

South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Thursday 16 January 2020** in the Council Chamber - Council Offices, Brympton Way, Yeovil.

(7.35 pm - 9.33 pm)

Present:

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

Jason Baker	Brian Hamilton	Robin Pailthorpe
Robin Bastable	Mike Hewitson	Clare Paul
Mike Best	Henry Hobhouse	Crispin Raikes
Dave Bulmer	Charlie Hull	Paul Rowsell
Hayward Burt	Kaysar Hussain	Dean Ruddle
Tony Capozzoli	Val Keitch	Peter Seib
Martin Carnell	Andy Kendall	Alan Smith
Malcolm Cavill	Tim Kerley	Jeny Snell
John Clark	Mike Lewis	Andy Soughton
Nicola Clark	Tony Lock	Mike Stanton
Louise Clarke	Kevin Messenger	Rob Stickland
Nick Colbert	Graham Oakes	Lucy Trimnell
Adam Dance	Tricia O'Brien	Gerard Tucker
Sarah Dyke	Sue Osborne	Linda Vijeh
Peter Gubbins	Tiffany Osborne	

Officers:

Alex Parmley	Chief Executive
Netta Meadows	Director (Strategy & Support Services)
Martin Woods	Director (Service Delivery)
Nicola Hix	Interim Section 151 Officer
Richard Ward	Monitoring Officer
David Mitchell	Senior Manager, Somerset Rivers Authority
Jonathan Hudston	Communications Manager, Somerset Rivers Authority
Ian Potter	Lead Specialist (Vulnerable Customers)
Jo Gale	Specialist (Members)
Vicki Dawson	Lead Specialist (Environmental Health)
Katy Menday	Leisure & Recreation Manager
Angela Cox	Specialist - Democratic Services

90. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Neil Bloomfield, Karl Gill, David Gubbins, Ben Hodgson, Mike Lock, Pauline Lock, Wes Read, David Recardo, Gina Seaton, Garry Shortland, Anthony Vaughan, Martin Wale, William Wallace and Colin Winder.

91. Minutes (Agenda Item 2)

The minutes of the Council meeting held on 19th December 2019, copies of which had been previously circulated, were approved as a correct record of the meeting and signed by the Chairman.

92. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by Members.

93. Public Question Time (Agenda Item 4)

A resident of Yeovil said she had learnt the previous day that the cafe at Yeovil Junction Station was to close and become a room for staff at station. She said that fears had been expressed on social media that the iconic cafe fixtures would be removed or destroyed. There was a perception that the building was Grade 2 listed but it appeared not. She asked if the District Council were aware of any plans and whether they felt the café was worth retaining?

The Chairman thanked the resident for notice of her question and confirmed that enquiries had been made and a written response would be provided when more information was available.

Subsequent to the meeting, we contacted the Regional Development Manager of South Western Railway. His response was that he had not heard anything about the cafe but would check with colleagues and come back to us. So far, we have not heard again from him.

A resident of Martock noted that at the last meeting of Council in December 2019, the Leader of Council had read out a statement regarding the number of planning appeals and the possibility that planning decisions could be taken out of the Council's control. He asked why she felt the need to make the statement and, by allowing the planning decision on the Coat Road, Martock site, the Council had left themselves open to developers to ruin villages.

The Chairman confirmed that a written response would be provided.

Subsequent to the meeting, the following response has been sent to the resident:

Dear Mr Williams,

I raised the issue regarding the planning appeal issues as I felt, following on from concerns raised regarding the Regulation Committee decision, that all members of Council needed to be informed of the position that there was a danger that the Council could have its ability to determine planning applications taken away by central government if committees refused too many planning applications that were subsequently allowed on appeal.

Whilst you are entitled to your views on the Martock Development you need to be aware that the Council can only lawfully refuse planning applications on valid planning grounds. No such grounds could be substantiated in that case.

Yours sincerely,

Val Keitch
Leader of Council

The Chairman and a Councillor of Buckhorn Weston and Kington Magna Parish Council and the Dorset Councillor for the Gillingham Ward spoke regarding light pollution from Henstridge industrial estate. Their comments included:-

- The widespread concern of light pollution from the Henstridge industrial estate which appeared to have increased substantially over the previous two years and was causing severe nuisance in the parish.
- Appreciate that the businesses needed to be lit but the lighting appeared to be directed upwards into the night sky
- SSDC officers had declined to meet with the Parish Council to discuss a resolution and they asked that they be directed to do so.
- The light pollution from the industrial estate contradicted the South Somerset Local Plan policy EQ7 on light pollution control.
- A recent planning application had not included any condition on light pollution.
- The cumulative effect of planning applications at the site and subsequent light pollution needed to be addressed as we are in a climate emergency.
- Angling the lights downwards would make a significant difference.

