



South Somerset District Council

Thursday 16th September 2021

6.30 pm

A virtual meeting using Zoom meeting software

All members of Council are requested to attend this meeting.

Any members of the public wishing to address the virtual meeting at Public Question Time need to email democracy@southsomerset.gov.uk by 9.00am on Wednesday 15 September 2021.

The meeting will be viewable online by selecting the meeting at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

For further information on the items to be discussed, please contact
democracy@southsomerset.gov.uk

This Agenda was issued on Wednesday 8 September 2021.

Jane Portman, Chief Executive Officer

**This information is also available on our website
www.southsomerset.gov.uk and via the Modern.Gov app**

South Somerset District Council Membership

Chairman: Paul Maxwell

Vice-chairman: Wes Read

Jason Baker
Robin Bastable
Mike Best
Neil Bloomfield
Dave Bulmer
Hayward Burt
Tony Capozzoli
Martin Carnell
Malcolm Cavill
John Clark
Nicola Clark
Louise Clarke
Nick Colbert
Adam Dance
Sarah Dyke
Karl Gill
David Gubbins
Peter Gubbins
Brian Hamilton
Mike Hewitson

Henry Hobhouse
Ben Hodgson
Charlie Hull
Kaysar Hussain
Val Keitch
Andy Kendall
Jenny Kenton
Tim Kerley
Mike Lewis
Mike Lock
Pauline Lock
Tony Lock
Kevin Messenger
Graham Oakes
Tricia O'Brien
Sue Osborne
Tiffany Osborne
Robin Pailthorpe
Oliver Patrick
Clare Paul

Crispin Raikes
David Recardo
Paul Rowsell
Dean Ruddle
Gina Seaton
Peter Seib
Garry Shortland
Alan Smith
Jeny Snell
Andy Soughton
Mike Stanton
Rob Stickland
Lucy Trimmell
Gerard Tucker
Linda Vijeh
Martin Wale
William Wallace
Colin Winder

Information for the Public

In light of the coronavirus pandemic (COVID-19), Full Council will meet virtually via video-conferencing to consider reports. As of 7 May 2021 some interim arrangements are in place for committee meetings.

At the meeting of Full Council on 15 April 2021 it was agreed to make the following changes to the Council's Constitution:

- a) To continue to enable members to hold remote, virtual meetings using available technology;
- b) To amend Part 3 (Responsibility for Functions) of the Council's Constitution to allow those remote meetings to function as consultative bodies and delegate decisions, including Executive and Quasi-Judicial decisions, that would have been taken by those meetings if the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 had continued in force to the Chief Executive (or the relevant Director in the Chief Executive's absence) in consultation with those meetings and those members to whom the decision would otherwise have been delegated under Part 3 of the Constitution;
- c) The delegated authority given under (b) will expire on 31 July 2021 unless continued by a future decision of this Council.

For full details and to view the report please see -

[Agenda for South Somerset District Council on Thursday 15th April 2021, 6.30 pm](#)

Further to the above, at the meeting of Full Council on 8 July 2021, it was agreed to extend the arrangements for a further 6 months to 8 January 2022.

For full details and to view the report please see –

[Agenda for South Somerset District Council on Thursday 8th July 2021, 6.30 pm](#)

Whilst the majority of Councillors will join this meeting using Zoom meeting software, a politically balanced quorum of 15 Councillors will also join the meeting from the Council Chamber to enable a vote to be taken.

The agenda, minutes and the timetable for council meetings are published on the Council's website – <http://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

Agendas and minutes can also be viewed via the modern.gov app (free) available for iPads and Android devices. Search for 'modern.gov' in the app store for your device and select 'South Somerset' from the list of publishers and then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

Public participation at meetings (held via Zoom)

Public question time

We recognise that these are challenging times but we still value the public's contribution to our virtual meetings. If you would like to participate and contribute in the meeting, please join on-line through Zoom at: <https://zoom.us/join> You will need an internet connection to do this.

If you would like to view the meeting without participating, please see:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

The period allowed for participation in Public Question Time shall not exceed 15 minutes except with the consent of the Chairman and members of the Committee. Each individual speaker shall be restricted to a total of three minutes.

If you would like to address the meeting at Public Question Time, please email democracy@southsomerset.gov.uk by 9.00am on Wednesday 15 September 2021. When you have registered, an officer will provide the details to join the meeting. The Chairman will invite you to speak at the appropriate time during the virtual meeting.

Virtual meeting etiquette:

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman will un-mute your microphone at the appropriate time.
- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

South Somerset District Council

Thursday 16 September 2021

Agenda

1. Apologies for Absence

2. Minutes

To approve and sign the minutes of the previous meeting held on Thursday, 19th August 2021.

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), 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.

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. 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.

4. Public Question Time

5. Chairman's Announcements

Items for Discussion

6. Chairman's Engagements (Page 6)

7. New Leisure Operator Introduction and Presentation (Pages 7 - 9)

8. Verbal update on the SSSC Environment Strategy (Page 10)

9. Additional Restrictions Grant - Discretionary Business Support Scheme (Pages 11 - 14)

10. Chard Regeneration Programme Finance Update (Pages 15 - 22)

11. Request for a General Dispensation for Councillors Attending Remote Meetings (Pages 23 - 25)

12. Report of Executive Decisions (Pages 26 - 29)

13. Audit Committee (Page 30)

14. Scrutiny Committee (Page 31)

15. Motions (Pages 32 - 34)

16. Questions Under Procedure Rule 10

There were no questions submitted under Procedure Rule 10.

17. Date of Next Meeting (Page 35)



Chairman's Engagements

The Chairman has been unable to attend many of his usual engagements due to cancellations and restrictions during the Covid-19 pandemic.

