
Annual Meeting of South Somerset District Council

Tuesday 21st May 2019

7.30 pm

**Council Chamber
Council Offices
Brympton Way
Yeovil, BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



All members of Council are requested to attend this meeting:

If you would like any further information on the items to be discussed, please contact the Democratic Services Specialist on 01935 462148 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 13 May 2019.

Alex Parmley, Chief Executive Officer

This information is also available on our website
www.southsomerset.gov.uk and via the Mod.Gov app



South Somerset District Council Membership

Jason Baker
Robin Bastable
Mike Best
Neil Bloomfield
Dave Bulmer
Hayward Burt
Tony Capozzoli
Martin Carnell
Malcolm Cavill
John Clark
Nicola Clark
Louise Clarke
Nick Colbert
Adam Dance
Sarah Dyke
Karl Gill
David Gubbins
Peter Gubbins
Brian Hamilton
Mike Hewitson

Henry Hobhouse
Ben Hodgson
Charlie Hull
Kaysar Hussain
Val Keitch
Andy Kendall
Jenny Kenton
Tim Kerley
Mike Lewis
Mike Lock
Pauline Lock
Tony Lock
Paul Maxwell
Kevin Messenger
Graham Oakes
Tricia O'Brien
Sue Osborne
Tiffany Osborne
Robin Pailthorpe
Clare Paul

Crispin Raikes
Wes Read
David Recardo
Paul Rowsell
Dean Ruddle
Gina Seaton
Peter Seib
Garry Shortland
Alan Smith
Jeny Snell
Andy Soughton
Mike Stanton
Rob Stickland
Lucy Trimmell
Gerard Tucker
Anthony Vaughan
Linda Vijeh
Martin Wale
William Wallace
Colin Winder

Information for the Public

The meetings of the full Council, comprising all 60 members of South Somerset District Council, are held at least 6 times a year. The full Council approves the Council's budget and the major policies which comprise the Council's policy framework. Other decisions which the full Council has to take include appointing the Leader of the Council, members of the District Executive, other Council Committees and approving the Council's Constitution (which details how the Council works including the scheme allocating decisions and Council functions to committees and officers).

Members of the Public are able to:-

- attend meetings of the Council and its committees such as Area Committees, District Executive, except where, for example, personal or confidential matters are being discussed;
- speak at Area Committees, District Executive and Council meetings;
- see reports and background papers, and any record of decisions made by the Council and Executive;
- find out, from the Executive Forward Plan, what major decisions are to be decided by the District Executive.

Meetings of the Council are usually scheduled to be held monthly at 7.30 p.m. on the third Thursday of the month in the Council Offices, Brympton Way although some dates are only reserve dates and may not be needed.

The agenda, minutes and the timetable for council meetings are published on the Council's website – www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for 'mod.gov' in the app store for your device and select 'South Somerset' from the list of publishers and then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

The Council's corporate aims which guide the work of the Council are set out below.

Further information can be obtained by contacting the agenda co-ordinator named on the front page.

South Somerset District Council - Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district. We will:

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

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South Somerset District Council

Tuesday 21 May 2019

Agenda

1. **Election of Chairman**
2. **Appointment of Vice-Chairman**
3. **Apologies for Absence**
4. **Minutes**

To approve and sign the minutes of the previous meeting held on Thursday, 21 March 2019.

5. **Declarations of Interest**

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

6. **Public Question Time**
7. **Chairman's Announcements**

Items for Discussion

8. **Chairman's Engagements** (Page 6)
9. **Appointment of Member Level Bodies 2019/20** (Pages 7 - 21)
10. **Notification of an Urgent Executive Decision to Fit Out the First Floor of Yeovil Innovation Centre (YIC)** (Pages 22 - 25)
11. **Report of Executive Decisions** (Pages 26 - 27)
12. **Motions** (Pages 28 - 30)
13. **Questions Under Procedure Rule 10**

There have been no questions submitted by Members under Procedure Rule 10.

14. Date of Next Meeting (Page 31)

Members are asked to note that the next scheduled meeting of the Full Council is a reserve date of 20th June 2019.

Unless there is any urgent business to progress on this date, the next scheduled meeting of the Full Council will take place on **Thursday, 18th July 2019** in the Council Chamber, Council Offices, Brympton Way, Yeovil **commencing at 7.30 p.m.**

Agenda Item 8

Chairman's Engagements

24th March

The Chairman attended the Somerset Legal Service at the invitation of the High Sheriff.

29th March

At the invitation of the Mayor of Yeovil, the Chairman and his wife attended the Yeovil Charity Race Night.

3rd April

The Chairman and his wife enjoyed a performance of 42nd Street by Yeovil Amateur Operatic Society.

He also enjoyed afternoon tea at Kilver Court at the invitation of the Chair of Mendip District Council.

28th April

At the invitation of the Scouts, the Chairman and his wife participated in the Yeovil St Georges Day Parade.

14th May

At the invitation of Yeovil Town Council, the Chairman will attend the Annual Town Meeting, Annual Council Meeting and Mayor Making Ceremony.

Agenda Item 9

Appointment of Member Level Bodies 2019/20

Director: Netta Meadows, Director (Strategy & Support Services)
Lead Officer: Angela Cox, Democratic Services Specialist
Contact Details: angela.cox@southsomerset.gov.uk or (01935) 462148

Purpose of the Report

This report seeks approval to appoint member-level bodies (committees and working groups etc.) for the municipal year 2019/2020.

