

## South Somerset District Council

**Minutes** of a meeting of the **District Executive** held as a **Virtual Meeting using Zoom meeting software on Thursday 3 September 2020.**

(9.30 am - 11.10 am)

### **Present:**

Councillor Val Keitch (Chairman)

Jason Baker  
Mike Best  
John Clark  
Adam Dance  
Sarah Dyke

Peter Gubbins  
Henry Hobhouse  
Tony Lock  
Peter Seib



### **Also Present:**

Robin Bastable  
Brian Hamilton  
Mike Lewis  
Sue Osborne  
Robin Pailthorpe  
Crispin Raikes

Gina Seaton  
Jeny Snell  
Mike Stanton  
Linda Vijeh  
Martin Wale  
Colin Winder

### **Officers:**

Alex Parmley  
Nicola Hix  
Kirsty Larkins  
Clare Pestell  
Richard Ward  
Jo Nacey  
Angela Watson  
Jo Wilkins  
Jan Gamon  
Peter Paddon  
Jo Boucher  
Michelle Mainwaring  
Becky Sanders

Chief Executive  
Director (Support Services)  
Director (Strategy and Commissioning)  
Director (Commercial Services & Income Generation)  
Monitoring Officer  
Section 151 Officer  
Lead Specialist (Legal)  
Specialist (Strategic Planning)  
Lead Specialist (Strategic Planning)  
Lead Specialist (Economy)  
Case Officer (Strategy & Commissioning)  
Case Officer (Strategy & Commissioning)  
Case Officer (Strategy & Commissioning)

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

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### **178. Minutes of Previous Meeting (Agenda Item 1)**

The minutes of the previous meetings held on 16 July 2020 and 6 August 2020 were approved as correct records and would be signed by the Chairman.

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### **179. Apologies for Absence (Agenda Item 2)**

All members were present at the meeting.

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#### **180. Declarations of Interest (Agenda Item 3)**

There were no declarations of interest.

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#### **181. Public Question Time (Agenda Item 4)**

The Chairman noted a member of the public was present who wished to address members regarding the Queen Camel Neighbourhood Plan, She advised that she would invite the gentleman to speak at the time the item was to be considered.

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#### **182. Chairman's Announcements (Agenda Item 5)**

The Chairman reminded members that the draft Business Case for Stronger Somerset had been published which would be considered at special meetings of Scrutiny Committee and District Executive the following week before being going forward to Full Council on 10 September. A microsite was available where documents relating to the business case could be viewed and also information provided as FAQs (Frequently Asked Questions). She also noted that consultation had begun with town and parish councils, and advised that the Project Board was meeting frequently. It was acknowledged that much work had been done in a relatively short timeframe and a lot of work was still ongoing. She conveyed her thanks to the officers involved.

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#### **183. The Queen Camel Neighbourhood Plan Referendum (Agenda Item 6)**

The Clerk of Queen Camel Parish Council addressed members regarding the Neighbourhood Plan. He appreciated that this was a difficult decision for the district council and he thanked the authority for allowing the time to work with the parish council to find an acceptable compromise. On the basis that the Examiners modifications would be accepted, including removal of the settlement boundary in order to make the Neighbourhood Plan in conformity with the existing and emerging Local Plan, then provided the changes to the text as set out in the agenda report were made, then that would enable significant weight to be given to the Neighbourhood Plan prior to the Referendum.

The Leader introduced the report which asked members to agree the Independent Examiner's report and recommendations for Proposed Modifications, and to set out the process for making the plan should there be a favourable outcome to the local referendum. She highlighted the specific recommendations and wording that members were being asked to agree. She congratulated the parish for the quality of work that had been undertaken. It was noted it would be very difficult to not accept the examiners modifications as there was no legal basis to do so. She reminded members that a referendum was unable to be take place until at least May 2021 due to Coronavirus restrictions.

The Specialist (Strategic Planning) acknowledged the comments and concerns of the parish, particularly regarding the settlement boundary, and noted the parish and officers had worked productively to reach the compromise. She felt the form of wording as

detailed in the agenda report, had been taken as far as it was possible and external and internal legal advice had been taken.

