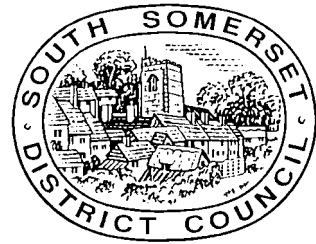


South Somerset District Council

Notice of Meeting



South Somerset District Council

Making a difference where it counts

Thursday 17th November 2016

7.30 pm

**Council Chamber
Council Offices
Brympton Way
Yeovil, BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



All members of Council are requested to attend the meeting:

The public and press are welcome to attend.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Angela Cox, Democratic Services Manager**, on 01935 462148 website: www.southsomerset.gov.uk

This Agenda was issued on Wednesday 9 November 2016.

Ian Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk



INVESTORS IN PEOPLE

South Somerset District Council Membership

Chairman: Mike Best
Vice-chairman: Tony Capozzoli

Clare Aparicio Paul
Jason Baker
Cathy Bakewell
Marcus Barrett
Mike Beech
Neil Bloomfield
Amanda Broom
Dave Bulmer
John Clark
Nick Colbert
Adam Dance
Gye Dibben
Sarah Dyke
John Field
Nigel Gage
Carol Goodall
Anna Groskop
Peter Gubbins
Henry Hobhouse

Kaysar Hussain
Tim Inglefield
Val Keitch
Andy Kendall
Jenny Kenton
Mike Lewis
Sarah Lindsay
Mike Lock
Tony Lock
Paul Maxwell
Sam McAllister
Graham Middleton
David Norris
Graham Oakes
Sue Osborne
Tiffany Osborne
Stephen Page
Ric Pallister
Crispin Raikes

Wes Read
David Recardo
Jo Roundell Greene
Dean Ruddle
Sylvia Seal
Gina Seaton
Peter Seib
Garry Shortland
Angie Singleton
Alan Smith
Sue Steele
Rob Stickland
Andrew Turpin
Linda Vijeh
Martin Wale
William Wallace
Nick Weeks
Colin Winder
Derek Yeomans

Information for the Public

The meetings of the full Council, comprising all 60 members of South Somerset District Council, are held at least 6 times a year. The full Council approves the Council's budget and the major policies which comprise the Council's policy framework. Other decisions which the full Council has to take include appointing the Leader of the Council, members of the District Executive, other Council Committees and approving the Council's Consultation (which details how the Council works including the scheme allocating decisions and Council functions to committees and officers).

Members of the Public are able to:-

attend meetings of the Council and its committees such as Area Committees, District Executive, except where, for example, personal or confidential matters are being discussed;

speak at Area Committees, District Executive and Council meetings;

see reports and background papers, and any record of decisions made by the Council and Executive;

find out, from the Executive Forward Plan, what major decisions are to be decided by the District Executive.

Meetings of the Council are scheduled to be held monthly at 7.30 p.m. on the third Thursday of the month in the Council Offices, Brympton Way although some dates are only reserve dates and may not be needed.

The agenda, minutes and the timetable for council meetings are published on the Council's website – www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

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

The Council's corporate aims which guide the work of the Council are set out below.

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

South Somerset District Council - Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district. We will:

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

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South Somerset District Council

Thursday 17 November 2016

Agenda

1. Apologies for Absence

2. Minutes

To approve and sign the minutes of the previous meeting held on Thursday, 13th October 2016.

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. As a result of the change made to the Code of Conduct by this Council at its meeting on 15th May 2014, where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

4. Public Question Time

5. Chairman's Announcements

Items for Discussion

6. Chairman's Engagements (Page 6)

7. South Somerset Community Infrastructure Levy (Pages 7 - 29)

8. Final Recommendation of the Community Governance Review of Yeovilton Parish Council (Pages 30 - 33)

9. Draft Proposals of the Community Governance Review of Brympton Parish Council (Pages 34 - 36)

10. Membership of Committees - Appointment of Councillors to Various Committees and Panels (Page 37)

11. Report of Executive Decisions (Pages 38 - 41)

12. Audit Committee

There has been no meeting of the Audit Committee since the last Full Council meeting in October 2016.

13. Scrutiny Committee (Pages 42 - 45)

14. Motions (Page 46)

15. Questions Under Procedure Rule 10 (Page 47)

16. Date of Next Meeting (Page 48)

Agenda Item 6

Chairman's Engagements

14th October

At the invitation of Yeovil College, Tony attended the University Centre Graduation Day Ceremony which was held at the Octagon Theatre, Yeovil.

20th October

At the invitation of the Chairman of Somerset County Council, Mike and Liz attended the Chairman's Awards for Service to the Community which was held at Taunton Rugby Football Club.

22nd October

Mike attended the opening of Crewkerne Skate Park which had received funding from the District Council.

23rd October

At the invitation of the Chairman of West Somerset Council, Mike and Liz attended the Chairman's Civic Service which was held at All Saints' Church in Dulverton.

25th October

Mike attended the Gold Star Awards 2016 which were held at the Octagon Theatre. This is an annual event organised by the District Council and awards include Adult Volunteer of the Year, Young Volunteer of the Year and Lifetime Achievement Award.

4th November

At the invitation of the Yeovil Amateur Operatic Society, Mike and Liz attended the production of White Christmas at the Octagon Theatre.

6th November

Mike and Liz attended the Chairman of Somerset County Council's Civic Service which was held in Dunster.

10th November

At the invitation of the Mayor of Yeovil, Mike and Liz are due to attend a Call My Auction Bluff which is being held at the Baptist Church in South Street, Yeovil.

13th November

The Mayor of Yeovil has invited Mike to attend the Remembrance Day parade and service at St. John's Church, Yeovil.

Tony will be attending the Remembrance Day service at Chard which will take place at St. Mary's Church, Chard.

Agenda Item 7

South Somerset Community Infrastructure Levy

Executive Portfolio Holder: Angie Singleton, Strategic Planning (Place Making)
Strategic Director: Rina Singh, Strategic Director, Place and Performance
Assistant Director: Martin Woods, Assistant Director Economy
Service Manager: Paul Wheatley, Principal Spatial Planner
Lead Officer: Paul Wheatley, Principal Spatial Planner
Contact Details: paul.wheatley@southsomerset.gov.uk or (01935) 462598

1. Purpose of the Report

- 1.1. To consider the Examiner's Report and to approve the proposed South Somerset Community Infrastructure Levy Charging Schedule.

2. Public Interest

- 2.1. The Council has been preparing evidence to support a Community Infrastructure Levy since 2012. The Council's work was assessed by an independent Examiner, from the Planning Inspectorate, over the summer, including a Hearing Session held on the 9th August 2016.
- 2.2. The Examiner's Report documenting his assessment was issued to the Council on the 19th October 2016. In summary, the Examiner's Report concludes that each and every element of the Council's proposal for a Community Infrastructure Levy is acceptable.
- 2.3. The Examiner has recommended that the Community Infrastructure Levy Charging Schedule should be approved in its published form, without changes.
- 2.4. More specifically, the Examiner concluded that the Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the district; and that the Council has provided sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk.

Recommendations:

That Council:

- i. Consider the Examiner's Report in the South Somerset District Council's Community Infrastructure Levy Charging Schedule (**See Appendix A**);
- ii. Approve the final South Somerset Community Infrastructure Levy Charging Schedule (**See Appendix B**) as of the 17th November 2016 and agree the implementation date of the 3rd April 2017; and
- iii. Delegate responsibility to the Assistant Director for Economy in consultation with the Portfolio Holder for Strategic Planning to make any final minor text amendments which may be necessary to enable the Charging Schedule to be approved.

3. Background

- 3.1. The Community Infrastructure Levy was introduced through the Planning Act (2008) and is defined through the Community Infrastructure Levy Regulations 2010 (as amended).

- 3.2. The Community Infrastructure Levy represents an opportunity to establish a clearer, more certain process for collecting contributions from development to help deliver infrastructure improvements.
- 3.3. The Community Infrastructure Levy is payable on development which creates net additional floorspace, where it exceeds 100 square metres. However, all new dwellings are potentially liable for the Community Infrastructure Levy irrespective of their size (unless there are proven exemptions).
- 3.4. The Community Infrastructure Levy will be charged by South Somerset District Council, and any amount of money received through the Community Infrastructure Levy will be collected by South Somerset District Council.
- 3.5. Under the terms of the Community Infrastructure Levy Regulations 2010 (as amended), 15% of the monies received would automatically be passed to the Parish or Town Council where the development occurred. This proportion increases to 25% where a Parish or Town Council has adopted a Neighbourhood Plan.
- 3.6. Since 2012, the Council has followed the necessary stages to prepare a levy, including producing the documents set out below :
- Preliminary Draft Charging Schedule (March 2012);
 - Community Infrastructure Levy: Viability Study (May 2013);
 - Community Infrastructure Levy: Viability Assessment (Update Addendum Report) (July 2015);
 - Infrastructure Delivery Plan (January 2016)
 - Yeovil Urban Extension Typology at 800 dwellings prepared as part of viability evidence base (March 2016); and
 - Draft Charging Schedule in February 2016.
- 3.7. The Draft Charging Schedule was submitted to the Examiner in May 2016, and the Hearing Session to examine the Draft Charging Schedule was held in August 2016. The Examiner's Report was issued to the Council on the 19th October 2016.

