

South Somerset District Council

Minutes of a meeting of the **District Executive** held as a **Virtual Meeting using Zoom meeting software on Thursday 4 February 2021.**

(9.30 - 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
Charlie Hull
Mike Lewis
Linda Vijeh

Mike Stanton
Colin Winder
Andy Kendall
Clare Paul
William Wallace

Officers:

Alex Parmley
Netta Meadows
Clare Pestell
Martin Woods
Nicola Hix
Kirsty Larkins
Richard Ward
Jo Nacey
Jill Byron
Paul Matravers
Peter Paddon
Stephanie Gold
Vicki Dawson
Katy Menday
Barry James
Anna-Maria Lenz
Angela Cox
Michelle Mainwaring
Becky Sanders

Chief Executive
Director (Service Delivery)
Director (Commercial Services & Income Generation)
Director (Place)
Director (Strategy and Support Services)
Director (Service Delivery)
Officer
Section 151 Officer
Monitoring Officer
Lead Specialist (Finance)
Lead Specialist (Economy)
Specialist (Scrutiny & Member Development)
Lead Specialist (Environmental Health)
Leisure & Recreation Manager
Interim Planning Lead Specialist
Specialist (Strategic Planning)
Specialist (Democratic Services)
Case Officer (Strategy & Commissioning)
Case Officer (Strategy & Commissioning)

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

250. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meeting held on 7th January 2021 were approved as a correct record and would be signed by the Chairman.

251. Apologies for Absence (Agenda Item 2)

There were no apologies for absence.

252. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by Members.

253. Public Question Time (Agenda Item 4)

A planning agent spoke regarding Agenda item 11: Planning and Phosphates - Adoption of a Phosphate Load Calculator. He said that although he agreed that Ramsar sites must be protected, the approach to the problem being recommended was deficient when applied to small development sites. He felt there were many cases where on-site solutions could be achieved and that some of the advice issued from Natural England and SCC Ecologists was not common sense, therefore his company had commissioned a report from a specialist engineer which had been submitted to SSDC. He listed his questions as:-

- How can you agree to adopt a site-based phosphate calculator which is not included in the report, and so agree to something without checking the assumptions on which it is based or see an example of it applied in a real situation?
 - Are you aware that the Natural England assumptions based on the Stodmarsh model being used here, for the conversion to a single dwelling, of a 25 cow milking parlour and livestock building, results in over 4 hectares of land being taken out of farming use. How can 25 cows produce less phosphate than a single household? Alternatively, on a 'mass balance model' i.e. based on actual amounts, phosphate from 1 household is less than 1 cow.
 - These assumptions overlook the fact that in many locations phosphates can be stored in the ground and will never reach Ramsar sites. Or that there are other ways to reduce phosphates other than taking agricultural land out of production?
 - Our many clients in this area are greatly concerned. It is crucial for the local economy that the correct decision is made today.
 - Please look at this very carefully and take a challenging approach to the assumptions being recommended to you. Our specialist engineer has submitted his reports to Somerset Ecology, without response, other than being told that Natural England will only use the Stodmarsh guidance. Surely that is not an adequate response. So:-
1. We recommend that you resolve to allow permissions to be granted on small sites where a neutral or net reduction in phosphates leaving the site, is evidenced.
 2. In these appropriate cases, we recommend you agree that the Stodmarsh based calculator, with its inappropriate assumptions, is not applied. Large sites will anyway have to await the area wide strategy being put in place.
 3. We would also recommend that you spend your limited funds to employ a specialist engineer to assess the resulting drainage evidence, rather than an ecologist, as seems to be the intention.

The Chairman thanked the speaker for his comments and noted that the report would also be presented to Council on 25 February. She confirmed that a written response would be provided to his questions.

254. Chairman's Announcements (Agenda Item 5)

The Chairman advised that a moment of silence would be observed at Full Council for Captain Sir Tom Moore who had passed away the previous day. She would send condolences to the family.

The Chairman welcomed Jill Byron, the Council's new Monitoring Officer to her first District Executive meeting.

255. SSDC Annual Action Plan 2021-2022 (Agenda Item 6)

The Lead Specialist for Strategic Planning advised that the Annual Action Plan had been reviewed as it sat within the context of the four year Council Plan. He said the 3 key elements of the Action Plan were the key Themes and Areas of Focus, the Priority Projects and the Area Chapters. He noted that the Scrutiny Committee had questioned why the Council's digital strategy was not specifically included as a priority project although it was included in the Protecting Core Services Theme. He said that a great deal of time had been spent focusing on the key Themes and Areas of Focus and reducing them to five. Also, the Scrutiny Committee mentioned the Key Performance Indicators, particularly those relating to waste and recycling but they did not fall within the scope of the Annual Action Plan. However, he was meeting to review the KPI's shortly and this would be taken forward as a separate workstream.