During a short discussion members praised the parish for reaching the current stage of the Neighbourhood Plan, and one member provided a brief history as to how this particular plan had come forward.

Ward member, Councillor Mike Lewis, acknowledged there was local disappointment regarding the settlement boundary issue, and was fearful that when this Neighbourhood Plan goes to referendum that the local community may not be supportive.

There being no further discussion, it was proposed to approve recommendations A to D, and on being put to the vote, was carried unanimously.

**RESOLVED:** That the District Executive:-

- a) agreed the Examiner's report and accepted in full her recommendations for Proposed Modifications to the Queen Camel Neighbourhood Plan.
- b) agreed a modification to the explanatory text at paragraphs 3.2.12 and 3.2.13, alongside amending Policy QC2; and providing a definition of "infill" alongside to clearly align the amendments with the paragraph 12(6) powers to modify, along with express recognition that the Examiner's recommendations have been accepted in full.
- c) agreed to officers organising a referendum next year for local people on the Electoral Register. The aim of the referendum is to ascertain whether local residents want South Somerset District Council to use the Neighbourhood Plan for Queen Camel to help it decide planning applications in the neighbourhood area.
- d) delegated responsibility to the Director for Strategy and Commissioning to make any final minor text amendments to the Neighbourhood Plan, in agreement with the Queen Camel Neighbourhood Plan Steering Group

**Reason:** To agree the Independent Examiner's report and recommendations for Proposed Modifications; and to set out the process for 'making' the plan in the event that there is a favourable outcome to the local referendum to be organised by the District Council.

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#### **184. Disposal of Churchfields Office, Wincanton (Agenda Item 7)**

The Portfolio Holder (Protecting Core Services) presented the report which asked member to consider the disposal of this surplus operational property asset, and noted the disposal had also been previously discussed by Area East Committee.

The Portfolio Holder (Area East) noted that at Area East Committee there had been discussion about splitting the red line so that an annexe could be sold separately, and he asked what had happened regarding the suggestion. He confirmed that Area East Committee supported disposal of the property. In response, the Commercial Property,

Land and Development Manager explained that the property had been marketed for bids for either part or the whole site, but offers had only been received for the entire site.

Following a very brief discussion, it proposed to approve the two recommendations as detailed in the agenda report, which was carried unanimously when put to the vote.

**RESOLVED:** That the District Executive agreed to:-

- a) Approve the recommendation for sale of the property asset contained in the confidential appendix (of the agenda report).
- b) Delegate to the Director of Commercial Services and Income Generation approval of detail of the sale providing the price and basis remain in accordance with the information provided.

**Reason:** To confirm the disposal of this surplus operational property asset.

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### **185. Investment Assets Quarterly Update Report (Agenda Item 8)**

The Portfolio Holder (Economic Development) presented the report which provided an update on progress with implementing the commercial investment component of the SSDC Commercial Strategy. He highlighted some key elements of the report, and reminded members of the targets set within the Commercial Strategy. It was noted this was the first of quarterly reports as due to the pandemic more frequent reporting had been requested. It was noted since the last report the purchase had been completed for a battery storage facility at Fareham which was slightly larger than the facility at Taunton.

The Commercial Property, Land and Development Manager, and the Director (Commercial Services and Income Generation) explained further some aspects of the report and responded to points of detail raised during a short discussion. Some of their points included information regarding:

- Speculation on the future of the office market in general
- An update on the rent collection which had progressed to about 90%, and it was hoped to reach 95-98%.
- Information about engagement with tenants.
- An overview of the Fareham Battery Project including timescales and when trading was hoped to commence.
- The prices of properties at the Marlborough development had been revised during the pandemic and the authority would strive to get the best price.
- The Innovation Centre was not part of the investment portfolio.

The Scrutiny Chairman acknowledged the explanations provided by officers at the Scrutiny Committee meeting, including addressing concerns about:

- Reduction in income and how that would effect the income targets.
- Whether should invest less in offices in the future
- The new battery scheme and how it would operate

During a short discussion members congratulated the team for their work and achievements. The Leader noted it was worth taking a moment to consider where the authority might have been had the investments not been made and the income achieved.

