

Minutes of a meeting of the **Town Council Meeting** held in the Parish Hall, North Street, Ilminster on Monday 5<sup>th</sup> January 2015 at 19:30hrs

**Present:**

Chairman: Cllr E J Taylor

Councillors: Cllr P Burton, Cllr C Goodall, Cllr V Higgins, Cllr A Lawson, Cllr D Miller, Cllr R Neave, Cllr J Pallister, Cllr A Shearman, Cllr S Shepherd, Cllr S Storey and Cllr R Swann

**In Attendance**

Officers: Miss N McIntosh (Administrative Assistant), Miss J Norris (Town Clerk), Marilyn Shelley (Deputy Clerk)

70 members of the public attended the meeting, 13 wished to speak.

The Mayor welcomed everyone to the meeting, and checked that everyone who wished to speak had completed the pink forms provided. The Mayor reminded attendees that the meeting might be recorded.

**337. Suspension of Standing Orders**

**RESOLVED** to suspend Standing Order 1m which relates to photographing, recording, broadcasting or transmitting the meeting.

**338. Apologies for absence**

Apologies for absence were received from Councillors Keitch and Sothern.

**339. Declarations of Interest**

The declarations of interest outlined in the table below were made:

Name	Agenda Item	Minute No	Interest	Nature of Interest	Action
Cllr S Shepherd	Agenda item 7 Football and Community Facility	343	Personal	Member of the Cricket Club	Spoke and voted
Cllr R Neave	Agenda item 6 Planning Application 14/02474/OUT Land at Shudrick Lane	342	Personal	Home overlooks the proposed site	Spoke and voted

**340. Minutes**

**RESOLVED**

(i) that the minutes of the meeting held on 16<sup>th</sup> December 2014 be confirmed as a correct record.

**341. Mayor's Announcements/Engagements**

- a) The Deputy Mayor made no announcement relevant to Town Council and Mayoral activities and engagements.
- b) The Mayor and Deputy Mayor's engagements between 16<sup>th</sup> December 2014 and 5<sup>th</sup> January 2015 were circulated with the agenda.

**342. 14/02474/OUT, Land At, Shudrick Lane, Ilminster, Somerset, TA19 0AR,**

Demolition of existing farm buildings, erection of up to 330 No. dwellings (Class C3), creation of vehicular access from Shudrick Lane and Townsend/Long Orchard Hill, public open space and associated landscaping and engineering works (Outline Application). (GR 336587/1142770).

The Mayor invited the representatives of the applicant C G Fry to brief the meeting on their proposed development.

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David Lohfink, Planning Director at C G Fry & Sons provided the meeting with an overview of the company's position regarding this application. The project would create a high quality sustainable development, within walking distance of the town centre; a new spine road would be constructed providing the 'missing link' to the town. In addition another open space would be provided for the wider community.

Jeff Richards from Turley Associates, the agent, described the work which had been done to respond to issues raised by The Highway Agency and the Environment Agency.

### **NB: Council went out of session at 19:45 hrs. to enable Public Participation.**

8 members of the public spoke regarding planning application 14/02474/OUT, Land At, Shudrick Lane, Ilminster. The issues raised included

- the effectiveness or otherwise of the proposed flood mitigation measures and the potential flooding impact on the town
- the Town Council has not yet made a stance on the number of dwellings that the town can sustain
- The impact of the development on local educational facilities.
- Future financial management of open spaces
- The National Policy Planning Framework which regulates developments and its relevance to this application
- Land shown within the application site was not all owned by one person and not all the affected landowners had been contacted about the application
- The status of the emerging Local Plan and the possible impact upon this
- The development would ruin the beautiful, untouched countryside that the towns people enjoy,
- Flooding statistics for the area
- The number of empty houses in Britain

The Mayor explained that South Somerset District Council are yet to make decision on the application. As consultees, the Town Council are asked to recommend approval or refusal on the merits of the application and are given a timescale for their response. For this application responses need to be with South Somerset District Council by 13 January which is why the meeting was taking place prior to a decision being made regarding the Local Plan.

### **NB: Council went back into session at 20:15 hrs.**

The Mayor invited Councillors to ask questions of the developer about the application. Questions raised included

- What flood mitigation measures were proposed?  
The response was that flooding occurs mainly from rapid run off from sites and on many sites that run-off is not properly managed. This can cause flooding. The developer's flood risk assessments satisfy the Environment Agency guidance and policy; the work has included extensive, accurate modelling of scenarios. The proposed balancing / holding ponds exceed the criteria of 130% capacity based upon the vigorous modelling process. Long term management of the balancing ponds would be through a s106 agreement.
- What will be done about the allegation that the development site includes land not owned by the applicant?  
The response was that the Agent will look into this – as far as the developer is aware the land ownership information has been checked carefully with the Land Registry and if appropriate will issue the notices requires or make amendments to the plan. Land ownership is not a factor in considering planning applications.
- The developer has said that they are willing to provide a new open space for the town how will this be maintained in the future?

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The response was that this would be part of a s106 agreement and there were a number of options that could be considered and discussed; these included offering the land to the Town Council together with a commuted sum towards long term maintenance.

