

SWT Full Council - 15 December 2020 held via Zoom Video Conference

Present: Councillor Hazel Prior-Sankey (Chair)

Councillors Simon Coles, Ian Aldridge, Benet Allen, Lee Baker, Marcus Barr, Mark Blaker, Chris Booth, Sue Buller, Norman Cavill, Caroline Ellis, Habib Farbahi, Ed Firmin, Roger Habgood, Andrew Hadley, John Hassall, Ross Henley, Marcia Hill, John Hunt, Marcus Kravis, Andy Milne, Richard Lees, Sue Lees, Libby Lisgo, Mark Lithgow, Janet Lloyd, Dave Mansell, Chris Morgan, Simon Nicholls, Craig Palmer, Derek Perry, Martin Peters, Peter Pilkington, Andy Pritchard, Steven Pugsley, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Phil Stone, Andrew Sully, Nick Thwaites, Anthony Trollope-Bellew, Ray Tully, Terry Venner, Sarah Wakefield, Alan Wedderkopp, Danny Wedderkopp, Brenda Weston, Keith Wheatley, Loretta Whetlor and Gwil Wren

Officers: Dawn Adey, James Barraah, Lesley Dolan, Paul Fitzgerald, James Hassett, Alison North, Andrew Pritchard, Marcus Prouse, Clare Rendell and Amy Tregellas

(The meeting commenced at 6.15 pm)

96. **Apologies**

Apologies were received from Councillors Bolton, Davies, D Durdan, Martin Hill and Govier.

97. **Minutes of the previous meeting of Full Council**

(Minutes of the meeting of Full Council held on 10th September 2020, 29th September 2020, 26th October 2020 and 3rd November 2020 circulated with the agenda).

Councillor Trollope-Bellew requested a correction to his declaration of interests as recorded in the minutes of the meeting held on the 26th October 2020.

RESOLVED that the minutes of Full Council held on the aforementioned dates be confirmed as a correct record.

98. **Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
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Cllr L Baker	All Items	Cheddon Fitzpaine & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Barr	All Items	Wellington	Personal	Spoke and Voted
Cllr M Blaker	All Items	Wiveliscombe	Personal	Spoke and Voted
Cllr P Bolton	All Items	Minehead	Personal	Spoke and Voted
Cllr C Booth	All Items	Wellington and Taunton Charter Trustee	Personal	Spoke and Voted
Cllr N Cavill	All Items	West Monkton	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr H Davies	All Items	SCC	Personal	Spoke and Voted
Cllr C Ellis	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr A Govier	All Items	SCC & Wellington	Personal	Spoke and Voted
Cllr Mrs Hill	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr J Hunt	All Items	SCC & Bishop's Hull	Personal	Spoke and Voted
Cllr R Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr S Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Lisgo	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Lithgow	All Items	Wellington	Personal	Spoke and Voted
Cllr J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke and Voted
Cllr A Milne	All Items	Porlock	Personal	Spoke and Voted
Cllr C Morgan	All Items	Stogursey	Personal	Spoke and Voted
Cllr S Nicholls	All Items	Comeytrove	Personal	Spoke and Voted
Cllr C Palmer	All Items	Minehead	Personal	Spoke and Voted
Cllr D Perry	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Peters	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr P Pilkington	All Items	Timberscombe	Personal	Spoke and Voted
Cllr H Prior-Sankey	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke and Voted
Cllr F Smith	All Items	Taunton Charter Trustee	Personal	Spoke and Voted

Cllr F Smith-Roberts	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr V Stock-Williams	All Items	Wellington	Personal	Spoke and Voted
Cllr N Thwaites	All Items	Dulverton	Personal	Spoke and Voted
Cllr R Tully	All Items	West Monkton	Personal	Spoke and Voted
Cllr N Thwaites	All Items	Dulverton	Personal	Spoke and Voted
Cllr T Venner	All Items	Minehead	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr D Wedderkopp	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Whetlor	All Items	Watchet	Personal	Spoke and Voted
Cllr G Wren	All Items	Clerk to Milverton PC	Personal	Spoke and Voted

Cllr Prior-Sankey declared a personal interest in regard to the Community Portfolio Holder report. Her partner, who as a Street Pastor, was a user of the Radios described in the report.

Councillor Trollope-Bellew declared a prejudicial interest in regard to Item 14 and would not participate for that item and left the virtual meeting.

