

South Somerset District Council

Draft Minutes of the **Annual Meeting** of the **South Somerset District Council** held on **Thursday 15th May 2014** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(7.30pm – 10.02pm)

Present:

Members: Councillor Michael Best (Chairman)
Councillor Carol Goodall (Vice Chairman)

Cathy Bakewell	Andrew Kendall	Shane Pledger
Mike Beech	Jenny Kenton	Wes Read
David Bulmer	Michael Lewis	Roslynn Roderigo
John Calvert	Pauline Lock	Jo Roundell Greene
Tony Capozzoli	Tony Lock	Sylvia Seal
Tim Carroll	Ian Martin	Gina Seaton
Pauline Clarke	Paul Maxwell	Peter Seib
Nick Colbert	Nigel Mermagen	Angie Singleton
John Dyke	Graham Middleton	Sue Steele
Marcus Fysh	Roy Mills	Paul Thompson
Jon Gleeson	Terry Mounter	Lucy Wallace
Dave Greene	David Norris	William Wallace
Peter Gubbins	Graham Oakes	Nick Weeks
Tony Fife	Sue Osborne	Colin Winder
Brennie Halse	Ric Pallister	Derek Yeomans
Tim Inglefield	Patrick Palmer	

Officers:

Mark Williams	Chief Executive
Rina Singh	Strategic Director (Place and Performance)
Vega Sturgess	Strategic Director (Operations and Customer Focus)
Ian Clarke	Assistant Director (Legal and Corporate Services)
Donna Parham	Assistant Director (Finance and Corporate Services)
Martin Woods	Assistant Director (Economy)
Paul Wheatley	Principal Spatial Planner
Lynda Creek	Fraud and Data Manager
Tom Chown	Fraud and Data Intern
Angela Cox	Democratic Services Manager

Others:-

Paul Mears	Chief Executive, Yeovil District Hospital
Jonathan Higman	Director, Yeovil District Hospital

1. Election of Chairman (Agenda Item 1)

Councillor Angie Singleton, seconded by Councillor Jo Roundell Greene, nominated Councillor Michael Best as Chairman of the Council.

There being no other nominations it was:

RESOLVED: that Councillor Michael Best be elected as Chairman of the Council for the Municipal Year 2014/2015.

Following his appointment Councillor Best read and signed the formal declaration of acceptance of office, and thanked Members for their support.

Councillor Michael Best in the Chair

2. Appointment of Vice-Chairman (Agenda Item 2)

Councillor Nigel Mermagen, seconded by Councillor Pauline Lock, nominated Councillor Carol Goodall as Vice Chairman of the Council.

There being no other nominations it was:

RESOLVED: that Councillor Carol Goodall be appointed as Vice-Chairman of the Council for the municipal year 2014/2015.

Following her appointment Councillor Carol Goodall read and signed the formal declaration of acceptance of office.

3. Apologies for Absence (Agenda Item 3)

Apologies for absence were received from Councillors John V Chainey, Henry Hobhouse, Nigel Gage, Anna Groskop, David Recardo, John Richardson, Kim Turner, Andrew Turpin, Linda Vijeh, Martin Wale and Barry Walker.

4. Minutes (Agenda Item 4)

The minutes of the meeting held on the 13th March 2014, copies of which had been previously circulated, were approved as a correct record of the meeting and signed by the Chairman.

RESOLVED: that the minutes of the Council meeting held on 13th March 2014 be approved as an accurate record of the meeting.

5. Declarations of Interest (Agenda Item 5)

Councillors Michael Lewis, Marcus Fysh, John Dyke, Dave Greene, Tony Lock, William Wallace and Derek Yeomans declared a personal and prejudicial interest in Agenda Item 18, Motions (proposed by Councillor Mike Beech) as members of Somerset County Council. They confirmed that they would leave the room during consideration of this item.

Councillor Sue Steele declared a personal interest in Agenda item 18, Motions (proposed by Councillor Marcus Fysh) as a member of the Project Management Board of the Local Plan.

6. Public Question Time (Agenda Item 6)

There were no questions from members of the public present.

7. Chairman's Announcements (Agenda Item 7)

The Chairman advised that training would be provided to any new Chairman or Vice Chairman elected to Committees at Agenda item 9 on 16th June 2014 at 2.00pm in the Council Chamber.

8. Chairman's Engagements (Agenda Item 8)

The list of Chairman's Engagements was noted.