The Portfolio Holder for Environment said she was aware of the light pollution and how it affected residents and she would work with the Henstridge Ward Members on a written response and a possible solution. She noted that the Cranborne Chase AONB had recently attained dark skies status.

Councillor Sue Osborne asked that copies of the responses provided be appended to the minutes of the meeting.

Subsequent to the meeting an Environmental Health Specialist visited the Henstridge industrial estate at night, to assess the lighting and he has agreed to attend a Buckhorn Weston PC meeting and explain the council's position as to Environmental Health and planning in regards to the site. He has confirmed that it would be useful to look at any further applications in this area with greater scrutiny and require lighting schemes.

94. Chairman's Announcements (Agenda Item 5)

The Chairman wished all Members and residents a Happy New Year.

95. Presentation from Somerset Rivers Authority (SRA) (Agenda Item 6)

Councillor Mike Stanton introduced the presentation and said that he was pleased to represent SSDC on the Somerset Rivers Authority. He noted that parts of his Ward had been greatly affected by the flooding in 2013/14 and he introduced David Mitchell, SRA Senior Manager and Jonathan Hudston, SRA Communications Manager to provide an introduction and overview of the work of the Somerset Rivers Authority.

The SRA Senior Manager and SRA Communications Manager provided Members with a power point presentation on the work of the Authority. They explained:-

- The origins of the SRA in the flooding during the summer of 2012 and the winter of 2013/14 which cost £148m to the county.
- The Local Authorities coming together to create the 20 year Flood Action Plan and the formation of the SRA as an action from that Plan in January 2015.
- The Government permission to raise a 1.25% precept from the Somerset Local Authorities to fund the work of the Authority.
- The partners who were the entity who delivered the partnership working.
- The SRA remit to deliver extra activities to address flood issues and provide an extra level of protection above its partner organisations.
- The SRA consisted of 4 officers who were supported by a Management Group of Officers from partner authorities. They held 4 meeting per year which were open to the public and there was Joint Scrutiny Panel overlooking the work.
- The Flood Action Plan was broad ranging, covering rivers and strategic transport. There was a balance between flooding a flood risk while protecting the environment.
- Improvement works included 2 new river channels at Beer Wall which would benefit communities upstream like Langport, Muchelney and Thorney, and, dredging between Stathe and Burrowbridge.
- Work with local farmers to slow water from reaching the levels through improved drainage, scrapes and measures taken in fields.
- The de-silting of ponds at Welham Brook, Lufton would reduce water flow by ¼ downstream.
- New guidance for developers was to be produced on sustainable urban drainage systems (SUDS).
- There was funding for extra gully emptying and jetting in high risk areas.
- Looking ahead, 60% of the 20 year Flood Action Plan was complete and it was time to review the plan. There would be consultation with partners on this.
- It was intended for the SRA to become its own precepting body and although a recent Private Members Bill had failed, they were meeting with Government MP's to discuss the way forward.
- The SRA was an opportunity for the county to do extra towards flood alleviation through partnership working.

In response to questions from Members, the Senior Manager and Communications Manager advised:-

- It was not possible to absolutely guarantee flooding in an area would never occur again but the likelihood and frequency had been reduced.
- The SRA had no formal role as a consultee in development schemes but it offered a SUDS inspection service. Approximately 2/3 of existing SUDS were satisfactory.
- Landowners could bid for funding for ditch clearance but because of riparian ownership issues and responsibilities, the SRA were reluctant to fund this.
- The SUDS inspection service was free to partner organisations.
- The Reimagine the Levels scheme was identifying sites to plant trees and hedge plants in places to improve the soil and slow the flow of water.

At the conclusion of the debate, the Chairman thanked the SRA Senior Manager and SRA Communications Manager for attending and providing an informative presentation and answering Members questions.

NOTED.

