



To: All Councillors

Our Ref DS/KK
Contact Krystyna Kowalewska kkowalewska@westsomerset.gov.uk
Date 17 July 2018

**THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING
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OR IN OTHER LANGUAGES ON REQUEST**

Dear Councillor

I hereby give you notice to attend the following meeting:

COUNCIL MEETING

Date: Wednesday 25 July 2018
Time: 4.30 pm
Venue: Council Chamber, Council Offices, Williton

Please note that this meeting may be recorded. At the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during the recording will be retained in accordance with the Council's policy.

Therefore unless you advise otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact Committee Services on 01643 703704.

Yours sincerely

A handwritten signature in black ink, appearing to read "B. Lang".

BRUCE LANG
Proper Officer

WEST SOMERSET DISTRICT COUNCIL

Meeting to be held on Wednesday 25 July 2018 at 4.30 pm

Council Chamber, Williton

AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Meeting of Annual Council held on 17 May 2018 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. Inter Authority Agreement

To consider Report No. WSC 62/18, to be presented by Bruce Lang, Monitoring Officer – **SEE ATTACHED.**

The purpose of the report is to amend the terms of the Inter Authority Agreement between Taunton Deane Borough Council (TDBC) and West Somerset Council (WSC) by the dissolution of the Joint Partnership Advisory Group (JPAG) following the establishment of the Shadow Council arrangements.

7. Hinkley Point C: Section 106 Agreement – Stogursey Leisure Contribution and CIM Fund ring fenced for Stogursey Parish

To consider Report No. WSC 46/18, to be presented by Councillor M Dewdney, Lead Member for Resources and Central Support – **SEE ATTACHED.**

The purpose of this report is to receive an update on the Stogursey Victory Hall redevelopment project and to allocate an additional £110,000 from the leisure funds ring fenced to Stogursey Parish and £130,000 from the CIM Fund ring fenced for Stogursey Parish pursuant to the Hinkley Point C Site Preparation Works Section 106 agreement.

8. Hinkley Point C Section 106 DCO Housing Contribution

To consider Report No. WSC 64/18, to be presented by Councillor K Turner, Lead Member for Housing, Health and Wellbeing – **SEE ATTACHED.**

The purpose of the report is to request the draw down and expenditure of monies from the HPC DCO s106 Housing Contribution for delivery of a Money and Debt Advice Service to tenants living in the Private Rented Sector.

9. Allocation of HPC S106 Tourist Information Centre Funds

To consider Report No. WSC 63/18, to be presented by Councillor A Hadley, Lead Member for Regeneration and Economic Growth – **SEE ATTACHED.**

The purpose of the report is to consult with Council on a suggested approach for allocating Hinkley Point C Section 106 funds for Tourist Information Centres for 2018/19, and to consult with Council on a suggested approach for post 2018/19 allocations.

10. HPC Planning Obligations Board – Allocations of CIM Funding

To consider Report No. WSC 68/18, to be presented by Councillor M Dewdney, Lead Member for Resources and Central Support – **TO FOLLOW.**

The purpose of the report is to provide an update on the recent changes to the administration of the HPC Community Impact Mitigation (CIM) Fund; and to present the recommendations of the HPC Planning Obligations Board and West Somerset Council Cabinet for the allocation of monies from the HPC CIM Fund for grant applications received on 1 May 2018.

11. Revenue and Capital Outturn 2017/18

To consider Report No. WSC 67/18, to be presented by Councillor M Dewdney, Lead Member for Resources and Central Support – **SEE ATTACHED.**

The purpose of this report is to provide Members with details of the Council's financial outturn position for both revenue and capital budgets, together with information regarding end of year reserve balances, for the financial year 2017/18.

12. Somerset Rivers Authority

To consider Report No. WSC 61/18, to be presented by Councillor A Trollope-Bellew, Leader of Council – **SEE ATTACHED.**

The purpose of this report is to seek support from Council for a letter to be drafted and sent to the Local Member of Parliament asking him to lobby the government on this issue on behalf of the Authority.

13. Standards Advisory Committee

To adopt the minutes of the Standards Advisory Committee held on 27 March 2018 – **SEE ATTACHED.**

COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS

WEST SOMERSET COUNCIL**Minutes of Annual Council held on 17 May 2018 at 2.30 pm****in the Council Chamber, Williton****Present:**

Councillor B Heywood Chairman
Councillor J Parbrook Vice-Chairman

Councillor I Aldridge	Councillor B Allen
Councillor A Behan	Councillor M J Chilcott
Councillor H Davies	Councillor M Dewdney
Councillor G S Dowding	Councillor S Goss
Councillor A P Hadley	Councillor I Jones
Councillor R Lillis	Councillor B Maitland-Walker
Councillor K Mills	Councillor C Morgan
Councillor P H Murphy	Councillor J Parbrook
Councillor P Pilkington	Councillor S Pugsley
Councillor R Thomas	Councillor N Thwaites
Councillor A Trollope-Bellew	Councillor K Turner
Councillor D Westcott	Councillor R Woods

Officers in Attendance:

Chief Executive (P James)
Assistant Chief Executive (B Lang)
Assistant Director Energy Infrastructure (A Goodchild)
Community and Housing Lead – Energy Infrastructure (L Redston)
Meeting Administrator (A Randell)

C1 Election of Chairman

RESOLVED that Councillor B Heywood be elected Chairman of the Council for the ensuing Municipal Year.

C2 Appointment of Vice Chairman

RESOLVED that Councillor J Parbrook be appointed Vice-Chairman of the Council for the ensuing municipal year.

C3 Apologies for Absence

Apologies for absence were received from Councillors Clifford and Venner.

C4 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 I Aldridge	All	Williton	Spoke and voted
Cllr M Chilcott	All	SCC	Spoke and voted
Cllr H Davies	All	SCC	Spoke and votes
Cllr S Goss	All	Stogursey	Spoke and voted
Cllr B Maitland-Walker	All	Carhampton	Spoke and voted
Cllr C Morgan	All	Stogursey	Spoke and voted
Cllr P H Murphy	All	Watchet	Spoke and voted
Cllr J Parbrook	All	Minehead	Spoke and voted
Cllr R Thomas	All	Minehead	Spoke and voted
Cllr N Thwaites	All	Dulverton	Spoke and voted
Cllr A H Trollope-Bellew	All	Crowcombe	Spoke and voted
Cllr K H Turner	All	Brompton Ralph	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

Councillor Westcott declared a personal interest due to living in the vicinity in relation to item number C14 and chose not to vote.

Councillor Chilcott declared a personal interest in relation to item number C14 but chose to speak and voted on this item.

C5 Minutes

(Minutes of the meetings of Council held on 19 March 2018 (Special), 21 March 2018 and 25 April 2018 (Special), circulated with the Agenda.)

RESOLVED that the Minutes of the meetings of Council held on 19 March 2018 (Special), 21 March 2018 and 25 April 2018 (Special) be confirmed as correct records.

C6 Public Participation

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

C7 Appointment of Leader

Councillor Trollope-Bellew confirmed that discussion around Unitary proposals would be held with Somerset County Council and all district Councils Leaders and Chief Executives.

Councillor Murphy requested that Councillors work together to consider Unitary proposals for the benefit of those who live in Somerset.

Councillor Trollope-Bellew and Davies commended Councillor Chilcott for all her hard work as a Cabinet member and congratulated her on her position as Deputy Leader of Somerset County Council.

Councillors Trollope-Bellew, Chilcott and Morgan thanked Andrew Goodchild on his professional work and were indebted to him for all his work with the authority.

RESOLVED that the appointment of Councillor A H Trollope-Bellew as Leader be confirmed for the third year of a four year term.

C8 Cabinet

The Leader announced the following appointments and portfolios:

Name	Political Group	Lead Member
Councillor A Trollope-Bellew	Conservative	Leader and Performance and Corporate Support
Councillor M Dewdney	Conservative	Resources and Central Support
Councillor A Hadley	Conservative	Regeneration and Economic Growth
Councillor B Maitland-Walker	Conservative	Environment
Councillor C Morgan	Conservative	Energy Infrastructure
Councillor S J Pugsley	Conservative	Deputy Leader and Executive Support and Democracy
Councillor K H Turner	Conservative	Housing, Health and Wellbeing
Councillor D J Westcott	Conservative	Community and Customer

The Leader of the Opposition reported that there were no announcements of appointments of Shadow Lead Members at this stage. Cllr Murphy also thanked Councillor Chilcott for her hard work and looked forward to working with her successor.

RESOLVED that the appointments be noted and that the Corporate Plan, Constitution and any other relevant documents be updated accordingly.

C9 Allocation of Seats to Committees

RESOLVED that the nominations for Committee seats made by the political groups be ratified and that the composition of the Committees be as detailed below.

SCRUTINY COMMITTEE	
9 seats in total	
Conservative 6	
West Somerset Opposition 3	
Name	Political Group
Councillor G S Dowding	Conservative
Councillor R Lillis	Conservative
Councillor J Parbrook	Conservative
Councillor R Clifford	Conservative
Councillor R Woods	Conservative
Councillor N Thwaites	Conservative

Councillor P Murphy	West Somerset Opposition
Councillor I Aldridge	West Somerset Opposition
Councillor P Pilkington	West Somerset Opposition

LICENSING COMMITTEE	
11 seats in total	
Conservative 8	
West Somerset Opposition 3	
Name	Political Group
Councillor S Y Goss	Conservative
Councillor R P Lillis	Conservative
Councillor J Parbrook	Conservative
Councillor R Thomas	Conservative
Councillor N Thwaites	Conservative
Councillor K H Turner	Conservative
Councillor D J Westcott	Conservative
Councillor A Kingston-James	Conservative
Councillor I Aldridge	West Somerset Opposition
Councillor T Venner	West Somerset Opposition
Councillor I Jones	West Somerset Opposition

PLANNING COMMITTEE	
15 seats in total	
Conservative 11	
West Somerset Opposition 4	
Name	Political Group
Councillor G S Dowding	Conservative
Councillor S Y Goss	Conservative
Councillor B Heywood	Conservative
Councillor B Maitland-Walker	Conservative
Councillor K Mills	Conservative
Councillor C Morgan	Conservative
Councillor A Kingston-James	Conservative
Councillor J Parbrook	Conservative
Councillor S J Pugsley	Conservative
Councillor K H Turner	Conservative
Councillor R Woods	Conservative
Councillor I Aldridge	West Somerset Opposition
Councillor I Jones	West Somerset Opposition
Councillor P H Murphy	West Somerset Opposition
Councillor T Venner	West Somerset Opposition

AUDIT COMMITTEE	
7 seats in total	
Conservative 5	
West Somerset Opposition 2	
Name	Political Group
Councillor R P Lillis	Conservative
Councillor K Mills	Conservative
Councillor R Thomas	Conservative

Councillor N Thwaites	Conservative
Councillor R Woods	Conservative
Councillor P Pilkington	West Somerset Opposition
Councillor T Venner	West Somerset Opposition

LOCAL DEVELOPMENT PANEL	
8 seats in total	
Conservative 6	
West Somerset Opposition 2	
Name	Political Group
Councillor S Y Goss	Conservative
Councillor B Heywood	Conservative
Councillor B Maitland-Walker	Conservative
Councillor J Parbrook	Conservative
Councillor K Turner	Conservative
Councillor D Westcott	Conservative
Councillor P Pilkington	West Somerset Opposition
Councillor T Venner	West Somerset Opposition

STANDARDS ADVISORY COMMITTEE
9 seats in total
3 West Somerset District Councillors
3 Independent Members
3 Parish/Town Councillors
Councillor P H Murphy
Councillor N Thwaites
Councillor D J Westcott

C10 Appointment of Chairmen and Vice-Chairmen of Committees

The following appointments were made:

Scrutiny Committee

Chairman Councillor P H Murphy
Vice-Chairman Councillor N Thwaites

Planning Committee

Chairman Councillor S J Pugsley
Vice-Chairman Councillor B Maitland-Walker

Licensing Committee

Chairman Councillor R P Lillis
Vice-Chairman Councillor D J Westcott

Audit Committee

Chairman Councillor R P Lillis
Vice-Chairman Councillor R Woods

Local Development Panel

Chairman Councillor K H Turner
Vice-Chairman Councillor S Y Goss

C11 **Appointment of Representatives on Outside Bodies**

RESOLVED that the Members appointed to serve on Outside Bodies for the municipal year 2018-2019 be as follows:

ORGANISATION	REPS 2017/2018
Management Committee of Broadlands	Councillor J Parbrook
MATA Regal Theatre Co Ltd	Councillor A Kingston-James
Monitoring and Evaluation Group West Somerset Sports & Leisure Centre	Councillor A Hadley
Somerset County Playing Fields Association	Councillor H J W Davies
Somerset Passenger Transport Forum	Councillor B Maitland-Walker
Exmoor National Park (politically balanced)	Councillor S J Pugsley Councillor B Heywood Councillor M O A Dewdney Councillor I Jones
Somerset Building Preservation Trust	Councillor G S Dowding
The Parrett Drainage Board	Councillor B Maitland-Walker (Dunster Area) Councillor C Morgan (Stockland Area)
West Somerset Railway Partnership Development Group	Councillor A Hadley Deputy: Councillor K Mills
WSC Member Champion	Councillor N Thwaites
South West Audit Partnership (SWAP) Members Meeting	Chair of Audit Committee – Councillor R P Lillis
Quantock Hills Joint Advisory Committee	Councillor A Trollope-Bellew Councillor S Dowding
West Somerset Advice Bureau	Councillor I Aldridge Deputy: Councillor R Clifford
ENGAGE - West Somerset Voluntary Sector Development agency	Councillor R Lillis Deputy: Councillor N Thwaites
Hinkley Point Site Stakeholder Group	Councillor B Maitland-Walker Councillor C Morgan Councillor S Goss
Minehead EYE Management Committee	Councillor D J Westcott
Somerset Armed Forces Community Covenant Partnership	Councillor S Dowding
Minehead Coastal Community Team	Councillor R Thomas Councillor A Hadley (PH) Councillor J Parbrook

	Deputy: Councillor B Maitland-Walker
Watchet Coastal Community Team	Councillor R Woods
Police and Crime Panel	Councillor S Dowding
Health and Wellbeing Board	Councillor K Turner

C12

Appointment of Representatives on Internal Bodies

RESOLVED that the Members appointed to serve on Internal Bodies for the municipal year 2018-2019 be as follows:

Joint Partnership Advisory Board (JPAG)	Councillor A H Trollope-Bellew Councillor J Parbrook Councillor A P Hadley Councillor R P Lillis Councillor N Thwaites Councillor B Maitland-Walker Councillor P Murphy Councillor I Aldridge
Asset Project Group	Councillor K Turner Councillor A P Hadley Councillor G S Dowding Councillor P Murphy
Planning Obligations Board for Hinkley Point	Councillor M Dewdney Councillor C Morgan
Planning Obligations Group	Councillor A Hadley Councillor P Murphy Councillor M Dewdney
Hinkley Housing Board	Councillor M Dewdney Councillor C Morgan Councillor K Turner Councillor P Murphy
Hinkley Leisure Fund	Councillor M Dewdney Councillor C Morgan Councillor D Westcott
Harbour Board	Councillor B Maitland-Walker Councillor J Parbrook Councillor R Woods Councillor T Venner Non-voting members: Councillors C Morgan, M Dewdney

C13 **HPC Planning Obligations Board – Allocation of CIM Funding, Grant Applications**

(Report No. WSC 39/18, circulated with the Agenda.)

