

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 7 April 2016.**

(9.30 am - 12.00 pm)

Present:

Councillor Ric Pallister (Chairman)

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

Also Present:

Clare Aparicio Paul	Val Keitch
Jason Baker	Mike Lewis
Mike Beech	Tony Lock
John Clark	Sue Steele

Officers

Rina Singh	Interim Chief Executive
Vega Sturgess	Strategic Director (Operations & Customer Focus)
Ian Clarke	Assistant Director (Legal and Corporate Services)
Donna Parham	Assistant Director (Finance & Corporate Services)
Steve Joel	Assistant Director (Health & Well-Being)
Laurence Willis	Assistant Director (Environment)
Martin Woods	Assistant Director (Economy)
Helen Rutter	Assistant Director (Communities)
Kirsty Larkins	Housing and Welfare Manager
Colin McDonald	Corporate Strategic Housing Manager
Jo Wilkins	Policy Planner
David Crisfield	Third Sector & Partnerships Co-ordinator
Emily McGuinness	Scrutiny Manager
Angela Cox	Democratic Services Manager

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

155. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the District Executive meeting held on 3rd March 2016, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

156. Apologies for Absence (Agenda Item 2)

An apology for absence was received from Councillor Peter Seib.

157. Declarations of Interest (Agenda Item 3)

Councillor Nick Weeks declared a personal interest in Agenda item 11, Asset Transfer of Castle Cary Market House, as a member of Castle Cary Town Council, as recipients of the asset.

158. Public Question Time (Agenda Item 4)

There were no questions from members of the public present.

159. Chairman's Announcements (Agenda Item 5)

There was no announcements from the Chairman.

160. Report from Taunton and Somerset (Musgrove Park Hospital) NHS Foundation Trust (Agenda Item 6)

Councillor Sue Steele, as the SSDC appointed representative to Musgrove Park Hospital NHS Foundation Trust, presented the report to Members.

The Chairman noted that it would be useful to have an executive summary of the key points of the Hospital Governors meetings in the future and Councillor Steele agreed to provide this.

At the conclusion of the debate, Members were pleased to note the report provided.

RESOLVED: That District Executive noted the report.

161. SSDC Council Plan 2016 to 2021 (Agenda Item 7)

The Chairman advised that the Council Plan was still a working document and Members comments would be fed into it. He noted that the Scrutiny Committee had raised pertinent points at their meeting earlier in the week which would be incorporated. He further noted that targets listed in the Annual Action Plan should be delivered within that financial year and it would be presented at the same time as the Council budget in February each year to ensure the projects were fully funded.

During discussion it was noted that:-

- A small amendment to the Vision statement had been agreed to change the word 'happy' to 'safe' on the first page of the Council Plan.
- The reference to some Licensing functions delivered by Town & Parish Councils should be removed from the Appendix 3: Core work of the Council.
- Some of the projects may overlap between the Regeneration Board and the Income Generation Board however it should be clear which Board should take the lead on a particular project.

- Appendix 2 – Snapshot Profile – a further breakdown of how the £9.98m savings were found should be added as a hyperlink to the document on the website to provide additional information to the public.

Comments from the Scrutiny Committee included:-

- the 'Economy' element of the Plan should also make explicit reference to the importance of agriculture and the very rural nature of the district.
- 6 monthly updates on the progress of the actions within the Action Plan should be submitted to the Scrutiny Committee

At the conclusion of the debate, the Chairman confirmed that the minor amendments suggested would be made and there would be a further opportunity to debate the Plan at Full Council. Members were content to recommend the Council Plan 2016 – 2021 to Full Council for adoption.

RESOLVED: That District Executive:

1. recommended that Full Council adopt the new SSDC Council Plan 2016 – 2021.
2. recommended that Full Council adopt the Council Plan Annual Action Plan (2016-17)

Reason: To propose that the new SSDC Council Plan be endorsed and adopted by Full Council on the 21st April 2016.

162. Gypsy Site Management (Agenda Item 8)

The Portfolio Holder for Leisure and Culture noted that the Council had a statutory duty to provide transit pitches and there was a need to monitor the site arrangements and manage them in the best way possible. Following the departure of the last Site Manager, 3 options had been considered for their future management and it was considered that Elim Housing were the best option for SSDC.

The Housing and Welfare Manager confirmed that Elim Housing already managed a number of transit sites in Dorset and Somerset and they were very positive about the process. Although there was an initial higher cost to appointing them, she was hopeful that savings would be generated in year 2 of the contract from improved management of the sites.

In response to questions from Members, the Housing and Welfare Manager and the Assistant Director (Health and well-Being) advised that:-

- The rents of the Park Homes were structured so that part of the money went into a sinking fund to replace them in around 30 years.
- The rents from the 3 sites generated around £100,000 p.a. and they broke even after the money set aside for the sinking fund.
- All the Park Homes had their own key meters to pay for their electricity and Wessex Water were responsible for collecting the water rates.

The Chairman of the Scrutiny Committee said they were reassured by the funding put aside to cover the cost of replacing the Park Homes and that SSDC would continue to make regular site inspections.