3.8. The Council's Charging Schedule is as follows:

Type of Development	Levy Rate
Yeovil Sustainable Urban Extensions ¹	£0 (zero) per square metre
Chard Eastern Development Area ²	£0 (zero) per square metre
All Other Residential Development	£40 per square metre
Convenience-based Supermarkets and Superstores, and Retail Warehouse Parks (outside of defined Town Centres and Primary Shopping Areas) ^{3 4}	£100 per square metre
All Other Uses	£0 (zero) per square metre

4. Next Steps

- 4.1. The Examiner's Report confirms that the Council's proposed Charging Schedule is appropriate, justified by sufficient evidence, and is set at a level where it will not put development at risk.
- 4.2. The Examiner concludes by recommending that: *"the schedule should be approved in its published form, without changes"*. This provides the Council with the assurance to approve the Community Infrastructure Levy Charging Schedule.
- 4.3. At this stage, it is important to distinguish between the process of "approving" the Community Infrastructure Levy Charging Schedule, and the process of "implementing" the Community Infrastructure Levy Charging Schedule.
- 4.4. To approve the Charging Schedule in its final format, it must be approved by a resolution of South Somerset's Full Council. This is scheduled to take place on the **17th November 2016**.
- 4.5. However, it is normal practice to specify a date in the future where the Council will actually implement the Charging Schedule, and start charging the levy. The reason for choosing a future date is to ensure that the necessary processes can be put in place to effectively implement the levy. This includes procuring IT software and refining internal procedures within a number of Council services to correctly manage the new ways of working associated with charging the levy.
- 4.6. The timeframe also allows for existing planning permissions with accompanying Section 106 Obligations to have those legal agreements finalised, and avoid any confusion as to what legal mechanisms are associated with the permission.

¹ As defined in Policy YV2 in the South Somerset Local Plan (2006 – 2028): North-East Sustainable Urban Extension and South Sustainable Urban Extension.

² As defined by Policy PMT1 & PMT2 in the South Somerset Local Plan (2006 – 2028).

³ Supermarkets are shopping destinations in their own right where weekly food shopping needs are met and which can also include non-food floorspace as part of the overall mix. The majority of custom at supermarkets arrives by car, using the large adjacent car parks provided.

Superstores are self-service stores selling mainly food, or food and non-food goods, with supporting car parking. Retail warehouses are large stores specialising in the sale of comparison and household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering mainly for car-borne customers.

⁴ Town Centres as defined through Policy EP11 of the South Somerset Local Plan (2006 – 2028). Primary Shopping Areas in Yeovil and Chard as defined through Policy EP11 in the South Somerset Local Plan (2006 – 2028).

4.7. If a Council chooses an alternative, future date for the implementation of the Community Infrastructure Levy, it must specify this date when approving the Charging Schedule at the meeting of its Full Council.

4.8. For South Somerset, the proposed implementation date is the **Monday 3rd April 2017**.

5. Additional Further Work

5.1. After approving the Charging Schedule two further workstreams need be carried out:

- (i) Procure and establish the internal working procedures for managing the additional work generated by having the Community Infrastructure Levy; and
- (ii) Map out and explain the governance arrangements that will be define the collection, management, and expenditure of financial sums received once the levy is implemented.

5.2. It is important to stress that the levy will not be charged on new development until Monday 3rd April 2017. Planning permissions which first permit development from this day will be liable for the levy. Furthermore, development will only pay the levy once the development has commenced, and the liable party will make the payments in accordance with the Instalments Policy.

5.3. As such, there will be a certain degree of 'lag' between planning permissions being granted post 3rd April 2017, and the receipt of financial sums.

5.4. A paper will be prepared and discussed at the Council's Local Development Scheme Board in January 2017, which will set out both the internal processes that are required to manage the effects of implementing the Community Infrastructure Levy; and options for the proposed governance arrangements for the collection, management, expenditure of sums received from the levy. Once the details are finalised through the Local Development Scheme Board the paper will then be ratified at a meeting of the District Executive in February 2017.

6. Summary of Next Steps

6.1. A simplified timeline of next steps is as follows:

- **17th November 2016** – Approve the Community Infrastructure Levy Charging Schedule at the meeting of Full Council. At the same time specify that the implementation date will be the 3rd April 2017.
- **January 2017** – Submit a paper to the Local Development Scheme Board setting out the internal processes required to successfully implement the Community Infrastructure Levy. This paper will also set out options for the governance arrangements for the collection, management, and expenditure of financial sums received from the levy.
- **February 2017** – Finalised version of the paper is tabled to District Executive.
- **3rd April 2017** – Implement the Charging Schedule and beginning charging the levy on applicable new development in South Somerset.

7. Financial Implications

- 7.1. Subject to Full Council approving the Community Infrastructure Levy, there will be some direct and indirect financial implications.
- 7.2. Internally within the Council there will be resource implications for various services/departments as they organise themselves to deal with the workload that accompanies the implementation of the Community Infrastructure Levy. There will be resource implications for the Spatial Policy, Development Management, Legal, and Finance services. Community Infrastructure Levy Regulations (2010 as amended) allows charging authorities to use up to 5% of levy receipts per year for administrative expenses.
- 7.3. In addition, the financial amounts generated by the levy must be properly accounted. The mechanisms for collection, distribution to Parish/Town Councils, and spending of the levy are still to be determined and will be set out in a separate paper, which will be discussed by the Local Development Scheme Board, and then District Executive to ensure there is a clear and transparent process.

8. Corporate Priority Implications

- 8.1. The Council has consistently stated in the Corporate Plan that the approval and implementation of a Community Infrastructure Levy is a high priority.

9. Carbon Emissions and Climate Change Implications

- 9.1. No direct implications.

10. Equality and Diversity Implications

- 10.1. No direct implications.

11. Privacy Impact Assessment

- 11.1. No direct implications.

12. Background Papers

Appendix A – Examiner's Report on the Examination of the Draft South Somerset District Council Community Infrastructure Levy Charging Schedule

Appendix B – South Somerset Community Infrastructure Levy Charging Schedule



Report to South Somerset District Council

by Mike Fox

an Examiner appointed by the Council

Date: 19 October 2016

PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

REPORT ON THE EXAMINATION OF THE DRAFT SOUTH SOMERSET DISTRICT COUNCIL COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE

Charging Schedule submitted for examination on 27 May 2016

Examination Hearings held on 9 August 2016

File Ref: PINS/R3225/429/2

Non-Technical Summary

This report concludes that the South Somerset District Council Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the District. The Council has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk.

I have recommended that the schedule should be approved in its published form, without changes.

Introduction

1. This report contains my assessment of the South Somerset District Council Community Infrastructure Levy (CIL) Charging Schedule in terms of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance (Community Infrastructure Levy Planning Practice Guidance).
2. To comply with the relevant legislation the local charging authority has to submit a charging schedule which sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the district. The basis for the Examination, on which Hearings were held on 9 August 2016, is the submitted schedule of May 2015, which is the same as the document published for public consultation in February 2016 with the exception of two modifications, which I cover in more detail below.
3. The Council proposes a rate of £40 per square metre (psm), applied to all qualifying residential development throughout the District, with the exception of the Yeovil Sustainable Urban Extensions (SUEs) and the Chard Eastern Development Area where a £ zero CIL rate psm is proposed. A CIL rate of £100 psm is proposed for convenience-based supermarkets and superstores, and retail warehouse parks (outside defined town centres and primary shopping centres). A £ zero CIL rate psm is proposed for other uses throughout the District.
4. Following representations and consideration of further viability evidence, the Council has changed C2 uses from a charging rate of £40 psm to £0 psm (Modification M1). It has also removed reference to retail (A1-A5 Use Class) in town centres and/or primary shopping areas in order to avoid confusion and any unintended consequences in relation to the retail charging proposal (Modification M2). Consultation took place on these modifications. Analysis of the need for additional cemetery infrastructure in Yeovil has been undertaken to support this item being added to the Regulation 123 List.

Issue 1 - Is the charging schedule supported by background documents containing appropriate available evidence?

Infrastructure planning evidence

5. The South Somerset Local Plan was adopted in March 2015. This sets out the main elements of growth that will need to be supported by further infrastructure in the District, including the SUEs in Yeovil and Chard. The latest infrastructure evidence to support the delivery of the Local Plan is set out by an Infrastructure Delivery Plan (IDP) dated January 2016¹. The total estimated cost of infrastructure to implement the Local Plan (including the provision of the 'residual' figure of 10,292 dwellings from 2015 to 2028 to meet the total dwelling figure in the Local Plan of 15,950 dwellings) is estimated by the Council to be in the region of £214 million, of which £89.8 million has been identified, leaving a funding gap of £124.2 million.
6. The Council's latest estimates (July 2016) are that CIL revenues may amount to around £13 million, the majority of which would be raised from residential development, over the plan period². In response to my question as to how this compares with the amounts raised from S 106 (and S 278 highways) agreements over the last five years, the Council has submitted a written response summarising viability information on six housing developments in the District which were thoroughly scrutinised by the independent District Valuer³.
7. Two of the schemes included in this document are large scale developments at Yeovil (696 units at Lufton Key Site, and 846 units at Wyndham Park). The Council's document shows that the amount raised by the Council from S 106 (and S 278 highways) agreements in relation to these housing schemes are comparable with likely CIL receipts, whilst the submitted viability information also indicates that the development of large scale urban extensions within South Somerset is challenging in terms of viability.
8. The Council also does not expect the proposed CIL rates to result in a significantly higher overall charge for each new house, even after taking into account the revised approach to S106 (and S 278 highways) agreements that would apply once CIL is adopted. In the light of the above information, the proposed CIL charge would make only a small contribution towards filling the likely funding gap. However, the vast majority of infrastructure projects in the IDP that are deemed priority 1 or 'critical' already have funding obtained, committed or anticipated, with an identified shortfall of £10 million.
9. The Council also points to a range of other potential funding sources. These include:
 - (a) New Homes Bonus (£11.8 million over the last 5 years, some of which has been used for infrastructure projects);
 - (b) An 'investment in infrastructure programme', which seeks suitable development sites through investment in land and infrastructure to create economic development opportunities (£8 million currently allocated to the programme);
 - (c) The Heart of the South West

¹ South Somerset Infrastructure Delivery Plan (IDP): Update 2015/16: Part 1 – Spatial Summary; January 2016 [Examination Document ED11].

² SSDC Hearing Statement – Issue 1, paragraphs 1.17f; July 2016.

³ SSDC: CIL – Examination Hearing: Additional Document 3: Section 106 Update [Examination Document AD3].

