

South Somerset District Council

Minutes of a meeting of the **District Executive** held at the **Council Chamber, Brympton Way, YEOVIL, Somerset BA20 2HT on Thursday 6 August 2015.**

(9.30 am - 11.40 am)

Present:

Councillor Ric Pallister (Chairman)

Carol Goodall	Sylvia Seal
Henry Hobhouse	Angie Singleton
Shane Pledger	Nick Weeks
Jo Roundell Greene	

Also Present:

Jason Baker	Tim Inglefield
Val Keitch	David Norris
Tony Lock	Alan Smith
Sue Steele	Colin Winder
Mike Beech	Derek Yeomans

Officers

Rina Singh	Strategic Director (Place & Performance)
Vega Sturgess	Interim Chief Executive
Kim Close	Assistant Director (Communities)
Donna Parham	Assistant Director (Finance & Corporate Services)
Paul Wheatley	Principal Spatial Planner
Angela Cox	Democratic Services Manager

Note: All decisions were approved without dissent unless shown otherwise.

40. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the Special District Executive meeting held on 25th June 2015, and, the ordinary District Executive meeting held on 2nd July 2015, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

41. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Peter Seib and Peter Gubbins.

42. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made.

43. Public Question Time (Agenda Item 4)

There were no members of the public present.

44. Chairman's Announcements (Agenda Item 5)

The Chairman advised that he and the Interim CEO and Strategic Director had attended a meeting of the leaders of the Somerset and Devon Councils, Cornwall and the Scilly Isles, where there had been discussion on devolving power and authority from central Government. Following a strong presentation, it had been concluded that the South West were not currently in a position to put forward a firm proposal at the current time, but, they would continue to work towards this.

45. The Somerset Rivers Authority and Flood Action Plan – Update Report (Agenda Item 6)

The Chairman reminded Members of the Somerset Rivers Authority funding meeting which had taken place on 24th July where the six Somerset authorities had been opposed to raising funds for the new Authority through council tax, and preferred to create a new precepting body. He noted that the report would be presented to Full Council on 17th September before the next meeting of the partners in the Somerset Rivers Authority (SRA).

The Chairman of the Scrutiny Committee confirmed that they supported the recommendations, but, questioned the impact to residents of creating a separate precepting body and requested that the findings of the review be reported back to all Members.

In response to questions from Members, the Chairman and the Interim Chief Executive confirmed that:-

- Although it could take up to two years to set up a precepting authority, DEFRA had not raised any issues regarding this.
- In the interim, funding for the Authority could be sought from the Government or from the partner authorities.
- The Environment Agency had undergone a restructure in the last 18 months and a recent peer review had been very positive.
- Focus should be on the common works programme and the enhanced works programme and not on the Government stated cost of £2.7m.
- A list of Environment Agency responsibilities and Internal Drainage Board responsibilities would be drawn up so that it was possible to map the enhancements to be covered by the SRA.

During discussion, concern was expressed that the Internal Drainage Boards were overwhelmed despite recruiting additional Engineers and that previous Government promises of funding had not materialised.

The Assistant Director (Finance and Corporate Services) confirmed that if the SRA became a separate precepting authority then they would become a separate legal entity with their own administration and would be able to raise capital in their own right. It would be possible for one partner authority to become the accountable body.

At the conclusion of the discussion, Members were content to propose the recommendations or the report to Full Council.

RESOLVED: That the District Executive:

1. noted progress to date in the development of the Somerset Rivers Authority and South Somerset District Council's position on the way forward as set out in the report.
2. noted progress in the delivery of the Levels & Moors 20 Year Flood Action Plan (2014).
3. recommends to Full Council on 17 September 2015 that SSDC's preferred funding option is that of a creating a new precepting body and that the Leader is authorised to communicate this view to the SRA Board meeting in late September.

Reason: To report on the development of the Somerset Rivers Authority (SRA) and to make a recommendation to Council relating to SSDC's preferred long term funding option for the SRA.

46. Approval of Local Development Scheme (2015 – 2018) (Agenda Item 7)

The Portfolio Holder for Strategic Planning (Place Making) advised that the Local Development Scheme had been presented at her Portfolio Holder briefing and at Scrutiny Committee. She said it was essential that the Local Plan was continually reviewed and confirmed that finance was within the Local Plan reserve to fund any consultation or external expertise required.

The Principal Spatial Planner outlined the new version of the Local Development Scheme which took account of the Local Plan Inspectors recommendation to take an early review of housing and employment in Wincanton, and, would include the adoption of Community Infrastructure Levy (CIL) to dovetail with the Local Plan. He drew Members attention to the evidence base documents listed in the report which would be kept relevant and up to date by internal staff and external consultants where particular expertise was required.

The Chairman of the Scrutiny Committee said they had acknowledged the importance of the on-going work involved in keeping the evidence base documents current and were pleased to note there was funding for external consultants where SSDC did not have the internal expertise.