Members were content to note the report and the progress made.

**RESOLVED:** That the District Executive agreed to:-

- a) Note the resilience of the property investment portfolio thus far in the context of the COVID-19 pandemic.
- b) Note progress made to date in acquiring new commercial investments and the asset management following acquisition.
- c) Note the return being achieved across the portfolio which is slightly above the Council's target of 7%.
- d) Note progress being made in securing income from our existing assets and the contribution to the revenue budget towards the revised £3.35m target.

**Reason:** To provide a quarterly update to members on progress with implementing the commercial investment component of the Commercial Strategy agreed by Council.

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**186. Reconstruction & Adoption of roadway, Chard Business Park, Chard (Agenda Item 9)**

The Portfolio Holder (Economic Development) presented the report which detailed an emerging issue with a section of roadway at Chard Business Park, and outlined the potential implications and costs involved of the issue. He highlighted the background and history of the situation and clarified the funding requested was to fully scope and cost out the full extent of the works for the SSDC obligation.

The Chairman of Scrutiny Committee advised that members had sought some reassurances that there was no ransom strip, and also if there were to be any significant costs would that effect the Chard Regeneration Scheme, but had been informed by the officer that this would not be the case.

There being no discussion, it was proposed to approve the recommendation for preliminary investigation works up to a cost of £7,000. On being put to the vote, the proposal was agreed unanimously.

**RESOLVED:** That District Executive agreed to:-

- a) Approve the preliminary investigation works to the roadway to establish a full scope and cost of works required. The preliminary investigation works will be undertaken by external consultants with a maximum anticipated cost of £7,000 excluding VAT. To be funded from General Reserves.

**Reason:** To approve to progress preliminary investigation works to identify the full extent of the works required for a section of roadway at Chard Business Park.

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## **187. Shared Building Control and Somerset Independence Plus Service (Agenda Item 10)**

The Portfolio Holder (Protecting Core Services) presented the report which asked members to consider expanding the existing Somerset Building Control Partnership and the existing Somerset Independence Plus agreement to include SSDC. He provided a brief overview, and highlighted the paragraphs under financial implications.

There were no questions raised by the Chairman of Scrutiny Committee. There was no discussion, and it was proposed to approve the recommendations as detailed in the agenda report, which were carried unanimously on being put to the vote.

**RESOLVED:** That District Executive agreed to:-

- a) Note the contents of the report.
- b) Authorise the development of a business case for an expanded Somerset Building Control Partnership and Somerset Independence Plus Partnership in collaboration with any or all of MDC, SDC, SWT and SSDC.

**Reason:** To consider expanding the existing Somerset Building Control Partnership and the existing Somerset Independence Plus agreement to include South Somerset (SSDC) within the existing agreements in place with Mendip District Council (MDC), Somerset West and Taunton Council (SWT), Sedgemoor District Council (SDC) and Somerset County Council (SCC).

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## **188. Shared Legal Services (Agenda Item 11)**

The Portfolio Holder (Finance & Legal Services) presented the report which sought approval to explore the establishment of sharing legal services between SSDC, Mendip District Council, Sedgemoor District Council, and Somerset West & Taunton Council. He explained that the proposal was regarding the operational side of legal services such as casework. He also noted that each authority would retain strategic oversight including the statutory role of the Monitoring Officer.

There were no questions raised by the Chairman of Scrutiny Committee and he noted that members had supported the recommendations. There was no discussion, and it was proposed to approve the five recommendations as detailed in the agenda report, which were carried unanimously on being put to the vote.

*(Note – One member was not present for the vote as they briefly lost their internet connection).*

**RESOLVED:** That District Executive agreed to:-

- a) Note the contents of the report.
- b) Authorise the establishment of a project team to work on the development of a business case and options appraisal for the sharing of legal services between Mendip District Council, Somerset West and Taunton Council, South Somerset District Council and

Sedgemoor District Council.

