

## South Somerset District Council

**Minutes** of a meeting of the **South Somerset District Council** held on **Thursday 19 January 2023** as a Virtual Meeting using Zoom meeting software.

(7.30 pm - 9.50 pm)

### **Present:**

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

Barbara Appleby	Brian Hamilton	Clare Paul
Jason Baker	Mike Hewitson	Crispin Raikes
Robin Bastable	Charlie Hull	Gina Seaton
Mike Best	Kaysar Hussain	Peter Seib
Ray Buckler	Val Keitch	Garry Shortland
Dave Bulmer	Andy Kendall	Jeny Snell
Tony Capozzoli	Tim Kerley	Andy Soughton
Malcolm Cavill	Mike Lewis	Mike Stanton
John Clark	Mike Lock	Rob Stickland
Nicola Clark	Pauline Lock	Lucy Trimnell
Adam Dance	Tony Lock	Gerard Tucker
Sarah Dyke	Graham Oakes	Martin Wale
Karl Gill	Sue Osborne	Colin Winder
David Gubbins	Robin Pailthorpe	
Peter Gubbins	Oliver Patrick	

### **Also Present:**

Jason Dobson	Director, Opium Power Ltd
David Owen	Director, Opium Power Ltd

### **Officers:**

Jane Portman	Chief Executive
Jan Gamon	Director (Place, Recovery, Arts & Entertainment)
Kirsty Larkins	Director (Service Delivery)
Jill Byron	District Solicitor & Monitoring Officer
Karen Watling	Chief Finance Officer (S151 Officer)
Peter Paddon	Acting Director (Place and Recovery)
Katy Menday	Leisure & Recreation Manager
Robert Orrett	Commercial Property, Land & Development Manager
James Divall	Assistant Director (Strategy, Support & Environmental Services)
Natalie Fortt	Regeneration Programme Manager
Michelle James	Principal Licensing Specialist
Jason Dobson	Director, Opium Power Ltd
David Owen	Director, Opium Power Ltd
Angela Cox	Specialist (Democratic Services)

**98. Apologies for Absence (Agenda Item 1)**

Apologies for absence were received from Councillors Neil Bloomfield, Hayward Burt, Martin Carnell, Louise Clarke, Nick Colbert, Henry Hobhouse, Ben Hodgson, Jenny Kenton, Kevin Messenger, Tricia O'Brien, Tiffany Osborne, David Recardo, Paul Rowsell, Dean Ruddle and William Wallace.

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**99. Minutes (Agenda Item 2)**

The minutes of the previous meeting held on Thursday 15 December 2022 were approved as a correct record of the meeting and signed by the Chairman.

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**100. Declarations of Interest (Agenda Item 3)**

There were no declarations of interest made by Members.

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**101. Public Question Time (Agenda Item 4)**

A resident of Yeovil said that he understood as part of the Yeovil Refresh Plan that a plaza was to be constructed on the site of the 'Triangle' complete with a large public screen. He asked what the screen was to be used for to justify its cost and installation and he expressed concern that it may be used for non-stop advertising complete with intrusive sound. He also asked who would 'own' the screen for repairs and maintenance and who would control the content?

The Director for Place, Recovery Arts & Entertainment advised that the screen was intended to be used to deliver a programme of events. This was still being developed and nothing was confirmed yet, but it was expected to include showcasing Yeovil and Somerset, its people and stories. It may include advertising local events and activities, supporting public information campaigns and potentially advertising local businesses. It was not expected that the screen's use would always include sound. The new Somerset Council would own the screen and would control its content either directly or through third party arrangements put in place. Further details would be worked up over the coming months.

The resident further asked as the meeting was being held remotely, how decisions could be taken by Council?

The Chief Executive confirmed that all Councillors had the opportunity to express their views during the meeting and vote, but, she would take the decisions as delegated to her after the meeting.

A business owner of Yeovil said she owned an independent sports shop within the town and had been trading for 50 years. She asked if the Council intended to reduce their business rates to compensate for the ongoing works in the town which had been going for a long period of time and was discouraging shoppers from visiting the town. She noted that a car park had been closed to accommodate construction plant during the works but this made the parking more difficult for shoppers. She suggested a cut in car parking to attract shoppers back to the town centre as well as financial assistance for independent shops.

The Portfolio Holder for the Yeovil Refresh said there was no allocation in the Council's budget for compensation to shop owners. He felt the drop in visitors to the town may be due to other external factors. He noted that there were issues currently in Westminster Street with the construction works and they had introduced night time working to reduce the impact to the public and work was progressing as fast as possible. He asked that the business owner contact him to speak further on the issue.

The Commercial Property Land and Development Manager suggested that an application be submitted to the Valuation Office Agency for a temporary reduction in rateable value due to the construction works within the town.

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## **102. Chairman's Announcements (Agenda Item 5)**

The Chairman reminded Members that there would be an event 'SSDC Celebrates!' on Thursday 23<sup>rd</sup> March at 3.30pm and into the evening at Westlands Entertainment Venue. All members and officers were invited to attend.

