

South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Thursday 19 November 2020** held as a Virtual Meeting using Zoom meeting software.

(6.30 pm - 8.07 pm)

Present:

Members: Councillor Paul Maxwell (Chairman)
Councillor Jenny Kenton (Vice-Chairman)

Jason Baker	Ben Hodgson	David Recardo
Mike Best	Charlie Hull	Paul Rowsell
Neil Bloomfield	Kaysar Hussain	Dean Ruddle
Dave Bulmer	Val Keitch	Gina Seaton
Hayward Burt	Andy Kendall	Peter Seib
Tony Capozzoli	Tim Kerley	Garry Shortland
Martin Carnell	Mike Lewis	Alan Smith
John Clark	Mike Lock	Jeny Snell
Nicola Clark	Pauline Lock	Andy Soughton
Louise Clarke	Tony Lock	Mike Stanton
Nick Colbert	Graham Oakes	Rob Stickland
Adam Dance	Tricia O'Brien	Lucy Trimnell
Sarah Dyke	Sue Osborne	Gerard Tucker
Karl Gill	Tiffany Osborne	Linda Vijeh
David Gubbins	Robin Pailthorpe	Martin Wale
Peter Gubbins	Oliver Patrick	William Wallace
Brian Hamilton	Clare Paul	Colin Winder
Mike Hewitson	Crispin Raikes	
Henry Hobhouse	Wes Read	

Officers:

Alex Parmley	Chief Executive
Netta Meadows	Director (Service Delivery)
Clare Pestell	Director (Commercial Services & Income Generation)
Martin Woods	Director (Place)
Richard Ward	Monitoring Officer
Nicola Hix	Director (Support Services)
Kirsty Larkins	Director (Strategy and Commissioning)
Jo Nacey	Section 151 Officer
Tom Jennings	Kiwi Power
Tim Humpage	British Renewables
Paul Matravers	Lead Specialist (Finance)
Katy Menday	Leisure & Recreation Manager
Vicki Dawson	Lead Specialist (Environmental Health)
Angela Cox	Specialist (Democratic Services)
Michelle Mainwaring	Case Officer (Strategy & Commissioning)
Becky Sanders	Case Officer (Strategy & Commissioning)

186. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Robin Bastable and Malcolm Cavill.

It was noted that Councillors Hayward Burt, Nicola Clark, Karl Gill, and Tricia O'Brien would be joining the meeting later.

187. Minutes (Agenda Item 2)

The minutes of the Council meeting held on 15th October 2020, copies of which had been previously circulated, were approved as a correct record of the meeting and signed by the Chairman.

188. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by Members.

189. Public Question Time (Agenda Item 4)

There were no questions from members of the public.

190. Chairman's Announcements (Agenda Item 5)

The Chairman advised that former-District Councillor John Farley had passed away earlier in the week. He had been a District Councillor for Milborne Port from 1995 until 2007, holding positions as Vice-Chairman of Area East Committee and a member of District Executive. He was also a County Councillor for the Blackmoor Vale Division and he served on the Milborne Port PC from 1987 to 2015, being the Chair for a number of years. He said that many Councillors remembered him as a true gentleman and their thoughts were with his partner at this time. On retiring from SSDC in 2007, he was one of the first retiring Councillors to be made an Alderman.

The Chairman also thanked the Members who had recently attended the two planning workshops, the officers for arranging them and the Portfolio Holder, Cllr Tony Lock.

He noted that the country was once again in a lockdown period due to Covid-19 which once again put a strain on the Council, local residents and businesses. He paid tribute to SSDC staff who had risen to the challenge and asked Members for their patience in dealing with them. He asked that Members encourage local businesses in their Wards to apply for the new business grants and also to look out for vulnerable residents.

Finally, he reminded Members of a workshop being held on Monday 30th November at 5.15pm to discuss the Stronger Somerset business case, followed by District Executive and Full Council meetings on 3rd December to agree the submission to the Secretary of State by 9th December 2020.

191. Chairman's Engagements (Agenda Item 6)

The Chairman's engagement was noted.

192. Presentation by Kiwi Power (SSDC Opium Power Ltd business partners) on the Battery Energy Storage market (Agenda Item 7)

The Portfolio Holder for Environment introduced Tom Jennings from Kiwi Power, who were the business partners to the joint venture company SSDC – Opium Power Ltd. She said they were energy storage optimisers to maximise the return on the investment and the asset performance. She said this was a fast growing market and was pleased to welcome Mr Jennings to explain this green energy provision.