- c) Authorise the Director of Support Services, following consultation with the Districts' Unitary Programme Board and Unitary Steering Group, to take any and all decisions as deemed necessary to enable the business case and options appraisal to be developed to include, without limitation, finalising, approving and signing Heads of Terms and engaging any external advisers.
- d) A contribution of up to £5,000 to fund the Councils one quarter share in relation to the engagement of any external advisors to be funded from existing service revenue budget for 2020/21.
- e) Authorise Director of Support Services to review the progressing of the shared legal services project in the event that Central Government decide to proceed with one Unitary Authority for Somerset.

**Reason:** To agree to explore the establishment of sharing legal services between Mendip District Council (MDC), Somerset West and Taunton Council (SWT), South Somerset District Council (SSDC) and Sedgemoor District Council (SDC).

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## **189. Urgent Decision - Support for Leisure Provider (Agenda Item 12)**

The Portfolio Holder (Health & Well-Being) presented the report which notified members of an urgent decision made by the Chief Executive in consultation with the Council Leader, Section 151 Officer and the Portfolio Holder for Health & Well-Being), to offer a letter of support with agreement in principle to provide funding to mitigate the losses incurred by LED Leisure Management Ltd due to the pandemic restrictions. He noted the issues regarding re-opening of leisure facilities during the Coronavirus restrictions was an issue being faced by most authorities across the country.

During a short discussion, one member noted he had considered the details in depth and felt the level of funding was sensible. He was of the opinion without the support there was a risk of losing such facilities.

The Chairman of Scrutiny Committee noted members had queried if it was known what future funding may be available from MHCLG (Ministry of Housing, Communities and Local Government), and had been informed by officers that it was unknown. Members had also sought reassurance that funding would not be paid in advance and then the facility possibly closed again, and officers had confirmed that any funds would be released in arrears.

There being no further discussion, members were content to note the urgent decision taken.

**RESOLVED:** That District Executive agreed to note the urgent executive decision made by the Chief Executive in consultation with the Council Leader and Portfolio Holder for Health & Well-Being to provide a letter of support to our Leisure providers, LED with an agreement in principle to provide adequate funding. Any further requests of funds to be taken through the

formal democratic route.

**Reason:** To notify Members of an urgent executive decision made by the Chief Executive in consultation with the Council Leader and Portfolio Holder for Health & Well-Being and the Section 151 Officer, to offer a letter of support with agreement in principle to provide funding to mitigate the losses incurred by LED Leisure Management Ltd due to the Covid-19 restrictions.

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#### **190. District Executive Forward Plan (Agenda Item 13)**

The following addition to the Forward Plan was noted:

- Government Devolution Paper (for discussion)

**RESOLVED:** That the District Executive:

Approved the updated Executive Forward Plan for publication as attached at Appendix A, with the following addition:

- Government Devolution Paper (for discussion)

Noted the contents of the Consultation Database as shown at Appendix B.

**Reason:** The Forward Plan is a statutory document.

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#### **191. Date of Next Meeting (Agenda Item 14)**

Members noted that the next meeting of the District Executive would be the special meeting on the 10 September, and the next scheduled ordinary meeting would take place at 9.30am on Thursday 1<sup>st</sup> October 2020, as virtual meetings using Zoom meeting software.

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#### **192. Exclusion of Press and Public (Agenda Item 15)**

**RESOLVED:** That the following item 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).

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#### **193. Yeovil Refresh Ring-fenced Assets and Development Opportunities (Confidential) (Agenda Item 16)**

The Portfolio Holder (Yeovil Refresh) presented the confidential report as detailed in the agenda, and reminded members that a similar report had been considered previously for the Chard Regeneration Scheme.



During the short discussion, the Director (Place) and Director (Commercial Services and Income Generation) answered questions on points of detail, and, at the conclusion of the debate, members were content to approve the recommendations of the report.

**RESOLVED:** That District Executive agreed to:

- 1) Approve the capital receipts from the identified asset sales be ring-fenced specifically for the Yeovil Refresh Programme.
- 2) Note that this decision does not set any form of precedent that Area assets when realised are used for the Area they are in.

**Reason:** To consider extending the existing ring-fence around assets in Yeovil that can be sold on to generate a capital receipt, in order to fund the Yeovil Refresh.

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Chairman

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Date