

The Council's Vision:

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

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WEST SOMERSET DISTRICT COUNCIL

ANNUAL MEETING OF COUNCIL

AGENDA

Wednesday 15 May 2013 at 2.30 pm

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 24 April 2013 to be approved and signed as a correct record – **SEE ATTACHED.**

5.2. Minutes of the Licensing Committee held on 24 July 2012 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

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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 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 2014 (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 24 April 2013 at 4.30 pm****in the Council Chamber, Williton****Present:**

Councillor D D Ross Chairman
Councillor G S Dowding Vice-Chairman

Councillor A M Chick	Councillor M J Chilcott
Councillor H J W Davies	Councillor M O A Dewdney
Councillor J Freeman	Councillor S Y Goss
Councillor P N Grierson	Councillor A P Hadley
Councillor B Heywood	Councillor A F Knight
Councillor K V Kravis	Councillor E May
Councillor I R Melhuish	Councillor K M Mills
Councillor C Morgan	Councillor P H Murphy
Councillor S J Pugsley	Councillor K J Ross
Councillor D J Sanders	Councillor L W Smith
Councillor M A Smith	Councillor T Taylor
Councillor A H Trollope-Bellew	Councillor K H Turner
Councillor D J Westcott	

Officers in Attendance:

Chief Executive (A Dyer)
Corporate Director (B Lang)
Section 151 Officer (S Campbell)
Planning Manager (A Goodchild)
Economic Regeneration & Tourism Manager (C Matthews)
Major Projects Manager (J Holbrook)
Meeting Administrator (K Kowalewska)

C129 Apologies for Absence

An apology for absence was received from Councillor R P Lillis.

C130 Minutes

(Minutes of the Meeting of Council held on 27 March 2013, circulated with the Agenda.)

RESOLVED that, subject to amending the minute number in the additional declarations of interest to C123 of Minute No. C118, the Minutes of the Meeting of Council held on 27 March 2013 be confirmed as a correct record.

C131 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
Cllr S Y Goss	All	Quantock Vale	Spoke and voted
Cllr P N Grierson	All	Minehead	Spoke and voted
Cllr K J Ross	All	Dulverton	Spoke and voted
Cllr P H Murphy	All	Watchet	Spoke and voted
Cllr L W Smith	All	Minehead	Spoke and voted
Cllr A H Trollope-Bellew	All	Somerset County	Spoke and voted
Cllr K H Turner	All	Brendon Hills	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

In addition, Councillor A H Trollope-Bellew declared a personal interest relating to Agenda Item 8 East Wharf, Watchet – Future Development Options, as he was Chair of Quantock Hills AONB and one of the Onion Collective Directors, G Grant, was employed by Quantock Hills AONB; also, several Members indicated that they had been lobbied in relation to this agenda item.

C132 Public Participation

Jessica Prendergrast, Director of the Onion Collective, spoke in relation to Agenda Item 8 East Wharf, Watchet – Future Development Options and advised that the Onion Collective was a social enterprise, not for profit organisation who had been deliberating what to do for the best to make Watchet a better place to live and work. She clarified the reasons for and the benefits of the proposal stating that the East Wharf would be transformed into a focus for economic, cultural and community activity bringing employment, tourism and community benefits. She advised that the proposal was a permanent solution for the site, and it was hoped that the organisation could work in partnership with the Marina Operator.

C133 Chairman's Announcements

9/4/2013	Attended the Coroner inquests in the Council Chamber, Williton
19/4/2013	Conducted the Chief Executive's Performance Development Review
21/4/2013	Attended the St George's Day Parade for the Scout and Guide Association in Dunster

C134 East Wharf, Watchet – Future Development Options

(Report No. WSC 57/13, circulated with the Agenda.)

The purpose of the report was to advise Members of the current position concerning the proposed development of the East Wharf, Watchet and seek approval of the recommended approach for moving the development forward.