Mr Jennings provided a power point presentation and advised that:-

- Battery stored energy would help towards supporting the net-zero carbon future
- Electricity demand must equal electricity generation on a day to day basis
- The changing sources of electricity generation from 2000 were nuclear, coal, gas, energy from France and hydro-electricity. By 2010, wind power was increasingly important. By 2020 coal was switched to bio-mass and there was a huge increase in wind power.
- By 2025 it was anticipated that off-shore wind would generate a greater amount of the required electricity and solar energy generation would peak during daylight hours to create excess energy. Therefore the storage of the excess generated energy would fill the gaps in demand.
- The use of batteries to store the renewable energy to when it was required would help to achieve the net-zero carbon future.
- The increased use of electric vehicles would increase the demand of energy overnight and this needed to be managed.
- Increased use of electric heating would increase demand for energy during the day and particularly in the evening in winter.
- Electricity had become as important as food and the security of supply was equally important.
- There was a huge opportunity for growth in the battery balancing and energy trading markets.
- It was estimated that there would be a 20% increase in energy demand which would be driven by electric heating and electric vehicles and there was 150 GWh to fill, predominantly by battery storage of energy.

In response to questions from Members, Mr Jennings of Kiwi Power and Tim Humpage of British Renewables advised:-

- Large localised energy storage units would be built across the country to meet demand
- The smallest units for a residential property battery storage could be 20KWh which would take solar energy through the day to use the power at night.
- The battery storage site in Taunton was 30MWh.
- Life cycle of the battery storage sites was 7 to 10 years and all of the batteries were fully recyclable.
- Capturing the energy from the solar array across the South West would be a huge move towards net carbon zero.
- The electricity meters at the storage site in Taunton were read remotely every 30 minutes.

- The batteries used at the Taunton site were lithium and they had a regular maintenance cycle and information on this could be provided.
- Battery installations were the same as any power plant with a maintenance contract. Testing would be carried out each year to ensure the batteries were within warranty parameters. The batteries had a degradation curve and they did not all fail together so systematic replacement was built into the financial plan. This kept the asset at the same level so the asset was secured.
- The WEEE Regulations were very strong in the UK for the disposal of batteries.
- The organisation was very conscious that technology could be damaging to the environment and the producers of the batteries at the Taunton site owned their own mines and so had control and a level of environmental responsibility.
- The new flow batteries were exciting and they were being developed in the UK.

At the conclusion of the debate, the Portfolio Holder for Environment and the Chairman thanked the officers for their presentation and for answering Members questions.

The presentation was NOTED.

193. 'Towards a Climate Resilient Somerset' - Somerset's Climate Emergency Strategy (Agenda Item 8)

The Portfolio Holder for Environment advised that this was a county-wide strategy which set out the ambitions of the 5 Somerset Authorities to tackle climate change. She said it would also take the commitment of every resident, organisation and business in Somerset to embed the ambitions and achieve carbon neutrality. A significant amount of work had gone into producing the document, the goals were ambitious and not all the answers were known but it was a significant step towards achieving net carbon zero in Somerset. The strategy would evolve and would probably be very different in 5 years time. She noted the 3 goals of the strategy:

- To decarbonise Local Authorities, the wider public sector estates and reduce our carbon footprint
- To work towards making Somerset a Carbon Neutral County by 2030
- To have a Somerset which is prepared for, and resilient to, the impacts of Climate Change

She concluded by thanking the officers and Members of the Scrutiny Task and Finish group who had helped to guide the strategy document, and she proposed that the Somerset's Climate Emergency Strategy be adopted by Council.

During discussion the following points were made:-

- The accompanying Equality Impact Assessment had identified that some groups of people would be disadvantaged by the Strategy, but, there were mitigation measures in place.
- The breadth of the tackling climate change was enormous but the strategy document was very impressive and had embraced the subject well and in fine detail and was a great example of co-operation between the Somerset Councils.
- The Strategy document needed some 'poetry' to engage and sell it to the community.
- There was a climate emergency grant for Active Travel available for Parish Councils to link droves and footpaths and cycleways.

