

South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Thursday 19 March 2020** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(7.30 pm - 8.50 pm)

Present:

Members: Councillor Paul Maxwell (Chairman)
Councillor Jenny Kenton (Vice-Chairman)

Jason Baker
Mike Best
Neil Bloomfield
Dave Bulmer
Tony Capozzoli
John Clark
Nicola Clark
Louise Clarke
Adam Dance

Sarah Dyke
Brian Hamilton
Mike Hewitson
Ben Hodgson
Kaysar Hussain
Val Keitch
Andy Kendall
Tim Kerley
Robin Pailthorpe

Clare Paul
David Recardo
Paul Rowsell
Peter Seib
Jeny Snell
Andy Soughton
Linda Vijeh

Officers:

Alex Parmley
Richard Ward
Nicola Hix
Angela Cox

Chief Executive
Monitoring Officer
Interim Section 151 Officer
Specialist - Democratic Services

120. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Robin Bastable, Hayward Burt, Malcolm Cavill, Martin Carnell, Nick Colbert, Karl Gill, David Gubbins, Peter Gubbins, Henry Hobhouse, Charlie Hull, Michael Lewis, Mike Lock, Pauline Lock, Tony Lock, Kevin Messenger, Graham Oakes, Tricia O'Brien, Sue Osborne, Tiffany Osborne, Oliver Patrick, Crispin Raikes, Wes Read, Dean Ruddle, Gina Seaton, Garry Shortland, Alan Smith, Mike Stanton, Rob Stickland, Lucy Trimnell, Gerard Tucker, Martin Wale, William Wallace and Colin Winder.

121. Minutes (Agenda Item 2)

The minutes of the Council meeting held on 19th February 2020, copies of which had been previously circulated, were approved as a correct record of the meeting and signed by the Chairman.

122. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by Members of the Council.

123. Public Question Time (Agenda Item 4)

A resident of Crewkerne addressed Council regarding his ongoing planning application to custom - build his own house. He said the Council were not providing serviced plots for people on the register as required by the Self and Custom build Housing Act. He outline the history of his applications to build a house on land near Crewkerne over the previous 6 years and his disappointment in the service he had received from the planning department. He mentioned unpaid costs and failure to provide pre-application advice and asked that the application be considered at an Area Committee He concluded that if there was a way to resolve the matter it would be very much appreciated.

The Chairman confirmed that it was likely Area Committees would be postponed in the short term and he referred to the Chief Executive who said that he would ask his Director to look into the matter and provide a full response.

124. Chairman's Announcements (Agenda Item 5)

The Chairman advised that he had attended a celebration event held by the Devon and Somerset Fire and Rescue Service where he accepted a certificate on behalf of the Careline service to mark over 400 home safety visits by the staff to vulnerable residents. He said South Somerset were one of the best performing Councils for arranging home safety visits for vulnerable people and he thanked the staff for the work they had done to achieve the certificate.

The Chairman asked Members to collect the GDPR information leaflets as they left the Chamber and also to take the NHS questionnaire Fit for my Future.

The Chairman said it was clear the country was facing a public health emergency and the economy would be affected. He asked that all Councillors follow guidance from the Government and Health Authorities and encourage others to do so and do all to help the most vulnerable in their communities. He asked that all think of those who had succumbed to the virus in the UK and across the world and he asked Members to join him in a minute of silence in their memory.

125. Verbal Update on the progress of projects in the SSDC Environment Strategy 2019 (Agenda Item 6)

The Portfolio Holder for Environment provided the following update on the progress of the Council's Environment Strategy 2019:-

- In April, the Council's carbon footprint would be calculated for the second time.
- To reduce the Council's carbon footprint, new heating boilers were being considered at Westlands Entertainment Venue and Brympton Way offices.
- Way to increase recycling at SSDC offices was being considered.
- 3 rapid vehicle charging points had been installed in Wincanton, Ilchester and Ilminster and a network of electric charging points would be installed in SSDC car parks
- Parish Councils had nominated 54 Environment Champions.
- The Great Parish Tree giveaway had given 3,000 tree whips to 61 parishes. Although the whips were small, they had a higher success rate to mature.
- Further sites for more tree planning next year were sought.

- She had attended the launch of the Local Nature Partnership
- Dialogue with schools to provide materials and training to students had currently been paused.

In response to questions from Members, the Portfolio Holder for Environment and Chief Executive advised:-

- The battery storage facility was on target to be energised by the end of the month, however there may now be circumstances beyond the Council's control.
- The District Executive had agreed to rationalise its property portfolio but there was no decision to dispose of the Brympton Way offices and the Police would shortly be moving into the North end of the building.
- Officers were looking at all education stakeholders and Forest Schools would be included as well as the Caryford
- Prior to the Great Parish Tree Giveaway, parishes had been asked which trees were best for their area and so it was expected they would have collected the most appropriate for them.
- There would be an element of commission received from the electric vehicle charging points.

126. Chairman's Engagements (Agenda Item 7)

The list of Chairman's engagements were noted.

127. Presentation by the Alzheimer's Society (this item has been withdrawn from the Agenda) (Agenda Item 8)

It was noted that this item had been withdrawn from the Agenda and would be re-presented later in the year.

(a) Change to the Constitution - Delegation of Decision Making (Urgent Report)

The Chief Executive advised that most Council services were being delivered as normal but the coronavirus could affect business for a number of months. He felt that more demands would be made on the Council as people suffering hardship contacted us. He said that work was already underway with partners and voluntary groups to help the most vulnerable and those in self-isolation due to the virus.

