Officer. He drew Members attention to the 2.99% increase in Council Tax and noted that although the Business Rates Pooling had been reduced from 75% retention to 50% in the Local Government Settlement, it was proposed to put aside £1m of this towards the Council's Regeneration Schemes. If the Business Rate Pooling did not realise £1.5m then this would be reviewed. He also noted

the additional funding for the Capital Programme, the reduced budget shortfall, the New Homes Bonus funding not being drawn into the revenue budget and the business rates income. He concluded that the budget was a tribute to how well the Council had progressed from its original predicted budget shortfall.

In response to questions from Members, the Portfolio Holders and the Interim Section 151 Officer replied:-

- The increase in borrowing to be requested in the Capital, Investment and Treasury Strategies report would fund the various Regeneration Schemes across the district and the Council's Commercial Strategy.
- Finance staff were available to explain the detail within the budget or additional finance training could be arranged by the Member Development Specialist.
- The Council's Digital Strategy was still in draft form and following internal consultation, it would be presented to Scrutiny and District Executive Committees.
- The funding for confidential schemes were commercially confidential.

It was requested that due to the detail involved, the budget reports be published as soon as possible in future to allow Members to read and understand them.

At the conclusion of the debate a recorded vote was taken and all Members voted in favour of the recommendations with one abstention by Councillor Colin Winder.

**RESOLVED:** That Full Council agreed to:-

- a. approve the Net Revenue Budget for 2020/21 of **£15,207,150**, as set out in the Revenue Account Summary (paragraph 40) and in detail in Appendix A for the District Executive and four Area Committees, subject to any final amendments;
- b. approve a 2020/21 Council tax annual increase of 2.99%, increasing the annual Band D rate by £5.00 to £172.11. Full Council to note this new annual rate comprises £170.26 for SSDC services, raising £10,448,932, and £1.85 on behalf of the Somerset Rivers Authority, raising £112,315;
- c. approve the prioritisation of Business Rates pooling gain to Regeneration as detailed in paragraph 38;
- d. approve the new capital programme as shown in Appendix D, with includes an additional funding request of £1.887m as detailed in paragraph 62.

**Reason:** To approve the proposed budget and council tax for 2020/21. This report is based on the Medium Term Financial Plan (Revenue Budgets).

*(Voting: 43 in favour, 0 against, 1 abstention)*

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## 110. Council Tax Setting 2020/21 (Agenda Item 9)

The Portfolio Holder for Finance and Legal Services proposed the recommendations and they were seconded by Councillor Tony Capozzoli.

There was no debate and a recorded vote was taken where Members unanimously approved the Council Tax for 2020/21.

**RESOLVED:** That Full Council agreed to:-

- a. approve the formal council tax resolutions referred to in paragraphs 5 to 14;
- b. approve the individual tax settings as follows:
  - i. that the Somerset County Council; Police and Crime Commissioner for Avon and Somerset and Devon and Somerset Fire and Rescue Authority has stated that amounts shown in paragraphs 8 to 11 respectively of this report in precept issued to the Council, in accordance with Section 40 of the Local Government Act 1992 (as amended), for each of the categories of dwelling:
  - ii. that the total amount of council tax for each band of property in the South Somerset area for 2020/21 be as given in the table below:

A-	A	B	C	D	E	F	G	H
987.43	1,184.91	1,382.39	1,579.89	1,777.36	2,172.33	2,567.29	2,962.27	3,554.72

**NB** The above figures exclude all **town/parish precepts**. The Police & Crime Commissioner for Avon and Somerset approved their figures on the 5<sup>th</sup> February 2020, Somerset Fire and Rescue on the 18<sup>th</sup> February 2020 and Somerset County Council on the 19<sup>th</sup> February 2020.

- iii. that, having calculated the totals of each precepting authority's amounts (including town and parish precepts), The Council (in accordance with Section 30(2) of the Local Government Act 1992) (as amended) hereby sets the amounts shown at **TOTAL** in the table shown at Appendix A as the council taxes for the financial year 2020/21 for each category of dwelling.
- c. note that if the formal Council Tax Resolution is approved, the total Band D Council Tax as follows:

	2019/20 £	2020/21 £	Increase %
South Somerset District Council	167.11	172.11	2.99
Somerset County Council	1,151.64	1,176.31	3.99
Somerset County Council (Adult Social Care)	88.09	112.89	

Police and Crime Commissioner for Avon and Somerset	217.81	227.81	4.59
Devon And Somerset Fire and Rescue Authority	86.52	88.24	1.99
	<b>1,711.17</b>	<b>1,777.36</b>	<b>3.87%</b>
Town and Parish Council (average)	91.05	97.09	6.63%
	<b>1,802.22</b>	<b>1,874.45</b>	<b>4.01%</b>

**Reason:** To approve the final council tax resolutions for 2020/21.

*(Voting: unanimous in favour)*

## 111. Capital, Investment and Treasury Strategies 2020/21 to 2022/23 (Agenda Item 10)

The Portfolio Holder for Finance and Legal Services thanked the Finance Specialist for his work in combining what had previously been presented as 3 separate reports. He confirmed that the combined reports met the legal requirements in a more coherent layout and he invited questions from Members.

