

## MENDIP DISTRICT COUNCIL

Minutes of the meeting of Cabinet held on Monday, 5 December 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 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, Bente Height, Damon Hooton, Roy Mackenzie, Jeannette Marsh, 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
Stuart Finney	Group Manager - Neighbourhood Services
Andre Sestini	Senior Planning Policy Officer
Steve Shrimplin	Principal Revenues, Benefit and Fraud Officer
Sara Skirton	Group Manager - Corporate Services

### ALSO

#### PRESENT:

Steven Read Managing Director, Somerset Waste Partnership

Agenda Item Number	Subject	Actioned by
1	<b>Chair's Announcements</b>  The Chair explained the procedures in the case of an emergency and asked that all mobile devices be switched to silent.	
2	<b>Apologies for Absence</b>  Councillor Nigel Taylor, Portfolio Holder for Neighbourhood and Community Health Services	

3	<p><b>Declarations of Interest</b></p> <p>None</p>	
4	<p><b>Public Participation</b></p> <p>a. <b>Items on the agenda – none</b>  b. <b>Items not on the agenda: - none</b></p>	
5	<p><b>Previous Minutes</b></p> <p>The minutes for the Cabinet meeting held on 7 November 2016 were agreed.</p>	<p><b>Claire Dicken</b></p>
6	<p><b>Street Naming and Numbering Policy Review</b></p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services introduced a report which showed how a revision of the current Street Naming and Numbering (SNN) Policy would be of benefit to the Council, stakeholders and customers.</p> <p>The existing Street Naming and Numbering Policy had been in place since December 2009 and was now in need of review and update. This report summarised the need for change and clarification in the Street Naming and Numbering Policy and sought approval for the introduction of charging for historic research and provision of Notices confirming the official address for existing properties in the District.</p> <p>The recommended fee had been established by completing a time and motion study for completion of research and confirmation of existing addresses and was based on a cost-recovery basis.</p> <p>The Policy detailed the powers under which the Council allocated official addresses to properties in the district, the related appeal processes and the procedures and best practice it followed in delivering the service.</p> <p>There had been no revisions to legislation covered under the review of the policy.</p> <p>Following on from the meeting of the Scrutiny Board the Officer and Councillor Ros Wyke had agreed to update paragraph 7.6.2 about Caravans and Camping as set out in the updating.</p> <p>During the discussion that followed the Leader of the Council said the Council should make sure that parishes understood that as far as they were concerned the Policy would be advisory only.</p>	<p><b>Adam Rhymer</b></p>

	<p><b>OPTIONS CONSIDERED</b></p> <p>The option to charge for this service on a non-cost recovery basis was considered and investigated thoroughly with Legal, Finance and external bodies but the evidence gathered has confirmed that this service can only be provided on a cost recovery basis.</p> <p><b>RESOLVED</b></p> <p>That Cabinet:</p> <ol style="list-style-type: none"> <li>1) Adopt of the revised Street Naming and Numbering Policy</li> <li>2) Introduce a charging regime for provision of historic research and provision of Notices confirming existing addresses</li> </ol>	
7	<p><b>Council Tax Reduction Review and Plans for 2017/18</b></p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services presented a report which explained that each year Central Government (DCLG) required local authorities to approve a Policy for helping those in need to claim a reduction in council tax. Whilst central government determined the level for pension age claimants, the Policy for working age claimants was discretionary. Since this Policy started in April 2013 Mendip had retained the same Policy, currently helping 6,712 households and reducing council tax by over £5.5m. Following a review by the Council Tax Reduction Members Panel in August 2016, it was recommended that the Policy remain unchanged for 2017/18.</p> <p><b>OPTIONS CONSIDERED</b></p> <p>As in previous years, Mendip had been in discussion with neighbouring Somerset authorities on any options for change to the CTR Policy. Mendip also engaged with stakeholders regularly to obtain feedback on the scheme and continued to raise awareness of the hardship fund.</p> <p>The CTR Policy in Mendip seemed to be generally reasonably well understood and Mendip had little or no feedback that it was not being claimed by those who needed it. Mendip’s collection of council tax had increased over the past years and that coincides with reduced number of people claiming. Overall it made sense to retain a policy that was well known and had worked reasonably well since its introduction in April 2013.</p> <p><b>RESOLVED</b></p> <p>To approve the recommendation of “no change” in our Council Tax Reduction Policy for 2017/18.</p>	Steve Shrimplin