Local Enterprise Partnership (LEP) which is committed to a number of infrastructure schemes, including town centre and 'gateway' improvements in Yeovil; (d) Funding for local transport schemes, which has obtained funding for improvements along the Yeovil Western Corridor; (e) Builders' Finance Fund to help unlock housing sites of around 15-20 dwellings; (f) Sustainable Access Travel Fund to help Councils to offer sustainable transport initiatives to improve access to jobs, skills, training and education; (g) Homes and Communities Agency (HCA) to deliver new homes and business space (£10 million to help deliver the Wyndham Park key site); (h) Several statutory infrastructure providers, including water, sewerage, gas, electricity, telecommunications; (i) Government funding for flood defence; and also for (j) education provision.

10. Although this list is impressive, the figures still demonstrate the need to levy CIL. It will always be the case that some CIL revenue may assist other projects but it is not part of my Examination remit to question the Council's specific spending proposals either geographically or on a sector/priority basis, beyond confirming that in general terms the projects in the Council's Regulation 123 List should clearly assist the delivery of the Local Plan as a whole. Nor is there any material inconsistency between the list and the policies in the Local Plan and/or the intended CIL rates.

Economic viability evidence

11. The Council commissioned four CIL Viability Assessments over the period 2012-2016. The first was carried out by Roger Tym and Partners in January 2012⁴. Following consultation, including a developers' workshop in November 2012, the Council commissioned BNP Paribas Real Estate (BNP), who produced a CIL Viability Study (VS) in May 2013⁵, an update in July 2015⁶, and finally an Appraisal Summary, covering the Keyford SUE, in March 2016⁷.
12. The VS and its updates use a residual valuation approach, covering a range of hypothetical developments, including a sample of four strategic sites, three previously developed windfall sites, and six greenfield sites. The assessments are based on assumptions that reflect local market and planning policy circumstances and are therefore specific to South Somerset District. They use reasonable standard assumptions for a range of factors such as land values, development costs (including construction, fees, finance and CIL) as well as profit levels.
13. Based on the recently adopted Local Plan, a tenure split of 35% affordable housing (AH) was assumed on all developments of six dwellings or more, 67% of which would be for social rented housing, with the remainder for other forms of AH provision, including intermediate housing. Recent changes, such as the Government's prioritisation of starter homes over other forms of AH and the changed AH threshold to 10 dwellings following a recent High Court

⁴ Roger Tym and Partners: South Somerset District Council – Community Infrastructure Levy Evidence Base: Final Report; January 2012 [Examination Document ED6].

⁵ BNP Paribas Real Estate: Community Infrastructure Levy: Viability Study – South Somerset District Council; May 2013 [Examination Document ED7].

⁶ BNP: Community Infrastructure Levy-Viability Assessment-Update Addendum Report for South Somerset District Council; July 2015 [Examination Document ED9].

⁷ BNP: Appraisal Summary – South Somerset District Council; March 2016 [Examination Document ED10].

Judgment⁸, are not expected to adversely affect the VS equation in relation to the impact of CIL on development viability.

14. Specific criticisms of the methodology and key assumptions are considered later in my report. I am satisfied, however, that the methodology is in line with the guidance in the Harman Report⁹.

Zones

15. The Council considers that the CIL charging zones reflect the evidence contained in the VS. The exclusion of the Yeovil and Chard urban extensions (UEs) from the £40 per square metre (psm) CIL levy for residential development elsewhere in the District is based on the Council's conclusion, based on the VS, that a levy charge cannot be accommodated in these locations, due to the heavy on-site infrastructure costs that these strategic sites will incur. Both the opposing and supporting views expressed in evidence and at the Hearings are considered later in my report.
16. The point was also made by representors that there are some anomalies in the proposed zoning boundaries as well as a perception of unfairness between the treatment of urban and rural areas. In a District as extensive as South Somerset, it is not surprising that some anomalies are bound to arise, and there is a market difference between the main urban areas and the remaining rural areas of the District; in the main urban areas, average dwelling costs are generally less than the house prices in the more rural parts of the District. However, the advice in the Government CIL guidance is that charging authorities should seek to avoid undue levels of complexity¹⁰, whilst the same guidance states that in some cases, charging authorities could treat a major strategic site as a separate geographical zone where it is supported by robust evidence on economic viability¹¹.
17. In my view, the inclusion of most of the District, both urban and rural, within one charging zone, whilst making an exception for the UEs, is in line with the above-mentioned Government guidance.
18. I therefore conclude that the draft Charging Schedule is supported by detailed evidence of community infrastructure needs, including the IDP. On this basis, the evidence which has been used to inform the Charging Schedule is robust, proportionate and appropriate.

Issue 2 - Is the charging rate informed by and consistent with the evidence?

CIL rates for residential development

19. In relation to new housing, the assumptions used by the Council have been criticised by some representors in a number of specific respects, as well as in relation to the overall cumulative effect of the CIL rates to be applied.

⁸ Court of Appeal Judgment re AH - Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council: Ref. [EWHC] 2222 (Admin; 11 May 2016).

⁹ Viability Testing Local Plans: Advice for planning practitioners (the Harman Report); June 2012.

¹⁰ Planning Practice Guidance Reference ID: 25-02-20140612, paragraph 021[3].

¹¹ Ibid, paragraph 021[4].

However, I consider that the Council's VS (and updates) has taken account of the relevant policies in the Local Plan, which is a requirement of national guidance. This includes the provision of 35% AH, where appropriate, as set out in Local Plan policy HG3.

20. The residential build costs were updated to reflect the increase in the Royal Institute of Chartered Surveyors (RICS) Building Cost Information Service (BCIS) mean average costs between 2013 and 2015. They include an allowance for external works (15%) and for including sustainable design, such as a low carbon requirement (equivalent to achieving Code for Sustainable Housing (CSH) Level 4), which amounts to a further 4%. The reference to CSH was criticised by some representors as being no longer appropriate. However, there are still Building Regulations commitments which have an equivalent cost implication, and the reflection of these costs in the overall viability equation is therefore justified.
21. The VS has taken the 'high level' generic approach, acknowledging that some sites might incur exceptional costs, and that current use values will inevitably vary. Taking into account the marginal decline in viability resulting primarily from build costs exceeding the increases in the sales value over the two year period, the Council has reduced the initial suggested CIL rate of £50 psm to £40 psm, to ensure that the imposition of CIL is not detrimental to residential development coming forward over the plan period.
22. What the VS and consequently the determination of CIL rates cannot do, however, is take account of abnormal, site specific costs. The VS acknowledges that a few sites are already marginal and schemes on these sites may become unviable, but it is clear that these sites will not have a significant impact on Local Plan delivery. It also needs to be recognised, as the VS states, that the imposition of CIL is almost never the critical factor in determining whether a scheme is viable or not. In fact the viability evidence points to the proposed CIL levy representing an average cost of 1.27% to overall scheme costs (with a range of 1.02%-1.43%). This is a modest proportion, and as the Council points out: *"This is well within the 5% of costs that other examiners have considered as a cap in the broad 'test of reasonableness'"*¹².
23. Some respondents have criticised the level of profit assumed by the Council as being unreasonably high, with no allowance for finance costs. Conversely, other respondents have argued for the opposite conclusion, stating that the VS appraisals are based on profit levels that are unrealistically low. Clearly, profit levels are going to vary with each scheme, both over time and geographically.
24. The average figures for profit levels used in the VS – 20% of gross development value (GDV) applied to open market housing and 6% to AH – are recognised 'industry standard' figures used across the UK. They also correspond to the profit levels included in the Council's S106 Update document referred to above¹³, which showed a range of 17.5%-20% profit for open market and 6% for AH. The significantly lower profit level for AH reflects the fact that there is usually little risk element for the builder, and this reduced

¹² SSDC Hearing Statement - Issue 4, paragraph 4.3; July 2016.

¹³ Examination Document AD3.

level is therefore not considered to be unreasonable.

25. I also note that the Council held a number of informal consultations with locally based developers, including a workshop in November 2012, to discuss the draft inputs to the VS, and these discussions helped inform the final inputs. The 20% profit which represents the average figure for open market housing was also confirmed by local house builders at this workshop to be a reasonable average.
26. There are suggestions that a greater range of site types should have been tested in the VS. In my view, the Council's evidence covered a reasonable range of typologies, together with various scenarios in each zone. As such, I am satisfied that the level and scope of the overall assessment, including the additional update to include the delivery of the 800 dwellings at the Keyford SUE¹⁴, was suitable and sufficient in this local context to provide adequate guidance for rate setting.
27. I therefore conclude that the local levy rates for new housing are justified by the available evidence and strike the appropriate balance between helping to fund new infrastructure and their effect on the economic viability of residential development across the area.

The major urban extensions

28. The issue of whether or not to set a positive or zero CIL charge for residential development in the major urban extensions attracted the greatest number of representations and led to the most discussion at the Hearing. For these reasons I have dealt with this issue in some depth.
29. The proposed CIL charge is £0 psm for the two sustainable urban extensions (SUEs) at Keyford (800 dwellings) and Upper Mudford (765 dwellings) in Yeovil and in the Chard Eastern Development Area (2,716 dwellings, to be delivered within and beyond the plan period). The Council, supported by some developers, stated that the development of these three urban extensions (UEs), should have a zero CIL £ psm rate attached to them, with the significant infrastructure requirements being satisfied through the continuing use of S 106 (and S 278 covering highways) agreements.
30. The Council, in response to my request, reworked its Appraisal Summary for 800 dwellings, approximating to the Keyford SUE in an Additional Document¹⁵. This document corrected its marketing costs, following valid criticism made at the Hearings which the Council accepted, but also included two scenarios, showing the impact of levying a CIL rate of £40 psm and also showing a zero £ psm impact. The revised figures show that, with the application of a £40 psm levy, the SUE would not be able to sustain 35% affordable housing (AH) and the expected levels of S 106/S 278 contributions; the agent for the scheme developers at Keyford also supported these conclusions in some detail at the Hearing.

¹⁴ Examination Document ED 10.

¹⁵ SDDC: CIL-Examination Hearing Additional Document 1: 800 Dwelling Appraisal [Examination Document AD1].