Councillor Kravis declared a prejudicial interest in regard to Item 17 and would not participate for that item and left the virtual meeting.

Councillor Habgood declared a personal interest in regard to the Community Portfolio report. He was a user of the radio system also.

Councillor Pugsley declared a pecuniary interest in regard to Item 11 – Additional Restrictions Grant Scheme and did not speak or vote on the item.

99. **Public Participation**

No members of the public had requested to speak on any item on the agenda.

100. **To receive any communications or announcements from the Chair of the Council**

The Chair requested Councillors in lieu of the usual donations to the Food Bank that would be collected at this Council meeting, for Councillors to give in their local community in whatever form or donate to a favoured charity instead.

Councillors were reminded that if they did not wish to receive paper agendas in the post to contact the Governance team.

101. **To receive any communications or announcements from the Leader of the Council**

The Leader provided an update on Stronger Somerset. The business case had been submitted on the 9th December 2020. District Leaders had also met with Luke Hall MP, the responsible minister about the business case. The consultation was likely to start in February with a decision by the Secretary of State prior to the summer recess. The Leader promised to keep Councillors updated.

102. **To receive any questions from Councillors in accordance with Council Procedure Rule 13**

No questions had been submitted under Council Procedure Rule 13.

103. **Petition - Skate Park Request**

The petitioner, Mr Jack Collins, had the following statement read out on his behalf;

“My name is Jack Collins and I am 11 years old and I live in Galmington. I love scooting, riding my BMX and skating with my friends, we don't have any skate parks near us and have to go to Hamilton and other places to skate. I would really love it if we could have some ramps put into one of the parks in Galmington so we don't have to travel. All of my friends, all of their friends and people who live in Galmington have signed the petition and would really love to have a skate park here too, lots of people have also said they would be happy to help with looking after it and keeping it clean and tidy. Some people have also said they would sponsor it too, if we needed the money. There are lots of parks here where we can play football but not much else, there is lots of space in the Gill Crescent Park and the Galmington playing fields. Please help us to get some ramps, we will look after it and it will help us practise and it will get used lots.”

During the discussion, the following points were raised:-

- The Portfolio Holder for Sports, Parks and Leisure thanked the petitioner for his tremendous efforts in trying to get a Skate Park in his area. The Portfolio Holder would like to see this moved forward and proposed a resolution that this issue be further investigated. There were issues the petitioner was aware of, such as costs/funding and the location.
- This was supported but the need for a timeframe to return was also suggested.
- Ward Councillors commented positively on the determined efforts of the petitioner since his contact with them in June. They had contacted officers and the Portfolio Holder to try and identify the best way of achieving this goal. They had asked the petitioner and his family to identify a park, set up

an action group and evidence the support in the community, identify where the funding was going to come from, work with the parish and ward councillors to seek support, and finally for a feasibility study to include management and safety standards. They encouraged councillors to support this grassroots initiative. Officers were encouraged to look at Government or sector support.

- Contact with the Friends of Galmington Playing Fields was suggested.
- A resident had raised a concern over proximity to housing due to the noise issues.
- This issue would need to be raised with the Trustees of the Galmington Playing Field.
- A suggestion was made for SWT to investigate pop-up skating facilities during the summer holidays in the meantime whilst a more permanent solution was investigated.

RESOLVED to refer the matter for further investigation, requesting officers to return within six months with further detail on the proposals.

104. **Decisions taken under the urgency rules regarding the Car Parking Christmas Charging 2020 (to note only)**

The report was introduced by the Portfolio Holder for Planning and Transportation, Councillor Mike Rigby.

During the discussion, the following points were raised:-

- A query was raised around the late timing of this decision, despite the effect of Covid-19.
- The Portfolio Holder confirmed that the uncertainty of the lockdown was the main reason as was detailed in the report, however the officers in the Car Parking team would also be inviting those towns and villages that required changes around Christmas to submit their requests by September of next year.
- It was raised as to the need for longer-term strategic thinking for short-stay car parking in places where owning a car was essential.
- The Portfolio Holder confirmed a review of the parking strategy was underway and part of that would include a one hour free trial.
- Councillors raised concerns around the lack of clear signage and members of the public continuing to keep paying, and the 3pm timing was perhaps too late in the day.

RESOLVED that the Council noted the decision made to suspend parking charges as detailed in 4.5 - 4.8 of the report on the three Saturdays leading up to Christmas and Sunday 6th December in Dulverton.