9. Presentation by Paul Mears of Yeovil District Hospital NHS Foundation Trust on existing Stroke Services at the Hospital (Agenda Item 9)

Mr Paul Mears, Chief Executive of Yeovil District NHS Foundation Trust reminded Members that they had received a presentation in February 2014 from the Clinical Commissioning Group on their proposal to provide a centre of excellence for stroke patients at Musgrove Park Hospital, Taunton. He introduced Mr Jonathan Higman, Director of Urgent Care and Long Term Conditions at Yeovil District Hospital NHS Foundation Trust, who would provide the perspective of Yeovil District Hospital to this proposal and the alternative options which they were looking at for stroke patients.

Mr Jonathan Higman gave a short presentation on the services currently provided to stroke patients treated at Yeovil District Hospital. (Slides attached)

In response to questions from Members, Mr Mears and Mr Higman provided the following responses:-

- Research in other countries was different but the speed of treatment was always a priority for stroke patients.
- Where centralisation of stroke services had happened it had a positive impact on the local area, but this was usually in urban areas.
- People who suffered a stroke overnight may be seen by a Registrar rather than a Stroke Consultant, however, with new technology it may be possible to use tele-consultancy from other hospitals in the future.
- The proposals would impact on the South West Ambulance Service.

Members also made the following points:-

- The University of Melbourne in Australia had published research which said that every minute saved between a person suffering a stroke and receiving treatment equalled an extra day of life for them. 'Save a minute, save a day' could relate to disability free days for stroke patients.
- Friends and family of stroke patients were key to support them as they recovered.
- Concerned that the proposals were being led by Consultants.
- A stroke was a life changing event and if patients had to drive through Yeovil to be treated in Taunton then this would extend their treatment and recovery time.

Having listened to the presentations from both the Clinical Commissioning Group in February and the Yeovil District Hospital, Members discussed the merits of writing a letter to support the continuation of stroke services at Yeovil District Hospital. Some Members felt this support was premature as not all the evidence had been heard at this stage. However, it was subsequently agreed to send a letter to the Clinical Commissioning Group stating that, based on the evidence which Members had heard so far, that SSDC supported the continuation of a stroke centre in Yeovil particularly as part of a two-centre approach in a collaborative approach with Musgrove Hospital. Council was encouraged to hear of the willingness of Yeovil District Hospital to work together with Musgrove to improve the quality of stroke care across Somerset and would examine any additional evidence more closely once the Clinical Commissioning Group had made recommendations on the preferred option to go for consultation. A final opinion would be given at that point, based on the principle that any change must be beneficial to the patients, their health outcomes and their families in South Somerset and further afield.

At the conclusion of the debate, the Chairman thanked Mr Mears and Mr Higman for attending and providing an interesting presentation.

RESOLVED: That Council:-

1. noted the presentation by Mr Paul Mears and Mr Jonathan Higman on the current services available to stroke patients at Yeovil District Hospital.
2. is strongly committed to the continuation of an excellent stroke service within Yeovil District Hospital and on the basis of the evidence it has heard and seen to date, would strongly support close engagement with the Clinical Commissioning Group in the interests of the residents of South Somerset and further afield.

(Voting: 29 in favour, 3 against, 8 abstentions)

Vega Sturgess
Strategic Director (Operations and Customer Focus)

10. Appointment of Member Level Bodies 2013/14 (Agenda item 10)

The Chairman explained the procedure to be followed on this item. He said that each of the Area Committees would appoint their own chairmen and vice-chairmen and he would adjourn the Council meeting at the appropriate point to allow the committees to meet and make those appointments.

Recommendation (1) – to note the appointment of Leader of the Council

RESOLVED: that Council noted that it appointed Councillor Ric Pallister as Leader of the Council for a period of four years, starting on the day of his election (May 2011) and ending on the day of the post 4-year Council election annual meeting (May 2015).

Recommendation (2) – to note the appointment of Deputy Leader of the Council

RESOLVED: that Council noted that it appointed Councillor Tim Carroll as Deputy Leader of the Council to hold office (subject to Article 7.03) until the end of the term of office of the Leader (May 2015).