96. Verbal update on the progress of projects in the SSDC Environment Strategy (Agenda Item 7)

The Lead Specialist for Environmental Health and the Leisure and Recreation Manager provided Members with a power point presentation on the projects being progressed as part of the Council's Environment Strategy. Their presentation included the following information:-

- The Council's carbon footprint had been calculated and they were now working on calculating a district-wide carbon footprint.
- A Warm Homes bid had been successfully submitted to target energy advice and efficiency in the community.
- A business case had been drafted for a network of EV charging points across the District. The Tender process was expected in next quarter.
- A monthly programme of internal and external communications was being developed with a different theme each month.
- Staff awareness sessions had been held to increase engagement in recycling and energy use across buildings and to gather ideas.
- Over 1,000 trees had been planted across the district during the current planting season and another 800 would be planted in the Council's Country Parks before April.
- The Great Parish Tree Giveaway of 50 trees per pack had been taken up by over 30 Parishes. Information on this would be shared with neighbouring authorities.
- Parish Councils had been asked to nominate an Environment Champion as a point of contact for information.
- SSDC land was being assessed for tree planting on a woodland scale.
- Staff were being appointed to key posts of Marketing and Communications, Living Environment Officer, and Built Environment Officer.
- Future projects included an energy audit of the SSDC buildings and look at options to move to a green energy supplier, holding Environment Champion Forums, tenders for EV charging points, review of tree planting ready for the next season, greener procurement and provision of a tool to enable officers to assess the environmental implications of decisions being requested of Members through committee reports.

In response to questions from Members, the Lead Specialist for Environmental Health and the Leisure and Recreation Manager responded:

- The presentation slides and a list of the parishes who had applied for the Great Parish Tree Giveaway including nominations for Environment Champions would be circulated to Councillors to enable them to encourage those not currently participating to do so.
- Key Performance Indicators had been agreed to be included in the Council Plan around trees, carbon footprint and community engagement.
- The newly appointed Marketing and Communications and Living Environment officers would be promoting the Environment Strategy in schools.
- There were targets to work with businesses to promote greener business which would include energy and lighting, although not specifically light pollution.

- Will find out if the Yeovil Innovation Centre had PV panels installed but the energy survey would identify high energy buildings and the energy supplier. Battery storage may be part of the package of measures to be investigated.

At the conclusion of the debate, the Portfolio Holder for Environment thanked the officers for their informative presentation.

NOTED.

97. Council Tax Support Scheme 2020/21 (Agenda Item 8)

The Portfolio Holder for Finance and Legal Services introduced the report and thanked the Scrutiny Task and Finish Group and supporting officers for their work in reviewing the scheme. He noted that the scheme was reviewed annually to check if any changes were needed. No changes were proposed to the current scheme a more simplified banded scheme would be looked at in the following year.

There was no debate and Members unanimously agreed the recommendations of the report.

RESOLVED: That Council confirmed:-

- a. that personal allowances and premiums are uprated in line with those for Housing Benefit;
- b. that non-dependent deductions are uprated in line with the annual percentage increase in Council Tax;
- c. that the non-dependent income bands are increased by the same percentage as those applied to the national Council Tax Support scheme for pensioners;
- d. that the hardship scheme budget be set at £30,000 for the 2020/21 financial year;
- e. and agreed to note the recommendations of the Scrutiny Task and Finish Group attached at Appendix 1;
- f. and agreed to note the scheme had been amended to reflect changes to the Prescribed Requirements;
- g. that the 2020/21 Council Tax Support Scheme attached at Appendix 2 (to follow) is adopted;
- h. and agreed to note that the proposed Council Tax Support Scheme had been reflected within the overall Council Tax Base;
- i. that officers investigate a move to an income banded Council Tax Support scheme for the 2021/22 financial year.

Reason: To confirm the Council Tax Support Scheme for the 2020/21 financial year.

(Voting: unanimous in favour)

98. Report of Executive Decisions (Agenda Item 9)

Councillor Robin Bastable said the Commercial Assets report had been presented to Scrutiny Committee and he was pleased to note how it was performing and how officers were dealing with the assets. He also thanked the Interim Section 151 Officer for her well-informed responses to Members questions on the budget report.

The report of Executive Decisions was NOTED

99. Motions (Agenda Item 10)

There were no Motions submitted by Members.

100. Questions Under Procedure Rule 10 (Agenda Item 11)

The following question was submitted by Councillor Nick Colbert under Procedure Rule 10:-

At the Full Council meeting on the 19th of December 2019 it was stated that despite Councillors being informed in writing that planning training was compulsory and that without it Councillors would not be allowed to sit on any planning committee meetings, it transpires that this was false information.