In response to questions, the Principal Spatial Planner advised that:-

- SSDC had worked with neighbouring local authorities to jointly procure agency services to complete Housing Market Area Assessments.
- The length of time taken to adopt the Local Plan had not helped future master planning for communities and there was a need for properly thought out solutions for the future.
- If any of the evidence base documents challenged any part of the Local Plan then this would keep the Plan up to date and ensure good decision making.

- The Local Plan quoted the minimum housing requirements for the area and a report on the Council's 5 year land supply would be brought to District Executive shortly.

During discussion, Members made the following points:-

- Towns were being ruined because of a lack of master planning particularly relating to highway and new road issues.
- Wincanton was being inundated with housing without the jobs or infrastructure to follow.
- The Project Management Board would be reformed and would include the Area Chairmen and the Group leaders to keep the Local Plan current.

At the conclusion of the debate, Members were content to confirm the recommendations of the report.

RESOLVED: That the District Executive:

1. endorsed the Local Development Scheme (2015 – 2018) and resolve that it be effective as of 6th August 2015 (See Appendix A).
2. delegated responsibility to the Assistant Director for Economy, in consultation with the Portfolio Holder for Strategic Planning, to make any final minor text amendments which may be necessary to enable the Local Development Scheme (2015 – 2018) to be published.

Reason: To consider and endorse the revised Local Development Scheme (LDS) for the period 2015 to 2018.

47. Draft Asset Management Plan 2015-16 (Agenda Item 8)

The Interim Chief Executive confirmed that the Asset Management Plan was the result of joint work between Property Services and Financial Services. She drew Members attention to the proposed inclusion of the Crematorium in the Asset Management Strategy and the prioritised high and low level actioned listed.

The Chairman of the Scrutiny Committee said they endorsed the inclusion of the Yeovil Crematorium in the Asset Management Strategy and noted its new layout and also asked the current position of the Car Parking Strategy.

The Strategic Director (Place and Performance) confirmed that the Car Parking Strategy was due to be reviewed very shortly.

During discussion, the following points were made:-

- The SSDC Asset Register detailed all SSDC land ownership in the district.
- The Asset Management Plan was a living document and was subject to change at any time.
- As some projects evolved, it could be possible to join some together.

At the conclusion of the debate, Members were pleased to add Yeovil Crematorium to the Asset Management Strategy as one of the strategic buildings to be retained and confirm the draft Asset Management Plan 2015-16

RESOLVED: That the District Executive:

1. approved the draft Asset Management Plan 2015-16.
2. agreed to add Yeovil Crematorium to the Asset Management Strategy as one of the strategic buildings to be retained.

Reason: To seek approval for the proposed Asset Management Plan 2015-16.

48. 2015/2016 Capital Budget Monitoring Report for the Period ending 30th June 2015 (Agenda Item 9)

The Assistant Director (Finance and Corporate Services) advised that the information on Section 106 deposits by developers in Appendix C was awaiting breakdown and would be available at the next quarterly report. She also asked Members to confirm the delayed projects detailed in Appendix D.

During discussion, Members felt that as a detailed report on Section 106 deposits was provided to each Area Committee, it was not necessary to have the same level of detail in the quarterly budget monitoring reports. It was agreed that in the future a short paragraph in the main report would be sufficient.

In response to questions from Members, it was also confirmed that:-

- Foundry House in Yeovil was owned by Zero C but several parcels of land lying around it were retained by SSDC.
- Following a recent successful court challenge, government guidance in late 2014 advising local councils not to seek Section 106 contributions from smaller schemes and in particular affordable housing had been deleted and local authorities could continue to seek obligations from smaller sites.
- The remaining budget allocated to the Reckleford gyratory project was a final retention sum.
- The sum returned from Broadway Farm, Merriott was a successful reclaim of Homes and Communities Association (HCA) funding.

At the conclusion of the debate, Members were content to confirm the recommendations of the report, including the delayed projects detailed in Appendix D.

RESOLVED: That the District Executive:

- a. approved the revised capital programme spend as detailed in paragraph 6;
- b. noted the slippage over £50,000 in the capital programme as detailed in paragraph 8;
- c. approved the virements of £5,000 outline in paragraph 9;

- d. approved the allocation of additional funding to be used within the capital programme as detailed in paragraph 11;
- e. noted the current position with regard to funds held by the Wessex Home Improvement Loans as detailed in paragraph 15;
- f. noted the progress of individual capital schemes as detailed in Appendix A;
- g. noted the total land disposals to registered social landlords as detailed in Appendix B;
- h. noted the balance of S106 deposits by developers held in a reserve as detailed in Appendix C;
- i. noted the schemes that were approved prior to 2010, as detailed in Appendix D, and confirm approval for them to remain in the programme;
- j. noted the post completion reports outstanding from 14/15 in Appendix E.

