

South Somerset District Council

Notice of Meeting



Scrutiny Committee

Making a difference where it counts

Tuesday 28th February 2012

10.00 am

**Main Committee Room
Council Offices
Brympton Way
Yeovil
Somerset BA20 2HT**

The public and press are welcome to attend.

Disabled Access is available at this meeting venue.



If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Morris** on Yeovil (01935) 462462
email: jo.morris@southsomerset.gov.uk, website: www.southsomerset.gov.uk

This Agenda was issued on Monday 20th February 2012

Ian Clarke, Assistant Director (Legal & Corporate Services)



2007-2008
Neighbourhood and
Community Champions:
The Role of Elected Members
2006-2007
Improving Rural Services
Empowering Communities
2005-2006
Getting Closer to Communities

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INVESTOR IN PEOPLE

Scrutiny Committee Membership

Chairman Sue Steele
Vice Chairman David Bulmer
Carol Goodall

Cathy Bakewell
John Calvert
Marcus Fysh
Tim Inglefield

Pauline Lock
Tony Lock
Paul Maxwell
Graham Oakes

Wes Read
Colin Winder
Martin Wale

Information for the Public

What is Scrutiny?

The Local Government Act 2000 requires all councils in England and Wales to introduce new political structures which provide a clear role for the Council, the Executive and non-executive councillors.

One of the key roles for non-executive councillors is to undertake an overview and scrutiny role for the council. In this Council the overview and scrutiny role involves reviewing and developing, scrutinising organisations external to the council and holding the executive to account

Scrutiny also has an important role to play in organisational performance management.

The Scrutiny Committee is made up of 14 non-executive members and meets monthly to consider items where executive decisions need to be reviewed before or after their implementation, and to commission reviews of policy or other public interest.

Members of the public are able to:

- attend meetings of the Scrutiny Committee except where, for example, personal or confidential matters are being discussed;
- speak at Scrutiny Committee meetings; and
- see agenda reports.

Meetings of the Scrutiny Committee are held monthly on the Tuesday prior to meetings of the District Executive at 10.00am in the Council Offices, Brympton Way, Yeovil.

Agendas and minutes of these meetings are published on the Council's website www.southsomerset.gov.uk.

The Council's Constitution is also on the website and available for inspection in council offices.

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

South Somerset District Council – Corporate Aims

Our key aims are: (all equal)

- To increase economic vitality and prosperity
- Enhance the environment, address and adapt to climate change
- To improve the housing, health and well-being of our citizens
- To ensure safe, sustainable and cohesive communities
- To deliver well managed cost effective services valued by our customers

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Scrutiny Committee

Tuesday 28th February 2012

Agenda

Preliminary Items

1. **To approve as a correct record the minutes of the previous meeting held on 31st January 2012**
2. **Apologies for Absence**
3. **Declarations of Interest**

In accordance with the Council's Code of Conduct, which includes all the provisions of the statutory Model Code of Conduct, Members are asked to declare any personal interests (and whether or not such an interest is "prejudicial") in any matter on the agenda for this meeting. A personal interest is defined in paragraph 8 of the Code and a prejudicial interest is defined in paragraph 10.

4. **Public Question Time**
5. **Issues Arising from Previous Meetings**

This is an opportunity for Members to question the progress on issues arising from previous meetings. However, this does not allow for the re-opening of a debate on any item not forming part of this agenda.

6. **Chairman's Announcements**

Items for Discussion

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Scrutiny Committee – 28th February 2012

1. Minutes

South Somerset District Council

Draft Minutes of the **Scrutiny Committee** held on Tuesday 31st January 2012 in the Main Committee Room, Council Offices, Brympton Way, Yeovil.

(10.00 a.m. – 2.30 p.m.)

Present:

Members: Councillor Sue Steele (Chairman)

Cathy Bakewell
Dave Bulmer
Marcus Fysh
Carol Goodall
Pauline Lock

Tony Lock
Graham Oakes (until 12.10 p.m.)
Wes Read
Martin Wale
Colin Winder

Also Present:

Ric Pallister (until 12.10 p.m.)
Tim Carroll (until 12.10 p.m.)
Henry Hobhouse (until 12.10 p.m.)
Peter Seib (until 12.10 p.m.)
Sylvia Seal (until 12.10 p.m.)
Gina Seaton
Sue Osborne

Officers:

Rina Singh	Strategic Director (Place & Performance)
Vega Sturgess	Strategic Director (Operations & Customer Focus)
Donna Parham	Assistant Director (Finance & Corporate Services)
Kim Close	Assistant Director (Communities)
Martin Woods	Assistant Director (Economy)
Sue Eaton	Performance Manager
Jo Gale	Scrutiny Manager
Emily McGuinness	Scrutiny Manager
Jo Morris	Committee Administrator

85. Minutes (Agenda Item 1)

The minutes of the meeting of the Scrutiny Committee held on Tuesday 3rd January 2012 were approved as a correct record and signed by the Chairman.

86. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors John Calvert, Tim Inglefield and Paul Maxwell.

87. Declarations of Interest (Agenda Item 3)

Councillor Dave Bulmer declared a personal and prejudicial interest in Agenda Item 9 – Reports to be considered by District Executive on 2nd February 2012 in relation to Item 20 – Disposal of SSDC owned land in Chard comprising the Boden Mill, former ACI factory site, Market Fields and Boden Street car parks, as he lived opposite the site. He left the room during consideration of the item. Councillor Martin Wale declared a personal interest in the same item, as he was a Chard Town Council representative on the CRS Management Board.

88. Public Question Time (Agenda Item 4)

There were no members of the public at the meeting.

89. Issues Arising from Previous Meeting (Agenda Item 5)

There were no issues raised from previous meetings.

90. Chairman's Announcements (Agenda Item 6)

The Chairman informed members that Sedgemoor District Council have arranged a briefing on Friday 17th February at 2.30pm for any interested members from across Somerset. The briefing has been arranged to allow members to meet with SCC representatives to discuss the County Council's proposals to cut the County Youth Service budget. Members were asked to let the Scrutiny Managers know if they wished to attend.

She informed members that she would be attending a partnership-working event on 8th and 9th March in Warwick with Cllr. Jo Roundell Greene.

Members were informed that Emily McGuinness and Sue Steele would be absent from the next meeting on 28th February as they were due to attend a Scrutiny Police Commission event in Exeter.

Members noted that the June Scrutiny Committee meeting would take place on Wednesday 6th June, the day before District Executive in order to accommodate the additional Bank Holiday. It was also noted that the meeting in January 2013 would be held on Wednesday 2nd January.

91. Portfolio Holder Presentation (Agenda Item 7)

Councillor Peter Seib, Portfolio Holder for Regulatory and Democratic Services gave a short presentation about the services within his portfolio comprising Development Management, Environmental Health, Building Control, Licensing, Health & Safety and Democratic Services.

During the presentation, Members were informed of the following:

- Development Control has dealt with far fewer applications than in previous years. Reference was made to the setting of planning fees and it was noted that a Government announcement on this was expected shortly;
- The Development Control Service was an efficient and effective service and performance figures were good across the board;
- Priority continued to be given to Economic Development;
- Building Control had been hit enormously by the downturn in building. The Council has to undertake its statutory duties which still entails certain costs;
- An announcement was expected shortly on the new building control regulations which the team will have to learn and sign off;
- Environmental Health continued to undertake food and water testing. The main focus is around public protection and keeping a base service. There were areas where the service could not be cut as there was a need to guarantee public safety;
- With regard to the health and safety regime, it was noted that the regular inspections were starting to fall away;
- Reference was made to the need to maintain a spread of services and expertise across Environmental Health and Health and Safety and that multi skilling would help to maintain this;
- With reference to Licensing, it was noted that there were proposals for late night charges and that the Portfolio Holder was keen for Scrutiny to be involved;
- With reference to Community Governance reviews, the Council would need to take a risk- based position and consider proactively seeking a more wholesale Boundary Review rather than drip-feeding Community Governance Reviews.

