

South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Thursday 16 December 2021** at the Westlands Entertainment Venue - WestlandsYeovil.

(6.30 - 8.25 pm)

Present:

Members: Councillor Paul Maxwell (Chairman)
Councillor Wes Read (Vice-Chairman)

| | | |
|----------------|-----------------|-----------------|
| Jason Baker | Charlie Hull | David Recardo |
| Mike Best | Kaysar Hussain | Dean Ruddle |
| Dave Bulmer | Val Keitch | Gina Seaton |
| Tony Capozzoli | Andy Kendall | Peter Seib |
| Martin Carnell | Jenny Kenton | Garry Shortland |
| Adam Dance | Tim Kerley | Jeny Snell |
| Karl Gill | Mike Lewis | Lucy Trimnell |
| Brian Hamilton | Tony Lock | Linda Vijeh |
| Henry Hobhouse | Kevin Messenger | Martin Wale |
| Ben Hodgson | Graham Oakes | Colin Winder |

Also Present on-line:

| | | |
|----------------|-----------------|-----------------|
| Robin Bastable | Charlie Hull | Clare Paul |
| John Clark | Mike Lock | Crispin Raikes |
| Nicola Clark | Pauline Lock | Paul Rowsell |
| Nick Colbert | Tricia O'Brien | Andy Soughton |
| Sarah Dyke | Sue Osborne | Mike Stanton |
| David Gubbins | Tiffany Osborne | Gerard Tucker |
| Peter Gubbins | Oliver Patrick | William Wallace |

Officers:

| | |
|----------------|--|
| Jane Portman | Chief Executive |
| Jan Gamon | Director (Place and Recovery) |
| Nicola Hix | Director (Support Services & Strategy) |
| Kirsty Larkins | Director (Service Delivery) |
| Jill Byron | Monitoring Officer |
| Karen Watling | Chief Finance Officer (S151 Officer) |
| Jessica Power | Lead Specialist (Strategic Planning) |
| Stephanie Gold | Specialist (Scrutiny & Member Development) |
| Angela Cox | Specialist (Democratic Services) |
| Becky Sanders | Case Officer (Strategy & Support Services) |

76. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Neil Bloomfield, Hayward Burt, Malcolm Cavill (dispensation granted), Louise Clarke, Mike Hewitson and Rob Stickland.

77. Minutes (Agenda Item 2)

The minutes of the previous meeting held on Thursday 21st October 2021 were approved as a correct record of the meeting and signed by the Chairman.

78. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by Members.

79. Public Question Time (Agenda Item 4)

A resident of Chard addressed the meeting regarding the ongoing regeneration of the town. He said that he was passionate about the town and wished to see it improved and wished to be involved in the regeneration project. He asked if it was possible to find out the various projects, their costs and assist with them.

The Chairman thanked the resident for his offer of assistance and asked that Councillor Jason Baker, as Portfolio Holder for the Chard Regeneration Project arrange to meet with him and officers involved in the project.

Councillor Baker noted that the resident had met with two officers involved in the regeneration project and the questions raised would be followed through.

80. Chairman's Announcements (Agenda Item 5)

The Chairman reminded Members that only those present in the room could vote on any agenda item.

The Chairman reminded all members to check their SSDC emails regularly. He said there were a number of training events coming up and communications and briefings around the Local Government Review which Members should not miss.

The Chairman asked that Members support the Christmas Raffle in aid of the Yeovil Hospital Charity which he said played a vital role in the district and the wider area.

At the conclusion of the meeting, Members paid tribute to Councillor Linda Vijeh, who had announced her intention to resign as a District Councillor at the end of the month.

Councillor Vijeh responded that she had no misgivings in retiring after 19 years as a District Councillor and becoming a Unitary Authority was the way forward for Somerset.

81. Chairman's Engagements (Agenda Item 6)

The list of Chairman's engagements were NOTED.

82. SSDC Health and Safety Policy (Agenda Item 7)

The Portfolio Holder for Strategy and Housing introduced the report and invited questions from Members.

In response to questions from Members, the Portfolio Holder for Strategy and Housing confirmed that there would be training on health and safety for Councillors and responsibilities during site and home visits.

The Lead Specialist – Strategic Planning advised that she would follow up the point raised regarding the recording of checks made on fire doors and fire escapes.

