

MENDIP DISTRICT COUNCIL

Minutes of the meeting of Cabinet held on Monday, 9 January 2017 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 Woolcombe-Adams	Portfolio Holder for Planning, Growth and Housing Services

ASSISTANT PORTFOLIO

HOLDERS PRESENT:

Councillors Simon Davies, Mike Pullin, Alan Townsend and Danny Unwin

OTHER COUNCILLORS

PRESENT:

Councillors Bryan Beha, Peter Bradshaw, John Carter, Des Harris, Bente Height, Claire Hudson, Roy Mackenzie, Jeannette Marsh, Graham Noel, Dick Skidmore and Ros Wyke

OFFICERS

PRESENT:

Ian Bowen	Group Manager, Planning and Growth
Stuart Brown	Chief Executive
Paul Deal	Section 151 Officer
Claire Dicken	Committee Officer
Jason Kirkwood	Principal Licensing Officer
Donna Nolan	Deputy Chief Executive and Monitoring Officer
Andre Sestini	Senior Planning Policy Officer

Agenda Item	Subject	Actioned by
1	Chair's Announcements The Chair explained the procedures in the case of an emergency and asked that all mobile devices be switched to silent.	
2	Apologies for Absence None	

3	<p>Declarations of Interest</p> <p>None</p>	
4	<p>Public Participation</p> <p>a. Items on the agenda – none</p> <p>b. Items not on the agenda: - none</p>	
5	<p>Previous Minutes</p> <p>The minutes for the Cabinet meeting held on 5 December 2016 were agreed subject to a change at the start of Item 15 to show that the report was presented by the Portfolio Holder for Planning, Growth and Housing Services.</p>	<p>Claire Dicken</p>
6	<p>Taxi Driver Fees</p> <p>The Principal Licensing Officer explained that the taxi driver fees had been reviewed. The review had included a breakdown of every task involved in processing taxi driver applications and costings to match. The suggested new fees had been subject to intense consultation. As a result of the consultation the trade had not complained about the new fees. The new fees had been introduced in August 2016. The Officer hoped the Council would be able to review its fees each year.</p> <p>Members noted the update.</p> <p>RESOLVED</p> <p>To note the update</p>	<p>Jason Kirkwood</p>
7	<p>Local Development Scheme</p> <p>The Portfolio Holder for Planning, Growth and Housing Services outlined a report which presented a document with a timetable for production and consultation on formal planning policy documents from 2017-2020. This was known as a Local Development Scheme (or LDS). It replaced the previous 2013 LDS which was now out of date. The scheme included the timing of future stages of Local Plan Part II, a Gypsies and Travellers site allocations document and rolling the plan forward to a single Local Plan by 2021.</p> <p>An updated LDS was required as the formal Local Development Scheme was now of date. While the Mendip website contained</p>	<p>Andre Sestini</p>

updates on progress, this did not replace the formal scheme. The recommendation made provision for scope, plans and timetable to be updated through Cabinet.

During the discussion that followed Members pointed out that the Council had tried to find suitable sites for Gypsies and Travellers for many years.

In response to queries the Officer explained that once the Council had acknowledged a need for Gypsy and Traveller sites then it was necessary to include the need in the Council's Local Plan.

Members were concerned whether there would be any benefit of a CIL scheme compared to the current Section 106 arrangements. The Officer said it was still too early to know at this stage.

Members were also concerned about the resource implications in reviewing the Local Plan. The Officer explained that it would be necessary to review the Local Development Scheme each year in line with Government updates.

Some Members were concerned that the Plan should be prepared in a timely manner because landowners could take advantage of the Council if it did not have a Local Plan for Gypsy and Traveller Sites.

There was concern that the only way to satisfy the need for Gypsy and Traveller sites was to formalise unauthorised sites across the district. There was a suggestion that maybe some of the disused quarries could be suitable as such sites.

There was a discussion about the relationship between Neighbourhood Plans and the Council's Local Plan.

One Member suggested that Area of Outstanding Natural Beauty Policies be included in the current development plan for Mendip even though it was supplementary guidance. For clarity, the Officer agreed to include a list of all guidance documents on the Council's website.

RESOLVED

That Cabinet endorse:-

- (a) the Local Development Scheme (LDS) for publication as the programme for production of planning policy documents; and
- (b) agree that the LDS is reviewed and kept up to date each year; and

	<p>(c) note that an early review of the LDS may be necessary in response to changes in national planning and housing policy.</p> <p>REASON FOR THE RESOLUTION</p> <p>The resolutions fulfil statutory requirements to keep local communities up to date on the production of planning policy documents.</p>	
<p>8</p>	<p>Phoenix Board</p> <p>The Portfolio Holder for Transformation presented a report which explained that on 12 September 2016 Cabinet had established the Phoenix Sponsorship Board with responsibility for the Council’s Programme of Transformation.</p> <p>Subsequently on 12 December 2016 Full Council resolved to increase the borrowing limit to £40million, to enable the Programme of Transformation, and in particular to generate financial returns to enable the Council to become self-financing and deliver community benefit.</p> <p>In view of these decisions it is necessary for Cabinet to delegate executive decisions, including key decisions, to the Phoenix Board.</p> <p>In response to queries raised by Councillor Des Harris the Portfolio Holder for Finance, Governance and Corporate Services explained that the Cabinet had only agreed to increase the borrowing limit to £40million. It was not necessarily the case that the Council would borrow the full amount. He further said that whilst it was not possible to know whether the returns would be greater than the cost to service the debt, great care would be taken to make sure the loans were financially sustainable. Finally, Grant Thornton had assessed the proposal to borrow money and they supported the Council’s decision.</p> <p>Some Members suggested that Councillors with a business background be asked to give their expertise when choosing which projects to invest in.</p> <p>The Chair explained that the Cabinet was being asked to delegate decision making power in order for the Phoenix Board to move quickly to secure investments where necessary. However, relevant advice should be sought as part of each decision.</p>	<p>Donna Nolan</p>