During discussion, the following points were made:-

- This was an important document, detailing the Council's priorities and action plan for the year and although the content was good, the presentation could be improved as there was a great deal of detail on each page.
- The Area East Committee had requested a register of companies who promoted the repair, reuse and recycling of items and the whole district may wish to consider this.
- A thermal imaging camera would be purchased to assist in identifying where properties were losing heat to give advice and improve energy efficiency measures in existing housing stock.
- The Priority Project pages could have actual dates listed rather than the year's quarter for public clarity.
- A diagrammatic layout was important to engage the public as the document was full of text.
- The Somerset Waste Partnership had moved away from reporting the Environment KPI's on a district level but they were now exploring how to use the data at a more local level to make it more accountable.

The Chairman of the Scrutiny Committee advised that the Lead Specialist for Strategic Planning had already mentioned the concerns raised at their meeting.

At the conclusion of the debate, the Chairman thanked the Lead Specialist for Strategic Planning and also the Specialist for Strategic Planning for their work in compiling the Annual Action Plan and the four Area Chapters, in consultation with Members.

Members were content to confirm Annual Action Plan for 2021-2022 comprising of revised Areas of Focus, Priority Projects and Area Chapters to be presented to Council.

RESOLVED: That District Executive recommend to Full Council to:-

- a. agree the Annual Action Plan for 2021-2022 comprising of revised Areas of Focus, Priority Projects and Area Chapters.

Reason: To recommend the adoption of the Annual action plan 2021-2022.

256. 2021/22 Draft Budget and Medium Term Financial Plan Update (Agenda Item 7)

The Portfolio Holder for Finance and Legal Services introduced the report and said the Council had focused on the needs of residents and businesses whilst keeping Council services operating, despite the significant financial pressures of Covid. Although a balanced budget was proposed, there was still a projected budget gap in subsequent years. The final Government grant settlement had yet to be published but it was not expected to deviate from the provisional settlement which had been consulted on. A new COVID Recovery Reserve had been created to implement the Council's Recovery Plan and to support communities and re-build the local economy. He thanked officers for their work in compiling the budget and proposed that the recommendations be confirmed for approval by Council.

The Chairman of the Scrutiny Committee thanked the Section 151 officer and her team for attending their meeting and answering Members' questions.

The recommendations were seconded and unanimously approved by Members for proposal to Full Council.

RESOLVED: That the District Executive:-

- a. recommends that Full Council approves the Net Revenue Budget for 2021/22 of **£16,743,010** as set out in the Revenue Account Summary (paragraph 37) and in detail in Appendix A for the District Executive and four Area Committees, subject to any amendments;
- b. recommends to Full Council a 2021/22 Council Tax increase of 2.91%, increasing the annual Band D rate by £5 to £177.11. Full Council to note this new annual rate comprises £175.26 for SSDC services, raising £10,717,653; and £1.85 on behalf of the Somerset Rivers Authority, raising £113,133;
- c. recommends that Full Council approves the new capital programme as shown in Appendix D, with includes an additional funding request of £7.787m as detailed in paragraph 60.

Reason: To set out the Draft Budget and proposed Council Tax for 2021/22 to enable Executive to recommend proposals to Full Council for approval. This report is based on the Medium Term Financial Plan (Revenue Budgets for 2021/22 to 2025/26) and also includes additions to the Capital Programme.

257. Capital, Investment and Treasury Strategies 2021/22 to 2023/24 (Agenda Item 8)

The Portfolio Holder for Finance and Legal Services introduced the report and noted that all the strategy documents had been thoroughly reviewed by the Audit Committee

There was no debate and Members were content to confirm the report and recommendations for approval by Full Council.

RESOLVED: That the District Executive:-

- a. reviewed and recommended that Full Council approves the Capital Strategy, Investment Strategy and the Treasury Management Strategy 2021/22 to 2023/24;
- b. reviewed and recommend the proposed borrowing and investment limits included in the Capital Strategy;
- c. noted the Minimum Revenue Provision statement for 2021/22;
- d. noted the feedback from Audit Committee Members in respect of the Treasury Management Strategy 2021/22.

Reason: To confirm the recommended strategy in relation to capital expenditure and financing, investments and treasury management activities.