	<p><b>REASON FOR THE RESOLUTION</b></p> <p>The Policy had been in place since April 2013 and to date we have had little adverse feedback from stakeholders that the Policy was not meeting those who genuinely need help paying their council tax.</p> <p>The cost of the scheme had generally fallen over time as numbers of claimants had fallen. The Hardship element had not been exceeded in any of the years but remained an effective part of the scheme to deal with hardship and exceptional individual circumstances.</p>	
<p><b>8</b></p>	<p><b>Discretionary Business Rate Relief Policy 2017/18</b></p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services presented a report which explained that discretionary business rate relief could be awarded by the Council to certain businesses and organisations. The government defined the categories where that was possible and in previous policies Mendip had decided which of those types met its corporate priorities.</p> <p>Members had approved a policy and budget since 2011/12 that was distributed fairly and consistently amongst local businesses and organisations and was in line with corporate priorities.</p> <p>Feedback strongly supported the view that this relief had been very successful in assisting local businesses and organisations to reduce their business rates. It supplemented the mandatory reliefs and discounts provided by Central Government, such as small business rate relief and relief for registered charities, which meant we could lower business rates whilst maximising central government contributions. The scheme was straightforward and businesses could obtain facts and apply on line or on paper via our business support pages on the Mendip website.</p> <p>It was proposed that this discretionary policy continue for 2017/18 although it should be noted that with the extension of the central government funded small business rates scheme, we should find that some of the “not for profit” businesses and organisations that previously received discretionary relief, would gain under the small business rates scheme. This would reduce our expenditure on Mendip’s discretionary scheme.</p> <p>This policy was part of a wider package of business support to deliver Mendip’s corporate priority of economic development.</p> <p>During the discussion that followed the Portfolio Holder confirmed the Council was not expecting the business rate relief policy to make a big difference in its finances. The Officer pointed out the latest information that was available to businesses from the Valuation Office. The information was also available via a link from the Council’s website.</p>	<p><b>Steve Shrimplin</b></p>

	<p>Members noted that the scheme had been very useful for businesses within Mendip and were pleased to support it.</p> <p><b>RESOLVED</b></p> <p>To:</p> <ol style="list-style-type: none"> <li>1. Set a level of discretionary rate relief expenditure up to £140,000 for 2017/18 at an estimated cost to Mendip of £56,000.</li> <li>2. Continue the level of award to the specified categories of organisation as from 1 April 2017, subject to the over-riding criteria listed.</li> <li>3. Continue with a cap of £9,000 on any discretionary rate relief for any one account.</li> <li>4. Continue with a rate relief limit so that any rate relief meets a maximum of 95% of the business rates liability.</li> <li>5. Set a cut off date (30 April 2017) for applications for 2017/18 but to consider applications after this cut off date for any eligible new business starts or eligible businesses that may relocate into Mendip provided any awards would not exceed the expenditure budget.</li> <li>6. Reserve the right to review the decision should a change in legislation involve the Council in additional cost.</li> </ol> <p><b>REASON FOR THE RESOLUTION</b></p> <p>A discretionary rate relief policy, as set within the national legislation, is an effective means for local businesses and organisations that meet Mendip's priorities to receive reduced business rates bills.</p>	
	<p><b>The Chair altered the order of items as follows:</b></p>	
<p><b>16</b></p>	<p><b>Recycle More</b></p> <p>The Portfolio Holder for Portfolio Holder for Planning, Growth and Housing Services presented a report which explained the collection of domestic waste was a statutory duty of the District Council with disposal being the responsibility of the County Council.</p> <p>Mendip District Council, like all the others in Somerset met its statutory requirements through the Somerset Waste Partnership (SWP) who managed the domestic collection and disposal on our behalf.</p> <p>The Somerset Waste Partnership had prepared a report for consideration by all the partners.</p> <p>The report covered the environmental and financial benefits of moving to new Recycle More collection services, which would increase recycling and met public aspirations to recycle more materials, including plastic pots, tubs and trays.</p>	<p><b>Stuart Finney</b></p>

Feedback from partners would be reported to Somerset Waste Board in December 2016, with a view to a final decision then being taken on the new collections, which would also follow negotiations being finalised with SWP's collection contractor, Kier MG CIC.

