

MENDIP DISTRICT COUNCIL

Minutes of the meeting of Cabinet held on Monday, 13 March 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 Woollcombe-Adams	Portfolio Holder for Planning, Growth and Housing Services

ASSISTANT PORTFOLIO HOLDERS PRESENT:

None

OTHER COUNCILLORS PRESENT:

Councillors Bryan Beha, Peter Bradshaw, John Carter, Rachel Carter, Lloyd Hughes, Roy Mackenzie, Clive Mockford, Dick Skidmore

OFFICERS PRESENT:

Stuart Brown	Chief Executive
Claire Dicken	Committee Officer
Stuart Finney	Group Manager, Neighbourhood Services
Sara Skirton	Group Manager, Corporate Services

Agenda Item	Subject	Actioned by
1	<p>Chair’s Announcements</p> <p>The Chair explained the procedures in the case of an emergency and asked that all mobile devices be switched to silent.</p>	
2	<p>Apologies for Absence</p> <p>Councillors Simon Davies, Mike Pullin, Alan Townsend and Danny Unwin, Portfolio Holder Assistants</p>	
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: -</p> <p>Councillor Roy Mackenzie had requested to speak about the Somerset River Authority Scrutiny Committee. He said that at its first meeting Members considered the 1.25% increase in Council Tax which had been due to the flood prevention measures and felt that government should be asked to establish the Somerset Rivers Authority as a separate precepting authority.</p>	
5	<p>Previous Minutes</p> <p>The minutes for the Cabinet meeting held on 13 February 2017 were agreed.</p>	Claire Dicken
6	<p>Economic Development</p> <p>The Deputy Leader of the Council gave a verbal update about economic development within the district. He gave detail of the progress being made by Gigaclear who were installing Ultrafast Fibre Broadband in the district. The project was on target. Updated information was regularly provided and posted on their website.</p> <p>He went on to give examples of businesses within the district which had either begun trading or had increased recently. These included the Premier Inn in Wells and Wave Power at Hartlake.</p> <p>The development of the business area at the Bath and West Showground was also progressing well.</p> <p>He said there were plenty of good news stories and that the Council's strategy was having a positive impact on the district.</p> <p>During the discussion that followed Members were impressed by the progress.</p> <p>The Portfolio Holder for Transformation reminded Members that the Shape Lottery was now active with the first draw taking place on 25th March</p> <p>RESOLVED</p> <p>To note the update.</p>	Jenny Pitcher

7	<p>Adoption of the Control of Horses Act 2015</p> <p>The Portfolio Holder for Neighbourhood and Community Health Services outlined a report which asked Members to agree to adopt the provisions of the Control of Horses Act 2015.</p> <p>Once empowered, this would allow abandoned horses to be seized from Mendip District Council (MDC) and Highways land in order to prevent the menace of fly-grazing and to protect the public.</p> <p>The report explained fly-grazing was the practice of placing a horse or horses on someone else's land without the permission of the landowner.</p> <p>Over recent years there had been an increase in horses being found grazing on the Council's land. There had also been an increase in the number of horses at various places around the north east section of the district, predominantly the Frome area. This could occur when horses were left without permission. It was also possible that horses strayed onto Council land without the owner's knowledge. Horses left or straying onto Council land were often left untethered. Council land was not usually bounded by stock-proof fencing, meaning that these horses presented a risk to people on the land, and if they 'escaped' for example onto nearby roads they may cause serious harm both to themselves and others.</p> <p>Complaints were received regularly from local residents close to where horses were tethered or abandoned. The concerns were often based on the well-being of the horse(s) and the complaints were about the lack of care and perceived neglect.</p> <p>It was noted that the Control of Horses Act 2015 gave discretionary power not a statutory duty.</p> <p>The Portfolio Holder said every effort had been made to make the service as cost effective as possible. He also highlighted that no healthy horse would be put down. He said the intention was for healthy abandoned horses to be rehomed.</p> <p>The Chair of the Scrutiny Board had not been able to attend the meeting. However, he had arranged for his comments to be read aloud. He said that on the whole the Scrutiny Board supported the introduction of the new powers. However, there had been concern that healthy horses should not be put down.</p> <p>The Leader of the Council said that the new powers would protect the public and tackle the neglect of abandoned horses.</p> <p>There was a discussion about the cost of the welfare of horses whilst they were in the care of the Council. A number of</p>	Ian Glover
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	<p>Councillors had concerns about the cost of the service particularly if veterinary fees were necessary. However, it was considered on balance that the Council would benefit from the option of having the new powers as a tool. In response to queries the Portfolio Holder confirmed there had been in the region of 50 reports of abandoned horses in the district last year.</p> <p>Members of Cabinet supported the report and thanked the Officers for their work in bringing it to them.</p> <p>RESOLVED</p> <p>To authorise the Group Manager for Neighbourhood Services to enforce and administer the Control of Horses Act 2015.</p> <p>To grant the Group Manager for Neighbourhood Services the power to authorise such Officers within Neighbourhood Services Group and Community Health Group to enforce the Control of Horses Act 2015.</p> <p>REASON FOR THE RESOLUTION</p> <p>Once empowered, this would allow abandoned horses to be seized from Mendip District Council (MDC) and Highways land in order to prevent the menace of fly-grazing and protect the public.</p>	
8	<p>Performance Management Report Quarter 3 2017/17</p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services outlined a report the purpose of which provides an overview of the Council's performance up to the end of Quarter 3 (31 December 2016) relating to the strategic priorities and objectives of the Corporate Plan, and key delivery enablers. It sets out progress so far against the new objectives contained in the plan.</p> <p>The Report noted there had been good progress towards achieving the Corporate Objectives in Quarter 3. Senior Leadership Team was pleased to note that 87% of Corporate Plan objectives were on target. Initiatives to improve Health and Wellbeing for specific groups was producing positive results. Officers were continuing to work corporately in Supporting Economic Development and Growth, including through workshops, advice events and marketing. The rural exceptions process was helping to deliver affordable housing.</p> <p>This high level of performance continued the trend from the previous two quarters. However, given the continuing dynamic environment in which the council was delivering its ambitions,</p>	Sara Skirton

