

## MENDIP DISTRICT COUNCIL

Minutes of the meeting of Cabinet held on Monday, 10 October 2016 in the Council Chamber, Council Offices, Shepton Mallet commencing at 6.30 pm.

### COUNCILLORS

#### PRESENT:

Philip Ham	Portfolio Holder for Transformation
Tom Killen	Vice Chair of Cabinet and Deputy Leader of the Council
John Parham	Portfolio Holder for Finance, Governance, and Corporate Services
Nigel Taylor	Portfolio Holder for Neighbourhood and Community Health Services
Nigel Woollcombe-Adams	Portfolio Holder for Planning, Growth and Housing Services

### ASSISTANT PORTFOLIO

#### HOLDERS PRESENT:

Councillors Simon Davies, Alan Townsend, Danny Unwin

### OTHER COUNCILLORS

#### PRESENT:

Councillors Bryan Beha, John Carter, Roy Mackenzie, Graham Noel and Ros Wyke

### OFFICERS

#### PRESENT:

Ian Bowen	Planning and Growth Group Manager
Stuart Brown	Chief Executive
Paul Deal	Section 151 Officer
Claire Dicken	Committee Officer

Agenda Item Number	Subject	Actioned by
1	<b>Vice Chair's Announcements</b>  In the absence of the Chair, the Vice Chair explained the procedures in the case of an emergency and asked that all mobile devices be switched to silent.	
2	<b>Apologies for Absence</b>  Councillors Harvey Siggs, Chair of Cabinet and Leader of the Council and Mike Pullin, Assistant Portfolio Holder	
3	<b>Declarations of Interest</b>  None	

<p><b>4</b></p>	<p><b>Public Participation</b></p> <p>a. <b>Items on the agenda</b> – there were none</p> <p>b. <b>Items not on the agenda:</b></p> <p>Tony Thompson was invited to speak on the topic of the Community Infrastructure Levy. He said this was a pale reflection of that which the Town and Country legislation had intended to be in the first place. He said the country was facing a shortfall in affordable housing. At the same time much investment was being made in property. The result was an increasing gap between rich and poor. He favoured the introduction of the Community Infrastructure Levy compared to Section 106 funding because it could be dispersed throughout the district and could be used to fund neighbourhood plans and help areas of greatest need.</p> <p>The Vice Chairman thanked Mr Thompson for his contribution, noting this was a matter which was recently considered by Cabinet and one which would be brought back for further consideration in due course.</p>	
<p><b>5</b></p>	<p><b>Previous Minutes</b></p> <p>The minutes for the Cabinet meeting held on 12 September 2016 were agreed as a correct record of proceedings.</p>	<p><b>Claire Dicken</b></p>
<p><b>6</b></p>	<p><b>4 Year Financial Settlement Officer</b></p> <p>The Portfolio Holder for Finance, Governance and Corporate Services introduced a report which summarised the implications, process and timeline for a four year financial settlement offer and sought approval of the offer.</p> <p>The offer to all local authorities had been announced by Greg Clarke MP in the 2016/17 Provisional Local Government Finance Settlement and confirmed in the Final Settlement. The offer was of a guaranteed – although significantly reduced and reducing - level of funding to every Council able to demonstrate efficiency savings for each year of the current Parliament (to 2019/20). Local authorities had been given until Friday, 14 October 2016 to confirm whether they wish to accept the offer. This report therefore sought to gain Cabinet’s approval to accept the offer.</p> <p>During the discussion that followed Members of Cabinet felt that it may be better to accept the offer rather than turning it down and risk losing the offer that had been made.</p> <p>Backbench Members noted that there was a measure of uncertainty depending on the Government which could not be avoided locally.</p>	<p><b>Paul Deal</b></p>