The purpose of the report was to present the recommendations of the Hinkley Point C Planning Obligations Board, for the allocation of monies from the Community Impact Mitigation (CIM) Fund secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point.

The Lead Member for Resources and Central Support presented the report and provided background information.

The Lead Member proposed the recommendations which were duly seconded by Councillor Dewdney.

During the debate the following points were made:

- Concerns were expressed over parking issues with rooms being rented out in the Cannington area to workers at the Hinkley site.
- Cannington benefited from two bypasses with Hinkley traffic having to use specific routes. It was considered that the focus should be on traffic from Hinkley Point C and problems arising from this.
- Clarification was given that the Cannington bypass was not part of the site preparation works. The impact of the traffic, noise, construction and housing of workers in the surrounding area was recognised.
- The response from residents stated that there was still an effect experienced through the increase in traffic and buses from Hinkley stations A and B in Stogursey; and that problems experienced at Cannington were no worse than Stogursey.
- Food banks were supported but the demand for food banks in consideration of high employment levels was criticised.
- Food banks were used for those in crisis and were closely monitored by referrals only.
- Councillors broadly supported Parish Councils on how funding was used.

RESOLVED that the recommendation of the HPC Planning Obligations Board be endorsed as follows:

(1) To approve the release of £110,000 from the 2nd Annual CIM Fund Payment to Bridgwater Foodbank for the Bridgwater Foodbank Premises Purchase Project subject to the conditions set by the Planning Obligations Board.

(2) To approve the release of £182,952 from the HPC CIM Fund ring-fenced for Cannington to Cannington Parish Council for the Cannington Traffic Calming Scheme from the subject to the conditions set by the Planning Obligations Board.

(3) To approve the release of £73,000 funding Project from the 2nd Annual CIM Fund Payment to On Your Bike (Recycle) Ltd for the On Your Bike Bridgwater project subject to the conditions set by the Planning Obligations Board.

C14 Planning Obligations Allocation – New Sports and Community Hall, Minehead

(Report No. WSC 40/18, circulated with the Agenda.)

The purpose of the report was to make proposals for the allocation of monies secured through planning obligations to individual schemes.

The Lead Member for Resources and Central Support outlined the details of the report.

The Lead Member proposed the recommendations of the report which were seconded by Councillor Dewdney.

During the debate the following points were made:

- It was considered that the facilities being built would help to maintain the communities in the area, with a modern hall for the community to use in the heart of the town.
- This was good news for the local football association, Age UK were interested in using the facility to increase mobility for the area, for residents to thrive along with the facilities that currently exist.
- The risk of the project was minimised due to the town hall underwriting the costs of the project. The Town Council were commended for this.

RESOLVED (1) that the allocation of £120,000 to Minehead Town Council for the provision of a new sports and community hall be agreed. The total project cost is £757,047.

RESOLVED (2) that £120,000 be drawn from the S106 contributions available in Minehead, pooled from two developments; Summerfield's Development at 'College Green' (£103,500) and ERM development in Blenheim Road (£16,500).

Councillor Morgan thanked all Councillors for continuing to work together in light of it being the last year of the authority existing as a single entity.

The meeting closed at 4:02pm.

Report Number: WSC 62/18

West Somerset Council

Full Council – 25 July 2018

Inter Authority Agreement

This matter is the responsibility of the Monitoring Officer

Report Author: Bruce Lang, Assistant Chief Executive and Monitoring Officer

1. Executive Summary / Purpose of the Report

- 1.1 To amend the terms of the Inter Authority Agreement between Taunton Deane Borough Council (TDBC) and West Somerset Council (WSC) by the dissolution of the Joint Partnership Advisory Group (JPAG) following the establishment of the Shadow Council arrangements.

2 Recommendation

- 2.1 That the Inter Authority Agreement between TDBC and WSC be amended by the dissolution of JPAG with the review and monitoring of the Implementation Plan being undertaken through the Shadow Council Governance arrangements.

3 Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Risk: There will be a deficit in the monitoring and review of progress on the implementation plan and transformation programme in the absence of JPAG.	4	4	16
<i>Mitigation: The Implementation Plan and Transformation Programme will be monitored and reviewed through the Shadow Council Governance arrangements.</i>	1	4	4

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%

4 Background and Full details of the Report

- 4.1 The Inter Authority Agreement entered into between TDBC and WSC in November 2013 included the establishment of JPAG to oversee the partnership arrangements and in 2016 its terms of reference were amended to cover the overseeing of the approved Transformation Programme and the creation of a new council.
- 4.2 Matters have now moved on and following the making of the Somerset West and Taunton (Modification of Boundary Change Enactments) Regulations 2018 and the Somerset West and Taunton (Local Government Changes) Order 2018 on 25 May 2018, the Somerset West and Taunton Somerset Council came into being on 26 May 2018.
- 4.3 The Order requires the Shadow Council to prepare and keep under review an Implementation Plan to ensure that the new council is properly established on 1 April 2019. The Shadow Council at its first meeting held on 7 June 2018 duly

agreed a governance structure, including a Shadow Executive, a Shadow Scrutiny Committee and New Council Working Group to ensure that mechanisms are in place for member engagement and decision making in this process going forward.

- 4.4 As members will be aware, the creation of the new council is one work stream within the wider transformation programme which has been running for approximately 18 months with progress having been reported to JPAG. Now that the Shadow Council governance arrangements are in place which can cover the overseeing of Transformation and the creation of the new council, JPAG has become surplus to requirements. The rationale to this was explained to Group Leaders via a briefing note on 4 May 2018, subsequently available to all members, and included as part of a presentation at a Making a Difference event (open to all Members of both Taunton Deane and West Somerset Councils) held on 30 May 2018.
- 4.5 The Inter Authority Agreement may be varied at any time by the written agreement of the authorities and therefore both TDBC and WSC are recommended to amend the Inter Authority Agreement by the dissolution of JPAG, with the Shadow Executive assuming the role of facilitating member oversight of Transformation activity.

5 Links to Corporate Aims / Priorities

- 5.1 The successful implementation of the new Council will ensure the delivery of all Corporate Aims and Objectives and will support the process for creating a fresh set of priorities to meet the needs of the new council area.

6 Finance / Resource Implications

- 6.1 None in respect of this report with the intention being to support the work of the Shadow Council from existing resources with a shifting focus as the creation of the new Council approaches on 1 April 2019.

7 Legal Implications

- 7.1 The proposed recommendation will ensure that the proposed actions are in line with the Inter Authority Agreement.

8 Environmental Impact Implications

- 8.1 None in respect of this report.

9 Safeguarding and/or Community Safety Implications

- 9.1 None in respect of this report.

10 Equality and Diversity Implications

10.1 None in respect of this report.

11 Social Value Implications

11.1 None in respect of this report.

12 Partnership Implications

12.1 The Inter Authority Agreement between TDBC and WSC will remain in place as amended (should Recommendation 2.1 be adopted) until 31 March 2019.

13 Health and Wellbeing Implications

13.1 None in respect of this report.

14 Asset Management Implications

14.1 None in respect of this report.

15 Consultation Implications

15.1 Members have had prior notice and discussion of the proposal as set out in paragraph 4.4 of the report.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Cabinet/Executive – No**
- **Full Council – Yes**

Reporting Frequency: Once Only

Contact Officer

Name	Bruce Lang
Direct Dial	01823 217556
Email	bdlang@westsomeerset.gov.uk

Report Number: WSC 46/18

West Somerset Council

Council – 25 July 2018

Hinkley Point C: Section 106 Agreement – Stogursey Leisure Contribution and CIM Fund ring fenced for Stogursey Parish

This matter is the responsibility of Cabinet Member Cllr Martin Dewdney, Lead Member for Resources and Central Support

Report Author : Andrew Goodchild, (Former!) Assistant Director for Place and Energy Infrastructure

1 Purpose of the Report

- 1.1 The purpose of this report is for Council to receive an update on the Stogursey Victory Hall redevelopment project and to allocate an additional £110,000 from the leisure funds ring fenced to Stogursey Parish and £130,000 from the CIM Fund ring fenced for Stogursey Parish pursuant to the Hinkley Point C Site Preparation Works Section 106 agreement.

2 Recommendations

- 2.1 That Council approve an additional £110,000 of the leisure fund ring-fenced to Stogursey Parish – making a total of £510,000 – is allocated towards the redevelopment of the Victory Hall in Stogursey
- 2.2 That Council approve an additional £130,000 of the CIM Fund ring fenced for Stogursey Parish – making a total of £330,000 – is allocated towards the redevelopment of the Victory Hall in Stogursey

3 Risk Assessment (if appropriate)

Risk Matrix

Description	Likelihood	Impact	Overall
Failure to allocate monies correctly in line with the requirements of the legal agreement resulting in the need to repay contributions	3	4	12
<i>The proposals set out in the report have been developed to ensure that they accord with the requirements of the legal agreement</i>	1	4	4
Failure to spend contributions before the date by which they need to be returned if they remain unspent	2	3	6

<i>The proposals set out in the report have been developed in advance of the date by which they would need to be returned</i>	1	3	3
<i>That the monies ring-fenced in Stogursey Parish are not spend on priority projects</i>	2	3	6
<i>That proposals are supported by consultation and demonstrate community need</i>	1	3	3

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%

4 Background and Full details of the Report

- 4.1 The Section 106 agreement for the Site Preparation Works (SPW) at Hinkley Point C provides a contribution of £500,000 for providing new, or improving existing sports/leisure facilities within the parish of Stogursey, this is separate and distinct from the CIM Fund. Having applied indexation, the contribution paid by EDF Energy was £533,632 of which £23,600 has been spent on the delivery of a feasibility study into the Victory Hall and village facilities in Stogursey, this activity and expenditure was approved by Cabinet in December 2014 and January 2016.

- 4.2 In addition to the leisure fund, Members will recall the Section 106 agreement for SPW also included the CIM Fund. £500,000 (also increased to £533,632) of the CIM Fund was ring fenced to be spent in Stogursey Parish and unlike all other ring fenced funds, Stogursey Parish Council is the body which makes recommendations to Cabinet and Council as to the use of those funds.
- 4.3 In January 2016 Cabinet and then Council agreed to allocate £400,000 towards the redevelopment of the Victory Hall following the completion of the feasibility study. In addition to this £400,000 from the leisure fund, a further £600,000 was allocated from the CIM Fund (£200,000 from the Stogursey ring fence and £400,000 from the West Somerset ring fence) at Council in May 2016 making a total of £1m.
- 4.4 Since those allocations were made the Victory Hall steering group has made a number of applications to potential funders towards the project which was estimated to cost £2.4m. Unfortunately, for a variety of reasons, those applications most notably to the Big Lottery were turned down. This has caused the steering group to undertake a comprehensive review of the project and a significantly different proposal has emerged.
- 4.5 Previously, the project was to significantly extend the existing Victory Hall, remove the youth club building on site (incorporating the youth club within the main building) and to cover over the existing MUGA with the addition of changing rooms. As above, the total project was estimated to cost £2.4m.
- 4.6 The new project sees the existing Victory Hall demolished, the youth club building remain, the MUGA remain uncovered and a brand new hall erected on the site incorporating changing rooms for sporting activities within the new hall. The revised proposal will cost a total of £1.5m and a planning application was made in March for the new hall.
- 4.7 The steering group has developed a revised funding plan which includes, at this stage, proposals to allocate an additional £110,000 from the Leisure Fund and £130,000 from the CIM Fund ring fenced to Stogursey Parish bringing the total contributions from the SPWs Section 106 agreement to £1,240,000 (up from £1m) leaving a further £260,000 to be sourced from other funders. Stogursey Parish Council has recently committed £10,000 of its own funds towards the project and the steering group has committed to raise at least £5,000 in local fund raising.
- 4.8 Stogursey Parish Council has provided a list of their top 10 projects which were derived from the Parish Plan and refreshed during the consultation and examination phases of the Hinkley Point C development. The Victory Hall is number 1 on that list and has been the subject of much discussion in the Parish as plans for how to mitigate the impact of the Hinkley Point C development emerged.
- 4.9 Only 1 other of the Parish Priorities relates to a project with a leisure focus, the Burgage Road play area which was largely funded from the CIM Fund and opened a couple of years ago. It is therefore considered appropriate to allocate a significant proportion of the leisure fund towards this project. Stogursey Parish Council have met to consider allocating the additional £130,000 from the Stogursey ring fence and have recommended that Cabinet support the proposal.
- 4.10 Clearly this is not an insignificant project and it is proposed to utilise a significant proportion of the funds available from the Section 106 agreement for Site Preparation Works at Hinkley Point C. Stogursey Parish is, as Members will know, the host Parish

for the Hinkley Point C project and will be the most affected community. Members may wish to note that:

- Every HGV, LGV, bus and car movement will travel into and out of the Parish (unlike any other community) and a number of buses travel through the village past the Victory Hall and the lower school on their way to and from the HPC site;
- Stogursey will host a disproportionate amount of the workforce – around 1 in 6 people in the Parish will be from the workforce while the 500 bed on site campus is in use (compared with around 1 in 40 while the other 1000 bed campus is operational in Bridgwater). At the present time even prior to the opening of the campus a significant number of workers are living in Stogursey Parish;
- the construction at the main site under the Development Consent Order is permitted to take place 24 hours a day, other associate development sites are restricted and construction works there will not take place overnight; and
- the background noise level during the day at residential properties close to the site before construction began was between 32 and 35dB, the Consent requires that noise does not exceed 65dB during the day although the applicant can provide notice indicating that noise will rise to 75dB. Members may wish to note that 70dB is sixteen times louder than 30dB.

4.11 The Panel of Examining Inspectors concluded the following in relation to the impact on Stogursey Parish during their report to the Secretary of State:

“In combination, our view is that Hinkley Point C (if it goes ahead) would have a significant effect on life, particularly in those parts of the parish of Stogursey closest to the site. At times, the levels of noise would be increased and traffic volumes would increase significantly, particularly on the C182. A number of PRow (public rights of way) would be lost. In addition there would be adverse effects on the landscape and from many viewpoints in the locality the new power station would be readily visible alongside Hinkley Point A and B. There would also be some impacts associated with the plan to house a temporary workforce in the area and the make up of the community would be likely to change as some homeowners choose to sell up and move away, taking advantage of the Property Price Support Scheme.

“The concerns felt by the community was summed up by one interested party at our last open-floor hearing in September in Bridgwater, that should the DCO be made, Stogursey would be ‘stuffed’. Although we would not have described the situation in such strident terms, there is no doubt in our mind that the settlements closest to the site would be adversely affected and would face a much more rapid change than would be typical for a rural community of this nature.