31. This Additional Document also responds to issues raised at the Hearing by one of the principal respondents both verbally at the Hearing and in his Hearing Statement, who advocated the imposition of a positive CIL at the UEs¹⁶. In summary, the document establishes that the revised appraisal incorporates 35% AH; it uses a blended profit margin of 17% (based upon 20% for open market housing and 6% for AH) which is a target input into the model; it clarifies that the combined residual value (relating to private housing and AH) is then compared to the benchmark land value to determine whether each scenario was viable or unviable; the heading which originally encompassed all of the CSH requirements at 6% has been subsequently reduced to 4% to reflect the government changes and allow for the remaining enhanced Part L building regulations on energy requirements; and the marketing budget now equates to 3% of the GDV of private housing.
32. Finally, the Additional Document states that the revised 800 dwelling UE appraisal provides an up-to-date assessment of viability matters for this site typology. It is my view that this document, supported by a number of summary tables, demonstrates compelling evidence that with 35% AH, the imposition of CIL would turn a positive residential land value of £12,467 per ha into a negative residential land value, even at a CIL charge of £15 psm.
33. A key consideration concerns the reduction of the two Yeovil SUEs from their original combined size of 2,500 dwellings in the Draft Local Plan to schemes of 765 dwellings at Upper Mudford and 800 dwellings at Keyford in the Adopted Local Plan. It was argued by some representors that the smaller schemes would not require the same amount of enabling or abnormal works as the original scheme, and that the scheme costs should be revised down accordingly, thus enabling the economic imposition of the same rate of CIL as elsewhere in the District. The Council explained that the requirements for substantial amounts of infrastructure in matters such as education, green space and transport, still mean that there is a significant financial on-cost in relation to the development of the UEs.
34. Furthermore, the UEs, albeit reduced in size, are still large enough for them to take several years to build out, making a significant cash flow difference in relation to the typical smaller housing sites within the District.
35. It is also noteworthy that a recent survey of HBF member developers¹⁷ includes sites from 200 units upwards within its definition of strategic sites. Contrary perhaps to expectations, the survey shows that the principal variation in the average cost per unit attributable to scheme enabling increases significantly between the 200-500 units schemes (average cost per unit £20,441) to the middle layer of 501-1,000 units (average costs £38,058 per unit), whilst the average cost for largest schemes (1,001 units plus) dips slightly to £37,288.
36. I am persuaded from considering the above evidence that the reduction in size of the Keyford SUE does not equate to a significant proportionate reduction in

¹⁶ Hearing Statement by Andrew Burrows [Examination Document Ref 4223329].

¹⁷ Survey of 26 schemes, collated by Savills from HBF member developers over the period 2014-2016, showing scheme enabling and abnormal works for strategic sites (over 200 units) [Examination Document AD8].

the necessary on-costs for the provision of scheme enabling and mitigation infrastructure.

37. Some representors question the realism of the Council's VS figures on the basis of an alternative survey, which challenges the Council's appraisal of the Keyford UE with reference to two nearby recently completed housing sites at Agusta Park and Brimsmore. This survey includes an alternative updated development appraisal for the 800 dwelling SUE; it incorporates increased average values for new dwellings (£2,400 psm) and lower building costs than those that were used in the Council's VS update, concluding that a CIL charge of £40 psm is viable in the UEs (although the above-mentioned calculations are based on a CIL charge of £32 psm).
38. The above alternative survey was robustly challenged by both the Council and the Brimsmore scheme developer, the latter pointing out that the average sales valuation for these sites came to £2,293 psm, i.e. a remarkably close figure to the Council's sales valuation figure of £2,296.38 psm. The Council also pointed out that the sales valuation data for 18 properties at Brimsmore in the alternative survey have an average property size of 139 sm, and therefore should not be used as an indicative, comparative average to the 85 sm average used in the VS Keyford Appraisal.
39. The Council's Appraisal and proposed CIL charge for the UEs was also questioned by some representors who stated that the Council's original VS (by Roger Tym in 2012) proposed a CIL rate of £32 psm at the Keyford SUE, and that it was subsequently reduced to zero only 15 months later.
40. The Council explained the context for this change. It pointed out that the original valuation assumptions were challenged in the CIL consultation exercise with stakeholders, including at the developers' workshop. The Council, in the light of this feedback, in the words of the Council's lead witness, "*did not proceed regardless*", but decided to commission additional VS work carried out by new independent consultants. The subsequent VS reduced the proposed residential CIL charge from £150 psm firstly to £50 psm, and then to £40 psm, and the charge for the UEs from £32 psm to zero.
41. I am satisfied with this explanation, which shows that the Council, in the light of appropriate professional advice, was willing to listen to its stakeholders and the broader community and to understand the sensitivities of the building industry, especially in a period of uncertainty. Furthermore, I am not persuaded that making a change some 15 months later is in any way significant or a factor to which I should adduce weight.
42. A number of other considerations were put forward at the Examination Hearing. They were not in my view central to the valuation consideration of the CIL, although I deal with them briefly below.
43. Firstly, it was stated that UE delivery is a complicated process. There are substantial on-site and off-site infrastructure requirements, including access and highways improvements, and the UEs are expected to fund their own social, environmental and physical infrastructure. It has been drawn to my attention, however, that the Keyford SUE Statement of Common Ground

(SCG)¹⁸ alluded to few ownership, access or ground condition problems. In response, the Council pointed out that the above factors, whilst important, do not paint the whole picture at Keyford and the other UEs, which it regards as challenging.

44. Also responding to this point, the scheme developers for the Keyford SUE explained that the anticipated costs to enable scheme delivery and mitigation cover a range of provisions, including (i) a school site (the education contribution was stated to be about £4 million on its own), (ii) roundabout connection, (iii) community hall, (iv) surgery, (v) play areas, (vi) allotments, (vii) bridleways, (viii) balancing pond, (ix) sewage pumping station, (x) off-site electricity, gas and water connections, (xi) archaeological and ecological surveys and (xii) bus service contributions/travel plan.
45. It seems to me that the same arguments would apply to a greater or lesser degree in relation to the Upper Mudford SUE at Yeovil and the Chard Eastern Development Area, and nothing I read in evidence or heard at the Hearings robustly challenged these findings. The Council and several developers and their agents considered that in all these urban extensions, therefore, the imposition of a CIL charge would be 'double dipping', and I see no reason to disagree.
46. Secondly, consideration was given to the maximum 'pooling' limit of five S 106 Agreements per development¹⁹. This, however, is not seen by the Council as an insurmountable hurdle to cross, as each of the UEs is expected to be covered by a single planning application.
47. Several successful examples of this approach were drawn to my attention, including the following extract from the Birmingham CIL Examiner's Report (June 2015): "*The Council envisages that the SUE will come forward through a comprehensive outline planning application. Its preferred approach is to deal with the SUE's substantial and specific infrastructure requirements in a self-contained manner through a S.106 planning agreement. This approach is reflected in its proposed CIL zone, defined around the site boundaries of the SUE, and its proposed £0 CIL charge. The evidence confirms that the development is unable to sustain CIL charges on top of the heavy burden of anticipated site enabling costs and S.106 obligations*"²⁰. I agree with the reasoning of the Birmingham CIL Report and I see no reason why the same approach could not ensure the satisfactory implementation of the UEs in South Somerset.
48. Thirdly, concerns were raised regarding the practicalities of delivering on-site infrastructure to serve the UEs in relation to successful scheme delivery. The particular example raised by the Council concerns school provision; the Council stated could take many years through the application of CIL, whereas opting for the S 106 route would enable the Council and the developer to agree a timetable for delivery, so that the school is in place where and when the demand arises. Again, I have no reason to disagree with the Council over its view of the practicalities of successful scheme delivery.

¹⁸ Statement of Common Ground between South Somerset DC and Pegasus Planning Group on behalf of Noel Property LLP, Charles Bishop Ltd and Wessex Farms Trust; May 2014.

¹⁹ CIL Regulations 2010: Regulation 123 (3).

²⁰ Birmingham CIL Examiner's Report, paragraph 61.

49. Fourthly, some of the parish councils (PCs) argued against a zero CIL charge in relation to the development of the PCs in the UEs. They point out that this deprives the very communities which are most directly affected by significant new development in the UEs on their doorstep the opportunity of funding to help them adapt to the changes ahead. These PCs also argue that segregating the District into PCs that are eligible for 15% of the total CIL receipt (increasing to 25% upon a neighbourhood plan being made) from those that are not eligible through lack of a positive CIL charge, is unfair and causes resentment.
50. I have some sympathy with the PCs which find themselves excluded from the benefits of potential CIL receipts. However, I agree with the Council when it states that charging a positive CIL levy on development in the UEs runs the risk of compromising their delivery, and also that the benefits argument cuts both ways - those communities in close proximity to the UEs stand to especially benefit from both new community facilities and also from environmental mitigation measures funded through S106.
51. Fifthly, some of the PCs argue that there is no guarantee that S106 Agreements will secure the desired social, economic and environmental provision and mitigation to make these new developments sustainable. The argument is also made that even if a S 106 Agreement is signed, there is nothing to stop a developer challenging it in future.
52. The Council made it clear that a S 106 Agreement carries legal weight, which has to satisfy the tests set out in paragraph 204 of *the Framework*²¹, i.e. that they have to be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.
53. In terms of the second argument, the Council pointed out at the Hearing that any renegotiations of S 106 Agreements must be based on evidence. In the same way, a CIL charge could conceivably be reduced or dropped based on appropriate evidence. I therefore consider that the S106 route is therefore not an option which would be likely to undermine successful scheme implementation.

Major urban extensions - conclusion

54. I have considered in detail the different sets of valuation assumptions submitted in relation to the Yeovil SUE at Keyford, and by extension the Upper Mudford SUE and the Chard Eastern Development Area. I find the Council's revised Appraisal is the closest approximation to the reality on the ground, and I find this evidence more compelling than the alternative arguments put forward in favour of a positive CIL charge in the UEs. I am therefore not persuaded that any of the arguments put forward against the S106 route amount to a compelling case to change the proposed CIL rate for the UEs to £40 psm or to any positive rate.
55. I am led to the view that the imposition of a CIL charge of £40 psm would therefore be likely to lead to loss of viability; or the significant scaling back of

²¹ DCLG: National Planning Policy Framework (*the Framework*); March 2012.

important community facilities, contrary to Local Plan policy YV1; or a significant reduction in the proportion of AH on the site, contrary to Local Plan policy HG3. None of these scenarios would be acceptable or sustainable in terms of national housing policy or the Local Plan.