105. **Decisions taken under the urgency rules regarding the Test and Trace Payments Scheme (to note only)**

The report was introduced by the Portfolio Holder for Corporate Resources, Councillor Ross Henley.

During the discussion, the following points were raised:-

- The seconder, Cllr Smith-Roberts commended the cross-district working involved with Sedgemoor District Council to ensure consistency.
- Following a query on the take-up officers confirmed that the mandatory element of the scheme had seen 82 successful applications and 81 discretionary applications which was considered comparatively low as Government had predicted
- Clarity was sought on the eligibility for multiple payments per household?
- Officers confirmed that the initial discretionary scheme did allow for more than one payment per household however, due to the very limited funding for this, when extra funding for the discretionary scheme was received, it was decided to tighten up the eligibility to a single household.
- The Chair of Scrutiny stated that he had been consulted before the emergency decision had been made and was glad that the officers were able to get this launched so quickly in the circumstances.

RESOLVED that the Council noted the urgent decision made, relating to agreeing the eligibility criteria for the discretionary element of the Test and Trace Payment Scheme recently introduced by Government to support the response to the Covid 19 crisis.

106. **Decisions taken under the urgency rules regarding the Additional Restrictions Grant Scheme**

The report was introduced by the Portfolio Holder for Asset Management and Economic Development Councillor Marcus Kravis.

During the discussion, the following points were raised:-

- The Chair of Scrutiny confirmed he was impressed with the schemes and how quickly they had been set up, and confirmed the need for urgency and had been happy to sign this off.
- The officers were commended for their hard work.
- It was urged that the total amounts of grants related to Covid-19 were being totalled and The Portfolio Holder confirmed these amounts were being tracked.
- The s151 Officer drew attention to an error in the recommendations as written on the page and this amendment was read out to the meeting and accepted by the proposer and seconder.
- Councillor Pugsley declared a pecuniary interest in regard to Item 11 – Additional Restrictions Grant Scheme and did not speak or vote on the item.

RESOLVED that the Council;

- 1) Noted the decision made by the Chief Executive on 23 November 2020 under paragraph 5 of the Budget and Policy Framework within the Council's Constitution in relation to the release of funds to the Additional Restrictions Grant Scheme.

- 2) To reflect this new expenditure within the approved Budgets for the current year and next year, Council:
 - a) Approved the creation of an Additional Restrictions Grant supplementary budget of £1,085,800 in 2020/21 and £2,016,500 in 2021/22, fully funded by £3,102,300 Government Grant income received in 2020/21;
 - b) Delegated authority to the S151 Officer to transfer the unspent balance of the £3,102,300 government grant income into an Additional Restrictions Grant earmarked reserve at the end of 2020/21 to fund ARG expenditure in 2021/22;
 - c) Delegated authority to the S151 Officer to carry forward or bring forward the budget amounts between the two financial years to reflect timing of expenditure within the overall budget total of £3,102,300 across the two years.
- 3) Agreed that decisions to reopen the scheme and to make any amendments to the scheme in response to changes to restrictions are delegated to the Portfolio Holder for Asset Management and Economic Development and the Director of Development and Place.

Councillor Palmer registered an absence.

107. **Council Tax Support Scheme for 2021/22**

The report was introduced by the Portfolio Holder for Corporate Resources, Councillor Ross Henley.

Councillor Habgood declared a pecuniary interest and would not vote on this item.

RESOLVED that the current Council Tax Support scheme for working age customers be retained for 2021/22.

108. **Revised Political Allocation of Committee Seats**

The report was introduced by the Leader of the Council, Councillor Federica Smith-Roberts.

The Governance Manager and Monitoring Officer clarified that the Group Leader for the Conservatives had notified her that Cllr Trollope-Bellew and Cllr Hadley would take the two Conservative seats on the Licensing Committee. She also notified Councillors that Cllr Janet Lloyd replaced Cllr K Durdan on Licensing Committee. Cllr R Tully replaced Cllr D Wedderkopp on the Scrutiny Committee. There were a couple of vacancies and if these could be notified to Governance as soon as possible.

During the discussion, the following points were raised:-

- The Leader of the Independents stated that Cllr L Whetlor would be taking up the vacant Independent's seat on the Licensing Committee and Cllr Sue Buller would be replacing Cllr John Hunt on the Scrutiny Committee.
- Councillors requested further clarity on the changes that had taken place.
- The Governance Manager clarified that the Independents and Greens have one more seat than they had previously, with the Conservatives having one less seat which effected the make-up of the Licensing Committee.

