

**The Council's Vision:**

To enable people to live, work and prosper in West Somerset

**WEST SOMERSET DISTRICT COUNCIL**

**ANNUAL MEETING OF COUNCIL**

**AGENDA**

**Wednesday 14 May 2014 at 2.30 pm**

A prayer will be read before the meeting commences.

**1. Election of Chairman**

It is a legal requirement that the first formal business at the Annual Meeting of Council shall be the election of a Councillor to be the Chairman of the Council.

Once the new Chairman is elected he/she will make and sign the Declaration of Acceptance of Office and receive the Chain of Office from the former Chairman.

The newly elected Chairman will preside from this point in the proceedings.

**2. Appointment of Vice Chairman**

Following the election of the Chairman and Vice Chairman, there will be a short break for formal photographs of the incoming and outgoing Chairmen.

**3. Apologies for Absence**

**4. Declarations of Interest**

To receive and record any declarations of interest in respect of any matters included on the agenda for consideration at this meeting.

**5. Minutes**

**5.1.** Minutes of the Meeting of Council held on 30 April 2014 to be approved and signed as a correct record – **SEE ATTACHED.**

**5.2.** Minutes of the Licensing Committee held on 11 March 2014 to be approved and signed as a correct record – **SEE ATTACHED.**

**6. Public Participation**

The Chairman to advise the Meeting of any items on which members of the public have requested to speak.

**7. Appointment of Leader**

**8. Appointment of Deputy Leader**

## **The Council's Vision:**

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### **9. Cabinet**

9.1 The Leader to announce the Cabinet Lead Members and their allocated portfolios.

9.2 The Leader of the opposition to announce the Shadow Lead Members.

### **10. Allocation of Seats to Committees**

To agree the list of Committee members nominated by Group Leaders to enable the following Committees to appoint Chairmen and Vice Chairmen of –

Scrutiny Committee

Planning Committee

Licensing Committee

Audit Committee

Local Development Panel

Standards Advisory Committee (Chairman and Vice-Chairman to be appointed at the first committee meeting of the municipal year)

### **11. Appointment of Representatives on Outside Bodies**

To appoint representatives to serve on outside bodies for the period to Annual Meeting in 2015 (except where specific periods are stated) – **SEE ATTACHED.**

## **The Council's Corporate Priorities:**

- Local Democracy:  
Securing local democracy and accountability in West Somerset, based in West Somerset, elected by the people of West Somerset and responsible to the people of West Somerset.
- New Nuclear Development at Hinkley Point  
Maximising opportunities for West Somerset communities and businesses to benefit from the development whilst protecting local communities and the environment.

## **The Council's Core Values:**

- Integrity
- Respect
- Fairness
- Trust

**WEST SOMERSET COUNCIL****Minutes of the Meeting held on 30 April 2014 at 4.30 pm****in the Council Chamber, Williton****Present:**

Councillor G S Dowding ..... Chairman  
Councillor A F Knight..... Vice-Chairman

Councillor M J Chilcott  
Councillor S Y Goss  
Councillor A P Hadley  
Councillor K V Kravis  
Councillor K M Mills  
Councillor S J Pugsley  
Councillor K J Ross  
Councillor M A Smith  
Councillor A H Trollope-Bellew  
Councillor D J Westcott

Councillor M O A Dewdney  
Councillor P N Grierson  
Councillor B Heywood  
Councillor E May  
Councillor P H Murphy  
Councillor D D Ross  
Councillor L W Smith  
Councillor T Taylor  
Councillor K H Turner

**Officers in Attendance:**

Chief Executive (P James)  
Director of Operations/Section 151 Officer (S Adam)  
Assistant Chief Executive (B Lang)  
New Nuclear Programme Manager (A Goodchild)  
Housing Initiatives Implementation Officer (A Devine) – Item 6  
Assistant Director Property and Development (Interim) (T Gillham) – Item 13  
Community Liaison and Climate Change Manager (A Lamplough)  
Principal Planning Officer (Policy) (T Clempson) – Item 8  
Meeting Administrator (K Kowalewska)

**C150 Apologies for Absence**

Apologies for absence were received from Councillors A M Chick, H J W Davies, J Freeman, R P Lillis, I R Melhuish, C Morgan and D J Sanders.