“Overall our view is that the combination of specific compensation and mitigation measures for residents living near the site that would be secured by the requirements, together with the further mitigation that would be secured by the s106 Agreement and the two voluntary support schemes noted above, would go some considerable way to provide mitigation for the losses that the community would suffer. Whilst in general we take the view that the losses individuals would suffer would probably not be as severe as they fear, it has to be recognised that the impact would be real. For some, we recognise that no compensation for the losses they would suffer could ever be sufficient.”

5 Links to Corporate Aims / Priorities

5.1 Key issue ‘e’ within Key Theme 3 ‘Our Place and Infrastructure’ within the Corporate

Plan 2016/20 is to “*Mitigate negative impacts on the community from the construction phase of Hinkley Point C*”

- 5.2 The Councils Corporate Plan for 2017/18 includes the following actions in response to the above key issue:

In 2017/18 we will support affected communities to develop plans for mitigating the impacts of the Hinkley Point C development and fund appropriate initiatives and projects from the Section 106 agreement contributions which we have secured.

In 2017/18 we will continue to work with the most affected communities to understand the issues arising from the development and coordinate activity across the Council and amongst partners to ensure that measures are put in place to minimise the impacts of the Hinkley Point C project.

6 Finance / Resource Implications

- 6.1 This proposal will have no impact on the WSC General Fund as it all funded from the Site Preparation Works Section 106 agreement.

- 6.2 The Stogursey Leisure Fund had totalled £533,629 which consisted of £500,000 as stated in Schedule 11 of the SPW s106 agreement plus indexation. On 3rd December 2014 (WSC 178/14), £15,000 was allocated from this fund for a feasibility study leaving it with a balance of £518,629. The previous approval for £400,000 towards the redevelopment project and £8,600 for further consultancy support left a balance of £110,029. If approved this would leave a balance of £29, subject to the agreement of EDF Energy it is suggested that this is vired to the CIM Fund ring fenced to Stogursey Parish.

- 6.3 The CIM Fund ring fenced for Stogursey Parish had totalled £533,629 which consisted of £500,000 as stated in Schedule 2 of the SPW s106 agreement plus indexation. In March 2015 an application for £2,640 for ear plugs was approved leaving a balance of £530,989. The proposal to allocate a total of £330,000 will leave a balance of £200,989 (plus £29).

7 Legal Implications (if any)

- 7.1 There are no direct legal implications as a result of this report. Paragraph 2.2 of Schedule 11 of the Section 106 agreement for Site Preparation Works permits the use of up to £25,000 for a feasibility study from the £500,000 allocated to the parish of Stogursey.

8 Environmental Impact Implications (if any)

- 8.1 The construction process for the redevelopment has the potential to impact on neighbours and it will be important that the planning process seeks to minimise any disruption. Originally some residents have raised some concerns with the relocation of the majority of the car park to the rear of the site and this has been relocated to the front of the site, this issue along with the increased usage of the hall will need to be considered as part of the planning process.

9 Safeguarding and/or Community Safety Implications (if any)

- 9.1 All sections of the community were included in the consultation events and activity to produce the feasibility study and it is anticipated that community cohesion will be

significantly enhanced with the improved facilities on offer at the Victory Hall. The applicants are required to submit their safeguarding policies as part of the CIM fund application process.

- 9.2 It will be important to consider the crime and disorder implications within the detailed design, noting that on occasion the Victory Hall site has seen some anti-social behaviour. Overall, as a much enhanced community facility it is hoped that the additional activity will help to reduce crime and disorder within the Parish.

10 Equality and Diversity Implications (if any)

- 10.1 All sections of the community were included in the consultation events and activity to produce the feasibility study and it is anticipated that community cohesion will be significantly enhanced with the improved facilities on offer at the Victory Hall.

11 Social Value Implications (if any)

- 11.1 There are no direct Social Value Implications as a result of this report.

12 Partnership Implications (if any)

- 12.1 Council officers and Members have been part of the Steering Group for the redevelopment of the Victory Hall.

13 Health and Wellbeing Implications (if any)

- 13.1 One of the main objectives of the feasibility study was to ensure that plans for the Victory Hall supported the health and wellbeing of residents, via sport, recreation, leisure and community facilities during the construction period of the Hinkley Point C project. The plans incorporate a range of facilities which will help to achieve this aim.

14 Asset Management Implications (if any)

- 14.1 The Victory Hall is entrusted to the Trustees who make up the management committee. The intention is for the management committee to continue to run the Victory Hall, the Councils involvement in the project is to facilitate the development.

15 Consultation Implications (if any)

- 15.1 The initial consultation period was conducted over three weeks in February to March 2015. 315 responses were returned representing 23% of the parish population, or nearly 50% of households.
- 15.2 Stogursey Parish Council has confirmed its written support for this proposed allocation

16 Scrutiny Comments / Recommendation(s) (if any)

- 16.1 This report was not presented to the Councils Scrutiny Committee.

Democratic Path:

- **Scrutiny or Audit Committees – No**
- **Cabinet – Yes**

- **Full Council – Yes**

Reporting Frequency : **Once only** **Ad-hoc** **Quarterly**
 Twice-yearly **Annually**

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Report Number: WSC 64/18

West Somerset Council

Council – 25th July 2018

Hinkley Point C Section 106 DCO Housing Contribution

This matter is the responsibility of Cllr K Turner, Lead Member for Housing, Health and Wellbeing.

Report Author: Beccy Brown, Housing Initiatives Officer, West Somerset and Taunton Deane (HPC), Energy Infrastructure.

1 Purpose of the Report

- 1.1 The purpose of this report is to request the draw down and expenditure of monies from the HPC DCO s106 Housing Contribution for delivery of a Money and Debt Advice Service to tenants living in the Private Rented Sector.
- 1.2 The application form outlining the activity and request to EDF Energy to draw down funds is attached in appendix A

2 Recommendations

- 2.1 To agree that an application is made to EDF Energy to draw down £51,000 funding from the HPC DCO s106 Housing Contribution.
- 2.2 On receipt of the funding, to approve to spend £51,000 on the Money and Debt Advice Service.

3 Risk Assessment

Description	Likelihood	Impact	Overall
Money and Debt advice service is not delivered resulting increased homelessness and pressure on the private rented sector market.	3	4	12
<i>Ensure the project is planned robustly and application form is sufficiently detailed to improve chance of approval by EDF</i>	1	3	3
Insufficient take up of services resulting in targets not being achieved	1	4	4
<i>Greater promotion and awareness training to frontline staff and partner agencies. Clear and regular performance monitoring to ensure issues are identified and addressed early.</i>	1	2	2
Lack of capacity of named delivery partner to deliver provision	2	4	8
<i>Negotiation of service with another Money and Debt Advice service provider</i>	2	3	6

- 3.1 The scoring of the risks identified in the above table has been based on the WSC and TDBC council's risk assessment scoring matrix. Only those risks that score medium or high are detailed in this report. The full risk assessment is available on request from the from the Housing Initiatives Officer

4 Background

- 4.1 In January 2012 West Somerset Council granted planning permission to EDF Energy to undertake Site Preparation Works at the Hinkley Point C site. Under the Section 106 planning obligations agreement **£4m of funding** was secured to deliver additional housing capacity in West Somerset and Sedgemoor.
- 4.2 The aim of the funding is to mitigate any potential adverse effects on the local private rented and low cost housing market, and particularly the ability of those on lower incomes to access local housing, that might arise as a result of the Hinkley Point C development.
- 4.3 A further **£3.5m of funding** became available in June 2016 when EDF Energy transitioned from the Site Preparation Works planning permission to the Development Consent Order (DCO). This additional funding was secured to deliver additional housing capacity in West Somerset, Taunton Deane, Sedgemoor and North Somerset.
- 4.4 Of the £3.5m the following amounts are ring-fenced for each Council area.
- West Somerset £500,000
 - Taunton Deane £660,000
 - Sedgemoor £1,000,000
 - North Somerset £697,000
- 4.5 The remaining £643,000 is available for all the 4 Councils to bid for once the individual ring-fenced amounts have been allocated based on areas of need and the location of HPC workers.
- 4.6 From these ring-fenced amounts each authority is able to allocate a maximum of £60,000 for the purpose of employing housing staff to support the implementation of the initiatives.
- 4.7 In January 2017 the Phase 2 Housing Fund Strategy was approved by West Somerset Full Council. This strategy set out expenditure of the remaining Site Preparation s106 Housing Contribution monies and delegated approval of expenditure to the West Somerset Housing Board.

5 Current financial position

- 5.1 Site preparation s106 document specifies the type of initiatives that funding may be spent on.

- 5.2 In accordance with the Site Preparation Works section 106 agreement at least £685,607 available to West Somerset should be spent on the following types of initiatives.

‘Initiatives’

3.2.2	stimulating new supply in the private rented sector through financial assistance for minor improvements;
3.2.3	bringing empty homes back into beneficial use through financial assistance to owners;
3.2.4	supporting a rent deposit or guarantee scheme through the provision of rent deposits for households moving into the private rented sector;
3.2.5	facilitating household moves from the social rented sector into intermediate or market accommodation through equity loans to residents in the social rented sector;
3.2.6	facilitating household moves from the private rented sector into intermediate or owner occupied market accommodation through equity loans to residents in the owner occupied or private rented sectors;
3.2.7	tackling the incidence of under occupation in existing affordable housing stock through payments to existing tenants to compensate them for releasing property and moving to more suitable accommodation;

- 5.3 Also in accordance with the Site Preparation works section 106 agreement no more than £599,756 available to West Somerset should be spent on the following types of initiatives.

‘Enabling or Other’

3.2.1	accreditation of landlords;
3.2.8	equity investment into new build housing development schemes to assist developers in bringing forward stalled development opportunities;
3.2.9	levering in funding from the Homes and Communities Agency;
3.2.10	providing funding to act as grant replacement for new build housing development schemes to subsidise the provision of affordable housing developed by registered social landlords;
3.2.11	any other initiative that would deliver additional housing capacity that might be necessary;
3.2.13	funding other housing mitigation measures, such as emergency housing services.

- 5.4 Allocation to date.

Categories	Allocation to date	Funds remaining
‘Enabling or Other’	£599,756	Nil
Initiatives	£685,607	£109,391

- 5.5 The initiative presented in this application falls within 3.2.13 and therefore we unable to spend Site Preparation s106 funds on this proposal.

6 Phase 3 Hinkley Point C Housing Fund Strategy

- 6.1 The Phase 3 Hinkley Point C Housing Strategy will be presented to Full Council in the autumn 2018. The strategy will set out plans for expenditure of the DCO Housing Contribution Funding.
- 6.2 In the interim period, the application to draw down funds from the DCO for the delivery of a Money and Debt Advice service is being submitted for approval to the Full Council.

7 Links to Corporate Aims / Priorities

The allocation of these funds will enable the Council to help mitigate any adverse effects on the local housing markets due to the impact of Hinkley Point C which is a priority in the Somerset Strategic Housing Framework and supporting West Somerset Corporate Strategy 2016-21

'Our Communities - Helping our communities remain sustainable and vibrant is vital in keeping West Somerset a great place in which to live and work.

'Our Place and Infrastructure - West Somerset is a beautiful place to visit and in which to live and work. We want to keep West Somerset a place to be proud of and one which is well maintained and welcoming to residents, visitors and businesses alike'.

The initiatives delivers the priorities 'Increase the availability and affordability of homes for local people - to both buy and to rent' and 'Mitigate negative impacts on the community from the construction phase of Hinkley Point C'.

8 Finance / Resource Implications

- 8.1 The Money and Debt Advice service in West Somerset will be funded via applications to EDF Energy for the approval and draw down of funds from the DCO s106 Housing Contributions.
- 8.2 The funding provided by EDF Energy through the Site Preparation and DCO section 106 agreements can only be used for the purpose of delivering additional housing capacity as set out in the agreements.
- 8.3 The impact of HPC on housing need in West Somerset needs to carefully monitored over the period to examine both the demand linked to HPC and to ensure the effectiveness of the proposals. If demand is higher than anticipated, further funding should be sought from the Housing Fund Contingency Payments as specified in the DCO s106 agreement.

9 Legal Implications

- 9.1 These funds have been paid by or are due from the developer (EDF Energy) due to the signing of a Section 106 legal agreement for planning permission to carry out the site preparation works at Hinkley Point C (West Somerset Council Planning Application No: 3/32/10/037) and the Hinkley Point C Deed of Development Consent (21/08/2012).
- 9.2 West Somerset Council shall take into account the objectives of the funds and decision making criteria as set out in these legal agreements when approving expenditure.

10 Environmental Impact Implications

- 10.1 There are not considered to be direct implications of approving the Money and Debt Advice Service. However, there are obviously environmental impacts associated with the wider proposed development of Hinkley Point C. These have been assessed within the Environmental Statement submitted by NNB Genco with the application to carry out Site Preparation Works at Hinkley Point C (West Somerset Council Planning Application No: 3/32/10/037) and mitigation measures have been secured.
- 10.2 Delivery partners are encouraged to ensure they are delivering services in a way that reduces impacts on the environment and encourages reducing carbon emissions and improving energy efficiency.

11 Safeguarding and/or Community Safety Implications

- 11.1 Delivery partners are encouraged to consider the promotion of community safety and community cohesion as part of their project.
- 11.2 Delivery partners that provide facilities or services to families, young people or vulnerable adults are required to provide evidence of their policies and procedures relating to safeguarding, and in particular, the requirement for their staff to be appropriately trained and DBS checked.
- 11.3 The requirement for delivery partners to adhere to Safeguarding legislation and to ensure necessary checks are carried out to ensure the suitability of staff or volunteers involved in the project are included in Service Level Agreements for each initiative.

12 Equality and Diversity Implications

- 12.1 Members must 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.
- 12.2 Delivery partners are required to ensure their initiative will promote equal opportunities and will be accessible to all people in the community regardless of background, ability or personal circumstances.
- 12.3 Housing Initiatives that restrict access on the grounds of age, gender, race, sexual orientation, beliefs, background, ability or personal circumstances are unlikely to be funded. Unless the reasons for doing so can be 'objectively justified'.
- 12.4 Delivery partners are required to provide a copy of their Equal Opportunity Policy to demonstrate awareness of their responsibility to deliver accessible services that advance equality.
- 12.5 The initiative has been designed to promote equality of opportunity for all members of

the community when accessing housing and accommodation.

13 Social Value Implications

- 13.1 The proposed initiative offers extensive social value and additional benefit to the community such as identifying routes for service users into training and employment, signposting to a range of services such as mental health support, offering training in money management and opportunities for volunteering.

14 Partnership Implications

- 14.1 West Somerset Council and West Somerset Advice will work together with a wide range of local partner's organisations to ensure the successful delivery of the initiative. Where necessary partnership agreements and service level agreements will be put in place to ensure that roles and responsibilities are clear, targets are agreed and regular monitoring takes place to reduce risk to delivery.

15 Health and Wellbeing Implications

- 15.1 The initiative is designed to assist local people to access and sustain decent standard, affordable accommodation and therefore help to improve health and social and emotional wellbeing.

