

The Council's Vision:

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

WEST SOMERSET DISTRICT COUNCIL

Meeting to be held on Wednesday 23 October 2013 at 4.30 pm

Council Chamber, Williton

AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Meeting of Council held on 18 September 2013 to be approved and signed as a correct record – **SEE ATTACHED.**

3. 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.

4. Public Participation

The Chairman to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public wishing to speak at this meeting there are a few points you might like to note.

A three-minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue. There will be no further opportunity for comment at a later stage. Your comments should be addressed to the Chairman and any ruling made by the Chair is not open to discussion. If a response is needed it will be given either orally at the meeting or a written reply made within five working days of the meeting.

5. Chairman's Announcements

6. Request for Allocation of Planning Obligations Funding

To consider Report No. WSC 130/13, to be presented by Councillor K V Kravis, Lead Member for Resources and Central Support – **SEE ATTACHED.**

The purpose of the report is to make a proposal for the allocation of monies secured through planning obligations to individual schemes.

7. West Somerset Council's Response to National Grid Stage 4 Consultation

To consider Report No. WSC 137/13, to be presented by Councillor C Morgan, Lead Member for Environment – Hinkley Point – **SEE ATTACHED.**

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The purpose of the report is to seek Members' approval to submit the West Somerset Council's response to National Grid's Stage 4 / Section 42 consultation which runs until 29 October 2013 based on the key points set out at paragraph 4.6 in the report. This is anticipated to be the last stage of formal consultation by National Grid before a Development Consent Order application is submitted by National Grid to the Planning Inspectorate in early 2014.

8. Classification of Earmarked Reserves

To consider Report No. WSC 135/13, to be presented by Councillor K V Kravis, Lead Member for Resources and Central Support - **SEE ATTACHED.**

The purpose of the report is to seek Council approval for a supplementary estimate.

9. Somerset Homeless Strategy

To consider Report No. WSC 119/13, to be presented by Councillor K H Turner, Lead Member for Housing, Health and Wellbeing - **SEE ATTACHED.**

The purpose of the report is to outline the Somerset Homeless Strategy and the association action plan, and to request that Council agree to the request from Cabinet to adopt the Strategy. (Members should note that due to the size of the appendices associated with this report Members should use previously provided copies or [link to the Cabinet papers](#) of the meeting held on 2 October.)

10. Homefinder Somerset Common Allocations Policy

To consider Report No. WSC 120/13, to be presented by Councillor K H Turner, Lead Member for Housing, Health and Wellbeing - **SEE ATTACHED.**

The purpose of the report is to advise Members of the proposed changes to the Allocations Policy resulting from changes in legislation and government policy. (Members should note that due to the size of the appendices associated with this report Members should use previously provided copies or [link to the Cabinet papers](#) of the meeting held on 2 October.)

11. Minutes and Notes for Information

Notes and minutes relating to this item can be found on the Council's website using the following links:

- Draft notes of the Exmoor Area Panel held on 3 September 2013
<http://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Exmoor-Area-Panel/Exmoor-Area-Panel---3-September-2013.aspx>
- Draft notes of the Minehead Area Panel held on 11 September 2013
<http://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Minehead-Area-Panel/Minehead-Area-Panel---11-September-2013.aspx>

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- Draft notes of the Watchet, Williton and Quantocks Area Panel held on 17 September 2013
<http://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Watchet,-Williton-and-Quantock-Area-Panel/Watchet,-Williton---Quantocks-Area-Panel---17-Sept.aspx>

12. Disposal of Council Owned Assets – Former Aquasplash site and a site (known as leisure land) along Seaward Way, Minehead

To consider Report No. WSC 117/13, to be presented by Councillor K V Kravis, Lead Member for Resources and Central Support - **SEE ATTACHED.**

The purpose of the report is to request that Council approve the preferred developers, as recommended by Cabinet, for the sale of two parcels of Council owned land. This will enable further autonomous negotiations to continue with a single developer in respect of each site.

COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS

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

RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

- Mitigating actions for high ('High' or above) scoring risks are to be reflected in Service Plans, managed by the Group Manager and implemented by Service Lead Officers;
- Lower scoring risks will either be accepted with no mitigating actions or included in work plans with appropriate mitigating actions that are managed by Service Lead Officers.

WEST SOMERSET COUNCIL**Minutes of the Meeting held on 18 September 2013 at 4.30 pm****in the Council Chamber, Williton****Present:**

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

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

Officers in Attendance:

Chief Executive (A Dyer)
Corporate Manager, Housing, Welfare & Economy (I Timms)
Climate Change & Community Liaison Manager (A Lamplough) – Items 5 and 7
Economic Development Officer (G Dwyer) – Item 7
Employment and Skills Outreach Worker (E Wishart) – Item 7
Principal Benefits Officer (P Lamb) – Item 8
Community Safety Officer (P Hughes) – Item 10
Meeting Administrator (K Kowalewska)

Also in Attendance:

Ray Tew, Creative Somerset
Zoe Truong, Creative Somerset
Tracy Roberts, Artlife

C47 Apologies for Absence

Apologies for absence were received from Councillors J Freeman, K M Mills, L W Smith and T Taylor.

C48 Minutes

RESOLVED that, subject to amending the second bullet point of Minute No. C42 to read “Concern that the Marina Operator was not ensuring that the marina was cleared of silt as required by the Lease and therefore the marina was being under-utilised.”, the Minutes of the Meeting of Council held on 14 August 2013 be approved.

C49 **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	Stogursey	Spoke and voted
Cllr P N Grierson	All	Minehead	Spoke and voted
Cllr C Morgan	All	Stogursey	Spoke and voted
Cllr P H Murphy	All	Watchet	Spoke and voted
Cllr K J Ross	All	Dulverton	Spoke and voted
Cllr H J W Davies	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, the following interests were declared:

Name	Minute No.	Description of interest	Personal or Prejudicial or Disclosable Pecuniary	Action Taken
Cllr A Trollope-Bellew	C58		Personal	Spoke and voted
Cllr A Trollope-Bellew	C59	Landlord	Personal	Spoke and voted
Cllr A M Chick	C59	Landlord	Personal	Spoke and voted
Cllr G S Dowding	C59	Landlord	Personal	Spoke and voted
Cllr P N Grierson	C59	Landlord	Personal	Spoke and voted
Cllr K V Kravis	C59	Landlord	Personal	Spoke and voted
Cllr D D Ross	C59	Landlord	Personal	Spoke and voted
Cllr K H Turner	C59	Landlord	Personal	Spoke and voted
Cllr D J Westcott	C59	Landlord	Personal	Spoke and voted

C50 **Public Participation**

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

C51 **Chairman's Announcements**

3 September 2013	Attended Village Agents Conference in Taunton
14 September 2013	Attended the Somerset Military Tattoo at Taunton Racecourse

The Chairman announced that the West Somerset Council's Civic Service would be held on Sunday 8 December 2013 at Crowcombe Church. It would take the form of a traditional carol service and further details would follow in due course.

C52 **Creative Somerset**

The Chairman introduced and welcomed Ray Tew, Acting Chair, and Zoe Truong, General Manager, from Creative Somerset who made a presentation on the work of the organisation which became established as a community interest company in 2012, working in collaboration with the Regal Theatre and Artlife with a focus on the cultural and creative sector in the community. The areas reported on included how the company worked and what it would do, its key success factors and key strategic themes.

Members were encouraged to attend the West Somerset Arts Consortium Annual Meeting on 30 September 2013 at 4pm in the Council Chamber, Council Offices, Williton where further specific information on Artlife and how it worked with Creative Somerset would be publicised.

In response to a question regarding how Creative Somerset was funded, Ray Tew reported that a small pot of short-term funding had been secured from Arts Council England and the organisation was in the process of further bidding to become a recognised agency in order to secure additional funding to deliver specific projects in West Somerset.

Members also queried issues about how health and wellbeing was being delivered in the creative arts programme, and how arts initiatives such as Somerset Arts Week were promoted.

RESOLVED that the presentation be noted and the presenters be thanked for their time and hard work in helping Members to become more aware of their artistic endeavours in the district.

C53 **Request for Allocation of Section 106 Funding – Fit to Work – Hinkley Point C**

(Report No. WSC 116/13, circulated with the Agenda).

The purpose of the report was to outline proposals to use the fit to work funding contribution provided as an element of the Skills and Training part of the Hinkley Point C site preparation works section 106 agreement; and in line with the requirements of the section 106 agreement to seek the approval of West Somerset Council for its allocation.

The Lead Member for Resources and Central Support presented the report and advised that the total contribution of £60,000 was to be shared 50/50 by West Somerset Council and Sedgemoor District Council, and Members would be presented with Sedgemoor's proposal at the meeting of full Council in October 2013. The Lead Member confirmed that the money would be spent on proposals that met the requirements of the section 106 agreement, matching the Council's priorities. She drew Members' attention to Appendix A of the report which detailed a comprehensive and focussed proposal with clear and measurable outcomes, and also included details of match funding.

The Lead Member then went on to propose the recommendation in the report which was duly seconded by Councillor E May.

The Lead Member confirmed that there was reference to accessibility in the fit to work budget proposals as issues associated with transport and accessing employment and skills training within West Somerset was one of the biggest barriers. The Economic Development Officer reported that as part of the outreach activity programme training would be delivered in local community centres across various parts of the district, and individuals wishing to access training would also be able to make an application to the access to employment fund if they had difficulties with transportation.

The Economic Development team were thanked for their work on the project and Members were confident that this would continue to be a very successful scheme. Members were also supportive of the focus on IT skills training.

It was confirmed that fit to work funding had been secured through the Hinkley Point C site preparation works and an explanation was provided on the intensive supported training programme.

A concern was raised that as there was currently a lot of seasonal employment in the district and not enough permanent jobs, a real effort should be made at the next Job Fair to offer more permanent jobs to rectify this problem. In response the Economic Development Officer reported that the aim of the Pathways to Employment Events project was to work with the employers currently located in West Somerset, and by encouraging individuals to take the next route into employment, i.e. by gaining experience in seasonal work, it could lead to the opportunity of full time employment.

RESOLVED that the proposed use of the £30,000 Fit to Work funding described in Appendix A to the report be approved, and it was recognised that a proposal and report relating to the remaining £30,000 to be spent by Sedgemoor District Council would follow in October.

C54 Discretionary Housing Payments Use of Additional Funding

(Report No. WSC 114/13, circulated with the Agenda.)

The purpose of the report was to advise the Council of the receipt of additional funding from central government provided to mitigate the disproportionate impact on those affected by the removal of the spare room subsidy in remote and isolated communities.

The Lead Member for Community and Customer presented the report in detail explaining that this was a one-off payment which would be backdated to 1 April 2013. He advised that each parish had been scored according to its population density provided by the 2011 census, and that parishes had been ranked and placed into quartiles based on their scores, with each quartile having a different rate of award ranging from 80% for the least densely populated areas to 50% for the most densely populated. Any unspent money would not be carried forward and would be returned to central government.

The Corporate Manager Housing, Welfare & Economy reported that he had recently received the latest advice on the legalities of the proposal and as a result a few amendments would need to be made to comply with the law. The Council would be required to carry out a financial assessment of each individual's financial circumstances and this would be achieved via a simple income and expenditure comparison. In addition, the Council would have to make it clear that the proposed approach was a sub-scheme available for one year only so that people would not be misled into thinking that they would receive the same payment in the following year.

The Lead Member proposed the recommendation in the report, with an addition to the printed recommendation to include "subject to following the legal advice received", which was duly seconded.

During the discussion of this item the following points were raised:

- Information on the claims to date were circulated monthly and it was confirmed that the Council was awarding 85% of cases which had been budgeted for.
- Members acknowledged the hard work undertaken by the Benefits team and thanked all officers involved in delivering the scheme.
- Housing benefit in West Somerset had been reduced by £82,000 as result of government's legislation on bedroom tax.
- The discretionary housing benefit scheme was still available for people experiencing financial hardship.
- The sub-scheme reflected the lack and scale of opportunity in some parishes due to the fact that the more rural the area the less choice there was for property downsizing.

RESOLVED that, subject to following the legal advice received, the proposed approach recommended by Cabinet to the use of these additional funds be agreed.

C55 **Annual Treasury Management Review 2012-13**

(Report No. WSC 109/13, circulated with the Agenda.)

The purpose of the report was to review the treasury management activity and the performance against the Prudential Indicators for the 2012/13 financial year as prescribed by the revised CIPFA Code of Practice and in accordance with the Council's Treasury Management Strategy and Annual Investment Policy.

The Lead Member for Resources and Central Support presented the item and proposed the recommendations of the report which were duly seconded by Councillor M O A Dewdney.

RESOLVED (1) that the Treasury Management activity for the 2012/13 financial year (Appendix A to the report) be noted.

RESOLVED (2) that the mid-year report for 2012/13 (Appendix B to the report) be noted.

C56 **Business Case to Contribute Funding for Watchet Closed-Circuit Television (CCTV)**

(Report No. WSC 124/13, circulated with the Agenda.)

The purpose of the report was to obtain Council's agreement to the Cabinet recommendation to approve a supplementary estimate to match fund capital already secured from the Police and Crime Commissioner and other sources towards meeting the capital costs of installing public space CCTV in Watchet subject to Watchet Town Council's financial support and agreement to the proposal.

The report was presented by the Lead Member for Community and Customer who impressed to Members the value of CCTV currently being operated in Minehead and the excellent work being achieved. He explained the funding sources for the proposal which included a one-off grant of £44,000 from the Police and Crime Commissioner – this was non-transferrable and would be lost if the CCTV system in Watchet was not installed.

The Lead Member proposed the recommendation in the report which was seconded by Councillor R P Lillis.

A lengthy debate ensued and the following specific issues were raised:

- CCTV provision offered piece of mind to both residents and visitors and played a significant part in their safety and wellbeing.

- Members expressed serious concerns about spending West Somerset Council money on the proposal whilst cuts were being imposed in other service areas.
- Members recognised that the Council's one-off contribution to the scheme provided good value for money and was an exemplar of the council working with parish/town councils to provide a service which would greatly benefit the community.
- Concerns that the installation of CCTV would be seen as an alternative to policing rather than an addition.
- Councillors enquired as to the location of the CCTV cameras and it was reported that the options of where to site the cameras had been included in the consultation. If the proposal was approved, a meeting would be held with Watchet Town Council to identify the 'hot spots'.
- Further information was provided regarding the consultation results as there was a concern that only 10% of Watchet residents returned the survey.
- The police were fully supportive of CCTV as it significantly helped them in dealing with crime and enhanced safety in the town. The main benefit was to enable the CCTV observers to communicate with the police who were then able to respond quicker to the scene of the crime.
- Members queried the issues surrounding the volunteering element of the scheme and whether further help would be needed to cover the increased workload. The Community Safety Officer advised that currently there was a magnificent team of six volunteers who were very keen to enlist help, especially from Watchet residents as they had knowledge of the town which would be an advantage.