Retail development

56. The level and extent of testing in the Council's 2012 VS follows national guidance. It is sufficient to clearly demonstrate that new retail development across the District, including both convenience-based supermarkets and superstores and retail warehouse parks (outside defined town centres and primary shopping areas), generates sufficient surpluses above benchmark land values to provide a viable CIL contribution of £100 psm, leaving a sufficient buffer to account for site-specific variations. These conclusions are reaffirmed in the more recent VS work, even after taking account of the softening of investment yields following the difficult trading conditions reported by the major supermarket operators.
57. Concern was raised over the issue of adverse impact which the proposed rate of CIL charging could cause on local centres and district centres which are not identified as shopping centres but serve a great need within the local population and are generally sustainable. The Council explained that it had modified the Draft Schedule²² - Modification M2 - to provide clarity that the local and district centres would not be caught up in the Charging Schedule, and footnotes 8 and 9 at the foot of Table 4.1 in the Schedule²³ provide a comprehensive definition of supermarkets, retail warehouses and town centres. It is also the case that retail developments of less than 100 sm would be exempt from CIL (Regulation 42), whilst the definition of supermarkets, superstores and retail warehouse parks means that smaller scale convenience stores would be unlikely to be liable for CIL.
58. Taking account of the above considerations, I am satisfied that the available evidence is sufficient to demonstrate that it is appropriate in principle, subject to the detailed guidance notes referred to above, for South Somerset District Council to impose a CIL rate for all new retail developments in the form of superstores or retail warehouses outside recognised town and district centres. At the level set, I am satisfied that it would not give rise to a significant threat to the future delivery of new retail development in the District over the plan period.

Older peoples' housing

59. The initial version of the draft CIL charging schedule included a proposed rate of £40 psm for older peoples' housing (including Use Class C2). Following representations and having re-examined the evidence base, the Council has concluded that a positive CIL levy rate cannot be supported by developments within Use Class C2, and a Modification – M1 – was included in the CIL

²² South Somerset: CIL Statement of Modifications, Modification M2, page 2; May 2016 [Examination Document ED4].

²³ South Somerset: CIL Draft Charging Schedule-Submission Version; page 11; May 2016 [Examination Document ED5].

Statement of Modifications to this effect²⁴. This modification has not attracted any further representations.

60. There are several reasons why the Council decided to exclude Use Class C2 from attracting a positive CIL levy; firstly, there are design/marketing factors such as higher amounts of communal open space, which contribute to higher construction costs per habitable unit, longer sales periods and a higher level of empty properties than is the case with Use Class C3 housing. Secondly, there is general market uncertainty, resulting partly from changes in funding towards specialised housing.
61. There is further evidence to support the Council's position, based on the four planning applications for Use Class C2 schemes which were approved in the past three years. Only one of them (at Westbourne, Yeovil) has been completed, whilst two (dated 2012 and 2014) have not commenced and the final scheme, at the business park, Wincanton, although development commenced, has now ceased construction. This lack of delivery reinforces the Council's contention that there is insufficient evidence to justify imposing a levy charge on Use Class C2 schemes, which are geared to meeting particular needs.
62. Based on the above considerations, I agree with the Council that it would not be appropriate, based on the available evidence, to include Use Class C2 schemes in the CIL Charging Schedule as liable for a positive charging rate for CIL.

Other uses

63. The Council's evidence base from 2012-2015 shows that other economic development related uses, such as offices, research and development and light industry (Use Classes B1a, b and c); general industry (Use Class B2); storage and distribution (Use Class B8); and hotels and guest houses (Use Class C1) are not capable of tolerating a levy charge²⁵. These conclusions were not robustly challenged either in written evidence or at the Hearing, and I see no reason to disagree with the Council's finding in relation to these uses. In fact no evidence has been submitted in support of a positive CIL charge on any other uses apart from those set out in the submitted CIL Schedule, and again I can find no reason to come to any other conclusion.

Issue 3 - Does the evidence demonstrate that the proposed charge rate would not put the overall development of the area at serious risk?

64. The Council's decision to set an overall rate of £40 psm for residential development outside the three UEs, and a rate of £100 psm for convenience-based supermarkets and superstores and retail warehouse parks (outside defined town centres and primary shopping areas) is based on reasonable assumptions about development values and likely costs. The evidence indicates that residential and the above-mentioned forms of retail development will remain viable across most of the area if the charge is

²⁴ South Somerset: CIL Statement of Modifications, Modification M1, page 2; May 2016 [Examination Document ED4].

²⁵ South Somerset: CIL Draft Charging Schedule-Submission Version; Section 5- Non Residential Viability; May 2016 [Examination Document ED5].

applied. Only if development sales values are at the lowest end of the predicted spectrum would development in some parts of the District be at risk.

Other matters

65. The Council has published an instalment policy to assist in managing the flow of payments, in four categories ranging from amounts of less than £16,000 or amount due in respect of a single dwelling, which is payable as one instalment, up to amounts over £750,000, which are payable as four instalments, with the relevant payment periods.
66. The Council is also committed by legislation to publishing an annual CIL Report, to include details of income and spending, with suitable monitoring arrangements. The Council stated at the Hearing that it is committed to a review after two years, which I consider to be a reasonable time to consider the charging schedule afresh in the light of two years' monitoring.
67. It is my view that all of the above provisions should materially assist with the appropriate implementation of a CIL charging regime in the District.
68. Some representors argue that the Council should clarify its intentions for allowing discretionary relief from CIL, or even address this in a specific policy. In accordance with the Regulations (paragraph 55), 'exceptional circumstances' are intended to be exactly that, and in my view it would be inappropriate and unhelpful to try and define those rare circumstances in advance in a policy statement alongside the CIL Charging Schedule. Some representors who refer to exceptional circumstances appear in reality to be seeking a zero charging rate. In any event it is for the charging authority to decide whether or not to grant relief.

Conclusion

69. In setting the CIL charging rate the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market across the District. The Council has aimed to be realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the area.

LEGAL REQUIREMENTS	
National Policy/Guidance	The Charging Schedule complies with national policy/guidance.
2008 Planning Act and 2010 Regulations (as amended)	The Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation, consistency with the adopted Local Plan and Infrastructure Delivery Plan and is supported by an adequate financial appraisal.

70. I conclude that the South Somerset District Council Community Infrastructure Levy Charging Schedule satisfies the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended). I therefore recommend that the Charging Schedule be approved.

Mike Fox

Examiner

South Somerset

Community Infrastructure Levy

Charging Schedule

Approval Version

(TO BE APPROVED ON 17th NOVEMBER 2016)

November 2016

1. Introduction

- 1.1. This document sets out South Somerset District Council's Community Infrastructure Levy (CIL) for the district. The Charging Schedule which will operate in South Somerset is defined in Table 3.1 in Chapter 3.
- 1.2. South Somerset approved the Charging Schedule on the 17th November 2016 in accordance with Regulation 25 of the Community Infrastructure Levy Regulations 2010 (as amended); and Section 213 of the Planning Act 2008.
- 1.3. Under the terms of Regulation 28 of the Community Infrastructure Levy Regulations 2010 (as amended) the Charging Schedule will be brought into effect on the Monday 3rd April 2017.
- 1.4. The Charging Schedule will be accompanied by an Instalments Policy and the Regulation 123 List. These are available as separate documents on the Council's Community Infrastructure Levy webpage: <http://www.southsomerset.gov.uk/planning-and-building-control/planning-policy/community-infrastructure-levy/>

2. Background

- 2.1. CIL is a fixed levy that Councils can charge on new developments to fund infrastructure needed to support development. Government introduced CIL in the Planning Act 2008. Detail on the CIL regime was subsequently set out in the CIL Regulations 2010 (as amended)¹. The Government has also published guidance on the operation of CIL².
- 2.2. Approval of the Charging Schedule (CS) represents the penultimate stage in having an operational CIL for South Somerset.
- 2.3. Previous work on the Preliminary Draft Charging Schedule (PDCS) took place in March 2012, and consultation on the Draft Charging Schedule (DCS) occurred in February 2016. The DCS was submitted to an Examiner in May 2016, and the Hearing Session into the DCS was held on the 9th August 2016. The Examiner's Report was issued to the Council on the 19th October 2016³.
- 2.4. The supporting evidence to justify proposing a levy in South Somerset includes⁴:
 - Community Infrastructure Levy evidence base, Roger Tym & Partners and Baker Associates (January 2012);
 - Community Infrastructure Levy: viability study, BNP Paribas and SSDC (May 2013);
 - Community Infrastructure Levy: viability assessment – update Addendum report, BNP Paribas and SSDC (July 2015);
 - South Somerset Infrastructure Delivery Plan update 2015/16 (January 2016);
 - Additional viability evidence prepared for an 800 dwelling development in Yeovil (March 2016); and
 - Additional infrastructure evidence on the need for a new cemetery in Yeovil (April 2016).

¹ Community Infrastructure Regulations 2010 (as amended): <http://www.legislation.gov.uk/ukxi/2010/948/contents/made>

² Department for Communities and Local Government Planning Practice Guidance: <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/>

³ Report on the Examination of the Draft South Somerset District Council Community Infrastructure Levy Charging Schedule: http://www.southsomerset.gov.uk/media/856838/south_somerset_cil_final_report.pdf

⁴ South Somerset Community Infrastructure Levy Evidence Base: <http://www.southsomerset.gov.uk/planning-and-building-control/planning-policy/community-infrastructure-levy/>

3. Charging Schedule

- 3.1. The levy rates were endorsed by the Examiner in the Examiner's Report.
- 3.2. The Charging Schedule set out in Table 3.1 should be read in conjunction with the accompanying Appendices.
- 3.3. These set out the geographical extent of the various charging zones within South Somerset. The Appendices identified in Table 3.1 can be found at the following webpage: <http://www.southsomerset.gov.uk/planning-and-building-control/planning-policy/community-infrastructure-levy/>

Table 3.1: Charging Schedule

Type of Development	Levy Rate	Geographical Extent
Yeovil Sustainable Urban Extensions⁵	£0 (zero) per square metre	See Appendix 1
Chard Eastern Development Area⁶	£0 (zero) per square metre	See Appendix 2
All Other Residential Development	£40 per square metre	District-wide. See Appendix 3
Convenience-based Supermarkets and Superstores, and Retail Warehouse Parks (outside of defined Town Centres and Primary Shopping Areas)^{7 8}	£100 per square metre	District-wide, excluding those areas defined in Appendices 1, 2, and 4 – 15
All Other Uses	£0 (zero) per square metre	District-wide. See Appendix 1 – 15

4. Next Steps

- 4.1. Once the Charging Schedule is approved on the 17th November 2016 the Council will put in place the necessary internal systems and processes to manage the workload created by implementing the levy.
- 4.2. The Council will also define the governance arrangements for the collection, management, distribution, and expenditure of the financial sums generated by the levy.
- 4.3. Both aspects will be clarified and approved as part of the Council implementing the levy on Monday 3rd April 2017.