- How will the holding ponds be managed?  
The response was that there are various management options and the concerns raised at this meeting and other responses to the planning application will be taken on board as far as practicable but the design can only control what is on the application site, and deal with the resultant run off.
- The number of proposed new dwellings will affect education provision what is being done as mitigation?  
The response was that the impact on education facilities is acknowledged. Analysis has been undertaken and some funding will be made available via a s106 agreement  
The Mayor added that it was her understanding that no planning development has to fund the costs of additional school capacity. The contribution from the developer is to recognise only the additional places required due to the development.
- SCC Highways have yet to comment, but will the new road and existing infrastructure cope with the additional traffic?  
The response was that very detailed transport information has been supplied; traffic will be generated by the development but the Highways Agency have considered all the material and withdrawn their objections.
- A statement was made that the future of schools in Ilminster has nothing to do with this application

There being no further questions, the Mayor then asked Councillors for any comments.

Items raised during consideration included:

- A reminder that applications should be considered on their merits and compliance with planning law
- Safety of children should be considered.
- There were concerns about highways matters such as amount of traffic
- There were no planning reasons for recommending refusal.
- Encouraging people to “go green” and encourage methods of transport other than cars was important; pedestrianisation of part of East Street and even Silver Street would assist with this
- The Local Plan is an emerging planning document and at the current time does not have any status regarding planning recommendations and decisions
- Reference was made to the letter from the National Planning Casework Unit that states the proposed development would not be likely to have significant effect on the historic environment, flooding, landscape, ecology of highways (copy attached to these minutes as Appendix A)

**Council went out of session at 20:50 hrs.** to enable Speaker 3 to ask a question which was about public participation during a meeting. Speaker 3 was provided with a Town Council Meeting advice booklet.

**Council went back into session at 20:55 hrs.**

Following a recorded vote (details attached to these minutes as Appendix B) it was

**RESOLVED to recommend approval**

A debate ensued on whether or not a comment acknowledging opposition to the application should be submitted with recommendation and upon being put to the vote the proposal to submit the comment fell.

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**Council went out of session at 21:05 hrs.** A) to allow members of the public to leave the meeting and  
B) to enable Public Participation on the remaining agenda items.

3 members of the public spoke regarding the remaining agenda items. The issues raised included

- The level of funding the Football Club has already received
- The impact upon Council Tax levels
- Comparison of current Iminster facilities with those in Martock
- Allocation of future S106 monies
- The full breakdown of costs for the football and community facility project including relaying cricket square and demolishing the existing football stand

**Council went back into session at 21:20 hrs.**

### 343. Football and Community Facility Finance

**A)** The report set out the options enabling the Town Council to reclaim the VAT incurred for the construction costs of the Football and Community Facility

Items discussed during consideration of the item included:

- Rent levels and the impact of adding VAT to the rent
- Opting To Tax is a separate issue to registering for VAT

A recorded vote was taken and is attached to these minutes as Appendix C

**RESOLVED** that

- (i) the Council opts to tax the site of the proposed Football and Community Facility on Britten's Field and the building to be constructed upon that site
- (ii) that the appropriate action is taken to notify HMRC of (i) above

**B)** The Council were asked to consider whether the Town Council agrees the principle of obtaining a loan, to be offset by future S106 income, to cover any shortfall in grant funding for the proposed football and community facility.

The Mayor gave Councillors a short time to read the report.

Items discussed during consideration of the item included:

- Do people realise that the building will be owned by the Town Council?
- Any potential impact on the Town Council precept
- Interest rates
- Sources of grant funding for play and pitches
- How the cost of moving the Cricket Square will be funded
- The Football Club business plan and how they have calculated their income
- Whether or not the Football Club would be able to afford to make the interest payments

### 344. Extension of Meeting Duration

At 22:05 hrs.in accordance with Standing Order 1z

**RESOLVED** to extend the duration of the meeting to enable the business on the agenda to be completed.

### **NB: Council went out of session at 22:05 hrs.**

Councillors asked the Football Club representatives questions which included.

- Who has agreed to support the project?

The response was that a number of funding sources have been approached as set out in the report and additional funding sources are being researched

- The breakdown of income and expenditure

The representatives explained that they have very detailed income projections as required by the Football Foundation; the level of detail went as far as the amount of individual drinks that the bar would sell

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- The level of community interest  
There are a number of organisations who have stated an interest in using the facility on a regular basis and even an enquiry about a wedding
- The current arrangement for the Football Club's occupation of The Sports Club  
The representatives said that the current arrangements whereby the bar is run by a third party who is then able to have a share of any profit will be changed when the new facility is open.

**NB: Council went back into session at 22:15 hrs.**

A recorded vote was taken and is attached to these minutes as Appendix D

**RESOLVED**

- (i) that the principle of seeking borrowing approval for the football and community facility is agreed and
- (ii) that work is undertaken to provide all the information that is required to accompany an application for borrowing approval
- (iii) that the Town Clerk is given delegated authority following consultation with the Mayor, The Chair of the Open Spaces Committee and the Chair of the Resources Committee to compile and implement a consultation and communication strategy regarding an application for borrowing approval
- (iv) that when completed, the documentation from (ii) above is presented to Council so that a detailed decision regarding seeking borrowing approval can be considered.

The meeting closed at 22:20 hrs.

Chair's signature & date
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