

# MENDIP DISTRICT COUNCIL

Minutes of the meeting of Cabinet held on Monday, 7 November 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
Harvey Siggs	Chair of Cabinet and Leader of the Council
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 Mike Pullin, Alan Townsend, Danny Unwin

## OTHER COUNCILLORS

### PRESENT:

Councillors Bryan Beha, Peter Bradshaw, John Carter, Rachel Carter, Roy Mackenzie, Graham Noel, John North and Ros Wyke

## OFFICERS

### PRESENT:

Tracy Aarons	Deputy Chief Executive
Stuart Brown	Chief Executive
David Clark	Interim Law and Governance Group Manager
Paul Deal	Section 151 Officer
Claire Dicken	Committee Officer
Andre Sestini	Senior Planning Policy Officer
Sara Skirton	Corporate Services Group Manager

Agenda Item Number	Subject	Actioned by
1	<p><b>Chair's Announcements</b></p> <p>The Chair explained the procedures in the case of an emergency and asked that all mobile devices be switched to silent.</p> <p>The Chair said he wanted to thank the Council Officers and members of the community who had worked together to produce the new play area on the Wells Recreation Ground. He said the official opening had been a great success. However, he had been deeply saddened to learn that the play area had been seriously vandalised within the first week. He said the incident was pending an investigation and it would not be possible for Cabinet members to debate it.</p>	

	<p>Councillor John North, Chair of the Wells Recreation Ground Trust was invited to speak. He said the opening event had attracted more than 300 guests and that it had been a great success. He said the act of vandalism had been appalling and he hoped the situation could be resolved. In the meantime he thanked the Fire Officers who had attended to the fire.</p> <p>Kirstie Harris of Better Play Areas for Wells said that her organisation had worked hard with the Council for 4 years to produce the play area. Since its official opening she had had nothing but good feedback about it and the community fully supported it. She said her organisation would continue to work with the Council to resolve the situation.</p>	
<b>2</b>	<p><b>Apologies for Absence</b></p> <p>Councillors Simon Davies, Assistant Portfolio Holder and Councillor Terry Napper.</p>	
<b>3</b>	<p><b>Declarations of Interest</b></p> <p>Councillor Tom Killen declared a personal but non-prejudicial interest in item 06, marketing and Business Evidence to Support Planning Applications because he owned a company that was involved in the marketing of commercial properties and the preparation of reports. He stayed in the meeting for the consideration of the report but abstained from the vote.</p>	
<b>4</b>	<p><b>Public Participation</b></p> <p>a. <b>Items on the agenda</b> – there was none</p> <p>b. <b>Items not on the agenda:</b> -</p> <p>Councillor Roy Mackenzie had requested to speak on the topic of flooding. He said he had information on the Taunton flood barrier if anyone was interested in a copy. He also gave information on the latest measures that could be employed in flood prevention.</p> <p>The Chair thanked Councillor Mackenzie for his comments. He said the issue of flood prevention was important and that had been highlighted by the Somerset Rivers Authority.</p>	
<b>5</b>	<p><b>Previous Minutes</b></p> <p>The minutes for the Cabinet meeting held on 10 October 2016 were agreed as a correct record of proceedings.</p>	<b>Claire Dicken</b>

<p><b>6</b></p>	<p><b>Marketing and Business Evidence to Support Planning Applications</b></p> <p>The Portfolio Holder for Planning, Growth and Housing Services introduced a report which explained that the adopted Local Plan contained policies which sought to safeguard the loss of community or employment sites in Mendip. Evidence of marketing was required to justify proposals for redevelopment or change of use but was applied on a case by case basis. The report sought endorsement of advice to assist applicants and agents. It was recommended, subject to consultation, that the advice be adopted as a Supplementary Planning Document (SPD) to the Local Plan.</p> <p>The Local Plan Member Advisory Group had considered the advice as set in the appendix to the report at its meeting on 6 October 2016.</p> <p>During the discussion that followed there was some concern about instances where a property had remained unsold even after a marketing exercise and that property owners may now be disadvantaged as a result of the new document. Officers took the point that the scheme would have to be flexible enough to allow a measure of discretion in some circumstances.</p> <p>Members noted that the document would be subject to consultation.</p> <p>Councillor Tom Killen had declared a personal but non-prejudicial interest in this item because he owned a company that was involved in the marketing of commercial properties and the preparation of reports. He stayed in the meeting for the consideration of the report but abstained from the vote.</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. To agree that the guidance attached to the Report at Appendix 1 be used in development management to provide consistency in implementing policies DP17 and DP20 of the Local Plan;</li> <li>2. To agree that an Advice Note be published for consultation with agents and other interested parties as a draft Supplementary Planning Document; and</li> <li>3. To delegate authority to the Portfolio Holder for Planning, Growth and Housing Services to consider the outcomes of the consultation, agree any amendments necessary, and adopt the Advice Note as a Supplementary Planning Document.</li> </ol> <p><b>REASONS FOR THE RESOLUTION</b></p> <ol style="list-style-type: none"> <li>1. To provide greater clarity and consistency for planning officers in advising local agents and applicants and in assessing applications</li> </ol>	<p><b>Jo Milling</b></p>
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	<p>2. To provide a document with the maximum weight in the planning process, clearly setting out the Council's requirements for marketing evidence</p>	
7	<p><b>Mental Health Policy</b></p> <p>The Portfolio Holder for Neighbourhood and Community Health Services presented a report which explained that the Cabinet had approved the appointment of two mental health champions with the intention that they develop and lead the Council's approach to mental health.</p> <p>Councillor Peter Bradshaw was invited to speak as one of the Council's Mental Health Champions. He said the report contained a proposed Mental Health Policy which identified the approach that the District Council could take to support those agencies with responsibilities for delivering mental health support and the actions it could take to support mental health wellbeing.</p> <p>The Scrutiny Board had reviewed the Policy and recommended it to Cabinet for approval.</p> <p>During the discussion that followed Members said they were very supportive of the new Policy. Members thanked the Councillor for his hard work and extensive research into the topic in order to bring the paper to them.</p> <p>It was noted that some training would be provided as part of the policy. Members wished the Committee Officer to circulate details of a half day course that was being hosted at the Connect Centre on 28 November 2016.</p> <p>Members welcomed the Policy, however, there was some caution that the issue may demand budget in the future.</p> <p><b>RESOLVED</b></p> <p>That the Mendip Health Policy be approved.</p>	Tracy Aarons
8	<p><b>MTRS Budget Monitoring 2016-17 – Quarter 2</b></p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services presented a report which summarised the forecast outturn position of the Council's Medium Term Resource Strategy for the 2016/17 financial year, based on Quarter 2 projections.</p> <p>In general terms the report stated that if the forecast budget variance of £1,013k was realised, the unallocated general balances of the Council</p>	Paul Deal