With restrictions easing in recent weeks, the Chairman has been able to attend the opening of the new pavilion facilities at Yeovil Recreation Centre on Wednesday 25th August.

The Chairman is due to attend the Somerset Medal Awards at Taunton Rugby Ground on Wednesday 15th September, hosted by the Chairman of Somerset County Council.

The Chairman is looking forward to resuming 'business as usual', all being well with the lifting of current Covid-19 restrictions.

New Leisure Operator Introduction and Presentation

Executive Portfolio Holder:	Cllr Mike Best, Health and Wellbeing
Strategic Director:	Nicola Hix, Director – Strategy and Support Services
Service Manager:	Brendan Downes, Lead Specialist, People, Performance and Change, Strategy and Commissioning
Lead Officer:	Lynda Pincombe, Specialist, Procurement,
Contact Details:	Lynda.Pincombe@southsomerset.gov.uk or 01935 462614

Purpose of the Report

1. This report is submitted for information and summarises the background to the appointment of the Council's new leisure operator, Freedom Leisure, and provides an overview of the presentation content to be made to members at committee.
2. Members are invited to ask any questions of Freedom Leisure personnel or the Portfolio Holder.

Public Interest

3. The operation of the Council's indoor facilities in Yeovil and Wincanton and Chard is managed by a specialist leisure operator, Freedom Leisure. The Council is interested in receiving periodic reports from the operator to ensure that they are delivering against agreed contract outcomes and maintaining a high quality leisure provision for residents, both within the centres and the wider community.

Recommendations

That Council :-

- a. Note and comment on the presentation.

Background

4. In April 2021, South Somerset District Council and DX formally approved the appointment of Wealden Leisure (trading as Freedom Leisure) as the Council's new leisure operator for the next 15 years, following a competitive tender process.
5. Freedom Leisure is a genuine not for profit organisation with HMRC approved exempt charity status. Freedom Leisure currently manage 106 facilities for 24 council partners, schools and academies and have a good record of accomplishment.
6. The leisure contract is expected to deliver the following key outcomes:



- a. Enhanced leisure centres by April 2022, through the Council investing capital in the centres using the expertise and knowledge of the contractor, which will provide more fit for purpose facilities for the next fifteen years and beyond including the new Chard Leisure Centre facility
 - b. Increases in participation at the leisure centres to more than 550,000 visits per annum, particularly from target groups, including people with disabilities, women and girls, young people, BME groups and older people
 - c. Improvements to customer satisfaction which will result in repeat visits
 - d. Improvements in health, such as a reduction in the number of people with diabetes, obesity levels or people who smoke
 - e. A partnership approach to delivery, reviewing performance and refining delivery to meet the needs of South Somerset residents
7. Performance monitoring reports are provided by Freedom Leisure utilising mutually agreed KPI's and metrics. These are reviewed quarterly by the contract manager and finance specialist together with the Freedom team and any corrective measures agreed.
 8. Performance and delivery plans (including the Active Community Plan) will be reviewed by a strategic review group every 6 months. This group will include the Director for Strategy, Commissioning and Support Services, Portfolio Holder for Health and Wellbeing, Property Specialist and the Healthy Self Reliant Communities COP lead.
 9. An executive report will be presented to members by Freedom Leisure on an annual basis. This report will look at past performance but also allow members to shape delivery plans for the forthcoming year.

Report Detail – Overview of Presentation

10. Freedom Leisure personnel deliver a PowerPoint presentation to members covering the following:
 - a. Introduction to Freedom Leisure
 - b. Performance in the first quarter and current direction of travel
 - c. Overview of:
 - i. Active Community Programme
 - ii. Capital works planned at Goldenstones, Wincanton Sports Centre and Weslands Sport and Leisure centre
 - iii. Opening of the new Chard Leisure Centre
 - d. Members questions

Financial Implications

11. There are no new financial implications.

Legal implications (if any) and details of Statutory Powers

12. There are no new legal implication in connection with this report.

Council Plan Implications

13. The effective management of the Council’s leisure centres contributes to Council Plan aim to “improve health and reduce health inequalities” and to help the Council “to build healthy, self-reliant, active communities” by:

Helping people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities

Carbon Emissions and Climate Change Implications

14. The investment proposals put forward by Freedom Leisure are projected reduce carbon emissions by a minimum of 269 tonnes per annum. Officers will use Public Sector Decarbonisation Scheme grant funding to further improve energy efficiency and carbon emissions at the leisure sites, but the precise impact of the potential additional measures are not yet known.

Equality and Diversity Implications

15. No new implications.

Privacy Impact Assessment

16. Completed.

Background Papers

Reports to District Executive – December 2020 and April 2021

Verbal Update on the SSDC Environment Strategy

Executive Portfolio Holders: Sarah Dyke, Environment
Strategic Director: Kirsty Larkins, Service Delivery
Contact Details: Katy.menday@southsomerset.gov.uk
Vicki dawson@southsomerset.gov.uk

The Portfolio Holder for Environment will provide Members with a verbal update on the progress of the schemes within the SSDC Environment Strategy.

Members will be invited to ask questions at the conclusion of the presentation.

Additional Restrictions Grant – Discretionary Business Support Scheme

Portfolio Holder: John Clark, Economic Development including Commercial Strategy
Strategic Director: Jan Gamon, Director Place and Recovery
Service Manager: Peter Paddon, Lead Specialist Economy
Lead Officers: Joe Walsh, Specialist Economy
Alison Hann, Specialist Revenues
Karen Case, Specialist Revenues
Contact Details: Joe.walsh@southsomerset.gov.uk or 01935 462289
Alison.hann@southsomerset.gov.uk
Karen.case@southsomerset.gov.uk

Purpose of the Report

1. To update Members on the previous Additional Restrictions Grant (AGR) schemes and to seek approval on future spend. This report was considered and supported by District Executive on 2nd September 2021.

