

MENDIP DISTRICT COUNCIL

Minutes of the meeting of Full Council held on Monday, 18 December 2017 in the Council Chamber, Council Offices, Shepton Mallet commencing at 6.30pm.

COUNCILLORS

PRESENT: Joanna Beale, Bryan Beha, Eve Berry, Peter Bradshaw, John Brunsdon 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 Osman, John Parham, Tim Rice, Adam Sen, Harvey Siggs, Dick Skidmore, Helen Sprawson-White, Alan Townsend, Danny Unwin, Nigel Woolcombe-Adams, Ros Wyke

OFFICERS

PRESENT:	Tracy Aarons Stuart Brown David Clark Paul Deal Caroline McCafferty Donna Nolan	Deputy Chief Executive Chief Executive Group Manager Law and Governance Section 151 Officer Committee Officer Deputy Chief Executive
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Agenda Item Number	Subject	Actioned by
1 and 2	<p>Evacuation Procedures, Induction Loop and Turning Off Mobile Phones</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.</p> <p>The Chair congratulated Councillor Simon Davies on the receipt of a Certificate of Meritorious Service from the Royal Navy for services recruiting Royal Navy Reserves at HMS Flying Fox. This award was the highest non national award before an MBE. He also won the Dark Trophy for HMS Flying Fox as the top recruiting unit in the maritime reserve. All congratulated Councillor Davies.</p>	
3	<p>Apologies for Absence</p> <p>Apologies for absence had been received from Councillors Claire Hudson, John North, Linda Oliver, Nigel Taylor and David van Dyk.</p>	

<p>4</p>	<p>Declarations of Interest</p> <p>Councillor John Greenhalgh declared a personal and prejudicial interest in item 4 as his land adjoined the land discussed in the Local Plan.</p> <p>The Chair informed Council that the meeting was being video recorded by a member of the public. In response to Councillor’s questions regarding the necessity of video recording, the Deputy Chief Executive clarified that the matter was at the Chair’s discretion. The Chair confirmed that it had discussed prior to the meeting.</p>	
<p>5</p>	<p>Chairman’s Engagements , Communications and Announcements</p> <p>The Chair had attended the following engagements since the last meeting of Full Council;</p> <p>July 12 Yeovil Samaritans AGM</p> <p>August 12 Guest of the Mayor of Yeovil at annual Truck Fest</p> <p>August 29 Meeting of District Council’s Chairs at Bath</p> <p>September 3 Civic service at Burnham on Sea</p> <p>October 22 Activities evening at Bridgwater</p> <p>October 26 Retirement party at Bath Guildhall of a senior officer</p> <p>October 31 Meeting of cross border Councillors</p> <p>November 2 Mayor making at Radstock followed by long service presentations</p> <p>November 20 On the 70th wedding anniversary of Her majesty The Queen and the Duke of Edinburgh, visit to 3 couples who also celebrated their 70th wedding anniversary in 2017. They were presented with flowers and some funds.</p>	
<p>6</p>	<p>Public Participation</p> <p>a) Items on the agenda</p> <p>There were none</p>	

	<p>b) Items not on the agenda</p> <p>There were none</p>	
7	<p>Previous Minutes of Council</p> <p>The minutes of 17 July 2017 were agreed as a correct record of proceedings. An update to Climate Local was requested. The Chief Executive stated that a written reply would be provided.</p>	
8	<p>Update from the Leader of the Council</p> <p>The Leader opened his address by reflecting on his recent attendance at Staff Briefings with the Chairman of the Council. He echoed the Chairman's thanks for the work of the staff over the preceding 12 months.</p> <p>The Leader stated that the co-operative working between Members and staff had facilitated the Council to continue to deliver quality services.</p> <p>He added that the Cabinet Assistants, and the broadened role of Scrutiny, had enabled more Members to be actively involved with the work of the Council.</p> <p>The Investment Strategy was beginning to pay dividends, with financial sustainability and strong financial management remaining of vital importance.</p> <p>Working with other Councils within the Heart of the South West would enable the Council's voice to be better heard both regionally and nationally.</p> <p>Charter Plus status had been awarded to the Council for Member / staff training, and the Council's work at the Glastonbury Festival was recognised as an exemplar in terms of working on large scale events.</p> <p>He concluded by saying that he believed that Members and officers would continue to approach future challenges with spirit and determination.</p> <p>The Chair agreed to change the order to take Item 11 next to allow members of the public with an interest in this item to leave early.</p>	

