

South Somerset District Council

Minutes of a meeting of the **District Executive** held as a **Virtual Meeting using Zoom meeting software on Thursday 7 July 2022.**

(9.30 - 11.50 am)

Present:

Councillor Val Keitch (Chairman)

Jason Baker
John Clark
Nicola Clark
Adam Dance

Sarah Dyke
Tony Lock
Peter Seib (Vice Chair also in the
Chair)



Also Present:

Ray Buckler
Sue Osborne
Andy Kendall

Gina Seaton
Gerard Tucker
Martin Wale

Officers:

Jane Portman
Jill Byron
Karen Watling
Robert Orrett
Peter Paddon
Lynda Pincombe
Natalie Fortt
Jo Wilkins
Catherine Thompson
Stephanie Gold
Angela Cox
Becky Sanders

Chief Executive
Monitoring Officer
Chief Finance Officer (S151 Officer)
Commercial Property, Land & Development Manager
Acting Director (Place and Recovery)
Specialist (Strategic Planning)
Regeneration Programme Manager
Specialist (Strategic Planning)
Specialist (Benefits)
Specialist (Scrutiny & Member Development)
Specialist (Democratic Services)
Case Officer (Strategy & Support Services)

Note: All decisions were approved without dissent unless shown otherwise.

12. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meeting held on Thursday 9th June 2022 were approved as a correct record and would be signed by the Chairman.

13. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Mike Best and Peter Gubbins.

14. Declarations of Interest (Agenda Item 3)

Councillor John Clark declared a personal interest in Agenda item 11: Wincanton Regeneration Scheme: Change of Scope, as a Trustee of the Board of Bath Opera who were a beneficiary of grants from the Wincanton Regeneration Board.

15. Public Question Time (Agenda Item 4)

It was noted that a member of the public would speak at agenda item 11.

16. Chairman's Announcements (Agenda Item 5)

The Chairman advised that her internet connection was not good and the Vice-Chairman may chair parts of the meeting.

17. Leisure Operator Introduction and Presentation (Agenda Item 6)

The Chairman and the Specialist for Procurement both welcomed and introduced the officers and Chief Executive of Freedom Leisure who attended to provide a presentation on the work of the group (presentation slides attached as a supplement to the agenda).

In response to a question, the officers of Freedom Leisure advised:

- They were now running This Girl Can classes as instructors had attended qualifying classes. This was a nationwide campaign to encourage women to take up exercise.
- The Active Communities Manager and her officer had approached groups and associations to encourage women to attend and start new exercise classes.
- The classes included ladies badminton and walking netball to encourage women back to sports they may have played in the past.
- A ladies weightlifting class was helping to improve bone density in later life.
- Adult swim classes were open to both men and ladies.

At the conclusion of the presentation, several Councillors thanked the officers from Freedom Leisure for attending and providing a very detailed presentation and for their environmental improvements to the leisure centre buildings.

The presentation was NOTED.

18. Discretionary Energy Rebate Scheme Policy (Agenda Item 7)

The Portfolio Holder for Finance and Legal Services introduced the report and reminded Members of the Government's £150 rebate to Council Tax payers in property bands A to D announced in February 2022 and the £298,315 grant to distribute through a discretionary fund to cover those missed by the £150 grant. The proposed three step scheme has been agreed by all Somerset Councils and was supported by South Somerset Citizen's Advice. He outlined the 3 proposed schemes to assist eligible residents with rising energy costs and he proposed that the scheme be recommended to Full Council for approval.

In response to questions from the Scrutiny Committee, the Portfolio Holder advised:-

- The County scheme was independent to the one proposed.
- The level of the funding reflected the quality of the Council Tax support scheme as SSDC had been able to assist residents through that scheme so there were less qualifying for the hardship scheme which left more funding to distribute.
- The equalities impact assessment attached to the report demonstrated the positive outcomes for the different protected groups of residents.

At the conclusion of the debate, Members were content to recommend the Discretionary Energy Rebate Scheme to Council for approval.

RESOLVED: That District Executive recommend that Full Council agree to endorse the Discretionary Energy Rebate Scheme.

Reason: To agree the Energy Rebate Discretionary Scheme Policy that has been developed in collaboration with Somerset West & Taunton, Sedgemoor and Mendip District Councils to support those suffering financial hardship as a result of the rising cost of living.

