

## MENDIP DISTRICT COUNCIL

Minutes of the meeting of Cabinet held on Monday, 6 February 2023 in the Council Chamber, Mendip District Council, commencing at 6.30 pm

### COUNCILLORS PRESENT:

Simon Carswell	Portfolio Holder for Economic Development
Garfield Kennedy	Portfolio Holder for Planning and Development Management
Liz Leyshon	Portfolio Holder for Corporate Services and Projects
Richard Pinnock	Portfolio Holder for Housing Services and Governance
Tom Ronan	Portfolio Holder for Strategic Policy and Climate Change
Heather Shearer	Portfolio Holder for Community Health and Services
Ros Wyke (Chair)	Leader of Mendip District Council

### OTHER COUNCILLORS PRESENT:

Councillors Michael Gay (online), Francis Hayden, Bente Height and Helen Kay (online)

### OFFICERS PRESENT:

Richard Bates	Interim Section 151 Officer
Stuart Brown	Chief Executive
Dave Burn	Interim Democratic Services Manager
Claire Dicken	Democratic Services Officer
Jacob Hall	Climate Change and Resilience Officer
Ally Laing	Senior Media and Communications Officer
Jo Milling	Senior Planning Policy Officer
Julie Reader-Sullivan	Head of Planning & Growth Services
Nick Ryder	Democratic Services Officer
Sara Skirton	Head of Corporate Services
Debbie Widdows	Democratic Services Officer

Agenda Item	Subject	Actioned by
1	<b>Chair's Announcements</b>  The Chair welcomed everyone to the meeting and set out the hybrid meeting procedures that Cabinet would follow.	

2	<p><b>Apologies for Absence</b></p> <p>Apologies for absence were received from Councillor Barry O’Leary.</p>	
3	<p><b>Declarations of Interest</b></p> <p>None.</p>	
4	<p><b>Public Participation</b></p> <p><b>a) Items on the agenda:</b></p> <p>Councillor Hasell, the Chair of Norton St Philip Parish Council, addressed Cabinet in relation to Item 8, regarding the Greenspace SPD.</p> <p>Mr Hasell added that the Parish Council supported the LPP2 and because of that support was unable to speak at the first round of hearings on the LPP2 despite requesting to do so. However, the developers who opposed the draft LPP2 were permitted to speak and objected to the LGS designations in the Norton St Philip Parish.</p> <p>It was stated that following the first round of hearings the Planning Inspector offered the Council two choices in terms of the LGS designations, one of which was to remove all LGS designations from LPP2. This was the course of action adopted by the Council much to the Parish Council’s disappointment. It was then highlighted that the Parish Council had adopted the same LGS designations, as contained with the LPP2, within the Parish’s Neighbourhood Plan. A plan that had been supported by Mendip District Council.</p> <p>Mr Hasell added that the Independent Examiner of the Parish’s draft Neighbourhood Plan supported the LGS designations. It was reported that the Examiner had visited and agreed with the LGS designations, as did the High Court and the Court of Appeal.</p> <p>Mr Hasell emphasised the importance of greenspaces to the Parish’s neighbourhood plan and highlighted the change to the greenspace definitions made by the Council, and the resultant changes to the sites across Mendip. It was reported that the Parish Council had scrutinised and commented on the Draft Greenspace SPD and, apart from some amendments to detail, strongly supported the principles contained within it.</p>	

The Leader thanked Mr Hasell for his comments and clarified that it was Planning Inspector who prevented the Parish from speaking at the first round of hearings not the Council.

**b) Items not on the agenda:**

Mr Hall addressed Cabinet regarding noise nuisance from the 2022 Glastonbury Festival.

Mr Hall advised that as a result of questions and a Freedom of Information request, we have now dragged the truth out of Mendip District Council about the noise nuisance from the 2022 Glastonbury Festival.