<p>9</p>	<p>Treasury Management Strategy</p> <p>The Portfolio Holder for Finance, Governance and Corporate Services introduced a report which reviewed the treasury performance for the first 6 months of 2017/18, and building on the success of the commercial investment strategy, sought to further increase the borrowing approval limit.</p> <p>Council were asked to approve an authorised borrowing limit of £100 million, with an operational boundary of £80 million, in order to undertake further commercial investment to generate additional income.</p> <p>In response to questions from Members, it was clarified:</p> <ul style="list-style-type: none"> • The tenants in retail property were of prime consideration, and only those tenants with exceptional track records and long unexpired leases would be considered. Checks for a strong covenant strength included due diligence carried out by Cushman and Wakefield (appointed via a rigorous procurement process) and forensic accountants, examining the profile of key staff and trade press checks. • Council Tax increases could not in any way bridge the gap without unrealistic increases. . • There was no cap on local authority borrowing, this was at the discretion of the Section 151 Officer who employed a prudent approach to borrowing, and subject to the approval of full Council. • The Council had been lobbying central Government with regard to fairer funding. • The Council was prepared to explore a wide range of investment possibilities, including green investment such as wind turbines, solar farms and anaerobic digestion, and areas including care homes, retail, distribution and warehousing, but only where the investment had a proven business case. • Local investment (ie within district) would be considered in line with the investment criteria • Advisors were engaged through a rigorous procurement process and detailed information was provided on all aspects of each investment 	<p>Paul Deal</p>
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opportunity. The investment criteria was strictly adhered to.

- 15 investment opportunities had been fully investigated and 2 accepted. A distribution centre in Chepstow was complete, with the second investment close to completion.
- The strategy was live and would be subject to regular review.
- Central government had not provided any indication of the future of business rate retention.
- Borrowing was approached in a prudent manner to create an income stream to support front line service delivery.

The Leader of the Council stated that successful projects including Fusion, ID Verde and the Somerset Waste Partnership had been implemented, but in order to bridge the gap in funding which could not be covered by increases in fees and charges , and to fulfil the Council's responsibility to its residents, prudent borrowing and sensible investment was necessary.

He added that accountability had to be balanced against short timescales and confidentiality of negotiations. He reiterated the need for confidentiality and advised that any breaches of this could potentially damage the Council's commercial credibility. However Confidential reports could be provided for Scrutiny, and Members were at liberty to attend the meetings of the Phoenix Sponsorship Board. The case file in respect of the purchase at Chepstow was available for all Members to inspect, which clearly demonstrated the extent of due diligence undertaken on a potential purchase.

The Section 151 Officer explained MRP to Members.

The Vice Chair of the Council left the meeting at 7.20. It was clarified by the Deputy Chief Executive that the Vice Chair had left the meeting due to a Declaration of Interest that her son was a Director of Cushman and Wakefield. She had taken no part in the debate prior to leaving the meeting.

Full Council had been asked to:

- Note the half-yearly performance against 2017/18 investment strategy;
- Note the current treasury activity and the mid-year report;

	<ul style="list-style-type: none"> • Approve an authorised borrowing limit of £100 million, with an operational boundary of £80 million, in order to undertake further commercial investment in order to generate additional income. <p>A further recommendation that regular reports are presented to Scrutiny on the progress of the Council's Investment Strategy was proposed and duly seconded.</p> <p>33 Members were in favour of the resolution, 1 was against and 4 abstained.</p> <p>RESOLVED</p> <p>Council:</p> <ul style="list-style-type: none"> • Noted the half-yearly performance against 2017/18 investment strategy; • Noted the current treasury activity and the mid-year report; • Approved an authorised borrowing limit of £100 million, with an operational boundary of £80 million, in order to undertake further commercial investment in order to generate additional income. • Agreed that regular reports are presented to Scrutiny on the progress of the Council's Investment Strategy. 	
10	<p>Set Council Tax Database</p> <p>The Vice Chair of the Council returned to the meeting at 8.10pm.</p> <p>The passing of a formal resolution was required to set the Council Tax Base for the forthcoming financial year.</p> <p>During the discussion which followed, it was clarified that there was a 2% allowance for unpaid Council Tax.</p> <p>One Member was advised to contact the Revenue and Benefits Officer to clarify whether overpaid Council Tax due to residents on the basic pension and in receipt of council Tax Benefit, could claim back overpayment</p>	