Following the presentation, members were given the opportunity to ask questions, which included the following:

- With reference to Development Control and there being a lot less applications do you envisage an increase and if so do we have the staff to cope with this?
- How will you ensure services continue to be delivered?
- Due to the spread of expertise within Building Control and Environmental Health do you envisage there being a case for buying in services?
- One member referred to the Boundary Reviews and Community Governance Reviews linking to growing towns and settlements. She cautioned against seeking to increase the number of seats on the Council.
- What consultation have you undertaken as part of the budget setting process? How have you effectively assessed the likely impact of your decisions re: priority and non-priority areas?
- With reference to Building Control, are we selling our services to other authorities?
- Is the budget allocated to your portfolio adequate to deliver your stated priorities to the desired levels?
- Are there any areas that you would welcome input of the Scrutiny Committee in the forthcoming year?

The Portfolio Holder responded to members' comments and questions. The following points were noted:

- He expected community development in town centres to be a key priority for Economic Development and it was hoped that people would be willing to start investing in commercial businesses. There was a need for experienced officers as keeping the town centres alive was vital;
- The increase in extra seats would be a matter for the Boundary Commission;

- Services could be brought in from neighbouring authorities if there was a large peak in demand for services;
- With reference to Development Control, regular meetings are held with Officers and monitoring is undertaken using the national performance indicators. If any complaints are received these are followed through on an individual basis;
- Consultation on the budget has been undertaken within District Executive which has included risk and impact assessments;
- Officers were looking at all the options with regard to providing Building Control services to other authorities;
- In general the fees charged for pest control cover the costs of providing services. The fees and uptake of services are regularly reviewed.

The Chairman thanked Cllr. Peter Seib for attending the meeting.

92. Verbal Update on reports considered by District Executive on 5th January 2012 (Agenda Item 8)

Members noted the minutes from the District Executive meeting held on 5th December 2011 as outlined in the agenda. The minutes included the comments raised by members of the Scrutiny Committee.

Members noted that Scrutiny would be consulted on the future use of the Annual Monitoring Reports.

With regard to the Capital Programme, District Executive would monitor any capital projects that have slipped as part of the quarterly monitoring reports.

District Executive had agreed that it would be useful to have a separate budget heading for Community Governance Reviews.

Members noted that an urgent report had been considered at District Executive for approval of a Save to Earn bid for the installation of photovoltaic arrays at Lufton Depot and Petters House. Cllr. Henry Hobhouse apologised for the report going straight to District Executive but this had been fundamental given the potential of additional savings to SSDC should the Government lose its High Court challenge.

93. Reports to be considered by District Executive on 2nd February 2012 (Agenda Item 9)

Members considered the reports outlined in the District Executive agenda for 2nd February 2012.

Review of South Somerset Together (LSP)

Members noted that this would be a verbal report. Members considered the main issues that they hoped the report would include.

It was agreed that the following questions would be taken forward to District Executive:

Which Partner organisations does the LSP now comprise of and what financial contributions do each of the partners make?

How have the structures of the partnership been simplified and why?

What is the overall purpose of the LSP? Do you still see yourselves in a pump priming capacity?

How will you ensure that communication with parishes and district councillors will improve?

Have you established an effective system for monitoring the amount of SSDC officer time that is spent working on the LSP (excluding the time of the Co-ordinator)?

Somerset Waste Partnership – Business Plan

The Strategic Director (Operations & Customer Focus) updated members on the rationale behind SSDC not introducing the SWB recommendations for the collection of garden waste.

With reference to the increased charges for Business Waste Sacks, members were informed that the sacks were sold to businesses at cost price and that competitor prices were in the region of £4.00.

One member questioned whether there was a timescale for improving services to households in premises, which don't fit easily with the standard Sort It Plus Package. The Strategic Director (Operations & Customer Focus) explained that high-rise dwellings were considered on a case-by-case basis, depending on their storage facilities and that there were not many in South Somerset.

The Strategic Director (Operations & Customer Focus) provided members with an explanation on the VAT position with regard to the Waste Contract.

2011/12 Revenue Budget Monitoring Report for the Quarter ending 31st December 2012

The Portfolio Holder for Finance and Spatial Planning introduced the report, which updated members on the current financial position of the revenue budgets of the Council including the reasons for variances.

Reference was made to page 41 of the appendices, which stated that £24,070 had been transferred from Area East to the post of Communities Assistant Director and that the last budget identified that this post would be removed as a vacant post and that this did not appear to be the case. In response, the Assistant Director (Finance & Corporate Services) informed members that this post has been temporarily funded from other sources and that the post was on the establishment as being deleted. The issue would need resolving pending the outcome of the area review.

One member questioned whether the Council was likely to be in a position where it was required to repay the eco town reserve money back to the funder. The Assistant Director (Finance & Corporate Services) commented that the conditions around spend had been met and that she was not aware of any issues at the current time.

One member referred to the delivery of efficiencies and the budget for 2011/12 identifying £1,449.8 of efficiency savings and the District Executive report outlining progress against the major efficiencies totalling £1,184k in the report. She requested an update on the overall picture and if the £1,449.8 has been achieved. The Assistant Director (Finance & Corporate Services) reported that efficiencies in terms of lean have been delivered but there have been some issues with regard to income and rent from vacated properties.

2011/12 Capital Budget Monitoring Report for the Quarter ending 31st December 2011

In response to a member question regarding strategic leisure contributions, the Assistant Director (Finance & Corporate Services) explained that the contributions remain in the budget as strategic until such time they are allocated.

It was noted that the S106 update monitoring reports submitted to the Area Committee would give more detail on each of the agreements. Members could also obtain further information from the S106 Monitoring Officer.

Revenue Budget 2012/12, Medium Term Financial Plan (MTFP) and revised Capital Programme

It was agreed that the following comment would be taken forward to District Executive.

Recommendation (d) recommends that the Car Parking Strategy is amended to allow for the introduction of evening charges in Yeovil Whilst the existing Car Parking strategy makes provision for this, the strategy is due to expire, so what is the timescale for reviewing the Car Parking Strategy to take account of the recent developments, such as evening charges?

At the request of a member, the Portfolio Holder for Finance and Spatial Planning explained more about the New Homes Bonus. It was noted that each New Homes Bonus funding allocation would require District Executive approval.

Castle Cary Car Parks – Income Compensation Scheme

One member questioned whether the agreement would include the installation of car parking metres. The Strategic Director (Operations & Customer Focus) commented that the scheme was very simple and would replace the net amount in the machine and would not include the cost of the machine. The Council were looking to investigate the pay, phone & park system and therefore may not need to install so many machines in the future.

Members were informed that the closer spaces to the town would be shorter stay, which would hopefully be of more benefit to the businesses. Castle Cary would have the ability to buy cost price enforcement.

New SSDC Corporate Plan 2012-2015

It was agreed that the following questions would be forwarded to District Executive:

How will the delivery of the Corporate Plan be monitored? How will we know that the plan is being effectively delivered?

What is the timescale for the development of an appropriate way of managing performance – Scrutiny have said that they would welcome the opportunity to establish a Task & Finish Group to work with officers and Executive members in developing a more appropriate set of performance indicators – how and when will this take place?

Members felt that the importance of agriculture to the local communities and economy could have a higher profile within the plan.

Members noted that the new Corporate Plan is much more publically accessible than previous documents.