would not be required. Instead, this sum would bolster Reserves with £397k (if approved) going into earmark reserves along with the planned transfer of £690k New Homes Bonus funding and the remaining £616k adding to General Reserves.

The report said this excellent budget management showed the Council's budget to be on track and consequently General Reserves would at least remain at the previous balances. Therefore they were likely to remain higher than the minimum balance of £1.5m as stated in the Medium Term Resource Strategy for 2016/17.

However, the Council (in common with other public bodies) continued to face a difficult financial climate and had held its position following the CSR announcements which detailed the future reductions in grant allocations from central government, it was prudent to retain robust balances to smooth the potential effect to the tax payer of further cuts.

The Portfolio Holder explained how he had been invited to attend a Select Committee in Parliament recently in order to advise them how Mendip had been able to succeed in its Council Tax service. Mendip was being held up as an example of best practice.

During the discussion that followed Members thanked the Officers for their hard work with the budget.

The Chair said that Cabinet would consider a report on the topic of phoenix 2 and transformation at its next meeting.

Members wished for the Council to produce a press release about the success of the Council Tax service and the Portfolio Holder's recent visit to Parliament.

## **RESOLVED**

1. That Cabinet note the contents of this report, specifically:
  - a) The projected Revenue outturn position for 2016/17 (Section 4 and Appendices 1a and b of the report)
  - b) In-Year Virement Summary (Section 5 and Appendix 2 of the report)
  - c) The projected levels of Reserves (Section 6 of the report)
  - d) The projected Capital outturn position for 2016/17 (Section 7 and Appendix 3 of the report)
  - e) Delivery of the 2016/17 MTRS Savings proposals (Section 8 and Appendix 4 of the report)
  - f) The Aged Debt Analysis (Section 9 and Appendices 5a and 5b of the report)
  - g) The Council Tax and National Non-Domestic Rate Collection Summary (Section 10 of the report).
  - h) Summary Treasury Management position (Section 11 of the report).

	<p>2. That the Council vire the following under spends to supplement the contingency budget:</p> <ul style="list-style-type: none"> <li>• £9,500 Legal services Civica provision no longer required</li> <li>• £85,290 Microsoft licences now being paid from Capita investment pot.</li> </ul> <p><b>REASON FOR THE RECOMMENDATION</b></p> <p>To maintain effective financial stewardship and budgetary control and to comply with the agreed strategy of regularly informing members of the forecast outturn position relating to the 2016/17 financial year as part of the annual budget monitoring process.</p>	
<b>9</b>	<p><b>Portfolio Holder Decisions</b></p> <p>None</p>	
<b>10</b>	<p><b>Forward Plan</b></p> <p>The Council's Forward Plan was noted. It was noted that Match Funding for the Superfast Broadband Extension programme had been dealt with and should be removed from the Forward Plan.</p> <p>Councillor Roy Mackenzie was interested in the report listed for December 2016 on the topic of the Findings of the Strategic Housing Market Assessment. He hoped that the issue of affordable housing could be considered along with it.</p>	<b>Stuart Brown</b>
<b>11</b>	<p><b>Minutes for Information</b></p> <p>The following minutes were noted:</p> <p>Draft Scrutiny Board Minutes 24 October 2016</p>	
<b>12</b>	<p><b>Urgent Business</b></p> <p>None</p>	
<b>13</b>	<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 items 14 and 15 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>14</b></p>	<p><b>Irrecoverable Arrears – Council Tax</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>
<p><b>15</b></p>	<p><b>Irrecoverable Arrears – Housing Benefit Overpayments</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.