	<p>RESOLVED</p> <p>Council agreed:</p> <ul style="list-style-type: none"> • That the provision for losses on collection was set at 2.0%. • That the report for the calculation of the Council's Tax Base for the year 2018/2019 be approved. • That pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulation 1992, as amended, the amount calculated by the Council as its Council Tax Base for the year 2018/2019 should be 39,599.15. This figure included the adjustments made as a result of the Council tax support scheme. 	
<p>11</p>	<p>Mendip Local Plan</p> <p>Full Council approval was sought to publish a draft Local Plan Part II for statutory consultation. It followed the Cabinet resolution made on 13/11/2017. This would allow representations to be made on the Plan and modifications to be considered before it was submitted to the Secretary of State. Publication was a key stage in the progress of Local Plan Part II.</p> <p>The Plan proposed additional housing and employment sites to meet residual housing requirements in the Local Plan Part I, and address national planning guidance to maintain a forward supply of housing sites. It reflected a comprehensive options consultation completed in January 2016, informal consultation with Parish Councils and input through the Member Advisory Group (MAG).</p> <p>During the discussion that followed, the Portfolio Holder for Planning, Growth and Housing Services clarified that all forms of response would be acceptable and was not limited to email. He added that attendance at the the Members Advisory Group meetings had been low, but proposed further consultation with the Members Advisory Group which was duly seconded. Glastonbury Town Council had been given the opportunity to comment and would receive a response in January 2018</p> <p>There was 1 abstention from the vote.</p>	

	<p>RESOLVED</p> <p>Council:</p> <ul style="list-style-type: none"> (1) Approved the draft Local Plan Part II for statutory public consultation; (2) Delegated responsibility to the Group Manager for Planning and Growth Services, in consultation with the Members Advisory Group to: <ul style="list-style-type: none"> (a) Approve any changes to the draft Local Plan Part II in the interests of clarity and accuracy before publication; (b) Review the representations submitted to the consultation and need for Modifications to the Plan; (c) Undertake submission of Local Plan Part II and necessary modifications, provided there were no representations received that raise fundamental issues on the soundness of the Plan. (3) Agreed to report to Cabinet on progress, and make recommendations for modifications from the Members Advisory Group in response to the consultation. 	
<p>12</p>	<p>Outturn Treasury Management Strategy</p> <p>The Treasury Management Outturn Report reflected on the performance against the Treasury Management strategy for the 2016/17 financial year.</p> <p>RESOLVED</p> <p>Full Council:</p> <p>Noted that officers had complied with the Council's Treasury Management policies and practices during the 2016/17 financial year.</p>	
<p>13</p>	<p>Heart of the Southwest Joint Committee Proposal</p> <p>At their meeting on 11 December 2017 Cabinet recommended this report to Council.</p> <p>The report sought approval that the Council, together with other authorities in Devon and Somerset, the Local Enterprise Partnership, Dartmoor and Exmoor National</p>	

Parks and three Clinical Commissioning Groups, form a Joint Committee for the Heart of the South West.

This report and Appendices would be taken for approval by all constituent authorities.

RESOLVED

Council:

1. Approved the recommendation of the Heart of the South West Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West;
2. (a) Approved the Arrangements and the principles of the draft Inter-Authority Agreement for the establishment of the Joint Committee with the commencement date of Monday 22 January 2018;

(b) Delegated authority to the Deputy Chief Executive and Monitoring Officer, in consultation with the Leader, to finalise the form and enter into the Inter Authority Agreement.

