

South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Thursday 21 May 2015** in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT.

(7.30 pm - 9.10 pm)

Present:

Members: Councillor Mike Best (Chairman)

Clare Aparicio Paul	Kaysar Hussain	Dean Ruddle
Jason Baker	Tim Inglefield	Alan Smith
Cathy Bakewell	Val Keitch	Rob Stickland
Marcus Barrett	Andy Kendall	Wes Read
Mike Beech	Jenny Kenton	David Recardo
Neil Bloomfield	Mike Lewis	Jo Roundell Greene
Amanda Broom	Sarah Lindsay	Sylvia Seal
Dave Bulmer	Mike Lock	Gina Seaton
Tony Capozzoli	Tony Lock	Peter Seib
John Clark	Paul Maxwell	Garry Shortland
Nick Colbert	Sam McAllister	Angie Singleton
Adam Dance	Graham Middleton	Sue Steele
Gye Dibben	David Norris	Andrew Turpin
Sarah Dyke-Bracher	Graham Oakes	Linda Vijeh
John Field	Sue Osborne	Martin Wale
Nigel Gage	Tiffany Osborne	Nick Weeks
Carol Goodall	Ric Pallister	Colin Winder
Anna Groskop	Stephen Page	Derek Yeomans
Peter Gubbins	Shane Pledger	
Henry Hobhouse	Crispin Raikes	

Officers

Rina Singh	Strategic Director (Place & Performance)
Vega Sturgess	Strategic Director (Operations & Customer Focus)
Ian Clarke	Assistant Director (Legal and Corporate Services)
Donna Parham	Assistant Director (Finance & Corporate Services)
Kim Close	Assistant Director (Communities)
Emily McGuinness	Scrutiny Manager
Angela Cox	Democratic Services Manager

1. Election of Chairman (Agenda Item 1)

Councillor Ric Pallister, seconded by Councillor Jo Roundell Greene, nominated Councillor Mike Best as Chairman of the Council.

Councillor Martin Wale, seconded by Councillor Colin Winder, nominated Councillor Linda Vijeh as Chairman of the Council.

A vote was taken and Councillor Mike Best was declared elected as Chairman of the Council (voting: Mike Best: 31, Linda Vijeh: 28). It was therefore:

RESOLVED: that Councillor Mike Best be elected as Chairman of the Council for the Municipal Year 2015/2016.

Following his appointment Councillor Best read and signed the formal declaration of acceptance of office, and thanked Members for their support.

2. Appointment of Vice-Chairman (Agenda Item 2)

Councillor Tim Inglefield, seconded by Councillor Sue Osborne, nominated Councillor Linda Vijeh as Vice Chairman of the Council.

Councillor Dave Bulmer, seconded by Councillor Peter Gubbins, nominated Councillor Tony Capozzoli as Vice Chairman of the Council.

A vote was taken and Councillor Tony Capozzoli was declared elected as Vice Chairman of the Council (voting: Tony Capozzoli: 31, Linda Vijeh: 26). It was therefore:

RESOLVED: that Councillor Tony Capozzoli be appointed as Vice-Chairman of the Council for the municipal year 2015/2016.

Following his appointment Councillor Capozzoli read and signed the formal declaration of acceptance of office.

3. Apologies for Absence (Agenda Item 3)

Apologies for absence were received from Councillor William Wallace and Mark Williams, Chief Executive.

4. Minutes (Agenda Item 4)

The minutes of the meeting held on the 5th March 2015, copies of which had been previously circulated, were approved as a correct record of the meeting and signed by the Chairman.

RESOLVED: that the minutes of the Council meeting held on 5th March 2015 be approved as an accurate record of the meeting.

5. Declarations of Interest (Agenda Item 5)

Councillor Colin Winder advised that as a member of Wincanton Town Council, he was an appointed Trustee of Access for All, which was mentioned in the appointments to outside bodies in Agenda item 8.

6. Public Question Time (Agenda Item 6)

There were no questions from members of the public present.