If approved, Recycle More services would then be rolled out to all district areas in Somerset from Autumn 2017.

Steve Read, Managing Director of the Somerset Waste Partnership gave a presentation about the new Recycle more collection services.

During the discussion that followed Members supported the scheme. They noted that the new collection services would continue to deliver a good service. They noted that the pilot schemes had been successful. However, Members felt it was vital that the message to residents should be a positive one in case the move to fewer collections proved to be unpopular in the first instance.

There was some concern that residents had already begun to complain about the possibility of fewer collections because the press had been publishing this aspect of the change as the headline news.

Members said that all refuse containers must be animal proof and wind proof. Members suggested that more lidded containers may help.

In response to queries it was confirmed that the Somerset County Council would review the recycling centre provision alongside the change in kerbside collections.

Councillors were keen to reduce the waste going to landfill. It was hoped that in the years to come, nil waste would be sent to landfill.

Some Members on the backbench were very concerned about the new service. They requested copies of the research that had been carried out in Wiveliscombe. There was concern that if an individual forget to put their bin out, they may have to wait 6 weeks for a collection. Also, some Members said some people did not have room for anymore bins.

Members wished to discuss the detail of Appendix A to the report which contained exempt information.

### **Exclusion of The Press and Public**

Cabinet passed a resolution to exclude the press and public from the meeting during the discussion of Appendix A of the report on the grounds that exempt information (as defined in Schedule 12A Local Government Act 1972) of the following description was likely to be disclosed:

- Category 3 - Information relating to the financial or business affairs of any particular person (including those of the Council).

	<p>The meeting returned to open session.</p> <p>The Chair of the Scrutiny Board confirmed that they had considered the new service and supported the change.</p> <p>The Chair said it was important for residents to recycle more. It was also important that the messages about the new service were very clear.</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. To recommend the preferred option for future Recycle More collections, with arrangements as detailed in paragraphs 2.6 and 2.7 of the Somerset Waste Partnership Report and the proposed communications plan in paragraph 4.6.</li> <li>2. That the Cabinet's feedback be included in a final report to Somerset Waste Board in December 2016, with a view to delivery of the Recycle More collections as a central part of SWP's Business Plan 2017-22.</li> </ol> <p><b>REASON FOR THE RECOMMENDATION</b></p> <p>Feedback from all partners on the Recycle More report was needed by the Somerset Waste Board which was scheduled to meet on 16 December 2016 to make a final decision on the future of the project.</p>	
9	<p><b>Regulation of Investigatory Powers Act (RIPA) Update</b></p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services presented a report the purpose of which was to update Members on the Council's Corporate Policies and Procedures on RIPA following the last audit by the Surveillance Commissioners in November 2015.</p> <p>Where investigating officers were intending to carry out covert surveillance they were required to obtain a unique reference number (URN) for the subsequent RIPA application/authorisation from the RIPA Co-Ordinating Officer who maintained the Central Record of authorisations. This number was subsequently endorsed on all RIPA paperwork for the particular matter. Apart from the issue of one URN in respect of which the application for authorisation of covert surveillance was still awaited, there had been no RIPA activity since the last Inspection by the Surveillance Commissioners which had taken place on 5 November 2015.</p> <p><b>RESOLVED</b></p> <p>That the report be noted.</p>	Lesley Dolan