RESOLVED that the Council approved the revised:

- a) Political allocation as attached (Appendix A)
- b) Councillor appointments to Committees (Appendix B)

109. **Somerset EV Charging Strategy**

The report was introduced by the Portfolio Holder for Climate Change, Cllr Peter Pilkington.

During the discussion, the following points were raised:-

- It was good to see the progress being made, and the roll-out of locations for charging points in public spaces such as Council Car Parks needed to be prioritised. A focus on delivery was considered key.
- Disappointment was voiced that the recommendation from the Scrutiny Committee for further detail on how the strategy would be delivered was not provided. Officers clarified that a section was added to the report after Scrutiny to add this further detail.
- The provision of Semi-Public Rapids was commented as uneven across the four Districts in Somerset, with South Somerset having more than others. It was clarified that these were market led and installed on the basis of demand.
- Clarification was sought on properties that had already installed EV charging points to the bare minimum specification, with concerns arising over incorrect cabling and unsuitable locations. It was urged that if this became Planning Policy this was enforced to ensure it was usable and meaningful. Officers commented that the District Council at the moment would rely on the County Council's Travel Planning and Parking Guidance, which was in the process of being updated and which this document would help inform.
- It was queried that the Equality and Diversity implications did not mention accessibility of design, which was considered a fundamental aspect. There was emerging guidance on this and reassurance that this would be considered was sought and officers confirmed this would be the case.

RESOLVED that the Somerset Electric Vehicle Charging Strategy was adopted and brought forward into the Council's Carbon Neutrality and Climate Resilience Action Plan.

110. **2020-21 In Year Revenue and Capital Budget Approvals**

The report was introduced by the Portfolio Holder for Corporate Resources, Councillor Ross Henley.

During the discussion, the following points were raised:-

- Officers would provide a written answer to clarify on the successful status of the grant funding to protect key heritage sites in Wellington as detailed in the report.
- Clarification was sought on the Employment Site enabling and allocation and why £200,000 had been removed, leaving £100,000.
- Officers clarified that there was no business case attached for the £200,000 hence its removal, and believed the £100,000 was allocated for the Digital Innovation Centre.
- Concerns were expressed that this was a report at matters up to September 2020 and was not timely.
- Officers clarified that this report was scheduled as early as possible in the normal calendar of meetings.

RESOLVED that Full Council;

1. Approved a supplementary estimate of £657,000 from General Reserves to fund the estimated overspend related to COVID.
2. Approved the realignment of budgets for COVID related income and expenditure to offset the reported variances that net off to zero when including the £657,000 in 2.1 above. In addition, Council also approves delegated authority to the CEO and S151 Officer to further realign affected budgets during the year in view of potential volatility in forecasts due to COVID.
3. Approved the reallocation of reserves to provide increased resilience and flexibility to mitigate COVID related financial pressures, and to support the Revenue Budget in the medium term, as follows:
 - (a) To transfer £3.949m of New Homes Bonus reserve to General Reserves, and agree alternative financing for relevant capital schemes through Community Infrastructure Levy and borrowing as set out in paragraph 7.5.
 - (b) To transfer £1.0m from the Business Rates Volatility Reserve to General Reserves.
4. Approved amended Community Infrastructure Levy (CIL) Allocation Principles as set out in paragraph 7.9.
5. Approved changes to the General Fund Capital Programme by a total of - £1.370m for the following headings as referred in paragraph 7.3:

- a) £295,000 reduction to Major Transport Schemes budget from NHB-funded programme
 - b) £375,000 reduction to remove budget for Creech Castle Road Improvements contribution from NHB-funded programme
 - c) £200,000 Reduction to Employment Site Enabling schemes budget from NHB-funded programme
 - d) £1,000,000 reduction to Public Transport Improvements budget from NHB-funded programme as Housing Infrastructure Fund bid not successful
 - e) £500,000 increase to Education Provision budget funded by Community Infrastructure Levy.
6. Approved the revised Budget Total for the Growth Programme of £3.56m to be funded by New Homes Bonus as set out in para 7.6 Table 3, and CIL-funded Infrastructure Capital Programme totalling £16.262m as set out in para 7.10 Table 4.
7. Approved a supplementary estimate to the Capital Programme, in 2020/21, for grant-funded repairs at Toneworks in Wellington up to £500k, which is the maximum value of the grant funding applied for from the Historic England.