7. Chairman's Engagements (Agenda Item 7)

The Chairman paid tribute to the District Councillors who had not sought re-election to a further term of office and he thanked them for their past service to the district.

The Chairman then asked Members to stand for a moment of reflection for staff member, David Rice, whose funeral had taken place that day. He asked that ex Councillors June Wood (Alderman) and Lesley Boucher (SSDC representative on the Board of Governors for Yeovil District Hospital) also be remembered as they had recently passed away. Council then stood for a moment of reflection.

The list of Chairman's Engagements was noted.

8. Appointment of Member Level Bodies 2015/16 (Agenda Item 8)

The Chairman explained the procedure to be followed on this item. He said that he intended to take each of the recommendations in turn. Each of the Area Committees appointed their own chairmen and vice-chairmen and he would adjourn the Council meeting to allow the committees to meet and make these appointments.

Each of the recommendations was taken in turn.

Recommendation (1) - Appointment of Leader of the Council

Councillor Ric Pallister was proposed by Councillor David Recardo and seconded by Councillor Jo Roundell Greene. There being no other nominations it was:

RESOLVED: that Councillor Ric Pallister be appointed as Leader of the Council for a period of four years, starting on the day of his election and ending on the day of the post 4-year Council election annual meeting.

Recommendation (2) - Appointment of Deputy Leader of the Council

Councillor Ric Pallister appointed Councillor Jo Roundell Greene as Deputy Leader of the Council. It was therefore:

RESOLVED: that Councillor Jo Roundell Greene be appointed as Deputy Leader of the Council to hold office (subject to Article 7.03) until the end of the term of office of the Leader.

Recommendation (3) - Appointment of District Executive Committee

The Leader of the Council moved the recommendation that the District Executive Committee be re-established. It was therefore:

RESOLVED: that Council establish the District Executive Committee with the terms of reference as set out in Appendix A and with the powers and functions as set out in Part 3 of the Council's Constitution.
(Voting: unanimous in favour)

Recommendation (4) - Appointment of membership of District Executive Committee

The Leader then appointed a further four strategic Portfolio Holders and allocated their Portfolio responsibilities as indicated.

It was noted that the four Area Committee Chairmen would be appointed by the members of each Area Committee at recommendation 7.

RESOLVED: that the Leader appointed the following Members and Portfolio responsibilities for 2015/16;

Ric Pallister	Lib Dem	Leader: Strategy and Policy (including Strategic Housing, Local Strategic Partnership, Human Resources, Efficiencies, Performance, Public Access).
Jo Roundell Greene	Lib Dem	Deputy Leader and Vice-Chairman of the Executive: Environment and Economic Development (including, Regeneration, Streetscene, Waste, Tourism, Equalities and Diversity)
Sylvia Seal	Lib Dem	Leisure and Culture (including Sport, Arts, Countryside, Health and Well-Being, Third Sector, Operational Housing and Welfare).
Angie Singleton	Lib Dem	Strategic Planning (Place Making) , (including Development Management, Area Development, Market Town Investment Group, Somerset Waste Partnership)
Henry Hobhouse	Lib Dem	Property and Climate Change (including Strategic Transport, Property & Engineering, ICT and GIS.)
Peter Seib	Lib Dem	Finance and Legal Services , (including Strategic Car Parking, Income, Revenues & Benefits, South West Audit Partnership and Procurement)
Peter Gubbins	Lib Dem	Area South Chairman (Yeovil Vision, Community Safety, Licensing, Crematorium)
Carol Goodall	Lib Dem	Area West Chairman (Environmental Health, Health and Safety, Democratic Services, Member Training)
Shane Pledger	Cons	Area North Chairman (Building Control, Listed Buildings)
Nick Weeks	Con	Area East Chairman (Civil Contingencies, Heritage)

Recommendation (5) – Re-establishment and Appointment other member level bodies for 2015/16

RESOLVED: that the following member-level bodies be re-established for 2015/16:

Scrutiny Committee (14 members)

Audit Committee (10 members)

4 Area Committees (geographical representation)

Regulation Committee (14 members)

Licensing Committee (15 members)

Appointments Committee (8 members)

Standards Committee (6 District Council members plus 5 co-optees)

(Voting: unanimous in favour)

Recommendation (6) - Appoint Members to Member-Level Bodies

In response to a question, the Assistant Director (Legal and Corporate Services) confirmed that the Audit Committee and Standards Committee could be a 50/50 split of seats between the Liberal Democrat and Conservative Councillors with no Independent representative, however, having regard to the nature of the work of these Committees it was proposed that there be one. It was also felt that an Independent representative was more important on the Appointments Committee although the proportionality did not quite add up.

Councillor Tim Inglefield proposed that the balance be equal on the Audit and Standards Committees. This was seconded by Councillor David Norris and on being put to the vote, was carried (voting: 28 in favour, 16 against, 9 abstentions).

RESOLVED: that the memberships of the bodies established as in recommendation (5) be approved as follows for 2015/16 having regard to the principles of political balance as set out in the report and giving effect to the wishes of the party political groups:

Area North Committee 13 members (exempt from political balance)

Adam Dance	Lib Dem	
Stephen Page	Lib Dem	
Crispin Raikes	Lib Dem	
Jo Roundell Greene	Lib Dem	
Sylvia Seal	Lib Dem	
Clare Aparicio Paul	Conservative	
Neil Bloomfield	Conservative	
Graham Middleton	Conservative	
Tiffany Osborne	Conservative	
Shane Pledger	Conservative	Chairman
Dean Ruddle	Conservative	Vice Chairman
Sue Steele	Conservative	
Derek Yeomans	Conservative	

Area South Committee 19 members (exempt from political balance)

Cathy Bakewell	Lib Dem	
John Clark	Lib Dem	
Peter Gubbins	Lib Dem	Chairman
Kaysar Hussain	Lib Dem	
Andy Kendall	Lib Dem	
Mike Lock	Lib Dem	
Tony Lock	Lib Dem	
Graham Oakes	Lib Dem	
Wes Read	Lib Dem	
David Recardo	Lib Dem	Vice Chairman
Peter Seib	Lib Dem	
Alan Smith	Lib Dem	
Rob Stickland	Lib Dem	
Gye Dibben	Conservative	
John Field	Conservative	
Nigel Gage	Conservative	
Sarah Lindsay	Conservative	
Sam McAllister	Conservative	
Gina Seaton	Conservative	

Area East Committee 12 members (exempt from political balance)

Sarah Dyke Bracher	Lib Dem	
Henry Hobhouse	Lib Dem	
Tony Capozzoli	Independent	
Mike Beech	Conservative	
Nick Colbert	Conservative	
Anna Groskop	Conservative	
Tim Inglefield	Conservative	
Michael Lewis	Conservative	Vice Chairman
David Norris	Conservative	
William Wallace	Conservative	
Nick Weeks	Conservative	Chairman
Colin Winder	Conservative	

Area West Committee 16 members (exempt from political balance)

Jason Baker	Lib Dem	
Mike Best	Lib Dem	
Carol Goodall	Lib Dem	Chairman
Val Keitch	Lib Dem	
Jenny Kenton	Lib Dem	Vice Chairman
Paul Maxwell	Lib Dem	
Ric Pallister	Lib Dem	
Garry Shortland	Lib Dem	

Angie Singleton	Lib Dem
Dave Bulmer	Independent
Andrew Turpin	Independent
Marcus Barrett	Conservative
Amanda Broom	Conservative
Sue Osborne	Conservative
Linda Vijeh	Conservative
Martin Wale	Conservative

Audit Committee

(10 members,)

LD5, C5

10 members (political balance)

