

South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Thursday 21 July 2022** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(6.30 - 8.06 pm)

Present:

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

Barbara Appleby	Peter Gubbins	Tiffany Osborne
Jason Baker	Brian Hamilton	Robin Pailthorpe
Mike Best	Mike Hewitson	Oliver Patrick
Neil Bloomfield	Henry Hobhouse	Clare Paul
Ray Buckler	Ben Hodgson	Crispin Raikes
Dave Bulmer	Charlie Hull	Dean Ruddle
Hayward Burt	Kaysar Hussain	Gina Seaton
Tony Capozzoli	Andy Kendall	Peter Seib
John Clark	Jenny Kenton	Andy Soughton
Nicola Clark	Tim Kerley	Mike Stanton
Louise Clarke	Mike Lewis	Lucy Trimnell
Nick Colbert	Mike Lock	Gerard Tucker
Adam Dance	Pauline Lock	Martin Wale
Sarah Dyke	Tony Lock	William Wallace
David Gubbins	Sue Osborne	

Also Present on line:

David Recardo	Garry Shortland
Paul Rowsell	Jeny Snell
Rob Stickland	

Officers:

Jane Portman	Chief Executive
Jan Gamon	Director (Place, Recovery, Arts & Entertainment)
Paul Matravers	Lead Specialist (Finance)
Nicola Hix	Director (Strategy, Support & Environmental Services)
Kirsty Larkins	Director (Service Delivery)
Jill Byron	Monitoring Officer
Anthony Harold	Deputy Monitoring Officer
David Crisfield	Specialist (Strategic Planning)
Catherine Thompson	Specialist (Benefits)
Michelle James	Principal Licensing Specialist
Becky Sanders	Case Officer (Strategy & Support Services)
Stephanie Gold	Specialist (Scrutiny & Member Development)

39. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Robin Bastable, Martin Carnell, Malcolm Cavill, Karl Gill, Val Keitch, Kevin Messenger, Graham Oakes and Tricia O'Brien.

40. Minutes (Agenda Item 2)

The minutes of the previous meeting held on Thursday 16th June 2022 were approved as a correct record of the meeting and signed by the Chairman.

41. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by Members.

42. Public Question Time (Agenda Item 4)

The Council was addressed by representatives of Crewkerne Town Council who also handed a petition of 466 signatures of local residents supporting the transfer of Severalls war memorial gardens as well as the war memorial itself. They said the grounds were gifted for the benefit of the town and management and ownership should be returned to the Town Council ahead of the Unitary Council status the following year. They were currently cared for by volunteers and this would continue with support from the Town Council if needed.

The petition was handed to the Chairman of Council who thanked the Town Council representatives and acknowledged their supporting comments. He said the Council's property team would liaise with the Town Clerk to progress the issue.

The Council were then addressed by a representative of the South West Transport Network who asked a number of questions about public transport in Yeovil and South Somerset. He referred to bus service cuts by First Group in Yeovil and a service from Yeovil to Taunton which had seriously affected some residents ability to travel to work. He urged the Council to call a meeting with the Town Council and First Group management to explain the towns bus services and look at ways to restore the links. He referred to the loss of the Department of Transport's Local Transport Fund in October 2022 which could result in further bus service cuts in the area. He also noted that a number of bus shelters did not appear to be being maintained in Yeovil and asked that this be investigated.

The Portfolio Holder for Protecting Core Services noted that bus services were not the responsibility of the district council and it had not been notified in advance of the proposed bus changes but they would meet with the County Council to seek clarity on how the issue could be resolved. He said they were aware that the County Council's Operations Team were extending alternative provisions to try

and improve the current transport situation in Yeovil. He noted that the County Council were in discussions with First Group and in a public meeting the previous week First Group had committed to reviewing the service with an aim of making improvements. He concluded that the allocation of Bus Service Improvement Plan funding from Government was significantly less than the amount the County Council initially requested and this may have an adverse effect on service provisions. He also advised that South Somerset District Council had offered to support all local bus operators with their recruitment challenges through local employment hubs and forthcoming recruitment events.

