

South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Thursday 16 June 2022** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(6.30 - 7.45 pm)

Present:

Members: Councillor Paul Maxwell (Chairman)
Councillor Wes Read (Vice-Chairman)

Jason Baker	Brian Hamilton	Oliver Patrick
Mike Best	Mike Hewitson	Crispin Raikes
Ray Buckler	Kaysar Hussain	Dean Ruddle
Dave Bulmer	Val Keitch	Peter Seib
Tony Capozzoli	Andy Kendall	Garry Shortland
Nicola Clark	Tim Kerley	Jeny Snell
Louise Clarke	Mike Lewis	Mike Stanton
Adam Dance	Tony Lock	Rob Stickland
Sarah Dyke	Kevin Messenger	Martin Wale
Karl Gill	Sue Osborne	Colin Winder
Peter Gubbins	Robin Pailthorpe	

Also Present On-line:

Malcolm Cavill	Charlie Hull	David Recardo
John Clark	Pauline Lock	Paul Rowsell
Nick Colbert	Tricia O'Brien	William Wallace
Ben Hodgson		

Officers:

Jane Portman	Chief Executive
Jan Gamon	Director (Place, Recovery, Arts & Entertainment)
Nicola Hix	Director (Strategy, Support & Environmental Services)
Kirsty Larkins	Director (Service Delivery)
Jill Byron	Monitoring Officer
Karen Watling	Chief Finance Officer (S151 Officer)
Sharon Jones	Customer Focussed Team Manager
David Crisfield	Specialist (Strategic Planning)
Lynda Pincombe	Specialist (Strategic Planning)
Stephanie Gold	Specialist (Scrutiny & Member Development)
Angela Cox	Specialist (Democratic Services)
Michelle Mainwaring	Case Officer (Strategy & Support Services)

21. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Robin Bastable, Neil Bloomfield, Hayward Burt, Martin Carnell, David Gubbins, Henry Hobhouse, Jenny Kenton, Mike Lock, Graham Oakes, Clare Paul, Gina Seaton, Andy Soughton, Lucy Trimmell and Gerard Tucker.

22. Minutes (Agenda Item 2)

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

23. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by Members.

24. Public Question Time (Agenda Item 4)

A resident of Yeovil noted that he had raised a question the previous month relating to the number of performers allowed back stage at the Westlands Leisure Complex

The Portfolio Holder for Health and Well-Being responded that Yeovil Operatic Society had been formally invited to visit the complex to view the facilities should they wish to move their performances when the Octagon Theatre closed for refurbishment.

25. Chairman's Announcements (Agenda Item 5)

The Chairman stated that Agenda item 12: Leisure Facility Decarbonisation Programme – Request for Approval of Revision to Funding Arrangements (Urgent Item) was a matter which would not normally come before Council as it was delegated to the District Executive. He noted that District Executive had met the previous Thursday but the need covered by the report was still emerging at that point so could not be dealt with as an urgent item as part of that meeting. Having discussed the matter with the Leader of Council he agreed to the late inclusion of the item on the Agenda for this Council meeting because it allowed the matter to be dealt with without the need to call additional urgent meetings of the District Executive and the Scrutiny Committee. He was satisfied that the matter needed to be considered as a matter of urgency to ensure that if the works proceeded an appropriate contingency provision was in place. He was also satisfied that if the report was not considered that day there was a significant risk that the project would be delayed or not completed in full which, as detailed in the report, could lead to wasted costs and future loss of income. He concluded that the Chair of the Scrutiny Committee had been consulted and had agreed that the matter should come forward as an urgent item.

The Chairman also advised that earlier that month he had attended a service at Wells cathedral to celebrate the Queen's Platinum Jubilee. He said it had been a very moving service and he was pleased to represent SSDC there.

26. Chairman's Engagements (Agenda Item 6)

The list of Chairman's engagements were noted.

27. Millers Garage Car Park, Crewkerne (Agenda Item 7)

It was noted that this item had been withdrawn from the Agenda.

28. Establishment of a Joint Scrutiny Committee in Somerset for the implementation of local government reorganisation (Agenda Item 8)

The Leader of Council advised that there had been a Joint Scrutiny Committee prior to the Structural Changes Order and the new Council administration had decided to continue with that joint committee as it had provided a useful tool to hold the Implementation Executive to account. She proposed that Council accept the recommendations and this was seconded by Councillor Peter Seib.