Recommendations

It is recommended that:

- (1) Subject to Article 7.03 of the Constitution, the Council appoint the Leader of the Council for a period of four years, starting on the day of his/her election and ending on the day of the post 4-year Council election annual meeting.
- (2) The Leader appoint a Deputy Leader to hold office (subject to Article 7.03) until the end of the term of office of the Leader.
- (3) 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.
- (4) The Leader appoint between 1 and 8 further District Executive Members.
- (5) The Council re-establish the following member-level bodies for 2019/2020.
 - a. **Scrutiny Committee** (14 members in political balance) (10 LD, 3 Cons, 1 Ind)
 - b. **Audit Committee** (10 members in political balance) (7 LD, 2 Cons, 1 Ind)
 - c. **4 Area Committees** (geographical representation)
 - d. **Regulation Committee** (14 members in political balance) (10 LD, 3 Cons, 1 Ind)
 - e. **Licensing Committee** (15 members – not required to be in political balance)
 - f. **Appointments Committee** (8 members in political balance) (5 LD, 2 Cons, 1 Ind)
 - g. **Standards Committee** (6 District Council members in political balance plus 5 c-optees) (4 LD, 2 Cons)

- (6) The Council appoint members to the bodies listed in recommendation (5) above having regard to the principles of political balance where appropriate as set out in paragraph 5 of this report.
- (7) The Council appoint Chairmen and Vice Chairmen of the bodies listed in (5) above.
- (8) The Council agree that the bodies appointed in (5) above will operate in accordance with their existing terms of reference (as attached at Appendix A) and the scheme of delegation set out in Part 3 of the Constitution.
- (9) The Council agree to appoint members to Council wide panels and partnerships below:

Panel or Partnership	Membership	Purpose
Appeals Panel		This Panel, which considers and determines appeals by staff in accordance with the Council's Disciplinary Procedure comprises a pool of 8 members from which members are drawn to sit on the appeals as required. As this Panel makes decisions, regard has to be given to political proportionality.
Transformation Board		The purpose of the Transformation Board is to deliver a radical redesign of the way the whole council operates, so that we will be able to: <ul style="list-style-type: none"> • Provide 24/7 access to services in digital formats that are so straightforward and convenient that all those who can use them will choose to do so, while those who can't are not excluded and • Ensure that customers receive face to face help if they need it, whether for complex needs or assistance at a place and time convenient to them • Promote take up of existing and new digital services • Reduce handling in the back offices through automation • Reduce avoidable contact and manage customer demand • Draw on expert skills and knowledge only when required, not by default, so that processing and delivery costs of meeting customer demand will be substantially reduced. • Deliver savings
Strategic Development Board	<ul style="list-style-type: none"> • the Leader of the Council • 4 Area Chairs • the relevant Portfolio Holders covering Economy, Homes, Environment, Infrastructure, Spatial Planning & 	The Strategic Development Board will be responsible for managing and coordinating the delivery of the Council's development ambitions for the District including: <ul style="list-style-type: none"> • Infrastructure • Housing • Economic Development • Regeneration

Panel or Partnership	Membership	Purpose
	Development Management	
Chard Regeneration Programme Board Yeovil Regeneration Programme Board Wincanton Regeneration Programme Board	<ul style="list-style-type: none"> • the Area Chair • at least one member from each of the political groups in and around the town • a ward member for the town area • Leader of the Council • Lead Director • Chief Executive • a limited number of key delivery partners 	The three boards will be responsible for the delivery of the Regeneration Programme for each of the respective town centres.
Strategic Alliance with Sedgemoor	Leader, Deputy Leader, Leaders of two opposition groups	The purpose of the Strategic Alliance is to achieve: <ul style="list-style-type: none"> a. Savings and income generation b. Resilience of service delivery and influence regionally and nationally
Income Generation Board		The purpose of the Income Generation Board is to stimulate income generation activity across the council, prepare recommendations to steer the future income generating activities of the Council, and monitor the achievement of targets for income generation. The intended effect of this activity is to increase the contribution of income generation to the council's revenue budget.
Local Strategic Partnership	Leader (Plus Area Chairmen are automatically members of the LSP)	The Council has established a Local Strategic Partnership to implement a community strategy for the district. The Council's current representative on the Partnership is the Leader of the Council and the four Area Chairmen.
South West Internal Audit Partnership Ltd		The Members Board was established to oversee the work of the Audit Partnership, a Company Limited by Guarantee from 1 st April 2013, and has one member appointed by this Council.
Housing and Exceptions Appeals Panel		This is a joint officer/members panel which determines applies in respect of homelessness applications. There are currently two members who serve on the panels as required.
Somerset Waste Board		This Joint Committee consists of 2 representatives from each Partner Authority in Somerset

Panel or Partnership	Membership	Purpose
PATROL Joint Committee (Parking and Traffic Regulation Outside London)		This Joint Committee consists of one representative from each Partner Authority in Somerset to deal with car park ticket appeals from the public if they are not in agreement to the decision given by the issuing authority. This is a requirement under CPE (Civil Parking Enforcement) legislation.
Somerset Growth Board		The Somerset Growth Board has been established to ensure the Somerset Growth Plan is integrated with the economic agendas of the Local Enterprise Partnership and other key partners. It is anticipated that this appointment will be the Portfolio Holder for Environment and Economic Development.

- (10) The Council agree to appoint members to the Council wide outside bodies as listed below and note that all other appointments to outside bodies will be made by the Area Committees for area specific issues.