Who decided that lying to Councillors to persuade them to undertake unnecessary training was the correct policy decision to make and how far up the management ladder was this matter discussed and endorsed and by whom?

I have been a Councillor now for almost 9 years and have complained previously about Councillors is being manipulated by officers this is just the latest example. What can be done to prevent Councillors being lied to in future so that trust can be restored?

The Leader of Council provided the following response:-

Councillor Colbert is once again very wide of the mark. In yet another baseless accusation against our hard working and dedicated officers. The training requirements for the planning committees had been agreed by members of the Council.including members of his own group and not by officers.

There was an all-party Member Transformation Working Group, Standards Committee, Full Council and the then-leader of the Conservative Group and the Liberal Democrat group. In 2015 because every member of this council is a member of a planning committee because of our area system, planning training was compulsory and all Councillors were required to undertake it. From October 2017 to 2018 the all-party Member Transformation Working Group considered the changing role of Members in light of Transformation and recommended new Role Profiles from Members of the Standards Committee together with a Member version of the Attitudes and Approaches framework used during Transformation for staff.

The Member Working Group consisted of the following people: Nick Weeks, Mike Lewis, Colin Winder, Jo Roundell Greene, Angie Singleton, Sylvia Seal, Crispin Raikes, Rob Stickland, John Clark, myself and Jason Baker. On 15 November 2018, prior to the Member Working Group recommendation, all Members were consulted on the role profiles. In February 2019, the new profiles including the proposed training requirement were agreed by the Standards Committee. Including, that they should not form part of the Constitution but be a companion piece to this. Therefore, as they are not in the Constitution, they are advisory and not compulsory.

As concerns Regulation Committee members, the new Role Profiles adopted by the Committee state the desirable knowledge of Regulation Committee members including a thorough understanding of planning regulations and process. The detailed understanding of the legal and constitution arrangements relating to the Regulation function. These role profiles went to Full Council in April 2019. On 8 March 2019 there was a meeting between myself and the then-leader of the Conservative Group, Councillor Mike Lewis, to agree the Member Support and Development Programme for new Councillors after the May Elections. In April 2019 a letter and form were sent to all District Councillor election candidates, outlining the support and training on offer. This was agreed by the Leaders at that time. Its worth noting that what's been agreed by Members of this Council follows the best practice guideline issued by our national body, the Local Government Association.

So Councillor Colbert and other Members can see what has been said about Member Training, two Members has always been what Members have agreed - and not what officers have agreed. There has been no manipulation by officers, there has been no deception and no lies. This accusation was a very public and unwarranted attack on the reputation of officers who are unable to defend themselves at such meetings. I am very happy for myself to be accused or be attacked. I am an elected Member and that's part of the job. But I am not prepared for staff to be attacked when they are unable to defend themselves in public meetings.

Councillor Colbert knows that if he has a complaint about officers there is a route to go in lodging his complaint and having it investigated. Instead, yet again Councillor Colbert chooses to lodge a baseless complaint in the form of a question in a public forum where the hard-working officers he complains about are not able to defend themselves. This is a cowardly act.

It shows that I think his true intent is not to genuinely resolve issues that he has a problem with but to publicised himself and undermine people who work hard for our communities.

I also think it's a bit rich that Councillor Colbert submits a question in which he accuses others of lying. Lets not forget that this is the Councillor who recently posted on-line a most inaccurate account of an Area East meeting and in doing so he needlessly worried his residents and Wincanton Town Council. He neglected to tell them he was not even at the meeting which he was giving a completely untrue account of.

Last week we held an all-member briefing about the Future of Local Government in Somerset. Some startling statistics came out of that - 25% of our children growing up in poverty, high rates of self-harm amongst our young people, an aging population, isolation and access to services. Does he choose to raise a question about that? The really important issues and challenges facing our communities? No, instead of being focused on our communities he is focused on himself and trying to undermine this

Council and its officers. I know by far the majority of members in this chamber from all sides are focused on the challenges and issues our communities face and I know from dealing with our officers that they are totally focussed on doing the best job for our communities and delivering this Council's aims and priorities. I urge Councillor Colbert to stop focussing on representing himself and on undermining this Council and start working with us to represent the communities we are all here to serve.

Councillor Colbert responded that he did not feel his question had been addressed.

101. Date of Next Meeting (Agenda Item 12)

Members noted that the next scheduled meeting of the Full Council would take place on **Wednesday, 19th February 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