At the conclusion of the debate, Members were content to confirm the appointment of Elim Housing to manage the Council's Gypsy sites.

RESOLVED: That District Executive:

1. approved the appointment of Elim Housing, for a five year period, to manage the Council's Gypsy sites at Ilton, Tintinhull and Pitney.
2. authorised the Portfolio Holder (Leisure and Culture) in conjunction with the Assistant Director (Health and Well-Being) and the Housing and Welfare Manager to negotiate and finalise the Management Agreement.
3. instructed officers to report on performance annually.

Reason: To agree the transfer of the day to day management of Gypsy Sites to Elim Housing.

163. **Huish Episcopi Academy Swimming Pool Project Funding Decision (Agenda Item 9)**

The Portfolio Holder for Leisure and Culture introduced the application for a maximum grant of £352,722 comprising of Section 106 contributions and a capital grant towards providing indoor swimming for both the Huish Episcopi Academy and the local community. She noted the grant of £481,600 secured from Sport England towards the only swimming facility within that area of the district.

The Assistant Director (Health & Wellbeing) said there had been a long standing strategy to provide a cover over the existing open air swimming pool. The construction cost risk would be held by the Huish Episcopi Academy and he commended the positive business plan.

In response to questions from Members, the Assistant Director (Health & Wellbeing) and the Assistant Director (Finance and Corporate Services) advised that:-

- The project included the complete retiling of the pool, the overhead structure, spectator seating, one new changing room and the refit of the existing changing rooms.
- The Academy had charitable status but could only recover VAT in areas of education therefore, because the pool would also be used by the community an agreement had been reached with HMRC that 50% of the income was recoverable.
- The capital grant of £200,038 was a one-off capital receipt.
- Sport England had worked with the Academy prior to offering their grant and they would have set grant conditions.

The Chairman of the Scrutiny Committee thanked officers for securing the grant funding and said they had been assured that any over-contract spend would be the responsibility of the Academy.

At the conclusion of the debate, Members were pleased to confirm the grant to Huish Episcopi Academy towards the enclosure of the existing outdoor pool.

RESOLVED: That District Executive:

1. approved, subject to the standard Leisure grant terms and conditions, that South Somerset District Council agreed to award Huish Episcopi Academy a grant of up to £352,722 towards the enclosure of the existing outdoor pool to provide indoor swimming for school and community use, consisting of:
 - i. £200,038 capital grant.
 - ii. £105,837 of Section 106 contributions that have been paid to the Council.
 - iii. £46,847 of Section 106 contributions which have not been received by the Council.
2. agreed to underwrite the Section 106 contributions not received by the Council up to £46,847 from the SSDC capital programme in the event those sums are not received by the Council by the time HEA needs to draw those funds down for the project.
3. agreed that the loss of £6,300 interest be added to the 17/18 Medium Term Financial Plan.

Reason: To award Huish Episcopi Academy (HEA) a maximum grant of £352,722 comprised of Section 106 Contributions (S106) and SSDC capital towards the enclosure of the existing outdoor pool to provide indoor swimming for school and community use.

164. Affordable Housing - revenue grant funding for Direct Access Hostel provision (Agenda Item 10)

The Chairman advised this was an unbudgeted item due to the reduction in P4A funding by the County Council. There was a need to retain the accommodation base at Newton Road for the foreseeable future until a county wide resolution could be found. It was also hoped to retain the current staffing at the hostel to ensure continuity.

The Corporate Strategic Housing Manager outlined the 3 options proposed in the report to continue the direct access hostel accommodation from 1st May 2016 to 30th April 2017. He hoped that during this period another solution could be found.

The Assistant Director (Finance and Corporate Services) confirmed that the Housing Benefit element of the proposal was currently being checked.

In response to a question, the Housing and Welfare Manager confirmed that homeless people needed to have a local connection to the area in order to receive housing assistance. If they had no local connection then they would be assisted in the short-term then helped to return to the area they came from.

At the conclusion of the debate, Members were content to confirm the funding to continue the homeless accommodation base at Newton Road until April 2017.

RESOLVED: That District Executive:

1. approved the selection of Stonham, for a one year period, to provide services to assist single adults who are in need of accommodation, to prevent homelessness and enable them to live independently.
2. approved the use of up to £240,500 of the £319,000 that was set aside in the budget for this purpose.
3. noted that £80,000 of this would underwrite the risk associated with the structure of eligible / ineligible intensive housing management and general housing management tasks in relation to housing benefit.
4. noted that a report would be made in due course on proposals for the future ongoing delivery of the service from May 2017.

Reason: To confirm grant funding towards the cost of provision of direct access hostel and related services for very vulnerable clients who would otherwise be homeless.

165. Asset Transfer of Castle Cary Market House (Agenda Item 11)

The Assistant Director (Communities) advised that SSDC had acquired the building 25 years ago when it was at risk. A modest refurbishment scheme had been completed in partnership with the Town Council with funding from SCC and the building was now well used. It was now proposed to return the building to the Town Council with a capital sum towards the outstanding programme of refurbishment that was required.

The Chairman of the Scrutiny Committee confirmed that they supported the proposals.