Review of Area Working

What are the likely timescales for implementation?

How is the external consultation going to be carried out?

Scrutiny members indicated that they were happy that the outcome (to proceed with Option Three) was an accurate reflection of the review process undertaken.

Proposed Introduction of Community Infrastructure Levy (CIL)

The Portfolio Holder for Regulatory and Democratic Services introduced the report. He explained that the decision was to consider a CIL and not a decision to enter into a CIL. The first step was about going out to consultation with the public and setting the work to underpin the regime.

Councillor Marcus Fysh proposed the following additional recommendation to go forward to District Executive for consideration, which was seconded by Councillor Colin Winder:

“That consultation on the proposed introduction of the Community Infrastructure Levy occurs simultaneously with the consultation on the Infrastructure Development Plan”.

A request was made for a recorded vote, however, this was not supported by the majority of members present.

On being put to the vote there were 3 votes in favour and 7 against the proposal with 1 abstention, therefore the proposal was lost.

Scrutiny Committee suggested the following amendments (shown in bold) to recommendations 2 and 4:

2. Subject to the approval of the above that District Executive **agree to consult on** the charging levy scales recommended by the Local Development Framework Project Management Board (PMB) for incorporation into a Preliminary Charging Schedule as set out within the report and delegate the rest of the contents of the Preliminary Draft Charging Schedule to the PMB.
4. That District Executive charge the PMB with initial preparatory work prior to adoption of **a** CIL Charging Schedule to suggest governance arrangements for future infrastructure planning in South Somerset.

Quarterly Performance and Complaints Monitoring Report – 3rd Quarter 2011/12

Members noted that working days lost to sickness absence had improved.

Members felt that further work was required on the perception of what is a complaint.

Appointment of Substitute Members to Council Committees

It was agreed that the following comment would be submitted to District Executive:

Members questioned whether it is appropriate to appoint substitute members to Committees requiring specialist knowledge such as Licensing and Audit. Members felt that any member attending the Scrutiny Committee in a Substitute capacity would need to ensure a sound understanding of South Somerset's Scrutiny process.

Forward Plan

Members noted that there would be a Special District Executive Meeting on 26th March 2012 to consider the Core Strategy.

Exclusion of the Public

In accordance with Section 100A(4) of the Local Government Act 1972 (as amended), the Committee resolved that the press and public be excluded from the following items in view of the likely disclosure of exempt information as described in Paragraph 3 of Part 1 of Schedule 12A to the Act, i.e. "Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Transfer of Responsibility for Public Conveniences off South Street, Crewkerne to Crewkerne Town Council (Confidential)

Members supported the recommendations outlined in the report.

Disposal of SSSDC owned land in Chard comprising the Boden Mill, former ACI factory site, Market Fields and Boden Street car parks (Confidential)

Having earlier declared his personal and prejudicial interest, Councillor Dave Bulmer left the room during consideration of this item.

It was agreed that the following comments would be forwarded to District Executive.

Members highlighted the importance of keeping the ward members informed and involved and in particular giving them advance notice of any notifications to the press and public.

They also sought assurance that the wording in the risk matrix will be amended to read:

Ensure contract with developer has time constraints on securing a RETAIL TENANT.

94. Student Participation with Scrutiny (Agenda Item 10)

The Chairman introduced the report, which outlined proposals to engage students in the Scrutiny function. In October 2011, an initial report was considered and the outcome of that meeting was that the Scrutiny Manager was asked to amend the proposals to take into account the points raised. It was noted that the Scrutiny Manager had e-mailed all Committee members seeking clarification and more detail on the concerns raised and that only one member had responded.

Members noted that the proposals were for a pilot project and that there would be minimal cost implications.

Members supported the proposals outlined in the report, which they considered to be a good compromise and acceptable way forward.

RESOLVED: That the proposals outlined in the report for engaging students in the Scrutiny function be supported and taken forward by the Scrutiny Manager.

(Emily McGuinness, Scrutiny Manager)
(emily.mcguinness@southsomerset.gov.uk or 01935 462566)

95. Joint Scrutiny of the Somerset Waste Board – Feedback from recent meeting (Agenda Item 11)

Emily McGuinness, Scrutiny Manager introduced the report, which provided members with feedback from the Joint Waste Scrutiny Panel meeting held on 9th January 2012.

Members noted that the next meeting would be held in October 2012 to enable the Panel to consider progress made against the priorities set out in the Business Plan.

In response to a member question in relation to Green Waste Collection charges, the Strategic Director (Operations & Customer Focus) informed members that the proposal of allowing South Somerset customers to continue paying a lower rate if paid on line was now difficult to implement following the completion of an Equality Impact Assessment.

RESOLVED: That the minutes of the Somerset Waste Board meeting held on 9th January be noted by the Scrutiny Committee as outlined in the agenda report.

(Emily McGuinness, Scrutiny Manager)
(emily.mcguinness@southsomerset.gov.uk or 01935 462566)

96. Report Request – Update on Park Homes (Agenda Item 12)

At the February 2011 meeting of the Scrutiny Committee, members considered a report by the Assistant Director – Health & Well-being, updating them on the implementation of the Park Homes Projects. At that meeting members requested 12 monthly updates on the site management of the Gypsy Park Homes at Ilton and Tintinhull.

In order to ensure that the officer and the relevant Portfolio Holder provide the relevant information members were asked to consider and complete the report request template, as outlined in the agenda in relation to this issue.

During discussion, members raised a number of issues that they wished to be included in the update report. This information would be sent to the Assistant Director – Health & Well-being and the Portfolio Holder prior to their attendance at the 28th February Scrutiny Committee meeting.

RESOLVED: That the information requested as part of the report request template be submitted to the Assistant Director – Health & Well-being prior to his attendance at the 28th February Scrutiny Committee meeting.

(Emily McGuinness, Scrutiny Manager)
(emily.mcguinness@southsomerset.gov.uk or 01935 462566)
(Jo Gale, Scrutiny Manager)
(joanna.gale@southsomerset.gov.uk or 01935 462077)

97. Verbal Update on Task and Finish Reviews (Agenda Item 13)

Outside Organisations

Cllr. Martin Wale, Chairman of the Review Group reported that the last meeting was held on 26th January 2012. Work was progressing well and they had reviewed the first 4 partnerships plus 2 additional partnerships not included on the list. They were waiting for legal advice from the Solicitor to the Council regarding issues of liability and travel. The next meeting would be held on 14th February 2012.

Social Housing Fraud

Members were informed about the Housing Inquiry Day being held on Wednesday 22nd February at 10.00am – 2.30pm. All members were invited to attend. Representatives from the Chartered Institute of Housing and RSLs would be attending to talk about how they test and deter housing fraud.

Housing and Council Tax Benefits

Jo Gale, Scrutiny Manager referred to the recent presentation given at Full Council on the changes to the Housing Benefit regulations. The following members had indicated that they were interested in being members of the Task and Finish Group: Sue Steele, Carol Goodall, Dave Bulmer, David Recardo, David Norris, Sue Osborne and Jenny Kenton. She explained that she was looking for a large pool of members so that there would be no delays in the process. Some concerns had been expressed over the September deadline but it was noted that this was beyond the Council's control.

Homefinder Review

Jo Gale, Scrutiny Manager informed members that she would be arranging a meeting with the Housing Portfolio Holder to discuss various issues. As there was still further work required, she would not be in a position to bring a report to the next meeting as stated in the Work Programme.

98. Scrutiny Work Programme (Agenda Item 14)

Reference was made to the agenda report, which informed members of the Scrutiny Committee Work Programme.

Councillor Sue Osborne asked officers to obtain further information on the evidence base used to inform the County Council's decision to reduce expenditure on bus transport throughout the county.

