

## MENDIP DISTRICT COUNCIL

Minutes of the meeting of Full Council held on Monday, 17 July 2017 in the Council Chamber, Council Offices, Shepton Mallet commencing at 6.30pm.

### COUNCILLORS

**PRESENT:** Joanna Beale, Bryan Beha, Eve Berry, Peter Bradshaw, John Brunson MBE, Carole Bullen, John Carter, Rachel Carter, John Coles, Shane Collins, Nick Cottle, Simon Davies, Edward Drewe, John Greenhalgh, Philip Ham, Des Harris, Bente Height, Steve Henderson, Nigel Hewitt-Cooper, Damon Hooton, Alvin Horsfall, Lloyd Hughes, Tom Killen, Roy Mackenzie, Jeannette Marsh, Clive Mockford, Terry Napper, Graham Noel, John North, Linda Oliver, John Osman, John Parham, Tim Rice, Adam Sen, Harvey Siggs, Dick Skidmore, Helen Sprawson-White, Nigel Taylor, Alan Townsend, Danny Unwin, David van Dyk, Nigel Woollcombe-Adams, Ros Wyke

### OFFICERS

<b>PRESENT:</b>	Stuart Brown	Chief Executive
	Paul Deal	Section 151 Officer
	Lesley Dolan	Business Services Manager
	Caroline McCafferty	Committee Officer

Agenda Item Number	Subject	Actioned by
1 and 2	<p><b>Evacuation Procedures, Induction Loop and Turning Off Mobile Phones</b></p> <p>The Chair explained the evacuation procedures and informed everyone on the use of the induction loop and requested that mobile phones be switched to silent.</p> <p>Councillor Coles was invited to offer an opening prayer. There was a minute silence held for the victims of the Manchester and London terrorist attacks.</p>	
3	<p><b>Apologies for Absence</b></p> <p>Apologies for absence had been received from Councillors Mike Pullin, Claire Hudson, Stina Falle, Adam Boyden and Rachel Carter.</p>	
4	<p><b>Declarations of Interest</b></p> <p>Councillor Nigel Hewitt Cooper declared an interest in item 7, Public Participation. The speaker, Anne Trott was a personal friend.</p>	

<p><b>5</b></p>	<p><b>Chairman’s Engagements , Communications and Announcements</b></p> <p>The Chair had attended the following engagements since the last meeting of Full Council;</p> <p>16 May – Afternoon Tea Party at Buckingham Palace.  21 May – Mayor Making Ceremony at Wells  25 May – Appointment of the New Chair at Street Parish Council  11 June – Civic Reception at Glastonbury  13 June – Presented to HRH The Duke of Gloucester at Glastonbury Rural Life Museum  24 June – Visit to Glastonbury Festival  25 June – Evensong to celebrate 300<sup>th</sup> anniversary of freemasonry at Wells Cathedral  3 July – Lunch with the new Chair of BANES  6 July – Presented to HRH the Countess of Wessex at the new special school at the Bath and West Showground</p>	
<p><b>6</b></p>	<p><b>Presentation of the Previous Chairman’s Pendant</b></p> <p>This was carried out prior to the meeting.</p>	
<p><b>7</b></p>	<p><b>Public Participation</b></p> <p>b) Items on the agenda</p> <p>Anne Trott wished to speak with regard to the Shepton Mallet Sunday market. She wanted to know why the market had been cancelled at short notice, and what the Council’s plans were for the market moving forward. She further queried whether this would be communicated to Market Traders.</p> <p>The Portfolio Holder for Neighbourhood and Community Health Services apologised for the short notice of the cancellation, stating that there had been only 12 bookings for market stalls, which would have resulted in a loss to the Council. He went on to say that a conflict of dates regarding the Mid Somerset Show would have depleted the market numbers further, and that traders had intimated that the market was not profitable.</p> <p>Malcolm Higgins declared that he was recording the meeting.</p>	
<p><b>8</b></p>	<p><b>Previous Minutes of Council</b></p> <p>The minutes of 15 May 2017 were agreed as a correct record of proceedings.</p>	
<p><b>9</b></p>	<p><b>Update from the Leader of the Council</b></p> <p>The Leader informed Full Council that there was a period of uncertainty following the General Election, due to the lack of a clear majority, as the Council had agreed a four year finance settlement. This uncertainty included financial where there were now question marks the financial</p>	