**C151 Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

<b>Name</b>	<b>Minute No.</b>	<b>Member of</b>	<b>Action Taken</b>
Cllr P N Grierson	All	Alcombe	Spoke and voted
Cllr S Y Goss	All	Stogursey	Spoke and voted
Cllr P H Murphy	All	Watchet	Spoke and voted
Cllr K J Ross	All	Dulverton	Spoke and voted
Cllr L W Smith	All	Minehead	Spoke and voted

Cllr K H Turner	All	Brompton Ralph	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

**C152 Public Participation**

No members of the public spoke at the meeting on any items on the agenda.

**C153 Chairman's Announcements**

The Chairman advised that the Chairman's Chain of Office had run out of links to engrave names on and urged Members to respond to his email on the various options available in order to gain a consensus of opinion as to what action to take.

**C154 Somerset Strategic Housing Framework and West Somerset Action Plan**

(Report No. WSC 4/14, circulated with the Agenda.)

The purpose of the report was to provide Members with the final proposed West Somerset Action Plan which supports the Somerset Strategic Housing Framework 2013 – 2016 as already formally adopted by Council on 22.1.2014. At that meeting Council also resolved that Cabinet's endorsement of the principles of the West Somerset Action Plan, which supports the Somerset Strategic Housing Framework, and which will be submitted to a future Council meeting following further consultation, be noted. Further consultation and refinement has now been made and this is the finalised comprehensive West Somerset Action Plan.

The report was presented by the Lead Member for Housing, Health and Welfare who proposed the recommendation of the report, which was duly seconded by Councillor M O A Dewdney.

During the course of the debate the following points were raised:

- The action plan should contain proposals on how to get more social housing as there was a strong need for more of this type of housing in West Somerset; as well as investigating opportunities for cooperative housing.
- Members looked forward to receiving information on the key area of focus pertaining to identifying innovative options for strategic sites to best meet affordable housing needs.
- Concern was expressed as to who would work with landlords and owners of empty properties to return them back into use following the deletion of the Empty Homes Officer post.
- There was a need to start looking at Council owned land as a valuable asset for affordable housing.

**RESOLVED** that the Somerset Strategic Housing Framework – West Somerset Action Plan be formally adopted.

**C155**     **Volunteer Policy**

(Report No. WSC 79/14, circulated with the Agenda.)

The purpose of the report was to seek approval to establish a Volunteering Policy for the Council.

The Lead Member for Customer and Community presented the report emphasising that the Policy focused on the authority's activities with volunteers and related purely to West Somerset Council's volunteer process. He explained the purpose of the agreement was to provide volunteers with clear guidance and information about their role as a volunteer, what they could expect from the council and what was expected of them, and he drew attention to the consultation undertaken and the subsequent alterations to the policy as a result. He also informed that a contact email address would be included in the Volunteer Registration Form.

The Lead Member proposed the recommendation which was duly seconded by Councillor M J Chilcott.

Following concerns, the Lead Member for Customer and Community and the Community Liaison and Climate Change Manager advised that the aim of the Policy was to encapsulate all of the authority's services and they reassured Members that if volunteers were required to work within the IT department they would be under supervision, given the appropriate training and would go through the necessary checks before being able to access the Council's ICT system.

It was noted that within the second paragraph of the Introduction to the Volunteering Policy the word 'Council' should be inserted before 'services' in the second line.

Members applauded and acknowledged the importance of the volunteer work currently being carried out in the local community, and recognised the value and benefits that volunteers would bring to the authority.

**RESOLVED** that the Volunteer Policy, as presented in Appendix A to the report, be adopted, as amended.

**C156**     **Proposal for the Designation of a Stogumber Neighbourhood Area**

(Report No. WSC 74/14, circulated with the Agenda.)