Reason: To update Members on the current financial position of the capital programme of the Council and to report the reasons for variations from approved budgets for the period 1st April 2015 to 30th June 2015

49. 2015/2016 Revenue Budget Monitoring Report for the Period ending 30th June 2015 (Agenda Item 10)

The Assistant Director (Finance and Corporate Services) advised that although the Council Tax collection rate had improved, the additional collection staff had concentrated on collecting debt from the previous financial year and it was anticipated that the current year collection figures would improve in the next quarterly budget monitoring report.

The Chairman of the Scrutiny Committee confirmed they had raised no issues and as there was no debate, Members were content to note the report.

RESOLVED: That the District Executive:

- a. noted the current 2015/16 financial position of the Council;
- b. noted the reasons for variations to the previously approved Directorate Budgets as detailed in paragraphs 3.2;
- c. noted the transfers made to and from reserves outlined in paragraph 11.1 and the position of the Area Reserves as detailed in Appendix C and the Corporate Reserves as detailed in Appendix D;
- d. noted the virements made under delegated authority as detailed in Appendix B.

Reason: To update Members on the current financial position of the revenue budgets of the Council and to report the reasons for variations from approved budgets for the period 1st April 2015 to 30th June 2015

50. Commercial Property Disposals - Land at Lakefields, West Coker (Agenda Item 11)

The Chairman of the Scrutiny Committee questioned if there was any intention to make a charge for parking in the additional spaces provided.

The Assistant Director (Finance and Corporate Services) confirmed that a clause could be inserted in the final legal agreement to ensure SSDC received a proportion of any profit if the Parish Council decided to make a charge for parking. However, during discussion, it was felt this was unnecessary as the returns would be very small and Members were content to confirm the recommendations of the report as presented.

RESOLVED: That the District Executive approved:

1. the leasehold transfer of Council land at Lakefields, West Coker to the Parish Council for 175 years for £1 per annum i.e. less than best consideration;
2. the lease would restrict the use to that of residential parking only;
3. that the Parish Council will be responsible for all legal and professional costs incurred as a result of this transaction.

Reason: To agree to the leasehold transfer of land at Lakefields, West Coker to the Parish Council, to facilitate a much needed residential parking area.

51. Commercial Property Disposals - 1- 4 St Johns Cottages, Charlton Musgrove (Agenda Item 12)

There was no debate and Members were content to confirm the recommendations of the report.

RESOLVED: That the District Executive approved:

1. the leasehold transfer of Council land adjacent to 1 - 4 St Johns Cottages, Charlton Musgrove to the Parish Council for 75 years at £1 per annum (less than best consideration);
2. that the lease would restrict the use to that of an allotment site or community garden;
3. That the Parish Council would be responsible for all legal and professional costs incurred as a result of this transaction.

Reason: To agree to the leasehold transfer of the land adjacent to 1-4 St Johns Cottages, Charlton Musgrove to the Parish Council, for use as a community garden or allotment site, at less than best consideration.

52. Monthly News Snapshot (Agenda Item 13)

Members were content to note the monthly performance snapshot data.

RESOLVED: That the District Executive noted the monthly performance snapshot data.

Reason: The report is provided for members information.

53. District Executive Forward Plan (Agenda Item 14)

It was noted that two new Government consultation documents had been received since the publication of the Agenda:-

- Tackling rogue landlords and improving the private rental sector
- Devolving Sunday trading rules

RESOLVED: That the District Executive:-

1. approved the updated Executive Forward Plan for publication as attached at Appendix A.
2. noted the following additional consultations to be added to the Consultation Database:-
 - Tackling rogue landlords and improving the private rental sector
 - Devolving Sunday trading rules

Reason: The Forward Plan is a statutory document.

54. Date of Next Meeting (Agenda Item 15)

Members noted that the next scheduled meeting of the District Executive would take place on Thursday 3rd September 2015 in the Council Chamber, Council Offices, Brympton Way, Yeovil commencing at 9.30am.

55. Exclusion of Press and Public (Agenda Item 16)

RESOLVED: That the following items be considered in Closed Session by virtue of

the Local Government Act 1972, Schedule 12A under Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

56. Disposal of the former Grove Alley Public Conveniences in Bruton (Confidential) (Agenda Item 17)

The Assistant Director (Finance and Corporate Services) advised that a formal tender process had been conducted and consultation the Ward Members had taken place.

The Chairman of the Scrutiny Committee confirmed they were content with the report and, there being no debate, Members were content to confirm the recommendations of the report.

RESOLVED: That the District Executive approved:

1. the disposal of the freehold of the former Grove Alley Public Conveniences.
2. that an overage clause be placed on the Title protecting against any future residential development or change of use.
3. that each party bear their own legal and professional costs.

Reason: To obtain consent for the disposal of the former Grove Alley Public Conveniences (PCs) in Bruton.

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Chairman

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Date