Jason Baker	Lib Dem	
Cathy Bakewell	Lib Dem	
Mike Best	Lib Dem	
Val Keitch	Lib Dem	
Tony Lock	Lib Dem	Vice Chairman
Vacancy	Conservative	
Graham Middleton	Conservative	
David Norris	Conservative	
Colin Winder	Conservative	
Derek Yeomans	Conservative	Chairman

Standards Committee

(6 members,)

LD3, C3

6 members (political balance)

Val Keitch	Lib Dem	Vice Chairman
Paul Maxwell	Lib Dem	
Angie Singleton	Lib Dem	
Vacancy	Conservative	
Neil Bloomfield	Conservative	
Anna Groskop	Conservative	Chairman

Plus 3 parish representatives and 2 independent representatives:

Godfrey Townrow	Parish Rep
Elizabeth Glaisher	Parish Rep
Vacancy	Parish Rep
Christopher Borland	Independent
Peter Forrester	Independent

Regulation Committee

LD7, C6, I1

14 members (political balance)

Mike Best (W)	Lib Dem	
Sarah Dyke Bracher (E)	Lib Dem	
Peter Gubbins (S)	Lib Dem	Chairman
Graham Oakes(S)	Lib Dem	
David Recardo(S)	Lib Dem	
Sylvia Seal (N)	Lib Dem	
Angie Singleton (W)	Lib Dem	Vice Chairman
Tony Capozzoli (E)	Independent	
Sue Osborne (W)	Conservative	
Shane Pledger (N)	Conservative	

Clare Paul (N)	Conservative
Dean Ruddle (N)	Conservative
Gina Seaton (S)	Conservative
Nick Weeks (E)	Conservative

Licensing Committee 15 members (exempt from political balance)

Jason Baker	Lib Dem	
Val Keitch	Lib Dem	
Jenny Kenton	Lib Dem	
Tony Lock	Lib Dem	
Crispin Raikes	Lib Dem	
Wes Read	Lib Dem	
David Recardo	Lib Dem	Vice Chairman
Garry Shortland	Lib Dem	
Alan Smith	Lib Dem	
Dave Bulmer	Independent	
Neil Bloomfield	Conservative	
David Norris	Conservative	
Clare Aparicio Paul	Conservative	
Linda Vijeh	Conservative	
Martin Wale	Conservative	Chairman

Appointments Committee 8 members (political balance)

LD4, C3, I1	Ric Pallister	Lib Dem	Chairman
	Jo Roundell Greene	Lib Dem	Vice Chairman
	Sylvia Seal	Lib Dem	
	Angie Singleton	Lib Dem	
	Andrew Turpin	Independent	
	Tim Inglefield	Conservative	
	Martin Wale	Conservative	
	Colin Winder	Conservative	

Scrutiny Committee 14 members (political balance)

2 Vice-Chairmen	Jason Baker	Lib Dem	
LD7, C6, I1	John Clark	Lib Dem	Vice-Chairman
	Val Keitch	Lib Dem	
	Tony Lock	Lib Dem	
	David Recardo	Lib Dem	
	Garry Shortland	Lib Dem	
	Rob Stickland	Lib Dem	
	Dave Bulmer	Independent	Vice-Chairman
	Gye Dibben	Conservative	
	Sue Osborne	Conservative	
	Tiffany Osborne	Conservative	
	Clare Aparicio Paul	Conservative	
	Sue Steele	Conservative	Chairman

Recommendation (7) - Chairmen and Vice-Chairmen of Member-Level Bodies

(The Council meeting was then adjourned to allow the Area Committees to meet to appoint their own Chairmen, who would then be members of the District Executive as detailed in resolution (4), and Vice-Chairmen).

RESOLVED: that the Chairmen and Vice-Chairmen of the bodies listed under recommendations (6) above be approved for 2015/16 as shown in that resolution.

Recommendation (8) - Terms Of Reference

RESOLVED: that the bodies appointed under recommendation (5) above will operate in accordance with their existing terms of reference (as attached at Appendix A to the report) and the scheme of delegation set out in Part 3 of the Constitution.

