

South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Thursday 6 November 2014** in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT.

(7.30 - 10.20 pm)

Present:

Members: Councillor Mike Best (Chairman)
Councillor Carol Goodall (Vice-Chairman)

Cathy Bakewell	Mike Lewis	Sylvia Seal
Dave Bulmer	Tony Lock	Gina Seaton
John Calvert	Paul Maxwell	Peter Seib
Tim Carroll	Nigel Mermagen	Angie Singleton
Tony Capozzoli	Graham Middleton	Sue Steele
Pauline Clarke	Terry Mounter	Paul Thompson
Nick Colbert	David Norris	Linda Vijeh
Tony Fife	Graham Oakes	Martin Wale
Marcus Fysh	Sue Osborne	Barry Walker
Nigel Gage	Patrick Palmer	Lucy Wallace
Anna Groskop	Ric Pallister	William Wallace
Peter Gubbins	Shane Pledger	Nick Weeks
Henry Hobhouse	Wes Read	Colin Winder
Tim Inglefield	David Recardo	Derek Yeomans
Andy Kendall	Jo Roundell Greene	

Officers

Mark Williams	Chief Executive
Vega Sturgess	Strategic Director (Operations & Customer Focus)
Ian Clarke	Assistant Director (Legal and Corporate Services)
Donna Parham	Assistant Director (Finance & Corporate Services)
Martin Woods	Assistant Director (Economy)
Nigel Marston	Licensing Manager
Paul Wheatley	Principal Spatial Planner
Angela Cox	Democratic Services Manager

51. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Mike Beech, John V Chainey, John Dyke, Jon Gleeson, Dave Greene, Brennie Halse, Jenny Kenton, Pauline Lock, Ian Martin, Roy Mills, John Richardson, Ros Roderigo, Kim Turner, Andrew Turpin and Rina Singh (Strategic Director).

52. Minutes (Agenda Item 2)

The minutes of the meeting held on the 21st August 2014, copies of which had been previously circulated, were approved as a correct record of the meeting and signed by the Chairman.

53. Declarations of Interest (Agenda Item 3)

Councillors Michael Best, Tim Carroll, Peter Gubbins, Anna Groskop, David Norris, Peter Seib, Angie Singleton and Linda Vjeh all declared a personal and prejudicial interest in Agenda item 8: Non Domestic Rates (NDR) – Discretionary Rate Relief Policy, as Trustees of charitable bodies who benefitted from the Policy. They confirmed that they would leave the room during discussion of this item.

54. Public Question Time (Agenda Item 4)

The Council were addressed by J Drayton, J Cook, C Cobb, S Shayler, M Rowsell, M Sampson, K Andrews, D Lilley, A Rossiter, K Beaton, J Poole, C Sunter, and A Freeman relating to Agenda Item 7: Hackney Carriage and Private Hire Policy. Their comments included:-

- A policy requiring that 50% of all taxis be wheelchair accessible would deplete the type of vehicle used and would be at the expense of comfort for the travelling public.
- The policy was welcomed by the South Somerset Disability Forum.
- People find getting wheelchair accessible taxis very difficult and there is often confusion as to where a guide dog should be allowed in a vehicle.
- The taxi rank in Silver Street, Yeovil should be relocated as it was dangerous for users.
- As a wheelchair user it is difficult to book a wheelchair accessible vehicle at the time needed which is a barrier to employment.
- Often customers have to wait a long time at the Yeovil Shopmobility shop for an appropriate vehicle to be available to take them home.
- More wheelchair accessible vehicles would be an advantage to taxi companies as the population ages.
- There is not the demand for the wheelchair accessible taxis which we already have.
- Many elderly customers ask us not to send wheelchair accessible taxis to them.
- A wheelchair accessible vehicle is often ignored on the taxi rank on a Friday and Saturday night.
- Other councils in the UK have only 5 or 6% of their taxis as wheelchair accessible.
- The increased costs of wheelchair accessible vehicles would be passed onto the customers, particularly Somerset County Council who have contracts with local taxi companies to transport children to school.
- There has been a lack of communication between the Licensing department and taxi operators.
- Would the council offer any financial assistance to taxi operators towards purchasing wheelchair accessible vehicles.
- The taxi ranks in Yeovil are unsuitable for the loading or unloading of wheelchairs as they are on slopes.