In response to questions from Members, the Portfolio Holder for Environment, the Lead Specialist for Strategic Planning and the Leisure and Recreation Manager advised:-

- Health care providers had not been a key stakeholder involved in developing the strategy to date but when it came to delivering the actions they would be involved.
- The Portfolio Holder was working with 3 Active Travel groups across Area East to implement some multi-user paths across the district.
- There was a new Lead Specialist for Communities who was discussing with health provider the green referral system and this was linked with rights of way and footpaths being accessible and our green tourism

The Leader of Council congratulated the Portfolio Holder and the officers involved from the 5 councils for producing the detailed document and seconded its adoption by Council.

A named vote was taken and the Somerset Climate Emergency Strategy – “Towards a Climate Resilient Somerset” was unanimously agreed by all Members

RESOLVED: That South Somerset District Council agreed to adopt the Somerset Climate Emergency Strategy – “Towards a Climate Resilient Somerset”

Reason: This Strategy, when adopted by SCC and the four District Councils of Somerset by the end of 2020, will inform policy and funding decisions over the coming years across Somerset.

(Voting: unanimous in favour)

194. 2020/21 Treasury Management Mid-Year Performance Report and Strategy Update (Agenda Item 9)

The Portfolio Holder for Finance and Legal Services introduced the report which was the mid-year review of the Council’s Treasury Management Strategy. He noted that external borrowing was reduced and some investments had matured. He said the Treasury team were already working to meet the future needs of the Council and there was still uncertainty in the markets caused by the pandemic. He asked that Members note the actual and forecast treasury performance and approved the updated Treasury Management Strategy Statement and Investment Strategy for 2020/21.

The proposal was seconded by Councillor Martin Carnell and Members were content to confirm the recommendations without dissent.

The Portfolio Holder for Finance and Legal Services paid tribute to the finance team for their work during the Covid-19 pandemic as they had administered the government grants scheme whilst keeping Treasury Management and other finance operations going.

RESOLVED: That Council noted the actual and forecast treasury performance and approved the updated Treasury Management Strategy Statement and Investment Strategy for 2020/21.

Reason: To confirm the updates to the Treasury Management Strategy for the remainder of the financial year, as recommended by Audit Committee.

(Voting: unanimous in favour)

195. Request for a Dispensation for a Councillor (Agenda Item 10)

The Leader of Council advised that although Councillor Cavill was improving, he would not be able to attend meetings for the foreseeable future. She wished him well in his recovery and asked that Members support the recommendation to grant him a dispensation from attending meetings until June 2021.

This was seconded by Councillor Adam Dance.

Councillor Linda Vijeh advised that Councillor Cavill was now able to cycle to regain his fitness and was in good spirits.

Councillor Peter Seib thanked the two Councillors who were dealing with Councillor Cavill's case work during his illness. He said it was a tribute to how SSDC worked that this was being done on a cross-party basis.

Members unanimously confirmed the approval of the dispensation for Councillor Malcolm Cavill until June 2021.

RESOLVED: That Full Council agreed to:-

- a. approve a dispensation for Councillor Malcolm Cavill from attending meetings of the Council by reason of illness for a six month period commencing 2nd December 2020, in order to avoid Councillor Cavill ceasing to be a member of the authority under Section 85 of the Local Government Act 1972.
- b. note that the dispensation will last until 2nd June 2021.

Reason: To confirm a dispensation for a Councillor from attending Council meetings due to ill health over a six month period.

(Voting: unanimous in favour)

196. Report of Executive Decisions (Agenda Item 11)

The report of Executive Decisions was NOTED.

197. Audit Committee (Agenda Item 12)

The Chairman of the Audit Committee noted that Council had agreed the Treasury Management report and the next meeting would discuss the Council's Annual Governance Statement and the Statement of Accounts. He noted that they were due to undertake training the following week prior to looking at the Statement of Accounts.

The report of the Audit Committee was NOTED.

198. Scrutiny Committee (Agenda Item 13)

The Chairman of the Scrutiny Committee advised that they were pleased to see how well the Council's Treasury Management had performed and the finance team should be congratulated for this.

The report of the Scrutiny Committee was NOTED.

199. Motions (Agenda Item 14)

There were no Motions submitted by Members.