	<p>They felt the continual pressure from the Government to reduce funding was detrimental to local services.</p> <p>In response to queries the Section 151 Officer explained the new Business Rates Tariff and the implications of it.</p> <p><b>RESOLVED</b></p> <p>To accept the four year financial settlement offer.</p> <p><b>REASONS FOR THE RESOLUTION</b></p> <p>It was important to bring certainty to our financial outlook by signing up to the Government offer for a four year settlement. Although this meant accepting significant financial challenges as the government reduced its overall funding to the Council, the understanding of the level and pace of this reduction meant that an improved strategic approach could be developed to mitigate the impacts.</p>	
7	<p><b>Local Enforcement Plan</b></p> <p>The Portfolio Holder for Planning, Growth and Housing Services introduced a report which explained the Council's Planning Enforcement Policy had last been updated in March 2011. Changes to legislation and guidance since that time had resulted in the need for the policy to be updated to reflect those changes. In particular the National Planning Policy Framework at paragraph 207 recommended that all Local Planning Authorities publish a Local Enforcement Plan. This document brought Mendip District Council in line with that recommendation.</p> <p>The Scrutiny Board recommended that the Plan be adopted by the Council subject to the following amendment:</p> <p>Appendix E, Paragraph 1 to be amended to read; "Though Planning Enforcement action is discretionary, the investigation of complaints received is statutory, and all complaints are investigated. No national performance targets are set, but subject to workloads and available resources, the Planning Enforcement Team aim to meet the following targets. Performance will be monitored on a regular basis".</p> <p>During the discussion that followed Members of Cabinet generally supported the amended Plan.</p> <p>In response to queries the Officer explained that the Council would work actively to advise and assist with compliance of planning permission within 2 days of receipt of each complaint.</p> <p>One Member wondered whether the Council could publicise some particular incidents of breaches in planning permission in an effort to discourage more incidents in the future. However, the Officer</p>	<p><b>Ian Bowen/ David Woodridge</b></p>

	<p>suggested that the Enforcement Plan was clear with regard to what action would be taken in the case of breaches of planning permission.</p> <p>Members wished the Council to publicise the new Plan including an improved page on the Council's website setting out how complaints would be prioritised and what the public could expect.</p> <p>With regard to performance monitoring the Officer said that the effectiveness of the amended Plan would be evident in the number of breaches of planning permission.</p> <p>Members suggested that, if possible, the Council's performance on dealing with breaches of planning permission be included in the quarterly performance report.</p> <p>In response to queries it was explained that light pollution was enforced by the Environmental Health team.</p> <p>The Vice Chair said that whilst he supported the amended Plan the needs of rural areas should not be overlooked. He also felt it was important that the Council act in a timely way when developers failed to stick to remedial timetables that had been agreed and that there should be more member involvement in higher profile cases.</p> <p>Members agreed that the effectiveness of the Plan should be reviewed on an annual - or more frequent - basis.</p> <p><b>RESOLVED</b></p> <p>That the amended Planning Enforcement Policy (now referred to as the Local Enforcement Plan) be adopted by the Council and that the effectiveness of it be reviewed by Cabinet on an annual basis or more frequently if improvements to the Plan can be identified .</p> <p><b>REASONS FOR THE RESOLUTION</b></p> <p>Changes to legislation and guidance had resulted in the need for the policy to be updated to reflect those changes.</p>	
<p><b>8</b></p>	<p><b>Portfolio Holder Decisions</b></p> <p>The following Portfolio Holder Decision was noted:</p> <p>2016 258 September - Christmas Market</p>	
<p><b>9</b></p>	<p><b>Forward Plan</b></p> <p>The Council's Forward Plan was noted.</p> <p>The Control of Horses Act 2015 report would be relisted for early in the New Year.</p>	

<p><b>10</b></p>	<p><b>Minutes for Information</b></p> <p>The following minutes were noted:</p> <p>Draft Scrutiny Board Minutes 22 August 2016  Draft Wells Recreation Ground Trust 01 August 2016  Draft Audit Committee 10 August 2016</p>	
<p><b>11</b></p>	<p><b>Urgent Business</b></p> <p>None</p>	
<p><b>12</b></p>	<p><b>Exclusion of The Press and Public</b></p> <p>Cabinet passed a resolution to exclude the press and public from the meeting during item 13 on the grounds that exempt information (as defined in Schedule 12A Local Government Act 1972) of the following description was likely to be disclosed:</p> <ul style="list-style-type: none"> <li>• Category 1 – Information relating to any individual</li> <li>• Category 2 – Information which is likely to reveal the identity of an individual</li> </ul>	
<p><b>13</b></p>	<p><b>Irrecoverable Arrears – National Non Domestic Rates</b></p> <p>Cabinet were asked to consider the arrears which were irrecoverable, and to write off the sums as detailed in the report.</p> <p><b>RESOLVED</b></p> <p>Cabinet agreed to write off the irrecoverable arrears as set out in the report.</p>	<p><b>Paul Deal</b></p>

The meeting closed at approximately 7.30 pm.