

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 12 May 2016**.

(9.30 am - 12.00 pm)

Present:

Councillor Ric Pallister (Chairman)

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

Also Present:

Jason Baker	David Recardo
Mike Beech	Gina Seaton
Val Keitch	Sue Steele
Mike Lewis	Derek Yeomans

Officers

Rina Singh	Interim Chief Executive
Ian Clarke	Assistant Director (Legal & Corporate Services)
Donna Parham	Assistant Director (Finance & Corporate Services)
Paul Wheatley	Principal Spatial Planner
Martin Woods	Assistant Director (Economy)
Laurence Willis	Assistant Director (Environment)
David Norris	Development Manager
Angela Cox	Democratic Services Manager

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

171. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the District Executive meeting held on 7th April 2016, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

172. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillor Peter Gubbins and Vega Sturgess (Strategic Director).

173. Declarations of Interest (Agenda Item 3)

Councillor Henry Hobhouse declared a personal and prejudicial interest in Agenda item 13; Removal of Restrictive Covenants, Dunster House, Castle Cary (Confidential), as the

property was owned by a personal friend. He confirmed that he would leave the room during discussion of this item.

174. Public Question Time (Agenda Item 4)

Mr J Bennett of East Coker Parish Council spoke regarding Agenda item 8: Community Infrastructure Levy (CIL) – Draft Charging Schedule. He said that the Parish Council did not believe that SSDC officers had correctly addressed the issues raised by the community in the Summary of Main Points and had failed to deal with the substantive issues of CIL within the Yeovil Urban Extensions.

Miss M Smith of Pitney caravan site thanked the Council and particularly the Assistant Director (Environment) for their assistance since she had spoken at the Full Council meeting on 21st April regarding living conditions at the site. She said that although the Pitney site was not the same on paper as it was in practice, she had received a new heater and it was hoped that a hot water heater would follow shortly. She also asked if she could have a Traveller Liaison Officer.

175. Chairman's Announcements (Agenda Item 5)

The Chairman referred to the shooting incident the previous week at the Ilton gypsy site. He said the site was still in the control of the police and he thanked the Housing officers for temporarily re-homing the remaining residents of the site.

176. Report from Yeovil District Hospital NHS Foundation Trust (Agenda Item 6)

Councillor David Recardo, as the SSDC representative appointed to Yeovil District Hospital NHS Foundation Trust, advised that the new hospital car park and the new access onto Kingston were progressing on schedule.

Members debated whether a short summary of the Governors meetings or the full minutes were more usefully published in the District Executive Agenda and it was left to the Portfolio Holders discretion in the future.

177. Intelligent Enforcement Proposal for Council car parks (Agenda Item 7)

The Portfolio Holder for Property and Climate Change explained the proposal to install cameras with automatic number plate recognition technology in some SSDC owned car parks and new ticket machines which required car registration numbers to be entered. He outlined the enhanced enforcement by ticket inspectors and also the new 'auto-pay' system where users could register their car details and pay via a recognised payment method.

The Assistant Director (Environment) confirmed that the proposal was a two year trial to check it was suitable for SSDC. Car parks would be surveyed to see if they were suitable for the trial. He said the suppliers, Bemrose Booth, were confident that the tighter enforcement would bring an increased income.

During discussion, the following points were made:-

- Motorcycles currently parked free of charge in designated motor cycle parking areas. However if they parked in an ordinary parking bay they would have to pay.
- The new ticket machines would be the latest technology for entering a car registration number.
- Signs would be placed at the entrances to car parks advising motorists of the new arrangements and the need to enter their car registration number to purchase a ticket.
- The 'auto-pay' system was one new option for motorists and would not be replacing the ticket system.
- The arrangements for disabled motorists remained unchanged.
- A minimum stay time would be set to allow pick up and drop off of passengers.
- Existing parking arrangements in Castle Cary and Wincanton would not be affected.
- This would not affect the current pass arrangements at the Brympton Way car park.
- Other parking payment and enforcement arrangements may be considered as a result of carrying out the trial, and would be subject to a further report to District Executive and in agreement with the service provider.

At the conclusion of the debate, Members requested that a monitoring report be presented in 12 months time and were content to confirm the recommendations of the report.