	<p>settlement (the Council had agreed a four year settlement) and local business rates retention. He added that the Government’s targets for housing and planning would impact on the Council’s local plan.</p> <p>It was unclear as to how the return of power from Europe could be influenced to such an extent that it would go back to a local level rather than to Central Government.</p> <p>He stated that the Government’s concentration had shifted from Devolution to the progress of the newly elected Metro Mayors, and that the Government had softened its approach to rural devolution bids. The 17 Authorities in the Heart of the South West had met recently and restated their commitment to the Joint Committee which was offered prior to the general election.</p> <p>He added that the Minister for Local Government was focussed on the aftermath of the Grenfell Tower fire, and the implications for the sector, including building control. A cross party group had been formed, via Cabinet, to ensure that all service area’s policies and procedures were robust.</p> <p>He concluded by urging all Members to take part in driving the Council forward, and despite constitutional and operational challenges, to continue to be the voice of local residents.</p>	
<p><b>10</b></p>	<p><b>Corporate Strategy Approval</b></p> <p>The Portfolio Holder for Finance, Governance and Corporate Services introduced the Corporate Strategy and stated that this built on the Council’s significant achievement to date in securing the future of public services in Mendip, through innovation and new ways of working. The report set out a new vision for the Council and the two new corporate priorities of Transformation and Inclusive Growth.</p> <p>During the debate that followed, the Mental Health Champion proposed that Full Council agree to an addition on page 15 – “to prevent ill health” as follows;</p> <p>“and promote the mental well being of our residents.”</p> <p>Councillor Nigel Hewitt-Cooper proposed the recommendations to the report.</p> <p>In response to questions regarding the root causes of the lower productivity for the South West, the Portfolio Holder for Finance, Governance and Corporate Services clarified that the poor road and rail infrastructure, and formerly the broadband connectivity, contributed to lower productivity. Members added however, that the area has innovators such as at Dulcote Quarry and the local cheese and milk producers.</p>	<p><b>Sara Skirton</b></p>

	<p>The Portfolio Holder for Transformation thanked all who worked on the report and seconded the recommendations.</p> <p>In response to questions regarding investments, the Leader of the Council clarified the Council would sustain income through borrowing and investment in assets. The Council would look to unlock sites which were challenging, by taking independent advice and that of the Council's Financial Officers prior to taking opportunities to the Phoenix Sponsorship Board for decisions, due to the short timeframes required in these matters. He added that the Phoenix Sponsorship Board was formed including the Leader of the Opposition, to capitalise on these time sensitive opportunities. He further clarified that there was a future for sustainable energy within the District such as hydro power. He concluded that in regard to sustainable food production, local producers would need to diversify and increase productivity.</p> <p>In response to a question regarding specific targets, the Portfolio Holder for Finance, Governance and Corporate Services clarified that targets would be set around the Strategic Plan and these would be reflected in individual Service Plans.</p> <p>Councillor Helen Sprawson White noted that the Council should not forget to engage with local communities and respond to residents' needs.</p> <p>Councillor Adam Boyden arrived at 19.12.</p> <p><b>RESOLVED</b></p> <p>Council agreed to:</p> <ul style="list-style-type: none"> <li>• Adopt the Corporate Strategy Shape the District 2017/20 subject to the addition at, "to prevent ill health" of "and promote the mental well being of our residents."</li> <li>• Note and endorse the intention to underpin delivery of the corporate strategy through a programme of member and officer development entitled Shape our Future</li> </ul>	
11	<p><b>Scrutiny Proposal</b></p> <p>The Leader of the Council stated that the agenda order be amended to take item 13 before item 12, to allow for debate on the constitutional updates prior to the election of Members to the respective Boards and Committees.</p> <p>He introduced a report which stated that following concerns from across all parts of the Council regarding the effectiveness of the Council's scrutiny process, work had been carried out to identify ways in which the Council could make scrutiny an integral part of the actions and business of the Council. He stated there are issues around resource but the proposal would result in more robust challenge. He asked to note the</p>	