RESOLVED that a supplementary estimate of £10,000 as the Council's contribution to the capital funding package for the provision of a public space CCTV system in Watchet which recognises Watchet Town Council's financial support to a maximum of £3,000 per annum to meet maintenance and on-costs be approved.

Note: During this item the Chairman left the meeting and Councillor A F Knight chaired the remainder of the meeting.

C57 **Constitutional Issues Relating to Joint Chief Executive Implementation**

(Report No. WSC 111/13, circulated prior to the Meeting.)

The purpose of the report was to ensure that the West Somerset Council Constitution is up to date and fit for purpose to enable the new Joint Chief Executive post to operate effectively from the implementation date of 24 October 2013.

The Lead Member for Executive Support and Democracy presented the report and advised that the Corporate Policy Advisory Group (PAG) had recently considered this item and their comments were contained within

the report. The Lead Member proposed the recommendation in the report which was seconded by Councillor A H Trollope-Bellew.

RESOLVED that the proposed amendments to the West Somerset Council Constitution as set out in section 5.5 of the report be approved, and the key points set out in section 5.6 of the report be noted.

C58 Empty Homes Enforcement Policy

(Report No. WSC 112/13, circulated with the Agenda.)

The purpose of the report was to consider the Somerset West Private Sector Housing Partnership (partnership) Empty Homes Enforcement Policy, and to agree the approach to provide funding for high level enforcement action on empty properties should this become a necessity.

The Lead Member for Housing, Health and Wellbeing presented the report in detail, providing Members with background information and highlighted on the work of SWeLT (Somerset West Landlords and Tenants services). He advised that the objective of the new policy was to get as many long-term empty homes back into use as possible. The Council would be able to use appropriate enforcement powers to bring a property back into use; each empty property would be dealt with on a case-by-case basis and would be presented to full Council for endorsement as there currently was no specific budget allocated.

The Lead Member proposed the recommendations in the report, with an amendment to recommendation 3.1 to include “and that the Equality Impact Assessment, attached as Appendix B to the report, be noted.”. These were duly seconded by Councillor S J Pugsley.

During the debate the following main points were raised:

- An explanation was provided on central government’s new proposals for the New Homes Bonus
- Clarification was sought on the definition of an empty property and it was explained that properties could be registered under different categories within the council tax system, and therefore holiday homes, for example, would be liable for council tax and would not be classified as an empty property.

RESOLVED (1) that the recommendation from Cabinet to approve the Somerset West Private Sector Housing Partnership Empty Homes Enforcement Policy, attached as Appendix A to the report, be accepted; and that the Equality Impact Assessment, attached as Appendix B to the report, be noted.

RESOLVED (2) that the approach to funding this policy as outlined in section 6 of the report, should appropriate action need to be taken, be agreed.

C59 **Unlawful Evictions Policy**

(Report No. WSC 113/13, circulated with the Agenda.)

The purpose of the report was to advise Council of the Somerset West Private Sector Housing Partnership (partnership) Unlawful Eviction Policy and the current issues around unlawful evictions, and to request that Council adopt the policy.

The Corporate Manager Housing, Welfare & Economy presented the report and advised that the incidences of unlawful evictions had increased over the last few years which was cause for concern. The intention of the policy was to raise the profile of illegal evictions and the Council's approach on dealing with the matter and to clarify the position that unlawful evictions would not be tolerated.

Councillor M J Chilcott proposed the recommendation in the report with an amendment to be made to include "and that the Equality Impact Assessment, attached as Appendix B to the report, be noted." The amended recommendation was seconded by Councillor P N Grierson.

During the discussion there was a request that for future reports to Council a recommendation be incorporated to note the Equalities Impact Assessment, when relevant, as Members had a duty to consider the impact assessment when making a decision.

RESOLVED that the Somerset West Private Sector Housing Partnership Unlawful Eviction Policy, attached as Appendix A to the report, be adopted; and that the Equality Impact Assessment, attached as Appendix B to the report, be noted.

C60 **Safeguarding Policy**

(Report No. WSC 115/13, circulated with the Agenda.)

The purpose of the report was to advise Members of the proposed safeguarding policy; to advise of the Council's duties under safeguarding legislation; and to request that Council adopt the policy for use by West Somerset Council to create a framework in discharging its legal duties.

The Lead Member for Resources and Central Support presented the report and advised that the policy had been considered by the Corporate PAG. She then proposed the recommendation in the report which was seconded by Councillor D J Sanders.

RESOLVED that the adoption of the Safeguarding Policy, attached as Appendix A to the report, be agreed.

C61 Standards Advisory Committee

(Minutes of the Standards Advisory Committee held on 18 June 2013, circulated with the Agenda.)

RESOLVED that the Minutes of the Standards Advisory Committee held on 18 June 2013 be adopted.

C62 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 Dunster Area Panel held on 29 July 2013, be noted.

The meeting closed at 6.50 pm.

Report Number: WSC130/13
Presented by: Cllr K Kravis
Author of the Report: Ian Timms Corporate Manager Housing Welfare and Economy
Contact Details:
Tel. No. Direct Line 01984 635271
Email: itimms@westsomerset.gov.uk

Report to a Meeting of: Council
To be Held on: 23rd October 2013
Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: 25th September 2012

REQUEST FOR ALLOCATION OF PLANNING OBLIGATIONS FUNDING

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to make a proposal for the allocation of monies secured through planning obligations to individual schemes.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The proposal for the Coleridge Way project relates to the corporate objective around New Nuclear Development at Hinkley Point. This states that WSC should be maximising opportunities for West Somerset communities and businesses to benefit from the development whilst protecting local communities and the environment

3. RECOMMENDATIONS

- 3.1 Council agree the use of £53,000 of the Hinkley Point C Site Preparation Works landscape art funding to deliver phase two of the project attached as Appendix A of this report.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
Failure to allocate monies correctly in line with legal agreements causing requirements to repay	3	4	12
<i>The Proposals within the report are matched to the legal agreements and monies available in that area</i>	1	4	4
Failure to spend monies before date required in any legal agreements and trigger a requirement to repay	2	3	6
<i>The recommended projects use funds that are available and in date requirements</i>	1	3	3
Projects do not progress in accordance with plan and therefore money remains unspent	2	2	4
<i>Set timescale for delivery of project. Reallocate money if required</i>	1	2	2

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. BACKGROUND INFORMATION

- 5.1 The authority has established arrangements to allocate monies secured through planning obligations. These match schemes to the authority's priorities. This mechanism has now also begun to identify projects that may be funded through new development. It also deals with specified stream of funding associated with the Hinkley Point development.
- 5.2 Proposals are considered by the internal planning obligations group against priorities, appropriate strategies and any identified local priorities to create recommendations for Cabinet to consider on a quarterly basis. Any individual proposals beyond £25,000 require approval by full Council. Proposals are considered against set criteria as a part of the formal consideration of projects to allow allocation of funds and subsequent release of monies.
- 5.3 A proposal for the use of funding relating to a specified sum of money contained within the section 106 relating to preliminary works at Hinkley point was considered by cabinet on 2nd October 2013. This related to the second phase of the landscape art project relating to the Coleridge Way. This was considered and has been recommended to council for approval. The bulk of the project proposal and an update on Phase one is attached as Appendix A of this report.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 The project that is the subject of this report relates to Hinkley point and as such is clearly specified with the relevant agreements. The funding request of £53,000 is for the second phase of the landscape art project and would be allocated from the £80,000 available for this project.

7. SECTION 151 OFFICER COMMENTS

- 7.1 In accordance with Financial Regulations, a virement in excess of £25,000 needs to be agreed by Council, to demonstrate proper processes are being followed in the management of budgets. The sum within the report exceeds the threshold of £25,000 so will require approval by full council.
- 7.2 The sum requested relates to a specific fund of £80,000 within the Hinkley agreement and can only be spent once.

8. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 No issues associated with the report have been identified.

9. CRIME AND DISORDER IMPLICATIONS

9.1 No implications associated with this report.

10. CONSULTATION IMPLICATIONS

10.1 In terms of the second phase of the Landscape Art Project Artlife consulted with the following organisations: Partners in the Coleridge Way steering group, Exmoor National Park Authority, The National Trust/Coleridge Cottage, Quantock Hills AONB Service, Sedgemoor District Council, Somerset County Council, West Somerset Council, Exmoor Tourism Association, Porlock Tourist Association, The Old Cider House at Nether Stowey (business sector representative)

The parish clerks of Stogursey and Watchet were also invited to comment on the details of the proposed projects for phase 2. The Watchet Town Council response was positive. Concerns were raised by Stogursey Parish Council about the project within their area so further work will need to be done by the project to meet their requirements.

11. ASSET MANAGEMENT IMPLICATIONS

11.1 None identified for the council in this report

12. ENVIRONMENTAL IMPACT IMPLICATIONS

12.1 The proposed project considered within this report has impacts on the use of the natural environment which are broadly positive in nature.

13. LEGAL IMPLICATIONS

13.1 The proposed allocation is in line with the requirements of the legal agreement which is quoted below:.

13.2 “NNB GenCo shall pay the sum of **£80,000** to West Somerset Council prior to Implementation of Phase 1 and shall not Implement Phase 1 until that sum has been paid to West Somerset Council for the purpose of developing and implementing a programme of landscape art in consultation with Sedgemoor Council that can be integrated with the pedestrian and equine routes across the Coastal Strip, West Somerset Council public rights of way and wider landscape of Quantock Vale.”

ARTlife
(West Somerset Arts Consortium)



LANDSCAPE ART SCHEME Phase 2

Update on Phase 1 activity – January-July 2013

ARTlife is focusing Phase 1 of the scheme on projects that add value to the cultural tourism aspects of the Coleridge Way, a 36 mile walking route linking the Quantock Hills with Exmoor, passing through the districts of Sedgemoor and West Somerset on the periphery of the Hinkley C construction area.

The projects were identified through a feasibility study undertaken by ARTlife in 2011 and engage creative practitioners who live or work regularly in the county and who have a particular interest in exploring the legacy of the Romantic Poets and promoting this part of Somerset as the birthplace of Romantic Poetry.

Christopher Jelley

Lead artist for the Landscape Art projects, Chris has developed and delivered three elements and is also promoting and documenting the work through the Coleridge Way blog:
<http://www.coleridgeway.blogspot.co.uk>

QR Code poetry

Outdoor 'poetry harvesting' workshops with Porlock, Dunster and Nether Stowey First Schools produced short poems that the children then translated into QR codes. These are laser etched onto slate panels and placed back in the locations the children were inspired by – the beginning of the Coleridge Way at Nether Stowey; Conygar Hill in Dunster; and Webbers Post on Exmoor. Walkers come across the slate tiles and decode the QR poetry with their smartphone. Each school has also received a laser etched slate 'Word Cloud' made up of the words and phrases of their combined poetry and we will exhibit examples of their work and documentation of the project during Somerset Art Weeks in September.

Storyboxes

Five journals containing stories begun by local and well known authors have been 'hidden in plain sight' (geo-cach-style) along the route for walkers and families to find and add their own story lines. They will be collected and exhibited in September during Somerset Art Weeks. See www.storywalks.info for the sites, which include Coleridge Cottage in Nether Stowey and Horner Woods.

Flycatchers - visual smartphone/tablet app

Chris has permission from the British Library to use images of Coleridge's original handwritten notebooks and poems (including Kubla Khan and Christabel) to create a visual GPS-located art work exploring and celebrating the unique landscapes that inspired the poet. The free app will be based on his established Storywalks format – see www.storywalks.info – and be accessed at locations in villages along the route.

Ralph Hoyte – Romantic Litscape audio smartphone app

A small contribution to Ralph's Arts Council funded project to ensure community involvement in testing the app. So far, two test walks around Holford and Watchet have involved six participants. More are planned and the app will be on sale in September. Ralph is documenting his creative process at - <http://romanticlitscape.blogspot.co.uk/>

Somerset Film's Ignite project – 'New Romantics' film day

This is a parallel partnership initiative between ARTlife and the Engine Room in Bridgwater, to share good practice in new technology applications with Somerset artists of all levels of experience. Ignite's project leader Richard Tomlinson has made films of each of the Coleridge Way artists (above) to highlight their current work and inspiration, and as a way of showing other artists the power of film to get across their message. In a follow up workshop – New Romantics – on 18th May 2013, 12 artists working in different artforms, but all with a connection to Romanticism or landscape themes, created their own short films.

The completed films will shortly be available for viewing at <https://ignitesomerset.wordpress.com/>

Related initiatives that are adding value to the arts projects:

Coleridge Way steering group

Lots of work is going on behind the scenes to reinvigorate the Coleridge Way, drawing on the feasibility study by ARTlife. As well as a possible upgrade of the website, we are also discussing a long term management plan for the route, including how to resource a new business information pack, and extensions of the route into Watchet and across to North Devon.

Cool Tourism

West Somerset Council is a partner in an Interreg-funded project to diversify and coordinate sustainable tourism in the 'marine hinterland' areas. One of the aims is to support existing and new business networks and the Coleridge Way has been named as a geographic target.

The intended outputs will help to bring robustness to the network of multi-sector businesses along the route and add value to the arts projects being delivered by ARTlife. There is potential for match-funding through an intended art related activity as part of Cool Tourism.

Outputs:

- 1 audit of Coleridge Way special qualities
- 20 tourism businesses engaged
- 10 business owners/staff receiving training
- 5 new Coleridge Way themed packages
- 2 businesses participating in exchange programme
- 1 event to launch new section of route to North Devon

Phase 2 Proposals

ARTlife's proposals for Phase 2 build on the successful Coleridge Way schools' workshops and community activity; generating more resources along the route to encourage visitors to come to the area despite the anticipated disruption to the visual landscape and travel into the district. Highlighting the beautiful landscape that is still accessible across this part of Somerset may help to mitigate the impact of the landscape changes.

The second element of the scheme will be to work directly in the area neighbouring the Hinkley site, recording the changes happening and offering ways for people to respond creatively. This work will focus on the redirected rights of way within the parish of Stogursey and surrounding areas and create new virtual artworks.

Coleridge Way projects

6 new Storyboxes

The storyboxes have been a huge success during phase 1, with one journal already filled with walkers' poetry and comments. The storyboxes encourage people to stop and notice the spaces around them, to reflect on the landscape they are in and to leave behind their thoughts as a permanent record of their journey. They also encourage families and non-walkers to get out into

the countryside to find the boxes, helping to attract a new generation of young walkers who might not otherwise explore the rights of way in the area. The poetry in the journals provides diverse and evocative text for promoting the Coleridge Way in future publicity and on the website.

3 QR Code Poetry schools' workshops to complete the Arts Trail

Working with 3 different schools adjacent to the route, lead artist Christopher Jelley and artist/teacher Jenny Mash will capture the children's responses to landscape in short poems that are then translated into QR codes. The slate panels are beautiful pieces of artwork in their own right and blend with the natural environment so that walkers come across them and are able to decode the poetry in situ. We have built good relationships with the landowners along the route (e.g. National Trust, Nether Stowey Parish Council) and will now look to place the slates in additional locations to create a full-scale Arts Trail along the Coleridge Way. As with the Storyboxes, the children's poetry also gives us lots of valuable material for promoting the route.