It was noted that the Scrutiny Chairman was still in discussions with Councillor Harvey Siggs, the district representative on the Shadow Health and Wellbeing Board with reference to him attending the April Scrutiny Committee meeting.

RESOLVED: That the Scrutiny Work Programme be noted as outlined in the agenda.

(Emily McGuinness, Scrutiny Manager)

(emily.mcguinness@southsomerset.gov.uk or 01935 462566)

(Jo Gale, Scrutiny Manager)

(joanna.gale@southsomerset.gov.uk or 01935 462077)

99. Somerset Waste Board – Forward Plan (Agenda Item 15)

RESOLVED: That the Somerset Waste Board Forward Plan be noted as outlined in the agenda.

100. Date of Next Meeting (Agenda Item 16)

Members noted that the next meeting of the Scrutiny Committee would be held on Tuesday 28th February 2012 at 10.00am in the Main Committee Room, Brympton Way, Yeovil.

Members of the Committee are invited to attend at 9.30 a.m. to scope questions on the reports in the agenda.

.....
Chairman

Scrutiny Committee – 28th February 2012

7. Portfolio Holder Presentation

Following the Budget Scrutiny session on 15th December 2011 the Scrutiny Committee agreed that a programme would be developed for each Portfolio Holder to attend Scrutiny Committee to answer questions about the services and priorities within their portfolios.

Councillor Mike Lewis, Portfolio Holder for Customer Services and Area East Chairman will be attending the meeting to give a short presentation. Members will then have the opportunity to ask questions.

Scrutiny Committee – 28th February 2012

8. Park Home Site Management

<i>Executive Portfolio Holder:</i>	<i>Cllr Ric Pallister, Leader of the Council, Strategy and Policy</i>
<i>Assistant Director</i>	<i>Steve Joel, Assistant Director (Health and Well-Being)</i>
<i>Service Manager:</i>	<i>Fiona Johnson, Acting Housing and Welfare Manager</i>
<i>Lead Officer:</i>	<i>Jon Batty, Housing Policy and Performance Officer</i>
<i>Contact Details:</i>	<i>jon.batty@southsomerset.gov.uk or (01935-462749)</i>

Purpose of the Report

This report seeks to keep members up to date with the site management arrangements for the Council's Gypsy Sites.

Action Required

That Members note the site management arrangements.

Background

In 2002 the District Council took over direct responsibility for the two existing Gypsy and Traveller sites within South Somerset from the County Council located at Chubbards Cross Ilton and Marsh Lane Tintinhull. In order to bring the sites up to a 21st century standard, the Council successfully submitted innovative bids in 2007/8 and 2008/9 to central government, securing £1,912,000.

On the 3rd September 2009 the District Executive approved the purchase of up to 18 park homes and associated site refurbishment works for the families residing at the sites following the receipt of the funding from central government.

The Scrutiny Committee requested annual updates, and last considered the site management arrangements in February 2011.

Areas of Scrutiny

15 areas have been identified by members of the Scrutiny Committee to inform the preparation of this report. The position on each area is set out below:

Management Issue	Position
(1) Have all tenants signed their tenancy agreements?	Yes. All residents signed new agreements before occupation of their new Park Homes or Pitches. As a result of amendments to the Mobile Homes Act, agreements were reviewed and enhanced, and the duties and responsibilities of both the Council and residents revised, prior to first issue in May 2011.
(2) Are rent charges still in-line with Local Housing Allowance rates?	Yes, and rent charges are reviewed annually in February, with changes applying from 1 st April.
(3) Are the tenants paying their rent liability?	Yes all residents have paid rent in full. No payments are outstanding.

(4) Are the tenants continuing to pay their water and services charges, previously the water charges were being collected by an officer, is this still the case?	In accordance with their tenancy agreement, tenants continue to be responsible for payment of water charges. The housing team monitors usage and residents are invoiced accordingly.
(5) Have the utility charges been reviewed?	Water charges are dependent on the amount of water used by individual tenants. All tenants are aware that their water is metered and have been given practical advice by the Gypsy Site Officer on the economic use of water. Residents procure and pay suppliers directly for electricity and gas supplies.
(6) Are the sites fully occupied?	Yes
(7) Are there any measures in place to prevent over occupancy?	Yes. There are two important occupation areas which are controlled: (1) Over occupation of the pitch. In recognition of the fact that several residents travel in the summer months the tenancy agreement allows residents to have an additional caravan on their pitch. However, they must seek written permission to have additional caravans. Failure to apply to have, or remove, a caravan is a breach of the tenancy agreement and notice to leave can be served. (2) Over occupation of the Park Home. The tenancy agreement includes a "permitted occupants" section. Any omission of occupants is a breach of the tenancy agreement and notice to leave can be served.
(8) Is the possibility of transferring the management of the sites to a Registered Social Landlord still being explored?	No this not being considered at this stage.
(9) Previously it was reported that there were good relationships with the PCSO is this still the case?	Yes, whilst the PCSO in post at the start of the Park Homes project has now moved on from the Police service, the new PCSO is attending site management meetings and is working closely with the Council in the day to day management of our sites. The PCSO has also assisted the Council in the recent district-wide Gypsy and Traveller caravan count. Acknowledging the importance of this role, and demonstrating a good working relationship with the Police, the Council's Gypsy Site Officer sat on the recruitment panel.

<p>(10) What have the total maintenance costs been, has this been met within the agreed budget?</p>	<p>Maintenance costs year to date amount to £16,619, against an annual budget of £21,850. Costs cover routine water pump maintenance, electrical and gas safety checks, water tests, green space maintenance, drain maintenance, and Landlord Park Home/Utility Block repairs.</p>
<p>(11) Are there any on-going costs to the Council? If there are please detail these.</p>	<p>Yes, there is a need for the Council to plan for the future replacement of the Park Homes. To achieve this the service transfers a sum of £27,734 from rent charges into a specific Gypsy Site Reserve. This sum transferred is adjusted in take account of inflation and condition assessments.</p>
<p>(12) What is the current condition of the sites? Are there any issues with vandalism or Anti-social behaviour?</p>	<p>Both sites are in good condition. There has been one minor episode of vandalism at Ilton in November 2011. All residents were contacted about the vandalism. There have been no recent incidents of antisocial behaviour.</p> <p>Members should be assured that the site management team employs a range of tools and approaches to ensure our residents have a safe and pleasant place to live, and that authorised visitors have easy and safe access at all times. These include:</p> <p>(1) Acceptable Behaviour Contracts. We have successfully used an ABC to prevent further antisocial behaviour caused by one family.</p> <p>(2) Regular site visits by the Gypsy Site Officer and by the Police.</p> <p>(3) Good working relationships with our partner agencies including RSPCA and agencies providing floating support.</p> <p>(4) Providing positive feedback to residents. The site management team is mindful of the importance of acknowledging and encouraging good behaviour on our sites. Since the last report to Scrutiny, we have written to two residents recognising their contribution to the appearance of the site.</p> <p>(5) Residents' Handbook. Tailored to the individual sites, the handbooks contain useful practical information about site</p>

	safety, repairs and the importance of the tenancy agreement. The handbooks, along with a blank copy of the tenancy agreement, will also be sent to prospective applicants to ensure they are aware of what the Council expects from them as tenants.
(13) What is the current condition of the Park Homes are they still expected to meet the original projected life expectancy?	The Park Homes properties are in good condition and are expected to meet the original 30 yr projected life expectancy.
(14) There have been some reports that a site is in breach of the terms of planning permission; there are personal caravans on site. Please can you update the committee what arrangements are in place to stop this, if this is the case?	The site management team is not aware of any breach of planning regulations or breach of any related condition of tenancy.
(15) As above, residents are permitted to have their own caravans on their pitches.	We do not provide Park Homes accommodation on the recently developed extension to the Ilton site – residents have to provide their own caravans.