He said following a telephone call with the Secretary of State, it was clear the Government wanted Councils to continue making decisions which affected the community and support local businesses. As Council meetings could not be held, he asked Members to put considerable trust in himself and his Directors to take the necessary decisions, in consultation with Members. It was hoped that virtual meetings with Members could be held when legally and technically possible. He concluded that once the crisis had passed, the provisions would cease.

During a lengthy debate, varying views were expressed. Whilst some members fully supported the need for the proposals, others expressed concern at delegating decision taking to officers alone and questioned the consultation which could take place.

The Monitoring Officer confirmed that consultation with Members was already part of the Council's Constitution and, as the virus progressed, there may be a need to change it quickly to adapt to the situation as advised by the Government. He also noted that the recommendations were to protect the Council as currently some decisions in the Constitution could only be taken by Full Council and the delegation to the Chief Executive and Directors meant if one fell ill then others could still act in an emergency situation.

An additional recommendation was proposed that the provisions be reviewed in 3 months time and this was seconded. On being put to the vote this was confirmed by 23 in favour, 3 against and 0 abstentions.

The full recommendations including the additional recommendation were then put to the vote and were confirmed by 24 votes in favour, 2 against and 0 abstentions.

RESOLVED: That Full Council agreed the following changes be made to the Council's Constitution:

- a. To amend Part 3, Responsibility for Functions, Sections 3 and 4 of the Council's Constitution to allow delegated authority to the Chief Executive, and to the relevant Director in the Chief Executive's absence where not already delegated, to take Executive and Quasi-Judicial decisions in consultation with the Leader of the Council (or Deputy) and the relevant Portfolio Holder, Ward Member and Committee Member if practicable, if meetings of the relevant committee are unable to be held;
- b. If legislation and technology allows, then enable Councillors to make decisions by remote, virtual meetings using available technology;
- c. That delegated authority be given to the Monitoring Officer and Chief Executive to amend the Constitution to reflect any further changes that are required as a direct result of Government Legislation /Guidance resulting from the coronavirus (COVID-19) situation;
- d. These changes in procedure will cease when the Government announces that the coronavirus (COVID-19) crisis is over and when normal meetings can resume.
- e. That these changes in procedure be reviewed in 3 months.

Reason: To ensure that the Chief Executive (and Directors if the Chief Executive is not available) have sufficient powers to allow the business of the Council to continue to function as Council meetings are postponed on Government advice during the current coronavirus (COVID-19) situation.

(Voting: 24 in favour, 2 against, 0 abstentions)

128. Adoption of the Yeovil Public Realm Design Guide as a Supplementary Planning Document (SPD) (Agenda Item 9)

The Portfolio Holder for the Yeovil Refresh project advised that the documents had been considered at a workshop and confirmed by District Executive. He said they would shape the future development within the town and he proposed they be confirmed by Council.

There was no debate. The proposal to endorse the Public Realm Design Guide and Shopfront Guide for adoption was seconded and unanimously confirmed by Members.

RESOLVED: That Full Council agreed to:-

- a. endorsed the attached Public Realm Design Guide for adoption. (Appendix A)
- b. endorsed the attached Shopfront Guide for adoption. (Appendix B)

Reason: To endorse the Yeovil Public Realm Design Guide to be adopted as a Supplementary Planning Document (SPD). which supports relevant policies in the Council`s adopted Local Plan (2006-2028) and completes Project P1 from the Yeovil Refresh.

(Voting: unanimous in favour)

129. Statutory Pay Policy Statement for Chief Officers 2020 21 (Agenda Item 10)

The Leader of Council introduced the report and thanked the Chief Executive, Directors and all staff for their work during the current circumstances.

There was no debate. The proposal to approve the proposed Statutory Pay Policy Statement for publication was seconded and unanimously confirmed by Members.

RESOLVED: That Council considered and approved the proposed Statutory Pay Policy Statement for publication

Reason: Section 38(1) of the Localism Act 2011 requires English local authorities to produce an annual statutory pay policy statement.

(Voting: unanimous in favour)

130. Report of Executive Decisions (Agenda Item 11)

The report of Executive decisions was NOTED.

131. Audit Committee (Agenda Item 12)

Members noted there had been no meeting of the Audit Committee since the last report to Council in February 2020.

132. Overview and Scrutiny Committee (Agenda Item 13)

The report of the Overview and Scrutiny Committee was NOTED.

133. Motions (Agenda Item 14)

The Portfolio Holder for Environment proposed her Motion to Council. She said the Time to Change Employer Pledge improved attitudes and behaviors towards mental health and helped to stop stigma, discrimination and isolation of people suffering. She asked that Members support the policy.

There was no debate. The Motion was seconded and unanimously confirmed by Members.

RESOLVED: That Council agreed that South Somerset District Council sign the Time to Change Employer Pledge.

Reason: The Employer Pledge and Employer Action Plan supports organisations to put in place best-practice interventions and policy to help staff work in ways that promote a positive mental wellbeing.

(Voting: unanimous in favour)

134. Questions Under Procedure Rule 10 (Agenda Item 15)

There were no questions submitted under Procedure Rule 10.

135. Date of Next Meeting (Agenda Item 16)

Members noted that the next scheduled meeting of the Full Council was a reserve date of 16th April 2020.

Unless there was any urgent business to progress on this date, the next scheduled meeting of the Full Council will take place on **Thursday, 21st May 2020 in the Council Chamber, Council Offices, Brympton Way, Yeovil commencing at 7.30 p.m.**

This is subject to any future Government advice on public meetings.

.....
Chairman

.....
Date