The purpose of the report was to consider the designation of a Neighbourhood Area for Stogumber in order to facilitate the preparation of the Stogumber Neighbourhood Plan.

The report was presented by the Lead Member for Housing, Health and Wellbeing who provided background information and stated that it was the Council's statutory duty to assist Stogumber Parish Council with the Neighbourhood Plan. There were significant financial and resource implications in this course of action and monetary support was available from central government up to a maximum of £30,000 per plan; any extra costs would have to be funded by WSC. He then proposed the recommendation, which was duly seconded by Councillor K J Ross.

Concern was expressed that assisting with the preparation of neighbourhood plans could cause a delay in the publication of the Local Plan.

The Principal Planning Officer (Policy) responded to questions relating to the consultation process and explained that the first round of consultation gave the community the area to prepare the Neighbourhood Plan within; the substantial consultation exercise would be carried out by Stogumber Parish Council as it prepared the Plan. WSC would then carry out a formal consultation before the Neighbourhood Plan reached the Examination stage.

**RESOLVED** that the Stogumber Neighbourhood Area be designated as shown on the plan at Appendix 1 to the report.

**C157      Hinkley Point C – Project Governance**

(Report No. 81/14, circulated with the Agenda.)

The purpose of the report was to seek approval for the creation of a Nuclear Policy Advisory Group (PAG).

The Lead Member for Executive Support and Democracy presented the report and proposed the recommendation, which was duly seconded by Councillor E May.

Members noted the core membership detailed in the report and the amendment to one of the bullet points which should read "Member for Quantock Vale Ward".

It was confirmed that dates would be fixed in the Meetings Timetable but due to the nature of the project a few meetings of the Nuclear PAG may have to be convened at short notice.

**RESOLVED** that the creation of a Nuclear PAG be approved, the Core Membership of which would be agreed annually, in accordance with the details contained in the report.

**C158      Meetings Timetable 2014-2015**

(Report No. WSC 76/14 and Meeting Timetable for the 2014/15 Municipal Year, circulated with the Agenda.)

The item was presented by the Lead Member for Executive Support and Democracy who reported that Members' preferences had been incorporated into the timetable attached to the report. He advised that a general principle had been adopted by WSC about the reasonable start time of the main committees and Full Council to offer the best balance for attendance by Councillors, the public and officers, and this was 4.30 pm. It was noted that Audit Committee dealt with more specialised matters and often called on external advice and the start time of 2.30 pm was deemed appropriate.

The Lead Member proposed the recommendation in the report which was duly seconded by Councillor M O A Dewdney.

An in-depth discussion ensued about the day and start time of the Scrutiny Committee and on being put to the vote there were 13 votes for the recommendation and 8 votes against to confirm the arrangements as set out in the report.

**RESOLVED** that the Timetable of Meetings for the 2014/15 Municipal Year, as attached to the report, be approved.

**C159**      **Corporate Plan 2014-16**

(Report No. WSC 82/14, circulated with the Agenda.)

The purpose of the report was to consider approving the Corporate Plan for 2014-16.

The Leader presented the report and drew Members' attention to the overall vision for West Somerset and the two key priorities. He reported that the work with Taunton Deane Borough Council on local democracy was underway but the sharing of services was still in a formative stage. He went on to propose the recommendation of the report which was seconded by Councillor E May.

Clarification was sought on the wording of the Key Tasks within Objective 5 and it was confirmed by the Assistant Chief Executive that accurate dates and up to date figures would be incorporated into the final document.

Councillor D Ross expressed his concern and felt the corporate priorities fell short of encompassing the vision and hoped in the future, by working in partnership with TDBC, the Council would have a much wider and more ambitious corporate plan. It was hoped that the priorities be expanded to include environmental, climate change and health and wellbeing issues.

The Lead Member for Resources and Central Support responded by stating that although the joint partnership working would go some way in addressing the viability of WSC, the Council would still need to find savings. She advised that the priorities should not be expanded upon until a refreshed look at the budgetary situation and transformation was undertaken.