Organisation	Number of representatives required
Board of Governors for Yeovil District Hospital NHS Foundation Trust	1 representative
LGA General Assembly	1 representative
South West Provincial Employers	1 representative
South West Councils	1 representative
Somerset Rivers Authority	1 representative 1 substitute
Parrett Drainage Board	1 representative 2 substitutes
Somerset Water Management Partnership	1 representative
Health & Well-Being Board	1 representative
Safer Somerset Partnership	1 representative
Avon and Somerset Police and Crime Panel	1 representative
Somerset Building Preservation Trust	1 representative
Armed Forces Community Covenant	1 representative
Somerset Local Access Forum – new 2 year appointment for 2018	1 representative

- (11) The Council note the Independent Members' Remuneration Panel have not met for a number of years as Council agreed to an annual uplift of all Basic and Special Responsibility Allowances by the same percentage as the equivalent negotiated APT&C pay award for

officers in 2009. If Council wish to review the allowance scheme then a new Independent Members' Remuneration Panel will be appointed.

- (12) The Council agree the continuation of Council Procedure Rule 40(B) - Appointment of substitute Members at meetings of Committees.
- (13) The Council confirm the Council's annual meetings timetable as attached at Appendix B.

1. Background

This report asks Council and the Leader to appoint its committees and other member level bodies for the new municipal year. The report also asks the Council to appoint its representatives on outside bodies.

All party groups have been asked for their nominations to serve on the committees and their proposed nominations are incorporated into the report.

a. District Executive

Leader of the Council, Deputy Leader and between 1 and 8 further Executive Members.

In accordance with the Constitution the Council, the Executive Leader appoints between 1 and 8 further Executive Members. The Leader then maintains the list of responsibilities allocated to individual Executive members, which is reported in Part 3 of the Constitution.

b. Scrutiny Committee

Political Balance

14 members (LD 10, Cons 3, Ind 1)

The Council has agreed that the Chairman of the Scrutiny Committee and one Vice Chairman shall be appointed from each of the two minority groups and one Vice Chairman to be appointed from the majority group.

c. Audit Committee

Political Balance

10 Members (LD 7, Cons 2, 1 Ind)

d. Area Committees

Area based committees are exempt from political balance requirements, and comprise the wards as set out below:

Area East Committee	Area North Committee	Area South Committee	Area West Committee
Blackmoor Vale Bruton Camelot Cary Milborne Port Northstone, Ivelchester and St Michael's Tower Wincanton	Burrow Hill Curry Rivel, Langport and Huish Hamdon Islemoor Martock South Petherton Turn Hill Wessex	Brympton Coker Yeovil (All Wards) Yeovil Without	Blackdown, Tatworth and Forton Chard (All Wards) Crewkerne Eggwood Ilminster Neroche Parrett Windwhistle

e. Regulation Committee

Political Balance

14 Members (LD 10, Cons 3, Ind 1)

The Council has previously agreed that the Committee should, as far as practicable, also be appointed in geographical balance. For the area that the Chairman comes from there shall be 4 members appointed, and 3 members from the other areas.

f. Licensing Committee

Not required to be appointed in political balance

15 Members (currently LD 9, Cons 5, Ind 1)

g. Appointments Committee

Political Balance

8 Members (LD 5, Cons 2, Ind 1)

h. Standards Committee

Political Balance

6 members (LD 4, Cons 2)* one of whom may be a member of the Executive (appointed by the Leader of Council).

The nominated independent members are: Christopher Borland and Peter Forrester.

There are three vacancies for parish representatives.

2. Council Constitution - Scheme of Delegation and Terms of Reference

The Member-level scheme of delegation and terms of reference for the above Council committees and panels are set out in Part 3 of the Constitution.

The District Council's Constitution sets out how the Council operates, how decisions are made, and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

3. Independent Members' Remuneration Panel

The Independent Members' Remuneration Panel have not met for a number of years as Council agreed to an annual uplift of all Basic and Special Responsibility Allowances by the same percentage as the equivalent negotiated APT&C pay award for officers in 2009. If Council wish to review the allowance scheme then a new Independent Members' Remuneration Panel will be appointed.

4. Meetings Timetable

The meetings timetable for 2019/2020 is attached at Appendix B for confirmation.

5. Political Balance and Memberships

In accordance with the Local Government and Housing Act 1989 the Council is required to review the representation on committees and to allocate seats to political groups on the basis of the overall political composition of the Council. The exceptions to this rule are area based committees, the District Executive, Licensing Committee and other panels.

The current political composition of the Council is as follows:

Liberal Democrat	41 seats	68%
Conservative	15 seats	25%
Independent	4 seats	7%

The principles of political proportionality embodied in the Act are:-

- (a) that not all seats are allocated to the same political group;
- (b) that a political group with an overall majority gets a majority of seats allocated;
- (c) subject to (a) and (b) that the total number of seats each political group has on all ordinary committees is in proportion to that group's share of the total council elected membership; and
- (d) subject to (a) and (c) that each political group has the same proportion of seats as it holds on the council as a whole.

The Council has a duty therefore to allocate seats in accordance with these principles, as far as reasonably practicable. The Council can however waive political balance if no member votes against.

The political balance on Committees which are required to be in balance is:

	Seats	Lib Dems	Cons	Ind
Scrutiny Committee	14	10	3	1
Audit Committee	10	7	2	1
Regulation Committee	14	10	3	1
Standards Committee	6	4	2	0
Appointments Committee	8	5	2	1
Appeals Panel	8	5	2	1
Total seats	60	41	14	5

Member Level Bodies not required to be in political balance:

	Seats	Lib Dems	Cons	Ind
Licensing Committee (current membership)	15	8	6	1

The appointments to the Executive and the Area Committees are also not required to be in political balance.