Public Interest

2. This report reviews the Additional Restriction Grant (discretionary business grant) schemes run by South Somerset District Council and outlines the approach to future spend of grant funding received in July 2021.

Recommendations

3. That Full Council agrees to:-
 - a. delegate authority to the Director of Place and Recovery, in consultation with the Director for Service Delivery, Section 151 Officer and the Portfolio Holder for Economic Development, to allocate the remaining Additional Restrictions Grant funding. It is anticipated that this may include relevant grant schemes and business support initiatives consistent with the stated aims of the Recovery and Renewal Strategy, Council Plan and the Economic Development Strategy.

Background

4. This report refers to Coronavirus restrictions that commenced in November 2020 and does not detail grant schemes or restrictions that covered the period of the first set of national restrictions commencing in March 2020. The report focuses on Additional Restrictions Grant and not the mandatory schemes that SSDC have administered on behalf of Government.
5. The Additional Restrictions Grant (ARG) funding scheme aims to support businesses severely impacted by coronavirus restrictions when most needed. The ARG funding was



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provided to Local Authorities to use at their discretion, however we were encouraged to use this to primarily take the form of business support grants for businesses not eligible for Government schemes.

- Initially the ARG scheme was designed as a one off lump sum payment to Local Authorities to support businesses during the restrictions that commenced in November 2020. As the pandemic developed Government has provided further allocations. ARG allocations have been received in three tranches. At the time of writing, the table outlines how much money SSDC has received and how many businesses have been supported during each phase.

7.

	Amount awarded by Government	Funding allocated to businesses	Number of businesses supported
November Lockdown	£3,366,900.00	£230,668	214
January Lockdown + Top Up + February, March and April Payments	£1,495,417.00	£4,537,848	691
May Discretionary Restart	£1,265,306.00	£337,328	192
Total	£6,127,623.00	£5,089,844	*circa 700
Remaining funds		£1,037,779.00	

*Please note many businesses will have received repeat payment throughout the restrictions / grant schemes during the course of the restrictions.

- Since November 2020 South Somerset District Council has taken a pro-active approach to supporting local businesses with the ARG grants and therefore received its third allocation in July 2021. The ARG funding has allowed the council to support approximately 700 businesses between November 2020 and June 2021, in addition to over 1200 businesses supported through the Local Restriction Support Grant and Restart schemes (available to businesses who have a business rates valuation) totally a combined package of support that is in excess of £30million. The Council has seen this as a priority throughout the pandemic, and Officers have worked quickly and efficiently to ensure that payment was made as soon as possible for businesses whilst maintaining a thorough approach to managing risk.
- In order to support businesses efficiently grant schemes were developed with authorisation through delegated authority from the Chief Executive and relevant Directors. All grant schemes were discussed and approved by SLT / Gold Committee. Previous ARG schemes reflected the mandatory schemes that Government provided guidance on for those who have a business rates valuation.

Future Additional Restrictions Support Grant Funding

- As mentioned above, South Somerset District Council has received its third and final payment of £1,265,306.00. £227,527 of this funding has been used to support the 'ARG – Discretionary Restart Scheme' that was created to reflect the Government's Restart Grant Scheme for businesses who do not have a business rates valuation but were still significantly impacted by the pandemic.



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11. This means that South Somerset District Council currently has £1,037,779 remaining for future ARG spend between now and March 2022.
12. Officers are proposing that members agree to delegate authority to the Director of Place and Recovery, in consultation with the Director for Service Delivery, Section 151 Officer and the Portfolio Holder for Economic Development. This will enable SSDC to proceed efficiently with what is needed to enable businesses to recover and grow.
13. It is important to note that Government guidance on ARG spend limits some activity and allocations cannot support:
 - a) Businesses that have already received grant payments that equal the maximum permitted levels of subsidy will not be eligible to receive funding.
 - b) For the avoidance of doubt, businesses that are in administration, insolvent or where a striking-off notice has been made, are not eligible for funding under this scheme.
 - c) ARG funding should not be used as a wage support mechanism, for capital projects that do not provide direct business support, or to fund projects whereby Local Authorities are the recipients.
14. Under the ARG Guidance it states that Local Authorities can use ARG funding for business support activities. This may primarily take the form of discretionary grants, but Local Authorities could also use this funding for wider business support activities.
15. South Somerset District Council will be working closely with BEIS (Department for Business, Energy and Industrial Strategy) to ensure that future spend meets the Government's criteria.
16. It is intended that future spend will focus on two key areas. These are listed below with some examples of schemes that may sit beneath. Please note that schemes listed are only intended to be examples and further thought will be required to ensure that funding is best suited to the needs of business.
 - a) Business Grant Funding**
 - a) An exceptions scheme for businesses still in their recovery phase
 - b) Revitalisation grants
 - c) Innovation grants
 - d) Social Enterprise grants
 - e) Environmental grants (Build Back Greener)
 - b) Business Support Initiatives**
 - a) Continuation of the Somerset Catalyst Programme, a support scheme intended for high growth, innovative businesses
 - b) Support for business organisations that provide networking and business support opportunities (for example Chambers and business groups)
 - c) Support to convene and facilitate place leadership meetings whereby the business is the main beneficiary



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17. By delegating authority, officers will be able to proceed efficiently with what is needed to enable businesses to recover and grow. When allocating spend, Officers will consider existing Council strategies and policies, such as the Recovery and Renewal Strategy, Council Plan and the Economic Development Strategy.

Financial Implications

18. Funding has been awarded by Government and is intended to be spent by March 2022. Any remaining funds will be recovered by Government.

Legal implications (if any) and details of Statutory Powers

19. South Somerset District Council must ensure that it abides by the guidance provided by Government for the ARG funding.