update from the previous Cabinet meeting which resolved that regular meetings of the Chair and Vice Chair of Scrutiny with the Chair and Vice Chair of Cabinet should be established in order to secure continued improvement of the Scrutiny function, and added benefit to the Council During the debate that followed, the Chair of the Scrutiny Board said that he was very much in support of this proposal. He felt there was a range of good, forward thinking ideas and it was a more inclusive way of dealing with Scrutiny. He proposed that the increased responsibility for the Vice Chair attract a remuneration package.

Councillor Graham Noel proposed the recommendations.

Members thanked the Deputy Chief Executive, Chair of Scrutiny and others, for putting this paper together and requested that Officer time be included in the costings.

The Chair of Scrutiny seconded the recommendations to include the remuneration of the Vice Chair.

### **RESOLVED**

Full Council

- 1) Considered the implementation of these proposals as a way to improve the Scrutiny process across the Council.
- 2) Agreed that regular meetings of the Chair and Vice Chair of Scrutiny with the Chair and Vice Chair of Cabinet should be established in order to secure continued improvement of the Scrutiny function.
- 3) Agreed to seek advice from the Independent Remuneration Panel regarding the remuneration of the Vice Chair, thus recognising the increased responsibility.

## **12 To Consider Membership of Boards, Committees and Panels**

- a) To elect Members to the Cabinet

The Leader stated that the Cabinet would remain unchanged, and informed Full Council that the new Cabinet Assistants would be; Jo Beale, Tim Rice and Linda Oliver. They would take up their positions in August 2017.

- b) i. To elect Members to the Scrutiny Board

The Members of the Scrutiny Board elected were Eve Berry, Graham Noel, Steve Henderson, Terry Napper, John North, Dick Skidmore, John Osman, Nigel Hewitt-Cooper, Damon Hooton, Nick Cottle, Claire Hudson, Shane Collins and Lloyd Hughes.

- ii To elect the Chair and Vice-Chair of the Scrutiny Board

Councillor Graham Noel nominated Councillor John Osman as Chair of the Scrutiny Board. This was seconded by Councillor Eve Berry.

Councillor Nick Cottle nominated Councillor Damon Hooton as Chair of the Scrutiny Board. This was seconded by Councillor Shane Collins.

There were 6 votes for Councillor John Osman and 4 votes for Councillor Damon Hooton.

Councillor John Osman was duly elected Chair of the Scrutiny Board.

Councillor John Osman nominated Councillor Damon Hooton as Vice Chair of the Scrutiny Board. This was seconded by Councillor Nick Cottle.

This was carried.

Councillor Nick Cottle stated that it was his understanding that a Member of the Opposition should be Chair of the Scrutiny Board. The Leader of the Council stated that amendments to the Constitution had just been passed at Item 13. Councillor Nick Cottle replied that he was given a paper by Donna Nolan at the last meeting of the Standards Board to say that the changes to the constitution were incorrect and should revert to their original form.

iii. To elect substitute Members to the Scrutiny Board

The substitute members of the Scrutiny Board elected were Rachel Carter, Linda Oliver, Simon Davies, Mike Pullin, David van Dyk, Clive Mockford, Edward Drewe, Alan Townsend and Des Harris.

c) i. To elect Members to the Licensing Board

The Members of the Licensing Board elected were Carole Bullen, Jeannette Marsh, Alan Townsend, Peter Bradshaw, John Coles, Linda Oliver, David van Dyk, John Greenhalgh, Danny Unwin, John Carter, Nick Cottle, Roy Mackenzie, Helen Sprawson-White, Stina Falle and Bente Height.

ii. To elect the Chair and Vice-Chair of the Licensing Board

Councillor John Greenhalgh nominated Councillor Peter Bradshaw as Chair of the Licensing Board which was seconded by Councillor John Coles.

This was carried.