RESOLVED: That District Executive agreed:

1. that the Council enter into a 2 year trial contract with Bemrose Booth for the 'intelligent enforcement' offer subject to agreement of the terms and conditions of the contract.
2. that the guaranteed maximum 10% uplift of car park income is noted where the system is installed in accordance with the terms and conditions of the contract for the next two years.
3. that Bemrose Booth receive any excess of the 10% uplift in point 2 above in accordance with the terms and conditions of the contract for the next 2 years.
4. that the potential increase in car park income be capped at 10% for the next two years above the agreed baseline income figures.
5. a maximum of £20,000 from the capital budget already approved in the car park enhancement programme to amend and alter the carpark entrances and exits to accommodate the ANPR cameras.

Reason: To approve a proposal put forward to this Council by Bemrose Booth, the service provider of the phone and pay facility in our public car parks, on an 'intelligent enforcement' option based on digital technology to complement the way we patrol and enforce our car parks at present.

178. Community Infrastructure Levy - Draft Charging Schedule (Agenda Item 8)

The Committee were first addressed by two members of the public:

Mrs L Whitsun-Jones, a resident of East Coker, said that evidence put forward by consultees had been largely ignored. She said the infrastructure proposed for the Keyford site had not been revised since the number of houses had been reduced from 2,500 down to 1,600 and that infrastructure requirement made both the Yeovil Sustainable Urban Extensions (SUE's) virtually unviable. She also referred to the independent inspection where the public could only speak regarding the main modifications and there would be no opportunity to put forward additional information. She concluded that East Coker Parish Council would have no benefit from the houses and she urged the Committee to reconsider the zero rating of SUE's.

Mr A Burrows said he was a specialist in economics and planning and he had been engaged by Mudford Parish Council to advise them. He said there had been a serious procedural issue as a development viability appraisal of the 800 houses dated 30th March 2016 was after the public consultation had taken place.

The Portfolio Holder for Strategic Planning (Place Making) said the proposed modifications to the draft charging schedule for Community Infrastructure Levy (CIL) were the result of public consultation and she expressed disappointment that the public did not feel the process was open and transparent. She said the proposed changes were evidenced and the next step was confirmation by Council before submission to the Examiner.

The Principal Spatial Planner, in response to the public comments, clarified that CIL was not intended for community benefit but was to pay for infrastructure that was necessary for development. He did not accept that there had been any procedural issues as all the statutory processes had been completed and all information was publically available. He noted that Mudford Parish Council had not sought to be represented at the Planning Inspection.

The Principal Spatial Planner then outlined the 4 main issues which had been raised in the consultation process which had led to the two proposed modifications. One modification to remove reference to C2 uses in the charging schedule and, a second modification to remove retail (A1-A5 uses) in town centres and primary shopping areas from the charging schedule. It was explained that supplementary evidence on a development typology of 800 dwellings in Yeovil would be submitted to the Examiner. Also, that the concept of delivering additional cemetery space around Yeovil was to be added to the draft Regulation 123 List. He then explained that the next step was to advertise the modifications prior to submitting the charging schedule to the Examiner, and that anyone wishing to speak on the modifications would be able to request to be heard, but only in relation to the modifications.

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

- C2a use as well as C2 was excluded as the current viability evidence showed it could not be tolerated.
- Retail property converted into a new dwelling would be subject to the £40 per sqm levy rate.
- It was anticipated to revisit the CIL rates in 2 to 3 years to see if the market had changed and to allow the scheme to bed in.
- A CIL implementation date had not been specified as the Examination had not yet taken place. The Council would also want to conclude some Section 106 negotiations before implementing CIL.

- There was a perception by Parish Councils that zero rating the SUE's was deliberate but to impose CIL on top of Section 106 contributions would render the schemes unviable.
- Many other Local Authorities had designated zero rated CIL areas.
- To consider providing an automatic 5% payment to parishes where development takes place (but where no levy will be charged) would be tantamount to community benefit and would be unlawful.
- The £40 per sqm CIL payment together with a £40 off site affordable housing contribution would have to be borne by developers, however, self-builds were exempt from this charge. **(N.B. The recent Government announcement affects this consideration).**
- The Infrastructure Delivery Plan concluded that there would be a funding gap of £124 million (not £128 million as stated on Agenda page 21).
- CIL was never intended to fully bridge the funding gap in the Infrastructure Delivery Plan. On site infrastructure could still be provided via Section 106 funding to help ameliorate the impacts of a development.
- The CIL receipts would come in tranches linked to the build out of developments.