there would inevitably be challenges, opportunities and competing pressures that may require a change of focus or approach. The impact of these would continue to be carefully managed, reported and addressed.

Members were asked to:

1. Consider and comment on the information contained within the report
2. Consider and comment on the format of the report and levels of detail provided
3. Identify any issues or performance exceptions that the committee wish to highlight as a concern to Cabinet
4. Where performance exceptions were identified consider whether the proposed actions were adequate to improve performance to the desired level and take actions to address concerns as appropriate.

The Scrutiny Board had endorsed this report at their meeting on 27 February 2017.

The Portfolio Holder said that in response to requests the team would prepare a number of more focussed performance reports.

The Leader of the Council said that any additional reports should be carefully co-ordinated with the work programme of the Audit Committee.

Members agreed that all performance reports should be clear and concise.

During the discussion that followed Members were concerned about the increase in Freedom of Information requests. The Officer agreed to forward Members a breakdown of the type of requests that had been received recently. It was suspected that the majority of them had been commercially based.

There was a discussion about whether the actions which had been highlighted as green had been set at the right level. However, Members noted that the targets were under constant scrutiny by Portfolio Holders and Officers.

The Council's Mental Health Champion pointed out that appendix A of the Report should include mental health issues too.

RESOLVED

To note the report. Where performance exceptions were identified the proposed actions were considered adequate to improve performance to the desired level.

	<p>REASON FOR RESOLUTION</p> <p>Robust performance management arrangements are essential in ensuring the organisation is managed in an efficient and effective way, is delivering its goals, and that resources are available where they are needed.</p>	
9	<p>Calendar of Public Meetings 2017/18</p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services outlined a report which set out the draft calendar of public meetings for 2017/18.</p> <p>The Calendar continued much the same from the previous year. The Portfolio Holder pointed out that new public meetings included the Somerset Building Control Partnership and the Phoenix Sponsorship Board which was an indication of how the Council was changing to include partnership working and transformation projects.</p> <p>RESOLVED</p> <p>To recommend to full Council to approve the dates of public meetings for May 2017 through to May 2018.</p> <p>REASONS FOR RESOLUTION</p> <p>To ensure that council business is dealt with in a timely and orderly manner.</p>	Claire Dicken
10	<p>Portfolio Holder Decisions</p> <p>270 – Somerset Waste Partnership Business Plan 2017-2022</p>	
11	<p>Forward Plan</p> <p>The Council's Forward Plan was noted.</p>	
12	<p>Minutes for Information</p> <p>The following minutes were noted:</p> <p>Draft Audit Committee Minutes – 25 January 2017 Draft Scrutiny Board Minutes – 27 February 2017</p>	
13	<p>Urgent Business</p> <p>The Chairman agreed the following item should be considered:</p>	

The meeting closed at approximately 7.30 pm.