19. Review of 2022/23 Capital Programme (Agenda Item 8)

The Portfolio Holder for Finance and Legal Services advised that there may be some future calls on the Corporate Capital Contingency Budget as detailed in the report and particularly the recommendation to agree additional funding towards the Ham Hill Project. The request for additional funding for the Ham Hill project was largely due to increased construction costs although the Heritage Fund grant had been increased.

In response to questions from the Scrutiny Committee, the Portfolio Holder advised:-

- Each call on the contingency fund required a decision to release funding so as each scheme came forward then the fund was reviewed. In the event that the Corporate Capital Contingency Budget Other was exhausted then sources of funding may be sought or the scheme may be discontinued.

The Portfolio Holder proposed that the recommendations be confirmed by the Chief Executive. This was seconded and agreed by Members.

RESOLVED: That District Executive:-

- a. noted the possible future calls on the Corporate Capital Contingency Budget during 2022/23, as currently foreseen by Senior Leadership Team.
- b. recommended that the Chief Executive agrees to fund £125k from the Corporate Capital Contingency Fund towards the Ham Hill Project.

Reason: To note the future potential calls on the 2022/23 Corporate Capital Contingency Budget and agree additional funding for the visitors centre at Ham Hill.

20. 2021/22 Revenue Budget Outturn Report (Agenda Item 9)

The Portfolio Holder for Finance and Legal Services thanked the Finance staff for providing a clear report of the revenue budget outturn. He noted the £18,000 underspend and the main budget variances and key spending pressures listed in the report. He also noted the capital financing charges and the recommendation from the Chief Finance Officer that a provision be made in the reserves for a minimum revenue provision. He proposed that the recommendations be agreed by Members.

The Scrutiny Committee Chairman said they had raised some questions relating to finance but he would raise them later in the meeting under Agenda item 12.

The recommendations were seconded and agreed by Members.

RESOLVED: That District Executive:-

- a. noted the outturn report position as set out in Table One;
- b. recommended that the Chief Executive approves the transfer of the 2021/22 underspend of £900k to the General Fund reserve, as set out in paragraphs 12.
- c. recommended that the Chief Executive approves the creation

of a new earmarked reserve for potential Minimum Revenue Provision (MRP) costs and the transfer of £444k into this reserve as set out in paragraph 18 to 23.

Reason: To note the actual spending and income (“outturn”) against the Council’s approved Revenue Budget for the financial year 2021/22, and provide explanations on the key variances against the approved budget.

21. 2021/22 Capital Budget Outturn Report (Agenda Item 10)

The Portfolio Holder for Finance and Legal Services thanked the finance team for providing a comprehensive report. He noted the key features of the capital programme in section 9 of the report and he corrected the fourth bullet on page 48 of the agenda report to read ‘£348k commercial loan to Somerset Waste Partnership – for vehicles’ and not £348m. He drew Members attention to Chart Two on page 49 which detailed the capital expenditure against original and revised budgets which had significantly increased due to investment in income generation, which had now ceased. He proposed that the recommendations be agreed whilst noting that the SCC Executive had given general consent under the Section 24 Direction.

In response to questions from the Scrutiny Committee, the Portfolio Holder for Environment and the Commercial Property, Land and Development Manager and Chief Finance Officer advised:-

- The provision of electric vehicle charging points across the district had now started.
- The second cremator at the crematorium had been delivered and would be commissioned very shortly (September/October).
- The Green Homes Grant had provided energy improvement grants to park homes across Somerset and had been funded by the Department for Business, Energy & Industrial Strategy from a joint bid from all the Somerset District Councils.

During discussion, the following points were made:

- There was no longer an SSDC representative on the Huish Leisure Board and care should be taken in releasing S106 funding to the Huish Episcopi swimming pool without that member-oversight.
- Chard Regeneration project (leisure centre car-park extension and access onto A358) was a live on-going project (planning related) and an update could not be provided at the current time.

At the conclusion of the debate, Members were content to recommend that the Chief Executive be asked to confirm the recommendations of the report.

RESOLVED: That District Executive:-

- a. noted the overall capital outturn position as described in this report.
- b. recommended that the Chief Executive approve the carry forward of underspent budget from 2021/22 into 2022/23 of £7.062m.
- c. noted that the principle of carrying forwards unspent but approved capital budgets from one year to the succeeding year have been given general consent by Somerset County Council's Executive under the Section 24 Direction.

