



# Scrutiny Committee

**Tuesday 4th October 2022**

**10.30 am**

**Council Chamber, Council Offices,  
Brympton Way, Yeovil, BA20 2HT**



(disabled access and a hearing loop are available at this meeting venue)

The following members are requested to attend this meeting.

**Chairman:** Gerard Tucker  
**Vice-chairmen:** Brian Hamilton and Sue Osborne

Barbara Appleby  
Robin Bastable  
Ray Buckler  
Louise Clarke

Karl Gill  
Andy Kendall  
Tim Kerley  
Paul Maxwell

Robin Pailthorpe  
Oliver Patrick  
Lucy Trimnell

Any members of the public wishing to attend, or address the meeting at Public Question Time are asked to email **democracy@southsomerset.gov.uk** by 9.00am on Monday 3 October, so that we can advise on the options for accessing the meeting.

The meeting will be viewable online by selecting the committee meeting at:  
**[https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF\\_soA](https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA)**

If you would like any further information on the items to be discussed, please contact Democratic Services **democracy@southsomerset.gov.uk**

This Agenda was issued on Monday 26 September 2022.

*Jane Portman, Chief Executive Officer*

This information is also available on our website  
**[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)** and via the mod.gov app



# Information for the Public

## What is Scrutiny?

The Local Government Act 2000 requires all councils in England and Wales to introduce new political structures which provide a clear role for the Council, the Executive and non-executive councillors.

One of the key roles for non-executive councillors is to undertake an overview and scrutiny role for the council. In this Council the overview and scrutiny role involves reviewing and developing, scrutinising organisations external to the council and holding the executive to account

Scrutiny also has an important role to play in organisational performance management.

The Scrutiny Committee is made up of 14 non-executive members and meets monthly to consider items where executive decisions need to be reviewed before or after their implementation, and to commission reviews of policy or other public interest.

Members of the public are able to:

- attend meetings of the Scrutiny Committee except where, for example, personal or confidential matters are being discussed;
- speak at Scrutiny Committee meetings (limited to up to 3 minutes per person and at the Chairman's discretion usually no more than a total of 15 minutes is allocated for public speaking); and
- see agenda reports.

Meetings of the Scrutiny Committee are held monthly on the Tuesday prior to meetings of the District Executive at 10.30am in the Council Offices, Brympton Way, Yeovil.

Agendas and minutes of these meetings are published on the Council's website at <https://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

Further information can be obtained by contacting the agenda co-ordinator named on the front page.

## Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

# Scrutiny Committee

## Tuesday 4 October 2022

### Agenda

#### *Preliminary Items*

#### 1. Minutes

To approve as a correct record the minutes of the previous meeting held on 30 August 2022.

The draft minutes can be viewed at:

<http://modgov.southsomerset.gov.uk/ieListMeetings.aspx?CId=141&Year=0>

#### 2. Apologies for absence

#### 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.

#### 4. Public question time

#### 5. Issues arising from previous meetings

This is an opportunity for Members to question the progress on issues arising from previous meetings. However, this does not allow for the re-opening of a debate on any item not forming part of this agenda.

#### 6. Chairman's Announcements

##### *Items for Discussion*

#### 7. Scrutiny Call-in Request: Millers Garage Car Park Project, Crewkerne - Request for Additional Funding from the Corporate Capital Contingency Budget (Pages 4 - 5)

#### 8. Verbal update on reports considered by District Executive on 1 September 2022 (Page 6)

#### 9. Reports to be considered by District Executive on 6 October 2022 (Page 7)

#### 10. Verbal update on Task and Finish reviews (Page 8)

#### 11. Update on matters of interest (Page 9)

#### 12. Scrutiny Work Programme (Pages 10 - 11)

#### 13. Date of next meeting (Page 12)

---

## Scrutiny Call-in Request:

### Millers Garage Car Park Project, Crewkerne - Request for Additional Funding from the Corporate Capital Contingency Budget

---

Executive Portfolio Holder:	Cllr John Clark, Economic Development
Ward Member(s):	Cllr Mike Best, Cllr Robin Pailthorpe, Cllr Ben Hodgson,
SLT lead:	Jill Byron, Solicitor and Monitoring Officer
Service Manager:	Robert Orrett, Commercial Property, Land & Development Manager
Lead Officer:	Robert Orrett, Commercial Property, Land & Development Manager
Contact Details:	<a href="mailto:Robert.orratt@southsomerset.gov.uk">Robert.orratt@southsomerset.gov.uk</a> 01935 462075

## Background

1. Part 4.33 of the Constitution sets out the **Overview & Scrutiny Procedure Rules**, including the power to "call in" decision items considered by the District Executive, Area Committee or Portfolio Holders.