**RESOLVED** that the West Somerset Council Corporate Plan 2014-16, included as Appendix A to the report, be approved.

**C160**      **Exclusion of the Press and Public**

**RESOLVED** that the press and public be excluded from the meeting during consideration of C161 on the grounds that, if the press and public were present during that item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended as follows:

The item contained information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding that information). It was therefore proposed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**C161**      **Development of the East Wharf, Watchet**

(Report No. WSC 52/14, circulated prior to the Meeting.)

The purpose of the report was to bring to Members' attention the circumstances and details of a claim for financial compensation being made against the Council by Urban Splash Developments Limited.

The report was presented by the Leader of Council who introduced Tom Gillham, Assistant Director Property and Development (Interim) to the meeting. The Leader advised that the cabinet member referred to in recommendation 3.2 was the Lead Member for Resources and Central Support.

The Leader proposed the recommendations of the report which were seconded by Councillor D J Westcott.

Various questions and issues were then raised by Members and the Assistant Director Property and Development noted them down for consideration/action.

**RESOLVED (1)** that, subject to resolution(2) below, a maximum contingent cost limit of £70,000, to be funded from any capital receipt from the future disposal of the site, as set out in the proposal of a settlement with Urban Splash be approved. In doing so the Council approves the addition of £70,000 to the Capital Programme for the East Wharf scheme for this purpose, as a further cost of disposal. Any expenditure in excess of this sum that is deemed necessary would be subject to further Council approval.

**RESOLVED (2)** that whilst the proposal to settle matters, as outlined in the proposal set out in section 7.1 of the report be agreed in principle, recognising that adequate time is required to enable clarification of legal points set out in the deed of termination, the final sign-off is delegated to the Leader of Council and the Lead Member for Resources and Central Support.

**C162 Minutes and Notes for Information**

(Minutes and Notes relating to this item, circulated via the Council's website.)

**RESOLVED (1)** that the draft notes of the Watchet, Williton and Quantocks Area Panel held on 4 March 2014 be noted.

**RESOLVED (2)** that the draft notes of the Exmoor Area Panel held on 6 March 2014 be noted.

The meeting closed at 6.25 pm.



**LICENSING COMMITTEE**

**Minutes of the Meeting held on 11 March 2014 at 4.30 pm**

**Present:**

Councillor D J Sanders ..... Chairman  
Councillor H J W Davies  
Councillor E May  
Councillor D J Westcott  
Councillor A P Hadley  
Councillor L W Smith

**Also in Attendance:**

Councillor K H Turner

**Officers in Attendance:**

Environmental Health and Licensing Manager (E Lake)  
Licensing Officer (N Sambells)  
Mendip Legal Representative (L Dolan)  
Meeting Administrator (S Wilsher)

**LEP14 Apologies for Absence**

Apologies for absence were received from Cllrs M O A Dewdney, S Y Goss, P N Grierson and R P Lillis

**LEP15 Minutes**

(Minutes of the Meeting of the Licensing Committee held on 26 November 2013 – circulated with the Agenda).

**RESOLVED** that subject to “The Committee reconvened to consider the remainder of the report relating to the complaint, and the remaining items on the agenda” being moved from the middle of LEP11 on page 6 to the end of LEP11 at the top of page 7, the minutes of the Licensing Committee held on 26 November 2013, be confirmed as a correct record.

**LEP16 Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

Name	Minute No	Member of	Action Taken
Councillor H J W Davies	All	Somerset County Council	Spoke and voted

**LEP17 Public Participation**

No members of the public had requested to speak on any item on the agenda.

**LEP18 Update on the Statement of Licensing Policy for West Somerset Council 2014-17**

(Report No. WSC 36/14, circulated with the Agenda).

The purpose of the report was to request that Members review the responses to the consultation and approve the Statement of Licensing Policy 2014-2017.