In response to questions from Members, the Portfolio Holder for Environment, the Lead Specialist for Finance and the Director for Commercial Services & Income Generation provided the following responses:-

- The Opium Power project had proven to be challenging but the grid connection had now taken place and it was hoped the cable energisation would take place on 29 February. This would be when Western Power Distribution took control of the site. A press release would announce when it was fully operational.
- The joint operations loans also included financing the Council's landscaping and horticultural trading company, Elleston, and the figure in the report was the level of authorisation to spend and not the commitment.
- The SSDC loan to Opium Power was lent at 5% return.
- Although the Chief Executive was no longer a Director, an independent Director with industry expertise had recently been appointed to Opium Power and the Director for Commercial Services & Income Generation was the Chair of the Board.

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

**RESOLVED:** That Full Council agreed to:-

- a. approve the Capital Strategy, Investment Strategy and the Treasury Management Strategy 2020/21 to 2022/23;
- b. approve the proposed borrowing and investment limits included in the Capital Strategy;
- c. approve the annual Minimum Revenue Provision statement for 2020/21.

**Reason:** Full Council must approve the annual capital, investment and treasury strategies before the start of the financial year in line with the CIPFA Prudential Code.

*(Voting: 42 in favour, 0 against, 2 abstentions)*

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**112. The Future of Local Government in Somerset: Delivering together for the people of Somerset (Agenda Item 11)**

The Leader of Council advised that all of the Somerset authorities had worked very closely on the proposals for the future of local government in Somerset and it was disappointing that the County Council had chosen to follow a Unitary Authority approach rather than the collaboration and integration option preferred by all the District Councils. She said that she would invite the Leader of Somerset County Council to a future Council meeting to discuss his proposals for Somerset. She said the Chief Executive would be working closely with the Chief Executive of Mendip DC while she would be working with the Leader of Sedgemoor DC and they would be seeking a meeting with the Secretary of State to discuss their proposals shortly. She also advised that she had written to all of the Town and Parish Councils in the district to offer to meet with them to discuss the proposals as part of the community engagement.

During discussion, the following points were made:-

- Pleased to hear that consultation with Parish Councils was taking place
- Although there was a need for a business case on the preferred option, all of the other options considered by the 5 Somerset Councils should still be looked at too.
- Other Unitary Authorities had not yet paid back the costs of joining together and were not yet achieving their projected savings.
- Children's Services should be the same throughout the county and should not change at the county boundary. It was possible that this level of service should be part of a combined authority.
- There was a desire to pass down the responsibility for more services to Town and Parish Councils to give them more autonomy but there was concern that this should be financed.
- Joining services like procurement would help towards getting the best service for the people of Somerset.

Councillor Neil Bloomfield declared a personal interest as a member of Somerset County Council although the Monitoring Officer confirmed that it was still appropriate for him to vote on the item of business.

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

**RESOLVED:** That Full Council:-

1. agreed that a full business case should now be prepared, which fully explores Option 2 (Collaboration and Integration), being the preferred way forward at this time. This business case should come back to District Executive/Council in July 2020, along with clear recommendations and delivery plan.

2. agreed option 2 – Collaboration and Integration as this council's current preferred option for the future of local government to take forward through community consultation and engagement.
3. agreed that a joint Project Board should be created, with the Leader of the Council being the representative from each Council, to oversee the work during the next stage.

**Reason:** To determine the way forward for local government in Somerset.

*(Voting: 31 in favour, 5 against, 7 abstentions)*

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### **113. Membership of Committees - Appointment of New Councillor to Licensing Committee (Agenda Item 12)**

The Leader of Council proposed that Councillor Jeny Snell be appointed to the Licensing Committee. She said that Councillor Snell had already attended the required training for the committee. This was seconded and unanimously agreed by Members.

The Chairman of the Licensing Committee regretted that he had not been made aware of the resignation by the retiring Councillor.

**RESOLVED:** That 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 Jeny Snell be appointed to the Licensing Committee

**Reason:** To confirm an amendment to the Licensing Committee membership following the appointment of Councillors to various committees and working groups at Council on 21st May 2019.

*(Voting: unanimous in favour)*

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### **114. Report of Executive Decisions (Agenda Item 13)**

The report of Executive Decisions was NOTED.

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### **115. Audit Committee (Agenda Item 14)**

The report of the Audit Committee was NOTED.

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### **116. Scrutiny Committee (Agenda Item 15)**

The report of the Scrutiny Committee was NOTED.

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## 117. Motions (Agenda Item 16)

There were no Motions submitted by Members.