Reason: To note the total spend for the year 2021/22 on the capital programme and how this compared with the agreed budget for the year, with explanations for the main differences.

22. Wincanton Regeneration budget - Change of Scope (Agenda Item 11)

The Portfolio Holder for the Wincanton Regeneration Project advised that following the receipt of tenders for the public realm scheme the request for additional funding from the capital contingency budget would allow them to focus on delivering the public realm project and the building repair grants.

The Regeneration Programme Manager advised that the funding requests were based upon the tenders received where previous figures presented had been based on estimated figures at that time. The tender price would be held by the preferred supplier until the next month and consent for the spending was being sought from the SCC Executive under the Section 24 Direction.

A member of Wincanton Town Council spoke in support of the report. He said there had been considerable lobbying by local ward members to scrap the regeneration project and reallocate the existing funds to the Wincanton Town Council direct. He said they recognised this was impractical and the Town Council wished to record their ongoing support for the regeneration programme. Although the scope of the project was less ambitious than originally envisaged in 2019, it was hoped the current plan would continue in the new Unitary era. He concluded by asking for better communication between SSDC and the Wincanton Town Council.

The Chairman of the Scrutiny Committee advised that most of their questions had been answered by the Regeneration Programme Manager but they had expressed concern at the risk that the funding may not be agreed by the SCC Executive under the Section 24 Direction.

During discussion, the following point was made:

- The Wincanton Regeneration Project had some complex issues but the current proposal was simple. The previous reduction in funding had caused some local concern but the additional funding would help to resolve this.

The Portfolio Holder for the Wincanton Regeneration Project proposed that Option 2 of the recommendations: To allocate the full £260,000 requested from the capital contingency budget be agreed by Members. This was seconded and unanimously agreed by Executive members.

RESOLVED: That District Executive recommend that the Chief Executive agree:-

a. **Option 2**

- i. To allocate the full £260,000 requested from the capital contingency budget.

Reason: To agree revisions to the scope of the Wincanton Regeneration project and related changes to budget including a request for additional funds from the corporate capital contingency for the project. This follows receipt of tenders for the public realm scheme. The approach will ensure a focus on the two priorities of delivering the public realm and building repair grants (property project) during the remaining months of the project.

23. Investment Asset Update Report (Agenda Item 12)

The Portfolio Holder for Economic Development reminded Members the investments had been made to generate revenue to support front line council services. He advised that the Council had ceased making further commercial investments following the governments direction. He confirmed the rate of return on the investments was 7% gross and 3% net. The profit flow on the battery storage facilities was greater than that predicted in the business plan.

The Commercial Property, Land and Development Manager confirmed that 3 houses and 4 flats had been sold at the Marlborough development and a further 6 flats were in progress of sale with solicitors with 5 remaining to be sold.

The Scrutiny Chairman confirmed that the majority of their questions were answered by the Commercial Property, Land and Development Manager in their meeting.

In response to questions, the Monitoring Officer and the Portfolio Holder for Economic Development confirmed that:

- the current SSDC Directors of Opium Power were the Commercial Property, Land and Development Manager and the Assistant Director for Strategy, Support and Environmental Services. The shareholder representative was the Monitoring Officer and both the Section 151 Officer and the Monitoring Officer were entitled to attend board meetings.
- the Marlborough development was not expect to return a profit but would break even. Some portfolios were a higher risk for a higher return than others and although the development had not produced a return, overall the portfolio had performed.

At the conclusion of the debate, Members were content to note the update report.

RESOLVED: That District Executive agreed to:-

- a. note the continuing performance of the commercial investments of the Council
- b. note the return being achieved across the portfolio which is in line with the Council's target of 7%.

Reason: To update to members and the public on performance of the commercial investments owned by the Council since the last half yearly update reported in March 2022.

24. North Cadbury and Yarlington Neighbourhood Plan (Agenda Item 13)

The Chairman advised that it was important for the communities of North Cadbury and Yarlington that the recommendations be agreed and the referendum be arranged.