We added that we now know seven truths:

1. There were 43 noise complaints from 29 residents.
2. Before midnight on Friday, Saturday and Sunday officers observed at least six actual breaches of the License (under condition PN4).
3. The noise monitoring after midnight on Friday Saturday and Sunday and on Wednesday and Thursday, was informal and sporadic. Hence ineffective.
4. There is a loophole. Under condition PN1d, GFEL can simply request from the Licensing authority, without the need for a License variation, the use after midnight of a sound system greater than 12kW.
5. The noise condition PN2, which is there to protect residents from any audible and discernible sound has been unofficially downgraded – it now just needs to be an “unreasonable” sound which by your own omission cannot be enforced!
6. Our complaints about noise on Wednesday and Thursday, and overnight on Friday, Saturday and Sunday are still not addressed.
7. You are in discussion GFEL on how to control low frequency noise at the 2023 and future Festivals.

My conclusions:

1. Your 2022 Glastonbury Festival de-brief report glossed over the noise nuisance.

2. In the area of prevention of noise nuisance, your cooperative approach with GFEL is not leading to improvements.
3. Continuous monitoring of sound needs to be extended and needs to be independent of the License holder.
4. Formal controls on low frequency ('bass') noise – the so called dBC limits – need to be implemented without delay.
5. I will directly contact the new Unitary Authority and seek assurances that these issues will be addressed ahead of this year's Festival.

On another Licensing matter:

On 22 November 2022, Members of the Scrutiny Board expressed concerns about overcrowding and crushing at the 2022 Festival. They expressed strong views about the number of people on the site and their distribution.

Last week's Licensing Board was cancelled and so I can only ask you this question:

Is the Licensing Authority satisfied that it has done everything possible to prevent overcrowding, crushing or something worse at this year's Festival?

Ms Caroline Griffiths, a resident of Pilton, was then invited to address Cabinet, also in relation to the 2022 Glastonbury Festival.

Cabinet was advised that Ms Griffiths wished to highlight her perception of the way the Council dealt with the protection of residents.

Ms Griffiths stated that amongst other things, licensing conditions were there to protect residents from nuisance. Ms Griffiths was of the view that the necessary controls had failed and attended Scrutiny Board in November 2022, to highlight her concerns. These included:

- Repeated occurrences of loud base beat music until 4 am throughout the festival period.
- The direction of traffic through Pilton on narrow roads, whilst being advised that GFEL would look at alternative routes.

Ms Griffiths informed Cabinet that residents had been given assurances which had not been delivered.

	<p>Additionally, promises regarding controls, such as 24-hour helplines, had not been implemented.</p> <p>Ms Griffiths stated that Scrutiny Board had been informed there were no material breaches, which Ms Griffiths refuted. Additionally, Ms Griffiths was of the view that that monitoring had not been undertaken during the curfew time.</p>	
<b>5</b>	<p><b>Previous Cabinet Minutes</b></p> <p>Councillor Shearer and Councillor Leyshon proposed that the Minutes of the meetings held on 7 November 2022 and 5 December 2022, be approved as accurate records of those proceedings.</p> <p><b>RESOLVED:</b></p> <p>That the Minutes of the meetings held on 7 November and 5 December, be approved as accurate records of the proceedings.</p>	<b>Claire Dicken</b>
<b>6</b>	<p><b>Questions from Members</b></p> <p>No questions were submitted.</p>	
<b>7</b>	<p><b>Update Report on Mendip District Council's Civic Site Emissions</b></p> <p>The Portfolio Holder for Strategic Policy and Climate Change introduced the report which provided an update on the carbon emissions from the Council's Civic site and how it compared to the emissions pathway, as set out in the Carbon Management Plan.</p> <p>It was noted that the report covered the period from April 2021 to March 2022.</p> <p>A number of points were raised during the debate, as follows:</p> <ul style="list-style-type: none"> <li>• There was a need to learn lessons from the closure of offices during COVID to maximise energy efficiency, which may require staff training.</li> <li>• Gas consumption and identifying alternative green suppliers was a challenge and the Council should consider its own mitigations.</li> </ul>	<b>Jacob Hall</b>