Background Papers: *All published*

Terms of Reference of Committees and Panels

1. District Executive

General

The District Executive will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution. It is responsible for all executive functions and those local choice functions specified as being the responsibility of the District Executive.

Specifically

The District Executive shall:

- Co-ordinate the policy objectives of the Council, monitor progress towards the corporate objectives, and give the Area Committees strategic direction.
- Consider recommendations from Area Committees, Scrutiny Committee, Audit Committee and Portfolio Holders on policy development and change.
- Recommend key priorities for the Council and the overall policy framework including the Community Strategy.
- Agree core minimum standards for service delivery.
- Consider Referrals from Area Committees on matters, which have major policy or resource implications.
- Keep under review the Council's financial affairs and receive reports from the Head of Financial Services on matters for which he/she is responsible.
- Recommend the Capital Programme, revenue budgets and the level of Council Tax.
- Agree resource allocation procedures and processes, including service planning and performance review arrangements.
- Receive reports on matters relating to the overall staff establishment, discipline, training and welfare, and performance monitoring.
- Approve strategic disposals and acquisition including:
 - leases
 - sales of land valued in excess of £10,000

2. Area Committees

General

Each Area Committee shall monitor service delivery in its area, provide leadership for its communities, and take decisions on regulatory matters such as planning applications and statutory orders. They shall also take executive decisions as specifically delegated by the Executive.

Specifically

The Area Committees shall:

- a. Within their area, take decisions in respect of non-executive functions as listed in section 3 of the Constitution; and take executive decisions as set out section 4 of Part 3 of this Constitution. They may also take all other non-executive (regulatory) decisions required to be made by the Council and affecting their area only, and which are not reserved to be taken by any other committee, or the Council itself.
- b. Determine planning applications within its area subject to guidelines in respect of referrals to the Regulation Committee.
- c. Discuss any matter of interest to the area.
- d. Oversee and monitor the operation of services in their area.
- e. Oversee capital schemes to include budgetary control in cases where this has been delegated by the District Executive.
- f. Manage local regeneration projects within financial limits agreed by District Executive.
- g. Prepare Area Action Plans.
- h. Make nominations to serve on outside bodies.
- i. Form working groups and panels subject to budgetary constraints and notification to the District Executive.
- j. Approve sales of land up to the value of £10,000.
- k. Play an enabling role by taking opportunities to provide services and benefits for the people of the area in collaboration with external agencies.
- l. Foster a close working relationship with Town and Parish Councils in the area.
- m. Consult and consider the views of the public on area priorities and provide opportunities for public participation, working in collaboration with external agencies.
- n. Submit to the District Executive ideas for improvements to services or innovative ways of working which may be of interest or benefit to other Areas.
- o. Contribute towards the formulation of district-wide policies.
- p. Be responsible for the local area aspects of the Community Plan.

- q. The following decisions need to be referred to the District Executive: matters of policy which have district wide significance, matters that might have an impact on more than one area (planning matters will be referred to the Regulation Committee in accordance with agreed guidelines) expenditure not covered by an approved budget or within the approved capital programme, sales of land over £10,000.

3. Scrutiny Committee

The Scrutiny Committee shall monitor and scrutinise the performance of the Council and its services and make recommendations on any issue for which the Council is responsible or which affects the local community including those services provided by outside agencies. The Committee will undertake or commission reviews of policy, including value for money checks and keep an overview of the Council's political management arrangements.

The Scrutiny Committee is not able to take decisions but makes recommendations to either the District Executive or the full Council.

There are three main elements to the work of the Committee:

- a. The Scrutiny Committee is able to "call in" decisions taken by the Executive or Area Committees but not implemented. It can ask the District Executive or Area Committee to re-consider its decision.
- b. The Committee is able to review the implementation of decisions and ask the District Executive or full Council to look at a particular area of policy in respect of which the decision was made.
- c. The Committee is able to undertake detailed reviews of issues either within or outside the council

Overview Commissions

An Overview Commission that comprises all of the non-executive members supports the Scrutiny Committee in undertaking reviews in line with the functions set out above.

Reviews are undertaken on a 'Task and Finish' basis as directed by the Scrutiny Committee. The Scrutiny Committee receives the final reports of the Overview Commissions along with regular updates.

All non-executive members support the committee and are invited to participate in reviews on a 'Task and Finish Project' basis as directed by the main Scrutiny Committee.

The Overview Commissions will be encouraged to use various review methods and to engage the wider community wherever possible. Relevant co-optees may be invited to participate in a Commission, bearing in mind the potential contribution of residents and partners.

The Commissions will meet informally and are not subject to the Access to Information Rules. As task and finish groups they will be able to meet and take evidence in public but this will not be a requirement. It will be for each Commission to decide its own working arrangements that best meet the needs of a particular review.

4. Audit Committee

The purpose of the Audit Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance, to the extent that it affects the authority's exposure to risk and weakens the control environment and to oversee the financial reporting process.

The Audit Committee should review the Code of Corporate Governance seeking assurance where appropriate from the Executive or referring matters to management on the scrutiny function.