In conclusion, members can be re-assured that the sites are being managed well. Key risks and issues are monitored frequently and are under control.

Other Implications

None.

Background Papers: *SSDC Gypsy and Traveller Sites Brief
DX Report - The purchase of Park Homes for Gypsy families residing on the sites at Chubbards Cross, Ilton and Marsh Lane, Tintinhull – 3rd September 2009
DX Report – Park Home Progress Report – April 2010*

Scrutiny Committee – 28th February 2012

9. Verbal update on reports considered by District Executive on 2nd February 2012

The Chairman will update members on the issues raised by Scrutiny Members at the District Executive meeting held on 2nd February 2012.

Attached for information is a copy of the draft minutes from the District Executive meeting held on 2nd February 2012.

MEETING: DE.09: 11:12
DATE 02.02.12

South Somerset District Council

Draft Minutes of a meeting of the **District Executive** held on **Thursday 2nd February 2012** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(9.30 a.m. – 1.35 p.m.)

Present:

Members: Ric Pallister (in the Chair)

Tim Carroll
Tony Fife
Henry Hobhouse
Michael Lewis

Patrick Palmer
Sylvia Seal
Peter Seib (from 11.00am)
Angie Singleton (to 1.00pm)

Also Present:

Marcus Fysh
Tony Lock
Paul Maxwell
Nigel Mermagen
David Norris

Gina Seaton
Sue Steele
Martin Wale
Colin Winder
Nick Weeks

Officers:

Mark Williams
Rina Singh
Vega Sturgess
Donna Parham
Ian Clarke
Martin Woods
Laurence Willis
Helen Rutter
Kim Close
Andy Foyne
Jean Marshall
Sue Eaton
David Julian
Robert Murray
Emily McGuinness
Angela Cox

Chief Executive
Strategic Director (Place and Performance)
Strategic Director (Operations and Customer Focus)
Assistant Director (Finance and Corporate Services)
Assistant Director (Legal and Corporate Services)
Assistant Director (Economy)
Assistant Director (Environment)
Assistant Director (Communities)
Assistant Director (Communities)
Spatial Policy Manager
Spatial Policy Team Leader
Performance Manager
Economic Development Manager
Economic Development Officer
Scrutiny Manager
Democratic Services Manager

Others:

Paull Robathan
Steve Read
Andrew Croot

Chairman of the South Somerset Together (LSP)
Managing Director, Somerset Waste Partnership
Consultant, Thomas Lister

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

114. Minutes (Agenda Item 1)

The minutes of the meeting held on 5th January 2012, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

115. Apologies for Absence (Agenda Item 2)

An apology for absence was received from Councillor Jo Roundell Greene.

116. Declarations of Interest (Agenda Item 3)

Councillor Angie Singleton declared a personal and prejudicial interest in Agenda item 19, Transfer of responsibility for Public Conveniences off South Street, Crewkerne to Crewkerne Town Council as a member of the Town Council.

117. Public Question Time (Agenda Item 4)

It was agreed that members of the public present would speak at the time the Agenda item was discussed.

118. Chairman's Announcements (Agenda Item 5)

There were no announcements from the Chairman.

119. Review of South Somerset Together (SST) (Agenda Item 6)

Mr Paull Robathan, Chairman of South Somerset Together (The Strategic Partnership), advised that following the review of Partnerships by SSDC in October 2011 and the recommendation that the Strategic Partnership should be significantly funded by its external partners in future, he was pleased to report that the following funding had been secured:-

Yarlington Housing Group - £10,000
Yeovil College - £3,000
Yeovil Hospital - £5,000
Raglan Housing - £1,000
MIND - £100
Balsam Centre in Wincanton - £100

Other partner organisations had committed to support the Strategic Partnership by providing meeting accommodation and refreshments, which would more than total the remaining £800, of the £20,000 sought.

In response to questions from Members, the Chairman of South Somerset Together confirmed that:-

- A new Executive Committee would be formed in April 2012 comprising of the 10-12 partners representing public, private and voluntary sectors who would meet monthly.
- All the partner organisations would meet in full every 3 or 4 months and the meetings would be more focused.
- The Partnership was hosting a Health Conference on 24th February, to which all District, Town and Parish Councillors were invited.
- The Partnership would report directly to the Executive of each Partner organisation in future.
- The purpose of the Partnership was for the organisations to work together to resolve common problems and support similar local projects jointly.

The Chairman of South Somerset Together (The Strategic Partnership) concluded by paying tribute to the work of the SST Co-ordinator.

The Chairman and members thanked the Chairman of South Somerset Together for his report to the Committee.

RESOLVED: That the District Executive noted the current position of the South Somerset Together (SST) Partnership.

Reason: To inform Members of the outcome of a comprehensive review of the South Somerset Together (SST) Partnership.

*(Helen Rutter, Assistant Director (Communities) – 01935 462060)
(helen.rutter@southsomerset.gov.uk)*

120. Somerset Waste Partnership – Business Plan (Agenda Item 7)

The Strategic Director (Operations and Customer Focus) introduced Mr Steve Read, the Managing Director of the Somerset Waste Partnership. She paid particular tribute to the hard working crews of May Gurney who collected the waste and recycling in all weather and she thanked the Managing Director of the Somerset Waste Partnership and his staff for their assistance.

The Managing Director of the Somerset Waste Partnership referred to the financial difficulties they had faced 12 months previously and the proposed closures of Household Waste Recycling Centres (HWRC's) which had been avoided by the intervention of the District Councils. He advised that on the basis the amount of waste being collected continued to reduce, there were no proposed closures of HWRC's for the forthcoming year. It was hoped to attract Government funding to increase recycling to include disposable nappies, mattresses and carpet in the future. Construction of an anaerobic digester was due to start shortly near Highbridge which would be operational in 15 months, producing electricity and compost by-products.

In response to questions from Members, the Managing Director of the Somerset Waste Partnership advised that:-

- Although the Waste Partnership did not currently have a Capital Programme, he would be willing to speak to Wincanton Town Council regarding a HWRC for the town.
- More research was required before asbestos could be accepted at all HWRC's.

- There had been a long-term year on year reduction in waste collected. The current economic downturn was one factor, but also, more people were also exchanging and re-using goods.

At the conclusion of the debate, Members were content to endorse the Somerset Waste Partnership Business Plan for 2012/13.

RESOLVED: That the District Executive:

1. approved the contents of the Somerset Waste Partnership's Draft Business Plan 2012 - 17 and associated Draft Communications Plan on behalf of the authority.
2. agreed the waste fees and charges as set out in the report.

Reason: To agree the Somerset Waste Partnership's Business Plan 2012 -17 and to agree charges for garden, business and bulky waste collections.

(Vega Sturgess, Strategic Director (Operations and Customer Focus) – 01935 462200)
(vega.sturgess@southsomerset.gov.uk)

121. 2011/12 Revenue Budget Monitoring Report for the Quarter ending 31st December 2011 (Agenda Item 8)

The Portfolio Holder for Finance and Spatial Planning introduced the report to Members. He advised that although there was a predicted overspend of £144,500 in the revenue budget, this was equivalent to 0.8% of the total budget.

The Assistant Director (Finance and Corporate Services) confirmed that the budget overall was in a better position than the previous quarter and some of the 2012/13 budget savings had been delivered early.

Members were content to agree the recommendations of the report.