At the conclusion of the debate, the Portfolio Holder for Strategic Planning (Place Making) said she was confident that all the proposals were evidenced for the inspection and that officers had followed due process. Members were content to propose the recommendations to full Council for confirmation.

RESOLVED: That District Executive agreed:

1. to endorse the Modifications made to the Community Infrastructure Levy Draft Charging Schedule, and recommended that they are approved by Full Council;
2. to endorse that the Council publish the Modifications to the Community Infrastructure Levy Draft Charging Schedule for public consultation, and recommended that these are approved by Full Council;
3. to endorse the Community Infrastructure Levy Draft Charging Schedule Submission version, and all accompanying evidence, and recommend that these are approved by Full Council to be submitted to the independent examiner; and
4. to delegate responsibility to the Assistant Director for Economy in consultation with the Portfolio Holder for Strategic Planning to make all necessary arrangements so that the Council can carry out and complete the Examination in to the Community Infrastructure Levy Draft Charging Schedule

Reason: To agree the modifications made to the Community Infrastructure Levy Draft Charging Schedule as a result of the recent public consultation and to agree that the modifications be published and are submitted to an independent examiner (the Planning Inspectorate).

179. Monthly News Snapshot (Agenda Item 9)

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.

180. District Executive Forward Plan (Agenda Item 10)

The Chairman of the Scrutiny Committee expressed their concern that some reports were being presented to Full Council with no opportunity for Scrutiny Committee to comment upon them first. She also asked that monthly updates on the recruitment of the new Chief Executive Officer be made at District Executive.

The Chairman acknowledged that there had been need to bring reports to Council at short notice and he offered to hold Members Workshops in the future to address this.

RESOLVED: That the District Executive:-

1. approved the updated Executive Forward Plan for publication as attached at Appendix A, with the following amendments;
 - Management of Information requests (FOI, IER & RPSI regulations) – July 2016
 - Update on CEO recruitment - monthly
 - Strategic Housing Market Assessment – removed from Forward Plan
 - Capital and Revenue Budget Monitoring Reports (Quarter 4 outturn reports) – moved to July 2016
2. noted the contents of the Consultation Database as shown at Appendix B.

Reason: The Forward Plan is a statutory document.

181. Date of Next Meeting (Agenda Item 11)

Members noted that the next scheduled meeting of the District Executive would take place on **Thursday, 2nd June 2016** in the Main Committee Room, Council Offices, Brympton Way, Yeovil commencing at 9.30 a.m.

It was subsequently agreed to hold a Special District Executive meeting on **Thursday 26th May at 2.00pm** to agree the final details of the lease of the Westland Leisure Complex. This meeting will be held in confidential session.

182. Exclusion of Press and Public (Agenda Item 12)

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).

183. Restrictive covenant removal - Dunster House, Castle Cary (Confidential) (Agenda Item 13)

(Councillor Henry Hobhouse, having earlier declared a personal and prejudicial interest, left the room during consideration of this item).

The Assistant Director (Finance and Corporate Services) advised that the local Ward Members had been consulted and no issues had been raised.

At the conclusion of a short debate, Members were content to agree the removal of the restrictive covenants.

RESOLVED: That District Executive agreed:

1. to the removal of the restrictive covenants.
2. that the Councils legal and professional costs would be recovered from the owner of Dunster House, Castle Cary at the time of sale.

Reason: To agree to the release of the restrictive covenants placed on former Council land sold to the owners of Dunster House, Castle Cary.

184. The Provision and Maintenance of Bus Shelters in the Yeovil area (Confidential) (Agenda Item 14)

The Portfolio Holder for Property and Climate Change explained the history of the contract for bus shelters in Yeovil and the proposed future maintenance and refurbishment of them.

During discussion, varying views were expressed and at the conclusion of the debate, the majority of Members confirmed the amended recommendations.

RESOLVED: That District Executive agreed the amended recommendations of the report.

Reason: To agree the recommendations of the report.

(Voting: 7 in favour, 0 against, 1 abstention)

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Chairman

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Date