The Lead Member for Economic Regeneration and Development presented the report in detail, describing the background history and stating that there had been many problems since the development agreement between WSC and Urban Splash with little progress being made. The economic downturn and the financial difficulties faced by Urban Splash also has had a significant impact. The Lead Member informed that the Council had been approached by the Onion Collective who saw potential in developing the site. He drew Members' attention to the proposals from both the Onion Collective and Urban Splash and highlighted what they intended to achieve and to the fact that both proposals contained risks.

The Lead Member proposed the recommendations in the report, which were seconded by Councillor M O A Dewdney.

An amendment was proposed by Councillor C Morgan and seconded by Councillor M O A Dewdney to include two additional recommendations, to read:

"3.5 That negotiations take place with the Watchet Harbour Marina Operator between now and 31 July 2013 with a report on the outcome of the negotiations being presented to full Council on 14 August 2013.

3.6 That discussions take place with local stakeholders, including Watchet Town Council, Onion CIC and Watchet Boat Owners Association with a report on the outcomes of the discussions being presented to full Council on 14 August 2013."

On being put to the vote the amendment was carried.

A lengthy debate ensued and the following main points were raised:

- West Somerset Council needed to take control of the situation as the project had been going on long enough, and a framework was urgently needed to take it forward with clarity to achieve a satisfactory result.
- The Leader had received an email from the Marina Operator confirming that he would like to progress matters and had made positive statements in this regard.
- For clarification, the Leader explained that the Council's aim was to find out what the Marina Operator wanted for the East Quay and the Marina in terms of the development and whether the Council could meet those needs by way of a renegotiated lease; obtain proposals from Urban Splash either in conjunction with or separately to the Marina Operator, plus hold discussions with the stakeholders of Watchet.
- The initiative received from Onion Collective should be applauded – their promotional efforts were for the good of Watchet.
- The Marina was a terrific asset to Watchet and must succeed.
- The Chief Executive reported that written confirmation had been received stating that the condition imposed by SWERDA had been met, which meant the Council was not liable to repay the £500,000 grant funding.

- Marine engineering should form a major part of what happened at the East Wharf, creating employment in the local community.
- Concerns were expressed that if the break clause with Urban Splash was not invoked the Onion Collective would lose their funding opportunity to carry out a feasibility study and this, as a result, could put an end to any prospect of an alternative development.

It was agreed that the recommendations contained in the report should be voted on separately.

On being put to the vote recommendations 3.1, 3.2 and 3.3 were carried.

It was proposed by Councillor P H Murphy and seconded by Councillor A F Knight that recommendation 3.4 be amended to read "Urban Splash are obliged, as a condition of approving the above recommendations, to hold talks with the Onion Collective with a view to working with them to deliver a scheme which benefits the people of Watchet".

On being put to the vote the amendment was lost.

A further amendment to recommendation 3.4 was proposed by Councillor C Morgan and seconded by Councillor M Smith to include a time limit of "within six weeks".

On being put to the vote recommendation 3.4, as amended, was carried.

On being put to the vote the additional recommendations 3.5 and 3.6 were carried.

RESOLVED (1) that the break clause within the Conditional Development Agreement that the Council has with Urban Splash be not invoked at the current time.

RESOLVED (2) that Urban Splash be given until 31 July 2013 to complete negotiations with the marina operator to satisfy the marina condition in the Conditional Development Agreement and as described in paragraph 5.2.2 of the report.

RESOLVED (3) that a report be presented to Council on 14 August 2013 that outlines – (a) whether the marina condition has been satisfied, (b) the details, including financial, of the proposed development and (c) a recommendation as to whether Urban Splash should be granted a six month period to submit a registered planning application or whether the break clause should be invoked and the necessary six weeks' notice to terminate the Agreement given.

RESOLVED (4) that Urban Splash be obliged, as a condition of approving the above recommendations, to hold talks with the Onion Collective within six weeks to establish whether there is any way that they could be involved in the development in any manner.