⁵ As defined in Policy YV2 in the South Somerset Local Plan (2006 – 2028): North-East Sustainable Urban Extension and South Sustainable Urban Extension.

⁶ As defined by Policy PMT1 & PMT2 in the South Somerset Local Plan (2006 – 2028).

⁷ Supermarkets are shopping destinations in their own right where weekly food shopping needs are met and which can also include non-food floorspace as part of the overall mix. The majority of custom at supermarkets arrives by car, using the large adjacent car parks provided.

Superstores are self-service stores selling mainly food, or food and non-food goods, with supporting car parking. Retail warehouses are large stores specialising in the sale of comparison and household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering mainly for car-borne customers.

⁸ Town Centres as defined through Policy EP11 of the South Somerset Local Plan (2006 – 2028). Primary Shopping Areas in Yeovil and Chard as defined through Policy EP11 in the South Somerset Local Plan (2006 – 2028).

Agenda Item 8

Final Recommendation of the Community Governance Review of Yeovilton Parish Council

Assistant Director: Ian Clarke, Legal and Corporate Services
Lead Officer: Angela Cox, Democratic Services Manager
Contact Details: Angela.cox@southsomerset.gov.uk or (01935) 462148

Purpose of the Report

1. To report the outcome of the final public consultation (Community Governance Review) which has taken place in the parish of Yeovilton on the proposal to increase the number of Parish Councillors from five to seven (under the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007).

Public Interest

2. A Community Governance Review is a review of the whole or part of a district to consider one or more of the following:
 - creating, merging, altering or abolishing parishes;
 - the naming of parishes and the style (i.e. whether to call it a town council or village council etc) of new parishes;
 - the electoral arrangements for parishes – the ordinary year of election, the size of the council, the number of councillors to be elected and parish warding;
 - grouping parishes under a common parish council, or de-grouping parishes.
3. The Local Government and Public Involvement in Health Act, 2007, sets down the principal legal framework within which councils must undertake these reviews.
4. A valid request was received from Yeovilton Parish Council in May 2015, requesting that the District Council conduct a consultation (Community Governance Review) of all the electors and local interested groups to ask if they would be agreeable to increase the number of Parish Councillors from five to seven. Consultation within the parish has now taken place and this report details the outcome of that consultation.

Recommendations

5. That Council:
 - I. note the results of the consultation in the parish of Yeovilton and agree to publish them;
 - II. agree that the final recommendation be: "To accept the majority vote from the people of Yeovilton to agree to increase the number of Parish Councillors to seven".
 - III. agree to draw up a Reorganisation Order to give effect to this recommendation.
 - IV. agree to contact the statutory agencies to effect the requested alteration to increase the number of Parish Councillors on Yeovilton Parish Council to seven.

Background

6. Council at its meeting held on 16th July 2015 (Minute 29 refers) approved the commencement of a Community Governance Review for the parish of Yeovilton following the receipt of a valid request from the Parish Council.
7. In their request, the Parish Council gave the following reasons to support their request to increase the size of the Parish Council to seven members:-
 - At the 2015 Parish Council elections, an election was held as there were more candidates than vacancies.
 - Two Councillors from the three areas of Yeovilton, Podimore and Bridgehampton would be a better balance and make it easier to guarantee a quorum at meetings.
 - Future development of RNAS Yeovilton and its impact on the local community.
8. They had originally requested that the number of parish councilors be increased from five to six, however, they reconsidered this and subsequently requested that they be allowed to increase their number to seven. The public consultation has been conducted on this number.

Consultation

9. The initial consultation period was held from 1st June 2016 to 1st July 2016. Consultation leaflets were delivered to registered electors within the parish (a total of 345 people). Public comments were also invited by e-mail.
10. A total of 78 responses were received (27% of the total electorate). The responses were as follows:-

Proposal	In favour	Against
Increase Parish Councillors from five to seven	67	11

11. Part of the consultation leaflet asked for any comments on the proposals and 10 varied responses were received. They were broadly supportive of the proposals, however, some raised the point that five Parish Councillors had managed very well in the past and questioned the need for two extra.
12. Having taken into account all consultation responses made during the first stage of consultation, and having regard to the need to ensure that Community Governance within the area reflects the identities and interests of the Community, and is effective and convenient, the draft recommendation of officers is: "To accept the majority vote from the people of Yeovilton and to agree to increase the number of Parish Councillors to seven".

Further Consultation

13. A second short consultation on this recommendation was undertaken in the parish from 23rd August to 30th September 2016 (6 weeks). As the majority of the previous consultation responses were in favour of the original proposal, this further consultation was conducted through the SSDC website and posters on various noticeboards within the Parish. **No further public responses were received.**

Conclusion

14. When confirmed by Council, South Somerset District Council will draw up a Reorganisation Order to give effect to these decisions. The following organisations will also be informed that the order has been made:
 - a) the Secretary of State for Communities and Local Government
 - b) the Electoral Commission
 - c) the Office of National Statistics
 - d) the Director General of the Ordnance Survey
 - e) Somerset County Council.
15. New or revised parish electoral arrangements come into force at ordinary parish elections and so this Reorganisation Order will take effect from May 2019. However, Yeovilton Parish Council are considering effecting the increase at an earlier date by resigning and so creating an early election. The cost of any election will be borne by the Parish Council.

Financial Implications

16. The cost of producing the consultation leaflets (360) and distributing by second class post was £309. There has been a cost in staff time in the production of the consultation leaflets and the analysis of the responses and these costs have been absorbed within existing budgets.
17. The second consultation (as required) on the draft recommendations was conducted at minimum cost through the SSDC Website and posters in the villages. The cost was less than £10.
18. There is no specific budget for Community Governance Reviews and all costs have been absorbed within the existing Democratic Services budget for 2016/17. Additionally, there is no power to re-charge the cost of the review to any other Council, except by agreement. This is because the statutory power to conduct the review rests with this Council.

Corporate Priority Implications

19. None at the current time.

Carbon Emissions and Climate Change Implications

20. None at the current time.

Equality and Diversity Implications

21. All local government electors within the parish of Yeovilton have been consulted on the proposal and their views considered as part of the consultation process. The council must have regard to the need to secure that the community governance arrangements for the area reflects the identities and interests of the community in the area and are effective and convenient.

Background Papers

Local Government and Public Involvement in Health Act 2007
The Electoral Commission Guidance on Community Governance Reviews, April 2008

Agenda Item 9

Draft Proposals of the Community Governance Review of Brympton Parish Council

Executive Portfolio Holder: Carol Goodall, Environmental Health, Health & Safety, Democratic Services, Member Development

Assistant Director: Ian Clarke, Legal and Corporate Services

Lead Officer: Angela Cox, Democratic Services Manager

Contact Details: Angela.cox@southsomerset.gov.uk or (01935) 462148

Purpose of the Report

1. To report the outcome of the initial public consultation (Community Governance Review) which has taken place in the parish of Brympton on the proposal to increase the number of Parish Councillors (under the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007).

Public Interest

2. A Community Governance Review is a review of the whole or part of a district to consider one or more of the following:
 - creating, merging, altering or abolishing parishes;
 - the naming of parishes and the style (i.e. whether to call it a town council or village council etc) of new parishes;
 - the electoral arrangements for parishes – the ordinary year of election, the size of the council, the number of councillors to be elected and parish warding;
 - grouping parishes under a common parish council, or de-grouping parishes.
3. The Local Government and Public Involvement in Health Act, 2007, sets down the principal legal framework within which councils must undertake these reviews.
4. A valid request was received from Brympton Parish Council in April 2016, requesting that the District Council conduct a consultation (Community Governance Review) of all the electors and local interested groups to ask if they would be agreeable to increase the number of Parish Councillors from eleven to twelve. Initial consultation within the parish has now taken place and this report details the outcome of that consultation.

Recommendations

5. That Council:
 - I. note the results of the consultation;
 - II. note that all of the valid responses received were in favour of the proposal by Brympton Parish Council and therefore the draft recommendation for further consultation to Council be: "To accept the majority vote from the people of Brympton and to agree to increase the number of Parish Councillors to twelve".
 - III. agree to publish the results of the consultation;
 - IV. note that a further period of consultation on the results of the initial consultation responses will take place;

- V. note that a further report will be brought to Council in order that a decision may be made in respect of the final recommendations of the Review.

Background

6. Council at its meeting held on 21st July 2016 (Minute 29 refers) approved the commencement of a Community Governance Review for the parish of Brympton following the receipt of a valid request from the Parish Council.

Proposal

7. In their request, the Parish Council gave the following reasons to support their request to increase the size of the Parish Council to 12 members:-

- The Parish Council request that the number of Councillors on the Parish Council be increased from 11 to 12.
- The last boundary review for Brympton Parish Council was carried out in 2003, when the number of Councillors was increased from 9 to 11. However, since that review, the electorate within the parish has increased.
- Derived populations, post 2000, are based on factors of 1.7 electors per property (a recognised ratio) with 2,375 persons per property (again a fairly reasonable factor).
- Due to the Lufton Key Site, which will deliver approximately a further 620 houses, it is believed that the total electorate in the year 2020 will be about 6,200 and we believe that this is the number to be used in determining the numbers of Councillors.
- Research carried out in 1992 showed that the typical Parish Council with a population between 2,501 and 10,000 has 9 – 16 Councillors. The Parish Council therefore feels that an increase in the number of Councillors can be justified.