A link into Watchet

The original steering group for the Coleridge Way always hoped to create a spur from the route into the ancient maritime port of Watchet, where Coleridge was inspired to write *The Rime of the Ancient Mariner* and where a sculpture was erected in celebration of this fact in 2002 (with help from ARTlife). We now propose to offer a commission to creatively demark a route (using existing rights of way) that might also reflect the visible changes going on along the coastline at Hinkley. This would bring together the contemporary with the historical and offer opportunities for an artist (or group of artists) to generate work that captures a moment in time and leaves a long term legacy for walkers and cultural heritage seekers.

It is proposed that the current Coleridge Way steering group identify the most appropriate circular or linear walk off the main route and that the commission be offered to interpret and present the natural/cultural heritage of the route, virtually way-mark it (e.g. using GPS-location technology or landmark-based written directions), publicise it (printed and web based material), run a launch event (including guided walks, arts workshops etc) and monitor the usage of the new walk for six months.

(The PR around this activity would give a huge boost to the whole Coleridge Way route.)

Officers at West Somerset Council have highlighted the potential detrimental impact on Watchet from the Hinkley development because the town relies heavily on tourism and especially on day visitors. Making the link from the Coleridge Way gives the town a new 'attraction' that is family friendly, low impact on the environment and celebratory of its cultural heritage. Watchet also has a blooming creative industries community to which this project would add value and the new route could bring visitors right into the centre of the town, to the museums and galleries, the Esplanade sculptures and the Contains Art studios.

Poetry Pin - New virtual artworks along the relocated coastal path around the Hinkley site

(lead artist Christopher Jelley, with guest artists and writers)

"The trail is just a trail. It's the human journey along it that's interesting."

Overview

Primarily this work would be a digital location based text and poetry project focusing on the new way marked coastal path which has been re-routed around the Hinkley site. The final product will be accessible through smart phones and similar, and viewable in location only through customer device's GPS abilities. The project would include visual artists also with site specific art works, revealed only in location.

Method

The new nuclear facility and its impact on the lives and environment of locals is very polarised, with knowledge and understanding of the science and practicalities playing second fiddle to fear and propaganda. The Poetry Pin creates a ring of dialogue around the site without actually putting

any way markers or signage along the route. It is a unique opportunity to focus both author and reader into a changing and dynamic environment, challenging our use of text and its relationship with space, site and context. Over a year of activity, the project will map the natural and seasonal changes in the landscape and the human intervention.

Theme and operative words

Pathways, rights of way, movement across landscape, dividing of landscape, the journey, view, vista, inner space, contemplation, as well as impact, discord, hidden danger, fear of the unknown, innocence, recovery, resilience.

Participation

Through 12 artist-led walks run over the course of a year, participants will explore and respond directly to the changes going on around the Hinkley site and submit their poetry to the project. Guest artists will also be invited to lead walks and inspire participation through communications on the Coleridge Way blog.

This is a site-specific and an online project and therefore submission of poetry would be open to anyone. We will utilise our links with published authors, colleges, academics, as well as the network of artists/arts companies in the region to encourage a diverse and high-quality range of submissions, alongside those from the general public (potentially globally).

Two training sessions will be held for those who participate in the walks, on how to upload their work to the poetry pin engine. This will populate the engine fairly quickly so that walkers along the route will have artworks to view and read from early on in the year. Instructions on uploading work will also be included on the site.

Input of poetry

To be achieved through desktop / tablet compliant web interface with a google map requesting the user to select a location and drop a pin on the route. A pop up box would then enable poetry input (limited in length due to device and bandwidth parameters.) Once poetry is submitted there will be initial checks by a managing group, to limit abuse, after which poetry would be published. It is intended that upload of poetry is also possible from the site location, this is dependent upon a mobile data connection which is likely to be patchy along the route, but as yet is untested.

Engaging wider participation

The project is in two elements, firstly an innovative concept for capturing and delivering poetry and still imagery along a proposed route without physical intervention in the environment, and secondly populating this canvas with site specific poetry and visual art.

How to engage with authors and artists who would like to communicate their feelings through literary channels in a highly competent manner is key. Initial steps are to connect with possible authors and provide them with a functioning tool to place their words/art digitally in a physical context, in a dynamically retrievable manner.

Suggested channels to actively populate the canvas are:-

Poetry/visual arts workshops delivered by a facilitator to generate content (12 workshops to take place in and along the proposed pathway); advertise in Poetry Review to invite national submissions; work with the Somerset Writers Group; connect through Contains Art in Watchet; invite Somerset Art Week artists to become involved with this dialogue during SAW 2014; 10 Radio, connecting with 10 local parishes (though Stogursey can listen in through web); connect with the University of Bath's Literary Programme and the Fine Art programme at Somerset College; use of EDF Energy PR campaign; Creatives Club; and Stogursey Parish Council, Stogursey Oral History Project and other community groups.

Management of Submissions

Once poetry is submitted via the web interface, there will be a managing group system to approve content. Each submission generates an email, the managing group would then approve or delete

before publishing poetry. There will be several levels of criteria to be fulfilled for the poetry to be published and to negate abuse.

Audience access

Poetry will not initially be accessible from a desktop computer, users must venture out and walk along the route, where the poetry will be triggered on smart phone through a location based web app (Storywalk Engine). The publication of excerpts of poetry on the Coleridge Way website and blog (to promote the work) will increase its accessibility, as will an end-of-project high quality printed book of the poems and artworks.

Somerset Art Weeks 2014 Virtual Venue

The poetry pin path will become Somerset Art Weeks first virtual venue in September 2014, with Christopher Jelley leading artist walks as part of the event. The audience may also input their own contributions whilst in the field or when they get home, adding to the project.

Booklet

Towards the end of the project work begins on a high quality booklet of selected poems, which would include a map of the route. 1000 copies would be published in December 2014, to retail at £7.95 each. Capital raised from selling this booklet would contribute to enabling a second year of the project (with additional funding), with the project perpetuating and documenting the ongoing impact of Hinkley Point Development through the eyes of artists. Copyright of all poetry/art will remain with artists, with permission gained for publication within the parameters of Poetry Pin and all credits due to each artist. All Authors are expected to submit live email accounts, names and addresses for attribution.

Promotion

Throughout the year of work, the lead artist will promote and document opportunities offered through the project via a poetry pin blog and twitter account (as well as established ARTlife social media channels). The project may also be of interest to those searching information on the Coleridge Way arts projects and so we will use those channels as well. As with all online arts activity, often the means for promoting the work become the ways in which people are drawn in to participate more actively. In this way, we intend to create a social network of artists/authors/followers who contribute to the project and help share its results *and* become the audience and promoters for each others' work. Participating in a dialogue about what is happening at Hinkley, through creative channels, will engage people in making positive responses to the changes around them.

Landscape Artists – CPD opportunities

'Working in New Media' sharing days

Investing in the skills of local artists/creative businesses helps to encourage more young and newly qualified practitioners to stay in (or return to) Somerset once they finish their training. Various initiatives are already happening around the county (Creative Somerset's Ammonite leadership programme and apprenticeship scheme; Contains Art's proposal for supporting emerging local artists, etc).

Following on from the very successful 'New Romantics' day at the Engine Room as part of phase 1, we will run three training events targeted at creatives in the geographic area impacted by the Hinkley development and who focus on the landscape and locality in their work. These events will promote 'cutting edge' good practice and bring creatives together in a supportive environment that encourages sharing and collaboration.

We propose to run three sessions led by artists/companies who already specialise in new technology applications in their landscape and/or cultural heritage work and who can share their experiences and inspire other artists.

The audience for these workshops would be:

- Artists who have yet to engage with digital technologies, or who have just begun to explore the possibilities
- Artists who are looking for collaborators in new technology projects
- Those who want to use new technologies creatively in presenting/marketing their work to a wider audience
- Professionals in other related sectors (e.g. land management, tourism, heritage) who want to better understand the work coming out of the creative sector that can help attract new audiences through different kinds of interpretation and products

Follow up training days

The Landscape Art programme, as applied and budgeted for here, leaves a balance of £3,000 that we would like to ring fence for future CPD opportunities.

Our recent experience of delivering creative industries training ('From the Ground Up' project across Sedgemoor and West Somerset) is that an initial offering of workshops usually leads to identifying additional training needs. With this in mind, we would work with the participants and trainers of the three initial workshops to help plan 3-4 more follow up sessions, based on need and perceived gaps in training locally, and directly relating to the Landscape Art scheme.

The £3,000 would be a separate application to the Planning Obligation Fund.

Proposed Timeline

Nov-Dec 2013	Jan 2014	Feb	March	April	May	June
Phase 1 projects completing; Phase 2 contracts & planning	Over-winter PR for phase 1 products ready for new season Col Way project prep	QR poetry workshops	QR poetry workshops	Storybox prep	QR slates production	QR slates located
	Scoping for Col Way Watchet link	Convene steering group; advertise Watchet commission		Watchet commission begins		
Poetry Pin web engine build and test; scope new RoW	Monthly arts walks begin. Social media & PR campaign begins.		Poetry Pin engine training days x2	Ongoing submission of poetry content	Ongoing monthly art walks along new RoW	
			Working in New Media training1		Working in New Media training2	

July	August	Sept	Oct	Nov	Dec	Jan-Mar 2015
Ongoing PR/Social media for all summer projects	PR during Som Art Weeks for all project elements					Promotion of products; and Col Way website exhibition
Storyboxes located	Storyboxes collected & exhibited					Evaluation & reporting
Watchet link launched	Watchet link - ongoing monitoring of use					Planning next steps
Ongoing monthly art walks along new RoW	SAW Virtual Venue on RoW around Hinkley		Poetry Pin submission phase ends	Booklet prep	Booklet published	
Working in New Media training3	Evaluation & funding application to do 3-4 follow up sessions					

B2 Location of the project: West Somerset and parts of Sedgemoor, in the Quantock Vale area and along the coast; focusing on the area immediately around the construction site, the harbour town of Watchet, and the Coleridge Way towns and villages.

B5 The parish clerks for Stogursey and Watchet have been consulted on this work and we are awaiting their responses.

B6 Start date: November 2013
Completion date: March 2015

Section C – need for the project

C1 This is phase 2 of an identified project within the planning document for the new Hinkley C site.

Alongside the Coleridge Way projects detailed above, phase 1 also included a scoping period which identified the phase 2 elements included in this application. It also draws on the recommendations from the Coleridge Way feasibility study from 2011, on reinvigorating the route through the arts and the creative use of new technologies.

This application has been developed and agreed by the Board of Directors of ARTlife, which includes representatives of West Somerset Council, Exmoor National Park Authority and five arts charities operating in West Somerset and nationally.

C2 Consultation

Throughout phase 1, ARTlife has consulted with the partners in the Coleridge Way steering group

- o Exmoor National Park Authority
- o The National Trust/Coleridge Cottage
- o Quantock Hills AONB Service
- o Sedgemoor District Council
- o Somerset County Council
- o West Somerset Council
- o Exmoor Tourism Association
- o Porlock Tourist Association
- o The Old Cider House at Nether Stowey (business sector representative)

We also have contact with the parish councils who were consulted for the phase 1 application and responded that they would like to be involved.

The parish clerks of Stogursey and Watchet have been invited to comment on the details of the proposed projects for phase 2.

Sarah Morgan-Broom (WSC) is helping to link us with the Stogursey Oral History Project, whose Heritage Lottery funded initiative has many crossovers with the Poetry Pin element of ARTlife's work. This bid has been shared with the group and we plan to utilise their local knowledge to ensure Poetry Pin integrates with their project and other activities in the village.

In determining the geographic scope and focus of the proposed work, ARTlife has been assisted by officers at West Somerset Council and has consulted with officers at Somerset County Council (Rights of Way), Sedgemoor District Council (Major Projects office), the Quantock Hills AONB Service, and with EDF Energy.

This application therefore proposes to focus work in the Quantock Vale area (as agreed by the QHAONB, SDC, SCC and WSC in 2012), which includes the re-routed coast path around the construction site and the harbour town of Watchet. A proportion of the work will happen along the Coleridge Way to complete the full route of community arts products. ARTlife also intends to provide workshops for artists/creative businesses in the Sedgemoor/West Somerset catchment area.

Sarah Littler (SCC Rights of Way manager, seconded to the Hinkley C project) is advising on the new rights of way in the parish of Stogursey and has offered help in contacting local community representatives when the time comes.

The Directors of Contains Art CIC, newly established in Watchet, are aware of ARTlife's plans and the potential for partnership working as a venue for workshops, promoting the training opportunities for creative businesses and the commission to create a Coleridge Way link into Watchet. Town and District Councillor, Peter Murphy, has previously expressed support for ARTlife's plans, especially creating the link from the Coleridge Way into the town.

C3 Alignment with local plans and other initiatives

This work is identified in ARTlife's current Partnership Agreement with West Somerset Council (2012-2015) and delivers on some of the recommendations in the feasibility study on reinvigorating the Coleridge Way (2011).

The Coleridge Way steering group Terms of Reference state that the partners will "Consider joint activity to enhance the route, its profile and enjoyment and understanding by users". This project delivers this aim and actively engages the land management partners in advising on and giving permission for the siting of artworks (e.g. QR codes sited on National Trust property).

Through Sarah Littler, we are aware of Somerset County Council's Hinkley C Rights of Way Improvement Plan and this work will directly help to promote and encourage use of the re-routed coast path and network of new rights of way.

The artists/creative businesses training opportunities and commissions align with West Somerset Council's Economic Development Strategy 2011 (Responding to Change) which recognises the importance of the Creative Industries Sector to the wider economy of West Somerset.

The feasibility study, 'A Creative Work Hub for Western Somerset' (Making the Links, Dec 2011), identified the need for networking, training and "Disseminating a positive image of the area as a creative and cultural destination, to enhance the tourist offering and encourage creatives to return." Through partnership work with Contains Art CIC and Somerset Film, we will offer commissions, promotional opportunities and training sessions to the creative industries sector.

Bringing a link from the Coleridge Way into Watchet has been a long term vision of the steering group and eagerly awaited by the town that hosts the sculpture of the Ancient Mariner and where Coleridge and the Wordsworths regularly visited. It is in the action plan of the Watchet Community Cultural Strategy 2008 (part of the Watchet 2025 Vision) and this project will now see it come to fruition.

Consideration of alternative schemes

C4 ARTlife has been commissioned to deliver this particular piece of work as specified in the planning document for Hinkley C.

C5 This is a site-specific project, drawing on the cultural heritage of the Romantic Poets and the direct impact of landscape changes to the area around the construction site. Other similar GPS-located artworks are happening around the country, but our 'unique selling point' is the creative spark of combining the legacy of poets who inspired the political movement towards protected landscapes, with the current upheaval being experienced in the landscape locally.