RESOLVED (5) that negotiations take place with the Watchet Harbour Marina Operator between now and 31 July 2013 with a report on the outcome of the negotiations being presented to full Council on 14 August 2013.

RESOLVED (6) that discussions take place with local stakeholders, including Watchet Town Council, Onion CIC and Watchet Boat Owners Association with a report on the outcomes of the discussions being presented to full Council on 14 August 2013.

Note: With the agreement of the Chairman this item was brought forward on the Agenda.

C135 Hinkley Point C – Project Update

(Report No. WSC 58/13, circulated with the Agenda.)

The purpose of the report was to provide Members with an update on the Hinkley Point C project, especially in light of the decision by the Secretary of State on 19 March 2013 to grant a Development Consent Order (DCO) for the main power station development at Hinkley Point. The report focused on the changes that had occurred since the close of the Examination last summer and the role of the Council going forward. This update report sits alongside the report on Democratic Roles and Responsibilities.

The Planning Manager introduced the item and advised that the report was a West Somerset based summary of the Planning Inspector's lengthy and comprehensive report. He advised that it was clear that the Panel of Inspectors listened and took into account the Council's representations during the Examination. He informed that out of the 239 planning conditions over 100 were WSC's responsibility and concluded that the Council's involvement during the Examination had positively influenced and shaped the development particularly the controls that had been put in place and the section 106 contributions that had been secured.

The recommendation in the report was proposed by Councillor D Ross and seconded by Councillor C Morgan.

Members acknowledged the hard work undertaken in relation to the Hinkley Point C project and the Planning Manager and the planning team were thanked for their involvement.

During the debate concern was expressed regarding the statements made by the Panel of Inspectors concerning tourism and Members disagreed with their comments that traffic congestion in Bridgwater would not have a detrimental effect on tourism in West Somerset.

RESOLVED that the contents of the update report be noted.

C136 Hinkley Point C – Democratic Roles and Responsibilities

(Report No. WSC 50/13, circulated with the Agenda.)

The purpose of the report was to provide Members with clarity over the respective roles and responsibilities of West Somerset Council's democratic committees regarding the development at Hinkley Point C. It also sought, where appropriate, to make changes to the Council's Constitution where those were necessary as a result of the project. It was important to recognise that the respective roles do change between the Site Preparation Works (SPW) which West Somerset Council approved in January 2012 and the Main Development Consent Order (DCO) which was approved on 19 March 2013 – the report identified the distinction between the two.

The roles and responsibilities of the Council's various committees had been raised by both Officers and Members in recent months to ensure that all Members had the opportunity to understand the reasoning and approach to this issue.

The Lead Member for Executive Support and Democracy presented the report and advised that there was an amendment to recommendation 3.2 of the report which should read "that the roles and responsibilities of the bodies referred to in paragraphs 5.12 and 5.33 are included in the Council's constitution".

The Lead Member proposed the recommendations in the report, as amended, which were duly seconded by Councillor T Taylor.

During this discussion concern was raised as to whether the Washford Cross roundabout would be provided in the event of the Hinkley Point project not proceeding and it was acknowledged that this was a risk if the development did not proceed as planned.

RESOLVED (1) that the contents of the report be noted, particularly the various roles and responsibilities for each of the democratic committees.

RESOLVED (2) that the roles and responsibilities of the bodies referred to in paragraphs 5.12 to 5.33 of the report be included in the Council's Constitution.

C137 Commissioning of Property Consultants – Appointment of Project Team

(Report No. WSC 55/13, circulated with the Agenda.)

The purpose of the report was for Council to appoint three Members to serve on the Project Team with the Chief Executive to oversee the disposal of the following Council owned under used assets:

- Former Aquasplash site, Minehead

- Former leisure site as part of New Horizons on Seaward Way, Minehead
- Former Visitor Information and Interpretation Centre, Minehead

The Leader of Council proposed the recommendation and to appoint Councillors K V Kravis and K H Turner to serve on the project team which was seconded by Councillor A H Trollope-Bellew.