At the time the item was discussed, the Committee was addressed by Mr B Hartley relating to Agenda Item 6: Further Main Modifications to the Local Plan – Submission to Planning Inspector. He said that many of the submissions put forward in the consultation asked that landscaping be included as part of the proposed development to the south of Yeovil as well as to the Northern site. He felt that both the Landscape Architect

comments and evidence in landscape studies of the site provided evidence of a need for this and he asked that the recommendations be amended to reflect this.

55. Chairman's Announcements (Agenda Item 5)

The Chairman congratulated Councillor Nigel Mermagen on being elected 1st Vice President (Deputy Chairman) of the main committee of the Congress of the Council of Europe in Strasbourg. He said it was the first time anyone from the UK had held the position. Members joined the Chairman in congratulating Councillor Mermagen on his appointment.

The Chairman reminded Members that the new Ranger Station at Ninesprings in Yeovil was now open and he encouraged all Members to visit to view the new facility.

The Chairman presented Councillor Patrick Palmer with an engraved pewter salver and framed certificate to commemorate his 40 years service as a District Councillor for Yeovil District Council and subsequently South Somerset District Council. Members joined the Chairman in warmly congratulating Councillor Palmer's long service in Local Government.

56. Further Main Modifications to the Local Plan - Submission to Planning Inspector (Agenda Item 6)

The Portfolio Holder for Finance and Spatial Planning introduced the item, saying that following the second period of public consultation there had been two amendments to the text of the proposed modifications. If all the amendments were agreed by Members then they would be submitted to the Planning Inspector the following day and it was hoped that he would report on the whole Plan by the end of the year. He confirmed that he would circulate the Inspectors report to all Members when it was received.

The Principal Spatial Planner outlined the two Main Modifications to the Local Plan which it was proposed to change before submission to the Planning Inspector: the simplification of wording to Main Modification 9 and the early review of Main Modification 12 to be completed within 3 years of adoption of the Local Plan.

In response to questions from Members, the Principal Spatial Planner advised that:-

- The Planning Inspector had particularly sought further landscaping protection for the North Eastern development proposal, but not for the Southern development and so to put forward a landscaping protection scheme now would be unjustified and would risk the plan being found unsound.
- The issue of anthrax was considered by the Planning Inspector but not pursued. Two investigations had been carried out at identified sites and no anthrax spores had been found therefore further investigation work would be carried out at the development stage in agreement with the landowner and developer.
- With regard to flooding, there was a requirement that any development should create no greater or lesser impact than at present.

During discussion, some Members urged for the retention of a buffer zone at the southern development in Yeovil, however, the Portfolio Holder reiterated that as the

allocation of houses in that area had reduced from 2,500 to 800 it was no longer sustainable to support it.

At the conclusion of the debate, each recommendation was voted in turn and the majority of Members were content to agree the recommendations of the report.

RESOLVED: That Council:-

1. approved modified Policy YV2: Yeovil Sustainable Urban Extensions (Main Modification 9).
(Voting: 35 in favour, 5 against, 6 abstentions)
2. approved the deletion of Policy YV3: East Coker and North Coker Buffer Zone (Main Modification 10).
(Voting: 33 in favour, 1 against, 12 abstentions)
3. approved modified Policy SS3: Delivering New Employment Land (Main Modification 11).
(Voting: 40 in favour, 2 against, 4 abstentions)
4. approved modified Policy SS5: Delivering New Housing Growth (Main Modification 12).
(Voting: 40 in favour, 4 against, 2 abstentions)
5. delegated final editing of the text for submission to the Planning Inspectorate to the Project Management Board, Portfolio Holder for Finance and Spatial Planning, and Assistant Director – Economy.
(Voting: 41 in favour, 1 against, 4 abstentions)

57. Hackney Carriage and Private Hire Policy (Agenda Item 7)

The Portfolio Holder for Regulatory and Democratic Services introduced the item and addressed the issues raised by members of the public during public question time. He asked that Members consider only the Policy relating to the vehicles, the drivers and the operational requirements and not the physical location of taxi ranks or the raising or lowering of kerbs.

During a lengthy discussion, varying views were expressed. Some Members felt that whilst the consultation process appeared to be robust, the proposal that all new vehicle applications be restricted to purpose built wheelchair accessible vehicles (WAV's) until 50% of the total hackney carriage fleet were wheelchair accessible was particularly onerous. It was also suggested that there should be a transition period for single owner/operator taxi drivers.