C6 Levels of use/participation

Outputs achieved so far for phase 1 of this work:

- Part time project coordinator contracted in April 2013 (through to May 2014)
- 3 new Coleridge Way community projects designed and initiated by lead artist

- Lead artist contracted from January to September 2013
- Workshop artist for schools' QR code poetry contracted from February to March 2013
- Artist contracted for test walks for Romantic Litscape app from May to September 2013
- 2 test walks led for Romantic Litscape app, involving 6 participants
- 3 QR code poetry schools workshops, involving 60 pupils plus teachers
- 5 storyboxes placed along the Coleridge Way – one journal (at Webbers Post) already filled by walkers by mid-July and replaced with a new book. Estimate that 100+ people have contributed so far.
- 5 locations of QR code poetry slate panels along the Coleridge Way, plus a panel in each of the participating schools. Unfortunately there is no way to monitor how many people have seen the panels and have accessed the poetry, but approximately 3,000 people walk the Coleridge Way each year, plus there will be day walkers and dog walkers coming across the sites as well.
- 1 training day delivered at the Engine Room – 12 artists participated; 12 films created and currently in post-production ready for online dissemination
- One new Coleridge Way blog set up, with links to the Romantic Litscape blog, the Quantock Hills AONB twitter feed, the Storywalks website and ARTlife's facebook page for the Landscape Art scheme. The CW blog is also directly accessed from www.coleridgeway.co.uk
- Local press coverage achieved for the placing of the Storyboxes; plus articles in the newsletters/e-bulletins of EDF Energy, Exmoor National Park Authority, Somerset Art Works and Somerset Film

C7 Target outputs for phase 2:

- 2 Coleridge Way community projects repeated based on success of phase 1
- 6 storyboxes placed along different sections of the Coleridge Way – estimate 200+ contributors, plus 300+ audience for exhibition (at Coleridge Cottage), plus online audience via websites/social media.
- 3 QR code poetry schools workshops – 60+ pupils plus teaching staff
- Lead artist for Coleridge Way projects contracted from January to December 2014
- Artist/teacher for schools' QR code poetry contracted from February to April 2014
- 6+ collections of QR code poetry slate panels located along the Coleridge Way, plus a panel in each of the participating schools
- 1 commission completed to deliver a new link route into Watchet. Estimate 200+ participants in launch activity (plus online audience), plus 1500+ walkers using the new route during first six months
- Minimum of 30 blogs (over 15 months) for Coleridge Way, plus social media promotion/interactions, plus 'exhibition' of outcomes on Coleridge Way website
- Parallel work with Cool Tourism project increases awareness of the Coleridge Way and the capacity of businesses to integrate these arts projects/products into their visitor offer
- New Poetry Pin web-engine built
- Lead artist for Poetry Pin contracted from January 2014-January 2015
- 12 art walks along new coastal path around Hinkley – estimate 150+ participants
- 2 poetry pin web-engine training sessions – estimate 24 participants
- Poetry Pin site populated by 500+ pieces of poetry/artwork
- Poetry Pin poems/artworks accessed by smart phone users – estimate audience 500+ in first six months; plus online audience for publication of excerpts/promotional work
- Poetry Pin blog and twitter audience developed
- 3 walks led during Somerset Art Weeks 2014, creating SAW's first ever 'virtual venue' – estimate 50 participants; plus increased live and online audience during art weeks
- 1000 booklets of poetry/images published as project legacy
- 3 Working in New Media training days – estimate 36 participants
- 1 end-of-project exhibition or presentation
- Part time project coordinator contracted from June 2014-March 2015 to oversee whole scheme

C8 Sustainability

Both phase 1 and phase 2 of this work have been designed to be complete elements, fully funded by the Landscape Art scheme (including a modest maintenance budget to cover any repairs to the permanently sited QR code slates). Continuation of the coordinator role will ensure the management of phase 2 elements through to final exhibition/presentation and evaluation and reporting in March 2015. Sustaining the work to this time will maximise the levels of participation in the projects, especially given the enthusiastic public response to phase 1 projects along the Coleridge Way. It also allows the potential for developing and fundraising for further phases of work linked to the Hinkley development, which will give the whole scheme longevity and further impact.

C9 Accessibility

ARTlife will operate by its key values (and those it shares with West Somerset Council in its Partnership Agreement): Equality of access and quality of service; Sustainability; Partnership; Cultural diversity and variety of opportunity; Cultural innovation and risk; The unique cultural distinctiveness of West Somerset. The work will aim to enhance the quality and range of cultural opportunities available to: Young people and children; Older people; Disabled people; People suffering an economic disadvantage.

Community arts projects like this help break down barriers to participation by making the work local and relevant. In particular, it can address perceptions of elitism by showing that everyone can access, enjoy, and create (e.g. poetry) and build connections with other people through the work they create. ARTlife has a 13-year track record of ensuring arts work is accessible.

Project Costs

D1 – Funding requested is £53,000 (leaving a remainder of £3,000 to draw down from the total allocated budget of £80,000). See attached budget.

D3 – ARTlife is not VAT registered

E2 Match funding – The Cool Tourism project includes the Coleridge Way and will add value to ARTlife's work by generating interest in products that attract visitors and give them more to do along the route. The businesses involved in Cool Tourism can help to promote the outputs of the Landscape project to their customers. Raising awareness of the route generally, alongside the renewed efforts of the Coleridge Way steering group, will increase take up of the arts products of both phases 1 and 2, and investing in the commercial sustainability of the route and its website will help ensure a long-term legacy.

A proposed collaboration with Stogursey Oral History Project (Heritage Lottery funded) will add value to both initiatives through sharing of resources, increasing marketing activity and possibly collaborating on end-of-project outputs (e.g. a book).

A parallel ARTlife project 'Dark Starry Skies' celebrates Exmoor National Park's Dark Sky Reserve status and makes the link with the Romantic Poets walking and being inspired by the landscape of Western Somerset. ARTlife is in the process of applying to ENPA's Partnership Fund for c. £3,000 towards this work. If successful, the project will complement and add value to the Landscape Art scheme.

ARTlife LANDSCAPE ART PROGRAMME - PHASE 2						
				26		
POETRY PIN						
	web development, test & management of poetry engine					3500
	Social media/PR campaign & publicity over 12 months					1500
	Poets and visual artists field workshops x 12 (one per month)					2400
	(£200 per day inc expenses)					
	Guest artist interactions (inc publicity, fees etc)					500
	Training sessions to input work to poetry pin engine x 2					800
	Som Art Weeks 2014 - virtual venue, guided walks (inc entry fee, brochure entry etc)					1000
	prep, publication & distribution of poetry book, 84pp paper back x 1,000					3500
	Lead artists' expenses & travel for coordinating the above					1800
						15000
COLERIDGE WAY						
	Creating Story Boxes x 6 (inc authors' fees to start stories)					2500
	QR code poetry schools workshops x 3 (2 workshop leaders)					1350
	QR code production & installation (inc permissions)					2000
	Coleridge Way blogger and guest bloggers					2000
	Col Way.co.uk updates inc new Watchet route info (Visit Exmoor web manager's fee)					800
	maintenance (inc phase 1 elements)					600
						9250
COLERIDGE WAY LINK TO WATCHET - commission						
ARTlife invites proposals 'in the region of £5,000' to promote a link to Watchet from the Coleridge Way.						
Delivery to include (but not exclusively):						
	Liaising with ARTlife Coordinator and Coleridge Way steering group on the new route					
	Creatively interpreting the new route as defined by the partners above					
	Liaising with the CW lead artist, linking work to existing arts projects					
	Providing virtual/GPS and web-based downloadable directions for following the route					
	Providing a printed route map/guide/interpretation - x 20,000 copies					
	Providing web-ready copy of mapping and route directions for coleridgeway.co.uk					
	Including natural, historical and cultural heritage interpretation in the printed and online information					
	Highlighting the lives and work of the Romantic Poets and their legacy in this part of Somerset					
	Liaising with and including information about arts and heritage venues/providers in Watchet					
	Running a launch event, including guided walks, arts activities, family activities, etc					
	Marketing the route, liaising with/linking to Visit Exmoor's marketing of the Coleridge Way					
	Providing marketing images of the route for CW and Visit Exmoor sites					
	Monitoring and evaluating the usage and impact of the route over six months					5000
Technical costs:						
	Expert advice to design and map the route, using existing RoW					500
	(to be agreed by the Col Way partners)					
	Permissions for OS mapping, for commissioned artist/s to use					200
	Advertising and commissioning costs					200
	contingency					100
						6000
LANDSCAPE ARTISTS CPD OPPORTUNITIES						
	'Working with New Media' training/sharing days x 3					2000
						2000
PROMOTION & MANAGEMENT						
	External marketing expertise for whole programme					3500
	documentation, evaluation report, final presentation					2000
	insurance					600
	Project coordinator June2014-March2015 (0.5 pt inc on costs)					12800
	Project coordinator travel & expenses					1000
	contingency					850
						20750
						53000

Report Number: WSC 137/13

Presented by: Cllr Chris Morgan – Lead Member for Environment Hinkley Point

Author of the Report: Andrew Goodchild, Planning Manager

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Report to a Meeting of: Council

To be Held on: 23rd October 2013

Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: June 2013

NATIONAL GRID – HINKLEY POINT CONNECTION PROJECT – RESPONSE TO SECTION 42 CONSULTATION

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek Members' approval to submit the West Somerset Council's response to National Grid's Stage 4 / Section 42 consultation which runs until 29 October 2013 based on the key points set out at paragraph 4.6 below. This is anticipated to be the last stage of formal consultation by National Grid before a Development Consent Order application is submitted by National Grid to the Planning Inspectorate in early 2014.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 There are no specific Corporate Objectives relating to the National Grid project however, the second Corporate Priority relating to maximising opportunities for West Somerset communities and businesses whilst protecting local communities and the environment in relation to the Hinkley Point C development is equally applicable to this project.

3. RECOMMENDATIONS

- 3.1 That Council endorse the key points set out at 4.6 and grant delegated powers to the Planning Manager to finalise and submit the response on behalf of the Council by 29 October 2013 in response to the current consultation.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
That the views of the District Council, in its role as Community Leaders, are not adequately set out to National Grid during the consultation period	1	2	2
<i>That the Council responds by 29 October 2013 in accordance with the recommendations set out in this report.</i>	1	1	1

That National Grid fail to address local impacts through comprehensive mitigation, especially in light of the cumulative impact of activity within Stogursey Parish	2	3	6
<i>The Council responds to the current consultation, works collaboratively with its partners between the end of the current consultation and the submission of the DCO application to the Planning Inspectorate, submits a full and robust response to the Planning Inspectorate when submitting its response on whether or not the consultation process has been adequate, submits a full and robust Local Impact Report and finally, represents the Council and the communities affected during the examination of the application by the Planning Inspectorate</i>	1	3	3

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. **BACKGROUND INFORMATION**

- 5.1 National Grid has, since 2009, been consulting on the proposed connection project between the proposed Hinkley Point C and the Seabank substation in Avonmouth. The Council's last formal input was in December 2012 when the Council responded to the Stage 3 consultation.
- 5.2 The current consultation reveals a much greater level of material and detail than was previously available and is also supported by a significant body of supporting information known as Preliminary Environmental Information. In West Somerset the consultation material shows that 6 existing pylons would be removed and 12 new pylons will be erected to connect the new Shurton substation (the Hinkley Point C substation) to the existing network of overhead lines travelling away from the Hinkley Point complete. A plan of works proposed is included at Appendix A.
- 5.3 Members will recall that the Council has entered a Planning Performance Agreement with National Grid and importantly all the other Councils directly affected (Somerset County, Sedgemoor, North Somerset, South Gloucestershire and Bristol City) have now done so. A Joint report on behalf of West Somerset, Somerset County, Sedgemoor and North Somerset Councils is currently being prepared and the key points set out at paragraph 4.6 are included. It is intended that the final version of the report which will be the subject of review by the Joint Councils and Legal representatives will be submitted before the close of the consultation. The other Councils are producing their own reports.
- 5.4 It is important to note that the route alignment of the 'Hinkley Line Entries' in West Somerset is consistent with the previous round of consultation material and is well understood by both Officers and members of the community in Stogursey Parish. National Grid has, in the case of this element of the overall project, historically responded to the views expressed by local people and the Parish Council. In December 2013 West Somerset Council supported this alignment in principle within its response.
- 5.5 Members may be aware from press coverage and the Member Briefing in September that the current consultation does include the use of the T-pylon on large parts of the proposed route. This new pylon design is quite different to the traditional lattice design and has been the subject of much debate on other parts of the line. The T-pylon has not been used in the UK before. In the case of the new pylons in the Hinkley Line Entries part of the route National Grid are proposing to use the more traditional lattice pylons which, on the basis

that there are already a number of lattice pylons in the area, is considered acceptable on landscape grounds.

5.6 As suggested above, the current consultation material does contain significantly more information than has previously been the case. Importantly National Grid have included information on nearly all of the subjects which were highlighted as needed within the Council's stage 3 consultation response. There do, however, remain some issues of concern. These are set out in detail with the Joint Councils report however, from a West Somerset perspective the following key issues have been identified:

- The construction works are likely to take place at the same time as footpaths around the main Hinkley Point C site remain closed and, in addition, at the time when works on the Bristol Ports Company's habitat compensation works will also see the closure of parts of the rights of way network. It will be important for National Grid to set out comprehensive proposals, including any necessary mitigation, taking into account these other projects to minimise impacts;
- The cumulative impact assessment in relation to landscape character during construction has not taken account of the correct stage of the EDF Energy project i.e. both projects will under construction at the same time and so the significance of effects has been underplayed;
- The transport effects of the construction of the pylons could well take place at the same time as the Bristol Ports Company is also using local lanes during the creation of the compensatory habitat. The level of traffic on local lanes and, because of Hinkley Point C, on the C182 does need to be considered in combination. The additional HGV traffic on local lanes could be significant for horse riders and could take place at the same time as other parts of the rights of way network are affected;
- The assessment undertaken in the PEIR does not appear to take account of local policy and local landscape designations which will be important in terms of assessing the level of significance.
- The level of activity and method of working on Wick Moor needs to be considered carefully in light of the amount of construction activity proposed in the vicinity (Hinkley Point C, Hinkley Point A, Bristol Ports Company and National Grid).
- The lack of quantitative and or qualitative assessment on the possible impact on the tourism economy is concerning in light of the importance of the natural environment to the economy in West Somerset. This issue was raised in the Scoping response from the Planning Inspectorate and by the Council in its stage 3 response.
- There is a significant lack of detail on proposals for mitigation generally, but particularly in relation to construction management, landscape and ecological impacts. Taken together, these impacts, combined with those on the PROW network in West Somerset.