16 Asset Management Implications

- 16.1 There are no asset management implications as a result of these recommendations.

17 Consultation Implications

- 17.1 In developing this initiative, officers have consulted with a wide range of internal and external partners to ensure the initiative will respond to and reflect the needs of the community due to the impacts of Hinkley Point C on the local housing market. Partners consulted include:

- The YMCA,
- West Somerset Advice Bureau
- Taunton Association for the Homeless
- WSC and TDBC, Housing Options teams.
- Somerset West Landlord and Tenant Services (SWeLT)

18 Cabinet Comments / Recommendation(s)

- 18.1 That West Somerset Full Council agrees the recommendations set out in this report

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Cabinet/Executive – Yes**
- **Full Council – Yes**

Reporting Frequency: Ad hoc

List of Appendices

Appendix A	Money and Debt Advice Service
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Contact Officers

Name	Lisa Redston, Community and Housing Lead – HPC	Name	Beccy Brown Housing Initiatives Officer HPC
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Hinkley Point C Planning Obligation (Section 106) Funding Application Form

Housing Fund (DCO) Application Form

Proposal:	Money and Debt Advice Service
Relevant District(s):	West Somerset
Organisation(s) that will receive funding:	West Somerset Advice
Summary of Proposal (including number of bed spaces that will be delivered if appropriate):	<p>Aim This initiative aims to provide a personalised approach in helping people acquire and maintain tenancies by providing practical advice, support and solutions relating to their debts.</p> <p>Objectives Early interventions to prevent the consequences of a loss of tenancy – emergency housing followed by temporary accommodation (often poorer quality and for long periods)</p> <p>Reduce stress and anxiety on households including children who are in need of secure home and settled education.</p> <p>Reduce the burden of emergency and temporary housing costs on the Local Authority.</p> <p>Increase effectiveness of staff time. Council officers often have to become involved in secondary issues such as debt for which they are not responsible nor trained for. Provision of a money/debt advice service (to include a home visit service to more vulnerable people), will enable Council Officers to refer easily and quickly to dedicated 3rd party advice, provide an advocacy service if required and free up Officers time.</p> <p>Current situation By 2015-16 22% (14 million) of the UK population were living in poverty. This is made up of 8 million working-age adults, 4 million children and 1.9 million pensioners. Just under one in 10 households report having a debt problem (as being behind with any household bill or credit commitment). Of these, 2 in 5 had arrears on the debts on the debts that should considered as a priority, primarily Council Tax.</p> <p>The Independent review into the Funding of Debt Advice from The Money Advice Service recommends free to client debt advice should be increased by 50% over the next 2 years.</p>

Research shows to achieve minimum income standards couples with 2 children need to be earning at least £18900 and one parent £17100. This is hard to achieve in West Somerset where wages are in the bottom 3 districts in the Southwest caused by a large percentage of part time/seasonal employment and where the majority of employers are SMEs.

The introduction of Welfare Reform (reduction in Local Housing Allowance, Shared Accommodation Rate and the impact of Universal Credit) means that people are finding it more difficult to manage their debt. As a consequence, eviction or threat of eviction due to non-payment of rent, is becoming more frequent.

In 2015-16, statistics indicate that across the country, 6 in 10 of those in the poorest fifth of households had no savings at all while a further 1 in 9 had savings less than £1,500. This becomes a significant problem for people if they lose their accommodation and have to pay substantial moving costs associated with the private rented sector (on average: 2 months' rent in advance, 1 months deposit, credit check and fees) or if benefit claims are delayed.

High churn in the private rented sector aggravated by an influx of Hinkley workers seeking somewhere to live and general rental increases (Table 1) are all adding to the rising problem of a shortage of accommodation in the Private Rented Sector.

The following table taken from the Government Valuation Office Agency shows the increase in average rents in West Somerset over the past 4 years

Table 1

	1 bed accommodation	2 bed accommodation	3 bed accommodation
April 2013-May 2014	£465	£570	£624
Oct 2014-Sept 2015	£467	£564	£664
Oct 2015-Sept 2016	£478	£582	£678
Oct 2016-Sept 2017	£473	£592	£717

Figures from the WS Housing Options team show that over 90% of people in the past 12 months who are homeless or are at risk of being made homeless, have debts which are a direct/indirect contributory factor in the loss of their tenancy or preventing them from acquiring a tenancy e.g debt affecting an applicant's credit score.

Snapshot of housing associated debt in West Somerset
(Figures taken from the Flexible Rent Scheme)

	<p>2016-2017: 7 out of 22 applicants (31%) have outstanding repayments on the flexible rent scheme or CT or both 2017-2018 (7 months) 10 out of 13 applicants (76%) have outstanding repayments on the flexible rent scheme or CT or both.</p> <p>When landlords were asked what would help keep a tenant in situ their main response was rent guarantee and support to ensure that clients were able to sustain tenancies when going through times of crisis especially in relation to non-payment of rent.</p>		
<p>Amount applied for: (For initiatives that cross District boundaries please indicate the funding required from each District)</p>	<p>£51,000 to deliver 22.5 hours service a week for 2 years.</p>		
<p>Start Date:</p>	<p>July 2018</p>	<p>Finish Date:</p>	<p>July 2020</p>
<p>Please explain how the proposal mitigates against the potential adverse effects of HPC on the availability of accommodation?</p> <p>How does it address both direct and indirect accommodation demands?</p>	<p>Where Hinkley workers live will inevitably be influenced by a number of factors including:</p> <ul style="list-style-type: none"> • The supply/ availability, cost and quality of accommodation; • Accessibility to the HPC site including the time and cost of travel; • Available facilities, amenities and local infrastructure; • The length of time which they are expecting to spend working on the project; • What they can afford and/or are willing to spend on accommodation. Research shows that those in lower paid roles are more cost-conscious and would thus seek to limit housing costs. <p>The December 2017 Worker Accommodation Survey carried out by EDF indicates that of the 1578 non home based workers working on site, 189 of these are living in West Somerset with over 51% of workers living within the Private Rented Sector. As worker numbers increase the number of HPC employees living West Somerset will rise in line with these trends putting further pressure on the ability of local people to access and sustain low cost tenancies.</p> <p>Competition at this end of the market has already started to drive a growth in rents and reduce available supply to local residents.</p>		

Current average rents in the Private Rented Sector in West Somerset between October 2016-September 2017 (Table 2)

Table 2

One bedroom	£473 pcm
Two bedroom	£592 pcm
Three bedroom	£717pcm

NOTE: Intelligence from local West Somerset estate agents has indicated a rise of 5% in rents for the period 1st January 2018-31st March 2018.

When this is compared to the current Local Housing Allowance (LHA) payments (Table 3) it is clear that properties are being priced out of the range for vulnerable local people on benefits.

Table 3

Property	LHA	Shortfall
One bedroom	398.88 pcm	74.12 pcm
Two bedroom	523.55 pcm	68.45 pcm
Three bedroom	631.24 pcm	85.76 pcm

The potential for the displacement of more vulnerable groups from the Private Rented Sector (PRS) especially in localities closer to the site is increasing (Stogursey, Williton, Watchet and Minehead). There is evidence from Somerset Homelet and Rightmove that many accommodation owners would prefer to house people in full-time employment (this can be seen by the number of potential landlords who do not indicate that they are 'LHA friendly'). In addition, shared house advertisements for rooms are also focusing on professional people only.

As the Local Impact Report (LIR) acknowledges:

"The supply and availability of housing is constrained as a consequence of construction worker demand, this will give rise to greater competition in the local housing market with other users of accommodation. Given the higher than local average wages of construction workers this is likely to have inflationary impact on rents and as a consequence will lead to:

- Local people unable to access local housing; and
- The displacement of existing residents from accommodation

The above highlights the need to sustain people in their tenancies as loss of accommodation will lead to greater debt caused by the previously mentioned associated moving costs, potentially higher rents and the need to change benefit streams to Universal Credit which comes with its own problems e.g. no money for at least 5 weeks etc.

The initiative seeks to mitigate these impacts by assisting and equipping people with money management and debt solutions to make them more attractive to local landlords and able to maintain tenancies for a longer term, reducing costs for both



	<p>landlord and tenant and creating stability in the community. Referrals to the Tenant Ready Scheme and The Somerset Community Credit Union will be made to provide an extension to money management support service.</p> <p>The project addresses indirect accommodation demand by creating a platform for people to sustain a tenancy in their own right. By creating this environment the aim is to effect a generational change, which will impact on the children of the tenants and future housing need. Ensuring people can sustain their tenancies, will make sure that they are best placed to access the job market and improve retention once in employment. This opportunity to break the no home - no job cycle is essential to create settled communities.</p> <p>By helping to reduce debt there is potential to reduce associated spend for other services such as mental health services, emergency medical services and the criminal justice system. The project will also generate savings on temporary accommodation costs for the local authority. Public Health England study reports that for every £1 spent on debt advice saves the NHS £2.67 [Evidence Base mental health prevention concordat 2016].</p>
<p>How will the proposal be responsive to changes in the housing market?</p>	<p>With accommodation in the private rented sector the areas nearest to Hinkley becoming saturated and as property prices continue to rise, there is no indication that the demand for accommodation within the private rented sector in West Somerset will reduce in the foreseeable future</p> <p>Research by the Joseph Rowntree Foundation shows the proportion of people in the poorest fifth of the working-age population who spend more than a third of their income (including Housing Benefit) on housing costs has risen to 47% in the past 2 years.</p> <p>Consequently debt and tenancy sustainment have become significant problems causing instability and high levels of associated costs to both tenant and landlord. Advice and guidance to alleviate people's difficult situations will always be a requirement within the private rented sector.</p> <p>By working closely with the Council Housing options team, the money and debt service will ensure early intervention and create more established tenancies within the private rented sector market.</p>



<p>Which of the housing initiatives in the HPC DCO S106 agreement (Sch. 1, Para 2.2) does this proposal apply to?</p>	<p>2.2.13 funding other housing mitigation measures such as emergency housing services.</p>
<p>How will the project be delivered?</p> <p>Please list the Planned outputs/activities and performance targets:</p> <p>(For initiatives that cross District boundaries please provide separate information for activity in each District)</p>	<p>West Somerset Advice to manage and deliver the service in consultation with the Housing Options Manager.</p> <p>Service delivery will consist of 1.5 days a week interviews and home visits and 1.5 days debt advice work with assessments and referrals from all West Somerset Advice service access points Monday-Fri during opening hours.</p> <p>Referrals Housing Options Officers, Tenancy Sustainment Officer, Benefits and Council Tax Officers will refer into the service on a prescribed pro-forma.</p> <p>High risk cases identified by the Housing Options team (homelessness or threat of homelessness) will be prioritised.</p> <p>Self referrals from existing tenants with money and debt problems at risk of being evicted for non-payment of rent and people with financial issues seeking to access tenancies.</p> <p>Landlords will be able to place a request directly to the Housing Options team for a tenant to be supported.</p> <p>Delivery The first stage of the advice model is 'assessment'. This takes approximately one hour, and determines what the client's options and needs are. At this point the hours required for their case can be estimated.</p> <p>Debt advice should be distinguished from 'money management'. While debt advice does include check of a person's entitlement to state benefits, it goes further than welfare rights. Debt advice is essentially crisis management and financial capability upskills individuals to gain the skills to prevent the need for debt advice recurring or even occurring in the first place.</p> <ul style="list-style-type: none"> ➤ General advice on debt problems including the provision of self -help materials ➤ Detailed and individualised assistance, including casework for clients with complex debt problems. ➤ Maximise benefit uptake ➤ Financial assistance required to secure tenancies. ➤ Explaining the implications of non-payment of each of debts (priority and non-priority)

- Establishing whether or not people are liable for their debts and assisting them to challenge their creditors if appropriate
- Maximising income – reduction in bills, switching and Wessex Water TAP scheme, discretionary housing and council tax applications
- Budget planning
- Helping people to choose a strategy (usually to reduce or stop payments) to minimise the effects of debt on financial, social integration health and well being and preserving their home, essential goods and service and liberty.
- Assisting by advice or representation within the implementation of whatever strategy is chosen.
- Delaying eviction for planned moves
- Upskilling the financial capabilities of individuals reducing the reproduction of the 'revolving door' model

Added value

- Employment Hub partner to support the move to work and better paid work.
- Homefinder registration and supporting access to social housing.
- Partnership work with housing standards and Housing Initiatives Officer on disrepair, housing conditions and unsuitable accommodation.
- Direct access for referrals to other WSAB support e.g applications for PIP and Attendance Allowance (assistance to enable people to remain in their homes)
- Referral to solicitors and housing advisers to defend possession action.

Targets

Some cases will be single appointments, whilst others will be ongoing (known as 'casework'). It is difficult to determine numbers therefore.

As an estimate the service will see 223 clients per year as follows:

99 full casework @22.5 hours each
35 mental health money advice cases
89 assessment cases

Appointments will take place at a variety of outreach venues in and around the Hinkley 'hotspot' areas of Williton, Watchet, Stogursey and Minehead:

- the Council Offices
- West Somerset Advice centre
- the Employment Hubs
- Talking Cafés
- Friendship Club
- GP surgeries

	<p>NOTE: For more vulnerable clients, home visits will also be offered.</p> <p>Outcomes / reporting The service will report monthly to the Housing Initiatives Officer and Housing Options Manager using the following indicators;</p> <ul style="list-style-type: none"> ➤ -number of referrals ➤ -number of clients seen ➤ -number of advice activities undertaken ➤ -number of assessments ➤ -number of case work ➤ -advice issues raised ➤ -amount of debt 'written off' and 'managed' ➤ -number of clients seen with complex issues (mental health, isolation, family crisis and homelessness) ➤ number of clients better able to manage financial affairs ➤ number health and wellbeing improved
<p>How will the initiative be administered and promoted ? Include expected resources required and costs for each activity and other funding sources.</p> <p>(For initiatives that cross District boundaries please provide separate information for activity in each District)</p>	<p>Administration of the service The work will be administered and delivered by the West Somerset Advice Money and Debt Advisor. Confidential information will be recorded on the Councils Housing Options software (Jigsaw) and the Bureaus Advice pro system both confirming to GDPR requirements.</p> <p>Review meetings Quarterly review meetings will be attended by the Housing Options, Advice & Homeless Manager, Team Leader from WS, and Housing Initiatives Officer both the operational and strategic contacts at CA-T, with dates agreed at the start of each year.</p> <p>Promotion through: Early stage training with frontline staff – Housing Options, Council Tax and Benefits teams Attendance at all Landlords Forums SWeLT Website/newsletters Letting agents Partner Agencies Officers Benefits Officers. West Somerset Advice Press articles Landlord newsletter Employment Hubs Village Agents</p>