(Voting: unanimous in favour)

Recommendation (9) - Appointment to Council Wide Panels And Partnerships

RESOLVED: that the following appointments be made to Council wide panels and partnerships as listed in paragraph 3 of the report:

Appeals Panel	8 members (political balance)		
LD4, C3, I1	Jason Baker	Lib Dem	
	Peter Gubbins	Lib Dem	
	Val Keitch	Lib Dem	
	Peter Seib	Lib Dem	
	Tony Capozzoli	Independent	
	David Norris	Conservative	
	Shane Pledger	Conservative	
	Linda Vijeh	Conservative	
South Somerset Together (LSP)	Ric Pallister	Lib Dem	(Plus Area Chairmen are automatically members of the LSP)
South West Internal Audit Partnership	Derek Yeomans	Cons	
Housing and Exceptions Appeals Panel	Jo Roundell Greene	Lib Dem	

Ric Pallister Lib Dem

Police and Crime Panel Martin Wale Cons

Somerset Waste Board Jo Roundell Greene Lib Dem

Angie Singleton Lib Dem

PATROL (Parking and Traffic regulations outside London) Joint Committee Tony Lock Lib Dem

Somerset Growth Board Jo Roundell Greene Lib Dem

Recommendation (10) - Appointment to Outside Bodies

The Leader of Council advised that the appointment of representatives to the Parrett Drainage Board and the Somerset Water Management Partnership would be deferred for further discussion between the 3 Group Leaders as the appointments were key to the delivery of the Somerset Flooding Summit recommendations.

RESOLVED: it was agreed to appoint members to the Council wide outside bodies as listed below and note that all other appointments to outside bodies would be made by the Area Committees for area specific issues.

Organisation	Councillor Appointed for 2015/16	Party
Board of Governors for Yeovil District Hospital NHS Foundation Trust	David Recardo	Lib Dem
Board of Governors for Musgrove Park Hospital NHS Foundation Trust	Sue Steele	Cons
LGA General Assembly	Ric Pallister	Lib Dem
LGA Gypsy Working Group	Ric Pallister	Lib Dem
Parrett Drainage Board	To be agreed	
South West Provincial Employers	Colin Winder	Cons
South West Councils	Sylvia Seal	Lib Dem
Health & Well-Being Board	Sylvia Seal	Lib Dem
Somerset Water Management Partnership	To be agreed	
Somerset Building Preservation Trust	Shane Pledger	Cons
Somerset Rivers Authority	Ric Pallister	Lib Dem
Access for All	Mike Lock	Lib Dem

Recommendation (11) - Members' Allowances Panel

RESOLVED: to NOTE that the membership of the Council's independent Members' Remuneration Panel.

(Voting: unanimous in favour)

Recommendation (12) – Continuation of Council Procedure Rule 40 (B)

RESOLVED: to AGREE the continuation of Council Procedure Rule 40 (B) – appointment of substitute members at meetings of Committees.

(Voting: unanimous in favour)

Recommendation (13) - Meetings Timetable

RESOLVED: that the Council's annual meetings timetable be confirmed as attached at Appendix B.

(Voting: unanimous in favour)

9. Termination of shared Chief Executive Officer (CEO) arrangements with East Devon District Council (Agenda Item 9)

Councillor Ric Pallister, as Leader of Council, advised that the report sought to open discussion with the Leaders of the Conservative and Independent groups to uncouple the contractual arrangement of shared Chief Executive with East Devon District Council (EDDC). The financial details proposed in the recommendation would only be required if the arrangement ceased on 1st June 2015 although he anticipated that the discussions would take some time. He proposed that recommendations 1 and 2 be amended to reflect that the Council was entering into discussion with EDDC and he said the conclusion of the discussions would be presented to Council together with a proposed reduced senior management team.

During discussion, varying views were expressed. Some Members felt that insufficient information had been provided on which to make a decision, particularly for new Members. It was also proposed that the process be subject to scrutiny.