(Subsequent to the meeting, Lead Specialist – Strategic Planning confirmed that checks were carried out on fire doors and fire escapes and a checklist was used for the assessment and records were kept for the Brympton Way offices. The Property Services Team were planning a full review of fire procedures and would ensure this process was replicated at all SSDC sites).

At the conclusion of the debate, Members unanimously agreed to adopt the updated Health and Safety Policy.

RESOLVED: That Full Council agreed to:-

- a. note the contents of the report;
- b. approve the adoption of the updated Health and Safety Policy as detailed in Appendix A;
- c. delegate the power to make any minor amendments to the Health and Safety Policy to the Lead Specialist – Strategic Planning in consultation with the Director of Strategy and Support Services and the Portfolio Holder for Health and Safety.

Reason: To confirm the adoption the updated SSDC Health and Safety (H&S) Policy.

(Voting: unanimous in favour)

83. Joint Scrutiny for Local Government Review (Agenda Item 8)

The Leader of Council and Portfolio Holder for Strategy and Housing advised that the Joint Scrutiny Committee was required and she proposed nominating Councillors Brian Hamilton and Paul Maxwell as members of the Scrutiny Committee. She noted that the Committee would meet 2 or 3 times before the Unitary Council elections in May 2022.

The proposal was seconded by Councillor Mike Best and was unanimously agreed by Members.

RESOLVED: That Full Council:-

- a. approved the establishment of a Joint Scrutiny Committee together with the County Council and three other District Councils in Somerset constituted in accordance with and having the roles and responsibilities set out in the Terms of Reference attached at Appendix 1 (“Terms of Reference”).
- b. appointed Councillors Brian Hamilton and Paul Maxwell to the Joint Scrutiny Committee, as politically proportionate and based upon the political makeup of this Council.

Reason: To agree the establishment of a Joint Scrutiny Committee (“JSC”) to scrutinise the work of the Local Government Review Joint Committee.

(Voting: unanimous in favour)

84. Quarter Two Revenue budget monitor and proposed 2022/23 Revised Estimates (Agenda Item 9)

The Portfolio Holder for Finance and Legal Services noted there were a number of factors affecting the budget although a small underspend was currently predicted at the year end. He drew Members attention to table 1 which summarised the current financial position and the forecast outturn at year end. The virement proposed would allow the retention of key staff on fixed term contracts until the vesting day of the new Unitary Authority. Fees and charges had been impacted by Covid and he noted the proposed changes to earmarked reserves in tables 5 and 6. He concluded by proposing the recommendations to Council.

In response to questions from Members, the Portfolio Holder and the Chief Finance Officer advised:-

- The transfer from Reserves was to fund the large capital programme.

- In the past a nominal charge was made to commercial acquisitions as external borrowing costs, however, as borrowing was now across the Council, the charge was no longer required. The nominal charge was also higher than actually paid as it assumed higher interest rates.
- The useable capital reserves were being used to fund agreed projects within South Somerset and this would reduce external borrowing and associated charges in the future.

At the conclusion of the debate, the recommendations were proposed and seconded and confirmed by 28 votes in favour with 2 abstentions.

RESOLVED: That Full Council:-

- approved Revised Estimates for the 2021/22 revenue budget as shown in Table One and as described in paragraphs 9 to 33 in this report.
- approved the deletion and the consequential movement of reserve balances as set out in Table Five.
- noted the forecast year end reserves position shown in Appendix B and described in paragraphs 56 and 57.

Reason: To approve the Revised Estimates for the 2021/22 revenue budget based on quarter two actuals and forecasts of the year end position.

(Voting: 28 in favour, 0 against, 2 abstentions)

85. Quarter Two Capital budget monitor and proposed 2022/23 Revised Estimates (Agenda Item 10)

The Portfolio Holder for Finance and Legal Services introduced the report and drew Members attention to pie chart one in the report which detailed the capital expenditure particularly towards the Chard regeneration programme and pie chart two which highlighted that the majority of the financing of the capital programme was from grants, capital receipts and reserves. He said the key issue was the movement of reserves to reduce the external borrowing and provide certainty to the projects, particularly the regeneration projects. He proposed the recommendations and they were seconded by Councillor Henry Hobhouse.

There were no questions and the recommendations were confirmed by 28 votes in favour, 1 against and 1 abstention.

RESOLVED: That Full Council agreed:-

- the revised Capital Estimates for the financial year 2021/22 of £42.965m (as described in paragraphs 11 to 17 and as shown

in detail in Appendix A).