RESOLVED: That the District Executive:

- a. noted the current 2011/12 financial position of the Council;
- b. noted the reasons for variations to the previously approved budgets as detailed in paragraphs 3.3 and that Management Board are taking steps to reduce the anticipated overspend;
- c. noted the transfers made to and from reserves outlined in paragraph 7.1 and the position of the Area Reserves as detailed in Appendix C and the Corporate Reserves as detailed in Appendix D;
- d. noted the reasons for the maintenance of each Corporate Reserves as detailed in Appendix E and approved the return to balances of any reserve that was no longer justified;
- e. noted the virements made under delegated authority as detailed in Appendix B.

Reason: to update Members on the current financial position of the revenue budgets of the Council and to report the reasons for variations from approved budgets for the period 1st April to 31st December 2011.

*(Donna Parham, Assistant Director (Finance and Corporate Services) – 01935 462225)
(donna.parham@southsomerset.gov.uk)*

122. 2011/12 Capital Budget Monitoring Report for the Quarter ending 31st December 2011 (Agenda Item 9)

The Portfolio Holder for Finance and Spatial Planning advised that there had been progress on most of the capital schemes listed.

Members were content to agree the recommendations of the report.

- RESOLVED:** That the District Executive:
- a. approved the revised capital programme spend as detailed in paragraph 6;
 - b. noted the progress of individual capital schemes as detailed in Appendix A;
 - c. approved the virements between projects of £271,000 and the revenue contribution to capital of £11,000 as detailed in paragraph 8;
 - d. noted the slippage in the capital programme as detailed in paragraph 9;
 - e. noted the total land disposals to registered social landlords as detailed in Appendix B;
 - f. noted the balance of S106 deposits by developers held in a reserve as detailed in Appendix C;
 - g. noted the current position with regard to funds held by the Wessex Home Improvement Loans as detailed in paragraph 12.

Reason: to update Members on the current financial position of the capital programme of the Council and to report the reasons for variations from approved budgets for the period 1st April to 31st December 2011.

*(Donna Parham, Assistant Director (Finance and Corporate Services) – 01935 462225)
(donna.parham@southsomerset.gov.uk)*

123. Revenue Budget 2012/13, Medium Term Financial Plan (MTFP) and Revised Capital Programme (Agenda Item 10)

The Portfolio Holder for Finance and Spatial Planning advised that they proposed accepting the Government's offer to freeze Council Tax for 2012/13 and accept the equivalent of 2.5% of the Council Tax in a government grant. He said that raising the

Council Tax was not right in the current economic climate. He noted that the budget had been considered by the Scrutiny Committee at various stages and the report would be considered by full Council on 23rd February.

Mrs M Willy of South Petherton Parish Council asked Members to reconsider the proposal to withdraw funding from the Parish Lengthsmen Schemes. She said that Somerset County Council had withdrawn their 25% funding in 2011 and if SSSC withdrew their 25% funding then the scheme was at risk. She reminded Members of the varied tasks carried out by the Lengthsman, saying it was very good value for money.

During discussion, whilst Members acknowledged the excellent work of the Lengthsmen Schemes, it was noted that SSSC depots and training would still be available free of charge to the workmen. It was suggested that the parishes apply to the Area Committees for funding in the future

It was further noted that the current Car Park Strategy was due to expire in 2012 and although discussions had taken place, the full review would take place later in the year, after the Local Development Framework consultations.

At the conclusion of the debate, Members were content to agree the recommendations of the report and approve that they be presented to Full Council for confirmation.

- RESOLVED:** That the District Executive recommends to Full Council the following:
- a. approval of the overall Revenue Budget for 2012/13 of **£16,577,000** and the General Account Summary as shown at Appendix A and note future year projections;
 - b. approval of the revised detailed budgets for the four Area Committees and the District Executive as shown at Appendix B;
 - c. approve there is no increase in the Council Tax for South Somerset District Council, which will result in a continued Band D charge of **£150.74**;
 - d. approval of the change to the Car Park Strategy outlined in paragraph 38c to allow evening charges to commence in Yeovil.
 - e. approval of the additional expenditure for inescapable bids as shown in Appendix C;
 - f. consider the Equalities Impact Assessments in Appendix H in approving the savings identified;
 - g. approval of the savings proposals in Appendix D;
 - h. approve the once-off items of expenditure as shown in Appendix E;
 - i. approve the use of New Homes Bonus as outlined in Appendix F;
 - j. approve a further set aside of New Homes Bonus of £0.9 million to support the budget and the loss of government grant for council tax in 2013/14;
 - k. note the current position and future estimation of reserves and

balances as shown in paragraphs 41 to 44;

- l. note that there is no provision for a District Executive contingency in 2012/13 but that a carry forward of 2011/12 provision of up to £45,020 can be made;
- m. approval of the revised Capital Programme as shown in Appendix I;
- n. approval of the new schemes to be included in the Capital Programme as shown in Appendix J;
- o. note the scoring of new capital schemes outlined in Appendix L;
- p. note the proposed funding of the Capital Programme as shown in paragraph 61.
- q. note the detailed Capital Investment appraisal forms for new schemes, as shown at Appendix K;

RESOLVED: That the District Executive:

- a. approved the revised car parking and season ticket charges under the current Car Park Strategy as shown in Appendix G(i) that reflect these budget proposals;
- b. agreed appropriate amendments to the Car Parking Order that would be advertised as necessary;
- c. noted the benchmarking of car park charges outlined in Appendix G(ii).

Reason: To seek approval for the proposed 2012/13 Revenue Budget, Medium Term Financial Plan (MTFP) and revised Capital Programme that will be recommended to Full Council.

*(Donna Parham, Assistant Director (Finance and Corporate Services) – 01935 462225)
(donna.parham@southsomerset.gov.uk)*

124. Castle Cary Car Parks – Income Compensation Scheme (Agenda Item 11)

The Portfolio Holder for Finance and Spatial Planning said this was an excellent example of joint working and he paid tribute to the Ansford Parish and Castle Cary Town Councils for their decision. He said this was a three year agreement which could be reviewed in the future.

The Assistant Director (Legal and Corporate Services) said there had been some question over the legality of the Council's decision to charge in these car parks, however, there were specific powers to District Councils in the Road Traffic Act 1984

The Strategic Director (Operations and Customer Focus) confirmed that the car parks in Castle Cary would be managed jointly with the Town Council in future.

During discussion, it was noted that:-

- It would be helpful to know which car parks were owned by SSDC and at which they were proposing to charge parking fees in the future.
- SSDC should assist the Castle Cary Town Council in securing an area of land adjacent to the Millbrook Car Park for additional parking spaces.

At the conclusion of the debate, Members were content to accept the offer from Castle Cary Town Council and Ansford Parish Council and agree the recommendations of the report.

RESOLVED: That the District Executive agreed to accept the offer from Castle Cary Town Council and Ansford Parish Council of a three-year agreement to compensate SSDC for the loss of proposed income in the car parks in Castle Cary.

Reason: To inform Members of the agree to a 3-year agreement between Castle Cary Town Council, Ansford Parish Council and South Somerset District Council

(Vega Sturgess, Strategic Director (Operations and Customer Focus) – 01935 462200)
(vega.sturgess@southsomerset.gov.uk)

125. New SSDC Corporate Plan 2012 - 2015 (Agenda Item 12)

The Chairman thanked those involved in producing the new SSDC Corporate Plan, from the Members contributions in various workshops, to the final printed document. He noted that although no resources were currently allocated, it set out the present and future priorities of the District Council.

The Strategic Director (Place and Performance) advised that the Corporate Plan would be monitored annually and a Member Workshop would be held to discuss which performance indicators would be applied.

During discussion, Members put forward several points to improve and refine the document which would be included in the version to be presented to Council on 24th February 2012.