It was noted that the membership of the Joint Scrutiny Committee would be proposed under Agenda item 11: Appointment of Members to vacancies on various Council Committees.

There was no debate and Members were content to confirm the establishment of a Joint Scrutiny Committee together with the County Council and three other District Councils in Somerset constituted in accordance with and having the roles and responsibilities set out in the Terms of Reference attached at Appendix 1.

RESOLVED: That Council approved the establishment of a Joint Scrutiny Committee together with the County Council and three other District Councils in Somerset constituted in accordance with and having the roles and responsibilities set out in the Terms of Reference attached at Appendix 1.

Reason: To approve the proposals for a new Joint Scrutiny Committee and the proposed Terms of Reference.

(Voting: unanimous in favour)

29. Extension of Remote Meetings Provisions to 21st July 2022 (Agenda Item 9)

The Leader of Council introduced the report and advised that the previous decision to hold council meetings remotely would expire on 8th July and the report

asked Council to extend this to 21st July which was the date of the next meeting of Council. She proposed the recommendation and it was seconded by Councillor Adam Dance.

The Leader of the Conservative Group asked if a full report on the future of all Council meetings would be presented to the next Council meeting? He felt that all meetings should now resume in person, particularly the Area Committee meetings.

The Leader of Council said that all options for the future of all Council meetings would be open for debate at the next meeting of Full Council on 21st July 2022.

During discussion the following points were made:-

- All Covid restrictions had been lifted and so there was no reason to continue on-line meetings.
- There may be attendance and quorum issues if Councillors chose to join meetings remotely which were being held in-person.
- There should still be some control and restrictions in place and appropriate sized rooms used for meetings.
- Hybrid meetings should still be conducted as it allowed more members of the public to participate. SSDC meetings should remain accessible to the public and the Council's carbon footprint had reduced considerably.

At the conclusion of the debate, the majority of Members were content to agree to the extension of remote meetings until 21 July 2022 when a full paper would be presented.

RESOLVED: That Council confirmed that the delegation in respect of remote meetings given by Council on 16 December 2021 be extended to 21 July 2022 for all SSDC meetings apart from Full Council.

Reason: To confirm a brief extension to Council's decision taken on 16 December 2021 to hold meetings other than Council remotely until 8 July 2022 to 21 July 2022.

(Voting: 30 in favour, 2 against, 1 abstention)

30. Adoption of Somerset Anti-Racism Statement (Agenda Item 10)

The Portfolio Holder for Equalities said that adopting the Somerset Public Sector anti-racism statement would bring SSDC in line with the County Council, District Councils and other public sector bodies. It was in accord with the public sector equality duty and it would provide clear evidence of support to staff, councillors and colleagues who shared the protected characteristic of race. He asked that the recommendations be accepted and the statement be adopted by Council. This was seconded by Councillor Robin Pailthorpe

During discussion it was noted that the anti-racism statement at appendix 1 was agreed but the report referred particularly to the Black Lives Matter movement when a number of other organisations had also made great progress in equality issues.

At the conclusion of the debate, the majority of Members agreed to the adoption of the joint Somerset Public Sector anti-racism statement as detailed at Appendix 1.

RESOLVED: That Full Council agreed to the adoption of the joint Somerset Public Sector anti-racism statement as detailed at Appendix 1.

Reason: The adoption of the Anti-Racism Statement further promotes the Council's commitment to equality and diversity and meeting its equality duties to the public, customers, contractors/suppliers and staff in accordance with the Equality Act 2010.

(Voting: 32 in favour, 0 against, 1 abstention)

31. Appointment of Members to vacancies on various Council Committees (Agenda Item 11)

The Leader of Council advised that she was proposing a number of appointments following the resignation of Councillor Henry Hobhouse as a portfolio holder, however there were still some unfilled Committee places. She also proposed that Councillors Brian Hamilton and Paul Maxwell be the SSDC representatives to the Joint Scrutiny Committee and Councillor John Clark to represent SSDC on the LGR Implementation Board.

During discussion, the following points were made:-

- The appointment of Vice Chairs of Area Committees had previously been made by the members of that Area Committee and not by the Leader of Council
- The Leader of Council had appointed both Chairs and Vice-Chairs of the Area Committees during the current administration.
- The members of the Area East Committee were not consulted on the appointments and it would have been inclusive to include members other than from the ruling group in the Chair or Vice-Chair.
- All Councillors should work together in the final year of SSDC.