The Ward Member, Councillor Nick Weeks, welcomed the proposal. He said there were a huge number of volunteers who would care for the building in the future. He queried the report which said there should be no future expectation / request for funding from SSDC, in case an unforeseen issue arose in the future and it was confirmed that this was part of the Asset Transfer Policy which was due to be reviewed shortly.

Following a short debate in which Members expressed their support for the recommendations, Members were pleased to agree the transfer of Castle Cary Market House to Castle Cary Town Council.

RESOLVED: That District Executive:

1. agreed to the transfer of Castle Cary Market House to Castle Cary Town Council on a 999-year peppercorn lease;
2. agreed that, subject to finalising terms, a capital dowry of £45,000 be transferred to the Town Council in respect of an outstanding programme of refurbishment that is required in the short and medium term;
3. noted that current income streams from existing tenants would also be transferred to Castle Cary Town Council along with the management of the property;
4. agreed that £7,350, being the difference between the income from existing tenants and budget allocated to the property be added to the Medium Term Financial Plan.

Reason: To approve the transfer of Castle Cary Market House to Castle Cary Town Council (CCTC) under the SSDC Asset Transfer Policy and to agree a lump sum payment, in lieu of a programme of repairs and maintenance to the building.

166. Designation of Neighbourhood Area - Martock Parish (Agenda Item 12)

The Portfolio Holder for Strategic Planning noted that the Council had a statutory duty to consider the formal designation of the Martock Parish Neighbourhood Area and it met all the requirements necessary for designation. Since the scheme first started the Government funding had changed and the initial £5,000 grant was now only payable to the first 5 designations. As SSDC already had more than 5 designations, the only Government funding would now be at the referendum stage. There was a cost in officer time to support the process and if this became an issue it would be reported to District Executive. She further confirmed that the cost of any referendum and plan examination would be met by SSDC.

The Policy Planner confirmed that they were coping with the workload created by present number of Neighbourhood Plans and whilst it was difficult to be precise, if the current number were to double, it would become an issue.

The Assistant Director (Economy) advised that the Neighbourhood Plan process had been communicated to Parish Councils. The high officer time in the early stages ensured that communities were on track to accord with the Local Plan.

The Chairman acknowledged that the process was not fit for purpose for small communities and he would be raising the issue at the District Councils Network.

During discussion it was noted that some communities were compiling local housing needs assessments and community plans rather than embarking on the Neighbourhood Plan process.

At the conclusion of the debate, Members were content to agree to designate the Civil Parish of Martock as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan.

RESOLVED: That District Executive:

1. agreed to designate the Civil Parish of Martock as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan as set out in the Localism Act 2011.
2. noted the change in the level of financial support to Local Planning Authorities supporting the preparation of Neighbourhood Plans.

Reason: To confirm the formal designation of Martock Parish Neighbourhood Area in accordance with The Neighbourhood Planning (General) Regulations 2012.

167. Community Right to Bid Quarterly Update Report (Agenda Item 13)

The Third Sector and Partnership Co-ordinator advised that since the last report, one new asset had been added to the register of Assets of Community Value and 3 had been removed with one other to be reviewed with a view to removing it. The recent DCLG survey results were still being assessed and had not yet been published.

During discussion, Members mentioned several instances of communities listing assets which had subsequently created issues for the owners when the moratorium period had been engaged.

The Assistant Director (Legal and Corporate Services) confirmed that the Government's intention of the Community Right to Bid regulations were to help communities to take control of locally important land and buildings however, no registration had yet resulted in a successful community bid. There was a compensation scheme for property owners who could demonstrate they had suffered loss as a result of the listing and subsequent moratorium period however, they had to provide evidence of actual loss. They could also apply to the Lands Tribunal to have the property de-listed.

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

RESOLVED: That District Executive noted the report.

Reason: To note the current status of the register of Assets of Community Value in South Somerset using the Community Right to Bid, for quarter four of 2015/16.

168. Monthly News Snapshot (Agenda Item 14)

Members were content to note the monthly news snapshot information.

RESOLVED: That the District Executive noted the monthly news snapshot information.

Reason: The report is provided for members information.

169. District Executive Forward Plan (Agenda Item 15)

Members noted the following additions and amendments to the Executive Forward Plan:

- Somerset Waste Partnership New Waste Collection Model – date TBA
- Community Governance Review request – Brympton Parish Council – May 2016

RESOLVED: That the District Executive:-

1. approved the updated Executive Forward Plan for publication as attached at Appendix A, with the following amendments;
 - Somerset Waste Partnership New Waste Collection Model – date TBA
 - Community Governance Review request – Brympton Parish Council – May 2016
2. noted the contents of the Consultation Database as shown at Appendix B.

Reason: The Forward Plan is a statutory document.

170. Date of Next Meeting (Agenda Item 16)

Members noted that the next scheduled meeting of the District Executive would take place on **Thursday, 12th May 2016** (one week later than usual due to the Police and Crime Commissioner Elections) in the Council Chamber, Council Offices, Brympton Way, Yeovil commencing at 9.30 a.m.

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Chairman

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Date