It was further agreed that a printed copy of the Corporate Plan be circulated to every District Councillor, all Town and Parish Councils and placed on the SSDC website. The main points of the document would also be included in the next newsletter to residents with a link to the full document on the website.

At the conclusion of the debate, Members were content to endorse the new Corporate Plan (as amended) and recommend that it be adopted by Council.

RESOLVED: That the District Executive recommends that Full Council adopts the new Corporate Plan 2012 to 2015 (as amended).

Reason: To consider the new Corporate Plan with a view to endorsing it and recommending its adoption at Full Council

(Rina Singh, Strategic Director (Place and Performance) – 01935 462010)

(rina.singh@southsomerset.gov.uk)

(Vega Sturgess, Strategic Director (Operations and Customer Focus) – 01935 462200)

(vega.sturgess@southsomerset.gov.uk)

126. Review of Area Working (Agenda Item 13)

The Strategic Director (Place and Performance) confirmed that the report asked for an in principle decision, prior to wider public consultation on the preferred option for the future of area working. If the consultation raised no significant issues then the Lean efficiency review would commence and it was hoped to complete by March 2013.

During discussion, it was noted that the location of front and back office staff in the areas was dependent on suitable accessible accommodation and would be opportunity led. It was possible that the public front desk could be in a separate location to the back office staff.

At the conclusion of the debate, Members were content to endorse Option Three as the preferred model for the future of Area Development subject to external consultation and Equality Impact Assessments.

RESOLVED: That the District Executive:

1. agreed the principles for Area Development that have been established as a result of the work done with member participation to date;
2. agreed the preferred option for Area Development, Model Three as set out in the report, subject to public consultation;
3. authorised officers to consult externally on the preferred model;
4. noted that if as a result of consultation and Equality Impact Assessments, issues arose which could not be mitigated, then a further report would be brought to District Executive for modification and final confirmation of the model;
5. agreed that if no issues arose in relation to (4) above that require a report back to District Executive, officers are authorised to progress the next phase of the process, which is the LEAN efficiency review of the preferred model;
6. noted that any savings arising would be added to the Medium Term Financial Plan once the delivery plan is completed.

Reason: To agree the preferred model for the future of Area Development subject to external consultation and Equality Impact Assessments.

(Rina Singh, Strategic Director (Place and Performance) – 01935 462010)
(rina.singh@southsomerset.gov.uk)

127. Proposed Introduction of Community Infrastructure Levy (CIL) (Agenda Item 14)

The Chairman regretted the late circulation of the Infrastructure Delivery Plan document to Members, however, he said its purpose was to provide the background evidence to underpin the funding gap of infrastructure requirements for future new developments.

The Portfolio Holder for Democratic and Regulatory Services noted that the Scrutiny Committee had proposed some positive amendments to the recommendations which he was pleased to support. He reminded Members that CIL would not replace Section 106 Agreements on developments and that two further public consultation periods would take place.

The Spatial Policy Team Leader advised that the CIL consultation would now be held in tandem with the Core Strategy consultation. This was because both would have to be reviewed by a Planning Inspector, therefore it made sense to hold them together. Regulation 123 of The CIL Regulations 2010 required the Council to list the infrastructure it would be spending CIL and Section 106 funding on, however, this did not have to be specific schemes, but identified themes or areas. A method of prioritising schemes would also be needed prior to the adoption of CIL.

During discussion, it was noted that CIL funds would be collected from all appropriate development including all new residential developments although it was currently proposed that lower rates were applied in urban extension developments due to the higher levels of planning obligations applied in such areas. Individual household extensions over 150sqm would attract CIL contributions. Members also noted that two further Member Workshops on CIL would be held on 20th February.

At the conclusion of the debate, Members were content to agree that the amended recommendations be put to full Council for approval.

RESOLVED: That the District Executive agreed to propose that full Council:

1. formally agree to the proposed adoption of a Community Infrastructure Levy (CIL) in accordance with the proposed timescale attached at Appendix A, to run concurrently with the Core Strategy;
2. agree to consultation on the charging levy scales recommended by the Local Development Framework Project Management Board (PMB) for incorporation into a Preliminary Draft Charging Schedule as set out within the report and delegate the rest of the contents of the Preliminary Draft Charging Schedule to the PMB;
3. that the interim policy for planning obligations remain currently in operation;
4. send the PMB with initial preparatory work prior to adoption of a CIL Charging Schedule to suggest governance arrangements for future infrastructure planning in South Somerset. This would include:-
 - The means of collection of CIL monies and funding from other sources
 - A process for recommending future funding priorities in relation to spatial and thematic distribution of CIL funding
 - Refreshing and updating the infrastructure to be covered by CIL
 - Release of funding to projects

Reason: To agree to the Council making an early decision to move towards adoption of a Community Infrastructure Levy (under the Community Infrastructure Regulations April 2010) as a source of financing the infrastructure required to support the growth proposals in the Core Strategy.

*(Jean Marshall, Spatial Policy Team Leader – 01935 462589)
(jean.marshall@southsomerset.gov.uk)*

128. Quarterly Performance and Complaints Monitoring Report – 3rd Quarter 2011/12 (Agenda Item 15)

The Performance Manager introduced the report to Members and confirmed that 80% of the performance indicators were on target, as opposed to 50% in the previous quarter. The incidences of fly-tipping had reduced although they still remained the largest occurrence. Both the processing of planning applications within time and number of working days lost to sickness had improved. Complaints were also slightly down on the previous quarter. Compensation had been paid to a customer following a mistake on their council tax account.

In response to a question the Performance Manager confirmed that the performance management system, TEN, had been demonstrated to Councillors as part of the induction training in May 2011.

Members were content to agree the recommendations of the report.

RESOLVED: That the District Executive:

1. Considered the performance monitoring report;
2. noted the summary of complaints for Q3 2011/12;
3. noted Appendix C on anti-social behaviour, as requested by District Executive on 01/09/2011.

Reason: To note and comment on the performance monitoring report covering the period to the end of the third quarter of 2011/12 (1st October– 31st December 2011).

*(Sue Eaton, Performance Manager – 01935 462565)
(sue.eaton@southsomerset.gov.uk)*

129. Appointment of Substitute Members to Council Committees (Agenda Item 16)

The Chairman noted that the report had been brought forward at his request in response to twin-hatted Councillors difficulty in attending meetings which coincided with County Council meetings.

The Chairman of the Licensing Committee advised that they had 15 fully trained members and had no difficulty in arranging Licensing Sub Committee meetings, therefore, it was unnecessary to have substitute Members on that committee.

During discussion, it was proposed to remove Licensing from the list of Committees to which substitutes could be nominated and allow them for Audit, Scrutiny and Regulation Committees.

The Assistant Director (Legal and Corporate Services) advised that it was the Party Group Leader who decided appointments at Council and therefore it was normal to keep them informed of substitutions on committees. He confirmed that the report to Council would include a list of the minimum training requirements for each committee.

At the conclusion of the debate, Members were content to agree to the use of substitute members for Audit, Regulation and Scrutiny Committees only. The report to Council to be amended to reflect this.

RESOLVED: That the District Executive recommend to Council to agree to the use of substitute members for Audit, Regulation and Scrutiny Committees and to amend the constitution of the Council to provide for the appointment of substitute members by including the amended provisions set out in the Appendix to the report as part of the Council Procedure Rules contained in Part 4 – Rules of Procedure.

Reason: To agree to propose that Council amend the Council's Constitution to enable substitute members to be appointed to Audit, Regulation and Scrutiny Committees where the appointed members are unable to attend.