258. 2020/21 Revenue Budget Monitoring Report for the Period Ending 31st December 2020 (Agenda Item 9)

The Portfolio Holder for Finance and Legal Services introduced the report and noted this was the third monitoring report and he drew Members' attention to the predicted budget variances, the budget virements in Appendix B and at paragraph 16, and, the transfers from reserves at paragraph 30. He said the corporate reserve had been used to protect services during the period of reduced income. The changes in expenditure were in consequence of the Covid situation.

It was noted that there were no comments from the Scrutiny Committee.

There was no debate and Members were content to confirm the recommendations of the report.

RESOLVED: That the District Executive:-

- a. noted the 2020/21 forecast financial position of the Council;
- b. noted the predicted variance to approved Directorate Budgets as detailed in paragraphs 10 and 12;
- c. noted the budget virements made under delegated authority as detailed in Appendix B;
- d. approved the budget virements included in paragraph 16, Table 4;
- e. noted the transfers made to and from reserves outlined in paragraph 30 Table 6, the Area Reserves as detailed in Appendix C, and the Corporate Reserves as detailed in Appendix D.

Reason: To note the current projection of the forecast spending and income (“outturn”) against the Council’s approved Revenue Budget for the financial year, and to explain projected variations against budget.

259. 2020/21 Capital Budget Monitoring Report for the Period Ending 31st December 2020 (Agenda Item 10)

The Portfolio Holder for Finance and Legal Services introduced the report and asked that Members agree the projects listed in Appendix B remain in the capital programme and approve the revised Capital Programme. He noted that the forecast spend had been revised upwards as detailed in Table 1 of the report, mainly due to investment in land, property and renewables.

It was noted that there were no comments from the Scrutiny Committee.

The Section 151 Officer advised that although no meeting had been held, the members of the Audit Committee had been asked to submit individual comments on the finance reports.

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

RESOLVED: That the District Executive:-

- a. noted the content of the report;
- b. approved the revised Capital Programme spend profile as detailed in paragraph 7, Table 1;
- c. approved that the projects listed on Appendix B remain in the capital programme.

Reason: To note the in-year projection in 2020/21 of the forecast spending (“outturn”) against the Council’s approved Capital Programme Budget, and to explain projected variations against individual projects and the Programme as a whole.

260. Planning and Phosphates - Adoption of a Phosphate Load Calculator (Agenda Item 11)

A short comfort break of 15 minutes was taken.

The Chairman advised that because of concerns regarding the mitigation measures proposed in the report, the item was being withdrawn from the Agenda for further work to be carried out.

The Portfolio Holder for Protecting Core Services thanked the public speaker and confirmed that a written response would be provided to his questions. He advised that the consequence of withdrawing the report could mean that planning applications would remain undetermined for months rather than weeks.

261. Planning Reimagined - Changes to the Scheme of Delegation to Increase Efficiency of the Planning Service (Agenda Item 12)

The Portfolio Holder for Protecting Core Services introduced the report and noted there had been a number of cross-party workshops to discuss the changes to Scheme of Delegation and increase the efficiency of the service and the outcomes had been reported at all-Member workshops.

The Director for Strategy and Commissioning advised that the proposed changes reflected the discussions held at the cross-party workshops and there had been consensus across the group as to the steps to take moving forward.

During discussion, the following points were made:-

- Consideration be given to planning applications to be determined by the Regulation Committee, being heard in the local area to allow public attendance.
- All planning applications would be considered by the planning officers, in consultation with the Area Chairman and Ward Members, taking into consideration comments from the Town or Parish councils. This would achieve efficiencies and would be in line with how applications were determined at other authorities.
- Householder planning applications would no longer be determined by the Area Committees, but they would still determine major and minor planning applications. Major, major planning applications would be determined by the Regulation Committee.
- Officers were to be congratulated for the ideas and suggestions made for improvements to the service at the cross-party workshops.

The Chairman of the Scrutiny Committee said they had welcomed the proposed changes and had sought clarification on Ward Member involvement in householder applications.

They had also requested that communication of the changes to the Town and Parish Councils be made.

The Chairman thanked the members of the cross-party working group for their participation in the discussions and also the Director for Strategy and Commissioning and the Lead Specialist for Planning for their support.

At the conclusion of the debate, Members were content to confirm the recommendations for confirmation by Full Council.

RESOLVED: That the District Executive:-

- a. agreed the recommended changes to the Scheme of Delegation, in accordance with the recommendation of the Planning Reimagined Members working group.
- b. agreed that the resolution of the District Executive be reported to Full Council at the next available meeting to approve and authorise the change to the Scheme of Delegation.

Reason: To agree the proposed changes to the Scheme of Delegation in relation to planning applications and propose they be reported to Full Council for approval and authorisation.