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## 118. Questions Under Procedure Rule 10 (Agenda Item 17)

Councillor Colin Winder submitted the following questions under Procedure Rule 10:-

The SSDC Local Plan 2006/2028 was found to be unsound by the planning inspector in 2010. A principle modification required by the inspector was a revised policy to deal with the front loading in Wincanton of housing. The inspector required a policy to balance the employment and housing provision to be set in place within 3 years. In 2014 SSDC submitted a revised local plan which proposed a major modification (District Executive agreed proposal attached) to the inspector which was agreed and allowed the local plan to go forward. Since that time no consultation has taken place, no policy has been proposed, and the legal requirement with regards housing has not been complied with. The SSDC local plan would seem to be nullified by the failure of the council to comply with the major modifications agreed by the inspector to make the plan sound. We now have difficult legal problem, as we have an application for 210 dwellings, which are not in the direction of growth set out in the 2015 local plan, and which are in an area specifically excluded for development in the Wincanton Neighbourhood Plan (a plan which was extensively consulted on with the residents, and was approved with a public vote). Where do the residents of Wincanton stand in this planning problem, when they have set out their clear wishes and intentions, but could be frustrated by the failure of SSDC to carry out the legal provisions they had agreed with the inspector. This raises a number of legal questions which have to be resolved now.

The Leader of Council provided the following responses to the questions:-

**Q. With a deficiency of housing numbers in SSDC how do the council propose to defend the approved housing levels in Wincanton against developers use of district wide figures?**

A. The five-year housing land supply is calculated on a District-wide basis. The Council monitors planning applications for housing development and relevant data regarding housing completions and commitments can be used to inform the decision-making process. Wincanton is defined as a Primary Market Town development should be of a scale that fits with the settlement hierarchy.

**Q. With the slow decline in local businesses how do you propose to provide economic growth in Wincanton as opposed to the investment in economic venture outside the district?**

A. The Local Plan Review proposes to allocate land for economic development at Wincanton and 4.38ha are required under the adopted Local Plan.

The Council is committed to the Wincanton Town Centre Strategy, which aims to boost footfall and help create a more vibrant town centre. The strategy includes public realm improvements such as widening footways, introducing different surface dressings, better delineation of on street parking and planting schemes, proposals are tailored to individual locations. This complements working with property owners and landlords to increase the appeal of existing properties and incentivizing occupancy with higher grant interventions. The strategy is primary action point 5.3 under Priority Theme 5: Supporting Urban Economies in the Council's Economic Development Strategy, 2019.

Planned improvements to the strategic road network - A303/A358 could help to raise the profile of Wincanton as a location for business bringing future opportunities.

The council's approved Commercial Strategy dictates the criteria for investment decisions, and includes a geographic and sector spread.

**Q. With the huge deficit in jobs in relation to housing resulting in over 59% of the working population working outside the town travelling by car. Can you justify further housing with the resultant carbon deposit of 3.5 tonnes per week deposited on the roads of the district?**

A. As explained above the planning application will have to be determined in the context of the Development Plan and other material considerations indicate otherwise. Measures to improve opportunities for walking and cycling should be considered as part of the planning application.

The LPR will include stronger policies to help tackle climate change and an extensive programme of work is being undertaken to implement the Council's recently adopted Environment Strategy.

The Council has responded to the Government's Future Homes Standard consultation. The Future Homes Standard will require new build homes to be future-proofed with low carbon heating and world-leading levels of energy efficiency, to be implemented through Building Regulation. It is intended to be introduced by 2025, with staged improvements to Building Regulations to be introduced later this year

Planning policy cannot control where people choose to live and work, nor whether they choose to own a car; it can only seek to direct growth to the most sustainable locations and identify a supply of land for housing and employment development in those locations.

In the future it is anticipated that more people will move to electric vehicles. The Council will be shortly commissioning three Rapid Chargers at Wincanton, Ilchester & Ilminster. These have been funded through a Highways England grant relating to coverage along the A303.

**Q. Can you give the residents of Wincanton an assurance that you will rectify your failure to set in place a policy on the housing and employment balance within twelve months?**

A. The adopted Local Plan continues to provide a policy basis for development.

Work on the Local Plan Review is progressing as quickly as possible. Producing a Local Plan is a complex where a number of stages have to be completed and many different sources of evidence have to come together.

The responses to the Preferred Options consultation from bodies such as Historic England have confirmed that we need to undertake additional evidence base work and officers have commissioned or are in the process of commissioning additional work.

Because of the complexity of the project, currently public consultation on the next stage of the Local Plan Review is anticipated to take place in mid-2021.

Councillor Winder responded that the promise of a policy on housing and employment for Wincanton within 3 years had been with the agreement of the Local Plan Inspector and was still not in place, therefore there was no support to stop development where it was not wanted in the town. There was a requirement for a balance of housing and employment within the town.

The Leader of Council offered to meet with Councillor Winder to discuss the matter further.

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**119. Date of Next Meeting (Agenda Item 18)**

Members noted that the next scheduled meeting of the Full Council would take place on **Thursday, 19<sup>th</sup> March 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