(8 in favour, 1 against)

*(Ian Clarke, Assistant Director (Legal & Corporate Services) – 01935 462184)
(ian.clarke@southsomerset.gov.uk)*

130. District Executive Forward Plan (Agenda Item 17)

The following addition to the Consultation Database was noted:

- 2012 consultation on changes to the Building Regulations in England

RESOLVED: That the District Executive:

1. approved the updated Executive Forward Plan for publication as attached at Appendix A of the agenda report
2. noted the contents of the Consultation Database as shown a Appendix B, with the following addition:-
 - 2012 consultation on changes to the Building Regulations in England

Reason: The Forward Plan is a statutory document.

*(Ian Clarke, Assistant Director (Legal & Corporate Services) – 01935 462184)
(ian.clarke@southsomerset.gov.uk)*

131. Date of Next Meeting (Agenda Item 18)

Members noted that the next scheduled meeting of the District Executive would take place on Thursday 1st March 2012 in the Council Chamber, Council Offices, Brympton Way, Yeovil commencing at 9.30 a.m.

(Ian Clarke, Assistant Director (Legal & Corporate Services) – 01935 462184)
(ian.clarke@southsomerset.gov.uk)

132. Exclusion of Press and Public

RESOLVED: That the following items be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

133. Transfer of responsibility for Public Conveniences off South Street, Crewkerne to Crewkerne Town Council (Agenda Item 19) (Confidential)

Members were content to confirm the recommendations of the report.

RESOLVED: That the District Executive agreed:

1. To note that Crewkerne Town Council had 'strongly indicated a willingness' to take over the operation and management of the existing public conveniences in Crewkerne, with financial assistance towards the new arrangements for a three year period.
2. That a capital sum be approved as a save to earn scheme.
3. To approve the on-going savings to SSDC as detailed within the financial implications paragraph.
4. To authorise the Assistant Director (Legal and Corporate Services) to transfer the existing lease to Crewkerne Town Council for the operation and management of the public conveniences in Crewkerne.

Reason: To agree to transfer the operation and management of the existing public conveniences in Crewkerne to the Town Council with effect from 1st April 2012.

(Laurence Willis, Assistant Director (Environment) – 01935 462428)
(laurence.willis@southsomerset.gov.uk)

134. Disposal of SSDC owned land in Chard comprising the Boden Mill, former ACI Factory site, Market Fields and Boden Street Car Parks (Agenda Item 20) (Confidential)

Members were content to confirm the amended recommendations of the report.

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

Reason: To agree the disposal of South Somerset District Council owned land in Chard.

(David Julian, Economic Development Manager – 01935 462279)
(david.julian@southsomerset.gov.uk)

.....

Chairman

.....

Date

Scrutiny Committee – 28th February 2012

10. Reports to be considered by District Executive on 1st March 2012

Lead Officers: *Emily McGuinness, Scrutiny Manager*
 Jo Gale, Scrutiny Manager

Contact Details: *emily.mcguinness@southsomerset.gov.uk or 01935 462566*
 or joanna.gale@southsomerset.gov.uk or 01935 462077

Scrutiny Committee members will receive a copy of the District Executive agenda containing the reports to be considered at the meeting on 1st March 2012.

Members are asked to read the reports and bring any concerns/issues from the reports to be discussed at the Scrutiny Committee meeting on 28th February 2012.

The Chairman will take forward any views raised by Scrutiny members to the District Executive meeting on 1st March 2012.

Scrutiny Committee – 28th February 2012

11. Verbal Update on Task and Finish Reviews

The Task and Finish Review Chairs will give a brief verbal update on progress made.

Scrutiny Committee – 28th February 2012**12. Scrutiny Work Programme**

Meeting Date	Agenda Item	Issue for Main Scrutiny Cttee	Performance Management	Budget	Background/Description	Corporate Aim	Lead Officer (Lead Member)
28/02/12	Update on the Park Home Project	✓			At the Scrutiny Committee meeting on 1 st February members received an update on the management of park home sites and requested a 12 monthly report on this issue.	To improve the housing, health and well-being of our citizens	Steve Joel, Assistant Director (Health and Well-Being) Councillor Ric Pallister – Portfolio Holder - Leader, Strategy and Policy
28/02/12	District Executive reports for Scrutiny consideration	✓			Each month Scrutiny Committee considers and comments on all District Executive reports.		
03/04/12	Items for the Work Programme	✓					Emily McGuinness Jo Gale Scrutiny Managers
03/04/12	Review of Partnerships Register	✓			District Executive at its meeting on 6 th October 2011 recommended that Scrutiny Committee review the Partnerships Register in order that recommendations		Alice Knight, Third Sector & Partnerships Manager Sylvia Seal,

Meeting Date	Agenda Item	Issue for Main Scrutiny Cttee	Performance Management	Budget	Background/Description	Corporate Aim	Lead Officer (Lead Member)
					can be taken into account during the budget setting process.		Leisure & Culture
03/04/12	District Executive reports for Scrutiny consideration	✓			Each month Scrutiny Committee considers and comments on all District Executive reports.		
03/04/12	Police and Crime Panels	✓			To update members on the implications of the introduction of Police Commissioners and Police and Crime Panels		Emily McGuinness, Scrutiny Manager
03/04/12	Scoping – Community Safety	✓			Members to scope report on reviewing the performance of community safety arrangements.		Emily McGuinness, Scrutiny Manager
01/05/12	Monitor the implementation of the recommendations of the HomeFinder Somerset Review	✓			To give Scrutiny members an opportunity to ensure their recommendations as accepted by the HomeFinder Somerset Board are being implemented as stated.		Jo Gale Scrutiny Manager Ric Pallister – Portfolio Holder - Leader, Strategy and Policy
01/05/12	Annual Review of SSDC Partnerships	✓			Scrutiny Committee to comment on the report prior to District Executive		Alice Knight, Third Sector and Partnerships Manager Sylvia Seal, Leisure and Culture

Meeting Date	Agenda Item	Issue for Main Scrutiny Cttee	Performance Management	Budget	Background/Description	Corporate Aim	Lead Officer (Lead Member)
01/05/12	Temporary Accommodation Strategy	✓			At the Scrutiny Committee meeting on 29 th November, members requested a six-monthly update report on the strategic actions contained within the Temporary Accommodation Strategy.	To improve the housing, health and well-being of our citizens	Colin McDonald, Corporate Strategic Housing Manager
TBC	Update on Community Safety	✓			Scrutiny members to review the performance of Community Safety arrangements.	Ensure safe, sustainable and cohesive communities	Alice Knight, Third Sector and Partnerships Manager Councillor Tony Fife – strategic responsibility for Community Safety
TBC	Impact of Localism Act	✓			Now that the Bill has received Royal assent, the committee will have the opportunity to consider what measures have been put in place to ensure the Act is effectively delivered.		Ian Clarke – Assistant Director – Legal Corporate Services and Monitoring Officer.
TBC	Review of Capital Strategy	✓					

Task & Finish Reviews

Date Commenced	Title	Members
October	Social Housing Fraud	John Calvert Nick Colbert Carol Goodall Derek Yeomans Barry Walker
October	Review of the implementation of the recommendations of the HomeFinder Somerset Review	Carol Goodall
December	Review of Member representation on Outside Organisations	Martin Wale Carol Goodall Dave Bulmer Kim Turner Colin Winder Gina Seaton Sue Osborne
April	Economic Development Strategy	
To be confirmed	Housing and Council Tax Benefits	Carol Goodall Dave Bulmer

Scrutiny Committee – 28th February 2012

13. Somerset Waste Board – Forward Plan

Scrutiny Committee - 28th February 2012

14. Date of Next Meeting

Members are requested to note that the next meeting of the Scrutiny Committee will be held on Tuesday 3rd April 2012 at 10.00am in the Main Committee Room, Brympton Way, Yeovil.