It was proposed and seconded that the percentage of wheelchair accessible vehicles be reduced to 20% (rather than the proposed 50%) of the total hackney carriage fleet, and, that a review of this element of the policy be conducted in a years time or before if the target (20%) was achieved to check whether the policy had achieved the aim.

It was also agreed to look at the possibility of assisting single operator drivers with loans to purchase wheelchair accessible vehicles. The Leader of Council confirmed that any

dispensation from the scheme for single owner/operator drivers could be dealt with through the Licensing Sub Committee process.

At the conclusion of the debate, the majority of Members were content to agree the introduction and implementation of the South Somerset Taxi Licensing Policy and Guidance (as amended) with effect from 1st April 2015.

RESOLVED: That Council:-

1. approved the introduction and implementation of the South Somerset Taxi Licensing Policy and Guidance (as amended) with effect from 1st April 2015, subject to recommendation 2 as set out below.
2. agreed that all those vehicles currently licensed as a Hackney carriage on the 1st April 2015 that do not comply with the new policy requirements, be permitted to continue to be licensed as a Hackney carriage until 31st March 2018.
3. agreed that all new vehicle applications be restricted to purpose built wheelchair accessible vehicles (WAV's) until 20% of the total hackney carriage fleet is wheelchair accessible. A review of this element of the policy will be conducted in a years time or before if this target (20%) is achieved to check whether the policy has achieved the aim of ensuring better access to taxis for disabled passengers.
4. agreed that Officers report back to Licensing Committee 12 months after the introduction of the South Somerset Taxi Licensing Policy and Guidance to update Members as to its progress.

(Voting: 36 in favour, 8 against, 2 abstentions)

58. NDR (Non Domestic Rates) Update of Policy (Agenda Item 8)

(At this point Councillors Michael Best, Tim Carroll, Peter Gubbins, Anna Groskop, David Norris, Peter Seib, Angie Singleton and Linda Vjeh all having previously declared a personal and prejudicial interest in this item, left the room. They took no part in the debate or voting on this item).

(Councillor Carol Goodall in the Chair).

The Leader of Council thanked the members of the Scrutiny Task and Finish Group who had spent a great deal of time ensuring the policy was fit for purpose. He drew Members attention to the changes in the Governments contribution to the scheme, the key principles of the policy, the organisations and businesses who must now apply with justification for relief and the Hardship Scheme which had been set up to address exceptional cases.

In response to a question, the Assistant Director (Finance and Corporate Services) advised that at the current time, there was no mention of animal welfare in the Council Plan and therefore the Scrutiny Task and Finish Group members had found no policy reason to extend the scheme to cover support to Animal Trusts, however, they were eligible to apply to the Hardship Scheme if required.

At the conclusion of the debate, Members agreed to adopt the draft Discretionary Rate Relief Policy and Schedule 1 at Appendix A to the Agenda report.

RESOLVED: That Council agreed:-

- a. the attached draft Discretionary Rate Relief Policy and Schedule 1 at Appendix A for approval;
- b. the policy implementation date of 1 April 2015;
- c. a transitional period on one year for current recipients to ensure that they have sufficient time to manage any financial impact from the changes;
- d. to note the recommendations from the Scrutiny Task and Finish Group attached at Appendix C;
- e. to consider the Equalities Impact Assessment at Appendix D in approving (1) above;
- f. to consider the public consultation responses at Appendix B in approving (1) above.

(Voting: unanimous in favour)

59. Loan to Somerset Waste Partnership for Waste Vehicles (Agenda Item 9)

The Portfolio Holder for Finance and Spatial Planning advised that the waste collection vehicles had always been kept outside the Somerset Waste Partnership agreement in case of any default issues, so the partner councils could retain the ability to continue the waste collection service. He also confirmed that Taunton Deane BC had agreed to advance half the funding towards replacing the waste vehicles and the loan would be repaid over seven years at 3.5% interest, which was a good rate of return in the current climate.

Councillor Derek Yeomans, as Chairman of the Somerset Waste Partnership, confirmed that a new design of waste vehicle would be purchased with an anticipated working life of seven years.

One Member felt that more cost effective ways of reducing packaging and so reducing waste should be sought and regretted that she could not support the recommendation.

On being put to the vote, the majority of Members were in support of the recommendations.