The terms of reference of the Audit Committee are:

Internal Audit Activity

1. To approve the Internal Audit Charter and annual Internal Audit Plan;
2. To receive quarterly summaries of Internal Audit reports and seek assurance from management that action has been taken;
3. To receive an annual summary report and opinion, and consider the level of assurance it provides on the council's governance arrangements;
4. To monitor the action plans for Internal Audit reports assessed as "partial" or "no assurance;"
5. To consider specific internal audit reports as requested by the Head of Internal Audit, and monitor the implementation of agreed management actions;
6. To receive an annual report to review the effectiveness of internal audit to ensure compliance with statutory requirements and the level of assurance it provides on the council's governance arrangements;

External Audit Activity

7. To consider and note the annual external Audit Plan and Fees;
8. To consider the reports of external audit including the Annual Audit Letter and seek assurance from management that action has been taken;

Regulatory Framework

9. To consider the effectiveness of SSDC's risk management arrangements, the control environment and associated anti-fraud and corruption arrangements and seek assurance from management that action is being taken;
10. To review the Annual Governance Statement (AGS) and monitor associated action plans;
11. To review the Local Code of Corporate Governance and ensure it reflects best governance practice. This will include regular reviews of part of the Council's Constitution and an overview of risk management;
12. To receive reports from management on the promotion of good corporate governance;

Financial Management and Accounts

13. To review and approve the annual Statement of Accounts, external auditor's opinion and reports to members and monitor management action in response to issues raised;
14. To provide a scrutiny role in Treasury Management matters including regular monitoring of treasury activity and practices. The committee will also review and recommend the Annual Treasury Management Strategy Statement and Investment Strategy, MRP Strategy, and Prudential Indicators to Council;

15. To review and recommend to Council changes to Financial Procedure Rules and Procurement Procedure Rules;

Overall Governance

16. The Audit Committee can request of the S151 Officer, the Director – Support Services (the Monitoring Officer), or the Chief Executive (Head of Paid Services) a report (including an independent review) on any matter covered within these Terms of Reference;
17. The Audit Committee will request action through District Executive if any issue remains unresolved;
18. The Audit Committee will report to each full Council a summary of its activities.

5. Standards Committee

The purpose of the Standards Committee is to:-

- promote and maintain high standards of conduct by Members and Co-opted Members;
- advise, train or arrange to train Members and Co-opted Members of the Council on matters relating to the Authority's Members' Code of Conduct and wider propriety issues, including issuing guidance where appropriate;
- recommend the adoption or revision of any Council Codes of Conduct for Members and Co-opted Members, and to monitor the operation of such code(s) of conduct;
- deal with the assessment and determination of complaints under the Members' Code of Conduct relating to Members and Co-opted Members (other than where the power to deal with such matters has been delegated to and exercised by the Monitoring Officer). Where the investigation finds evidence of a failure to comply with the Code of Conduct and a local resolution is not appropriate or not possible, then a Hearing Panel of the Committee (comprising 3 voting members of the Standards Committee agreed by the Monitoring Officer in consultation with the Committee Chairman) will consider and decide the complaint;
- to take decisions in respect of a Member and Co-opted Member who is found on hearing to have failed to comply with the Code of Conduct;
- advise on the management of statutory and other registers of interest and gifts/ hospitality received;
- advise the Council on possible changes to the Constitution (except the Council and Cabinet Schemes of Delegation) in relation the key documents and protocols dealing with members conduct and ethical standards

Note: the powers of the Committee apply in respect of the district and parish councils, except where stated.

6. Regulation Committee

The Regulation Committee shall determine applications for planning permission referred from the area committees in accordance with the approved guidelines set out in part 3 of the Council's Constitution. It shall also pass Resolutions in respect of significant Council applications for planning permission.

7. Licensing Committee

The Committee shall be responsible for those licensing functions listed in Part 3 of the Constitution as being the responsibility of the Committee. This will include licensing matters referred to it by officers in accordance with the Officer Scheme of Delegation. These include, but are not limited to, contested premises licences/ club premises certificates/ temporary event notices, and applications for private hire and hackney carriage licences where the officer considers the application should be determined by members. The Committee shall also be responsible for all the functions assigned to it under the Licensing Act 2003, Gambling Act 2005 and the Charities Act 2006.

8. Appointment Committee

The Committee shall make appointments to director level or deputy director level posts in accordance with the Human Resources Management Rules (as detailed in Part 4 of the Council's Constitution)

9. Appeals Panel

The Panel shall be constituted in line with the Council's Disciplinary Procedures.

South Somerset District Council

Programme of Meetings of Council and Committees – 2019/2020

Meeting	Day	Time	2019								2020				
			May	Jun	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Council	Thurs	7.30pm	21*	(20)	18	(15)	19	(17)	21	(12)	16	20**	19	(16)	21*
District Executive	Thurs	9.30am	-	6	4	1	5	3	7	5	9	6	5	2	7
Area Committee - South	Wed	2.00pm	-	5	3	7	4	2	6	4	8	5	4	1	6
Area Committee - East	Wed	9.00am	-	12	10	14	11	9	13	11	15	12	11	8	13
Area Committee - West	Wed	5.30pm	-	19	17	21	18	16	20	11	22	19	18	15	20
Area Committee - North	Wed	2.00pm	(29)	26	24	28	25	23	27	18	29	26	25	22	27
Scrutiny Committee	Tues	10.00am	-	4	2	30 July	3	1	5	3	7	4	3	31 Mar	5
Audit Committee	Thurs	10.00am	-	27	25	-	-	24	28	-	23	-	26	-	-
Regulation Committee	Tues	10.00am	-	18	16	20	17	15	19	17	21	18	17	21	19
Licensing Committee	Tues	10.00am	-	11	-	-	10	-	-	10	-	-	10	-	-
Standards Committee	Tues	2.15pm	-	11	-	-	-	-	-	10	-	-	-	-	-

* Annual Meeting of Council - May

** Council Budget and Council Tax Setting Meeting – Thursday 20 February 2020

Dates in brackets () for Council are reserve dates which will only be engaged if required.