5.7 Whilst all of the above issues are important given the cumulative visual impacts; impacts on rights of way; noise; vibration; and air quality impacts already taking place it will be extremely important that this project is carried out in a way which minimises effects on the community in Stogursey Parish. The Council will expect to be involved in discussions regarding the content of the Environmental Statement to help shape the detailed decision making regarding construction methodology and working practices, and associated controls and mitigation.

5.8 Box 21 of the Council's Hinkley Point C Supplementary Planning Document highlights that, in relation to development on the main site, that (amongst other things) developers will be expected :

To identify landscape treatments, habitat creation, flood risk management and public rights of way connections and improvements that integrate appropriately with the surrounding area and sufficiently mitigate and compensate for the impacts on these features at the construction, operation and decommissioning stages. Landscape and green infrastructure works and enhancements that extend beyond the power station main site boundary could

potentially mitigate and compensate the impacts of the project and provide enhancements where appropriate.

To minimise the individual and cumulative visual impacts on the landscape and setting of designated areas, buildings and monuments, including Exmoor National Park, AONBs, Conservation Areas, Outstanding Heritage Settlements, Listed Buildings and Scheduled Ancient Monuments and, where it has been demonstrated by the HPC project promoter that the impacts are unavoidable, provide appropriate levels of mitigation and compensation.

- 5.10 Given this policy position which is equally applicable to the Hinkley C Connection Project, the Council will also expect early discussion on detailed mitigation by way of specific tree planting, archaeology and rights of way improvements, and where mitigation solutions cannot be identified to completely deal with the impact, the Council would expect an appropriate contribution to be paid towards the provision of a community woodland.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 Any impact on the consultation activity associated with the Hinkley C Connection Project has been mitigated by entering into a Planning Performance Agreement with the development and other Local Authorities (Somerset County Council, Sedgemoor District Council, North Somerset Council, South Gloucestershire Council and Bristol City Council).

7. SECTION 151 OFFICER COMMENTS

- 7.1 Any comments to be reported verbally.

8. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 There are no direct impacts as a result of this report. However, as part of the wider project, National Grid will need to assess the equality and diversity implications of their proposal and the Councils will need to review, challenge, and comment on the adequacy of how potential issues are financed, managed and dealt with promptly at no additional cost to the Council.

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 There are no direct impacts as a result of this report

10. CONSULTATION IMPLICATIONS

- 10.1 The responsibility of consulting both statutory consultees and the general public rests with the developers under the new Planning Act (in this case National Grid). National Grid have submitted a Statement of Community Consultation detailing how they will go about this process. Ultimately the Council will report on the adequacy of the promoter's consultation in the early stages of the Planning Inspectorate's involvement in the project once the application has been submitted to them. National Grid have undertaken a number of

events in West Somerset in connection with the current consultation. In Stogursey a consultation event took place on 8 October and National Grid took part in a Question and Answer session before the beginning of the Parish Council meeting which was attended by both Quantock Vale Ward Members and the Planning Manager.

11. ASSET MANAGEMENT IMPLICATIONS

- 11.1 There are no direct impacts as a result of this report. The Council do not own land which will be affected by the project.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

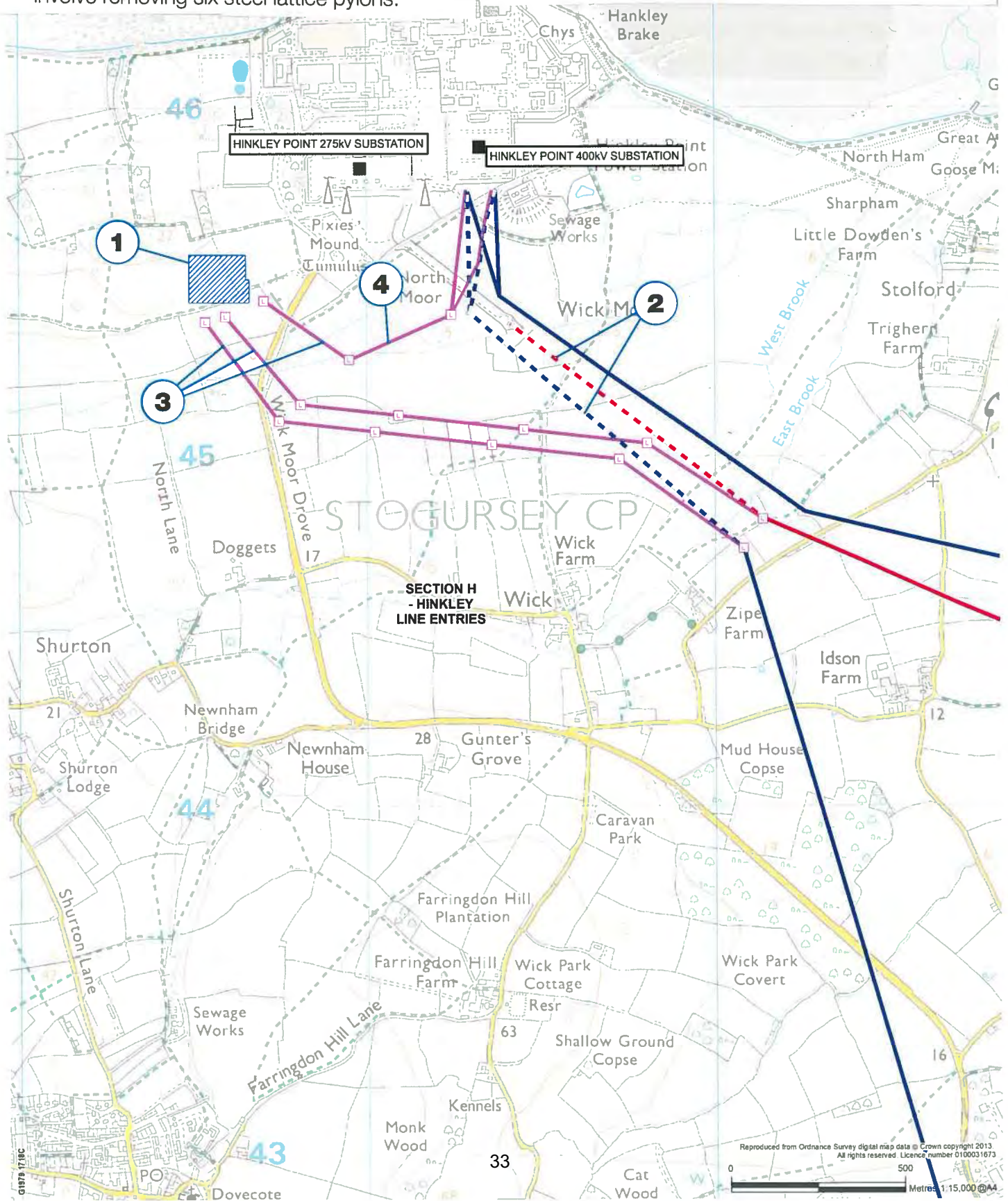
- 12.1 The Preliminary Environmental Impact Report which accompanies National Grid's current consultation has been considered and the Joint Councils report will set out a number of recommendations which National Grid will need to consider before completing their Environmental Impact Assessment as part of their DCO application.

13. LEGAL IMPLICATIONS

- 13.1 It is important that the Council responds in accordance with its responsibilities set out in the Planning Performance Agreement and in accordance with its role as defined by the Planning Act 2008.

- 1** We would build a new 400,000 volt substation at Hinkley Point C, called Shurton substation. Development Consent was given for this development on 19 March 2013 as part of EDF's consent for a new nuclear power station.
- 2** We need to move the existing 400,000 volt overhead lines from Hinkley Point B substation to connect to Shurton substation. This would involve removing six steel lattice pylons.

- 3** We would then build 12 new steel lattice pylons, two of which would be replacements.
- 4** We also need to build a short connection (interconnector) from Shurton substation to the existing Hinkley Point 400,000 volt substation, made up of three steel lattice pylons.



Report Number: WSC 135/13
Presented by: Cllr. Kate Kravis, Lead Member for Finance & Resources
Author of the Report: Adrian Dyer, Chief Executive
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Report to a Meeting of: Council
To be Held on: 23rd October 2013

*Date Entered on Executive Forward Plan
 Or Agreement for Urgency Granted:* N/A

CLASSIFICATION OF EARMARKED RESERVES

1. PURPOSE OF REPORT

1.1 The purpose of this report is to seek Council approval for a supplementary estimate.

2. CONTRIBUTION TO CORPORATE PRIORITIES

2.1 The recommendations in this report do not directly contribute to the delivery of the Councils Corporate Priorities.

3. RECOMMENDATIONS

It is recommended Council approve a recommendation from Cabinet for:

3.1 A supplementary estimate of £62,030 in respect of the Council's 13/14 contractual payment to the Homes Improvement Agency and that this is funded by a transfer from the New Homes Bonus Reserve to the General Fund.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
Risk – That if not paid legal action is instigated against the Council for breach of contract.	Almost Certain (5)	Major (4)	Very High (20)
Mitigation – A supplementary estimate is approved and subsequent funding arrangements identified.	Rare (1)	Major (4)	Low (4)

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. BACKGROUND INFORMATION

At their meeting held on 2nd October 2013 Cabinet received a report on the classification of 'Earmarked Reserves', including New Homes Bonus. A copy of the relevant report is attached at **Addendum '1'**

The third paragraph in section 5.4 of the report states that due to an oversight the Council's contractual payment of £62,030 was not included in the approved budget for 2013/14.

Subsequently and in accordance with Financial Regulations Cabinet were requested at recommendation 3.7 to recommend Council approve a supplementary estimate for this sum.

For the information of Members Home Improvement Agencies (HIA's) are local not-for-profit organisations located throughout the country and they assist elderly people to improve, repair, maintain, or adapt their home. HIA's provide advice and information for home owners and private tenants, and they will check to ensure what benefits and grants you may be entitled to. They can visit you at home, work closely with other agencies involved, help to identify reputable tradespeople to undertake works and oversee the work. HIA's help vulnerable people to ensure their home is a comfortable and safe place to live independently.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 The New Homes Bonus earmarked reserve as detailed in Appendix A of the Cabinet report reflects the fact that amongst other payments the amount of £62,030 is released to fund the 2013/14 payment to the Homes Improvement Agency.

7. SECTION 151 OFFICER COMMENTS

- 7.1 From a governance perspective the recommendation complies with Financial Regulations. By funding the payment from an earmarked reserve there will be no adverse impact on the General Fund.

8. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 There are no implications directly associated with the recommendations in this report.

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 There are no implications directly associated with the recommendations in this report.

10. CONSULTATION IMPLICATIONS

- 10.1 There are no implications directly associated with the recommendations in this report.

11. ASSET MANAGEMENT IMPLICATIONS

- 11.1 There are no implications directly associated with the recommendations in this report.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

- 12.1 There are no implications directly associated with the recommendations in this report.

13. LEGAL IMPLICATIONS

- 13.1 There are no implications directly associated with the recommendations in this report.

Report Number: WSC 102/13
Presented by: Cllr. Kate Kravis, Lead Member for Finance & Resources
Author of the Report: Adrian Dyer, Chief Executive
Contact Details:
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Report to a Meeting of: Cabinet
To be Held on: 2nd October 2013
Date Entered on Executive Forward Plan 28th July 2013
Or Agreement for Urgency Granted:

CLASSIFICATION OF EARMARKED RESERVES

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval by Cabinet for the re classification of certain earmarked reserves.

3. CONTRIBUTION TO CORPORATE PRIORITIES

- 3.1 The recommendations in this report will, if approved, provide financial resources targeted to delivering the Councils 'Local Democracy' Corporate Priority and its associated objectives.

3. RECOMMENDATIONS

It is recommended Cabinet approve and or note that:

- 4.1 The sum of £145,894.07 is transferred to the Sustainability Reserve from the following reserves:

Economic Regeneration	£27,500.00
Working Neighbourhoods Fund	£11,747.37
New Homes Bonus	£19,878.14
Lorry Park	£37,665.00
LSP	£ 1,201.13
Hinkley Point DCO	£47,902.43

- 3.2 A sum of £52,000 in the Working Neighbourhood Fund Reserve is earmarked to support the 2014/15 budget to extend the funding of the post of Economic Regeneration Manager for twelve months until 31st March 2015.

- 3.3 Cabinet notes that in accordance with the previously Council approved Medium Term Financial Plan (MTFP) the following sums are transferred to the General Fund.

Corporate Improvement	£19,419.46
New Homes Bonus	£60,164.00
Lorry Park	£ 8,335.00
LSP	£ 119.54

- 3.4 A sum of £39,320.00 is earmarked within the New Homes Bonus Reserve for the 14/15 payment to the Home Improvement Agency

- 3.5 Cabinet notes that in accordance with the approved MTFP a new reserve of 'New Burdens Funding' has been created which will contain a government grant of £32,680 due to be received in the current year. The purpose of this reserve is to mitigate any negative impact in the Revenues & Benefits services following the implementation of welfare reforms.
- 3.6 Cabinet notes that in accordance with the approved MTFP a new reserve of 'Loss of Business Rate Retention' has been created and the sum of £169,663 transferred into it from the General Fund. The purpose of this reserve is to act as a contingency against a reduction in Business Rate retention.
- 3.7 A recommendation to Council for the approval of a supplementary estimate of £62,030 in respect of the Councils 13/14 contractual payment to the Homes Improvement Agency and that this is funded by a transfer from the New Homes Bonus Reserve to the General Fund.

4. **RISK ASSESSMENT (IF APPLICABLE)**

Risk Matrix

Description	Likelihood	Impact	Overall
Risk – That insufficient funding is available to deliver the Councils transformation programme within necessary timescales.	Likely (4)	Major (4)	High (16)
Mitigation – <i>To maximise the use of available reserves on an invest to save basis</i>	Possible (3)	Major (4)	Medium (12)
Risk – That due to a lack of available funds the post of Economic Regeneration Manager is made redundant from 1 st April 2014 which would have an adverse impact on the local economy	Almost Certain (5)	Moderate (3)	High (15)
Mitigation – <i>The earmarking of available reserves in order to fund the post until 31st March 2015 by which time delivery of the Economic Regeneration service will have been reviewed as part of the shared service project with Taunton Deane Borough Council (note – this is dependent upon a business case for shared services being approved)</i>	Unlikely (2)	Moderate (3)	Low (6)

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. **BACKGROUND INFORMATION**

- 5.1 As part of normal accounting practices the Council has funds that are held for a specific purpose that are called 'Earmarked Reserves'. The funding of these reserves can either be from an external source or via an internal transfer from the General Fund. The key accounting principle is that such reserves must be earmarked for a reason that remains valid and are therefore used for the purpose intended when created.
- 5.2 The level of Earmarked Reserves held at 31st March 2013 was recently reported to Scrutiny Committee and Cabinet as part of the normal end of financial year performance reporting process.
- 5.3 This information has been replicated in **Appendix A** but critically also now includes some recommended transfers of reserves to reflect the possible need to fund the Councils share of the cost of transformation flowing out of the joint working project with Taunton Deane

Borough Council. The recommendations also reflect some known commitments as well as addressing service delivery issues.