Recommendation (3) - Appointment of Membership and establishment of District Executive Committee

RESOLVED: that Council re-established the District Executive Committee with the terms of reference as set out in Appendix A and with the powers and functions as set out in Part 3 of the Council's Constitution. and the Leader appointed the following Members and Portfolio responsibilities for 2014/15:

Ric Pallister	Lib Dem	Leader: Strategy and Policy (including Housing, LSP, Human Resources, Efficiency agenda, Performance, Area Development and oversight of Civil Contingencies).
Tim Carroll	Lib Dem	Deputy Leader and Vice-Chairman of the Executive: Finance and Spatial Planning (including Finance and Legal Services, Strategic car parks income, Revenues and Benefits, Spatial Planning, Strategic Asset Management, South West Audit Partnership, and, Procurement).
Sylvia Seal	Lib Dem	Leisure and Culture (including Sport, Countryside, Arts, Heritage, Health and Well-Being, Third Sector and Partnerships, and, Member Development).
Jo Roundell Greene	Lib Dem	Environment and Economic Development (including Waste and Recycling, Street Scene, Somerset Waste Board, Economic Development and Regeneration, and, Equalities and Diversity).
Henry Hobhouse	Lib Dem	Property and Climate Change (including Strategic Transport, Engineering and Property Services, Climate Change, ICT & GIS, Civil Contingencies, Business Continuity, Somerset Waste Board).
Peter Seib	Lib Dem	Regulatory and Democratic Services (including Development Management, Environmental Health, Building Control, Licensing, Health and Safety, and, Democratic Services).

Peter Gubbins	Lib Dem	Area South Chairman with strategic responsibility for Yeovil Vision and Community Safety.
Angie Singleton	Lib Dem	Area West Chairman with strategic responsibility for Market Towns.
Shane Pledger	Con	Area North Chairman with strategic responsibility for Building Control, Conservation Planning Environmental Health Private Sector Renewal
Nick Weeks	Con	Area East Chairman with strategic responsibility for Customer Services.

Recommendation (4) – Re-establishment and Appointment other member level bodies for 2013/14

RESOLVED: that the following member-level bodies be re-established for 2014/15:

Scrutiny Committee (14 members)
 Audit Committee (10 members)
 4 Area Committees (geographical representation)
 Regulation Committee (14 members)
 Licensing Committee (15 members)
 Appointments Committee (8 members)
 Standards Committee (6 District Council members plus 5 co-optees)

(Voting: unanimous in favour)

Recommendation (5) - Appoint Members to Member-Level Bodies

RESOLVED: that the memberships of the bodies established as in recommendation (4) be approved as follows for 2014/15 having regard to the principles of political balance as set out in the report and giving effect to the wishes of the party political groups:

Area North Committee 13 members (exempt from political balance)

Pauline Clarke	Lib Dem	
Roy Mills	Lib Dem	
Jo Roundell Greene	Lib Dem	
Sylvia Seal	Lib Dem	
Terry Mounter	Independent	
Patrick Palmer	Independent	
Graham Middleton	Conservative	
David Norris	Conservative	
Shane Pledger	Conservative	Chairman
Sue Steele	Conservative	
Paul Thompson	Conservative	Vice Chairman
Barry Walker	Conservative	
Derek Yeomans	Conservative	

Area South Committee 19 members (exempt from political balance)

Cathy Bakewell	Lib Dem	
Tim Carroll	Lib Dem	
John V Chainey	Lib Dem	
Tony Fife	Lib Dem	
Jon Gleeson	Lib Dem	
Dave Greene	Lib Dem	
Peter Gubbins	Lib Dem	Chairman
Andy Kendall	Lib Dem	
Pauline Lock	Lib Dem	Vice Chairman
Tony Lock	Lib Dem	
Ian Martin	Lib Dem	
Graham Oakes	Lib Dem	
Wes Read	Lib Dem	
David Recardo	Lib Dem	
John Richardson	Lib Dem	
Peter Seib	Lib Dem	
Marcus Fysh	Conservative	
Nigel Gage	Conservative	
Gina Seaton	Conservative	

Area East Committee 12 members (exempt from political balance)

Henry Hobhouse	Lib Dem	
Tony Capozzoli	Independent	
Mike Beech	Conservative	
John Calvert	Conservative	
Nick Colbert	Conservative	
Anna Groskop	Conservative	
Tim Inglefield	Conservative	
Michael Lewis	Conservative	Vice Chairman
Lucy Wallace	Conservative	
William Wallace	Conservative	
Nick Weeks	Conservative	Chairman
Colin Winder	Conservative	