The Environmental Health and Licensing Manager presented the report and advised that legislation required licensing authorities to review the Licensing Policy every three years rather than every five. Alterations and general updating were required. From 1 October 2013 a three-month consultation period on the Council's statement of Licensing Policy had commenced. Twelve responses had been received. A sub-committee of five Members had met on 4 February 2014 and reviewed all comments received. The draft policy had been amended accordingly and the Licensing Committee were requested to refer the revised draft statement to Council for approval.

During the discussion the following points were raised:

- Detailed reasons were expected in premises' operating schedules for seeking to allow any new entry to the premises after 1am (report no. 2.1.4) to prevent public nuisance.
- There were no set opening hours for licensed premises. Each premises applied for the operating hours that they wished for their own business.
- Businesses were required to pay their fees in a 'timely manner'. This meant that once a reminder letter was sent by the Licensing Authority the business had 28 days in which to pay the fees for their licensed premises.

**RESOLVED (1)** That Licensing Committee review the responses to the consultation and the amended Statement of Licensing Policy.

**RESOLVED (2)** That the Statement of Licensing Policy 2014-17 and the associated consultation report be recommended to Council for adoption.

**LEP19 Update on Introduction of New Legislation and Review of Licensing Policies**

(Report No. WSC 37/14, circulated with the Agenda).

The purpose of the report was to update Members on the implementation of the Mobile Homes Act 2013 and associated regulations, and on the schedule of reviews of licensing policies and workload of the licensing team.

The Environmental Health and Licensing Manager presented the report and advised that the Mobile Homes Act 2013 aimed to improve standards in the industry and the community, and introduced the power to charge fees. It was proposed that a fee structure was developed during the coming year, in accordance with fee guidance and in line with the cost of this licensing regime, for implementation from April 2015.

During the discussion the following points were raised:

- The Mobile Homes Act 2013 was aimed at residential rather than holiday caravan sites.
- It was known that there were two licensed permanent multiple residential caravan sites and seven permanent single residential sites in West Somerset.
- Residential sites meant that residents could live there for 12 months of the year.
- All caravan sites in West Somerset would be reviewed during 2014.
- Caravan sites could have more than one licence – may have both a residential licence and a holiday licence.
- West Somerset Licensing Authority would work with Taunton Deane Borough Council as they have more experience/knowledge in this area. The fee structure would be based on Taunton Deane's fee construction model used in the introduction of the Scrap Metal Dealers Act 2013.
- Planning permission would be required for sites to change from a 10-month occupancy condition to a 12-month occupancy.
- Breaches of time conditions would usually only come to light if a complaint was received.
- The impact of the Hinkley Point development would be looked at as part of the review.
- The 'Site Rules' of each site were required to be kept by the Licensing Authority.

With regard to the workload of officers, the Environmental Health and Licensing Manager reported that the delivery of licensing functions continued by the Environmental Health and Licensing Team, working closely with Taunton Deane Borough Council, particularly where new legislation/regulations were introduced.

**RESOLVED (1)** That the recent introduction of the Mobile Homes Act 2013 and associated regulations such as the Mobile Homes (Site Rules) (England) Regulations 2014 and the introduction of a fee policy for West Somerset Council be noted.

**RESOLVED (2)** That the schedule of review of licensing policies in appendix 1 and the workload tables in the appendix 2 of this report be noted.

The meeting closed at 5.06 pm.