2. There are two types of call in:

**(a) "Call In" Before the Decision is Implemented**

Decisions made by the District Executive, individual Portfolio Holders and the Area Committees may be "called in" before they are implemented. A list of decisions taken will be published 48 hours after a meeting and may be requisitioned for "call in" and review within 5 working days from the date of publication. Unless the decision is urgent it will not be implemented until after the period allowed for call in.

The "called in" item will be reported to the next meeting of the Scrutiny Committee and an Executive or Area Committee member has the right to attend and make representations. If the Scrutiny Committee is unhappy with the called in decision it can ask the Executive or Area Committee to re-consider the item or for it to be considered by full Council.

**(b) "Call In" After the Decision is Implemented**

All decisions taken by the Executive, Area Committees or officers under delegated authority which have been implemented may be "called in" at any time by the Scrutiny Committee to consider the implications of the decision. The Committee can make recommendations to the Executive or full Council on changes to policy or practice in the light of their findings in respect of a particular decision or its implementation. Whilst individual quasi-judicial decisions, such as planning, cannot be re-considered the procedures and policies applied in each case may be looked at by the Committee.

3. In either case, a call in requires a written request to the Democratic Services Specialist from either the Chairman of the Scrutiny Committee, two other members of the Scrutiny Committee or by ten members of the Council. The request must give the reasons for the "call in", with the names of the members making the request.

Following a call-in request made by the Chairman of the Scrutiny Committee Cllr Gerard Tucker, Scrutiny Committee will revisit agenda item 0 'Millers Garage Car Park Additional funding from capital contingency budget request', which was approved at the meeting of the District Executive on 4th August 2022.

The concerns and views of the Scrutiny Committee and ward members will be reported to the responsible Portfolio Holder(s) and Officer(s) in advance of the item returning to the District Executive for reconsideration on 2<sup>nd</sup> September 2022.

### The Call In Request ("Call In" Before the Decision is Implemented)

<b>Date</b>	<i>9th August 2022</i>
<b>Made by</b>	<i>Cllr Gerard Tucker, Chairman of Scrutiny Committee</i>
<b>Decision of</b>	<i>District Executive</i>
<b>Decision date</b>	<i>4<sup>th</sup> August 2022</i>
<b>Decision details</b>	<p><i>a. noted the updated position with the Millers Garage Car Park project and the estimate of the project cost;</i></p> <p><i>b. noted the increase in the total budget for this project to £413,000;</i></p> <p><i>c. agreed to fund £203,000 from the Corporate Capital Contingency Fund towards the Millers Garage Car Park Project as an addition to the budget approved by Full Council in February 2022.</i></p>
<b>Reasons for Call In Request</b>	<p>Concerns that the questions on value for money have remained unanswered and that possibly, there is a more effective way of delivering this scheme which will be of greater assistance to Crewkerne. If possible, the Chairman would welcome the suspension of the commencement of the car park project until such time as Scrutiny has had the opportunity to discuss this project in more detail, possibly including the neighbouring landowner and his agent Clive Brown (Boon Brown).</p>

### Background papers:

Millers Garage Car Park Project, East Street, Crewkerne - Request for Additional Funding from the Corporate Capital Contingency Budget - the report to District Executive on 4 August 2022 can viewed at:

<https://modgov.southsomerset.gov.uk/documents/s42833/8%20Millers%20capital%20contingency%20DX%20report%2004Aug22%20FINAL.pdf>



**Verbal update on reports considered by District Executive on  
1 September 2022**

---

The Chairman will update members on the issues raised by Scrutiny members at the District Executive meeting held on 1 September 2022.



## Reports to be considered by District Executive on 6 October 2022

*Lead Officer:* Stephanie Gold, Specialist (Scrutiny & Member Development)  
*Contact Details:* [stephanie.gold@southsomerset.gov.uk](mailto:stephanie.gold@southsomerset.gov.uk)

---

Scrutiny Committee members will receive a copy of the District Executive agenda containing the reports to be considered at the meeting on 6 October 2022.

Members are asked to read the reports and bring any concerns/issues from the reports to be discussed at the Scrutiny Committee meeting on 4 October 2022.

The concerns and views of the Scrutiny Committee will be reported to the responsible Portfolio Holder(s) and officer(s) in advance of the District Executive meeting to be held on 6 October 2022, for consideration and response in advance of the decision being taken.