Council Plan Implications

20. The Council Plan will be considered when making decisions, the most relevant areas include; Economy Areas of Focus, Priority Project 1 and Economy Area Chapters.

Carbon Emissions and Climate Change Implications

21. There are no carbon emissions or climate change implications as a direct result of this report.

Equality and Diversity Implications

22. All spend will consider equality and diversity implications.

Privacy Impact Assessment

23. All spend will consider privacy implications.

Background Papers

24. Government ARG Guidance - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/994386/additional-restrictions-grant-la-guidance.pdf

Chard Regeneration Programme Finance Update

Executive Portfolio Holders: Jason Baker, Area West Portfolio Holder
Peter Seib, Finance, Legal and Democratic Services
Director: Jan Gamon, Director of Place & Recovery
Lead Officers: Karen Watling, Interim S151 Officer
Ian Chilver, Interim Regeneration Accountant
Contact Details: Ian.Chilver@southsomerset.gov.uk or 07723 361692

Purpose of the Report

1. The purpose of this report is to consider the financial performance of the overall Chard Regeneration Programme, with particular reference to the changes which have shaped the evolution of the programme. This report was considered and supported by District Executive on 2nd September 2021.
2. District Executive noted at its meeting in July 2021 that the Director of Place and Recovery and the S151 Officer would report back to them in September after undertaking a deep dive review of the financial position of the programme.

Public Interest

3. This report describes the outcomes arising from the deep dive financial review recently undertaken by the Director of Place and Recovery and the Interim S151 Officer on the Chard Regeneration Programme and the resultant impact on the Council's overall financial position. It also gives a sketch of how the scope of the programme has changed over time and the impacts these have had on the Programme's finances. The Programme has resulted in a brand new, state of the art, Leisure facility for the residents of Chard and the surrounding area. However, there are lessons to be learnt arising from this Programme that could benefit the Council's other regeneration projects and officers are currently preparing a report for a future Strategic Development Board on these issues.

Recommendations

4. That the Full Council agrees to:
 - a) an increase to the Council's revenue budget for the additional financing and public realm costs as given in Table Three of this report;
 - b) the use of an additional £2m of the capital receipts earmarked reserve to fund the Programme as proposed by the interim Section 151 Officer and described in paragraph 14;



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- c) confirm that SSDC are keen to pursue Phase 2 but recognise that it is not feasible to enter into a Phase 2 programme of work at the current time, until significant external funding opportunities become available;
- d) the inclusion of the gross capital budgets, instead of only the net capital budgets, in the council's over capital programme for the Regeneration Programme (including the Chard Regeneration Programme), as proposed by the interim S151 Officer in paragraph 20.

Current Approved Budget

6. The Regeneration projects are funded through a budget allocation process which uses a net / gross approach to enable works to progress. The broad principle being that over time expenditure up to the gross sum is permissible with the aim of returning to the net budget position and with the net budget being the Council's total financial commitment to fund from its own resources. This approach to budgeting for the regeneration projects, including Chard Regeneration, was approved by Council on 17th May 2018.
7. The current approved net budget for Chard Regeneration is £3m and the gross budget is £20m.
8. The 17 May 2018 presentation to Council set out initial cost and income estimates for the Chard Regeneration programme. The budget is summarised in Appendix A and reflects the diverse range of initiatives that were then being proposed. The programme, as it has now evolved and is presented in this paper, retains many of the original schemes. However, it is fair to say that for a variety of reasons, including inability to secure funding and partner participation, as well as a significant increase in costs in the Leisure Centre construction compared to original estimates, some aspects of the programme will not reach completion.
9. One such aspect is the ambition for the Boden Mill, Holyrood Mill and the Boden Centre. Once completed, these residential development schemes were intended to fund costs elsewhere in the programme. The Boden Mill in particular faces challenges in order to prepare it for sale or development. An application has been made to the Brownfield Land Remediation Fund for £495k to assist with land decontamination and access issues. In the meantime, it is proposed that expenditure on these buildings is halted. However, they remain available for development and it is intended that they could be subject to a new programme in the future if the business case supports this.
10. In summary, the main elements of the programme that will now be delivered include the leisure centre, the High Street Action Zone (HAZ) which is part funded by Historic England, and additional public realm works. The significant elements of the HAZ scheme include building improvement grants and further public realm works.
11. The leisure centre is nearing completion and is expected to open to the public later this year, in November. Expenditure to date is £14.1m and forecast expenditure is £16.5m. The HAZ is in the second year of a 4 year programme.

12. Current expenditure forecasts are summarised in Table 1 below:

Table 1 - Gross Expenditure Forecast	£k
Leisure Centre Costs	16,504
HSHAZ - Town Centre Public Realm	1,537
HSHAZ - Building Improvement Grants and Other Costs	987
HSHAZ - Marketing Strategy	40
Public Realm - Leisure Centre	194
Public Realm - Other	229
Programme Management	225
Pre contract expenditure	248
TOTAL GROSS EXPENDITURE	19,964

Project Financing Forecast

13. Table 2 details how it is intended to fund the revised programme:

Table 2 - Project Financing	£k
Historic England High Streets HAZ Fund	(1,000)
Historic England 2021-22 HSHAZ uplift grant	(79)
Historic England HSHAZ Cultural Programme grant	(80)
Chard Town Council contribution	(116)
External Funding	(1,275)
Regeneration Fund	(2,000)
Medium Term Financial Support Fund	(413)
General Grant Reserves	(15)
Useable capital receipts	(3,000)
Area West Committee's Capital Reserve	(52)
Capital receipts from sale of ring fenced assets	(961)
SDCC Funding excluding External Borrowing	(6,440)
Borrowing Requirement	(12,249)
SDCC Funding including External Borrowing	(18,689)
TOTAL FUNDING	(19,964)