Councillor K J Ross proposed to appoint Councillor I R Melhuish to serve on the project team which was seconded by Councillor A P Hadley.

RESOLVED that the Portfolio Holder for Resources and Central Support together with Councillors K H Turner and I R Melhuish serve with the Chief Executive on a project team overseeing the disposal of the following Council owned under used assets:

- Former Aquasplash site, Minehead
- Former leisure site as part of New Horizons on Seaward Way, Minehead
- Former Visitor Information and Interpretation Centre, Minehead

C138 Member Reporting on Membership of Outside Body for Information

(The following reports were circulated with the Agenda:

- Somerset Armed Forces Covenant Committee by Councillor G S Dowding
- Police and Crime Panel Report by Councillor G S Dowding
- Exmoor National Park Authority by Councilor T Taylor
- Somerset Play Forum by Councillor E May
- Somerset Passenger Transport Forum by Councillor A H Trollope-Bellew
- Engage West Somerset by Councilor D Westcott
- Minehead EYE Community Interest Company by Councillor D Westcott)

The Chairman thanked those Councillors who had submitted reports and commented that they were very informative and interesting.

RESOLVED that the reports on membership of outside bodies be noted.

C139 Minutes and Notes for Information

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

RESOLVED that the draft notes of the Exmoor Area Panel held on 7 March 2013, be noted.

RESOLVED that the draft notes of the Minehead Area Panel held on 13 March 2013, be noted.

RESOLVED that the draft notes of the Watchet, Williton and Quantocks Area Panel held on 19 March 2013, be noted.

The meeting closed at 6.30 pm.

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LICENSING COMMITTEE

Minutes of the Meeting held on 24 July 2012 at 4.30 pm

Present:

Councillor D J Westcott Chairman (for this meeting)

Councillor P N Grierson
Councillor E May
Councillor L W Smith

Councillor A P Hadley
Councillor D J Sanders

Officers in Attendance:

Group Manager – Housing & Community (I Timms)
Licensing Officer (K O'Sullivan)
Meeting Administrator (H Dobson)

LEP1 Apologies for Absence

Apologies for absence were received from Councillors H J W Davies, M O A Dewdney, S Y Goss and R P Lillis.

LEP2 Minutes

(Minutes of the Meeting of the Licensing Committee held on 15 March 2012 – circulated with the Agenda).

RESOLVED that the Minutes of the Meeting of the Licensing Committee held on 15 March 2012, be approved.

LEP3 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	Description of Interest	Personal/ Prejudicial	Action Taken
Councillor P N Grierson	All Items	Minehead (Alcombe)	Personal	Spoke and voted
Councillor L W Smith	All Items	Minehead (South)	Personal	Spoke and voted
Councillor D J Westcott	All Items	Watchet	Personal	Spoke and voted

LEP4 Public Participation

No members of the public had requested to speak.

LEP5 Street Trading/Markets Policy

(Report No. WSC 92/12, circulated with the Agenda).

The purpose of the report was to inform members of proposed minor amendments to the draft Street Trading Policy approved for consultation at the Licensing

Committee meeting, held 15 March 2012 following that consultation.

The Licensing Officer presented the report and advised that amendments to the draft policy, suggested by the Housing PAG, Exmoor Park and the Environmental Health department, had been included. To date there had been no major responses to the draft policy.

Concern was raised regarding the definition of the term 'street trading' as set out in the policy. Members were advised that it was a legal definition and that there was a range of legislation in place that would cover the concerns raised.

Members discussed the limit to the number of temporary markets that could be held in a calendar month/week, which previously had not been determined. Members recommended an amendment to the policy to the effect that, the number would relate to a calendar month, and other applications would be considered at the discretion of the Licensing Officer. The Licensing Officer noted the minor amendments raised.