- b. the removal of the unspent Commercial Investment budget from the capital programme (of £8.643m) and the cessation of investment purely for yield capital expenditure from December 2021 (as described in paragraphs 31 to 40).
- c. to increase the capital programme by £482k to fund capital works on the Council's Commercial Property Portfolio as described in paragraph 15.
- d. to increase the programme by £600k to fund a potential strategic property acquisition for regeneration purposes (and not purely for yield) as described in the confidential Appendix B.
- e. revised capital funding plans as described in paragraphs 23 to 29 including the approval to use £20.2m of corporate Council earmarked reserves to fund expenditure in this financial year as follows:
 - i. The allocation of £2m of the Useable Capital Receipts earmarked reserve to the Octagon Theatre Project to fund estimated expenditure for this and next financial year.
 - ii. The use of the remaining amount currently in the Useable Capital Receipts earmarked reserve, of £16m, to fund the revised 2021/22 capital programme.
 - iii. The use of the Capital Fund earmarked reserve of £1.167m to fund the revised 2021/22 capital programme.
 - iv. The use of the Commercial Investment Risk Reserve of £482k to fund capital works required on the Council's commercial property portfolio in 2021/22.
 - v. The use of the Cremator Replacement Capital Reserve of £549k to part fund the Yeovil Crematorium Project in 2021/22.

Reason: To approve the Revised Capital Estimates for 2021/22 along with revised capital funding plans including the approval to use Council earmarked reserves to fund expenditure in this financial year.

(Voting: 28 in favour, 1 against, 1 abstention)

86. 2021/22 Treasury Management Mid-Year Performance Report and Strategy Update (Agenda Item 11)

The Portfolio Holder for Finance and Legal Services advised that the treasury management was required to be reviewed mid year and at the year end and a statement made on its soundness. He proposed the recommendations and they were seconded by Councillor Mike Best.

There was no debate and Members confirmed the updated Treasury Management Strategy Statement and Investment Strategy by 29 votes in favour and 1 abstention.

RESOLVED: That Full Council approved the updated Treasury Management Strategy Statement and Investment Strategy.

Reason: To endorse the Council's 2021/22 mid-year treasury performance report as required by CIPFA's Treasury Management Code.

(Voting: 29 in favour, 0 against, 1 abstention)

87. Proposal to opt into the national scheme for external auditor appointments from April 2023 - recommendation from Audit Committee (Agenda Item 12)

The Portfolio Holder for Finance and Legal Services advised that the pooling proposal would allow the Council to buy audit services at advantageous rate and would bring consistency across local government.

The Chairman of the Audit Committee advised that the vast majority of Local Authorities opt into the scheme and it was expected that the other Somerset authorities would also be joining the same scheme.

There was no debate and members unanimously agreed the recommendations as proposed.

RESOLVED: That Full Council agreed to:-

- a. accept the Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors for the five financial years from 1 April 2023.
- b. delegate authority to the Chief Finance Officer (S151 Officer) to sign the Notice of Acceptance of the invitation to opt in.
- c. note that newly established local government bodies have the right to opt into PSAA's scheme under Regulation 10 of the Appointing Person Regulations Act 2015, which will enable the new unitary council to consider opting in to PSAA's scheme or make alternative arrangements when legally

constituted.

Reason: To agree accept the Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors for the five financial years from 1 April 2023.

(Voting: unanimous in favour)

88. Review of Remote Meetings after 8th January 2022 (Agenda Item 13)

The Leader of Council advised that she had recently spoken to a Government Minister and it appeared there was no parliamentary time to discuss the return to on-line meetings for local authorities which was a concern amid the recent rise in Covid infections. She noted that only half of Members had attended the meeting that evening and therefore it was proposed to keep consultative committee meetings on-line with appropriate delegation of decisions to the Chief Executive with the exception of Full Council. She noted there were a number of vulnerable Members who did not wish to attend in-person meetings who would not be able to vote.

In response to questions, the Monitoring Officer advised:

- Officers were holding as many on-line meetings as possible.
- The intention was to only hold meetings of Full Council in person.
- The situation would be constantly under review if there were any changes in the law to allow on-line voting or meetings.