	<p>He confirmed the Council would be looking for a mixed portfolio of investments. Some may be purely for financial gain whilst others would be for the benefit of the community.</p> <p>Members requested regular updates.</p> <p>Portfolio Holder for Finance, Governance and Corporate Services advised that current opinion was that borrowing rates were likely to remain low for the next 5 to 10 years.</p> <p>OPTIONS CONSIDERED</p> <p>The status quo had been considered and rejected as such a model would not enable us to meet the needs of our communities, deliver a sustainable Council or position us to invest in the future of our District.</p> <p>RESOLVED</p> <ol style="list-style-type: none"> 1. To delegate oversight and executive decision making, including key decisions associated with the Council’s Programme of Transformation, to the Phoenix Board who will call upon appropriate Officers, Members and external advisors as necessary. 2. To note that the Phoenix Board will provide regular updates on the position and progress of the Transformation Programme to Cabinet. 3. To authorise the Chief Executive to take any further action necessary to give effect to the decision of the Cabinet in relation to this matter. <p>REASON FOR THE RESOLUTION</p> <p>The Phoenix Board would form a robust, yet flexible decision making body to support the transformational ambitions and corporate priorities of the Council, as well as ensuring the sustainability of the Medium Term Resources Strategy.</p>	
<p>9</p>	<p>Portfolio Holder Decisions</p> <p>264 – iShare Supplier Astun Technology 265 – Eibe to Supply Replacement Play Equipment 266 – Cushman and Wakefield Feasibility Study for Shape Mendip Campus</p>	

10	<p>Forward Plan</p> <p>The Council's Forward Plan was noted.</p>	
11	<p>Minutes for Information</p> <p>The following minutes were noted:</p> <p>Approved Scrutiny board Minutes – 28.11.16 Draft Scrutiny Board Minutes – 19.12.16 Draft Audit Committee Minutes – 23.11.16 Draft Wells Recreation Ground Trust Minutes – 12.12.16</p>	
12	<p>Urgent Business</p> <p>The Chair agreed the following item should be considered as Urgent Business.</p> <p>Capita Business Services Limited and 5 Councils Partnership</p> <p>The Leader of the Council said this report updated Cabinet on variations to the service commencement dates under the Capita 5 Councils Corporate Services Agreement for services to Hart District Council, Mendip District Council, Havant Borough Council and East Hants District Council (the Agreement).</p> <p>Given the innovative and dynamic nature of the Agreement this report also sought delegation to Senior Officers, in consultation with the Leader and Deputy Leader to agree:</p> <ul style="list-style-type: none"> a) Subsequent changes to the Agreement and b) To take any further action necessary to give effect to the decision of Cabinet on 25 January 2016 to enter into the Agreement. <p>RESOLVED</p> <ul style="list-style-type: none"> 1. To note the position outlined in the report regarding early commencement dates. 2. To give delegated authority to the Chief Executive and Deputy Chief Executive (and Solicitor to the Council) in consultation with the Leader and Deputy Leader to agree future contractual variations and to take such other steps as necessary to give effect to the substantive decision of Cabinet on 25 January 2016 in relation to the decision to enter into the Agreement. 	<p>Donna Nolan</p>

<p>13</p>	<p>Exclusion of The Press and Public</p> <p>Cabinet passed a resolution to exclude the press and public from the meeting during item 14 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"> • Category 3 - information relating to the financial or business affairs of any particular person (including those of the Council) 	
<p>14</p>	<p>Funding the Replacement of the Waste Recycling Vehicle Fleet</p> <p>Cabinet were asked to consider the funding of the Waste Recycling Vehicle Fleet.</p> <p>RESOLVED</p> <p>To approve:</p> <ol style="list-style-type: none"> 1. The funding mechanism as set out in Section 3 of the Report for vehicle replacements; 2. Delegation to the Group Manager for Neighbourhood Services and the Corporate Financial Advisor (Section 151 Officer) to conclude any details around this arrangement with the Somerset Waste Partnership in consultation with the Portfolio Holder for Finance, Governance and Corporate Services. <p>REASON FOR THE RESOLUTION</p> <p>The proposed funding mechanism would provide a benefit for funding authorities and a small shared benefit for all District partners.</p> <p>Delegation to Somerset Waste Partnership officers, with the District agreement, would allow us to finalise such details as timetables for payments and cashflow considerations for partners.</p>	<p>Paul Deal</p>

The meeting closed at approximately 8.10 pm.