Councillor Mike Hewitson, as the associate lead for transport at SCC, advised that he had met with a member of the bus user group the previous day and appreciated the impact of the bus service cuts on the local community. He said they were hoping to produce an action plan and he noted the imminent withdrawal of the bus support grant which was critical to providing bus services and there would be lobbying for it to be retained.

43. Chairman's Announcements (Agenda Item 5)

At the start of the meeting the Chairman welcomed Councillor Barbara Appleby, newly elected District Councillor for the Brympton Ward to her first Council meeting.

The Chairman reminded Members that only those present in the room would be able to vote on any agenda item although participation in the debate was welcome by all present on-line.

The Chairman advised that he had represented SSDC at the funeral of the former Chair of Somerset County Council, Mr Nigel Taylor the previous week.

Councillor Sarah Dyke reported that the Somerset Waste Partnership had won the Environmental Services category at the Local Government Chronicle Awards ceremony the previous evening for their Recycle More project. She was pleased that the Waste Partnership and its officers had been recognised for their work in the roll out of the programme.

Councillor Martin Wale reported that Somerset County Council had also been recognised at the Local Government Chronicle Awards ceremony for Campaign of the Year Award (highly commended) for Theo's story – a video on childrens care which had been made by children.

44. Chairman's Engagements (Agenda Item 6)

The list of Chairmens Engagements were NOTED.

45. Statement of Licensing Policy Under the Licensing Act 2003 (Agenda Item 7)

The Portfolio Holder for Licensing introduced the report and advised that extensive consultation had taken place on the proposed Statement of Licensing Policy which was proposed for adoption by the Licensing Committee.

Councillor Martin Wale advised that the policy had been properly scrutinised by the Licensing Committee and had been open for public consultation and he seconded the proposed recommendations.

There was no debate and Council unanimously approved the Statement of Licensing Policy for publication.

RESOLVED: That Council agreed to:-

- a. approve the Statement of Licensing Policy as amended;
- b. approve the Licensing Policy for publication prior to implementation.

Reason: To confirm the new SSDC Statement of Licensing Policy as required by Section 5 of the Licensing Act 2003 provides that a Licensing Authority must, every 5 years, determine and publish a Statement of Licensing Policy.

(Voting: unanimous in favour)

46. Energy Rebate Discretionary Scheme Policy (Agenda Item 8)

The Portfolio Holder for Finance and Legal Services introduced the report and advised that the Government had provided the Council with £298,350 for a Discretionary Fund to support those suffering financial hardship as a result of the rising cost of living, particularly fuel bills. The Discretionary Scheme had been developed in conjunction with the 4 Somerset District Councils with the aim of having a Somerset Wide scheme. He outlined the details of the schemes and asked that Council endorse the Discretionary Energy Rebate Scheme.

In response to a question, the Portfolio Holder for Finance and Legal Services confirmed that the amount set aside for residents who were experiencing financial hardship and struggling to meet their energy costs under the General Energy Support Fund was £10,611 in total.

The recommendations were seconded and unanimously agreed by Members.

RESOLVED: That Council agreed to endorse the Discretionary Energy Rebate Scheme.

Reason: To agree the Energy Rebate Discretionary Scheme Policy which had been developed in collaboration with Somerset West & Taunton, Sedgemoor and Mendip District Councils.

(Voting: unanimous in favour)

47. 2021/22 Treasury Management Performance Outturn Report (Agenda Item 9)

The Portfolio Holder for Finance and Legal Services introduced the report which detailed the Council's treasury management for the previous year.

There was no debate and Members were content to note the report.

RESOLVED: That Council agreed to:-

- a. note the Treasury Management Activity for the 2021/22 financial year;
- b. note the position of the individual prudential indicators for the 2021/22 financial year;
- c. note the outlook for the investment performance in 2021/22;
- d. note the Council operated within all of the Prudential Indicators during 2021/22.