Area West Committee 16 members (exempt from political balance)

Mike Best	Lib Dem	
John Dyke	Lib Dem	
Carol Goodall	Lib Dem	
Jenny Kenton	Lib Dem	
Paul Maxwell	Lib Dem	Vice Chairman
Nigel Mermagen	Lib Dem	
Ric Pallister	Lib Dem	
Angie Singleton	Lib Dem	Chairman
Kim Turner	Lib Dem	
Andrew Turpin	Lib Dem	
Dave Bulmer	Independent	
Brennie Halse	Conservative	
Sue Osborne	Conservative	

Ros Roderigo	Conservative
Linda Vijeh	Conservative
Martin Wales	Conservative

Scrutiny Committee

2 Vice-Chairmen

LD7, C6, I1

14 members (political balance)

Pauline Clarke	Lib Dem	
Carol Goodall	Lib Dem	
Pauline Lock	Lib Dem	
Tony Lock	Lib Dem	
Paul Maxwell	Lib Dem	
Nigel Mermagen	Lib Dem	Vice-Chairman
David Recardo	Lib Dem	
Dave Bulmer	Independent	Vice-Chairman
Tim Inglefield	Conservative	
Graham Middleton	Conservative	
Sue Osborne	Conservative	
Sue Steele	Conservative	Chairman
Nick Colbert	Conservative	
Martin Wales	Conservative	

Audit Committee

(10 members,)

LD5, C4, I1

10 members (political balance)

John Dyke	Lib Dem	
Tony Lock	Lib Dem	
Ian Martin	Lib Dem	Vice Chairman
Roy Mills	Lib Dem	
John Richardson	Lib Dem	
Terry Mounter	Independent	
John Calvert	Conservative	
David Norris	Conservative	
Colin Winder	Conservative	
Derek Yeomans	Conservative	Chairman

Regulation Committee

LD7, C6, I1

14 members (political balance)

Mike Best (W)	Lib Dem	
Tim Carroll (S)	Lib Dem	Vice Chairman
Peter Gubbins (S)	Lib Dem	
Tony Fife (S)	Lib Dem	
Ian Martin (S)	Lib Dem	Chairman
Sylvia Seal (N)	Lib Dem	
Angie Singleton (W)	Lib Dem	
Terry Mounter (N)	Independent	
Tim Inglefield (E)	Conservative	
Shane Pledger (N)	Conservative	
Gina Seaton (S)	Conservative	
Paul Thompson (N)	Conservative	
Linda Vijeh (W)	Conservative	
William Wallace (E)	Conservative	

Licensing Committee	15 members (exempt from political balance)		
	Pauline Clarke	Lib Dem	
	Pauline Lock	Lib Dem	
	Tony Fife	Lib Dem	
	David Recardo	Lib Dem	
	Tony Lock	Lib Dem	
	Paul Maxwell	Lib Dem	
	Nigel Mermagen	Lib Dem	Chairman
	Roy Mills	Lib Dem	
	Wes Read	Lib Dem	
	Dave Bulmer	Independent	
	Nick Colbert	Conservative	
	David Norris	Conservative	
	Linda Vijeh	Conservative	
	Martin Wale	Conservative	Vice-Chairman
	William Wallace	Conservative	

Appointments Committee	8 members (political balance)		
LD4, C3, I1	Tim Carroll	Lib Dem	Vice Chairman
	Jo Roundell Greene	Lib Dem	
	Tony Fife	Lib Dem	
	Ric Pallister	Lib Dem	Chairman
	Patrick Palmer	Independent	
	John Calvert	Conservative	
	Linda Vijeh	Conservative	
	Colin Winder	Conservative	

Standards Committee	6 members (political balance)		
LD3, C2, I1	Jenny Kenton	Lib Dem	
	Paul Maxwell	Lib Dem	
	Nigel Mermagen	Lib Dem	Vice Chairman
	Patrick Palmer	Independent	Chairman
	John Calvert	Conservative	
	Anna Groskop	Conservative	
Plus 3 parish representatives and 2 independent representatives:			
	Godfrey Townrow	Parish Rep	
	Elizabeth Glaisher	Parish Rep	
	Vacancy	Parish Rep	
	Christopher Borland	Independent	
	Peter Forrester	Independent	

(Voting: unanimous in favour)

Recommendation (6) – Appointment of Chairmen and Vice-Chairmen of Member-Level Bodies

The Council meeting was then adjourned to allow the Area Committees to meet to appoint their own Chairmen, who would then be members of the District Executive as detailed in resolution (3), and Vice-Chairmen.