- 5.4 The recommendations included in Appendix A and summarised in paragraph 3 above refer to two key issues in addition to improving the available funds in the Sustainability Reserve.

The first of these involves the funding of the Economic Regeneration Managers post for a further twelve months until 31st March 2015 (Recommendation 3.2). This role is considered to vital in the current economic climate. The delivery of this service will along with others be the subject of a review in 2014/15 should the business case for Shared Services with Taunton Deane Borough Council be approved.

The second concerns the funding of the Councils payments to the Home Improvement Agency in the current year and 14/15. Unfortunately due to an over sight these were not included in the 13/14 revenue budget nor the 14/15 MTFP. The current arrangement expires on 31st March 2015 and members will need to consider the continuing affordability of this service during 2014/15.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 7.1 From a financial perspective it is considered key that the Council builds up the level of its reserves that are ring fenced to assist with the funding of the business transformation programme currently being explored. In addition to this the recommendations in this report are aimed to enable the Council meet its commitments and service delivery requirements as well as ensuring that reserves are earmarked for a valid and approved purpose.

7. SECTION 151 OFFICER COMMENTS

- 7.1 A regular review of Earmarked Reserves is best practice, ensuring that the reasons that the balances are held are still valid and any no longer required are either transferred to new Earmarked Reserves or into the General Reserve.
- 7.2 It is important that we build up a Sustainability Reserve to fund any transformation costs arising from the joint working with Taunton Deane

8. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 9.1 There are no implications directly associated with the recommendations in this report.

9. CRIME AND DISORDER IMPLICATIONS

- 10.1 There are no implications directly associated with the recommendations in this report.

10. CONSULTATION IMPLICATIONS

- 11.1 There are no implications directly associated with the recommendations in this report.

11. ASSET MANAGEMENT IMPLICATIONS

- 12.1 There are no implications directly associated with the recommendations in this report.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

13.1 There are no implications directly associated with the recommendations in this report.

13. LEGAL IMPLICATIONS

14.1 There are no implications directly associated with the recommendations in this report.

APPENDIX 'A'

Earmarked Reserves	Balance As At 31/3/13	Comment and Recommendation	Revised Balance
Economic Regeneration	27,500.00	Remains of Foot & Mouth Fund which is no longer valid. Recommend that the balance of £27,500.00 is transferred to the Sustainability Reserve.	
Working Neighbourhood Fund	159,747.37	A sum of £86,000 is earmarked to fund the Economic Regeneration Manager post until 31st March 2014 (includes cost of potential redundancy) together with a balance of £10,000 to fund previously approved projects. Recommended that a further sum of £52,000 is earmarked to fund this post for a further twelve months until 31st March 2015. Recommended that the balance of £11,747.37 is transferred to the Sustainability Reserve	148,000.00
Community Safety Reserve	7,395.15	External funding specifically earmarked for community safety initiatives	7,395.15
Land Charge Reserve	32,897.71	Government Grant - specifically earmarked for providing refunds that are due.	32,897.71
Tourism Reserve	19,138.75	Specifically earmarked for tourism initiatives	19,138.75
Seaside Town Reserve	96,424.90	Specifically earmarked for initiatives in Minehead	96,424.90
Corporate Performance Improvement Reserve	19,419.46	Approved budget / MTFP assumes that £19,419.46 will be transferred to the General Fund Reserve	
New Home Bonus (NHB)	193,892.14	<i>Approved budget / MTFP assumes that £60,164 will be transferred to the General Fund Reserve, including a sum of £12,500 to fund the Rural Housing Project in 13/14, a further £12,500 has been earmarked for 14/15. Recommended - 1. that in line with contractual agreements the balance of £101,350.00 is earmarked to fund contractual payments to the Home Improvement Agency of £62,030 in 13/14 and a further £39,320 in 14/15. 2. That the balance of £19,878.14 is transferred to the Sustainability Reserve.</i>	51,820.00
Lorry Park Reserve	46,000.00	Approved budget / MTFP assumes that £8,335 will be transferred to the General Fund Reserve. Recommended that the balance of £37,665 is transferred to the Sustainability Reserve.	
Local Strategic Partnership (LSP) Reserve	1,320.67	Approved budget / MTFP assumes that £119.54 will be transferred to the General Fund Reserve. Recommended that the balance of £1,201.13 is transferred to the Sustainability Reserve.	
Hinkley Point C - Development Consent Order Reserve	47,902.43	Now that Development Consent Order has been granted this is no longer a valid reason for earmarking. Recommended that the balance of £47,902.43 is transferred to the Sustainability Reserve.	
Sustainability Reserve	325,295.85	Earmarked for initiatives that have a positive impact upon the long term sustainability of the Council	471,189.92
Mortgage Rescue Programme	34,500.00	Government Grant - specifically earmarked.	34,500.00
Minehead Event Reserve	20,000.00	Specifically Earmarked - (Includes Mary Portas grant of £10,000)	20,000.00
COOL Tourism Reserve	367.65	Government Grant - specifically earmarked to create low impact, environmentally friendly sustainable tourism projects.	367.65
Housing Benefit Administration Reserve	15,535.51	Government Grant - specifically earmarked to provide additional support to combat impacts of the economic recession in administering benefit claims.	15,385.51
Council Tax Reform Implementation Reserve	25,541.68	Government Grant specifically earmarked to support implementation of council tax reforms	25,541.68
Benefit External Processing	4,754.68	Government Grant - specifically earmarked to provide additional support to combat economic recession.	4,754.68
Discretionary Housing Payments (DHP) Reserve	11,424.00	Government Grant specifically earmarked for Discretionary Hardship Payments	11,424.00
WSC Elections Reserve	10,000.00	Specifically earmarked for cost of election in 2015	10,000.00
Water Bathing Signs	1,266.46	Environment grant specifically earmarked	1,266.46
New Burdens Funding		Government Grant to assist with impacts of Welfare Reforms	32,680.00
Contingency for loss of Business Rate Retention		Transfer 13/14 from General Fund Reserve	169,663.00
	1,100,324.41		1,152,449.41

Report Number: WSC 119/13
Presented by: Cllr Keith Turner
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Report to a Meeting of: Council
To be Held on: 23rd October 2013
Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: 21st August 2013

SOMERSET HOMELESS STRATEGY

1. PURPOSE OF REPORT

- 1.1 To outline the Somerset Homeless Strategy and the associated action plan.
- 1.2 To request that Council agree to the request from cabinet to adopt the Strategy

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 No direct links although this area of work has significant impacts on housing provision.

3. RECOMMENDATIONS

- 3.1 Council adopt the Somerset Homeless Strategy 2013 -2016.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
Local Housing Authorities are required statutorily to have an adopted homeless strategy	3	4	12
<i>Adopt strategy and updated action plan</i>	2	3	6
Homelessness grant will not be focused on preventative activity due to lack of focus	3	4	12
<i>Create clear action plan to enable delivery of homeless duties</i>	2	3	6

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. **BACKGROUND INFORMATION**

- 5.1 The 2002 Homelessness Act placed a duty on Local Authorities to develop a Homeless Strategy and to renew this every five years. This is the second Somerset wide Homeless Strategy. The attached strategy covers the period of 2013 to 2016, and has been developed taking into account the national and local issues. The strategy identifies three goals that will drive forward the homelessness agenda in the coming years in Somerset.
- 5.2 These goals have been developed in partnership with all of the authorities in Somerset and the range of partners that work together to deliver the Strategy. The strategy is Somerset wide ensuring that we make best use of our resources.
- 5.3 The goals are:
 Goal 1 - Reduction and Prevention of Homelessness
 Goal 2 - Provision of appropriate advice, accommodation and support if crisis occurs
 Goal 3 - Maximise effective Partnership working to provide cost effective and responsive services

They cover the 3 key areas of the work that is needed to address the issues and are fully described in the strategy attached as appendix A of this report. This appendix and the other appendices of this report can be downloaded from the [cabinet papers of 2nd October](#) or members should refer to paper versions obtained through their copy of that agenda.

- 5.4 The strategy contains an initial action plan which will be used to inform the day to day work of the housing options team. The action plan covers all areas and has been deliberately designed to enable each district council to tweak the actions to inform its own work and will be refined within the service plan or team work plan.
- 5.5 The strategy aims to be relatively simple and clear about its goals and challenges. It is worth noting that it has been produced against a background of great uncertainty. The actions need to address the range of reforms that are being applied by Government will therefore evolve through the life of the strategy. This will be kept under review by the countywide homeless managers group.

6. **FINANCIAL/RESOURCE IMPLICATIONS**

- 6.1 The council currently receives a Homelessness grant of £50,000 which is guaranteed for 13/14 and 14/15. This grant is currently used to deliver preventative work within the revenue account. This combines with officer time to enable delivery of the service.
- 6.2 Central Government has not yet made clear its intention with regards to future years of the grant although the implication is that it will be absorbed into the revenue support grant. Whatever the nature of this funding the council has a statutory duty to deliver service in this area. Due consideration will need to be made in the 15/16 budget setting exercises around the level of resources allocated to delivery of the strategy.

7. **SECTION 151 OFFICER COMMENTS**

- 7.1 I am satisfied the strategy has no significant implications for the council

8. **EQUALITY & DIVERSITY IMPLICATIONS**

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation

- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

8.1 The Homeless Strategy project group has carried out a comprehensive equality impact assessment which is attached as appendix B of the report. Members are asked to take account of it in their debate.

8.2 The strategy by its very nature impacts arrange of the groups with protected characteristics which are detailed in the assessment. The links to other strategies in section 7 of the assessment clearly show a range of impacts.

8.3 The assessment identifies three key actions to be addressed two of which are contained within the proposed common allocations policy which council will also consider on this agenda.

9. CRIME AND DISORDER IMPLICATIONS

9.1 There are a range of impacts linked to homelessness such as domestic violence and harassment. The adoption of this strategy seeks to mitigate those issues and deal with them where possible.

10. CONSULTATION IMPLICATIONS

10.1 The strategy has been subject to wide consultation which is outlined in the equality impact assessment. This includes the key organisations working with and representing homeless people.

10.2 Each council has used its own democratic mechanisms to review the strategy through the various phases of production. In this authority the Housing and Environmental Health Policy Advisory Group has reviewed the strategy at its meeting on 17th September 2013 and made the following comments

11. ASSET MANAGEMENT IMPLICATIONS

11.1 There are no direct impacts on the assets of the council through adoption of this strategy.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

12.1 None known in association with the report.

13. LEGAL IMPLICATIONS

13.1 As described in the background sections the council is required to have an adopted Homeless Strategy. Adoption of this strategy will deliver on the statutory requirement.

Report Number: WSC 120/13
Presented by: Cllr Keith Turner
Author of the Report: Ian Timms, Corporate Manager Housing , Welfare and Economy
Contact Details:
Tel. No. Direct Line 01984 635271
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Report to a Meeting of: Council
To be Held on: 23rd October 2013
Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: 21st August 2013

HOMEFINDER SOMERSET COMMON ALLOCATIONS POLICY

1. PURPOSE OF REPORT

- 1.1 To advise members of the proposed changes to the allocations policy resulting from changes in legislation and government policy. (Members should note due to the size of appendices associated with this report and in order to save paper members should use previously provided copies or [link to the cabinet papers](#)).

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 No direct link identified to the priorities

3. RECOMMENDATIONS

- 3.1 Council agree the changes to the policy attached as Appendix A of this report.
- 3.2 Council note the findings of the equality impact assessment attached as Appendix C of this report.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
The policy does not reflect government policy or changes in the law.	4	4	16
<i>Adopt revised policy in line with this report</i>	2	2	4
The policy does not address inequalities created through it's application or recognise the impacts on those individuals or groups within the protected characteristics	3	4	12
<i>Carry out a detailed equalities impact assessment and identify actions</i> <i>Incorporate the actions within the policy or service plans</i>	2	2	4

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. BACKGROUND INFORMATION

- 5.1 The common allocations policy is the document used in the delivery of the Homefinder Somerset choice based lettings service. This enables access primarily to social rented housing through a bidding process by those individuals in housing need. It should be noted that some private landlords also use the system but this is currently limited.
- 5.2 Each applicant registered within the system will be placed in one of four bands which are Emergency, Gold, Silver and Bronze. These reflect the need of the individual and are used as a way of allocating properties that are bid upon. The bid is effectively an expression of interest in any property that is available for rent.
- 5.3 The policy requires updating due to changes in the benefits system, a change in emphasis on how armed forces personnel are treated, the provisions of the Localism Act and other administrative tweaks. The detailed changes are contained within Appendix B of this report. These are comprehensive seeking to ensure that the policy meets all current legal requirements and can remain effective for a number of years.
- 5.4 In considering the changes a comprehensive Equality Impact Assessment (EIA) was carried out which is attached as Appendix C of this report. The changes to the policy address a range of legislative changes these have been fully assessed with the policy changes addressing them and the associated impacts. It should be noted that the homeless strategy EIA also identified actions that required action through this policy or policy area and these have been included as changes.
- 5.5 The executive summary of changes attached as Appendix D of this report gives an outline of the overarching changes. In essence the key changes are as follows:
- Closing the register and restricting it to Somerset residents
 - Changes to banding considerations to either comply with legislative requirements or clarify the existing policy
 - Additional Priority for armed forces personnel
 - Bedroom eligibility to mirror the benefits changes and address anomalies around sharing of bedrooms by children
 - Bedroom allowance for foster carers and adopters
 - Suspension provisions for serial bidders
- 5.6 As stated above these changes bring the policy up to date with a range of provisions and enable a clear decision making process for the banding of all applicants and the subsequent allocations process.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 The policy will be delivered within existing resources guiding how the housing options teams in conjunction with Housing Associations meet housing need.

7. SECTION 151 OFFICER COMMENTS

- 7.1 I have read the report and Policy and I am satisfied it meets the range of issues that the council needs to address.

8. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

8.1 These are fully examined within the Equality Impact Assessment. There is one action not addressed by the policy which will be actioned through the service teams and the Homefinder Board to ensure that the availability of comprehensive housing advice increases for those affected by changes.

9. CRIME AND DISORDER IMPLICATIONS

9.1 There are no direct implications associated with this report.

10. CONSULTATION IMPLICATIONS

10.1 The policy has been consulted on with the delivery partners and a range of organisations involved in this area of work. Feedback from system users has been used to shape the policy and processes around it`s operation.

10.2 The Council`s Housing Policy Advisory Group considered the final changes at their meeting on 17th September 2013. The group has also examined various iterations of the policy as it has developed being able to input any suggestions into the process. In considering the final policy members raised points around the application of the armed forces changes to reservists and the banding changes.

11. ASSET MANAGEMENT IMPLICATIONS

11.1 There are no related impacts on the council`s assets.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

12.1 None associated with the report.

13. LEGAL IMPLICATIONS

13.1 The policy guides allocations and does need to be kept up to date when legislation changes. This report addresses these changes and ensures the council meets it legislative requirements.