Councillor Carole Bullen nominated Councillor Jeannette Marsh as Vice Chair of the Licensing Board. This was seconded by Councillor Danny Unwin.

Councillor Peter Bradshaw nominated Councillor David van Dyk which was then duly seconded. Councillor Jeannette Marsh then withdrew her nomination.

Councillor David van Dyk was elected the Chair of the Licensing Board.

d) i. To elect Members to the Planning Board

The Members of the Planning Board elected were Nigel Hewitt-Cooper, Nigel Woollcombe-Adams, Mike Pullin, Jo Beale, John Brunson, Tim Rice, Rachel Carter, Danny Unwin, Clive Mockford, Dick Skidmore, Nigel Taylor, Damon Hooton, Ros Wyke, Bryan Beha and Des Harris.

ii. To elect the Chair and Vice-Chair of the Planning Board

Councillor Tim Rice nominated Councillor Nigel Hewitt-Cooper as Chair of the Planning Board. This was seconded by Councillor Danny Unwin.

This was carried.

Councillor Nigel Taylor nominated Councillor Nigel Woollcombe-Adams as Vice Chair of the Planning Board. This was seconded by Councillor John Brunson.

This was carried.

iii. To elect substitute Members to the Planning Board

The substitute Members of the Planning Board elected were Terry Napper, Tom Killen, John Coles, Alan Townsend, Edward Drewe, Steve Henderson, Nick Cottle and Stina Falle.

e) i. To elect Members to the Standards Committee

The Members of the Standards Committee elected were Jeannette Marsh, John Greenhalgh, Tom Killen, John Carter, Nick Cottle, Damon Hooton and Shane Collins.

ii. To elect the Chair and Vice-Chair of the Standards Committee

Councillor Tom Killen nominated Councillor Jeannette Marsh as Chair of the Standards Committee. This was seconded by Councillor Nick Cottle.

This was carried.

	<p>Councillor John Carter nominated Councillor Tom Killen as Vice Chair of the Standards Committee. This was seconded by Councillor Jeannette Marsh.</p> <p>This was carried.</p> <p>iii. To elect substitute Members to the Standards Committee</p> <p>f) i. To elect Members to the Audit Committee</p> <p>The Members of the Audit Committee elected were John North, Clive Mockford, John Greenhalgh, Peter Bradshaw, Claire Hudson, Bryan Beha and Des Harris.</p> <p>ii. To elect the Chair and Vice-Chair of the Audit Committee</p> <p>Councillor Peter Bradshaw nominated Councillor John North as Chair of the Audit Committee. This was seconded by Councillor Clive Mockford.</p> <p>This was carried.</p> <p>Councillor Clive Mockford nominated Councillor Peter Bradshaw as Vice Chair of the Audit Committee. This was seconded by Councillor John Greenhalgh.</p> <p>This was carried.</p> <p>iii. To elect substitute Members to the Audit Committee</p> <p>The substitute Members of the Audit Committee elected were John Carter, Shane Collins, Adam Sen Wyke and one other Member to be nominated in due course.</p> <p>g) i. To elect Members to the Council Tax Setting Committee</p> <p>It was agreed that the Council Tax Setting Committee would remain as the Leader of the Council, the Deputy Leader, the Portfolio Holder for Finance and the Leader of the Opposition.</p> <p>h) i. To elect Members to the Wells Recreation Ground Trust Committee.</p> <p>It was agreed that the membership of the Wells Recreation Ground Trust Committee would remain unchanged.</p>	
<p><b>13</b></p>	<p><b>The Council's Constitution</b></p> <p>To consider Constitutional Updates.</p>	