RESOLVED: that the Chairmen and Vice-Chairmen of the bodies listed under recommendations (5) above be approved for 2013/14 as shown in that resolution.

(Voting: unanimous in favour)

Recommendation (7) - Terms of Reference

RESOLVED: that the bodies appointed under recommendation (5) above will operate in accordance with their existing terms of reference (as attached at Appendix A to the report) and the scheme of delegation set out in Part 3 of the Constitution.

(Voting: unanimous in favour)

Recommendation (8) - Appointment to Council Wide Panels and Partnerships

RESOLVED: that the following appointments be made to Council wide panels and partnerships as listed in paragraph 3 of the report:

Appeals Panel LD4, C3, I1	8 members (political balance) Cathy Bakewell Peter Gubbins Nigel Mermagen Sylvia Seal Terry Mounter Brennie Halse Anna Groskop Ros Roderigo	Lib Dem Lib Dem Lib Dem Lib Dem Independent Conservative Conservative Conservative	
South Somerset Together (LSP)	Ric Pallister	Lib Dem	(Plus Area Chairmen are automatically members of the LSP)
South West Audit Partnership Ltd	Tim Carroll	Lib Dem	
Housing and Exceptions Appeals Panel	Jo Roundell Greene Ric Pallister	Lib Dem Lib Dem	
Police and Crime Panel	Tony Lock	Lib Dem	
Somerset Waste Board	Jo Roundell Greene Henry Hobhouse	Lib Dem Lib Dem	
PATROL (Parking and Traffic regulations outside London) Joint Committee	Linda Vijeh	Cons	

(Voting: unanimous in favour)

Recommendation (9) - Appointment to Outside Bodies

Councillor Ric Pallister advised that the Local Government Association's Gypsy Working Group no longer met and should be removed from the list of Outside Body appointments. He asked that it be replaced with an appointment to the District Councils Network.

RESOLVED: that the following members be appointed to the Council wide outside bodies as listed in Appendix C and it be noted that all other appointments to outside bodies will be made by the Area Committees for area specific issues or Portfolio Holders for issues within their remit:

Organisation	Representative	Political Party
Board of Governors for Yeovil District Hospital NHS Foundation Trust	Mrs Lesley Boucher	
Board of Governors for Musgrove Park Hospital NHS Foundation Trust	Sue Steele	Cons
LGA General Assembly	Ric Pallister	Lib Dem
District Councils Network	Ric Pallister	Lib Dem
LGA Rural Commission	Ric Pallister	Lib Dem
Parrett Drainage Board	Roy Mills Patrick Palmer Mike Lewis	Lib Dem Ind Cons
South West Provincial Employers	Tim Carroll	Lib Dem
South West Councils	Tim Carroll	Lib Dem
Health and Well-Being Board	Sylvia Seal	Lib Dem
Somerset Water Management Partnership	Patrick Palmer	Ind
Somerset Buildings Preservation Trust	Henry Hobhouse	Lib Dem

(Voting: unanimous in favour)

Recommendation (10) - Members' Allowances Panel

RESOLVED: that Council appointed the membership of the Council's independent Members' Remuneration Panel to serve for 3 years as follows:

Mr John Hawkins, Mrs Gill Spence, Mr Chris Williams, 2 vacancies

(Voting: unanimous in favour)

Recommendation (11) - Meetings Timetable

RESOLVED: that the Council's annual meetings timetable be confirmed as attached at Appendix B.

(Voting: unanimous in favour)

*Ian Clarke
Assistant Director (Legal & Corporate Services)*

11. Continuation of Shared Chief Executive Arrangements with East Devon District Council (Agenda Item 11)

(The Chief Executive left the room during consideration of this item).

Councillor Ric Pallister, as Leader of Council, commended the report to Members. He said the proposal to continue sharing the Chief Executive with East Devon District Council should continue until 2018 with an allowance for 12 months notice by either party. This would allow the Chief Executive to plan for the future of both Councils.

In response to a question, the Leader of Council confirmed the significant financial benefit of over £100,000pa salary saving as well as shared knowledge and experience across both Councils in continuing the shared Chief Executive arrangements.