Report Number: WSC 117/13
Presented by: Cllr K Kravis, Lead Member for Finance & Resources
Author of the Report: Adrian Dyer, Chief Executive
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Report to a Meeting of: Council
To be Held on: 23rd October 2013
Date Entered on Executive Forward Plan N/A
Or Agreement for Urgency Granted:

DISPOSAL OF COUNCIL OWNED ASSETS – FORMER AQUASPLASH SITE AND A SITE (KNOWN AS LEISURE LAND) ALONG SEAWARD WAY, MINEHEAD

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to request that Council approve the preferred developers, as recommended by Cabinet, for the sale of two parcels of Council owned land. This will enable further autonomous negotiations to continue with a single developer in respect of each site.
- 1.2 The report has been written and structured so that all the commercially sensitive information is contained in **Appendix B** meaning that the remainder of the report can be considered in open session.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The Corporate Plan states that we will have achieved our 'Local Democracy' Corporate Priority – "If a financially sustainable and accountable model of local democracy remains at West Somerset by March 2016." The capital receipt to be gained will be crucial to achieving this.

3. RECOMMENDATIONS

It is recommended that Council approve the following Cabinet recommendations: -

- 3.1 The nominated preferred bidder for the sale of the former Aquasplash site is Lidl
- 3.2 The nominated preferred bidder for the sale of the land referred to as the Leisure site is Hartnell Taylor Cook, acting for Marston's Inns and Taverns
- 3.3 That a report detailing the negotiated terms and conditions of each disposal is presented to Council as soon as such negotiations are completed.

4. **RISK ASSESSMENT (IF APPLICABLE)**

Risk Matrix

Description	Likelihood	Impact	Overall
Risk – That funding is not available to repay an external loan of £3.5m meaning that assumed revenue savings in the MTFP are not realised. (Financial)	Almost Certain (5)	Major (4)	Very High (20)
Mitigation – <i>The timely disposal of the under used assets referred to in the report in order to generate useable capital receipts</i>	Unlikely (2)	Major (4)	Medium (8)
Risk – That there is public criticism on the lack of public consultation regarding the potential end use. (Reputation)	Possible (3)	Moderate (3)	Medium (9)
Mitigation – <i>The marketing was undertaken on the basis of an unrestricted end use. However, those offers received were nevertheless limited (see paragraph 5.2.4, 4th bullet point)</i>	Possible (3)	Moderate (3)	Medium (9)

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. **BACKGROUND INFORMATION**

5.1 At their meeting held on 3rd April 2013 Cabinet resolved (min. CAB124 refers) to appoint Bruton Knowles as property consultants to assist with the possible disposal of the following Council owned under used assets.

- a. Former Aquasplash site Minehead
- b. Former leisure site formerly part of the New Horizons project, Seaward Way, Minehead
- c. Former Visitor Information Centre (VIC), Minehead

Cabinet also resolved that Council be requested to appoint three members in to a project team with the Chief Executive to oversee the disposal process. The three members subsequently appointed are Councillors Keith Turner, Kate Kravis and Ian Melhuish.

This report concentrates on the disposal process for sites a. and b. referred to above only.

Subsequently Cabinet met on 2nd October 2013 to consider a report that identified 'preferred bidders' for each site for recommendation to Council for their approval. The remainder of this report with the exception of paragraph 10.2 replicates the background information considered by Cabinet.

5.2 Set out below is a timeline of events that cumulated in the project team being in a position to be able to recommend Cabinet approve a 'preferred bidder' for sites referred to in paragraph 5.1 a. and b. above.

5.2.1 **April / May 2013**

- o Title deeds obtained from solicitors and marketing materials prepared
- o Specialists commissioned to produce an Energy Performance Certificate in respect of the VIC

5.2.2 **June 2013**

- o An application was made to HM Customs and Excise to 'tax' the disposal of the former leisure site. This means that VAT is added to the sale price and is done for accounting

purposes but also means that any VAT incurred in the disposal can be reclaimed from Customs and Excise. It also means that VAT must be charged where appropriate on services provided from the subsequent completed development of the site. A successful application was made to 'tax' the former Aquasplash site at the time the leisure centre was constructed. It was decided not to elect to 'tax' the disposal of the VIC building as it was thought there maybe be potential purchasers who would not be registered for VAT and therefore unable to reclaim the VAT added to the purchase price. Notification of the approval of this application was subsequently received on 8th August 2013.

- 'For Sale' advertising boards were erected on each of the three sites
- The final draft of the marketing material for each site (see **Appendix 'A'**) was sent to the project team members and subsequently approved.
- A national, regional and local marketing campaign commenced on 10th June. This included adverts being placed in the 29th June and 6th July editions of the Estates Gazette. Closing date for expressions of interest 26th July 2013.
- First of the four scheduled open viewing days at the VIC took place on 23rd June.

5.2.3 July 2013

- Weekly updates from Bruton Knowles received on any significant unofficial expressions of interest.
- There were a total of 85 expressions of interest that resulted in 19 formal offers being tabled; 5 for the Aquasplash site, 8 for the leisure site and 6 for the VIC
- All expressions of interest received were opened on Monday 29th July 2013. In accordance with Contract Standing Orders and was undertaken in the presence of Councillor Keith Turner. One further expression of interest for the VIC arrived at Bruton Knowles' office on the 29th July, which was subsequently opened separately.

5.2.4 August 2013

- The project team met on 8th August 2013 to review a report prepared by Bruton Knowles that assessed the tenders received in respect of financial value and conditionality. A summary of their report showing the results of their initial assessment exercise comments and recommendations is included at **Appendix 'B', paragraphs. 1 – 3).**
- Before considering the report it was noted that since its drafting discussions had been held with one of the bidders that resulted in them concluding that they could develop the whole of the leisure site as opposed to only part on which their offer was based. Consequently their offer had been substantially increased. **(See Appendix B, paragraph 4.1)**
- With regard to the leisure site it was recognised that a key consideration for members will be whether to accept the expression of interest that was received which in return for a nominal capital receipt identified the end use of the site as a community swimming pool. In order to assist members in considering this issue further background information has been provided in paragraph 5.3 below.
- From the offers received the potential end uses for the sites were:
 - Aquasplash site – food retail; food retail/fast food outlet; public house/hotel; discount store retailing home goods
 - Leisure land – food retail/fast food; hotel/public house/discount store retailing home goods; hotel/public house plus something else to be identified; future swimming pool
- From the meeting the project team agreed:

- a) That the project to investigate the possible disposal of the VIC building be progressed independently of the other two sites which would be advanced simultaneously.
- b) That although the concept of possible community swimming pool was commendable it was nevertheless felt that maximising the capital receipt was the priority particularly bearing in mind the Council's financial position and the amount being offered by the highest bidder. It was therefore agreed that the following preferred bidders be recommended to Cabinet.
 - Aquasplash site – Lidl Budget supermarket.
 - Leisure site – Hartnell Taylor Cook on behalf of Marston's Inns and Taverns
- c) That the democratic decision timetable should be:
 - 11th Sept. '13 – Corporate PAG to consider the Preferred bidders
 - 2nd Oct. '13 – Cabinet to approve the preferred bidders
 - T.b.a. – Council consider the terms and conditions attached to the disposals and approve the next steps
- d) That Bruton Knowles are instructed to inform the two bidders of their unconfirmed status of preferred bidders and commence further negotiations.
- e) That the District Valuer be requested to value the two sites based on the possible end use cited in the bids. That he is also instructed to value the leisure site for uses permitted under the restrictive covenant with the Crown estates and Passmore Trust. The two former valuations would assist members in deciding whether value for money was being achieved whilst the latter valuation would be used in negotiations concerning overage payments.
- f) That a leasing arrangement rather than an outright sale was the favoured option for a third party to occupy the VIC building. As such Bruton Knowles are instructed to hold further negotiations with the tenderers to clarify their lease offer, including associated terms and conditions. The aim would be to report on the conclusion of these discussions to Cabinet and Council in November this year.
 - Since being informed of not being selected as the recommended preferred bidder Jones Lang LaSalle (acting on behalf of Whitbread) tabled an increased offer which is considerably in excess of that put forward by Hartnell Taylor Cook (acting on behalf of Marston's) (**See Appendix 'B', paragraph 4.2**).
 - In order to avoid being sucked into a 'Dutch Auction' it was agreed that both developers be given until the close of business on 27th August 2013 to submit their final and best offers. Details of the final offers received are included at **Appendix B, paragraph 4.3**.
 - Following being informed of them being nominated as the recommended preferred bidder for the Aquasplash site Lidl increased their offer, (**See Appendix B, paragraph 4.4**).
 - Events referred to above have resulted in the following preferred bidders being nominated for approval by Cabinet. Full details are in **Appendix 'B', paragraph 5**.

5.3 **Background Information on the possible provision of a swimming pool**

In 2009 the Council commissioned Sports Solutions Ltd to undertake a feasibility study regarding the possible future provision of a swimming pool in Minehead. The results of the study were presented to Cabinet on 7th July 2010 in the form of a lengthy detailed report. The covering paper drafted by the Executive Director outlined the main conclusions from the report and these have, for information, been repeated at **Appendix 'C'**. From the report Cabinet resolved: -

(1) That the contents and conclusions of the Feasibility Study are noted and the Council reconfirms its commitment to doing all it possibly can to facilitate the delivery of a new community swimming pool.

(2) That no further direct action is taken at the present time in response to the Feasibility Study.

(3) That discussions be entered into with the West Somerset Community College to explore the possibilities of the college and council agreeing to set aside land identified for the possible provision of a swimming pool and associated parking for an agreed period and report back to a future meeting.

(Note – The West Somerset College have recently advised the Council that the location of a community swimming pool on the college campus is no longer an option).

Although not directly linked to the sale of assets a draft business case was received in April this year from Peter Wellstood, chairman of Pro-Active Lifestyle & Swimming Water Activities Club (PALS) that listed the 'leisure land' as one possible site for a new swimming pool. The business case can be best described as embryonic in that whilst it identifies the need for a particular type of pool and the estimated costs associated with each stage of the project it recognises that the key activity would be to raise the necessary funds required, including construction costs of circa. £4m.

6. FINANCIAL/RESOURCE IMPLICATIONS

6.1 The 2013/14 budget report presented to members in February 2013 estimated capital receipts would be received totalling £5,572,221, of which £3,500,000 was to be raised from the sale of the two sites referred to in this report. Bearing in mind a financial overage has to be paid to the previous owners of the leisure land it nevertheless would appear, that based on the offers received from the recommended preferred bidders, this sum will be achieved. This does of course depend to a large extent on the agreed valuation of the leisure land for a 'permitted use' and the cost of rectifying any abnormal ground conditions or flooding mitigation measures imposed by the Environment Agency.

6.2 The concept of the Minimum Revenue Provision (MRP) was introduced when the Local Government Capital Finance System was changed on 1 April 1990. This required local authorities to assess their outstanding debt and to make an annual charge to the General Fund of 4% of the General Fund Debt. These regulations have now been amended and Department for Local Government & Communities (DCLG) issued new regulations in 2008 which require a local authority to calculate for the current financial year an amount of MRP which it considers "prudent".

Assuming that the capital receipts received are as per the offers outlined in Appendix B then the MRP requirement in next year's budget would increase by £87,900 if the Aquasplash site was not sold and by £54,000 if the Leisure land was not sold. If neither were sold the increase in MRP would equal £141,900.

6.3 In addition there could be an issue regarding the interest payments on the current loan of £3.5m, the MTFP assumes that the loan will be repaid resulting in a saving of £42,850 p.a. in interest payments. The interest rate on the current loan is 1.51% whereas ten year refinancing loan with the Public Works Loan Board (PWLB) would be at 3.3% and require annual interest payments of £115,500.

6.4 Under the Business Rate Retention Scheme both developments should, when complete, provide significant sums of funding for the Council. The exact figure will of course be dependent upon the rateable value set by the Valuation Office.

7. SECTION 151 OFFICER COMMENTS

7.1 Contract Standing Order 11 states that – "the sale of any land or buildings that fall outside the powers given to employees in the scheme of delegations shall require prior approval of Cabinet".

However, in taking account of the prominence of these two sites Cabinet have relinquished this authority to Council.

- 7.2 The Council have an external loan to the value of £3.5m that matures and has to be repaid in February 2014. It would nevertheless seem unlikely that receipts from the sale of these assets will have been received before this date. Contingency arrangements are therefore being put in place to secure the availability of a short term alternative loan which can be repaid at very short notice.
- 7.3 To enable members to judge whether they are getting value for money from the disposals the report to Council which seeks approval to implement the sales will include reference to the site valuations provided by the District Valuer.

8. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 There are no direct implications associated with the recommendations in this report

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 There are no direct implications associated with the recommendations in this report

10. CONSULTATION IMPLICATIONS

- 10.1 A summary of the background information in this report together with the recommendations was presented to a meeting of the Corporate Policy Advisory Group (PAG) held on 11th September 2013.
- 10.2 In accordance with a Cabinet resolution details of the proposals have been posted on the Council's website inviting comments from members of the public. In order to allow the maximum amount of time for comments to be received it is intended to report a summary of those made at the Council meeting on 23rd October 2013.

11. ASSET MANAGEMENT IMPLICATIONS

- 11.1 Although this report concerns the potential disposal of two of the Council's assets the actual recommendations for a disposal will be contained within a future report to Council.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

- 12.1 There are no direct implications associated with the recommendations in this report

13. LEGAL IMPLICATIONS

- 13.1 Clarke Willmott have been appointed to act as solicitors for the Council. They will not only be providing legal advice during completion of the sales but will also be ensuring that the terms and conditions relating to the restrictive covenants agreement for the disposal of the leisure land are correctly discharged.