Councillors Buller, Habgood and Whetlor abstained from the vote.

111. **Motion on Fireworks**

In the absence of Councillor Mark Lithgow, the motion was proposed by Councillor Sarah Wakefield and seconded by Councillor Caroline Ellis.

Councillor Wakefield stated that it was an RSPCA based motion and had been an issue she had raised last year and was now keen to see implemented. As the Environmental Services Portfolio Holder she had requested officers to amend the wording to reflect the Council's restricted ability to enforce. The decibel requirement was also considered unrealistic.

Councillor Ellis strongly supported the motion and whilst fireworks were fun, their responsible use should be encouraged. These practical steps were for the Environmental Health and Communications teams to implement, and to lobby the Government to take action.

During the discussion, the following points were raised:-

- A comment was made that considered the motion somewhat frivolous, with many of the actions already being undertaken as commercial events.
- Concern was raised on adding existing workload to the Council's officers in the various departments.
- Councillors raised that they had received many emails from their constituents with issues caused to pets and livestock.
- It was commented that public opinion on this matter was shifting, and whilst the motion did not affect a large material change without power to

enforce, it added to the weight of growing concern and helped raise public awareness and showed that resident's concerns were being listened to.

- Equine horses and rural businesses had raised concerns over an absence of notice of private firework displays.
- It was commented that the motion did not raise the dangerous risks associated with handling fireworks, especially in private.

RESOLVED that Full Council;

1. To strongly recommend and advise that all public firework displays within this local authority boundaries be advertised effectively at least 7 days in advance of the event, to allow our residents particularly those living in the vicinity to take precautions for their animals and vulnerable people.
2. To actively promote a public awareness campaign about the impact of fireworks on animal welfare, vulnerable people and our environment - including the precautions that can be taken to mitigate those risks.
3. To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks sold to the public for private displays in order to protect and safeguard animals and vulnerable people.
4. To encourage local suppliers of fireworks to stock 'quieter' fireworks for public display.

112. **Access to Information - Exclusion of the Press and Public**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

Councillor Mansell requested that he wished to raise certain matters on the following item in public session. He was also concerned more generally that the Investment Strategy was debated in secret, and due to its significance needed to be debated in the public.

113. **Commercial Investment Review**

The report was introduced by the Portfolio Holder for Corporate Resources, Councillor Ross Henley.

Councillors Mansell had attempted to propose an amendment to the motion, but this was ruled unconstitutional by the Monitoring Officer, due to a requirement in the Constitution that an amendment shall not have the effect of introducing a significantly different proposal or of negating the motion, which his proposal would have done.

RESOLVED that Full Council;

1. Received Part 1 of the report which is the review of the Commercial Property Investment activity and performance since the last report of the 07/07/20 as set out in Section 10.4 of the original strategy.
2. Received Part 2 of the report which is the first annual portfolio review of the Commercial Property Investment Strategy (CPIS) as set out in Section 11.1 of the original strategy.
3. Agreed the amendments set out in the review of the strategy as shown in Appendices 3 and 4.

114. **Re-admittance of the Press and Public**

The Chair invited the clerk to resume the broadcast of the meeting and allow the members of the press and public to resume viewing.

115. **To consider reports from Executive Councillors**

During the discussion, the following points were raised:-

- Councillor Stone question related to an individual planning matter decided in Stoke St. Gregory and the phosphates matter.
- Councillor Rigby maintained that Natural England were the expert lead on this and was happy to meet with Cllr Stone to discuss this further.
- The Monitoring Officer clarified that a response was being sent out on questions posed to her on this matter.
- Councillor Mansell questioned the Climate Strategy and the amendment made mentioning a multi-agency task force, however no other Councils in Somerset had included this in their final recommendations.
- Councillor Pilkington confirmed that SWT was the only Council to resolve this, though they were hoping to work with the County Council.
- Councillor Habgood asked the Portfolio Holder for Climate Change to confirm that the District Council was still committed to a joint approach on the Climate Strategy?
- Councillor Pilkington confirmed there had been some difficulties, but as far as he was aware the Council had not walked away and was still in negotiation with the other Districts and County Council.
- Councillor Whetlor questioned the e-scooters roll-out and wished to receive an update in due course.

(The Meeting ended at 10.15 pm)