	<p>In response to queries from Members, it was clarified that the Phoenix Sponsorship Board was open to the public with the exception of confidential items, and that the minutes would be published with the exception of confidential items. CAMG would no longer sit, with the business from it split between other boards, committees and panels. Assets of Community Value would be heard at an Assets of Community Value Panel comprising the Portfolio Holder and Shadow Portfolio Holder for Finance, Governance and Corporate Services, the Portfolio Holder for Transformation and the Deputy Leader of the Council. Decisions up to £10,000 would be taken by the Portfolio Holder, decisions between £10,000 and £100,000 would be taken by the Phoenix Sponsorship Board, and any decision above that would be taken by Cabinet.</p> <p>The recommendations were proposed by Councillor Nigel Hewitt-Cooper and seconded by Councillor John North.</p> <p><b>RESOLVED</b></p> <p>Full Council;</p> <ul style="list-style-type: none"> <li>(a) Approved the proposed revised Sections of the Constitution, as attached at Appendix 1 to the report.</li> <li>(b) Delegated authority to the Deputy Chief Executive and Monitoring Officer to make such other amendments to the Constitution as necessary, to give effect to the changes detailed at Appendix 1 to the report.</li> <li>(c) Delegated authority to the Deputy Chief Executive and Monitoring Officer to make such amendments in the Constitution as necessary to give effect to the governance arrangements in respect of the 5CP Corporate Services Contract.</li> </ul>	
<p><b>14</b></p>	<p><b>Update on Climate Change – Question from the meeting of 12 December 2016</b></p> <p>Councillor Helen Sprawson White left the meeting at 8.00.</p> <p>The Portfolio Holder for Transformation provided an update which stated that Climate Local was an LGA initiative, supported by the Environment Agency Climate Ready service, to drive and support Council action on climate change. Climate Local supported local authorities by providing a platform, practical tools and advice to promote activity on climate change and demonstrate leadership locally.</p> <p><b>What was required from Councils?</b></p> <p>Participating Councils were required to demonstrate their commitment, ambitions and progress to climate change and to share these with other Councils and national partners. By signing up to the Climate Local initiative Councils must set out actions to be undertaken locally to reduce</p>	

carbon emissions and respond to changes in climate in council services and local communities.

Councils are required to sign a declaration, agreeing to:

- **Set locally-owned and determined commitments** and actions to reduce carbon emissions and to manage climate impacts. These will be specific, measurable and challenging;
- **Publish our commitments, actions and progress**, enabling local communities to hold us to account;
- **Share the learning from our experiences and achievements** with other councils; and
- **Regularly refresh our commitments and actions** to ensure they are current and continue to reflect local priorities.

### **MDC's commitment**

At the meeting of Full Council in December 2016, it was agreed that the Council would undertake research with a view to signing up to the LGA Climate Local initiative. Since then the following has taken place:

- A member and officer working group has been established and has met to agree the way forward.
- Officers have undertaken research and prepared for the working group a briefing that outlines what the initiative is and what it requires councils to do.
- The briefing also included an initial high level assessment of the types of actions that the council is currently undertaking, or intends to undertake, that would contribute to the objectives of Climate Local.
- The Leader of the Council has signed the commitment to sign up to the LGA Climate Change Local initiative.

### **Next steps**

- Now that the Council has signed up to the initiative, we have up to six months in which to agree and set out the commitments and actions we intend to undertake locally.
- As part of business planning, further work is underway with Group Managers to identify and recommend to the working group what these commitments should be.
- The LGA is clear that any commitments need to be deliverable and achievable and we will be taking a proportionate approach.

	<ul style="list-style-type: none"> <li>• It is intended that performance against the commitments will be managed as part of the overall corporate performance management framework.</li> <li>• A further update will be provided once the commitments and actions have been identified.</li> </ul> <p>The Portfolio Holder for Neighbourhood and Community Health Services thanked the Group Manager for Corporate Services for this paper.</p> <p>A debate followed with regard to climate change.</p> <p>In response to a question regarding the membership of the Member / Officer working group, the Portfolio Holder for Community Health Services clarified that any Member with an interest was welcome to join the group.</p>	
<b>15</b>	<p><b>Motions to Council</b></p> <p>There were no motions to Council.</p>	
<b>16</b>	<p><b>Questions from the Public</b></p> <p>No questions had been submitted from the public.</p>	
<b>17</b>	<p><b>Questions from Members</b></p> <p>No questions had been submitted from Members.</p>	
<b>18</b>	<p><b>Urgent Business</b></p> <p>There was no urgent business.</p>	

The meeting closed at approximately 8.12 pm.