RESOLVED: That Council:-

- a. approved the loan of £3.5 million to Somerset Waste Partnership;
- b. noted that the capital expenditure would be added to the Capital Programme, and that the principal payments received would be capital receipts;
- c. noted the additional interest in the region of £434,010 that the loan provides, over the length of the loan;
- d. noted that savings of £62,000 be added to the Medium Term Financial Plan.

(Voting: 36 in favour, 1 against, 0 abstentions)

60. Treasury Management Strategy Statement and Investment Strategy 2014/15 – Mid year review (Agenda Item 10)

Councillor Derek Yeomans, as Chairman of the Audit Committee, advised that the report had been presented to the Audit Committee and had received positive comments from the Council's auditors. He confirmed that the Council's investments were being carefully scrutinised by officers.

There was no debate and Members unanimously approved the revised Treasury Management Strategy Statement and Investment Strategy for 2014/15.

RESOLVED: That Council approved the revised Treasury Management Strategy Statement and Investment Strategy for 2014/15.

(Voting: unanimous in favour)

61. Policy on Audio/Visual Recording and Photography at SSDC Council Meetings (Agenda Item 11)

The Portfolio Holder for Regulatory and Democratic Services advised that as the public and press were now able to record council meetings, it was sensible to have a policy in place and also for the Council to hold their own record of proceedings. An audio recording was for the protection of Members, for information for the public unable to attend, and as a reference to offices after the meeting. Webcasting of council meetings had been investigated but was considered too expensive at the current time.

During discussion, Members welcomed the policy though some felt that all SSDC meeting should be webcast.

In response to a question, the Assistant Director (Legal and Corporate Services) advised that although the policy encouraged the public to notify the Chairperson if they intended to make a recording, there was no requirement in the Act to compel them.

At the conclusion of the debate, Members were content to agree to adopt the policy on audio/visual recording and photography at Council meetings

RESOLVED: That Council:-

1. adopted the policy on audio/visual recording and photography at Council meetings attached at Appendix 1;
2. agreed to the trial audio recording of District Executive meetings;
3. agreed that if the trial is successful, then it be extended to all Council meetings where practicable.

(Voting: unanimous in favour)

62. Revisions to Officers' Scheme of Delegation (Agenda Item 12)

The Leader of Council advised that the proposed amendments to the Officers' Scheme of Delegation were minor amendments to job titles to reflect organisational changes to service delivery and changes to legislation.

There was no debate and Members were content to agree the recommendations as proposed.

RESOLVED: That Council approved the revisions to the Officers' Scheme of Delegation as detailed in the Appendices A, B and C attached to the report and agreed that the revised Scheme comes into force with immediate effect.

(Voting: unanimous in favour)

63. Lopen Community Governance Review - Results of First Consultation (Agenda Item 13)

The Assistant Director (Legal and Corporate Services) confirmed that the proposed recommendations of the review would be subject to a second short period of consultation and the results would be presented to Council in January 2015.

There was no debate and Members were content to confirm the recommendations for further public consultation.

RESOLVED: That Council:-

- a. noted the results of the consultation;
- b. noted that the significant majority of the valid responses received were in favour of the proposal by Lopen Parish Council and therefore the draft recommendation for further consultation be: "To accept the majority vote from the people of Lopen and to agree to increase the number of Parish Councillors to seven".
- c. agreed to publish the results of the consultation;
- d. noted that a further period of consultation on the results of the initial consultation responses will take place;
- e. noted that a further report would be brought to Council in order that a decision may be made in respect of the final recommendations of the Review.

(Voting: unanimous in favour)

64. Report of Executive Decisions (Agenda Item 14)

The report of Executive decisions was noted.

65. Audit Committee (Agenda Item 15)

Councillor Derek Yeomans, Chairman of the Audit Committee presented the report of the Committee.

The report was noted.

66. Scrutiny Committee (Agenda Item 16)

Councillor Sue Steele, Chairman of the Scrutiny Committee presented the report of the Committee. She noted that they had been very busy holding a number of Task and Finish reviews.

The report was noted.

67. Chairman's Engagements (Agenda Item 17)

The list of Chairman's Engagements was noted.

68. Motions (Agenda Item 18)

There were no Motions submitted by Members.

69. Questions Under Procedure Rule 10 (Agenda Item 19)

There were no questions submitted under Procedure Rule 10.

70. Date of Next Meeting (Agenda Item 20)

Members noted that the next scheduled meeting of the Full Council would take place on **Thursday, 11th December 2014** 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