Reason: To review the treasury management activity and the performance against the Prudential Indicators for the 2021/22 financial year as prescribed by the CIPFA Code of Practice and in accordance with the Council's Treasury Strategy, Annual Investment Policy and Treasury Management Practices.

(Voting: unanimous in favour)

48. Proposed Changes to the Financial Procedure Rules for 2022/23 (Agenda Item 10)

The Portfolio Holder for Finance and Legal Services introduced the report and detailed the proposed changes to the Council's Financial Procedure Rules, including arrangements to take account of the Section 24 directive for the new unitary council.

It was clarified that SCC Councillors were not required to declare an interest in the report. It was also clarified that the changes highlighted in grey were to be

removed and the changes highlighted in green were to be added to the Financial Procedure Rules.

The recommendation to approve the proposed changes to the Financial Procedure Rules for the rest of the financial year 2022/23 was proposed and seconded and unanimously agreed by Members.

RESOLVED: That Council approved the proposed changes to the Financial Procedure Rules for the rest of the financial year 2022/23.

Reason: To agree the proposed changes to the Financial Procedure Rules (FPRs) for the rest of the financial year 2022/23.

(Voting: unanimous in favour)

49. Local Government Reorganisation - The Section 24 Direction and the General and Specific Consents Issued by the Executive of Somerset County Council (Agenda Item 11)

The Portfolio Holder for Finance and Legal Services introduced the report and noted that the recommendations would allow the Council to continue with any current programmed works and where the General Consent did not apply, all members of the Senior Leadership Team would be given delegated authority in consultation with the Section 151 Officer to seek specific consents from the Executive of Somerset County Council under the section 24 Direction.

The recommendations were proposed and seconded and unanimously agreed by Council.

RESOLVED: That Council agreed that:-

- a. the General Consent issued by the Executive of Somerset County Council under the section 24 Direction be noted;
- b. where the General Consent does not apply, all members of the Senior Leadership Team be given delegated authority in consultation with the Section 151 Officer to seek specific consents from the Executive of Somerset County Council under the section 24 Direction if required to implement decisions taken or proposed by South Somerset District Council within their respective areas of responsibility.

Reason: To ensure that the Council can respond effectively to business and local government reorganisation needs in the period to Vesting Day.

(Voting: unanimous in favour)

50. Review of Remote Meetings Options (Agenda Item 12)

The Portfolio Holder for Finance and Legal Services thanked the members of the Scrutiny Task and Finish Group for their work in reviewing the options for returning to in-person meetings. He noted that the meeting of the Audit Committee the following week had already been published as an on-line meeting and it would remain so. He further noted there were options B to I in the report for Members to consider.

During discussion the following points were made:

- The Council should return to in-person meetings.
- The recommendation of the Scrutiny Task and Finish group should be taken forward.
- Full Council meetings should return to the 7.30pm start time.
- Concern that Option I had not been subject to an equality impact assessment.
- The Council had agreed a climate emergency and returning to in-person meetings would affect travel and the use of fuel across the county.
- It was part of a Councillors role to take decisions and the quality of those decisions had a greater impact when taken at in-person meetings.
- The hybrid system was not reliable enough. For the remaining months the Council should return to in-person meetings.
- The Scrutiny Task and Finish Group was represented by councillors from all parties and from across the district.
- Member training could remain on-line as they were not public meetings.
- To allow the public to attend either in-person or on-line would fit with the equality duty.
- It was easier for the deaf community to attend an in-person meeting and be able to lip-read the debate as often in on-line meetings, cameras were not used.
- There were no transport links to the Brympton Way office if all meetings were to be held there.
- Hybrid meetings allowed the public who were unable to attend in person to make their representations.

It was proposed that the Scrutiny Task and Finish group recommendations (Option H) be accepted and this was seconded

It was also proposed that Option I – to return to in-person meetings for all public council meetings but allow those who wished to participate on-line to do so, and this was seconded.