He also noted that there would be a service in celebration of the five Somerset Councils on Sunday 12<sup>th</sup> March at 3.00pm in Wells Cathedral. All members and officers were invited to attend.

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## **103. Chairman's Engagements (Agenda Item 6)**

The list of Chairman's engagements were NOTED.

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## **104. Presentation by Opium Power Ltd (Agenda Item 7)**

The Portfolio Holder for Economic Development said the Council's investment in battery storage had been high risk and was now a great success. He credited Councillor Henry Hobhouse and the previous Director for Commercial Services and Income Generation for their original proposal to invest in the scheme.

Jason Dobson and David Owen, Directors of Opium Power Ltd, provided Council with a power point presentation (slides published) of the battery storage facilities at Taunton and Fareham.

In response to questions from Members, the Directors and Chief Executive responded:-

- The batteries were warranted for 5,000 cycles of charge and after year 6 there would be funds put aside to replace them on a cell by cell level.
- Upgraded technology meant there was now an increase in cell density which meant they had more storage capacity. The newer site at Fareham had a greater mega watt hours capacity than the Taunton site.
- The connections to the National Grid were owned by SSDC and Opium Power in perpetuity so whatever new power technology which could be delivered from the site would be taken advantage of.
- All companies owned by SSDC and the other District Councils in Somerset would transfer to the new Unitary Council in April 2023 and it would be for the new authority to determine the next steps.
- The 3 battery storage sites were valued annually by a professional valuation company.

At the conclusion of the debate, the Chairman thanked the Directors of Opium Power Ltd for attending and providing an informative presentation.

The presentation was NOTED.

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#### **105. Ham Hill project, overview and grant acceptance (Agenda Item 8)**

The Portfolio Holder for Environment said she was pleased to introduce the report to accept the National Lottery Heritage Funding. She said the new visitors centre would be a gateway for the site and lever in additional funding whilst protecting the Iron Age fort and allowing people of all abilities to be involved. Local residents had expressed concern about increased traffic in the area but officers had taken time to speak to them and manage their concerns. She thanked the small team of officers who had assisted with the grant bid and proposed that the recommendations be agreed.

The Ward Member, Councillor Mike Hewitson, also thanked the officers involved and the Chairman of the volunteer group, Friends of Ham Hill, for their support for the site. He seconded the recommendations.

In response to a question, the Director for Support Services confirmed that the project was fully funded and there was no risk that it would not proceed after it transferred to the new Unitary Authority.

At the conclusion of the debate, Members unanimously proposed that the Chief Executive agree the recommendations of the report.

**RESOLVED:** That Full Council agreed to:-

- a. note the report and progress of the project;

- b. recommend that the Chief Executive authorise the Director of Service Delivery to accept the Terms of Grant set out in the letter dated 5 December 2022 from the National Lottery Heritage Fund in respect of the Council's **Uncovering Ham Hill's past for its future** project.

**Reason:** To accept the grant offer of £1.6m from the National Lottery Heritage Fund, to enable the delivery of the "Uncovering Ham Hill's past for its future" project.

*(Voting: unanimous in favour)*

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## **106. Yeovil Refresh Scope Change Request (Agenda Item 9)**

The Portfolio Holder for the Yeovil Refresh introduced the report and stressed the importance of supporting it to its conclusion. He said the town must now be promoted to encourage visitors and new businesses to start. He proposed that the recommendations be agreed by Council.

In response to a proposal to reduce Business Rates for shops in the town and offer free car parking, the Portfolio Holder for Finance and Legal Services noted that Business Rates were changed by Central Government and were only collected on their behalf by SSDC. The proportion of Business Rates which SSDC was allowed to retain went towards repairs and the Business Rates charged on the car parks. He seconded the recommendations.

In response to questions, the Regeneration Programme Manager advised:-

- Issues had arisen due to unmapped utility services underground and additional contaminated land in parts of the town. They had been aware of the location of the Victorian underground toilets.
- Negotiations were ongoing with the DLUHC regarding the possible re-allocation of part of the Future High Street Funding, however, the former cattle market site had suffered a number of viability issues and its redevelopment was unlikely to go ahead.
- Some of the issues which the project had suffered could not have been anticipated but lessons had been learnt and mitigation measures were in place.
- The budget for the Yeovil Refresh was £24m. The budget was funded by significant grants including £9.75m from the Future High Street Fund, developer contributions through C.I.L and Section 106 payments, and through SSDC funds. So far £5m of the budget had been spent. The officer time included the Refresh Project Manager working 3 days per week, the Regeneration Programme Manager working 1 day a week on the project and the Programme Accountant spent on average 0.5 days a week but this could vary.

- The building at 47 Middle Street was in private ownership and SSDC were working with the owner's agent to deliver a long term solution for the building. The building was structurally unsafe. Demolition contractors had been appointed and demolition would occur subject to agreement on party wall issues with adjacent property owners. The owner of 47 Middle Street had appointed architects to develop a scheme which would be shared via the normal consultation routes for planning applications in due course.