<p>What are the overall costs of the initiative and what other sources of funding have been secured?</p> <p>Does it have the potential for recycling the Housing Fund so that it can be invested in other housing initiatives?</p>	<p>Service delivery = £51,000</p> <p>WSAB match funding from Somerset Community Foundation: 10 hours a week for 2 years for Mental Health (Debt Advice) Worker = £10k</p> <p>Total costs = £61,000</p> <p>Savings made from the reduction in emergency and temporary housing to be used to sustain the post after the end of the initiative.</p>
<p>Please give details of how the initiative aligns with local Housing and (where appropriate) Planning Strategies</p>	<p>Mitigating any potential adverse effects on the local housing markets due to the impact of Hinkley C is a priority in the Somerset Strategic Housing Framework and supporting West Somerset Corporate Strategy 2016-21</p> <p><i>'Our Communities - Helping our communities remain sustainable and vibrant is vital in keeping West Somerset a great place in which to live and work.</i></p> <p><i>'Our Place and Infrastructure - West Somerset is a beautiful place to visit and in which to live and work. We want to keep West Somerset a place to be proud of and one which is well maintained and welcoming to residents, visitors and businesses alike'.</i></p> <p>The initiatives delivers the priorities 'Increase the availability and affordability of homes for local people - to both buy and to rent' and 'Mitigate negative impacts on the community from the construction phase of Hinkley Point C'.</p> <p>In these instances indirectly by developing the ability of local people to acquire and sustain their tenancy which previously they would have lost or not have been considered for.</p>
<p>Please describe how any partners have been and will be involved in the design and delivery of the initiative.</p>	<p>Somerset West Private Sector Housing Partnership (SWPSHP): a well-established and effective Partnership between Sedgemoor, Taunton Deane and West Somerset to deliver the private sector housing functions of the District Councils.</p> <p>Consultation with members of the Somerset West Landlord and Tenant Service (SWELT: Housing Options Teams and other agencies to offer private sector landlords, tenants and owners unique access to a range of local housing products, services and support). Debt advice service will be promoted through SWELT as part of a wrap-around Tenancy Support package.</p> <p>West Somerset, Taunton Deane and Sedgemoor Council Strategic and Operational Housing Officers.</p> <p>The service will make referrals as appropriate to Tenant Ready Scheme for ongoing support with money management and Somerset Community Credit Scheme to encourage regular saving and affordable loans.</p>



<p>What risks to the successful delivery of the initiative have been identified and what are the planned mitigation measures?</p>	<ul style="list-style-type: none"> ➢ Targets not being achieved. Mitigation: Monthly monitoring by West Somerset and Taunton Deane Council HPC Housing Initiatives Officer to identify issues and risks to achieving targets with timely mitigation measures to be agreed. ➢ Insufficient takeup of the service Mitigation: Greater promotion and awareness training to frontline staff and partner agencies. ➢ Lack of service provision Mitigation: Negotiation of service with another Money and Debt Advice service provider

I apply for funding on behalf of the organisation as detailed above

Signed:

	Date: 21/6/18
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Print Name:

SUSAN CLOWES

Position in organisation:

MANAGER

Organisation Name:

WEST SOMERSET ADVICE

Report Number: WSC 63/18

West Somerset Council

Council – 25 July 2018

ALLOCATION OF HPC S106 TOURIST INFORMATION CENTRE FUNDS

This matter is the responsibility of Cabinet Member Cllr Andrew Hadley Lead Member for Economic Regeneration & Tourism

Report Author: Corinne Matthews Economic Regeneration & Tourism Manager

1 Executive Summary / Purpose of the Report

- 1.1 To consult with Council on a suggested approach for allocating Hinkley Point C Section 106 funds for Tourist Information Centres for 2018/19.
- 1.2 To consult with Council on a suggested approach for post 2018/19 allocations.

2 Recommendations

- 2.1 To recommend the allocation of £28,000 from HPC S106 allocations for tourist information centres from the Development Consent Order Works Agreement that makes allowance of £160,000 with the details in respect of drawdown outlined in paragraph 6.1.

Staggered payments to be made in line with service level agreements with individual centres, which total £28,000 for the purposes of supporting Minehead, Porlock and Watchet tourist information services for the financial years 2018/19.

- 2.2 To request the Hinkley Tourism Action Partnership to undertake a strategic review of the TIC allocations post April 2019, taking into account the tourism priorities of the three Coastal Community Teams that operate in Minehead, Watchet and Porlock as well as the individual requirements of the Centres.

3 Risk Assessment (if appropriate)

Risk Matrix

Description	Likelihood	Impact	Overall
Without support there will be a decline in tourism information services, which will lead to a lack of quality information for tourism businesses and customers at a time when the construction period of the HPC project could have a negative impact on the perceptions of the area.	5	4	20

<i>Putting in place Service Level Agreements with TIC's to provide good levels of service and information to visitors and businesses will significantly lessen the likelihood and impact of negative perceptions of the area.</i>	3	3	9
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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%

4 Background and Full details of the Report

4.1 Role and Responsibilities of Tourism Information Services

4.1.1 Tourism information centres (TIC) are the 'eyes and ears' of tourism intelligence across the area. They are a front-line service, and via their tried and trusted relationships with tourism providers and visitors are aware of visitor trends, opportunities and threats well in advance of any statistical analysis.

4.1.2 The role of tourism information services has changed considerably over the past decade.

The growth of the internet, and other modernised tourism marketing models, has minimised the role that the TIC has in supporting the consumer to research their holiday destination in advance of prior bookings. However, it still has significant strength in supporting visitors once they have arrived within a destination, and helping to support accommodation providers and other key attractions in being an integral part of place based marketing and promotion. Information Centres, also traditionally provide a range of services for the local community as well.

4.1.3 In respect of the HPC Project, information services have a pivotal role in:

- Acquiring first-hand information in relation to any 'issues' that are impacting on tourism visits and spend, and rapidly relaying that information to local authorities.
- Providing an important and vital conduit to businesses in terms of the dissemination of information / messages / alerts.
- Establishing an important resource to HPC Construction Workers and their families, in helping to promote the area and provide information for recreational opportunities.
- Delivering key aspects of the Hinkley Tourism Action Plan, such as providing travel information, supporting PR activity, and assisting projects that have arisen from the HTAP Strategy or Coastal Community team local economic plans.

4.2 **Tourism Information Centre Delivery**

4.2.1 Support for the three tourist information centres in Minehead, Watchet and Porlock, is delivered via service level agreements that set out the key tasks and outputs expected of each in return for funding. The scope of these agreements relates to the size and scale of the TIC capacity for delivery against the amount of funding awarded.

Minehead Information Centre is located in the area's key seaside town, employs professional TIC staff, delivers all year round opening hours and has a responsibility for promoting the wider district.

Porlock Visitor Centre employs professional and volunteer staff in providing an all year round opening service. Porlock also has a responsibility for promoting the National Park, and receives additional annual funding from the Park Authority.

Watchet Tourist Information - employs professional and volunteer staff, and is now located in the Town's Boat Museum. Staff at the Centre have expressed a willingness to lead on social media training and implementation across the three CCTs.

The table below sets out the tasks and outputs for each TIC which will be commensurate with funding levels got each TIC.

Task	By when	Targets / Outputs
Maintain and upkeep tourism industry database (Minehead TIC only)	Ongoing	Fully up-to-date database which includes District wide information
Collect intelligence / information and evidence in respect of the impacts of the HPC project, and establish a communications strategy for the rapid dissemination of information. <i>This is a vital part of the service – to ensure that the MIC receives up-to-date information in respect of traffic congestion or other issues, and is able to communicate this to tourism providers, and support them with tactics for ensuring that customers visiting the area are not significantly disadvantaged.</i>	Ongoing	Compile 12 e-newsletters per year (Minehead TIC only) Disseminate Hinkley related travel information when required potentially provided by Somerset CC (Minehead / Watchet) Using social media platforms as frequently as required to disseminate all travel information when arises to contacts and via twitter (Minehead & Watchet)
Delivery of specific HTAP projects including Ambassador Scheme (Minehead TIC)	On-going	TIC to assist with assessment of volunteers Facilitate ambassador scheme from centre -Take bookings, keep records and volunteer contact information, store kit and administer any voluntary donations received
Facilitate Social Media strategy development and training across the 3 TICs (Watchet TIC)	By Autumn 2019	Contribute or develop content strategy plan for all platforms. Minimum of three days of training in social media to enable development of Minehead / Watchet / Porlock social media channels
Improving increased Visitor Services (Minehead / Watchet)	Ongoing	Aim to maximise opening hours throughout the summer season. Aim to provide a consistent service throughout the winter months.
Growing the capacity of Minehead / Watchet Information Centres	March 2019	5% increase in income 5% increase in unique website visits
TIC Manager to attend quarterly update meetings of WS TIC Managers (convened by WSC)	Ongoing	Up to 4 meetings per year Monthly update/ liaison with nominated WSC Officer

4.3 **Section 106 Allocations**

4.3.1 Both the S106 Agreements for SPW and DCO made provision for allocations to TICs. The SPW allocation was for £200,000 and was shared with Sedgemoor and Somerset County Councils (The Council report of November 2016 details all previous allocations) The full detail of DCO TIC amounts is detailed in Paragraph 6.1. However in summary DCO makes provision over 4 separate allocations of £40,000 totalling £160,000 specifically for West Somerset TICs. To date £10,352 of that has been committed.

4.4 **Proposed allocations for 2018/19**

4.4.1 The following allocations are proposed for the individual Centres

Centre	Allocation
Minehead	£12,500
Watchet	£11,500
Porlock	£4,000

The allocations reflect the scale of activity undertaken by the respective Centres in line with the activity that is outlined within the Service Level Agreements. It should be noted that both Minehead and Watchet Centres open all year round, are closer to HPC and are tasked with additional requirements via HPTA. The Porlock Centre is also an important resource for the West Somerset tourism industry, not least because of its location within Exmoor National Park. Therefore, it is considered justifiable to utilise HPC funds to match Exmoor National Park's annual contribution.

5 **Links to Corporate Aims / Priorities**

5.1 The Council's second key theme around Business & Enterprise aims to 'Support and promote West Somerset's vital tourism and agricultural sectors', as well as 'Maximise the local economic benefits from Hinkley Point C'.

5.2 The third key theme around Our Place & Infrastructure also aims to 'Mitigate negative impacts on the community from the construction phase of Hinkley Point C'.

5.3 Support for tourist information centres across West Somerset will help in achieving both key aims. Via service level agreements centres will be tasked with supporting PR activity and communicating messages with the industry and visitors via newsletters. This could include promoting the area or providing up to date travel information about congestion on the roads. Centres will also be tasked with supporting the Hinkley Tourism Action Partnership in making improvements to the visitor experience, including supporting the new local ambassador guided walks scheme and improving skills, such as social media and welcoming international visitors via training.

6 Finance / Resource Implications

- 6.1 This proposal, if approved, will have no impact on West Somerset Council General Fund as it is funded entirely from the s106 funding from Hinkley Point C. The project complies with Schedule 4 of the DCO agreement (Economic Development & Tourism) heading. The agreements specifically dictate that the allocations are to be spent on supporting Tourist Information Centres, to help them mitigate the impact that Hinkley Point C will have on Tourism. All of the spending on this proposal is revenue spending therefore it will have no impact on the Council's capital programme.

Under the DCO funding, we are due 4 x £40,000 Index Adjusted Instalments. We have received 3 and the last one is due in May 2019. Currently, there is a balance of £126,724.99 unallocated in the DCO plus what we are due next year. The balance takes into account that £10,352 has been allocated during 2017/18 (as agreed by Council in November 2016)

- 6.2 Decisions regarding allocation from this fund must go through West Somerset Council's decision making process. The process for this approval will go via Full Council as the total amount is above £25,000.

7 Legal Implications (if any)

- 7.1 The HPC DCO Section 106 is a legal document, therefore allocations need to reflect those requirements.

8 Environmental Impact Implications (if any)

- 8.1 Local delivery of information services through local tourist information centres enables a reduction in carbon emissions as no transport requirements are needed.

9 Safeguarding and/or Community Safety Implications (if any)

- 9.1 Not applicable.

10 Equality and Diversity Implications (if any)

- 10.1 All service level agreements emphasise the need for tourist information centres to operate good equality, diversity and bullying at work policies.

11 Social Value Implications (if any)

- 11.1 Not applicable.

12 Partnership Implications (if any)

- 12.1 Each service level agreement is set up with the organisation responsible for the tourist information service in the town or village. The work involves close partnership to deliver and achieve tasks and outputs. The service level agreements set out how each partner will work with the other in order to achieve shared goals, as well as how to deal with issues and risks. This includes the paying back of funds allocated if tasks and outputs are not achieved to the satisfaction of West Somerset Council officers.

13 Health and Wellbeing Implications (if any)

- 13.1 Tourist information centres play an important role in the community in providing advice and help to local people in respect of information on events, things to do, travel and local amenities. Centres promote walks and active tourism opportunities, as well as provide volunteer opportunities.

14 Asset Management Implications (if any)

- 14.1 There are no asset related issues, other than to remind members that the building the Watchet Tourist Office operates from is owned by West Somerset Council.

15 Consultation Implications (if any)

- 15.1 Up to date service level agreement reports and conversations with individual tourist information centres have helped to refine the content of this report.

16 Scrutiny Comments / Recommendation(s) (if any)

- 16.1 None.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees –No** (delete as appropriate)
- **Cabinet/Executive – Yes** (delete as appropriate)
- **Full Council – Yes** (delete as appropriate)

Reporting Frequency: **Once only** **Ad-hoc** **Quarterly**
 Twice-yearly **Annually**

Contact Officers

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Report Number: WSC 67/18

West Somerset Council

Council – 25 July 2018

Revenue and Capital Outturn 2017/18

This matter is the responsibility of Councillor Dewdney, Lead Member Resources and Central Services

Report Author: Andy Stark, Interim Finance Manager (Deputy S151 Officer)

1 Executive Summary

- 1.1 The purpose of this report is to provide Members with details of the Council's financial outturn position for both revenue and capital budgets, together with information regarding end of year reserve balances, for the financial year 2017/18.
- 1.2 Controlling and monitoring financial performance against the agreed budget is an important part of the Council's performance management framework.
- 1.3 The Revenue Outturn position for 2017/18 is a net underspend of £100k.
- 1.4 The General Reserves position for 2017/18 shows a closing balance of £899k, including the net underspend for the year. This is £199k above the minimum recommended balance of £700k.
- 1.5 The Earmarked Reserves balance is £4.261m at the end of March. This comprises reserves held for specific spending plans and contingencies such as allocated funding for transformation, business rates volatility, specific grants and contributions committed or ring-fenced for spending in future years.
- 1.6 The General Fund Capital Programme Outturn position for 2017/18 is a net overspend of £19k against the approved programme, with £1.129m being spent during the year and £11.058m of the approved Programme planned to be spent in future years.

2 Recommendations

- 2.1 That Full Council notes the Council's reported General Fund Revenue Budget underspend of £100k for the financial year 2017/18, which takes into account proposed earmarked reserve transfers including budget carry forwards.
- 2.2 That Full Council approves the net Earmarked Reserve transfers as set out in **Appendix A** of this report, including recommended Budget Carry Forward of 2017/18 underspends for specific service costs in 2017/18 totalling £295k.