(c) Delegated authority to the Deputy Chief Executive and Monitoring Officer, in conjunction with the Leader, to make variations to the Inter Authority Agreement as recommended by the Joint Committee
3. Appointed Councillor Harvey Siggs, Leader of the Council and Councillor Tom Killen, Deputy Leader of the Council as the Council's named representatives and substitute named representative on the Joint Committee;
4. Appointed Somerset County Council as the Administering Authority for the Joint Committee for a two year period commencing 22nd January 2018;
5. Approved the transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/18 financial year subject to approval of any expenditure by the Administering Authority;
6. Approved an initial contribution of £1400 for 2018/19 to fund the administration and the work programme of the Joint Committee, noting that any

	<p>expenditure would be subject to the approval of the Administering Authority;</p> <p>7. Agreed that the key function of the Joint Committee was to approve the Productivity Strategy, noting the intention that the Joint Committee would approve the Strategy in February 2018;</p> <p>8. Authorised the initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy;</p> <p>Agreed the proposed meeting arrangements for the Joint Committee including the timetable of meetings for the Joint Committee.</p>	
<p>14</p>	<p>Councillor Roles, Descriptions and Person Specifications</p> <p>The Member Development Group felt it was important for the Council to clearly define the role of a Councillor and how they contributed to the achievement of community, political and council objectives. The portfolio Holder for Transformation thanked Claire Dicken and Councillor Peter Bradshaw for their work.</p> <p>In addition to this role, descriptions could be used to help in the recruitment and selection of candidates and to identify and prioritise development needs. The Member Development Group felt it was important for the Council to actively encourage citizenship and to highlight the role of Councillors as community leaders as part of promoting local democracy so as to encourage under-represented groups to become Councillors.</p> <p>The use of role descriptions and personal specifications was a key component for Charter Plus Status for member development accredited by South West Councils.</p> <p>The adoption of role descriptions and personal specifications would also underpin the Shape Our Future programme of Member and Officer development.</p> <p>Councillor Adam Boyden proposed an amendment to the recommendation to add 'vice versa'</p>	

	<p>RESOLVED</p> <p>Council:</p> <p>Agreed the Role Descriptions and Person Specifications subject to the following addition:</p> <p>In the Role Description of an Elected Member, Representing and supporting communities, line 2; ‘To be an advocate for the Council in the ward and communities they serve’, would be amended to:</p> <p>‘To be an advocate for the Council in the ward and communities they serve and vice versa.’</p>	
	<p>Exclusion of The Press and Public</p> <p>Full Council passed a resolution to exclude the press and public from the meeting during item 15 on the grounds that except 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 finances or business affairs of any particular person (including those of the Council) <p>2 members of the public left the meeting at 8.35pm during item 15.</p>	
<p>15</p>	<p>Five Councils Corporate Services</p> <p>The report sought Council approval to the financial implications of termination of the contract with VINCI Construction UK Limited and re-negotiation of the contract with Capita Business Services Limited.</p> <p>The report also sought approval to enter into a new Inter Authority Agreement with Hart District Council, South Oxfordshire District Council, Vale of White Horse District Council and Havant Borough Council; and to agree authorisations for a shared Client Team under Section 113 of the Local Government Act 1972.</p> <p>In response to questions it was confirmed that the contract would continue to provide savings to the Council, above the original 10% target, and that a Report would be produced on lessons learnt, and the opportunities now available to the 5 partner Councils to develop more flexible and collaborative service delivery models, with commensurate efficiency savings, as originally envisaged in the Partnership.,.</p>	