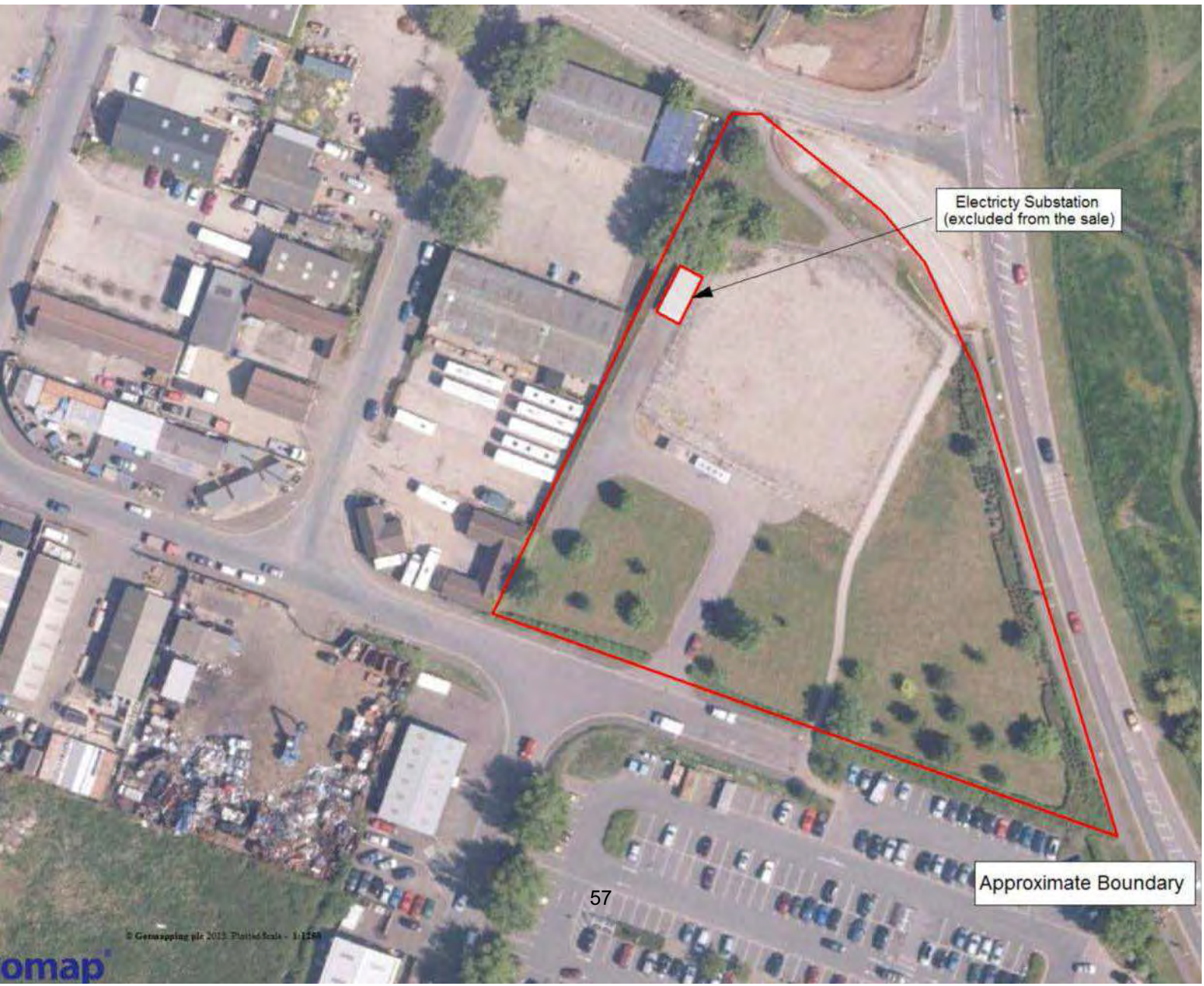
For Sale by Informal Tender Offers Invited by 12 Noon 26th July 2013



FORMER AQUASPLASH SITE MINEHEAD, TA24 5BY

Gross Site Area: 0.81 ha (2.0 acres)

- Level site in prominent location
- Suitable for a variety of uses
- Nearby occupiers include Tesco, Morrisons and McDonalds



01452 880000 www.bruntonknowles.co.uk

Location

The property is situated on Seaward Way within the well known and popular coastal town of Minehead.

The site is approximately 0.25 miles from the town centre and the surrounding area comprises a mix of retail and other commercial uses.

Description

Comprising a level site, being highly prominent fronting Seaward Way. It was previously used as a leisure centre and demolished in 2008. The site offers a strategic development opportunity for a range of uses. The substation shown on the aerial photograph is excluded from the Title.

Planning

The most recent permission for this site was for the temporary use of the site as a coach park. That permission expired in November 2011. The site currently has no planning consent but was previously used for leisure uses.

The site is located within the development limits of Minehead. The Local Planning Authority has indicated that there would have to be special justification for retail uses and the impact on the vitality and viability of the town centre will be a key factor in determining acceptable uses.

For further information contact the Local Planning Authority (West Somerset Council) on 01984 635204.

Tenure

Freehold with vacant possession upon completion.

Terms

The property is offered by Informal Tender in accordance with the method of sale to be received at the offices of Bruton Knowles, Gloucester, by Noon on Friday 26th July 2013.

Conditional offers subject to planning consent will be considered.

A copy of the Financial Proposal Form is available from the agents.

VAT

VAT will be charged on the sale price.

Legal Costs

Each party to bear their own legal costs incurred in this transaction.

Viewing and Further Information

The site is open and available for viewing.

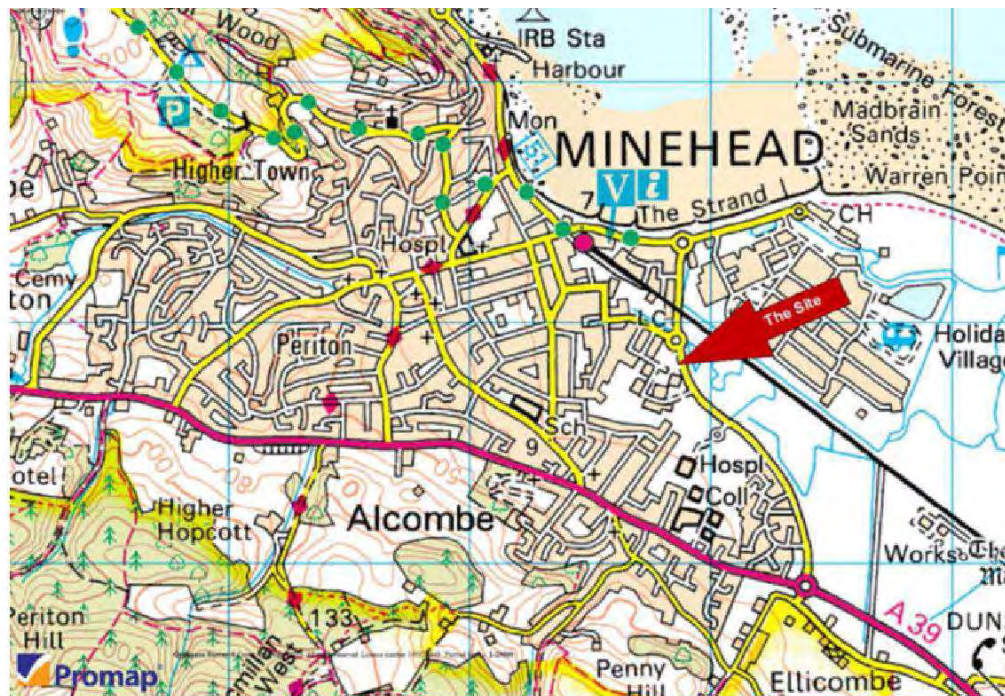
A copy of the registered title documents and services information is available on request.

Measurements Disclaimer

Information on floor measurements / areas is provided strictly for information purposes only and must not be relied upon for the purposes of making purchasing decisions.

Subject to Contract

June 2013



BK | Bruton Knowles

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FOR SALE by Informal Tender Offers Invited By Noon on the 26th July 2013



PROPOSED DEVELOPMENT SITE, MINEHEAD, TA24 6DF

Gross Site Area: 1.17 ha (2.88 acres)

- Prominent location
- Suitable for a variety of uses



01452 880000 www.bruntonknowles.co.uk

Location

The property is situated on Seaward Way within the well known and popular coastal town of Minehead.

The site is close to the town centre and the surrounding area comprises a mix of commercial uses including a recently constructed hospital for the Somerset Partnership NHS Foundation Trust.

Description

A level site fronting Seaward Way offering high visibility and a strategic development opportunity for a range of uses.

Planning / Restrictive Covenant

This site formed part of an outline application for various uses including a hospital, residential development and leisure uses. Some of the uses were subject to reserved matters approval and have subsequently been built out and other parts of the outline proposal have never come forward and those elements of the permission have lapsed.

The site offers good potential for various uses such as Leisure, Nursing Home or Health and Fitness (Classes C2, D1, and D2, of the Use Classes Order 1987).

For further information contact the Local Planning Authority (West Somerset Council) on 01984 635204.

The land is subject to requirement for payment of overage to the Crown Estate Commissioners. No overage is payable for uses within Use Classes C2, D1 or D2 ("the permitted Uses"). If the purchaser obtains planning permission before it purchases the land for a use outside these permitted uses the Seller will discharge any overage due to the Crown arising in respect of such use. If planning permission is subsequently granted within 21 years after completion for uses other than these Permitted Uses and this new permission generates an increase in value an overage of 50% of the increase in market value (less costs of obtaining planning permission) will be payable. The benefit of

this overage will be shared between West Somerset District Council and the Crown Estate and it's payment will be secured by an overage deed in the standard Crown Estate form.

Tenure

Freehold with vacant possession upon completion.

Terms

The site is offered by Informal Tender, in accordance with the method of sale, to be received at the offices of Bruton Knowles, Gloucester, by Noon on Friday 26th July 2013.

Conditional Offers subject to planning consent will be considered.

A copy of the Financial Proposal Form is available from the agents.

VAT

VAT will be charged on the sale price.

Legal Costs

Each party to bear their own legal costs incurred in this transaction

Viewing and Further Information

The site is open and available for viewing.

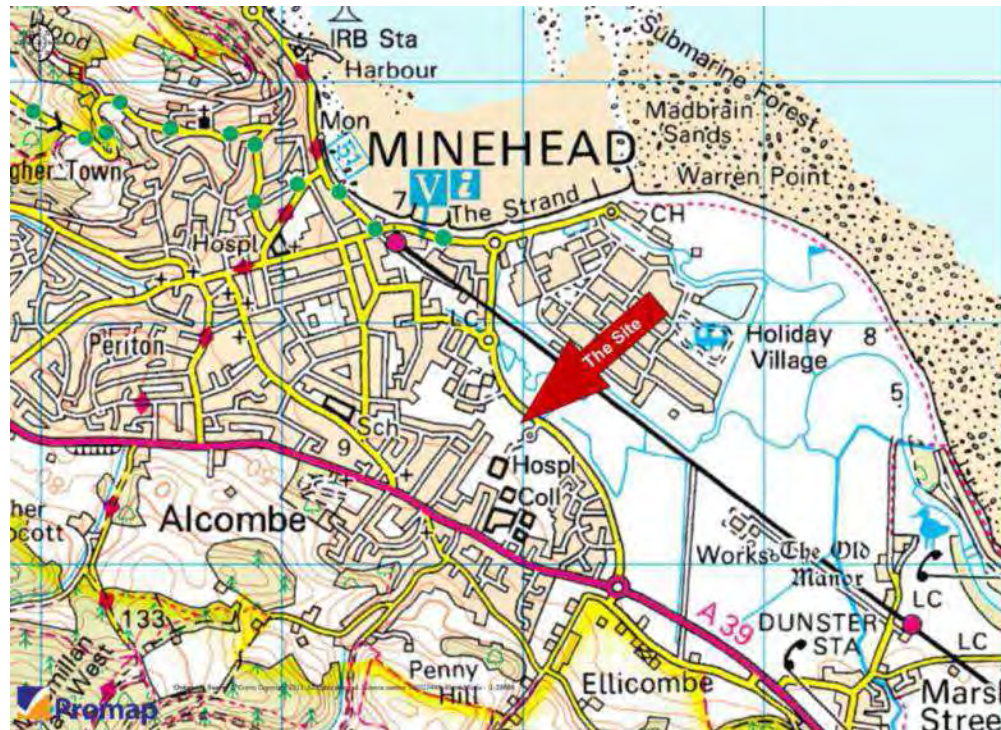
A copy of the registered title documents and services information is available on request.

Measurement Disclaimer

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June 2013

Subject to Contract



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Summary of conclusions in report WSC 70/10 presented to Cabinet on 2nd June 2010

Conclusions from the Feasibility Study

In broad terms the brief for the feasibility study was to provide a detailed assessment of both the physical and financial feasibility of delivering a new community pool in this location, which should include a review of the potential for on and off-site car parking.

The study was informed through a 'Steering Group' that consisted of representatives the Council, West Somerset Community College, Somerset Leisure Trust, West Somerset Sports & Leisure Centre and Primary Care Trust.

The bullet points below provide an executive summary of the broad findings and conclusions, which are identified in more detail throughout the report.

Evidence of Need

- There is clear evidence of a need and entitlement for a community swimming pool to be located in West Somerset.
- Although there is evidence for a need some of the swimming clubs were content with their existing facilities and others would only want to make use of a new facility if hire charges were less or the same than what was being paid for current facilities. This would more than likely necessitate a subsidised pricing structure.
- Schools are 'making do' with existing facilities but would be prepared by enlarge to make use of any new pool and are therefore a major potential user group.
- Preference would be for a 6 lane 25 meter pool, an aspiration collaborated by research undertaken by Sport England.

Location and Capital Costs

- The preferred practical location for a pool would be in the West Somerset Community College campus using a site located adjacent to the sports centre and currently used as a car park.
- For there to be sufficient new car parking capacity for users of the pool and replacement parking for the sports centre it would be necessary for the Council to commit to the project an area of land located along Seaward Way to the right of the new entrance to the hospital.
However, the remoteness of this location in relation to the pool and sports centre would require the construction of a closer access point in order that coaches, minibuses etc. can drop off customers such as school parties, GP referrals and the disabled. Even with this provision there is a high risk that potential users will be deterred from using the facilities.
- There a number of other constraints related to the preferred site that may impact upon the design and operation of a new pool.
- The single most important factor in the preferred location is that it allows the pool building to be physically linked to the existing West Somerset Sports Centre. This will create the opportunity to obtain the full benefit of a single managerial entity thus reducing costs by avoiding duplication.
- The capital cost of constructing a new 6 lane 25 meter pool with the necessary associated facilities is estimated to be £4.766m.

Capital Funding Opportunities

- A number of opportunities for external grant funding were explored. However, it is considered that there is a significant risk that a large amount of external grant funding will not be forthcoming unless the Council agrees to fund the majority of the cost from its own resources.

Annual Revenue Costs

- The annual financial loss of running a new pool is estimated to be between £150k and £156k. The initial subsidy requirement is expected to be at the upper end of this estimate but would reduce over time to the lower end as a customer base is grown and income levels increased. In calculating this figure a number of key assumptions have been made and agreed by the Steering Group.

Overall Conclusion

Although there is clear evidence of a 'need' for a pool the same cannot be said of the 'want for a new pool with a number of organisations indicating that they are either content with their existing facilities or would only consider using a new facility at what would be a subsidised cost.

It is also clear that without significant investment of capital and on-going revenue finance from the Council or other partners such as the College or Somerset Leisure Trust the project to provide a new community swimming pool is not affordable. During recent discussions with the Steering Group over the contents of the feasibility report it became apparent that there was a strong unanimous belief that the communities of West Somerset were entitled to and needed a new fit for purpose swimming pool but unfortunately they were not in a position to provide any financial support.

Even though the Council remain firmly committed to the aspiration of providing a new community swimming facility in West Somerset the Council's current poor financial standing, which is anticipated to become even worse when the scale of national cuts in public expenditure are known, mean that it is not in a position to take any further direct action in response to the feasibility study.