

## Questions under Procedure Rule 10

The following question has been submitted by Councillor Mike Beech:-

In response to the question "is the Octagon Theatre up to its pooling limit?" the following response was received from Steve Joel, Assistant Director (Health and Well-Being):

*More than 5 obligations have been secured since April 2010 to enhance the 'general' capacity of the Octagon Theatre.*

*In order to work around the limits on pooling S106 contributions whilst we await the introduction of the CIL scheme for South Somerset, we have taken the opportunity to update our strategy with regard to addressing the overall deficiency in professional arts and entertainment provision.*

*Our strategy is now to pool contributions up to the limit for the range of 'specific' long-term enhancements planned for the Octagon Theatre in Yeovil, and/or to pool contributions up to the limit for the range of 'specific' enhancements planned for the Westlands Entertainment Complex in Yeovil (Policy TAC2). These projects are also listed in the Council's published IDP.*

*The first being of these specific enhancements is a new Studio Theatre at Octagon Theatre in Yeovil (Policy TAC1.1), and/or the stage refit at the Westlands Entertainment complex (Policy TAC2.1). No contributions have been pooled for these specific mitigations for Theatres and Arts Centres, which means that the Council can seek off site contributions for them.*

*Once the limits have been reached for Policy TAC1.1 and Policy TAC2.1, then the Council will seek contributions for specific enhancements TAC1.2 and Policy TAC2.2 and so on, until such time as our CIL Scheme comes online. In this way we continue to optimise the amount of contributions being sought from new development, and of course, reduce pressures upon our capital resources over the medium to longer term.*

Can the Portfolio Holder assure the council that the position being taken regarding S106 pooling is entirely legal and tested in law?