- 2.3 That Full Council approves the proposed Capital Programme Budget Carry Forwards totalling £7.850m for general schemes to be funded using capital receipts, capital grant and S106 contributions and borrowing (as set out in **Appendix B** of this report).
- 2.4 That Full Council approves the proposed Capital Programme Budget Carry Forwards totalling £3.208m for Hinkley S106-funded schemes (as set out in **Appendix B** of this report).
- 2.5 That Full Council notes the residual net overspend of £19k in relation to the Capital Programme for general schemes in 2017/18.
- 3 Risk Assessment** (if appropriate)

Risk Matrix

Description	Likelihood	Impact	Overall
That the Authority overspends against the approved budget	2	4	8
<i>Regular budget monitoring reports are produced and managers actively manage the budgets under their responsibility</i>	1	4	4

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%

4 Background and Full details of the Report

- 4.1 Members have received financial performance information during the year, with reports submitted to Scrutiny and Cabinet in line with the agreed reporting arrangements. This report provides details of the position at the end of the financial year, and enables Members to compare Q3 forecast with the actual outturn (end of year) position. It also describes how the year end position impacts on the important objective for achieving financial sustainability.
- 4.2 Effective financial management forms an important part of the Council's overall performance management framework. It is also vital that the Council maintains strong financial management and control in the face of continuing and unprecedented financial pressures as funding for council services is squeezed, and our community continues to face up to the effects of wider economic pressures.
- 4.3 The Outturn figures in this report are provisional (pending end of year audit) and have been used as part of the completion of the Unaudited Statement of Accounts, approved by the S151 Officer on 25 May 2018. Should the External Auditor identify any changes to the Accounts these will be reported to the Audit Committee in July 2018 and any impact on reserves included in budget monitoring reports.

5 2017/18 Financial Performance

- 5.1 Members will be aware from previous experience that the position can change between 'in-year' projections and the final outturn position, mainly due to demand-led service costs and income levels. The budget monitoring process involves a regular review of all budgets. Budget Holders, with support and advice from their accountants, review the position and update their forecasts based on currently available information and knowledge of service requirements for the remainder of the year. As with any forecast there is always a risk that assumptions and estimates will differ from the eventual outcome, and a number of risks and uncertainties have been highlighted in previous budget monitoring reports.
- 5.2 Forecasting for some demand-led services has continued to be a challenge especially in the current economic climate.
- 5.3 The Council has continued to operate within the framework of its Budget Strategy and the overall financial standing at the end of the financial year is sound and the General Reserves balance is above the recommended minimum. An annual review of all Earmarked Reserves will be completed with the aim of returning any surplus reserve balances to the General Fund Reserve. The Council continues to face challenges around profiling capital spend, and we will seek to improve accuracy of forecasting between financial years.

Revenue Budget Outturn 2017/18 and Reserves

- 5.4 The Council has reported an overall net underspend of £100k (1.8% of Net

Budget). Table 1 below provides a summary the revenue budget and outturn for the year.

Table 1 – Summary Revenue Outturn 2017/18

General Fund Outturn 2016/17	Revised Budget	Outturn	Variance	
	£'000	£'000	£'000	%
Corporate	526	522	(4)	(0.1)
Operations	3,362	3,306	(56)	(1.0)
Housing and Communities	1,086	1,071	(15)	(0.3)
Growth and Development	725	706	(19)	(0.3)
Capital Financing	(1,272)	(1,272)	0	
Interest and Other Income	(27)	(33)	(6)	(0.1)
Transfers to Earmarked Reserves	1,071	1,071	0	
Transfers to General Reserves	30	30	0	
Somerset Rivers Authority	24	24	0	
Net Budget	5,525	5,425	(100)	(1.8%)
Funding – Grants, Business Rates and Council Tax	(5,525)	(5,525)	0	0%
Net Variance	0	(100)	(100)	(1.8%)

- 5.5 The Forecast Outturn as at Quarter 3 (December 2017) after approval to transfer an additional £149k to earmarked reserves was for a net underspend of £49k. The main differences between the reported variances at Quarter 3 and the year-end Outturn are summarised in Table 2 below.

Table 2: West Somerset Main Differences between Q3 and Outturn Variances

	Q3 £000	Change £000	Q4 £000
Land Charges	13	(32)	(19)
Housing Bed and Breakfast	28	33	61
HR	(11)	(8)	(19)
Elections	(14)	14	0
Building Control	(23)	(6)	(29)
Waste Contract	(18)	(21)	(39)
Roughmoor Depot and Enterprise Centre	(11)	0	(11)
Visitor Centre	(11)	(1)	(12)
Environmental Health	(23)	10	(13)
Community Development	(18)	8	(10)
Private Sector Renewal	(32)	(11)	(43)
Car Parks	(86)	86	0
Interest Costs and Income	(19)	13	(6)
Legal Services	0	(66)	(66)
Telephony	0	(34)	(34)
Audit Fees	0	(28)	(28)
Revenues and Benefits	0	(18)	(18)
Development Control	0	(19)	(19)
Open Spaces	0	(18)	(18)
IT Infrastructure	0	(13)	(13)
IT Staffing and Maintenance	0	(28)	(28)

	Q3 £000	Change £000	Q4 £000
Design & Print	0	(17)	(17)
Other variances	27	(45)	(18)
Business Rates Reserve – in Year Surplus	(551)	0	(551)
Transfer to Reserves - Q3	700	0	700
Transfer to Reserves – Transformation		100	100
Transfer to Reserves – Sustainability		50	50
TOTAL – over / (under) spend	(49)	(51)	(100)

- 5.6 The main variances to budget and significant changes to the Quarter 3 position are explained as follows:
- 5.7 **Land Charges:** The Council previously set up a provision within the accounts in case further legislation changes were enacted causing the service to have to repay previously charged fees. It was agreed that this provision was no longer required and was therefore written back into the accounts at year end. This has offset the previously reported reduction in income resulting in a net underspend of £19k for the year.
- 5.8 **Housing Bed and Breakfast:** Increased demand for this service has led to costs being higher than budgeted for. Funds are held in earmarked reserves providing resilience to increased cost pressures in 2018/19.
- 5.9 **Human Resources:** A reported underspend of £9k in respect of corporate training has increased the underspend.
- 5.10 **Elections:** Surplus has been transferred to an earmarked reserve in Qtr 4 to cover future election costs.
- 5.11 **Building Control:** The building control partnership is a relatively new service and as such the budget was based upon previous costs and be subject to review in light of experience. The partnership has been successful in 2017/18 and therefore a saving of £29k has been made in the year and will also be reflected in future budgets.
- 5.12 **Waste Contract:** The recycling service obtained additional income of £15k in 2017/18 for the garden waste collection service due an increased customer base and higher usage of the brown sacks than budgeted for. In addition the contract charge from Somerset Waste Partnership was £20k lower than budgeted for.
- 5.13 **Roughmoor Depot:** Income is higher than forecast.
- 5.14 **Visitor Centre:** Additional revenue and savings in business rates.
- 5.15 **Environmental Health:** Overall underspend is due to additional income from pest control service and water sampling service.

- 5.16 **Community Development:** Underspend is in respect of savings for professional fees and subscriptions.
- 5.17 **Private Sector Renewal:** Saving in respect of the Home Improvement Agency contract and should also generate savings during 2018/19.
- 5.18 **Car Parks:** Maintenance work carried out during Qtr 4 at a number of car parks has utilised the previously reported underspend.
- 5.19 **Legal Services:** Legal costs in respect of work carried out for West Somerset by the legal partnership is less than had been budgeted for.
- 5.20 **Telephony:** Savings have arisen in respect of communication link between WSC and Summerland Road.
- 5.21 **Audit Fees:** A historical inaccuracy of the budget combined with an actual reduction in the fees charges by external audit has resulted in a significant cost saving.
- 5.22 **Revenues and Benefits:** Savings in respect of staffing costs
- 5.23 **Development Control:** Additional application fees
- 5.24 **Open Spaces:** Savings in respect of staffing costs
- 5.25 **Design and Print:** Savings in respect of printing and photocopying

6 Carry Forwards to 2018/19

- 6.1 In arriving at the net underspend of £100k for 2017/18 there is £295k of recommended budget carry forwards. These are summarised and explained below:

Table 3: West Somerset Carry Forwards for Approvals

		£
Harbours	Funding is requested to support the dredging and harbour maintenance works that are required but were not able to be completed prior to the year end. Dredging in particular was commissioned in preparation of inspections to the harbour walls but this was delayed due to equipment failure.	46,300
Harbours	Works already procured but not yet commenced in respect of £26k lighting for Watchet Harbour and £10k for Minehead Seafront	36,000
Economic Development	Balance of grant funding to be used for Porlock Vale economic plan.	4,650

		£
Minehead Harbour	Work to lighting at Minehead Harbour. This work was planned to be completed in 2017/18 but due to a delay with the contractor this work has been delayed.	3,551
Homelessness	Ring-fenced funding for the new approach to homelessness and the introduction of the Homelessness Reduction Act from April 2018.	84,148
Maintaining service standards during transition	Funds to provide service continuity and resilience during the transition to new operating model.	100,000
Finance	Finance service resources maintaining service capacity and resilience prior to transformation and new council.	20,000
Total		294,649

7 General Fund Reserves

General Reserves

- 7.1 The following table summarises the movement on the General Reserves Balance during the year and the end of year position.

Table 4 – General Reserves Balance 31 March 2018

	£'000
Balance Brought Forward 1 April 2017	859
Budget transfer to General Reserve	31
Budgeted transfer to Earmarked Reserves	(91)
Budgeted Balance 31 March 2018	799
Provisional Outturn 2017/18	100
Projected Balance Carried Forward 31 March 2018	899
Recommended Minimum Balance	700
Projected Balance above recommended minimum	199

- 7.2 The balance on 31 March 2018 (subject to audit) is £899k. This is £199k above the minimum recommended balance of £700,000. In view of the Council's future financial position the strong advice is to maintain reserves above the recommended minimum, to provide some resilience for unforeseen essential and unavoidable costs that may arise and other financial risks.

Earmarked Reserves

- 7.3 Earmarked Reserves are amounts that have been set aside for specific purposes from existing resources, where the expenditure is expected to be incurred in future years. The table below provides a summary of the movement in Earmarked Reserve balances during 2017/18 financial year, highlighting that earmarked reserve balances have increased by £1.366m to a total of

£4.249m at 31 March 2018.

Table 4 – Earmarked Reserves Balance 31 March 2018

	Actual £'000
Balance Brought Forward 1 April 2017	2,883
Transfers From Earmarked Reserves in 2017/18	(885)
Transfers To Earmarked Reserves in 2017/18	2,251
Balance Carried Forward 31 March 2018	4,249

- 7.4 The following paragraphs provide explanation for the larger items included within the earmarked reserves balances. Further detail for all earmarked reserves is provided in **Appendix A**.
- 7.5 **Business Rates Smoothing Reserve:** The balance on this reserve has been increased during the year in line with the financial strategy to protect the Council against the risk of future business rates volatility.
- 7.6 **Planning Policy Reserve:** We have received a significant amount of grant from DCLG to support the West Somerset Local Plan preparation through to examination and beyond to adoption.
- 7.7 **Asset Management and Compliance:** Monies have been set aside following the compliance survey which was previously undertaken and which identified significant work to be carried out.
- 7.8 **Transformation and Creating a New Council:** Monies have been set aside in line with the approved Transformation Business Case which includes transforming services and ways of working and also work required to implement a new council replacing West Somerset and Taunton Deane councils.
- 7.9 **Strategic Housing Market Area Assessment:** This is DCLG funding which will support plans for more affordable housing in West Somerset.
- 7.10 **Budget Carry Forwards For Specific Services:** Funds have been transferred to earmarked reserves in respect of requests to carry forward budget underspends to support service costs in 2017/18 due to timing of spend across financial years and to delivery ongoing service delivery plans.
- 7.11 **Sustainability:** Monies set aside for 'invest to save' initiatives

8 Business Rates Retention

- 8.1 The Business Rates Retention (BRR) funding system is proving to be both challenging and volatile, with the Council facing significant risks particularly in respect of appeals against rateable values by rate payers. The required accounting arrangements also result in some 'timing differences' which can

skew the funding position across financial years.

General Fund Retained Business Rates Funding

- 8.2 The Council's share of business rates funding is directly linked to the total amount of business rates due and collected in the area. The amounts credited to the General Fund Revenue Budget in 2017/18 are based on business rates yield and BRR figures from different sources – a combination of the 2017/18 NNDR1 (Original Budget Estimate) and the 2017/8 NNDR3 (End of Year position):

Business Rates Funding Timing Differences

In Year Funding based on NNDR1 Original Budget Estimates (fixed amount for the year based on budget):

- 40% Standard Share of BR Income
- Tariff to Government
- Share of Previous Year's Collection Fund Surplus/Deficit

In Year Funding based on NNDR3 actual amounts due for the year (variable amount for the year based on actuals):

- Section 31 Grant (Government-funded Reliefs/ Discounts)
- Levy Payment to Government
- Safety Net Receipt from Government

- 8.3 At the end of the financial year there will be a Surplus or Deficit on the Business Rates Collection Fund, and this sum will be distributed in future years based on Standard Shares – so 40% for West Somerset Council.
- 8.4 The following table summarises the net position in respect of retained business rates funding for the Council in 2017/18 based on required accounting entries.

Table 5 – Business Rates Funding Outturn for West Somerset Council

	Budget 2017/18 £'000	Actual 2017/18 £'000
40% Share of Business Rates Income	(6,620)	(6,620)
Tariff to Government	6,058	4,770
Section 31 Grant Funding for enhanced Small Business Rates Relief / Flooding Relief/Retail Reliefs	(415)	(711)
Renewable Energy rates – 100% retained by WSC	(50)	(30)
Safety Net Payment	(98)	-
50% Levy Payment to Government	-	755
Sub Total	(1,125)	(1,836)
Previous Year's Collection Fund Surplus	(480)	(480)
Total Retained Business Rates Funding 2017/18	(1,605)	(2,316)

- 8.5 As has been previously reported, the introduction of the Business Rates Retention system has introduced new financial risks for the Council. The Council's share of business rates funding is directly linked to the total amount of business rates due and collected in the area. The total retained funding accounted for in 2017/18 is above previous forecasts due to the one-off

adjustment to the 2017/18 tariff following the 2017 Revaluation.

- 8.6 Going forward the Council will need to pay additional funds into the Smoothing Reserve (current balance £1.332m) in order to safely address the risk relating to Business Rates volatility, particularly as Hinkley accounts for a major proportion of the Council's Business Rates funding. It therefore remains prudent to hold a minimum smoothing reserve balance of c£1.6m in the coming years to remain safe. Members are also reminded that in the 2018/19 Budget report and the S151 Officer's Robustness Statement reported in February 2018, the Council needs to establish plans to increase the Smoothing Reserve by at least a further £2m by 2023.