Note: bracketed figures represent income

14. Most of the specific funding elements are in line with the original funding estimates agreed by Council in 2018. However, £2m of additional useable capital receipts has been allocated to the Chard Regeneration Scheme as part of the annual financing of the capital programme undertaken at year end to prepare the Statement of Accounts. Whilst this exceeds the £1m initially approved, these additional monies will reduce the amount of borrowing required by the Council to fund the balance of this project and the interim S151 Officer recommends this increase. The useable capital receipts reserve stands at £18.075m as at 31/07/21 (this is the position after using the extra £2m to fund this programme).
15. It should be noted that the Regeneration ear-marked reserve currently contains £2.997m of resources (as at 31/07/21). This fund has benefitted from past contributions relating to the 2018/19 business rates pooling gain and the 2019/20 revenue surplus and £811k will also be added to the fund arising from the Business Rates Pooling Gain made in 2020/21. Future gains may arise in the two financial years 2021/22 and 2022/23 of £2m (although this figure is not guaranteed) which would also be added to the Regeneration Reserve for part funding this, as well as the other regeneration projects. If the gains are insufficient then the gap will need to be financed from further long-term council borrowing. Further information on this will be included in the MTFP refresh report that is going to District Executive in October 2021. An exercise will be undertaken to evaluate all of the funding expectations being placed on this reserve by the regeneration programme, including Yeovil and Wincanton, to fully understand any pressures that exist.
16. Assets with a value of some £2.4m were ring fenced to the project for sale, with the proceeds used to part fund the programme. To-date, no sales have been achieved. Due to the extent of works required to prepare the mill sites and the Boden Centre for sale, these have been removed from this sales schedule. All the remaining properties suffer encumbrances which include shared ownership and access issues. After allowing for these selling costs, it has been assumed that some 75% of the remaining assets' overall value could be achieved over the next three financial years (except the Essex Close Youth Club which is delayed until 2029/30). Progress on achieving these sales will be reported to District Executive as part of the quarterly budget monitoring process.
17. The remaining costs will need to be financed from long-term borrowing as the original plans for part-financing the programme such as making applications to grant making bodies (Sports England for example), undertaking residential development of the mill buildings to generate profits that could be used to finance the programme, and rental contributions from Somerset County Council to occupy space (for a library and for social services) have not come to fruition or are not, after detailed investigation, commercially viable.

Impact on SSDC's capital budget

19. Whilst the projected estimates are forecast to come under the approved gross budget by £36k (see table one) it is proposed to keep the gross budget as the current approval.

20. District Executive and Council are recommended by the interim S151 Officer to report its regeneration projects at the gross expenditure level only and to dispense with the concept of a Net Capital Budget. This will simplify financial reporting and make overall capital expenditure plans, their financing, and potential risks more transparent to key stakeholders. Consequently, no amended Net Capital Budget is given in this report.
21. If District Executive and Council agree with the interim S151's recommendation in paragraph 20 above, the impact on SSDC's capital budget will be an increase of £17m from the net current budget of £3m included in the approved capital programme. Approval from Council to increase the capital programme, to reflect the gross budgets of the Regeneration Programme, instead of net budgets, will be sought later in the year.

Impact on SSDC's revenue budget

22. It is forecast that the borrowing requirement to finance this programme will peak in the current financial year at £12.956m. As ring-fenced capital assets are sold, this will reduce to £12,249m in 2029/30 with the sale of the youth club.
23. The long-term borrowing requirement of £12.249m would result in average financing charges of £423k per annum. This includes both external interest charges and the requirement to set aside amounts to repay the loan principal (known as the Minimum Revenue Provision). Over a 50 year loan term the financing costs arising from this borrowing totals £21.2m.
24. If, in a possible downside case scenario, the Council needed to replace the funding from future capital receipts (£0.96m), and from future Business Rates Pool gains (£1.00m) with borrowing, the debt would extend to £14.21m. In this case, the associated average annual cost would be £491k and the financing costs over a 50 year loan period become £24.6m.
25. These cost estimates are based on the Council accessing a 50 year annuity loan from the Public Loans Work Board (PWL) at a prudent rate advised by our treasury management consultants, Arlingclose, of 2.40%. This is the "worst case" scenario as currently the council is borrowing well under this interest rate (using short term council to council borrowing) and it is intended to continue with this borrowing strategy over the next two years. In addition, external borrowing is only ever entered into when the overall cash flow forecast position of the council requires it. Much of the council's borrowing needs are first met by "internal borrowing", that is the temporary use of the council's cash resources instead of these being invested in bank and building society deposits. Given the very low rates of return the council receives from such deposits it is financially beneficial to the Council to use its cash to temporarily fund its borrowing needs.
26. One of the original project assumptions was that the management fee income the Council would receive from a leisure contractor operating the new facility would be sufficient to fund the costs arising from the borrowing needed and that there would therefore be no impact on the Council's revenue budget arising from this project. A report to District Executive and Council on 15 April this year gave information on the



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management fee income levels arising from awarding the leisure contract to Freedom Leisure for a 15 year contract period. It was mentioned in that report that the income fees level could have an impact on the overall financing of the Chard Regeneration Project and that further work would be done on the financial modelling of the project.

27. The management fee income agreed with Freedom Leisure for the new Chard leisure facility averages at £191k per annum over the length of the contract. The financial model used estimated fees supplied by a leading leisure consultant and discounted those by 10% for prudence. The model assumed £465k average income per annum.
28. Pursuant to the public realm works within this programme, there will also be a requirement to make payment for on-going maintenance works of the roads to the Highways Authority. This is estimated to cost £50k per annum.
29. Table 3 indicates the average net cost to the Council's revenue budget of the Chard regeneration scheme over the 15 year period of the management contract with Freedom Leisure. After this, the financing charges will continue for the 50 year borrowing period but there is no contracted management fee income.