At the conclusion of the debate, the majority of members were content to confirm the proposals of the Leader of Council.

RESOLVED: That Council agreed to:-

1. note that the Leader had appointed Councillor Sarah Dyke as

Chairman of Area East Committee (in addition to the Environment portfolio) for the municipal year 2022-23.

2. note that the Leader had appointed Councillor Paul Rowsell as Vice-Chairman of Area East Committee for the municipal year 2022-23.
3. note that the Leader had appointed Councillor Nicola Clark as Portfolio Holder for Housing for the municipal year 2022-23.
4. appoint Councillor Jenny Kenton to one of the vacancies on the Licensing Committee for the municipal year 2022-23 (not required to be in political balance).
5. note that the Leader appointed Councillor Jenny Kenton to the vacancy on the Standards Committee for the municipal year 2022-23.
6. note that the Leader appointed Councillors Brian Hamilton and Paul Maxwell as the SSDC representatives to the Joint Scrutiny Committee.
7. note that the Leader appointed Councillor John Clark to the LGR Implementation Board for the municipal year 2022-23.
8. appoint Councillor Sarah Dyke as the SSDC representative to the Somerset Rivers Authority.

Reason: To confirm the appointment of a new Portfolio Holder to the District Executive Committee and to confirm the unfilled positions on the various committees, panels and outside organisations following the appointment of Councillors to various committees and working groups at Council on 19th May 2022.

(Voting: 27 in favour, 5 against, 1 abstention)

32. Leisure Facility Decarbonisation Programme - Request for Approval of Revision to Funding Arrangements (Urgent Item) (Agenda Item 12)

The Chairman reminded Members that he had agreed this item would be brought forward as an urgent item of business under Part 4 of the Council's Constitution: Access to Information Procedure Rules, Point 15: General Exception, and Point 16: Special Urgency.

The Portfolio for Environment advised that a report had been presented to District Executive the previous month to request additional funding to complete phase 1 of the decarbonisation programme. She said the overall cost of the programme had not changed however, due to the design issue with the air-source heat

pumps, the programme had slipped and most of the works would be completed and invoiced after 30 June. It was also unlikely that an upgrade to the electrical supply to the centres would be undertaken as the electrical network operator could not guarantee to quote and invoice before mid-July. The 30 June was the deadline by which the majority of works had to be completed in order to be able to pay them from the Public Sector Decarbonisation Scheme (PSDS) grant of £3.9m. If a short extension to the grant period was allowed then the request would not be needed however, the Government had indicated an extension would not be granted. She thanked the officers for their work in compiling the report and said the proposals would contribute towards the Council's target of reaching carbon neutrality by 2030. She outlined the options considered as listed in the report and said the recommendation was to proceed with the decarbonisation works with capital funding from other decarbonisation projects in order to complete the project by September 2022.

In response to a questions from Members, the Director for Service Delivery and the Portfolio Holder for Finance and Legal Services confirmed:-

- There would be no increase in rent for the tenants of the buildings due to the decarbonisation works being undertaken.
- The risks were owned by SSDC and not the contractor and the carbon footprint of the building needed to be neutral.
- Numerous representations had been made to the Government to extend the deadline for the grant funding beyond 30 June without success.
- The proposal was to draw on phase 2 contingency funding rather than from the general contingency budget.
- The financial impact was high but the works would lock in the energy savings from decarbonisation.
- The operator had also suffered increased costs and were keen to progress the works as they had also contributed towards them.

The Portfolio Holder for Environment confirmed that a separate report would be presented to Members for the phase 2 decarbonisation works prior to going out to tender and there would be sufficient funding within phase 2 to carry out the urgent works. She proposed the recommendations and they were seconded by Councillors Peter Seib and Mike Best. A vote was taken and the recommendations were confirmed by 33 votes in favour, 0 against and 1 abstention.

RESOLVED: That Full Council:-

- a. agreed a virement of £1,276,245 from the approved Decarbonisation Programme Phase 2 Capital budget to the Public Sector Decarbonisation Scheme (PSDS) project budget to cover the risk of the council having to use more of its own funding resources instead of Public Sector Decarbonisation grant.