At the conclusion of the debate, the majority of Members were content to proposed that the recommendations be confirmed by the Chief Executive.

**RESOLVED:** That Full Council recommended that the Chief Executive agree to:-

- a. reallocate £1.2m from the Yeovil Refresh Transport workstream to the Yeovil Refresh Public Realm Workstream;
- b. a redesign of the Middle Street East section of the public realm;
- c. the risk management proposal to not ring-fence funds for risks currently rated unlikely;
- d. allocate £0.821m from the corporate contingency fund to the Yeovil Refresh budget. This would leave the balance remaining of £0.833m in the Corporate Capital Contingency Budget.

**Reason:** To update the Yeovil Refresh budget in response to the increase of the cost to deliver the public realm improvement works and to seek approval to change the scope of the project to reflect the current forecasted costs.

*(Voting: 31 in favour, 4 against, 7 abstentions)*

## **107. Duties of the Chief Finance Officer (Section 151 Officer) (Agenda Item 10)**

The Portfolio Holder for Finance and Legal introduced the report which proposed the Director of Strategy, Support Services and Environmental Services act as Section 151 Officer from 4th February 2023 until 31<sup>st</sup> March 2023 which he asked that Members note. He paid tribute to the Chief Finance Officer for her dedication during a period of change in financial guidance and regulations as well as preparing for the new Somerset Council

The Chief Finance Officer thanked the Portfolio Holder for his comments and said that she had greatly enjoyed her time working for South Somerset DC.

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

**RESOLVED:** That Council agreed to note that the Chief Finance Officer, Karen Watling, had nominated Nicola Hix, Director of Strategy, Support Services and Environmental Services, to act in her absence and fulfil her statutory duties as Section 151 Officer during her annual leave from 4th February 2023 until 31<sup>st</sup> March 2023.

**Reason:** To inform members that the statutory duties of the Chief Finance Officer (Section 151 Officer) will be assigned to Nicola Hix during the period of annual leave of the Chief Finance Officer, Karen Watling, from 4<sup>th</sup> February 2023 until 31<sup>st</sup> March 2023.

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**108. Report of Executive Decisions (Agenda Item 11)**

The Leader of Council introduced the report and invited questions.

There were no questions and the report of executive decisions was NOTED.

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**109. Audit Committee (Agenda Item 12)**

The Chairman of the Audit Committee advised that the 2020/21 Statement of Accounts had now been signed and the next meeting of the Audit Committee would be held on 26 January 2023.

The report of the Audit Committee was NOTED.

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**110. Scrutiny Committee (Agenda Item 13)**

The Chairman of the Scrutiny Committee advised that the report on Section 106 contributions was to be circulated to all Members and he asked that they check it for accuracy and respond to officers with any comments.

The report of the Scrutiny Committee was NOTED.

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**111. Motions (Agenda Item 14)**

There were no Motions submitted by Members.

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**112. Questions Under Procedure Rule 10 (Agenda Item 15)**

There were no questions submitted under Procedure Rule 10.

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**113. Date of Next Meeting (Agenda Item 16)**

The Chairman noted that the next scheduled meeting of Full Council was a reserve date and would only take place if there was business to transact on Thursday 16<sup>th</sup> February 2023 in the Council Chamber, Council Offices, Brympton Way, Yeovil commencing at 7.30 p.m.

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**114. Exclusion of Press and Public (Agenda Item 17)**

The Chairman asked Members to agree that the press and public be excluded from the following items and this was agreed without dissent.

**RESOLVED:** That the following items be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraphs 1, 2, 3, 6 and 7:

1. Information relating to any individual
  2. Information which is likely to reveal the identity of an individual.
  3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
  6. Information which reveals that the authority proposes—
    - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
    - (b) to make an order or direction under any enactment.
  7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
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**115. Somerset's Flagship Arts Venue, The Octagon Theatre - RIBA Stage 4 Report (Confidential) (Agenda Item 18)**

The report was discussed in confidence and the majority of Members agreed to propose that the Chief Executive confirm the recommendations of the report.

**RESOLVED:** That Full Council recommended that the Chief Executive implement the recommendations of the report.



**Reason:** To update Council on the RIBA stage 4 costings for Somerset's Flagship Arts Venue Project and to seek approval to progress to the next stage of the project by putting the proposed works out to tender.

*(Voting: 33 in favour, 0 against, 4 abstentions)*

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**116. Request to Suspend a Dual Hackney Carriage and Private Hire Drivers' Licence (Urgent Item) (Confidential) (Agenda Item 19)**

The report was discussed in confidence and Members unanimously agreed to propose that the Chief Executive confirm the recommendations of the report.

**RESOLVED:** That Full Council recommend that the Chief Executive suspend the Dual Hackney Carriage and Private Hire Drivers' licence which was the subject of the report.

**Reason:** To suspend a licence to drive hackney carriage or private hire vehicles issued by South Somerset Council.

*(Voting: unanimous in favour)*

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Chairman

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Date