Table 3 - Chard Regeneration Programme	
Average Annual Revenue Forecast	£k
Finance Costs (including short term finance costs)	427
s278 Highways Maintenance Charge	50
Adjusted Management Fee Income	(191)
NET INCREASE IN COSTS TO THE REVENUE BUDGET	286

30. The management contract also covers the Council's three other leisure centres in Yeovil and Wincanton. There is value in noting that the average annual management fee under the contract from these other centres is £232k after allowing for estimated decarbonisation costs and the financing costs of capital expenditure required to facilitate the contract. In addition, maintenance liabilities of £225k per annum, which historically remained with SSDC, will now fall to the operator, representing a saving to the revenue budget. It can be seen that this total average annual revenue saving of £457k more than offsets the increase in revenue budget costs from the new leisure centre at Chard.

Council Plan Implications

The Chard Regeneration Scheme is a specific objective of the Council Plan.



Carbon Emissions and Climate Change Implications

None

Equality and Diversity Implications

This report itself has no direct implications as it relates to financing approach.

Privacy Impact Assessment

There are no identified issues relating to this matter.

Background Papers

Report to Full Council 18 May 2018 - Budget for Chard Regeneration Programme and Yeovil Regeneration Programme

SSDC draft statement of accounts 2020/21
Report to District Executive – 02 September 2021

APPENDIX A
CHARD REGENERATION SCHEME
BUDGET – AS APPROVED BY COUNCIL ON 17 MAY 2018

	£k
Core Elements	
New Leisure Centre	7,500
Learning Centre & Boden Mill residential	2,500
Existing Museum & Boden Centre residential	250
Holyrood Lace Mill residential	3,000
Public realm and new town square	2,000
	<hr/> 15,250 <hr/>
Optional Elements	
Health Centre	1,500
Managed workspace	1,200
Food Prep Space	400
Indoor Market	600
Other project costs - demolition preliminaries contingency	1,500
	<hr/> 5,200 <hr/>
Soft Interventions	
Attracting Artisan & Independent Retailers	300
Access Strategy	5
Support for Market Development	2
Events and Promotion	60
	<hr/> 367 <hr/>
TOTAL	<div style="border: 1px solid black; padding: 2px; display: inline-block;">20,817</div>



Request for a General Dispensation for Councillors Attending Remote Meetings

Executive Portfolio Holder: Val Keitch, Strategy and Housing
Strategic Director: Nicola Hix, Strategy and Support Services
Lead Officer: Jill Byron, Monitoring Officer
Contact Details: Jill.Byron@southsomerset.gov.uk

Purpose of the Report

1. This report is to ask Members to approve a general dispensation under section 85 of the Local Government Act 1972 for any member of Council who, although not physically attending any in-person meetings over any six month period, attends at least 75% of the meetings they would normally be expected to attend in person on-line.

Public Interest

2. In the absence of a dispensation granted by the Council under section 85, any member of Council who fails to physically attend a meeting over a six month period will automatically cease to be a member by operation of law. As the Council has decided to continue to operate remotely for the time being, it is in the public interest to approve a general dispensation to ensure individual members who are attending meetings remotely in accordance with the Council's agreed procedures continue in office.

Recommendations

3. Council is asked to approve a general dispensation under section 85 of the Local Government Act 1972 for any member of Council who, although not physically attending any in-person meetings over any six-month period, attends at least 75% of the meetings they would normally be expected to attend in person on-line; this dispensation to last until 31 January 2022 and be reviewed as part of any review of the Council's remote consultative meeting and delegation arrangements.

Reason: to ensure the Council's decision to continue with remote consultative meetings does not cause any member attending meetings remotely to automatically cease to be a member under section 85 of the Local Government Act 1972.

Background

4. At the in person Full Council meeting on 8 July 2021, it was decided that Council and Committee meetings should continue to be held remotely as consultative meetings with all decisions (apart from those which could only be taken by full



Council) continuing to be delegated to the Chief Executive for a further six months from that date, ie: to 8 January 2022.

5. Under section 85 of the Local Government Act 1972, any member who fails over a period of six consecutive months from the date of their last attendance to attend any meeting of their authority shall, unless the failure was due to a reason approved by that authority before the expiry of that period (a Dispensation), cease to be a member of that authority. Meetings include:
 - (a) any Committee or Sub-Committee of the authority;
 - (b) any Joint Committee, Joint Board or other body discharging functions of the authority; and
 - (c) attendance as a representative of the authority at a meeting of an outside body;

but, since 7 May 2021, do not include on-line, remote meetings.

6. in the absence of a Dispensation members who were:
 - (a) physically present at the meeting of Council on 8 July 2021 will automatically cease to be members of SSDC on 9 January 2022 unless they have attended an in person meeting during those 6 months; and
 - (b) not physically present at the meeting of Council on 8 July 2021 will automatically cease to be members of SSDC on 7 November 2021 unless they have attended an in person meeting during those 6 months.
7. On 16 January 2014, as part of a decision to approve an individual dispensation for then Councillor Chainey, the Chief Executive has delegated authority to agree:

“any future dispensations under section 85, in the event of there not being a timely meeting of Full Council to consider the matter...having obtained the agreement of all of the Group Leaders prior to giving such approval [and] subject to the Chief Executive reporting dispensations agreed under this delegation to the next appropriate meeting of Full Council.”

However, as this is a general dispensation rather than an individual dispensation and there are meetings of Council before the first critical date of 7 November 2021, this matter is being referred to Full Council.

Financial Implications

8. Granting a general dispensation will allow the business of the authority to continue without the need for officers and members to spend time dealing with individual dispensations for members who are attending the on-line consultative meetings in line with attendance expectations. **Note:** holding council meetings on-line has resulted in budget savings in travel allowances to attend meetings. The amount varies from month to month but is in the region of £1,000 to £1,400 per month.