Agenda Item 10

Report on an Urgent Decision taken by the Chief Executive in consultation with the Leader to Fit out the First Floor of Yeovil Innovation Centre (YIC)

Executive Portfolio Holder: Portfolio Holder for Economic Development
Director: Clare Pestell, Commercial Services and Income Generation
Service Manager: Robert Orrett, Commercial Property, Land and Development Manager
James Divall, Income and Opportunities Manager
Contact Details: robert.orratt@southsomerset.gov.uk or 01935 462075

Purpose of the Report

1. The report sets out the details of an urgent decision taken by the Chief Executive in consultation with the Council Leader for approval for SSDC to fund fit-out works for the first floor at Yeovil Innovation Centre phase 2 (YIC2) three years ahead of forecast. This was with the objective of securing a letting of the floor to a single tenant who wish to be in occupation by September 2019, which will not be achieved without meeting the fit out costs. As well as supporting the YIC business plan the letting will secure and attract around 100 jobs for the local economy.

Decision Taken

2. That the Chief Executive in consultation with Council Leader approved:
 - a. capital funding of up to £320,000 from the useable capital receipts reserve to meet the cost of fit-out works and furniture for First Floor at YIC2;
 - b. to add the revenue income stated in the confidential appendix to the Medium Term Financial Plan;
 - c. that expenditure shall only be committed if a legally binding agreement for lease has been concluded with GP Strategies on the basis set out in this report;
 - d. that prior confirmation shall be obtained from partners in YIC that SSDC may retain the full revenue impact of this letting to provide return on this capital and recovery of that capital until the full sum has been recovered, and thereafter revenue will accrue to YIC in the normal way; and
 - e. the Director of Commercial Services and Income Generation be authorised to approve the details of specification and lease terms, or to delegate as appropriate.

Reasons for an urgent decision

3. The potential tenants are seeking occupation by 1 September 2019. Urgent decision making is therefore required to secure this opportunity for YIC and the jobs for the local economy. To successfully implement this will need the decision to be followed by rapid conclusion of the agreement for lease, specification and implementation of the works.
4. This decision would normally be dealt with by a District Executive report for members as it involves the use of capital receipts, but due to Elections the next meeting is not until June and the opportunity will be lost unless an urgent decision to proceed is made.

Background

5. Yeovil Innovation Centre has been operating as an effective business incubation facility since 2009. A second phase – YIC2 was completed in autumn 2018. The Business Plan 2019-2024 for YIC recognised that introducing the additional space comprised in YIC2 would reduce overall occupancy levels for a period, projecting that it would take until 2022 at the earliest to return to 80-85% occupancy. The ground floor of the extension comprises a large number of smaller units, whilst the upper floor would be developed and fitted out according to demand. The first floor is currently only finished to shell specification. All occupiers would expect the landlord to meet the cost of a typical landlord's fit out (known as category A fit-out). It is then the norm for tenants to determine and fund their own fit-out (category B) and procure furniture but it is frequently the case that landlords grant a rent free period which contributes towards the costs.
6. No funding provision is already established to meet the capital costs. The revenue budget for YIC is based on the assumption this floor remains unused for at least three years. Without an occupier, there will be a service charge void to cover and expectation is that it will be assessed for business rates also, which will fall to YIC while the space is vacant acting as an additional cost to all YIC partners and adversely affecting YIC viability. Even if the tenant leaves at the three year break or the end of the six year term, the capital costs will have been paid, the work that we would have to complete to let the space will have been done, and we will have an enhanced asset that should be attractive to other potential tenants.
7. While there is a fair prospect of other enquiries from time to time, no prospective lessee will meet the category A costs. It is hypothetically possible that a new lessee might agree to a structure where a long rent free period is granted to equate to the cost, but that is quite unlikely. It is reasonable to conclude therefore that unless the landlord finds a means to finance the category A works cost, the space will remain unlet and leave YIC with ongoing void costs. The estimated budget for category A works is £250,000.
8. An enquiry has been received and nurtured at YIC about a potential letting of the whole first floor from a company who already have some space in Yeovil and need to expand. They are also considering the closure of an office out of area and centralising their business close to Yeovil in one location which will bring additional high quality employment and inward investment to the area, and support one of our largest private companies.
9. Outline terms for the letting of the whole first floor at YIC2 have been discussed as follows:
 - a. Net lettable area: 4,015 sq ft (estimate subject to check measurement)
 - b. Lease term: 6 years with tenant break option after 3 years
 - c. Break option: Tenant only on 6 months' notice. 6 months rent penalty if exercised
 - d. Rent: as stated in confidential appendix
 - e. Landlord works: Category A works plus creation of 2 glazed partitioned offices. The additional cost of those offices effectively funded by the lessee dropping normal expectation of 6 month rent free letting incentive.
 - f. Effective full repairing and insuring lease. Tenant would be responsible for internal repairs and pay a service charge for the external structure, common parts and insurance. Tenant responsible for business rates.
10. The tenant is effectively funding the cost of the category B works by foregoing the rent free period that might typically negotiate, and the costs of the furniture by paying a premium rent element. Ownership of the furniture will remain with SSDC until the payment period has been completed.
11. Implementation of the fit-out works adds to the value of the asset by creating additional accommodation capable of immediate occupation and use.