200. Questions Under Procedure Rule 10 (Agenda Item 15)

The following questions were submitted by Councillor Colin Winder under Procedure Rule 10:

The council received a letter on the 1st of October from Natural England about the levels of phosphate pollution effecting large areas of Somerset. This pollution was causing problems within the planning system, both for agricultural development, and development for housing development. There appeared to be a diversity of agencies responsible for areas of control, but no overall body with the legal backing to ensure total pollution control.

The Environment Bill is at present at the committee stage in the House of Commons. I searched this week through the list of written submissions and could find nothing from South Somerset, or the joint Somerset district councils. The Bill proposes the formation of "An Independent Office for Environment Protection" which I would expect to control pollution and provide the overriding body to deal with cross departmental problems, which is at present missing. It is essential to understand that Nature does not read policy documents, or abide by district or county boundaries.

My question is:-

- (1) have SSDC made representation to the Department for Environment, Food, and Rural Affairs to ensure that pollution of our rivers and streams is covered by the proposed Office for Environment Protection (OEP).
- (2) if you have not submitted a written representation to the committee on the Environment Bill can you do so? This is a critical problem throughout the district.

Councillor Tony Lock, as Portfolio Holder for Protecting Core Services responded:

- 1) The Council had not submitted representations on the Environment Bill.
- 2) The Somerset Local Planning Authorities have been proactively working together to address the phosphates issue in relation to the Somerset Levels and Moors and the impact this is having on development within the catchment. A cross-departmental meeting will be held in due course to include MHCLG, Defra, Natural England and the Environment Agency. We aim to seek assurances that the condition of the Somerset Levels and Moors is able improve over the longer term with 'fair share' contributions to minimising phosphate pollution, from all sources. The Authority were working with other Somerset Councils who were similarly affected to raise the profile of the phosphates issue with local MP's, Government Departments and the Local Enterprise Partnership to name a few. The Chief Executive had sent a letter to the 2 local MP's to raise concerns, therefore it was considered that the Council was communicating effectively with Government on this issue.

Councillor Sarah Dyke, as Portfolio Holder for Environment responded:

- 3) The Commons Library analysis of the Environment Bill 2019-20 explains that the role of the Office for Environmental Protection (OEP) is to replace the function of the Court of Justice of the European Union (CJEU) in respect of environmental laws once the UK leaves the EU. The Environment Bill therefore proposes to create an independent body to monitor progress and establish an effective approach to environmental regulation.

The principal objective of the OEP is to contribute to the protection and improvement of the natural environment, by enforcing environmental law and monitoring progress in meeting any environmental targets.

The OEP will therefore address the failings of public authorities in relation to environmental law. This means that the Environment Agency will remain as the appointed regulator responsible for protecting and improving the environment in England and the OEP will intervene if any failings materialise and enforcement action needs to be taken. Similarly, we understand that the OEP may take similar action on local planning authorities that fail to undertake the necessary measures in relation to Habitats Regulations Assessments.

The Somerset Local Planning Authorities are intending to lobby MPs for their support and the Taunton Deane MP Rebecca Pow is the Environment Minister and sits on the Public Bill Committee for the Environment Bill, which currently at Committee Stage.

Given this information we are satisfied the role of the Office for Environmental Protection (OEP) as set out in the Environment Bill is fine.

Councillor Colin Winder responded that he had read the LGA response and they wanted the Office for Environmental Protection (OEP) to be more local and responsible to the Local Authorities. He said that at the moment there were so many organisations involved and the independent office was needed to monitor what was happening and organise it. He did not feel that the responses provided aligned with the LGA view which

he was happier with. He said knowledge of rural areas was required and SSDC should have responded to the Bill.

Councillor Mike Lewis noted that Wessex Water should be included in the cross-departmental meeting, due to be held with MHCLG, Defra, Natural England and the Environment Agency.

Councillor Tony Lock said that officers would take this comment into consideration and individual Councillors were able to lobby their MP's on this issue as well.

201. Date of Next Meeting (Agenda Item 16)

The Chairman thanked Councillors for attending the meeting, at which important decisions had been taken.

Members noted that there would be a Special meeting of the Full Council on **Thursday, 3rd December 2020** as a virtual meeting using Zoom meeting software **commencing at 6.30 p.m.** to discuss the Stronger Somerset Business Case.

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Chairman

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Date