At the conclusion of the debate, Members were content to agree the continuation of shared Chief Executive arrangements with East Devon District Council.

RESOLVED: That Council agreed to:

1. note that EDDC had approved the continuation of the shared arrangement as set out in the report and agreed to:
 - (i) extend the existing agreement to receive the services of the joint chief executive for the purpose of the council's functions in accordance with section 113 of the Local Government Act 1972 until 30th September 2018 subject to earlier termination as set out in the report, and;
 - (ii) that the appointment of the joint chief executive as this council's head of paid service, continues on the same basis.
2. the detailed arrangements on day-to-day working to be as agreed with the Leaders of both councils.
3. the on-going costs of the post are shared on a 50/50 basis on the existing terms and conditions.
4. all references in the constitution to the chief executive or head of paid service shall apply to the joint chief executive when he is acting in that role for this council until such time as the agreement is terminated or expires.
5. delegate authority to the Assistant Director – Legal & Corporate Services in consultation with the Section 151 Officer and Leader to make the necessary changes to the existing agreement in place between SSDC and EDDC to reflect the decision of Council set out above and the development of or changes to the relationship between the Councils and to execute on behalf of the Council the agreement which secures them.

Reason: To agree that the current arrangements with East Devon District Council in relation to the sharing of a Chief Executive continue until 2018 subject to the ability of both parties to end the arrangement earlier as set out in the report.

(Voting: unanimous in favour)

*Ian Clarke
Assistant Director (Legal and Corporate Services)*

12. Asset Management Strategy (Agenda Item 12)

It was noted that the Asset Management Strategy had been presented to the Area Committees and District Executive for comment. Attention was also drawn to the aims of the strategy listed on page 3 of the appendix. There was no debate and the majority of Members were content to approve the Asset Management Strategy as presented.

RESOLVED: That Council:-

1. adopted the Draft Asset Management Strategy.
2. noted the District Executive proposals to change the council's asset management system, specifically from Strategic Asset Management Group to Strategic Asset Steering Group.

Reason: To adopt the proposed Asset Management Strategy and agree the proposals for changes to the Asset Management System within the council

(Voting: 48 in favour, 0 against, 1 abstention)

*Donna Parham, Assistant Director (Finance & Corporate Service)
Laurence Willis, Assistant Director (Environment)*

13. Counter Fraud, Theft and Bribery Strategy and Counter Fraud Action Plan (Agenda Item 13)

The Portfolio Holder for Finance and Spatial Planning advised that although no corporate fraud had been found at SSDC to date, this did not mean it was not happening as it was estimated that there was £2.2 billion loss to Local Government across the country. The strategy document had been presented to Audit, Scrutiny and District Executive Committees and would need updating in the future to ensure its relevance.

There was no debate and Members were content to approve the Counter Fraud, Theft and Bribery Strategy, and related Action Plan as presented.

RESOLVED: That Council:

- 1) approved the Counter Fraud, Theft and Bribery Strategy, and related Action Plan.
- 2) noted the key matters which impacted on the ability to deliver the first year Action Plan, particularly the resources available for counter fraud work.

Reason: To adopt the Counter Fraud, Theft and Bribery Strategy, and the related Action Plan.

(Voting: unanimous in favour)

*Lynda Creek, Fraud and Data Manager
Tom Chown, Fraud and Data Intern*

14. Introduction of a Knowledge Test as part of the Private Hire and Hackney Carriage Drivers Licensing process (Agenda Item 14)

The Portfolio Holder for Regulatory and Democratic Services advised that the introduction of a knowledge test had been well supported in the recent taxi drivers consultation and also by the Equalities Steering Group and the Disability Forum. The knowledge test would check drivers local knowledge of popular routes across the district, English and numeracy and was being introduced to protect and secure a good service for the public.

In response to questions, the Portfolio Holder confirmed that:-

- The test was most likely to be taken on a computer but other methods could be used.
- The test was being introduced for new taxi driver applicants but all licensed drivers within South Somerset would have to pass the test within 24 months of its introduction.
- The test would not focus solely on Yeovil landmarks but would include other major features across the district.

At the conclusion of the debate Members were content to approve the introduction of the South Somerset District Council Knowledge Test as part of the Private Hire and Hackney Carriage Drivers Licensing process.