9 Capital Programme Budget Outturn 2017/18

- 9.1 The total capital programme budget including schemes brought forward from previous years is £13.835m. Of this, £1.667m has already been spent in previous years and a further £1.129m has been spent during 2017/18. The projected spend to be carried forward is £11.058m. A net overspend of £19k is being reported against the overall approved budget for the Programme. A summary of the General fund Capital Programme and outturn for the year is included in **Appendix B**.
- 9.2 The key areas of spend included: Disabled Facilities Grants (£320k) and the Clanville Grange Low Cost housing Scheme (£125k).
- 9.3 During 2017/18 a number of Capital Budget allocations were approved for schemes funded through Hinkley S106 contributions with a total approved programme of £4.450m. The costs for these schemes is expected to be incurred over more than one year, with £1.242m spent to date (including 2017/18) and £3.208m carried forward to complete the approved schemes in subsequent years.
- 9.4 The following table summarises the position for both general schemes and Hinkley funded programmes:

Table 6 – Summary Capital Programme Outturn 2017/18

	General Schemes £'000	Hinkley Funded Schemes £'000	Total £'000
Capital Budget	9,385	4,450	13,835
Spend in previous years	650	1,018	1,668
Spend in 2017/18	904	225	1,129
Carry Forwards	7,850	3,207	11,057
Total Outturn Plus Planned Spend	9,404	4,450	13,854
Net Overspend / (Underspend)	19	0	19

- 9.5 The Capital expenditure incurred during 2017/18 has been funded from a variety of sources as shown in the following table:

Table 7 – Summary Capital Programme Funding 2017/18

Summary Capital Spend	£'000	Sources of Capital Funding	£'000
Disabled Facilities Grants	320	Capital Receipts	316
Steam Coast Trail Project	53	Capital Grants	415
Clanville Grange Low Cost Housing	124	S106 General	140
Seaward Way Mixed Proposal	91	S106 Hinkley	225
S106 General	140	Revenue Contribution	12
Hinkley projects	225	Earmarked Reserves	21
Other schemes	176		
Total	1,129	Total	1,129

Capital Receipts Reserve

- 9.6 The uncommitted Capital Receipts Reserve funding balance is £1.240m taking into account the current Capital Programme requires funding of £772k from the Useable Capital Receipts Reserve. The 2018/19 Budget no longer includes a plan to fund capital debt repayment from capital receipts rather than through an MRP charge to the Revenue Budget (2017/18 was the last year of 3 year plan).

Table 8 – Useable Capital Receipts Reserve Balance 31 March 2018

	Actual £'000
Balance Brought Forward 1 April 2017	2,220
Capital Receipts income in 2017/18	252
Capital Receipts Used in 2017/18 to support capital spend	(316)
Capital Receipts used in 2017/18 to repay capital debt	(144)
Balance Carried Forward 31 March 2018	2,012
Proposed Funding of Carry Forwards from 2017/18	(772)
Uncommitted Balance	1,240

Capital Debt Position

- 9.7 The total amount of capital debt held by the Council is represented by the Capital Financing Requirement (CFR). The total CFR on 31 March 2018 is £5.204m.

Table 9 – Capital Financing Requirement (CFR)

	2017/18 £'000
External borrowing	0
Internal borrowing	5,347
CFR Balance Brought Forward:	5,347
Additional borrowing required (SWP Loan)	0
External Loan Repayment	0
Repayment of internal borrowing using capital receipts in lieu of MRP	(143)
External borrowing	0
Internal borrowing	5,204
CFR Balance Carried Forward:	5,204

10 Transformation

- 10.1 The estimated overall costs of implementing the Transformation Programme and Creating a New Council were approved in the High Level Business Case approved by TDBC Full Council in July 2016 and WSC Full Council in September 2016. The total estimated costs approved were £7.1m. The spend to date is £1.290m on revenue and £0.178m on capital (see table below 10) and estimated total costs are currently within the approved budget above. However, as design work on the new organisation continues work is currently being undertaken on revising the overall estimated costs, and a further update on the programme funding and revised estimated costs of delivering a single new transformed council will be provided to the Shadow Scrutiny and Shadow Executive in July.

Table 10 – Transformation Costs

	West Somerset £'000	Taunton GF £'000	Taunton HRA £'000	Total £'000
Revenue				
2016/17	5	25	0	30
2017/18	190	760	310	1,260
2018/19 - 2019/20	784	2,532	1,343	4,659
Total Revenue	979	3,317	1,653	5,949
Capital				
2016/17	0	5	0	5
2017/18	29	144	0	173
2018/19 – 2019/20	167	516	331	1,014
Total Capital	196	665	331	1,192
Total Transformation	1,175	3,982	1,984	7,141

11 **Links to Corporate Aims / Priorities**

- 11.1 The financial performance of the Council underpins the delivery of corporate priorities and therefore all Corporate Aims.

12 **Finance / Resource Implications**

- 12.1 Contained within the body of the report.

13 **Legal Implications**

- 13.1 The report focusses on the council's performance against the agreed budget therefore no comments have been sought from SHAPE Legal advisors.

14 **Environmental Impact, Safeguarding and/or Community Safety, Equality and Diversity, Social Value, Partnership, Health and Wellbeing, Asset Management, and Consultation Implications**

- 14.1 None for the purpose of this report.

15 **Scrutiny Comments / Recommendation(s)**

- 15.1 During the discussion, the following points were raised:-
- Members queried what had happened to the £86,000 investment in Car Parks in Quarter Three.
The money was for the maintenance work on the car parks, which was set at the start of the financial year. At the end of Quarter Three there was £86,000 that had not been spent. However, in Quarter Four, officers utilised the budget underspend and the works that had started in Quarter Three were completed.
 - Members queried whether the money for Watchet Harbour had been spent.
Some of the money had been carried forward to 2018/19 because there were some dredging works still to be undertaken.
 - Members requested that the Harbour funds were included in the New Council's budget.
 - Members requested that the £575,760 funds for Strategic Housing Market Area Assessment was ring-fenced for West Somerset only.
 - Members requested clarification on the decision making process in the Shadow Council and whether reports would go to Scrutiny or Shadow Scrutiny.
The situation described by the Chairman was if there was a case on IT procurement, the spending decision would be taken by the Shadow Authority. The spending of specific budgets within WSC or TDBC would be confirmed by the respective Councils. The Transformation Project was being monitored by the Joint Policy Advisory Group but this would be stood down and replaced by the New Council Working Group. Confirmation would be sought on the decision making process and distributed to Members.
 - Members requested confirmation on whether there would be a Shadow Scrutiny Committee.

Yes there would be and the first meeting was scheduled for Monday 25 June 2018. The Group Leaders were due to send through their nominations for the Committee Compositions and it was confirmed that both the Chair and Vice-Chair of the Shadow Scrutiny Committee would be from one of the opposition groups.

15.2 Scrutiny supported the recommendations contained in the report.

Democratic Path:

- **Scrutiny – 14 June 2018**
- **Cabinet – 11 July 2018**
- **Full Council – 25 July 2018**

Reporting Frequency: Annually

List of Appendices

Appendix A	Summary of Proposed Earmarked Reserves 2017/18
Appendix B	Capital Programme Outturn 2017/18

Contact Officers

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Earmarked Reserve Heading	Balance at 1 April 2017 £	Transfers In 2017/18 £	Transfers Out 2017/18 £	Balance at 31 March 2018 £	Purpose of Reserve
District Election	8,550	29,454	0	38,004	Funds to meet the costs of Elections
Other Election Reserve	13,536	0	0	13,536	Funds to meet the additional costs of Individual Electoral Registration.
Individual Election Registration	0	6,437	0	6,437	Ring-fenced Government Grant
Planning Policy Reserve	195,207	26,850	(50,000)	172,057	Monies set aside and to be drawn down to cover additional costs arising and relating to the West Somerset Local Plan preparation through to examination and beyond to adoption.
West Somerset Employment Hub	21,293	0	(18,141)	3,152	Transferred to Community Outreach Fund
Planning Reserve	20,000	50,000		70,000	Monies set aside to fund specialist technical advice for major planning applications. E.g. Landscape visual impact assessments, retail studies etc.
Steam Coast Trail Reserve	31,723	0	(24,424)	7,299	WSC is working in continued partnership with Friends of the Steam Coast Trail and Sustrans to deliver the Steam Coast Trail Project.
Business Development Reserve	5,677		0	5,677	Funding for initiatives to support small businesses.
National grid PPA	0	35,382		35,382	S106 for landscape enhancements and plants
Minehead Events	396			396	Mary Portas grant – specifically earmarked.
Minehead Esplanade	0	59,112		59,112	
Minehead Town Centre Signage	115			115	Contribution from Minehead Chamber of Trade and Morrison s106 to fund the signs.
Strategic Housing Market Area Assessment	575,760			575,760	DCLG funding for community land fund to support bringing forward affordable housing within West Somerset.
Asset Management and Compliance	213,516	120,551	(40,580)	266,751	Asset maintenance compliance works to be completed.
Cuckoo Meadow Reserve	16,820	13,621	(347) ⁶³	30,094	Lottery monies earmarked to be used in future years. Used for play equipment

Earmarked Reserve Heading	Balance at 1 April 2017 £	Transfers In 2017/18 £	Transfers Out 2017/18 £	Balance at 31 March 2018 £	Purpose of Reserve
Housing Options	43,620			43,620	Balance of Homeless Prevention funding plus remainder of Mortgage Rescue Grant.
Estate Compliance	26,736			26,736	Asset compliance works to be completed
Community Right to Challenge	5,000		(5,000)	0	No longer committed
Assets of Community Value	10,000		(5,000)	5,000	Government Grant set aside to support the administration of applications under regulations. Reduction appropriate.
Minehead Harbour Dredging Reserve	5,500		(5,500)	0	Monies set aside to fund works in future years.
Dulverton Mill Leat	12,195		(12,195)	0	Not required.
Inspire	3,391			3,391	Earmarked for costs under the Inspire Directive. Supports the relevant databases.
Business Rates Retention Smoothing Account	305,144	1,291,874	(264,917)	1,332,101	This is a volatile area and we are committed to mitigating the risk of Business Rates retention by setting aside an appropriate level of funds in this reserve
Sustainability Fund	40,700	150,000	(32,393)	158,307	Earmarked for initiatives such as “invest to save” plans that have a positive impact upon the underlying financial sustainability of the Council’s budget.
Budget Carry Forwards For Specific Services	247,189	294,649	(247,189)	294,649	Budgets carried forward to reflect timing of planned spend across financial years and support ongoing service delivery requirements.
Contingency to underwrite timing of delivery of transformation savings	48,000	0	0	48,000	Funding to underwrite the timing of savings through the implementation of the transformation programme.
Community Safety	13,533	0	0	13,533	External funding specifically earmarked for community safety initiatives.
Revenues and Benefits Reserve	72,749	33,000	(37,725)	68,024	Monies set aside to provide service resilience and to fund planned software upgrade needed for CTS Scheme developments.

Earmarked Reserve Heading	Balance at 1 April 2017 £	Transfers In 2017/18 £	Transfers Out 2017/18 £	Balance at 31 March 2018 £	Purpose of Reserve
Finance Reserve	44,840	0		44,840	These monies fund additional staff to deal with service continuity during transformation.
SWP Vehicles	33,617	0	0	33,617	To help fund our contribution to the new operating model.
SWP Recycle More	0	55,148	0	55,148	Ring fenced Recycle More fund
Training Reserve	10,000		0	10,000	Monies set aside to meet future training needs across the organisation.
Morrison's Footpath	6,000		(6,000)	0	Earmarked to part-fund the footpath upgrade but path now adopted by County Council.
Online DHP Reserve	5,375			5,375	Online Software Requirement for Revenues and Benefits.
Licensing Staff Reserve	12,791	0		12,791	Monies set aside to fund extra resource within West Somerset Council.
Car Parking Reserve	10,000	13,000		23,000	Monies set aside in respect of maintenance and signage.
Watchet Harbour Dredging	7,000		(7,000)	0	Used to fund additional dredging. Not yet committed but is needed.
Environmental Health Reserve	4,081			4,081	Destitute Burial Reserve.
CCTV	1,565			1,565	Monies set aside to fund the repair of CCTV cameras.
Water Bathing Signs	1,266	2,050		3,316	Environmental grant specifically earmarked.
Customer Service Equipment Reserve	666		(666)	0	Specialised Chair Required (Health and Safety). This was funded from other resources.
Transformation and Creating a New Council	756,713	70,000	(88,500)	738,213	Funding required primarily to implement the approved Transformation Business Case and also to create a new council replacing West Somerset and Taunton Deane councils.
JMASS Reserve	39,470	0	(39,470)	0	Funding to support transformation costs under JMASS.
Agile Working	20,000	0		20,000	Investment in technology to complement transformation changes and better enabling of agile working

Earmarked Reserve Heading	Balance at 1 April 2017 £	Transfers In 2017/18 £	Transfers Out 2017/18 £	Balance at 31 March 2018 £	Purpose of Reserve
Members' Technology	20,000	0		20,000	Funding to invest in updating members technology that complements the implementation of transformation of ways of working
Totals	2,882,998	2,251,128	(885,047)	4,249,079	

**WEST SOMERSET COUNCIL COUNCIL
CAPITAL PROGRAMME 2017/18 - GENERAL FUND**

Project	Scheme Completed in 2017/18 (Yes/No)	Programme Budget	Actual Spend in Previous Years	Actual Spend in 2017/18 (Outturn)	Projected Budget Carried Forward 2018/19	Forecast Total Spend	Scheme Budget Variance (Underspend)/ Overspend 2017/18
		£	£	£	£	£	£
General Schemes							
East Wharf Scheme	N	73,680	7,069		66,611	66,611	0
Disabled Facilities Grants	N	894,510	244,040	320,164	330,306	330,306	0
Other Projects - Superfast Broadband	N	240,000			240,000	240,000	0
Other Projects - 7 The Esplanade	N	15,000			15,000	15,000	0
IT Projects - ICT Infrastructure Projects	N	15,545		6,950	8,595	8,595	0
IT Projects - Office Backup Facility	N	15,000			15,000	15,000	0
IT Projects - Annual Hardware Replacement	N	5,000	2,143		2,857	2,857	0
Steam Coast Trail Project	N	502,820	293,543	52,616	156,661	156,661	0
Clanville Grange Low Cost Housing Scheme	N	128,000		124,275			(3,725)
Decent Homes	N	15,910			15,910	15,910	0
Private Sector Housing Partnership	Y			9,748			9,748
Seaward Way Mixed Proposal Development	N	3,023,225	12,700	91,525	2,919,000	2,919,000	0
Stair Lift Recycling	N	760			760	760	0
JMASS ICT Transformation	N	274,580		2,917	271,663	271,663	0
Cuckoo Meadow	N	2,950	-510	347	3,113	3,113	0
Wheddon Cross Public Conveniences	Y	12,000		12,000			0
Exford Public Conveniences	Y	9,000	9,000				0
Church Street Public Conveniences	Y		800				800
Transformation	N	196,000		25,821	170,179	170,179	0
CASA Project	N	83,000		400	82,600	82,600	0
Capital Sustainability Fund	Y	84,893		84,893			0
Somerset Waste Partnership	N	3,500,000			3,500,000	3,500,000	0
Minehead Esplanade Project	N	49,900		32,337	17,563	17,563	0
		9,141,773	568,785	763,993	7,815,818	7,815,818	6,823