### **Please note:**

The Press and Public will be excluded from the meeting when a report or appendix on the District Executive agenda has been classed as confidential, Scrutiny Committee will consider this in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 3 (or for any other reason as stated in the District Executive agenda):

“Information relating to the financial or business affairs of any particular person (including the authority holding that information).”

It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.



## **Verbal update on Task and Finish reviews**

---

The Task and Finish Review Chairs or Specialist (Scrutiny & Member Development) will give a brief verbal update on progress made.

### **Current Task & Finish Reviews**

- Flooding in South Somerset





## Update on matters of interest

*Lead Officer:*            *Stephanie Gold, Specialist (Scrutiny & Member Development)*  
*Contact Details:*      *stephanie.gold@southsomerset.gov.uk*

---

### **Action Required**

That members of the Scrutiny Committee note the verbal updates as presented by the Specialist (Scrutiny & Member Development).

### **Purpose of Report**

This report is submitted for information to update members of the committee on any recent information regarding matters of interest to the Scrutiny Committee, and for the Specialist (Scrutiny & Member Development) to verbally update members on any ongoing matters.

## Scrutiny Work Programme

Meeting Date	Agenda Item	Background/Description	Lead Officer/ Lead Member
Dec '22	CIL funding and allocation	Scrutiny committee members have requested an update on CIL funding and allocation at SSDC. The 21/22 Infrastructure Funding Statement is being prepared and is due to committee in Dec '22.	Strategic Planning Specialist
TBC	S106 funding and allocation	Scrutiny committee members have requested an update on S106 funding and allocation at SSDC. There is a project team currently working on process improvements to S106 monitoring, and an update will be taken to Area committees in Sept '22.	Locality Team Manager

The Somerset Waste Board and Somerset Waste Partnership Forward Plan of key decisions can be viewed at:

<http://democracy.somerset.gov.uk/mgListPlans.aspx?RPId=196&RD=0>

Agendas and minutes for the Heart of the South West (HotSW) Local Enterprise Partnership (LEP) Joint Scrutiny Committee can be viewed at:

<https://democracy.devon.gov.uk/ieListMeetings.aspx?CId=456&Year=0>

Agendas and minutes of the Joint Scrutiny Panel of Somerset Waste Board can be viewed at:

<https://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=356&Year=0>

Agendas and minutes of the Joint Scrutiny Panel of Somerset Rivers Authority can be viewed at:

<https://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=351&Year=0>

Agendas and minutes of the Local Government Re-Organisation Joint Scrutiny Committee can be viewed at:

<https://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=420&Year=0>

## Current Task & Finish Reviews

Date Commenced	Title and Purpose	Members
<i>Recommended 5<sup>th</sup> July 2022</i>	<p><b>Flooding in South Somerset</b></p> <p>Understanding flood risk and mitigation following the devastating flooding in Chard and other areas across the district in 2021.</p> <p>SSDC T&amp;F feedback has been submitted to the LLFA in response to the consultations on the draft S19 reports for the Chard incident (28<sup>th</sup> June 2021) and Ilminster incident (20<sup>th</sup> October 2021)</p>	Cllr Gerard Tucker, Cllr Sue Osborne (Chair), Cllr Robin Bastable, Cllr Brian Hamilton (with the Specialist Scrutiny and Member Development)
<p>If you have any suggested topics for Scrutiny Committee to consider please contact Specialist (Members) – <a href="mailto:stephanie.gold@southsomerset.gov.uk">stephanie.gold@southsomerset.gov.uk</a></p>		

Page

## Other Scrutiny working groups/workshops/matters of interest

Meeting date	Title	Description	Officers/Members
Updates at committee as required	SWP Joint Scrutiny Panel	The representatives from the SWP Joint Scrutiny committee will provide verbal updates as appropriate.	Cllr Brian Hamilton, Cllr Robin Bastable
Updates at committee as required	SRA Joint Scrutiny Panel	The representatives from the SRA Joint Scrutiny committee will provide verbal updates as appropriate.	Cllr Paul Maxwell, Cllr Robin Pailthorpe
Updates at committee as required	Local Government Reorganisation Implementation Joint Scrutiny Committee	The representatives from the LGR JSC will provide verbal updates and appropriate.	Cllr Paul Maxwell, Cllr Brian Hamilton
Ongoing	Role of Scrutiny & Audit	Members have requested guidance and support in understanding how the Scrutiny and Audit committees can work collaboratively and supportively on key issues.	Chairs of Scrutiny and Audit with S151 Officer, Monitoring Officer and Chief Executive.



## **Date of next meeting**

---

Members are requested to note that the next meeting of the Scrutiny Committee will be held on Tuesday 1 November 2022 at 10.30am, in the Council Chamber, Brympton Way.