In response to a question, the Monitoring Officer clarified that Option I represented the situation for SSDC Council meetings before March 2019 but with the amendment proposed to allow the public to attend virtually then this recognised the equality duty.

The Monitoring Officer clarified that Option H (as recommended by the Scrutiny Task and Finish group) and Option I with a clarification that all meetings would have a virtual on-line space and would also be streamed on YouTube had been proposed. The enabling technology had only been installed in the Council Chamber at Brympton Way, so any hybrid and in person meetings would need to take place there, including Area Committees, unless an alternative venue with the required functionality was available at a reasonable cost within budget.

Members then voted on Option H (as recommended by the Scrutiny Task and Finish group) and the voting was 9 in favour, 26 against and 4 abstentions. Therefore this proposal fell.

Councillor Jason Baker proposed that to allow meeting to be held at alternative venues, then the wording of Option I be amended to use the enabling technology when available. This proposed amendment to Option I was seconded and when put to the vote was carried by 29 in favour, 3 against and 9 abstentions. This then became the substantive amendment to Option I

Members then voted on the proposed Option I that all public meetings of the Council be held in-person with a virtual on-line space and live streaming with the agreed amendment to allow meetings to be held at alternative venues using the enabling technology when available. This proposal was carried by 30 votes in favour, 2 against and 10 abstentions.

The final vote to confirm all the proposed recommendations of the report including Option I was taken and confirmed by 29 votes in favour, 2 against and 7 abstentions.

Councillor Martin Wale questioned councillors attendance at Parish Council meetings under the Local Government Act 1972 as a qualifying attendance.

The Monitoring Officer confirmed that subsection 2 of the Act listed approved attendances at meeting such as Areas of Outstanding Beauty (AONB) meetings. She accepted that Members attended Town and Parish Council meetings to represent SSDC but they were not a recognised attendance and if Members wished to recognise them as a qualifying attendance it would require a specific resolution to do so.

RESOLVED: That Council agreed:-

- (i). with the exception of the meeting of the Audit Committee on 28 July 2022, all future meetings of South Somerset District Council and its committees will be held in person with a virtual on-line space and live streaming, provided the technology to provide a virtual on-line space and live stream is available in the normal meeting venue. Members of the public may attend in person or, where there is an on-line facility, virtually.

Members of Council attending via the virtual on-line space may only participate at the express invitation of the Chair of the meeting.

Note: this requirement applies to Full Council and the following meetings only:

Appeals Committee
Appointments Committee
Area East Committee
Area North Committee
Area South Committee
Area West Committee
Audit Committee
District Executive
Licensing Committee
Licensing Sub-Committee
Regulation Committee
Scrutiny Committee
Standards Committee;

- (ii) (i) applies until 31 March 2023 unless external circumstances dictate otherwise;
- (iii) that the Chief Executive in consultation with the Chair of Council be given delegated power to make any or all meetings remote for a period of up to 4 weeks at any time when it appears reasonably prudent to do so on public health and safety grounds or in line with national or local safe practice under the Covid19 guidance and requirements issued by the Government from time to time;
- (iv) that officers may continue to attend meetings remotely, where possible, provided that where an officer is named as the Lead Officer for an Agenda item they must attend the meeting in person or, if attending remotely, ensure a suitable, properly briefed officer approved by the relevant SLT lead, attends in person;
- (v) the meeting of Audit Committee on 28 July 2022 will be a remote advisory meeting with any decision delegated to the Chief Executive.

Reason: To review the Council's previous decisions to hold remote, virtual meetings using available technology; and to return to in-person Council meetings.