12. Achievement of this letting will continue the economic development of Yeovil by supporting additional jobs in the town.

Financial Implications and Business Case

13. The financial implications and business case are stated in the confidential appendix.
14. Taking in to account the income and the void costs the Council would incur, the payback for the capital investment is 2.8 years.
15. The agreement to the funds will have economic benefits too, securing and attracting approximately 100 jobs within the district that are a key part of our local aviation industry. It also enhances the asset and the lettability of YIC2 should the tenants leave at the break clause.
16. If the recommendation to agree funding of £320,000 from useable capital receipts is agreed, this will leave approx. c£7m of useable capital receipts remaining unallocated.
17. Should the funding not be agreed, then the Council will be liable to pay business rates and lose out on recovery of potential service charge costs as stated in the confidential appendix. These void costs are taken into account when assessing the pay-back period for the capital investment and the agreement with YIC partners will need to ensure the full revenue impact is received by SSDC until the full capital contribution has been recovered.

Risk

The following risks, and mitigation measures have been considered:

- A. Capital costs are incurred and the lease does not complete so income not received. No commitment to works or their costs will be made by SSDC until legally binding agreement for lease is in place.
- B. Full revenue impact not received by SSDC. The business plan for YIC includes the shares agreed for any surplus made by YIC. Specific agreement will be needed from partners to permit SSDC to receive full revenue impact until capital has been recovered.
- C. Tenant defaults on lease once granted. Appropriate due diligence will be carried out on the proposed lessee to enable reasonable confidence in the strength of their business. Tenant failure cannot be entirely ruled out but the impact of the capital works will have enduring value in the ability to lease this area.
- D. Capital costs are above the levels expected. A contingency of circa 5% has been built in to the budget cost assessment. If actual proposals are above budget, then specifications will be value engineered to achieve budget.

Council Plan Implications

18. Economy – delivery of this proposal contributes to strengthening the local economy by facilitating growth in local employment and delivering more usable accommodation for businesses.
19. Protecting Core Services – accelerating the occupation of YIC2 will bring forward the clearing of the historical operating costs accumulated by SSDC and then improve the operating surplus which SSDC shares in.

Background Papers

Specific reference has been made to the Yeovil Innovation Centre – Business Plan 2019-24.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Agenda Item 11

Report of Executive Decisions

Executive Portfolio Holder: Val Keitch, Leader of Council, Strategy and Policy
Director: Netta Meadows, Director (Strategy & Support Services)
Lead Officer: Angela Cox, Democratic Services Specialist
Contact Details: angela.cox@southsomerset.gov.uk or (01935) 462148

This report is submitted for information and summarises decisions taken by the District Executive and Portfolio Holders since the last meeting of Council in March 2019. The decisions are set out in the attached Appendix.

Members are invited to ask any questions of the Portfolio Holders.

Background Papers

All Published

Val Keitch, Leader of the Council
Angela Cox, Democratic Services Specialist
angela.cox@southsomerset.gov.uk or (01935) 462148

Appendix

Portfolio	Subject	Decision	Taken By	Date
Strategic Planning (Leader of Council)	Community Grant Request - Caryford Community Hall	<p>That the Portfolio Holder for Strategy and Policy, as Leader of Council has agreed to:</p> <ul style="list-style-type: none"> a. delegate to herself as Portfolio Holder authority to take an executive decision in relation to funding for the Caryford Community Hall; b. note that Area East Committee endorsed Caryford Community Hall Association's funding application and requested District Executive to support the request on the following basis; c. approve a contribution of up to £27,500 from the Area East Capital Reserve as a 4.8% contribution towards the extension and refurbishment of Caryford Hall, subject to standard grant conditions; d. note that, if agreed, the recommendation at 'b' above, along with the £12,500 contribution previously agreed by Area East Committee in December 2018 will result in a total contribution of £40,000 (7%) towards the extension and refurbishment of Caryford Hall. 	Portfolio Holder	22/03/19
Strategic Planning (Leader of Council)	Provision of Temporary Accommodation in South Somerset	The Portfolio Holder for Strategy and Policy has approved the use of up to £55,000 from the Affordable Housing Capital Programme Reserve for the refurbishment and redecoration of an identified SSDC owned property, to enable the Council to provide temporary accommodation for people experiencing homelessness in South Somerset.	Portfolio Holder	29/03/19

Agenda Item 12

Motions

The following Motion has been submitted by Councillor Henry Hobhouse:-

Extinction Rebellion South Somerset

9th May 2019

Motion to SSDC to Declare a Climate and Ecological Emergency

Notes for Council:

1. Humans have already caused irreversible climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO₂ levels are above 400 parts per million (ppm). This far exceeds the 350 ppm deemed to be a safe level for humanity.
2. In order to reduce the chance of runaway Global Warming and limit the effects of Climate Breakdown, it is imperative that we as a species reduce our CO₂eq (carbon equivalent) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible. (1)
3. Individuals cannot be expected to make this reduction by themselves. Society needs to change its laws, taxation, infrastructure, etc. to make low carbon living easier and the new norm.
4. Carbon emissions result from both production and consumption of resources and are made worse by our excessive levels of both.
5. SSDC has already shown foresight and leadership when it comes to addressing the issue of Climate Breakdown, having invested in renewable energy and many other schemes over the years.
6. Unfortunately, current plans and actions are not enough. The world is on track to overshoot the Paris Agreement's 1.5°C limit before 2050. (2),(3)
7. The International Panel on Climate Change – IPCC's Special Report on Global Warming of 1.5°C, published October 2018, describes the enormous harm that a 2°C rise is likely to cause compared to a 1.5°C rise. The UK's Climate Change Committee has recommended zero greenhouse gas emissions **by** 2050 but other groups such as WWF, Greenpeace and Extinction Rebellion have suggested earlier targets. Only with ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities can these targets be achieved. (3)
8. Councils around the UK and the world are responding by declaring a 'Climate Emergency' and committing resources to address this. (4)
9. The International Panel on the Environment and Biodiversity (IPEB) report, released this month, in addition to the IPCC report, states that we are at risk of one million species' of animal becoming extinct within the next few decades. This will have a devastating effect on the symbiotic relationship of all life and the threat to human extinction will increase as a result if action is not taken now to prevent the collapse of the ecosystem.

Full Council believes that:

1. All governments (national, regional and local) have a duty to limit the negative impacts of Climate Breakdown, and local governments that recognise this should not wait for their national governments to change their policies. It is important for the residents of South Somerset and the UK that districts commit to carbon neutrality as quickly as possible;
2. The consequences of global temperature rising above 1.5°C are so severe that preventing this from happening must be humanity's number one priority.
3. Bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities (as well as improved well-being for people worldwide).

Extinction Rebellion South Somerset calls on SSDC to:

1. Declare a 'Climate and Ecological Emergency'.
2. Pledge to make the district of South Somerset carbon neutral by 2025, taking into account both production and consumption emissions. (5)
3. Call on Westminster to provide the powers and resources to make the 2025 target possible.
4. Work with other councils and governments to determine and implement best practice methods to limit Global Warming to less than 1.5°C.
5. To examine what immediate action can take place upon the passing of this motion, e.g. divesting from fossil fuels; lobbying Government to bring forward the Future Homes Standard or equivalent such as Passivhaus to 2021 not 2025; embark on a tree planting plan to plant 100,000 trees by the end of 2019 and 4,000,000 by 2025 (equivalent to 14 new completely wooded Ham Hill Country Parks).
6. To provide leadership to the residents of the district on individual measures that can be taken now and how the council can assist in delivering those steps.
7. To develop a Carbon Neutrality and Climate Resilience Plan, starting from July 2019, with a cross party working group and the necessary officer support to assist with investigative work, drafting the plan for the delivery of early projects.
8. To report to Full Council before the end of 2019 with costed proposals for projects for the Council to effectively start addressing the climate emergency, which could include:
 - a) Enabling more cycling, walking and use of shared and public transport.
 - b) Providing electric car charging points in car parks and other suitable locations, including for use by council tenants and council vehicles.
 - c) Adopting high energy efficiency standards and providing for the effective use of recycling services in new buildings through the planning system.
 - d) Demonstrating and developing a programme for retrofitting high standards of energy saving and insulation in existing council buildings, including housing and assets; initially focusing on where the greatest benefits could be gained.
 - e) Promoting waste reduction, reuse and recycling on the go, and supporting community projects.

- f) Sourcing electricity used by the council from renewable energy suppliers and providing support for smart energy infrastructure, including demand management and storage.
- g) Supporting green businesses and social enterprises. Review of planning policies and investment opportunities for local renewable energy and infrastructure and environmental markets, as well as divestment from fossil fuels.
- h) Adaptation for flooding and other impacts of climate change.
- i) Continue to work with partners across the district and region to deliver this new goal through all relevant strategies and plans;
- j) Work with Somerset County Council to establish a Citizens Assembly to include a representative range of citizens from all districts to establish the facts and make recommendations to guide the actions of the county as a whole in addressing the climate and ecological emergency.
- k) Report to Full Council every six months with the actions the Council will take to address this emergency.
- l) To add carbon footprint management protocols to all future council decisions and to address and manage the carbon footprint of programs already within the councils various portfolios.

References:

1. Fossil CO₂ & GHG emissions of all world countries, 2017: <http://edgar.jrc.ec.europa.eu/overview.php?v=CO2andGHG1970-2016&dst=GHGpc>
2. World Resources Institute: <https://www.wri.org/blog/2018/10/8-things-you-need-know-about-ipcc-15-c-report>
3. The IPCC's Special Report on Global Warming of 1.5°C: <https://www.ipcc.ch/report/sr15/>
4. Councils declaring climate and ecological emergencies
<https://climateemergency.uk/blog/map-of-local-council-declarations>
 Berkeley: <https://www.theclimatemobilization.org/blog/2018/6/13/berkeley-unanimously-declares-climate-emergency> and
 Hoboken: <https://www.theclimatemobilization.org/blog/2018/4/25/hoboken-resolves-to-mobilize> and the C40 cities: <https://www.c40.org/other/deadline-2020>
5. Scope 1, 2 and 3 of the Greenhouse Gas Protocol explained: <https://www.carbontrust.com/resources/faqs/services/scope-3-indirect-carbon-emissions>

Agenda Item 14

Date of Next Meeting

Members are asked to note that the next scheduled meeting of the Full Council is a reserve date of 20th June 2019.

Unless there is any urgent business to progress on this date, the next scheduled meeting of the Full Council will take place on **Thursday, 18th July 2019** in the Council Chamber, Council Offices, Brympton Way, Yeovil **commencing at 7.30 p.m.**