Legal implications (if any) and details of Statutory Powers

9. Section 85 of the Local Government Act 1972.
<https://www.legislation.gov.uk/ukpga/1972/70/section/85>

Council Plan Implications

10. Our Values: Getting things done - Empowering dedicated and flexible employees and elected members focussed on delivery

Carbon Emissions and Climate Change Implications

11. The use of Zoom software to hold virtual meetings has reduced the need to travel to attend Council meetings and therefore resulted in reduced carbon emissions from vehicles across the district.

Equality and Diversity Implications

12. There are no equality or diversity implications.

Privacy Impact Assessment

13. Not applicable.

Background Papers

Council minutes of 16 January 2014
Section 85 of the Local Government Act 1972.



Report of Executive Decisions

Executive Portfolio Holder: Val Keitch, Leader of Council, Strategy and Housing
Director: Nicola Hix, Strategy & Support Services
Lead Officer: Angela Cox, Democratic Services Specialist
Contact Details: angela.cox@southsomerset.gov.uk or (01935) 462148

Purpose of the Report

This report is submitted for information and summarises decisions taken by the Chief Executive and District Executive Committee at their meetings on 5th August, 17th August and 2nd September 2021.

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

Background Papers

All Published

Appendix A

Portfolio	Subject	Decision	Taken By	Date
Chairman of Area North	Community grant to Stoke Sub Hamdon Parish Council – referred from Area North	That following the endorsement by Area North Committee, the District Executive recommend that the Director for Strategy and Support Services award a grant of £17,245 to Stoke Sub Hamdon Parish Council towards the Hamdon Youth & Family Centre Refurbishment. The grant to be allocated from the Area North capital programme and subject to SSDC standard conditions for community grants (Appendix A).	Director for Strategy and Support Services	05/08/21
Protecting Core Services	Adoption of the Cyber Security Strategy	That District Executive recommends that the Director for Strategy and Support Services approves the draft Cyber Security Strategy for publication on the SSDC public website. That District Executive further recommends that the Director for Strategy and Support Services agrees that training in Cyber Security be mandatory for all Councillors.	Director for Strategy and Support Services	05/08/21
Strategy and Policy	Corporate Performance Report 2021-22:1 st Quarter	That District Executive noted and commented on the reports of the Council's agreed key performance indicators.	District Executive	05/08/21
Strategy and Housing Economic Development including Commercial Strategy	Scheme of Delegation for the A358 Taunton to Southfields Dualling	That District Executive recommend that the Director for Strategy and Support Services approves the Scheme of Delegation for the A358 Taunton to Southfields Dualling as set out in Appendix 1 of the report.	Director for Strategy and Support Services	05/08/21
Economic Development including Commercial Strategy	Additional Restrictions Grant – Discretionary Business Support Scheme	This report was recommended to Council and appears elsewhere on the agenda.		

Finance and Legal Services	Council Tax – Care Leavers Discount Review	That District Executive recommended that the Chief Executive agrees to:- a. approve the use of the Councils' local discretionary powers to increase the existing Care Leavers discount from April 2022. b. approve that the additional amount to fund the increase in the Care Leavers discount is added to the budget which currently funds Council Tax Discretionary reductions.	Chief Executive	02/09/21
Area West Portfolio Holder	Chard Regeneration Programme Finance Update	This report was recommended to Council and appears elsewhere on the agenda.		
Finance and Legal Services	2021/22 Revenue Budget Monitoring Report for the Period Ending 31 July 2021	That District Executive recommend that the Chief Executive agrees to:- a. note the 2021/22 forecast outturn on the revenue budget. b. note that work is currently being undertaken by the S151 Officer, along with finance and the Senior Leadership Team, on reviewing a number of budgets as part of the preparation for producing a refreshed Medium Term Financial Plan. The results of that work could impact on current financial year. c. approve the transfer of the COVID-19 LA Support Grant of £837,653 into an earmarked reserve. d. approve the budget virement of £150,000 detailed in paragraph 22. e. note the budget virements made under delegated authority as detailed in Appendix A; f. note the transfers made to and from reserves outlined in paragraph 24, the Area Reserves as detailed in Appendix B, and the Corporate Reserves as detailed in Appendix C.	Chief Executive	02/09/21

Economic Development including Commercial Strategy	Investment Asset Update Report	<p>District Executive recommend that the Chief Executive agrees to:-</p> <ul style="list-style-type: none"> a. note the resilience of the property investment portfolio throughout the Covid-19 pandemic; b. note progress made to date in acquiring new commercial property investments and the asset management following acquisition; c. note the return being achieved across the portfolio which is in line with the Council's target of 7% d. note progress being made in securing income from our existing assets and the contribution to the revenue budget towards the revised £3.35m target; e. note progress being made in disposals and transfers of existing assets, resulting in a reduction of future liabilities associated with these assets; f. approve the proposal for the reduction of requirement for reporting to the pre-Covid-19 frequency of every six months, rather than every three months, in light of the more settled economic landscape, with a quarterly dashboard type progress document. 	Chief Executive	02/09/21
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Audit Committee

Committee Chairman: Cllr Martin Carnell
Lead Officer: Karen Watling, Section 151 Officer
Contact Details: Karen.watling@southsomerset.gov.uk

This report summarises the items considered by the Audit Committee since the last report to Council in July 2021. The Audit committee met informally on the 29th July 2021. Minutes of the meeting can be viewed on the website at:
<http://bwvmgov03/ieListDocuments.aspx?MIId=2897&x=1>

After the meeting, Members received a Cyber Security Update delivered by the lead Specialist, Digital Change. This was a closed session due to the sensitive nature of the content.

Below are the items that have been considered.