	<p>Members agreed that the issue could be learned from and move on.</p> <p>There were 3 abstentions from the vote.</p> <p>RESOLVED</p> <p>Council:</p> <p>(a) Agreed the anticipated financial implications arising from the renegotiation of the Five Councils' Corporate Services Contract with Capita Business Services Limited and to authorise the Section 151 Officer, in consultation with the Leader, to:</p> <ol style="list-style-type: none"> 1. Address any one off costs by drawing down on reserves. 2. Address the ongoing costs in the Medium Term Resources Strategy. <p>(b) Agreed to meet all costs arising from the termination of the Five Councils' Corporate Services Contract with VINCI Construction UK Limited and to authorise the Section 151 Officer, in consultation with the Leader, to:</p> <ol style="list-style-type: none"> 1. Address any one off costs by drawing down on reserves. 2. Address the ongoing costs in the Medium Term Resources Strategy. <p>(c) Authorised the Deputy Chief Executive and Monitoring Officer to enter into a revised Five Councils' InterAuthority and to agree authorisations for a shared client team staff under section 113 of the Local Government Act 1972.</p> <p>2 members of the public returned to the meeting at 9.00pm.</p>	
16	<p>Motions to Council</p> <p>Councillor Shane Collins presented a motion to Council which was seconded by the Portfolio Holder for Transformation and supported by the Portfolio Holder for Neighbourhood and Community Health Services and the Assistant Portfolio Holder for Transformation.</p>	

	<p>This stated:</p> <p>“That this Council will become a 'single-use plastic free' council by phasing out the use of 'single-use plastic' (SUP) products such as bottles, cups, cutlery and drinking straws in all council activities, by April 2018 and to actively encourage our facilities' users, local businesses and other local public agencies to do the same by championing alternatives, such as reuseable water bottles.”</p> <p>During the debate which followed, Members were broadly in favour of the motion, with the addition of the words ‘where it is reasonable to do so’ following the words ‘cutlery and drinking straws in all council activities.’</p> <p>RESOLVED</p> <p>That this Council will become a 'single-use plastic free' council by phasing out the use of 'single-use plastic' (SUP) products such as bottles, cups, cutlery and drinking straws in all council activities, where it is reasonable to do so, by April 2018 and to actively encourage our facilities' users, local businesses and other local public agencies to do the same by championing alternatives, such as reuseable water bottles</p>	
<p>17</p>	<p>Questions from the Public</p> <p>There were none.</p>	
<p>18</p>	<p>Questions from Members</p> <p>Councillor Steve Henderson had submitted the following questions:</p> <p>Are Councillors aware of the Hinkley Point C Proposed Variation to Construction Traffic Management Plan which will have been decided today, 18th December, at Somerset County Council? The variation, if agreed, will increase HGV traffic from an average of 500 to 750 movements per day until the end of September 2019.</p> <p>Are Mendip Councillors aware that Mendip District Council is not represented on the Transport Review Group, a group that consists of Somerset County Council, Sedgemoor District Council, West Somerset Council and Highways England?</p> <p>Although Hanson's Whatley Quarry is in the Mendip</p>	

	<p>area, and HGVs are travelling along the A361 & A39 through the Mendip area to Hinkley Point C, our Council has no influence over any mitigation measures on Highways and none of the mitigation funds that are available to other Councils.</p> <p>A debate followed with regard to HGV traffic in the Mendip area.</p> <p>The Portfolio Holder for Transformation clarified that the completion of the jetty at Hinkley Point C had been delayed. He added that completion was expected by September 2018, and that the equivalent of 100 train waggons would use the jetty daily.</p> <p>The Deputy Leader of the Council stated that the matter would be investigated and Council would be updated in due course.</p> <p>One Member commented that Hauliers had welcomed the economic benefit from the delay.</p>	
19	<p>Urgent Business</p> <p>Councillor Linda Oliver</p> <p>The Leader of the Council requested that full Council grant Councillor Linda Oliver a six month leave of absence due to personal reasons. Councillors Edward Drewe and Eve Berry would cover Councillor Oliver's ward and Councillor Philip Ham would support her Cabinet work.</p> <p>RESOLVED</p> <p>That Councillor Linda Oliver be granted a six month leave of absence from 1 January 2018.</p> <p>Refuse Collection</p> <p>One Member stated that refuse had not been collected in Street. Having received no feedback from the contractor, he queried the next steps.</p> <p>RESOLVED</p> <p>The Portfolio Holder for Neighbourhood and Community Health Services would respond to the Member following investigation.</p>	

The meeting closed at approximately 9.45 pm.