RESOLVED: That Council agreed to approve:

1. The introduction of the South Somerset District Council Knowledge Test as part of the Private Hire and Hackney Carriage Drivers Licensing process;
2. That all those submitting an application for a Private Hire/Hackney Carriage Driver's licence on or after the "Knowledge Test" introduction date be required to pass the South Somerset District Council Knowledge Test as part of the application process;
3. That all those who currently hold a South Somerset District Council Private Hire/Hackney Carriage driver's licence be required to pass the South Somerset District Council Knowledge Test within 24 months of the date of introduction;
4. That the Portfolio Holder for Regulatory & Democratic Services in conjunction with the Strategic Director (Operations & Customer Focus) be authorised to determine the introduction date, form, content, scoring and pass mark of the Knowledge Test;
5. That Officers report back to Licensing Committee 12 months after

the introduction of the South Somerset District Council Knowledge Test to update Members as to its progress.

Reason: To introduce a knowledge test for existing and prospective Private Hire and Hackney Carriage Drivers as part of the licensing application and renewal process.

(Voting: unanimous in favour)

*Nigel Marston
Licensing Manager*

15. Report of Executive Decisions (Agenda Item 15)

In response to a question, the Leader of Council agreed to circulate the details of local businesses assisted by the Flood Support Schemes – help for businesses funding.

The report of Executive decisions was noted.

*Councillor Ric Pallister
Leader of the Council*

16. Audit Committee Report (Agenda Item 16)

Councillor Derek Yeomans, Chairman of the Audit Committee presented the report of the Committee. He noted that the Fraud and Data Intern had impressed them with his presentation of the Counter Fraud, Theft and Bribery Strategy at their meeting on 27th March 2014.

The report was noted.

17. Scrutiny Committee Report (Agenda Item 17)

Councillor Sue Steele, Chairman of the Scrutiny Committee presented the report of the Committee. She noted that they were particularly pleased with the progress of the South Somerset Together Strategic Partnership. Also, the first meeting of the Task and Finish review of the Somerset Local Authorities Civil Contingencies Partnership had taken place the previous day.

The report was noted.

18. Motions (Agenda Item 18)

The following Motion was submitted by Councillor Marcus Fysh:-

Communities throughout South Somerset have been suffering from unexpected planning applications and uncertainty about development in their localities, due to doubt about whether the Council can and will demonstrate a 5 year supply of housing land, and whether it can and will demonstrate an appropriate buffer, as required in the National Planning Policy Framework.

The Council's position in this regard is relevant to the weight that can be given to Local Plans, emerging or otherwise, in planning decisions.

Without the Council taking a position that it can and will demonstrate a 5 year supply of housing land, Local Plans and policies may not be considered up to date, and a "presumption in favour of sustainable development" applies, arising from paragraphs 49 and then 14 of the National Planning Policy Framework.

The question of whether the Council can and will demonstrate an appropriate buffer on top of the 5 year supply of housing arises from paragraph 47 of the National Planning Policy Framework, and is particularly relevant to plan making.

These paragraphs of the National Planning Policy Framework exist to ensure that development comes forward in local authorities which persistently under-supply their areas with housing.

They also exist to ensure that Local Plans that are adopted are effective in delivering housing against the objectively assessed need for an area. In this context the Council's position with regard to 5 year supply of housing land is relevant to whether the Planning Inspector will be able to find the Local Plan sound in his current Examination.

Recommendation

That this Council:-

1. Now adopts the position that it can demonstrate a 5 year supply of housing land, and can demonstrate an appropriate buffer of 5%, as required by the National Planning Policy Framework and Government guidance.
2. Shall now make known and demonstrate its 5 year supply of housing land, and that it has an appropriate buffer of 5%, at any planning decision meetings, planning inquiries and appeal hearings.

This was seconded by Councillor Tim Inglefield.

Councillor Fysh reminded Members that as the Council had no adopted Local Plan in place they were currently open to speculative development in the district. He said that on 6th March 2014, the Government had issued new Planning Policy Guidance which he felt allowed the District Council the opportunity to look at a new land supply position. He stated that paragraph 30 allowed the use of the most recent housing supply projections of 550 per year so no 20% buffer was required. He asked that Members adopt the position that the Council now had a 5 year development land supply as a buffer against future speculative development. He confirmed that he had spoken to the Assistant Director (Economy) regarding this proposal.