- Internal Audit Progress Report 2021-22

The next meeting is scheduled to take place on the 30th September 2021 at 10:00am. This will be an informal meeting.

Martin Carnell
Chairman of Audit Committee



Scrutiny Committee

This report summarises the work of the Scrutiny Committee since the last report to Council in July 2021.

Since the last report, the committee have met informally 3rd August, 16th August (Special meeting) and 31st August. Minutes of the meetings can be viewed on the website at:

[Browse meetings - Scrutiny Committee \(southsomerset.gov.uk\)](https://www.southsomerset.gov.uk)

The Committee have continued to consider the reports going before District Executive and providing 'critical friend' challenge. Due to the pandemic situation, several of the scheduled reports due to Scrutiny Committee and Task & Finish work have been temporarily delayed.

The Committee continues to provide feedback and support to officers in relation to governance and policy development. The Committee have considered KPI's, CIL and also attended a briefing session on The Capital Investments Strategy.

The Task and Finish group for the Environment Strategy have continued to consider alternative scenarios for future energy use on SSDC's own estate. The Scrutiny & Member Development Specialist and Members of the T&F are now working on a report which evaluates all the evidence gathered and makes recommendations on how the council can transition to 100% renewable energy sources by 2030.

The Scrutiny and Member Development Specialist invites all members and officers to feed matters of interest into the scrutiny work programme. Anyone who wishes to submit an item/issue for scrutiny review can email stephanie.gold@southsomerset.gov.uk.

Gerard Tucker
Scrutiny Committee Chairman

Motions

The following motion has been submitted by Councillor Sarah Dyke:

Emergency Motion: End Misogyny and Male Violence against Women and Girls

The Council notes:

- Across the UK misogyny, harassment and violence towards women and girls is endemic.
- That like women and girls across the country our residents suffer harassment and abuse every single day. A 2021 YouGov national survey on behalf of UN Women UK <https://docs.cdn.yougov.com/864gu4fbok/YG-Archive-170321-UNWomenUK.pdf> found that among women aged 18-24:
 - 97% said they had been sexually harassed
 - 80% of women of all ages said they had experienced sexual harassment in public spaces
 - 90% of these women not reporting it as they don't believe it will make a difference
 - One in two women are sexually harassed in the workplace
 - One in three women will experience domestic violence in their lifetime
 - One in five women will be raped in their lifetime
 - Two women a week are killed by a current or former partner (this rose to three a week during lockdown)
 - Three women a week take their own lives following domestic abuse
- Studies have shown that the intersectional nature of discrimination means that women with additional protected characteristics, such as those who are Black, Asian or Ethnic Minority communities, deaf and disabled or LGBT+, are even more likely to experience harassment, discrimination and abuse. Women from diverse backgrounds experience abuse differently and male power is used against them differently.
- The ONS reported <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/sexualoffencesvictimcharacteristicsenglandandwales/march2020> that last year alone 618,000 women were victims of a sexual assault or an attempted sexual assault by a man.
- In the year to March 2020, just 1.4% of rape cases recorded by police resulted in a suspect being charged (or receiving a summons).
- That the Law Commission is currently reviewing all current hate crime legislation to consider whether any additional characteristics, including misogyny, should be granted legal protection, and is due to report back to Parliament in late 2021.
- The Government announced in March that from Autumn Police Forces will record misogyny as a hate crime on an "experimental basis", following years of campaigning from Women's Groups and campaigners.

The Council believes:

- That male violence against women and girls is part of a broader culture of misogyny in society.
- Perpetrators of serious violence usually have a history of inflicting abuse and harassment against other women and girls. Tackling violence against women and girls means dismantling this culture.
- The seeds of violent behaviour are often sown at a young age and if the right interventions are not made in time then the problem continues to perpetuate.
- It also means tackling other forms of discrimination and the economic system that further enables abuse against women and girls.
- That a justice system that allows one of the most heinous crimes to be effectively decriminalised is not fit for purpose. Sustained cuts to all elements of the justice system, as well as institutional misogyny, mean that crimes against women and girls that are reported are not effectively investigated by the police. The decision to fail to resource this work is a political choice.

The Council resolves:

- To ensure that SSDC continues to do everything in its power to build a district free from misogyny and violence against women and girls. This includes continuing to invest in vital services, listening and responding to women and girls about the action needed, and calling out misogyny and sexism wherever we see or hear it.
- That it is vital that women's and girl's voices are heard; and that the Council will bring forward a process that proactively encourages and listens to women's voices across the district. This task force will seek to involve all women Councillors.
- To promote the Our Streets Now campaign to make street harassment a crime, and encourage all elected members, and residents to sign their petition.
- Call on the government to ratify the Istanbul Convention on preventing and combatting Violence Against Women and Girls, to ratify the International Labour Organisation's No.190, recognising the right of everyone to work free from gender based violence and harassment and to make street harassment a criminal offence.
- To call on the Government to provide the resource and funding for police forces across the UK to effectively tackle harassment, misogyny and domestic abuse.
- To call on Avon and Somerset Police to record harassment of women and girls as a hate crime as soon as possible, not wait until they are required to do so.
- To call on Avon and Somerset Police to prioritise investigating crimes against women and girls and ask them to ensure that women and girls are treated with the required sensitivity.



- To work with Avon and Somerset Police on improving women's safety in South Somerset.
 - To continue to work with local and national networks working to end violence against women and girls
 - To call on the County Council to work with schools and families to tackle toxic masculinity culture, and to educate men through campaigns and bringing in male "allies".
 - To become a White Ribbon Accredited Organisation.
<https://www.whiteribbon.org.uk/organisations>
-



Date of Next Meeting

Members are asked to note that the next scheduled meeting of the Full Council will take place on **Thursday 21st October 2021** as a virtual meeting using Zoom meeting software **commencing at 6.30 p.m.**