Councillor Pallister advised that the discussions with the Group Leaders may conclude that no change was needed and he pointed out that the conclusion of the discussions would be reported to Council. In response to a question, he confirmed that it was intended the outcome of the discussions would be cost-neutral to SSDC with a re-aligned management structure.

At the conclusion of the debate both the Leader and Conservative Group Leader expressed their wish to work together on the issue. The amended recommendations were put to the vote and it was:-

RESOLVED: That Council agreed:--

1. to enter into discussions with East Devon District Council (EDDC) with a view to terminating the existing agreement to receive the services of the joint chief executive for the purpose of the council's functions in accordance with section 113 of the Local Government Act 1972;
2. that the terms of any notice period, notice arrangements and

termination costs be reported to Council for approval together with a report on the proposed future management arrangements.

3. a maximum sum of £112,333 is approved with an allocation of £38,416 from Unallocated Balances (with the remainder being funded from the 2015/16 salary saving) subject to negotiation with East Devon District Council;
4. that £88,700 is added to the Medium Term Financial Plan as a saving for 2016/17.

Reason: To agree to open dialogue with East Devon District Council (EDDC) with a view to terminating the existing agreement to receive the services of the joint chief executive for the purpose of the council's functions in accordance with section 113 of the Local Government Act 1972.
(Voting: 42 in favour, 3 against, 12 abstentions)

10. Annual review of the Regulation of Investigatory Powers Act 2000 (RIPA) (Agenda Item 10)

The Assistant Director (Legal and Corporate Services) advised that following an inspection by the Office of Surveillance Commissioners in October 2014, the SSDC Regulation of Investigatory Powers Act 2000 (RIPA) policy had been commended as comprehensive with good training in place and as recommended, it now contained a new section on use of social media. He drew Members attention to the two instances where SSDC had used their RIPA powers in the past 8 years and the requirement for authorisation from the Magistrates Court since 2012.

There was no debate and Members were pleased to confirm the revised Regulation of Investigatory Powers Act 2000 Policy and Procedures as attached at Appendix 2 to the Agenda report.

RESOLVED: That Council:--

1. noted the Council's use of Regulation of Investigatory Powers Act 2000 (RIPA) powers.
2. approved and adopted the revised Regulation of Investigatory Powers Act 2000 Policy and Procedures attached at Appendix 2.

Reason: To ensure compliance with the Regulation of Investigatory Powers Act 2000 (RIPA).
(Voting: unanimous in favour)

11. Report of Executive Decisions (Agenda Item 11)

The Leader of Council introduced the item and invited questions from Members.

In response to a question, the Assistant Director (Finance and Corporate Services) confirmed that the loan to the Somerset Waste Partnership to purchase new vehicles had reduced as the Partnership were renting or hiring vehicles before deciding which was the best option to purchase. Also, funding had been forthcoming from Taunton Deane BC which had reduced the SSDC contribution.

The report of Executive Decisions was noted.

12. Audit Committee (Agenda Item 12)

Councillor Derek Yeomans, Chairman of the Audit Committee, introduced the report and invited questions from Members

There were no questions and the report of the Audit Committee was noted.

13. Scrutiny Committee (Agenda Item 13)

Councillor Sue Steele, Chairman of the Scrutiny Committee, introduced the report and in response to a question, confirmed that lessons could be learned from the length of time it took to secure full funding for the building of the Ninesprings Café, and education and information centre.

The report of the Scrutiny Committee was noted.

14. Motions (Agenda Item 14)

There were no Motions submitted by Members.

15. Questions Under Procedure Rule 10 (Agenda Item 15)

There were no questions submitted under Procedure Rule 10.

16. Date of Next Meeting (Agenda Item 16)

Members noted that the next scheduled meeting of the Full Council would take place on **Thursday, 16th July 2015** in the Council Chamber, Brympton Way, Yeovil commencing at 7.30 p.m.

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Chairman

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Date