Consultation

8. The initial consultation period was held from 1st September 2016 to 31st October 2016. Posters were distributed by the Parish Council and adverts on the SSDC and Brympton Parish Council websites. Public comments were also invited by e-mail.
9. A total of 5 responses were received, including one from the County Executive Officer of the Somerset Association of Local Councils (SALC) who was very supportive of the Parish Council request. All the other responses were also in favour of the proposals. Although this is a very low response, it does reflect the fact that the consultation is only on-line and the outcome will have no material effect on the majority of electors in the Parish.
10. Having taken into account the consultation responses made during the first stage of consultation, and having regard to the need to ensure that Community Governance within the area reflects the identities and interests of the Community, and is effective and convenient, the draft recommendation of officers is: "To accept the majority vote from the people of Brympton and to agree to increase the number of Parish Councillors to twelve".

Community Governance Review Timetable

11. The draft recommendation of the Council on the outcome of the review will be published by 18th November 2016, followed by the commencement of a further 4 week period of consultation closing on 16th December 2016. Representations received on the draft recommendation will be submitted for consideration by South Somerset

District Council at its meetings of District Executive on 5th January 2017 and Full Council on 19th January 2017 when the final decision on the review will be taken.

12. If the increase in Councillors is confirmed, Brympton Parish Council are aware that the increase will not come into effect until the next ordinary elections in May 2019.

Financial Implications

13. Because the cost of producing and delivering a consultation leaflet to every elector within the parish was estimated to be in the region of £4,400, it was agreed to conduct a 'light touch' review as the request had been made by the Parish Council and the proposal would incur no direct cost to the electorate.
14. Posters were distributed by the Parish Council and adverts on the SSDC and Brympton Parish Council websites ensured that the cost of the review has been below £50. There has been a cost in staff time in the production of the poster however, this has been minimal.
15. Given the support for the proposal, it is anticipated that the second consultation (as required) on the draft recommendations will again be conducted at minimum cost through the SSDC Website, local press and posters. This cost is likely to be less than £10.
16. There is no specific budget for Community Governance Reviews and all costs have been absorbed within the existing Democratic Services budget for 2016/17. Additionally, there is no power to re-charge the cost of the review to any other Council, except by agreement. This is because the statutory power to conduct the review rests with this Council.

Corporate Priority Implications

17. None at the current time.

Carbon Emissions and Climate Change Implications

18. None at the current time.

Equality and Diversity Implications

19. All local government electors within the parish of Brympton have been consulted on the proposal and their views considered as part of the consultation process. The council must have regard to the need to secure that the community governance arrangements for the area reflects the identities and interests of the community in the area and are effective and convenient.

Background Papers

Local Government and Public Involvement in Health Act 2007

The Electoral Commission Guidance on Community Governance Reviews, April 2008

Terms of Reference of the Community Governance Review of the Parish Arrangements for Brympton as agreed by Council on 21st July 2016

Consultation responses provided by local residents

Agenda Item 10

Membership of Committees – Appointment of Councillors to Various Committees and Panels

Lead Officer: Ian Clarke, Assistant Director – Legal & Corporate Services
Contact Details: ian.clarke@southsomerset.gov.uk or (01935) 462184

1. Purpose of the Report

To confirm changes to several Committee and Panel appointments following the resignation of one Councillor from Council, the resignation of another from the Conservative group, and another wishing to step down from a Committee due to work commitments.

2. Public Interest

Each year at their annual meeting, Council agree to appoint Councillors to the various committees and to represent SSDC on outside organisations. This report confirms the wishes of the Conservative group to make an amendment to the Councillors appointed to the Regulation Committee and the Appeals Panel.

3. Recommendation

In accordance with Section 16 (1) Local Government and Housing Act 1989 and the duty therein to give effect to the wishes of the political group to which seats on any committee are allocated, the Council confirm that:-

1. Councillor Tiffany Osborne be appointed to the Regulation Committee
2. Councillor Martin Wale be appointed to the Appeals Panel
3. Councillor David Norris be appointed to the Scrutiny Committee
4. A second Councillor be appointed to the Scrutiny Committee – to be advised
5. Councillor Colin Winder be appointed to the Standards Committee
6. Councillor Nick Weeks be appointed as the SSDC representative to the Somerset Buildings Preservation Trust

4. Report

The membership of committees and working groups for 2016/17 was approved at the Annual Council meeting on 19th May. Since then, one member has resigned as a District Councillor, another has resigned from the Conservative group, and another member wishes to step down from a Committee due to work commitments.

The Conservative group have now indicated who they would like to appoint to the vacancies created on these committees/panels.

5. Background Papers

Minutes of Council – 19th May 2016

Agenda Item 11

Report of Executive Decisions

Lead Officer: Angela Cox, Democratic Services Manager
Contact Details: angela.cox@southsomerset.gov.uk or (01935) 462148

This report is submitted for information and summarises decisions taken by the District Executive and Portfolio Holders since the last meeting of Council in October 2016. The decisions are set out in the attached Appendix.

Members are invited to ask any questions of the Portfolio Holders.

Background Papers

All Published

Ric Pallister, Leader of the Council
Angela Cox, Democratic Services Manager
angela.cox@southsomerset.gov.uk or (01935) 462148

Appendix

Portfolio	Subject	Decision	Taken By	Date		
Strategy & Policy	Investment in Housing: Purchase of two Five Bedroom Houses	The Portfolio Holder for Strategy and Policy has approved the acquisition of two five bedroom houses in accordance with the terms set out by the District Executive in February 2015.	Portfolio Holder	07/10/16 Executive Bulletin No. 690		
Environment & Economic Development	Waste Fees and Charges 2017/18	The Portfolio Holder for Environment and Economic Development has confirmed:- (1) the proposed waste fees and charges for 2017/18 as recommended by SSDC and set out in the table below.	Portfolio Holder	14/10/16 Executive Bulletin No. 691		
					2016/17	2017/18
		Garden waste bin collection			£50 for one year subscription	£53.50 for one year subscription
					£95 for two year subscription	£100 for two year subscription
		Garden waste sacks posted (per 10)			£26 for 10 sacks	£26.50 for 10 sacks
		Bulky waste			£41 up to 3 items. Additional items £11 each up to 5 items	£41.50 up to 3 items. Additional items £11.50 each up to a maximum of 5 items
Strategy & Policy	Approval of the Rural Housing Action Plan 2016/18	The Portfolio Holder for Strategy and Policy has confirmed approval of the Rural Housing Action Plan 2016 - 18.	Portfolio Holder	14/10/16 Executive Bulletin No. 691		
Strategy & Policy	Affordable Housing Development Programme: Queensway Place, Yeovil	The Portfolio Holder for Strategy and Policy has agreed to approve the allocation of £22,857.76 additional grant subsidy to Stonewater Housing Association towards the additional carpeting costs of the flats at Queensway Place, Yeovil.	Portfolio Holder	21/10/16 Executive Bulletin No. 692		

Strategic Planning (Place Making)	South Somerset Community Infrastructure Levy Report	<p>District Executive recommend that Council:</p> <ol style="list-style-type: none"> 1. consider the Examiner's Report in the South Somerset District Council's Community Infrastructure Levy Charging Schedule (See Appendix A); 2. approve the final South Somerset Community Infrastructure Levy Charging Schedule (See Appendix B) as of the 17th November 2016 and agree the implementation date of the 3rd April 2017; 3. delegate responsibility to the Assistant Director for Economy in consultation with the Portfolio Holder for Strategic Planning to make any final minor text amendments which may be necessary to enable the Charging Schedule to be approved. 	District Executive	03/11/16
Finance and Legal Services	2016/17 Revenue Budget Monitoring Report for the period ending 30 th September 2016	<p>District Executive:</p> <ol style="list-style-type: none"> 1. noted the current 2016/17 financial position of the Council; 2. noted the reasons for variations to the previously approved Directorate Budgets as detailed in paragraphs 3.2; 3. noted the transfers made to and from reserves outlined in paragraph 11.1 and the position of the Area Reserves as detailed in Appendix C and the Corporate Reserves as detailed in Appendix D; 4. noted the virements made under delegated authority as detailed in Appendix B. 	District Executive	03/11/16
Finance and Legal Services	2016/2017 Capital Budget Monitoring Report for the period ending 20 th September 2016	<p>District Executive:</p> <ol style="list-style-type: none"> 1. approved the revised capital programme spend as detailed in paragraph 6; 2. noted the slippage over £50,000 in the capital programme as detailed in paragraph 8; 3. approved the virements of £35,000 outline in paragraph 9; 4. approved the allocation of any additional funding to be used within the capital programme as detailed in paragraph 11; 5. noted the current position with regard to funds held by the Wessex Home Improvement Loans as detailed in paragraph 15; 6. noted the progress of individual capital schemes as detailed in Appendix A; 7. noted the balance of S106 deposits by developers held in a reserve as detailed in paragraph 13; and 8. noted the schemes that were approved prior to 2012, as detailed in Appendix B, and confirmed that they remain in the programme. 	District Executive	03/11/16

Environmental Health, Health & Safety, Democratic Services, Member Development	Final Recommendation of the Community Governance Review of Yeovilton Parish Council	<p>District Executive recommend that Council:</p> <ol style="list-style-type: none"> 1. note the results of the consultation agree to publish them; 2. agree that the final recommendation be: "To accept the majority vote from the people of Yeovilton to agree to increase the number of Parish Councillors to seven"; 3. agree to draw up a Reorganisation Order to give effect to this recommendation; 4. agree to contact the statutory agencies to effect the requested alteration to increase the number of Parish Councillors to seven. 	District Executive	03/11/16
Environmental Health, Health & Safety, Democratic Services, Member Development	Draft Proposals of the Community Governance Review of Brympton Parish Council	<p>District Executive recommend that Council:</p> <ol style="list-style-type: none"> 1. note the results of the consultation; 2. note that the all of the valid responses received were in favour of the proposal by Brympton Parish Council and therefore the draft recommendation for further consultation to Council be: "To accept the majority vote from the people of Brympton and to agree to increase the number of Parish Councillors to twelve"; 3. agree to publish the results of the consultation; 4. note that a further period of consultation on the results of the initial consultation responses will take place; 5. note that a further report will be brought to Council in order that a decision may be made in respect of the final recommendations of the Review. 	District Executive	03/11/16

Agenda Item 13

Scrutiny Committee

The Scrutiny Committee met on 1st November and made the following comments on the reports due to be considered by District Executive on 3rd November.