	<p><b>REASON FOR THE RESOLUTION</b></p> <p>This report complies with the recommendations from the last audit by the Surveillance Commissioners in November 2015.</p>	
<p><b>10</b></p>	<p><b>Strategic Housing Market Assessment</b></p> <p>The Portfolio Holder for Planning, Growth and Housing Services presented a report which informed Members of the key findings of the Strategic Housing Market Assessment (SHMA) for Somerset and implications for planning policy.</p> <p>The SHMA study projected and modelled the level of future housing need across Somerset including Mendip and provides supporting justification to current planning and housing policies.</p> <p>Central to the SHMA was the calculation of <i>Full Objectively Assessed Need</i> (also known as OAN or FOAN). The Government expected local authorities to undertake an SHMA for their area and that they should aim to meet OAN through their Local Plans. The publication of a revised OAN was therefore significant as an initial step in any review of Local Plan housing requirements.</p> <p>During the discussion that followed the Vice Chair suggested that the Council plan for higher levels of housing growth, especially in tertiary villages.</p> <p>There was a discussion about how the SHMA would relate to Neighbourhood Plans.</p> <p>Members believed that contrary to the SHMA that the development at Hinkley Point C would have a significant impact on the housing market in the Mendip district.</p> <p><b>RESOLVED</b></p> <p>That Cabinet:-</p> <ol style="list-style-type: none"> <li>a) Note the findings of the Somerset Strategic Housing Market Assessment and its wider implications for housing and development plan policies.</li> <li>b) Note that the Council can demonstrate a five year supply of housing sites and that the Objectively Assessed Need in the SHMA does not replace this.</li> <li>c) Re-affirms its commitment to Local Plan Part II (site allocations) as the most suitable vehicle through which local housing needs can be addressed.</li> <li>d) In response to the need for the SHMA to be actively considered, requests officers test through the site allocations plan to ascertain whether an uplift to housing delivery can be sustainably accommodated.</li> </ol>	<p><b>Andre Sestini</b></p>

	<p>e) Notes a revised Local Development Scheme will be shortly be brought to Cabinet.</p> <p><b>REASON FOR THE RESOLUTION</b></p> <p>The resolution sought to maintain certainty in the status of the development plan and delivery of actions to meet the Council's objectives.</p>	
11	<p><b>Amending the Debt Write Off Thresholds</b></p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services presented a report which explained a significant part of the 5 Councils partnership benefits and efficiencies was the harmonisation of policies and procedures. In reviewing the income collection policies, it was evident that Mendip had considerably lower debt write off thresholds. This report sought to increase the limit to align with the other councils. No changes were proposed to debt collection procedures.</p> <p><b>RESOLVED</b></p> <p>To agree to amend the financial procedures rules and recommend to Full Council to increase the debt write off threshold to:</p> <ul style="list-style-type: none"> <li>• Up to and including £5,000.00 – delegated authority to the Section 151 Officer in consultation with the relevant Portfolio Holder. The Section 151 Officer may delegate to Deputy Corporate Finance Advisor as required</li> <li>• £5,000.00 and over – referred to Cabinet.</li> </ul> <p><b>REASON FOR THE RECOMMENDATION</b></p> <p>Increasing the debt write off threshold would enable the authority to benefit from economies in the process and align with the other authorities within the 5 Councils partnership.</p>	Paul Deal
12	<p><b>Treasury Management Strategy Statement – Mid Year Review 2016-17</b></p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services outlined a report which reviewed the treasury performance for the first 6 months of 2016/17.</p> <p>Members noted the report.</p>	Paul Deal