During discussion, the following points were made:

- SSDC relied upon the diversity of its Councillors to reach decisions but at the current time many would be excluded if in-person meetings were held.
- Councillors joining a meeting on-line could not propose any amendments to a motion.
- The Government have had a long time to resolve this issue and it was not acceptable that Councillors right to vote was taken away from them.
- The risk in holding in person meetings was not acceptable when there was a safe on-line democratic meeting solution.
- Council meetings were now starting earlier which was difficult for some people and consideration should be given to starting at 7.00pm.
- Councillors joining meetings on-line should still be able to vote as if they were attending in person.
- If the issue of phosphates on the levels were resolved early in the new year, there was the possibility to return to in-person meetings before July 2022

The Chairman advised that both Councillors and officers were doing their best in difficult circumstances.

At the conclusion of the debate, the recommendation to continue to hold SSDC meetings on-line, with the exception of Full Council, was proposed and seconded and confirmed by 29 in favour, 0 against and 1 abstention.

RESOLVED: That Full Council agreed that the delegation of decision making given by Council on 8 July 2021 (minute 26) be extended for a further period of six months to 8 July 2022 for all meetings apart from Council itself, which will now be in person with appropriate social distancing measures and with provision for remote attendance by vulnerable members and additional appropriate provision for in person or remote attendance by members of the public and officers.

Reason: To continue the decisions of Council taken on 15 April and 08 July to continue to hold some meetings of the Council on-line

(Voting: 29 in favour, 0 against, 1 abstention)

89. Yeovilton and Limington Community Governance Review - first consultation response (Agenda Item 14)

The Portfolio Holder for Finance and Legal Services advised that this was the standard report to Council at the mid-point of the review and he proposed the recommendations which were seconded by Councillor Tony Capozzoli.

In response to a question, the Portfolio Holder for Finance and Legal Services confirmed that the Local Plan considered settlements and not individual civil parishes when determining the sustainability of proposed developments. Councillor Capozzoli also confirmed that the villages in the Yeovilton parish were considered as a cluster for sustainability for future development.

At the conclusion of the debate, a vote was taken and Members unanimously agreed the recommendations.

RESOLVED: That Full Council agreed to:-

- a. note the results of the consultation;
- b. note that the majority of responses received were in favour of the original proposals by Yeovilton Parish Council and Limington Parish Meeting and therefore the draft recommendation for further consultation be: "To accept the vote from the people of Yeovilton and Limington and to form a single parish council to be named "Yeovilton and District Parish Council".

- c. agree to publish the results of the consultation;
- d. note that a further period of consultation on the results of the initial consultation responses will take place;
- e. note that a further report will be brought to Council in February 2022 in order that a decision may be made in respect of the final recommendations of the Review.

Reason: To agree the outcome of the initial public consultation (Community Governance Review) which has taken place in the parishes of Yeovilton and Limington on the proposal to join the two parishes together (under the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007).

(Voting: unanimous in favour)

90. Report of Executive Decisions (Agenda Item 15)

The Leader of Council introduced the report and invited questions. She commended officers for their work in the Covid recovery programme.

The Council NOTED the report.

91. Audit Committee (Agenda Item 16)

The Chairman of the Audit Committee presented the report and he thanked officers for the training provided to them by CIPFA and the Finance Team in readiness for signing off the Statement of Accounts which he said had been invaluable.

The report was NOTED.

92. Scrutiny Committee (Agenda Item 17)

The Chairman of the Scrutiny Committee introduced the report and said although they were currently undertaking a particular project, there was capacity to undertake further project work.

The report was NOTED.

93. Motions (Agenda Item 18)

There were no Motions submitted by Members.

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

There were no questions submitted under Procedure Rule 10.

95. Date of Next Meeting (Agenda Item 20)

Members noted that the next scheduled meeting of Full Council would take place on Thursday 20th January 2022 at the Westland Entertainment Venue, Yeovil commencing at 6.30 p.m

96. Exclusion of Press and Public (Agenda Item 21)

The Chairman asked the Members present in the room to agree to hear the following item in confidence and this was agreed without dissent.

RESOLVED: That the following item be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 1: Information relating to any individual, and Paragraph 2: Information which is likely to reveal the identity of an individual.

97. Confidential Staffing Matter - verbal report from the Chief Executive (Agenda Item 22)

The Chief Executive provided a verbal report on a confidential staffing matter and answered Members questions on points of detail.

The verbal report was NOTED.

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Chairman

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Date