The Specialist for Strategic Planning congratulated the North Cadbury and Yarlington Neighbourhood Plan Group in reaching the referendum stage. She identified one minor textual amendment to recommendation a. of the report "her" should be replaced with 'his'.

In response to a question from the Scrutiny Committee, the Specialist for Strategic Planning advised that the Neighbourhood Plan was assessed on the Basic Conditions in accordance with the regulations which include environmental aspects relating to European legislation. She confirmed that she had provided a written answer to the Scrutiny Committee question.

At the conclusion of the debate, Members were content to propose that the Chief Executive confirm the recommendations of the report.

RESOLVED: That District Executive recommend that the Chief Executive:-

- a. agrees the Examiner's report and accepts in full his recommendations for Proposed Modifications to the North Cadbury and Yarlington Neighbourhood Plan.
- b. agrees to officers organising a referendum later this year for local people on the Electoral Register. The aim of the referendum is to ascertain whether local residents want South Somerset District Council to use the Neighbourhood Plan for North Cadbury and Yarlington to help it decide planning applications in the neighbourhood area.
- c. delegates responsibility to the Director for Support Services and Strategy to make any final minor text amendments to the Neighbourhood Plan, in agreement with the North Cadbury and Yarlington Neighbourhood Plan Steering Group.

Reason: To agree the Independent Examiner's report and recommendations for Proposed Modifications; and to set out the process for 'making' the Plan in the event that there is a favourable outcome to the local referendum to be organised by the District Council.

25. Establishment of an Implementation Board in Somerset for the implementation of local government reorganisation (Agenda Item 14)

The Chairman advised that when the Structural Change Order was confirmed the previous Implementation Board ceased. The new SCC Executive had decided to re-introduce that Implementation Board to involve the District Councils. She noted that as an SCC Executive Councillor she would be chairing that Implementation Board and so it was important for SSDC to be represented there and she had proposed Councillor John Clark be that SSDC representative.

There was no debate and Members were content to propose that the Chief Executive confirm the recommendations of the report.

RESOLVED: That District Executive:-

- a. recommend that the Chief Executive agree to the establishment of the Implementation Board with representation from the Constituent Councils, constituted in accordance with and having the functions set out in the Terms of Reference attached as Appendix 1
- b. noted the Leader's appointment of Councillor John Clark to the Implementation Board.

Reason: To approve the establishment of an Implementation Board with Mendip District Council, Sedgemoor District Council, Somerset County Council and Somerset West and Taunton District Council (collectively, with the addition of South Somerset District Council, the Constituent Councils) to monitor the reorganisation programme in Somerset and provide advice and recommendations on its implementation to the Executive of Somerset County Council. The Implementation Board will operate between now and the vesting day of the new Somerset Council on 1 April 2023.

26. District Executive Forward Plan (Agenda Item 15)

The following additions and amendments to the Forward Plan were noted:

- Phosphates Update – moved to Sept 22
- External Audit Value For Money (VFM) Audit – moved to a date to be determined
- Request from Scrutiny Committee for a report on the strategy and future deliverance of Community Infrastructure Levy (CIL) and Section 106 funding to be discussed by District Executive.

RESOLVED: That the District Executive recommend that the Chief Executive:-

1. approve the updated Executive Forward Plan for publication as attached at Appendix A, with the following amendments;
 - Phosphates Update – moved to Sept 22
 - External Audit Value For Money (VFM) Audit – moved to a date to be determined
 - Request from Scrutiny Committee for a report on the strategy and future deliverance of Community Infrastructure Levy (CIL) and Section 106 funding to be discussed by District Executive
2. Note the receipt of the following consultation:
 - Homelessness Prevention Grant 2023/24 onwards: technical consultation

Reason: The Forward Plan is a statutory document.

27. Date of Next Meeting (Agenda Item 16)

Members noted that the next scheduled meeting of the District Executive would take place on Thursday 4th August 2022 commencing at 9.30 a.m.

The venue of the meeting would be decided at Full Council on 21 July 2022.

28. Exclusion of Press and Public (Agenda Item 17)

The Chairman asked Members to agree that the press and public be excluded from the following item 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 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

29. Briefing on Local Government Reorganisation (Confidential) (Agenda Item 18)

The Chief Executive provided members with a brief verbal update on the progress of Local Government Reorganisation in Somerset and answered their questions on points of clarification.

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Chairman

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Date