Councillor Tim Carroll, as Portfolio Holder for Finance and Spatial Planning, responded that full and comprehensive supporting evidence in written form would be required at the time of the debate in order to adopt the Motion as proposed otherwise SSDC could face legal challenges by the development industry. He suggested an amendment to the Motion (listed below) that Councillor Fysh present evidence of the 5 year housing land supply to the District Executive Committee on 5th June 2014. Councillor Fysh accepted the proposed amendment to his Motion and stated that he would work with officers to provide the required evidence.

During discussion Members felt the adoption of a defensible 5 years housing land supply was important and should be carefully checked by officers to ensure the position was robust. Councillor Ian Martin then proposed that the Question be Put without further debate and the Chairman put the amended Motion to the vote and it was agreed.

RESOLVED: That Council:-

1. adopts the position as soon as practicable that it can demonstrate a 5 year housing supply with the appropriate buffer as required by the National Planning Policy Framework.
2. Shall on 5th June at District Executive formally adopt its position of the 5 year supply of housing land, which will apply to planning determinations, planning inquiries and appeal hearings.
3. Agreed that Councillor Marcus Fysh would provide further evidence to officers prior to District Executive on this matter.

Reason: To progress the adoption of a position on the District Council's 5 year housing land supply.

(Voting: 48 in favour, 0 against, 1 abstention)

Councillor Marcus Fysh

(Councillors Michael Lewis, Marcus Fysh, John Dyke, Dave Greene, Tony Lock, William Wallace and Derek Yeomans, having earlier declared a personal and prejudicial interest, left the room during consideration of the following item).

The following Motion was submitted by Councillor Mike Beech

That this council resolves to amend the following in the code of conduct:

Prejudicial Interests

2.9 (1) Where you have a personal interest in any business of your Council you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business—

- (a) affects your financial position or the financial position of a significant person (other than another town parish district or county council of which you are also a member); or
- (b) relates to determining any approval, consent, licence, permission or registration in relation to you or any significant person (other than another town parish district or county council of which you are also a member).

To remove:

(other than another town parish district or county council of which you are also a member) from 2.9 (1) (a) and (b) such that a county council, or other, member must declare a prejudicial interest where the gain for the body other than South Somerset District Council is to the detriment of South Somerset District Council at which meeting they are present as a member of South Somerset District Council.

This was seconded by Councillor Tony Capozzoli.

Councillor Mike Beech advised that his Motion had arisen from a funding request report presented to the Area East Committee in March 2014 from Barton St David Parish Council requesting financial assistance towards establishing a 30mph speed restriction in the village. He felt that the report had presented a clear conflict of interest for the District Councillors who were also serving Somerset County Councillors and he therefore proposed the amendment to the Council's Code of Conduct to prevent this from happening again.

Councillor Tim Carroll accepted the sentiment of the Motion however, he felt the replacement of the word 'detriment' with 'financial disadvantage' was more appropriate.

The Assistant Director (Legal and Corporate Services) confirmed that under the Council's previous Code of Conduct Members would have been required to declare an interest and leave the room in the situation described by Councillor Beech, on the basis that the Councillor would have been acting in the public interest, regardless of whether they were acting as District or County Councillors.

Councillor Beech confirmed that he agreed the proposed amendment of wording to his Motion. The Motion, together with the amended wording was proposed and seconded and on being put to the vote, the majority of Members were in support of the change to the Council's Code of Conduct.

RESOLVED: That Council agreed to remove the following wording from paragraphs 2.9 (1) (a) and (b) of the Council's Code of Conduct:-

(other than another town parish district or county council of which you are also a member)

And include the following explanatory paragraph:-

So that a County Council, or other, member must declare a prejudicial interest where the gain for the body other than South Somerset District Council is to the financial disadvantage of South Somerset District Council at which meeting they are present as a member of South Somerset District Council.

Reason: To provide greater public transparency by Councillors in their declarations of interest in all Council meetings.

(Voting: 26 in favour, 3 against, 1 abstention)

Councillor Mike Beech

19. Questions under Procedure Rule 10 (Agenda Item 19)

There were no questions submitted under Procedure Rule 10.

20. Date of Next Meeting (Agenda Item 20)

Members noted that the next scheduled meeting of the Full Council would take place on **Thursday, 18th July 2013** in the Council Chamber, Council Offices, Brympton Way, Yeovil commencing at 7.30 p.m.

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Chairman

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Date