RESOLVED (1) that the Licensing Committee recommends to Council to adopt the West Somerset Street Trading Policy from 9 August 2012, including the proposed amendments of the Housing PAG and of the Licensing Committee.

RESOLVED (2) that the policy be reviewed after a period of 18 months to ascertain its suitability for purpose and to ensure the level of fees reflects the cost of providing the service. If no revisions are required after the review, the policy to remain in force and reviewed as necessary and at least every five years.

LEP6 Delegation of Function for Licensing Authority as Responsible Authority

(Report No. WSC 93/12, circulated with the Agenda).

The purpose of the report was to seek delegated authority for the Manager of the Environment & Community Group to act as the Responsible Authority on behalf of the Licensing Authority.

RESOLVED that the Licensing Committee recommends to Council to delegate authority, under the terms of the Licensing Act 2003 to the Manager of the Environment & Community Group to act as the Responsible Authority on behalf of the Licensing Authority and so be authorised to make representations to applications for new Premises Licences and Club Premises Certificates, make representations to applications to vary a Premises Licence or Club Premises Certificate and to apply for the review of a Premises Licence or Club Premises Certificate where it is deemed necessary to promote the licensing objectives.

LEP7 Licensing Update

(Licence Applications & Fees for 2011/12 and 2012/13, Guidance Notes to Licensing Motorcycles as Private Hire Vehicles, and summary of changes, circulated at the meeting)

The Licensing Officer circulated a revised summary of Licence Applications and Fees for 2011/12 and quarter 1 of 2012/13 and provided a comparison to last

year's applications. Further, she provided an update on recent licensing issues which included:

- Licensing Motorcycles as Private Hire Vehicles.
- The Late night licensing fees were quite onerous. In summary, the fees could be a useful tool for a large city.
- The Council's Gambling Act Policy was due for review and would go out to consultation from 1 August to 24 October and be presented to the Licensing Committee for adoption.

RESOLVED that the update be noted.

The meeting closed at 5.07 pm.

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REPRESENTATION ON OUTSIDE BODIES – 2013/2014

ORGANISATION	INFORMATION	REPS 2012/2013	REPS 2013/2014
Old People's Welfare Organisations			
Management Committee of Broadlands	Prefer one District Council representative and one Minehead Town Council representative in future.	Councillor M Chilcott Councillor P Grierson	
Arts			
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	
Sport and Recreation			
Strategic Partnership Group West Somerset Sports and Leisure Centre	Meets twice a year	Councillor I Melhuish Councillor L Smith	
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	
Administrative			
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 – 2013/2014

ORGANISATION	INFORMATION	REPS 2012/2013	REPS 2013/2014
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		
Community Interests			
Quantock Hills Joint Advisory Committee		Councillor C Morgan Councillor H J W Davies Councillor G S Dowding	2 representatives – arrangements changed
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.	Membership reduced to 3 (2 Conservative, 1 Democratic Alliance) Councillor C Morgan Councillor S Goss Councillor M Smith	
Taunton & Somerset NHS Trust – Foundation Trust Council of Governors		Councillor D Ross	

REPRESENTATION ON OUTSIDE BODIES – 2013/2014

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	
ORGANISATION	INFORMATION	REPS 2012/2013	REPS 2013/2014
Somerset Armed Forces Community Covenant Partnership	Meets certain number of times a year	Councillor S Dowding	
Somerset Local Access Forum		Councillor C Morgan	
Minehead Visioning Group	Meeting approximately every six weeks	Councillor A Hadley Councillor R Lillis	
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 S J Pugsley Councillor B Heywood	
Police and Crime Panel	To scrutinise the new Police and Crime Commissioner	Leader Deputy: Deputy Leader	
Health and Wellbeing Board	To deliver the health and wellbeing agenda (4-6 meetings per year)	Leader Deputy: K Turner	