- b. agreed an increase of £1,276,245 to the PSDS budget bring the new budget total to £9,217,713 (this includes the leisure capital sum of £4,160,495 as detailed in the report to District Executive on 12/5/22).
- c. agreed a decrease of £1,276,245 to the Decarbonisation Programme Phase 2 budget to bring the new budget total to £1,483,755.
- d. noted that any of the £1,276,245 amount not needed be returned to the Decarbonisation Programme Phase 2 Capital budget.
- e. noted that the proposals were neutral to the council's overall budget totals i.e. does not increase the overall capital budget total nor incur any increase in the revenue budget (from resulting financing charges).

Reason: To update members on Public Sector Decarbonisation Scheme (PSDS) programme and approve a virement from the Decarbonisation Programme Phase 2 capital project in order to fund the leisure Public Sector Decarbonisation works that will now complete after June 2022.

(Voting: 33 in favour, 0 against, 1 abstention)

33. Report of Executive Decisions (Agenda Item 13)

The Leader of Council noted that there was one Executive Decision listed for the Yeovil Refresh Public Realm Change of Scope Request (Urgent Item) which had been confirmed by the Chief Executive.

The Portfolio Holder for Area South and the Yeovil Refresh noted that the programme had not stopped, as reported in the press, but it was paused for a number of reasons.

34. Audit Committee (Agenda Item 14)

The Vice-Chairman of the Audit Committee said they had met on 26 May 2022 and taken questions from a member of the public who had now been provided with a full response. He said that:-

- The external auditors, Grant Thornton had provided an update on the position of the external audit of the accounts which were hoped to be signed off in July 2022.
- 45% of all local authority audits were not complete largely due to the increased reporting requirements placed on external auditors by the Redmond Review.

- The valuation of the Council's battery storage assets had proved to be highly technical calculations which the auditors required assurance upon and so external valuers had been engaged to do this.
- A full report on SSDC's Opium Power would be provided at a subsequent meeting as members had expressed concerns.
- The Management Team had provided an interim response to the Audit Findings Report from Grant Thornton in March 2022 and a full discussion had taken place along with the Chairman of the Scrutiny Committee to improve future processes and ensure Audit functions were being exercised to full effect. He thanked officers for providing the report.
- The Committee also received updates on the Regeneration Projects in Chard and Wincanton, Risk Management, Health and Safety and Civil Contingencies.
- The Chief Executive had provided a report on improvements to the corporate governance of the Environmental Services.

In response to a question, the Vice Chairman said that the Audit Committee took the external auditors report presented in March 2022 very seriously and the management team had addressed the issues internally. He also noted that the Committee had received an apology from Grant Thornton at their meeting in May 2022.

The Chief Executive referred to the management report presented to the Audit Committee in May 2022 confirmed that there had been some inappropriate behaviour by a very small number of staff during the external audit process which had been addressed and she assured Members it would not happen again.

The report of the Audit Committee was NOTED.

35. Scrutiny Committee (Agenda Item 15)

The Vice Chairman of the Audit Committee advised that they had met the previous week and provided challenging questions to the Millers Garage car park report which had subsequently been withdrawn from the Executive and Council agenda. She was pleased to note that the Chairs of the Scrutiny and Audit Committees were working together and she suggested there was more joint working between the two committees.

Task and Finish work on flooding would be looked at now the Section 19 reports had been received for Chard and Ilminster to see if anything further could be added and to work with the County Council's new Environmental Scrutiny Committee to ensure the recommendations were implemented. She said they had also requested a report on Section 106 and Community Infrastructure Levy (CIL) funding to ensure all payments were made to Town and Parish Councils prior to the change to a Unitary Council.

The report of the Scrutiny Committee was NOTED.

36. Motions (Agenda Item 16)

There were no Motions submitted by Members.

37. Questions Under Procedure Rule 10 (Agenda Item 17)

There were no questions submitted under Procedure Rule 10.

38. Date of Next Meeting (Agenda Item 18)

The Chairman reminded Members that any ideas or suggestions for the future of Council meetings should be forwarded to the Monitoring Officer to help form her report to the next meeting of Council.

Members noted that the next meeting of Full Council would be Thursday 21 July 2022 in the Council Chamber, SSDC Council Offices, Brympton Way, Yeovil commencing at 6.30 p.m

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Chairman

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Date