## REPRESENTATION ON OUTSIDE BODIES – 2014/2015

ORGANISATION	INFORMATION	REPS 2013/2014	REPS 2014/2015
<b>Old People's Welfare Organisations</b>			
Management Committee of Broadlands	Prefer one District Council representative and one Minehead Town Council representative in future.	Councillor P Grierson	
<b>Arts</b>			
MATA Regal Theatre Co Ltd	Meets monthly	Councillor I R Melhuish	
Watchet Youth Centre		Councillor D J Westcott	
Somerset Rural Youth Project		Councillor E May	
Early Childhood & Child Care Network Meetings	Quarterly meetings in Taunton	Councillor E May Deputy: Councillor D J Westcott	
<b>Sport and Recreation</b>			
Strategic Partnership Group West Somerset Sports and Leisure Centre	Meets twice a year	Councillor I Melhuish	
Somerset County Playing Fields Association	Usually 2 to 3 meetings per year	Councillor H J W Davies	
Somerset Play Forum	Three times per calendar year	Councillor E May	
<b>Administrative</b>			
Somerset Passenger Transport Forum	Normally meet twice a year generally around March/April and October/November	Councillor A H Trollope-Bellew Sub: K Mills	
Exmoor National Park (politically balanced)	Statutory requirement to appoint 4 Councillors.	Councillor S J Pugsley Councillor J Freeman Councillor C Morgan Councillor T Taylor	
Somerset Building Preservation Trust	Meets 3 times a year in February, June and October at 10.30 am	Councillor H J W Davies Deputy: Councillor G Dowding	

## REPRESENTATION ON OUTSIDE BODIES – 2014/2015

ORGANISATION	INFORMATION	REPS 2013/2014	REPS 2014/2015
The Parrett Drainage Board	4 full meetings and 5 sub-committees per year. Only 1 Member required to attend when any items relating to West Somerset are due to be discussed.	Councillor R Lillis (Dunster Area) Councillor C Morgan (Stockland Area)	
Wessex Water Customer Liaison Panels	Meets 3 times a year, twice focussing on local issues and once as a joint panel for the whole Wessex region.	Councillor A Chick	
Countywide Shared Services Task and Finish Group	2 representatives to be appointed – one from each political group	Councillor T Taylor Councillor I Melhuish	
<b>Community Interests</b>			
Quantock Hills Joint Advisory Committee		2 representatives – arrangements changed Councillor A Trollope-Bellew Councillor S Dowding	
West Somerset Advice Bureau	Meets 4 times a year to provide a link between funders, the WSAB and the Trustee Board.	Councillor P Grierson	
ENGAGE - West Somerset Voluntary Sector Development agency		Councillor R Lillis	
Hinkley Point Site Stakeholder Group (politically balanced)	Meetings held three times a year usually the last Friday in February, June and October. Two meetings per year held at Hinkley Point B Induction Centre (at the site) and one is held at a venue off site.	Councillor C Morgan Councillor S Goss Councillor M Smith	
Taunton & Somerset NHS Trust – Foundation Trust Council of Governors		Councillor D Ross	(appointment runs for 3 years from Dec 2012) Cllr D Ross wishes to stand down – a new rep will be required for the next municipal year

## REPRESENTATION ON OUTSIDE BODIES – 2014/2015

<b>ORGANISATION</b>	<b>INFORMATION</b>	<b>REPS 2013/2014</b>	<b>REPS 2014/2015</b>
Minehead EYE Management Committee	Meets monthly normally on the second Wednesday of the month at 7pm at Minehead EYE.	Councillor D J Westcott Deputy: Councillor E May	
Somerset Armed Forces Community Covenant Partnership	Meets certain number of times a year	Councillor S Dowding	
Somerset Local Access Forum		Councillor A Trollope-Bellew	
Minehead Visioning Group	Meeting approximately every six weeks	Councillor M Chilcott Councillor R Lillis Councillor K Mills (PH)	
Rural Commission	Up to two representatives. Annual meeting on 11.09.12 in Windermere, followed by Rural Conference on 12.09.12. First named elected member will be allocated the authority's vote on the Commission.	Councillor A Trollope-Bellew Councillor B Heywood	
Police and Crime Panel	To scrutinise the new Police and Crime Commissioner	Councillor G Dowding Deputy: Councillor D Sanders	No Deputy to be appointed this year
Health and Wellbeing Board	To deliver the health and wellbeing agenda (4-6 meetings per year)	Councillor K Turner	
Minehead Events Group	One member (preferably a Minehead member) meeting bi-monthly	Councillor P Grierson	