	<ul style="list-style-type: none"> <li>• That where offsets such as tree planting were implemented, maintenance should be included.</li> </ul> <p>Cabinet was informed that officers would seek to maximise reductions before mitigations were considered and that mitigations would be local.</p> <p>It was commented that metrics for homeworking were being established and likely to be included going forward.</p> <p><b>RESOLVED:</b></p> <p>That the contents of the report and how Mendip District Council is performing against its Emissions pathway be noted.</p>	
8	<p><b>Greenspace Supplemental Planning Document (SPD)</b></p> <p>The Portfolio Holder for Planning and Development Management introduced the report, which sought the adoption of Supplementary Planning Document (SPD) covering local greenspaces.</p> <p>The document provided guidance on the interpretation of adopted Local Plan Policies DP1, DP2 and DP16 for greenspaces. It also referred to an Audit of local greenspace, to be published alongside the SPD.</p> <p>The Chair highlighted that she represented a community who believed the report was adding to, not replacing the greenspaces initially made and sought clarification. Officers advised that the full audit whilst not contained within the report was available on the website. It was highlighted that the report covered additions.</p> <p>Officers advised that greenspaces categorised under policies DP2 and DP16 had a higher level of protection. For greenspaces falling within policy DP1, an assessment would be required on the effect any proposed development would have on the character and local distinctiveness of the area.</p> <p>Officers felt there would be opportunities to include new Spaces, where it was felt some had been missed, and that there would need to a formal review process.</p> <p>In terms of the protection afforded to the identified spaces, Cabinet was advised that the designation would help in assessing whether harm was going to be created by any proposed developments to the sites listed. It was confirmed that that the designation highlights the role of</p>	Jo Milling

	<p>the open space in creating the character and the local distinctiveness. For open areas of local significance, it was reported that it there was now a description of the value of open areas of local significance. Ultimately, this should be seen as a tool to allow for an assessment to be made as to whether there is harm, what that harm is likely to be and for developers to determine whether they can work around those parameters or not.</p> <p>Councillor Kennedy proposed that the recommendations in the report be agreed. This was seconded by Councillor Pinnock. The motion was put to the vote and declared to be carried.</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1. That the “SPD for Greenspace”, as amended following consultation, be adopted.</li> <li>2. That the Audit of Greenspaces, as amended following consultation, be approved as an evidence base.</li> </ol> <p>Councillor Wyke requested that her abstention from the resolutions above be recorded.</p>	
<p><b>9</b></p>	<p><b>Urgent Business</b></p> <p>There was none.</p>	

<p><b>10</b></p>	<p><b>Exclusion of the Press and Public</b></p> <p>Councillor Kennedy proposed that the press and public be excluded for the remainder of the meeting for the reasons specified in the report. This was seconded by Councillor Leyshon. The motion was put to the vote and declared to be carried unanimously.</p> <p><b>RESOLVED:</b></p> <p>That the press and public from the remainder of the meeting during discussion of items 11 on the grounds that exempt information (as defined in Schedule 12A to the Local Government Act 1972, as amended) of the following description is likely to be disclosed:</p> <p>Category 3                      Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p>	<p><b>ALL</b></p>
<p><b>11</b></p>	<p><b>Previous Minutes Exempt Element</b></p> <p>Councillor Shearer proposed that the Exempt Minutes of the meeting held on 7 November 2022 be approved as an accurate record. This was seconded by Councillor Leyshon. The motion was put to the vote and declared to be carried unanimously.</p> <p><b>RESOLVED:</b></p> <p>That the Exempt element of the minutes of the Cabinet meeting held on 7 November 2022 be approved as an accurate record.</p>	<p><b>Claire Dicken</b></p>

The meeting closed at approximately 8.07 pm.