	<p><b>RESOLVED</b></p> <p>To note:</p> <ul style="list-style-type: none"> <li>• the half-yearly performance against 2016/17 investment strategy,</li> <li>• the current treasury activity and the midyear report.</li> </ul>	
13	<p><b>Treasury Management Annual Report 2015-16</b></p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services The Treasury Management Annual Report reflects on the performance against the Treasury Management Strategy for the 2015/16 financial year.</p> <p><b>RESOLVED</b></p> <p>That the report be noted.</p>	Paul Deal
14	<p><b>Update to the Treasury Management Strategy</b></p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services introduced a report which explained that to cover the budget shortfall the Council faced, and the continued low return on cash investments, the Council was considering other sources of income. It had been identified that investing on a commercial basis would generate financial returns that would contribute to enabling the council to become self –financing, or that would contribute community benefits.</p> <p>In order to maximise the potential return, this report sought to increase the £10m external borrowing limit outlined within the annual Treasury Management Strategy considered and approved by Council in February.</p> <p>The Report recommended that Full Council be asked to increase the external borrowing limit to £20m.</p> <p>During the discussion that followed Members agreed that the Council should be able to invest in order to help the district prosper in the future. It was further noted that interest rates were currently very low and that may be an external borrowing limit of £30m or £40m was more appropriate. Members agreed that such amounts would enable to the Council to fulfil its wishes to increase services and help businesses to prosper.</p> <p>The Chair advised that the Council must continue to be prudent with any borrowing. However, he would be prepared to accept the limit of £40m. The resolution to recommend to Full Council to increase the external borrowing limit to £40m was carried unanimously.</p>	Paul Deal

	<p><b>RESOLVED</b></p> <p>To agree and recommend to Full Council to increase the external borrowing limit to £40m.</p> <p><b>REASON FOR THE RECOMMENDATION</b></p> <p>Increasing the borrowing limit would enable the authority to invest in a mixed portfolio aimed at delivering a positive contribution towards balancing the Medium Term Resources.</p>	
15	<p><b>Performance Management Report Quarter 2 as at 30 September 2016</b></p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services introduced a report which provided an overview of the Council's performance up to the end of Quarter 2 (30 September 2016) relating to the strategic priorities and objectives of the Corporate Plan, and key delivery enablers. It set out progress so far against the new objectives contained in the plan. It continued the move towards a more concise and targeted style of reporting. This was part of a new performance management framework which, over the coming months, would evolve to include reporting on key service indicators.</p> <p>Members were asked to:</p> <ol style="list-style-type: none"> <li>1. Consider and comment on the information contained within the report</li> <li>2. Consider and comment on the format of the report and levels of detail provided</li> <li>3. Identify any issues or performance exceptions that the committee wish to highlight as a concern to Cabinet</li> <li>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.</li> </ol> <p>The Chair of the Scrutiny Board said a training session would be held by the Scrutiny Board in February 2017 for Members on the topic of performance management reports. He encouraged everyone to attend.</p> <p><b>RESOLVED</b></p> <p>To note the report. Where performance exceptions were identified Cabinet considered the proposed actions were adequate to improve performance to the desired level.</p> <p><b>REASON FOR THE RECOMMENDATION</b></p> <p>Robust performance management arrangements were essential in ensuring the organisation was managed in an efficient and effective way, was delivering its goals, and that resources were available where they were needed.</p>	Sara Skirton

17	<p><b>Portfolio Holder Decisions</b></p> <p>259 – Web hosting Contract  260 – Economic Development PER Consulting  261 – Free Christmas Parking 2016  262 – Civil Parking Enforcement  263 – Frome Christmas Tree 2016</p>	
18	<p><b>Forward Plan</b></p> <p>The Council's Forward Plan was noted.</p>	
19	<p><b>Urgent Business</b></p> <p>The Chairman agreed to consider the following item as urgent business</p> <p><b>Wells Recreation Ground Play Area</b></p> <p>The Portfolio Holder for Finance, Governance, and Corporate Services introduced a report which explained that on the evening of Saturday, 5 November 2016, a fire severely damaged part of new play area on the Wells Recreation Ground. Fire and police services attended and the incident was being treated as suspected arson. Investigations were on-going.</p> <p>The Council had made an insurance claim.</p> <p>The proposal was to remove the damaged structure and surfacing, retain the security fencing and place an order for the manufacture and installation of like-for-like replacement equipment and surfacing.</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. To agree to like-for-like replacement of the damaged equipment and surfacing.</li> <li>2. Delegate to the Wells Recreation Ground Trust Committee decisions on the detail of the replacement equipment and in relation to further play area enhancements.</li> </ol>	Sara Skirton
20	<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 21 and 23 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>21</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>22</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>
<p><b>23</b></p>	<p><b>Irrecoverable Arrears – Sundry Income</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 8.50 pm.