South Somerset Community Infrastructure Levy Report

The Portfolio Holder for Strategic planning introduced the report and the Principal Spatial Planner provided an overview of the process going forward. During discussions the following points were made:

- The Committee supported the suggestion that a recommendation be added asking Full Council to accept a CIL Implementation date of 3rd April 2017.
- Members sought assurances that the implementation date of 3rd April 2017 is achievable bearing in mind the potential impact of the Transformation programme, given that the successful implementation of CIL will rely on several different service areas – each being ‘transformed’ at different times, combined with the need to procure a new IT system?
- CIL and Section 106 payments may need to be paid on a site, Section 106 would only be paid for very site specific issues such as landscaping, street lighting and accessibility.
- The Regulation 123 list is produced with member involvement, if something is on the Regulation 123 list you cannot then ask for a Section 106 contribution for this.
- There is no back on CIL, it is non-negotiable.
- Member’s clarified self-builders are still exempt from CIL.
- The Committee were pleased to note that due regard had been paid, and would continue to be given to the Equalities throughout this process.

Members thanked the Planning Policy Team for all their hard work in bringing the scheme forward.

2016/17 Revenue Budget Monitoring Report for the period ending 30th September 2016

- Members sought clarification about how and where vacant posts are accounted for. Members were unclear whether vacant posts agreed in years 2015/16 and 2016/17 would be claimed as Revenue Budget savings or would be attributed to Transformation? Members stressed the importance of avoiding double counting and that greater clarity is needed in the future – this is a high profile, high cost project. The Committee were informed by Andrew Gillespie – Transformation Programme & Performance Manager that he had prepared a short note explaining this point, members requested that this is distributed to all members to help explain this complex issue.
- The delay in delivering the ANPR project and the resulting shortfall in anticipated savings was noted – members asked for further details about the delay.
- Members queried the statement that EDM savings from within Housing would now be incorporated into Transformation and delivered in a different way. The Finance Manager explained that the original budget was £100K, £75k had been transferred to the Transformation budget but £25K had been assigned as a saving in 16/17 and was agreed at Management Board in July.

- On page 3 of the Appendix under Procurement and Risk, members queried why an £8k underspend had been allocated to be transferred to the Transformation budget?

2016/17 Capital budget monitoring report for the period ending 30th September 2016

- Members sought clarification on the role and purpose of the Affordable Housing – Mortgage Rescue Contingency Fund and the Affordable Housing – Bought not Built Allocation – is it a statutory requirement to have these funds, have we assessed the need to maintain current levels given the statement that they are ‘unlikely to be spent this financial year..’
- Members questioned the MTIG Reserve and why so much of it remains unspent. The Committee were grateful to the Portfolio Holder for expanding on the comments within the report, and noted that a new raft of Community Plans are currently in production and new projects will emerge in due course.

Final Recommendation of the community Governance Review of Yeovilton Parish Council

Members noted the report and made no comments.

Draft Proposals of the Community Governance Review of Brympton Parish Council

Members noted the report and made no comments.

District Executive Forward Plan

Scrutiny Committee made no comments regarding the forward plan but requested the Strategic Director (Operations and Customer Focus) to attend the next Scrutiny committee meeting to answer any questions with regard to the District Executive Somerset Waste Partnership – Recycle more project.

Update on matters of interest

The Chairman invited the Chief Executive Officer to meet with members to discuss how Scrutiny Committee can effectively be part of South Somerset moving forward.

The Chief Executive explained that in his previous roles he has developed the role of Scrutiny and values constructive challenge to assess processes are sound and the council is delivering for the community and people of South Somerset. He commented on the agenda noting the number of Task and Finish reviews and felt this approach was useful to get under the skin of issues and that from his perspective it is all about striking a balance to not get too immersed in the detail as this can have a detrimental impact as it should be being reviewed on behalf of the community.

During discussions the following points were made:

- Task and Finish work provides non-executive members a good opportunity to work with officers and representatives of the community and external organisations to develop policy and get a thorough knowledge of the services SSDC provides.
- The overview that comes from Scrutiny Committee in the form of recommendations is taken into account by the executive.

- The committee provides insight and knowledge that provides confidence and encourages members to ask difficult questions effectively.
- Some Scrutiny Committee members would like a more formal scrutiny arrangement of the transformation involving more members.
- The Transformation board agenda is sent to all members so they can contribute through Cllrs Sue Steele and John Clark.
- The next transformation board is on 18th November- as at yet there are no reports scheduled to go before District Executive
- No CRM system, software or hardware has been procured yet, IT and Ignite consultants have met with every service and conducted analysis of all the IT Systems that are in use and are required in the near future and a draft plan is being developed now.
- In the future model there will still be clear lines of accountability but they will run across the organisation opposed to up and down as they do now, there will still be a named report lead and manager.
- There is a relationship between Income Generation and Transformation, it takes a long time to build up an income stream and to generate other efficiencies, it is not realistic to think we can achieve enough through Income Generation to lessen the pressure to achieve savings through Transformation and we should always be looking to achieve the most efficient way of doing things on behalf of our residents.

Members commented that they had been advised at their Transformation workshops that they would need to change with regard to Transformation and asked for clarification and examples. The CEO responded “ A detailed transition plan will be developed for how members’ will engage with the authority, for example if members’ continue to go to Officers X for this and Y for that this could undermine the process. Ultimately what it means for members is still in member hands, how do you want it to benefit you and your work?”

The CEO went on to explain in Eastleigh members had Members View, this enabled members to request support and raise issues and track the progress of their requests.

Scrutiny Committee asked what consultation has and is being done to identify what our residents want and need from SSDC.

Officers explained there would be service testing with customers before we go live and an evaluation of how customers think our services are improving and have also conducted a study of social media.

Scrutiny committee raised concerns of this process and said they felt more needed to be done to ensure we identified exactly what customers want and need to inform the process moving forward and that we don’t assume.

Scrutiny Committee members requested they have sight of the member’s transition plan identifying the main steps of members’ involvement with an accompanying communication plan for member involvement. It was also suggested that Scrutiny Committee could aid this part of the process with a Task and Finish group.

Task and Finish Work

The following Task and Finish Groups are currently in progress:

- **Consent for Disposal of properties** – This group is now re-focusing on the impact of the disposal of properties by Housing Providers on SSDC's Rural Letting's Policy. Following evidence gathered by the Task and Finish Group it is clear that Yarlington Homes in particular are committed to continue to dispose of rural properties and that SSDC must now seek to mitigate the impact of this as far as it possible.
- **Discretionary Housing Payments** – This group has collected a significant amount of evidence from key agencies and will be meeting on 4th November to review the data and comment on a draft policy.
- **Rural Services Network – Rural access to health project** – The Somerset CCG have provided a written response to the questions set which will be incorporated into a report for submission to the RSN national project.
- **Street Trading** - This group have now had their first meeting and have agreed the review Terms of Reference. Further meetings are scheduled for 4th and 29th November with the aim on producing a draft policy that will be sent to all interested parties for a 12 week consultation period at the end of November.
- **Devolution** – As referenced above, this review is held in abatement pending any announcements made in the Autumn Statement.
- **Council Tax Support** – Since the last update to Scrutiny committee the extended consultation period has closed and members have reviewed the results. The next piece of work is to collect information from some of those authorities who have already experienced the roll out of Universal Credit.
- **National Non Domestic Rates Discretionary Relief** – The group last met on 31st October with Officers from the Revenues and Economic development teams to analyse the impact of the changes around Small Business Rate relief to businesses, charities and organisations across South Somerset and the discrepancy this could cause in the discretionary relief award for similar businesses, charities and organisations that are in rural settlements, members considered the different options and estimated costs for each.
- **Right to Buy Clawback** - Following on from Garry Orr the CEO of Yarlington Homes requesting members reconsider the approach taken with the monies obtained through the Right to Buy Clawback Agreement, a Task and finish group has been established to consider:
 - The impact on the Capital Programme in terms of the other significant projects that this Council wants or needs to deliver on behalf of the community.
 - How best to allocate the clawback monies to best meet those in housing need on the Housing Register.
 - Other housing priorities and areas of spending such as Disabled Facility Grants and grants to Houses of Multiple Occupation.

Agenda Item 14

Motions

The following Motion has been submitted by Councillor Mike Beech:-

This council agrees to include in the 2016/17 budget as a capital project the £640K originally requested by Connecting Devon and Somerset (CDS) to be allocated to the provision of high speed broadband within South Somerset for the benefit of parishes, home owners and business within the district and further to commit to bringing forward a scheme by the end of February 2017 to provide grant assistance to parishes and vouchers to qualifying households and businesses (sub 10 Mbit/s) to enable fast broadband to be rolled out across the district such that we become a connected district, with all the advantages that brings in terms of attracting/ retaining businesses, home working and the amenity of residents."

Agenda Item 15

Questions Under Procedure Rule 10

The following question has been submitted by Councillor Derek Yeomans:-

The radical change entailed in Yarlington's planned cessation of continued provision and building of social housing will have a major impact on our conjoint cross District present and future housing policies. It will create a long term foreseeable reduction in the availability of accommodation to service our housing waiting list and the probable delegation of the P2i accommodation responsibility to the District Councils. What steps will SSDC be taking to mitigate these problems?

Agenda Item 16

Date of Next Meeting

Members are asked to note that the next scheduled meeting of the Full Council will take place on **Thursday, 19th January 2017** in the Council Chamber, Council Offices, Brympton Way, Yeovil **commencing at 7.30 p.m.**