(Voting: 29 in favour, 2 against, 7 abstentions)

51. Appointment of Members to Vacancies on Various Council Committees (Agenda Item 13)

The Deputy Leader of Council advised that the Liberal Democrat group proposed Councillor Pauline Lock to the vacancy on the Licensing Committee. He noted that the remaining appointments were appointed by the Leader of Council and they were:-

- Councillor Pauline Lock to the vacancy on the Standards Committee
- Councillor Barbara Appleby to the vacancy on the Scrutiny Committee
- Councillor Wes Read to the vacancy on the Appeals Panel
- Councillor John Clark to the vacancy on the Wincanton Regeneration Programme Board
- Councillor Mike Hewitson as Chairman of Audit Committee
- Councillor Brian Hamilton as Vice-Chairman of Audit Committee
- Councillor Andy Kendall to the vacancy on the Audit Committee

In response to a question, it was clarified that Councillor John Clark was a resident of Wincanton and he was replacing the Leader of Council on the Wincanton Regeneration Programme Board.

A vote was on the proposal to appoint Councillor Pauline Lock to the Licensing Committee and this was unanimously agreed.

RESOLVED: That Council agreed to:-

- a. to appoint Councillor Pauline Lock to the vacancy on the Licensing Committee for the municipal year 2022-23;
- b. note that the Leader appointed Councillor Pauline Lock to the vacancy on the Standards Committee for the municipal year 2022-23.
- c. note that the Leader appointed Councillor Barbara Appleby to the vacancy on the Scrutiny Committee for the municipal year 2022-23.
- d. note that the Leader appointed Councillor Wes Read to the vacancy on the Appeals Panel for the municipal year 2022-23.
- e. note that the Leader appointed Councillor John Clark to the vacancy on the Wincanton Regeneration Programme Board

for the municipal year 2022-23.

- f. note that the Leader appointed Councillor Mike Hewitson as Chairman of Audit Committee for the remainder of the municipal year 2022- 23.
- g. note that the Leader has appointed Councillor Brian Hamilton as Vice-Chairman of Audit Committee for the remainder of the municipal year 2022- 23.
- h. note that the Leader appointed Councillor Andy Kendall to the vacancy on the Audit Committee for the municipal year 2022-23

Reason: To confirm the appointment of unfilled positions on the various committees following the appointment of Councillors to various committees and working groups at Council on 19th May 2022.

(Voting on recommendation (a): unanimous in favour)

52. Report of Executive Decisions (Agenda Item 14)

The Deputy Leader introduced the report and invited questions.

There were no questions and the report of executive decisions was NOTED.

53. Audit Committee (Agenda Item 15)

The Chairman of the Audit Committee thanked Councillor Martin Carnell, the previous Chairman of the Audit Committee for his tenure over the previous 3 years. He noted the Committee had met in June to discuss the Internal Audit annual opinion report which had given a reasonable assurance for the authority. He thanked the South West Audit Partnership officers for their co-operation with officers and said the external auditors, Grant Thornton, were working with external valuers to value the Council's investment portfolio. Until this was completed, it was not possible to sign off the previous years accounts although this was expected to take place in early September 2022.

In response to a question, the Chairman of the Audit Committee advised that the Council had until the end of September 2022 to sign off the accounts and the situation in valuing a councils property portfolio was not now an unusual delay. He agreed to update Members by email if there was any change to this.

The report of the Audit Committee was NOTED.

54. Scrutiny Committee (Agenda Item 16)

There was no report from the Scrutiny Committee and the Chairman thanked the members of the Scrutiny Task and Finish Group for their work in reviewing the remote meeting options.

55. Motions (Agenda Item 17)

There were no Motions submitted by Members.

56. Questions Under Procedure Rule 10 (Agenda Item 18)

There were no questions submitted under Procedure Rule 10.

57. Date of Next Meeting (Agenda Item 19)

Members noted that the next scheduled meeting of Full Council (Thursday 18 August) was a reserve date and would only be called if there was business to discuss.

Therefore, the next meeting of Full Council would be Thursday 15 September 2022 in the Council Chamber, SSDC Council Offices, Brympton Way, Yeovil commencing at 7.30 p.m.

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Chairman

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Date