262. Future Delivery of the Environment Strategy (Agenda Item 13)

The Portfolio Holder for Environment introduced the report and said the Council had an ambitious plan of actions to tackle climate change and since the adoption of the Environment Strategy in 2019 a huge amount of work had been undertaken towards achieving carbon neutrality by 2030. The report outlined the many projects in progress and those which needed to be developed. She said the team of officers were essential to achieve the ambitions to enhance the environment and mitigate against climate change and the report requested continued resource to fund posts vital to continue the work and to allow for an operational budget to support the work to deliver the Environment Strategy. She noted the recent successful funding bid of £800,000 for a Green Homes Grant and another for a de-carbonisation grant for SSDC's key buildings which it was hoped would be successful. The funding for the report would be from the Medium Term Financial Plan Support Reserve.

The Portfolio Holder for Finance and Legal Services confirmed the source of the funding would have a neutral effect on the Council's budget.

The Director for Commercial Services and Income Generation clarified that a small budget had been set to deliver the Environment Strategy in October 2019 as the delivery plan had not been finalised. The officers had made great progress in delivering the action plan and the allocation of funding would allow that work to continue.

Councillor Peter Gubbins asked to be included in any discussion on the siting of electric vehicle charging points within Yeovil.

The Chairman of the Scrutiny Committee asked that the strategy linked in with the county-wide Environment Strategy and any future unitary authority bid.

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

RESOLVED: That District Executive approved a total allocation of £262,400 from the Medium Term Financial Plan Support Reserve to the Climate Change Reserve for:

- a. the extension of the Environment Case Officer and Living Environment Case Officer posts until end of March 2023;
- b. the extension of the Environment Communications Case Officer (P/T) post to end of March 2023;
- c. a new Climate Change Support Case Officer for a fixed term 2 year post up until March 2023;
- d. an operational budget to support the work to deliver the Environment Strategy.

Reason: To update members on the progress of delivery against the objectives of the Environment Strategy and to request resources to support the continued delivery of the action plan and ensure future resilience within the team to continue this work.

263. Proposed Changes to the Senior Management Structure (Agenda Item 14)

The Chairman, as Portfolio Holder for Strategy and Housing said that it was important that the changes were agreed as one of the Directors would be leaving to take a new position shortly.

The Chief Executive reminded Members that changes to the Senior Management structure had to be agreed by Council. He noted that the current structure had been agreed in 2017 when there was a need to transform the organisation. The Transformation Programme had now closed and circumstances had changed so the structure must also change. Prior to the Covid pandemic, the Council had an ambitious regeneration and economic development programme. The proposal was to maintain the structure of a Chief Executive and 4 Directors but to put Strategy and Support Services together and have the fourth Director focus on places, communities and the need to support the recovery of the local economy. This would be a permanent change. Any unitary proposal would be over 2 years away and so it was right to change now.

During discussion, it was asked that a list of the areas of responsibility for each Director, covering business continuity, risk and procurement be included in the report for Council.

The Chairman of the Scrutiny Committee said they had sought assurance that only Somerset Authorities would be approached to share the Director post, and, that the proposals would not affect the Portfolio Holders or their responsibilities.

At the conclusion of the debate, a named vote was taken and Members unanimously supported the recommendations to be proposed to Council.

RESOLVED: That District Executive:-

- a. supported the proposed changes to the Senior Management Structure as set out in sections 15 to 23 of the report and recommend their approval to the full Council.
- b. agreed to support the principle of developing a shared approach to economic and community recovery including the sharing of resources with other Somerset authorities where possible.
- c. in line with b. above, to agreed to the sharing of the Director of Place & Recovery role with another authority, if practical and agreeable, and delegate the finalising of the details of such arrangements, including role title and final role description, to the Chief Executive, in consultation with the Leader and the Portfolio Holders for Economy and Community Health & Wellbeing.

Reason: To propose changes to the Senior Management Structure, which in the Council's Constitution; the Rules of Procedure, state that permanent revisions to the Senior Management Structure shall be approved by full Council.

264. District Executive Forward Plan (Agenda Item 15)

Members were content to note and approve the Executive Forward Plan and Consultation Database as presented.

RESOLVED: That the District Executive:-

1. approved the updated Executive Forward Plan for publication as attached at Appendix A.
2. noted the contents of the Consultation Database as shown at Appendix B.

Reason: The Forward Plan is a statutory document.

265. Date of Next Meeting (Agenda Item 16)

Members noted that the next scheduled meeting of the District Executive would take place on Thursday 4th March 2021 as a virtual meeting using Zoom meeting software commencing at 9.30 a.m.

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Chairman

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Date