Project	Scheme Completed in 2017/18 (Yes/No)	Programme Budget	Actual Spend in Previous Years	Actual Spend in 2017/18 (Outturn)	Projected Budget Carried Forward 2018/19	Forecast Total Spend	Scheme Budget Variance (Underspend)/ Overspend 2017/18
S106 Funded - General Schemes							
Williton Pavilion	Y	149,500	21,291	128,209			0
Huish Champflower Village Hall	N	10,000			10,000	10,000	0
Land Upgrade - Marshfield Road	Y	7,830	7,825				(5)
Redesign Play Space	Y	16,984	16,984				0
Footpath Lighting Enhancement	N	47,000	35,000		12,000	12,000	0
Minehead Heritage Trail	Y		450				450
Dunster Parish Council - Multi Use Games Area	N	12,240			12,240	12,240	0
Carhampton BBQ Area	Y			5,749			5,749
Burgage Road Play Area	Y			6,100			6,100
		243,554	81,550	140,058	34,240	34,240	12,294
S106 Funded - Hinkley Schemes							
Burgage Road Play Area	Y	450					(450)
Kilve Cricket Club	Y	22,000	22,000				0
Onion Collective	Y	191,240	191,237				(3)
Coronation Park Enhancement	Y	11,500	11,500				0
Cannington Village Hall	Y	179,620	179,619				(1)
Former Withycutter	Y	84,000	84,000				0
Otterhampton Play Area	Y	37,820	37,820				0
Westfield United Church	N	110,000	101,900		8,100	8,100	0
S BW & NP Mitigation	N	344,850			344,850	344,850	0
BW TC Support Scheme	N	116,070		39,730	76,340	76,340	0
Brean Down Way Project	Y	65,000		65,000			0
Beach Hotel Kitchen	Y	12,500	9,500	3,000			0
Williton Pavilion	N	250,000		65,983	184,017	184,017	0
Salvation Army Youth Space	Y	19,745		19,745			0
Holford and District Village Hall	N	125,000			125,000	125,000	0
Minehead Town Council	N	382,047			382,047	382,047	0
Great Western Hotel Project (YMCA)	N	500,000			500,000	500,000	0
Steam Coast Trail	N	216,334			216,334	216,334	0
Empty Homes & LOTS	N	94,500			94,500	94,500	0

Project	Scheme Completed in 2017/18 (Yes/No)	Programme Budget	Actual Spend in Previous Years	Actual Spend in 2017/18 (Outturn)	Projected Budget Carried Forward 2018/19	Forecast Total Spend	Scheme Budget Variance (Underspend)/ Overspend 2017/18
Doniford Rad, Watchet	N	384,069	379,069		5,000	5,000	0
Stogursey Leisure	N	1,000,000		31,832	968,168	968,168	0
Enterprising Minehead	N	303,477		116	303,361	303,361	0
		4,450,222	1,016,645	225,406	3,207,717	3,207,717	(454)
		13,835,549	1,666,980	1,129,457	11,057,775	11,057,775	18,663

FUNDING

	Funding Of 2017/18 Spend	Funding Of Future Spend
Capital Receipts	316,387	771,504
Grants	414,982	524,313
RCCO	12,000	15,000
Earmarked Reserves	20,741	86,000
S106 Contributions	365,347	3,241,958
Borrowing	0	6,419,000
Total Funding	1,129,457	11,057,775

Report Number: WSC 61/18

West Somerset Council

Council – 25th July 2018

Somerset Rivers Authority

This matter is the responsibility of the Leader of Council, Councillor A Trollope-Bellew

Report Author: Marcus Prouse (Scrutiny Officer)

1 Purpose of the Report

- 1.1 The purpose of this report is to seek support from the Council for a letter to be drafted and sent to the Local Member of Parliament asking him to lobby the government on this issue on behalf of the Authority.
- 1.2 At the West Somerset Scrutiny Committee on the 14th June, Members received feedback from their representative on the Somerset Rivers Authority Joint Scrutiny Panel, Councillor Rosemary Woods. The Scrutiny Committee recommended to Council that it supported and endorsed the Authority writing to the Local MP to urge him to use his influence as the area's national representative to encourage government time be found to pass a bill that would regularise the Rivers Authority as a preceptor.

2 Recommendations

- 2.1 That Full Council approves of a letter being drafted and sent on behalf of the Authority to the local Member of Parliament (MP), Ian Liddell-Grainger to urge him to use his position as West Somerset's national representative to encourage Government time be found for the passage of a bill to regularise the SRA administratively, thus enabling it to become a precepting body in its own right.

3 Background and Full details of the Report

- 3.1 This year David Warburton, MP for Somerton and Frome in Somerset, has introduced a new Bill to Parliament; The Rivers Authorities and Land Drainage Bill.
- 3.2 The proposed Bill seeks to allow the Somerset Rivers Authority (and any other similar body in another area) to become a statutory body and therefore put its finances on a secure footing, allowing it to raise its own precept funding, plan effectively and continue to provide Somerset with a vital extra level of flood protection and resilience. The long title of the Bill is: A Bill to make provision about rivers authorities; to make provision about the expenses of internal drainage boards; and for connected purposes.
- 3.3 The Bill was published on 5th March, but is still at the Second Reading Stage whence it should then proceed if successful to the Committee Stage, Report Stage, Third Reading

and then on to the House of Lords. At the end of this complex journey the Bill would then be passed and become law. It has been unsuccessful at the second reading stage on the 27th April, 11th May and 5th June. It is next due before the House on the 6th July 2018. (See Appendix B for further detail on the reasons for its failure to progress further).

- 3.4 Simultaneously, David Warburton MP also led an Adjournment Debate in Parliament on the subject of Rivers Authorities, and he has gathered the support of MP colleagues to sustain the passage of the Bill through Parliament. Local and Somerset MPs so far co-sponsoring and supporting the Bill include Ian Liddell-Granger MP (Bridgwater), the chair of the Environment, Food and Rural Affairs Select Committee Neil Parish MP (Tiverton), Marcus Fysh MP (Yeovil) and James Heapey MP (Wells).
- 3.5 The Rivers Authorities and Land Drainage Bill has full Government support. Its provisions come in two parts:
- 1 The first provides the Secretary of State for Defra with powers to establish Rivers Authorities, with precepting powers. These powers would be used to finally make the Somerset Rivers Authority (SRA) a statutory body. This would put the SRA's finances on a secure footing for the long term, and thereby help Somerset avoid a repeat of the disastrous flooding of 2013-14. The Government has no plans or intentions to create similar statutory authorities outside Somerset.
 - 2 Second, the Bill implements a technical update to the legislation governing the levying powers of internal drainage boards (IDBs), to remove a barrier to setting up new boards and expanding existing ones. This will help to ensure that new IDBs can be established where the local community is calling for this, as they are, for example, in Cumbria. While this update has no impact on Somerset, it will support other areas.
- 3.6 David Warburton has said: "I am immensely proud to be leading this very important Bill through Parliament. We all recall the devastating floods of 2013 and 2014, and in their aftermath we worked together to get the SRA up and running as a unique partnership tackling all sources of inland flooding. There is an ongoing need for greater flood protection and resilience, so it's imperative that the SRA here in Somerset be put on a secure financial footing and be properly supported to carry out their vital work. This Bill will be pivotal in helping to protect vulnerable areas from a repeat of the catastrophic flooding they experienced in the past, and I'm delighted to be in a position to make what I hope will be a significant and historic addition to UK legalisation."
- 3.7 Cllr John Osman, Chair of Somerset Rivers Authority, has said: "The SRA's very grateful to David Warburton MP for bringing this Private Member's Bill forward, and to other local MPs and Defra for their support. This Bill is a very exciting development. Since the SRA was launched as a pioneering partnership more than three years ago, we've done a lot of extra work to reduce flood risks across Somerset. We've made homes and businesses safer, and people's lives easier in times of bad weather. Every part of the county has benefitted. If this Bill passes through Parliament, the SRA will be able to tackle more problems in an even more innovative, cost-effective and co-ordinated way. A securely established, long-term Somerset Rivers Authority will give local people more power to decide in Somerset what works best for Somerset – and do more to protect us all against flooding. "It's a brilliant opportunity. I urge everyone to support this Bill."¹

¹ <https://www.somersetconservatives.org.uk/news/david-warburton-mp-introduces-new-rivers-authorities-bill-parliament>

3.8 You can keep updated on the progress of the Bill here;

3.9 <https://services.parliament.uk/bills/2017-19/riversauthoritiesandlanddrainage.html>

Private Member's Bills

3.10 Private Members' Bills are Public Bills introduced by MPs and Lords who are not government ministers. As with other Public Bills their purpose is to change the law as it applies to the general population. A minority of Private Members' Bills become law but, by creating publicity around an issue, they may affect legislation indirectly.²

Background on the Somerset Rivers Authority

3.11 The Somerset Rivers Authority (SRA) was launched on 31 January 2015 to play a key role in flood protection for the county. It is run by a Board of partners including the Environment Agency, Natural England, the Somerset Internal Drainage Boards, the Lead Local Flood and Highway Authority (Somerset County Council) and the other Somerset Local Authorities in their roles as Flood Risk Management Authorities.

3.12 The SRA Board provides a strategic overview of the continued delivery of the Somerset Flood Action Plan; Flood Risk and Water Level Management in Somerset; and provides a public forum and single point of contact for collective decision making in respect of Flood Risk and Water Level Management in Somerset.

3.13 The SRA Board also has responsibility for identifying, prioritising, sourcing funding and overseeing the delivery of additional flood risk and water level management work across the whole of Somerset.

3.14 At the 23rd March 2016 Board meeting, the SRA Board agreed to the establishment of a Joint Scrutiny Panel (similar to the Joint Waste Scrutiny model), which would meet twice a year, at the most critical and important times. This would ensure that officer attendance at Scrutiny Committees would be minimised, whilst providing all relevant partners the opportunity to scrutinise the work of the SRA Board. The Scrutiny Panel also examines the activities of the SRA and provides assurance to the SRA's constituent councils and partners that it is operating effectively. The Scrutiny Panel also encourages wider involvement in the work of the Somerset Rivers Authority.

3.15 Somerset Rivers Authority was set up with interim funding of £2.7 million for 2015-16. The Department for the Environment, Food and Rural Affairs (Defra) provided £1.9 million, and SRA partners another £800,000: Somerset County Council gave £600,000, and a total of £200,000 came from Sedgemoor District Council, Taunton Deane Borough Council, South Somerset District Council, Mendip District Council, West Somerset Council and Somerset Drainage Boards Consortium.

3.16 Government funding of £13.1m was awarded for the work of the Flood Action Plan through the Heart of the South West Local Enterprise Partnership (HotSWLEP) Growth Fund – with £3.55m for flooding alleviation works in 2015-16, and a further £9.5m for future years.

² <https://www.parliament.uk/about/how/laws/bills/private-members/>

- 3.17 The planned works included increasing the capacity of the River Sowy, land management, further dredging and developing the Bridgwater Tidal Barrier project on the River Parrett through Bridgwater.

Future funding³

- 3.18 Somerset Rivers Authority Board members agreed in September 2015 to recommend to Ministers a funding option for future flood protection which could establish the SRA as a new statutory body with legal powers to raise income.
- 3.19 The Board also agreed to ask the Secretary of State for the Environment for interim funding for the next financial year to carry on work already begun, until a future funding mechanism is in place.
- 3.20 The SRA agreed the preferred funding option, known as precepting, at a special Board meeting on 23 September, after partners had formally agreed responses within their own organisations – including all Somerset’s local authorities and the Internal Drainage Boards.
- 3.21 The SRA Board made its recommendation to government Ministers, in response to the recently published Draft Funding Options Report compiled by the Department of Environment, Food and Rural Affairs (Defra), the Department for Communities and Local Government (DCLG) and the SRA.
- 3.22 At the time, the SRA's chair John Osman said: “With the Government’s help we are seeking a long term, local funding solution for Somerset’s future additional flood protection, and we believe this is the best option. It is key to finally solving the long-term issue of flooding which affects the whole county. The work of the SRA can’t stop flooding but it will reduce the frequency, duration and severity of a flood like that of 2013-14.”
- 3.23 Under the precepting option, parliamentary legislation would establish the SRA as a new statutory body which could raise income countywide from householders.
- 3.24 “Although flooding in 2013-14 directly affected homes and businesses on the Levels and Moors, the cost to the county as a whole was £147m. Other areas have also suffered from flooding in the past, it affects everything from business to tourism to travel, which is why we need a county-wide solution,” said Mr Osman.

Funding for 2016-17

- 3.25 In December 2015, the Department for Communities and Local Government gave Somerset County Council and the five district councils the power to raise a shadow precept of up to 1.25%, for the purpose of funding the Somerset Rivers Authority in 2016-17. (See page 8 of The Provisional Local Government Finance Settlement 2016-17).
- 3.26 Somerset County Council and the five district councils took their precepting decisions at budget-setting meetings in February 2016.

Funding for 2017-18/ 2018-19

³ <http://www.somersetroversauthority.org.uk/about-us/funding-the-sra/>

- 3.27 Somerset Rivers Authority's purpose is to provide an extra level of flood protection for families and communities across the whole of Somerset. Somerset Rivers Authority plans for 2017-18 prioritise extra maintenance to rivers, roads and structures, such as pumping stations, as existing funding is not enough to cover the county's needs.⁴
- 3.28 Around £2.4m raised through council tax in 2017-18 will be spent on a wide range of activities across Somerset that focus on reducing the severity and impact of all types of flooding. Somerset Rivers Authority provides a higher standard of flood risk management than is affordable from the existing budgets of Somerset's flood risk management authorities. As in 2016/17, the SRA's 2017/18 programme focuses heavily on providing extra maintenance as existing funding streams are insufficient to cover this important need.
- 3.29 The programme proposes:
- £2.4m for 23 schemes (with hundreds of different activities and elements)
 - £150k towards the major Sowy/King's Sedgemoor Drain project
 - £200k on four SRA staff and overheads, to support both this programme and the delivery of HotSWLEP Growth Deal-funded SRA projects (totalling £3.6m). This is 3% of the year's total budget.
- 3.30 As in 2017/18, the SRA's 2018/19 programme focuses heavily on providing extra maintenance as existing funding streams are insufficient to cover this important need.
- 3.31 The programme proposes:
- £2.18m for 22 schemes (with hundreds of different activities and elements)
 - £450k towards the major Sowy/King's Sedgemoor Drain project
 - £200k on four SRA staff and overheads, to support both this programme and the delivery of HotSWLEP Growth Deal-funded SRA projects (totalling £1.4m).
- 3.32 West Somerset Streams (Doniford Stream, Horner Water, Traphole Stream, and Washford River) and West Sedgemoor and Aller Moor rhydes will continue to benefit from annual as opposed to bi-annual maintenance.
- 3.33 To reduce local flooding of highways, particularly in rural areas, the SRA will provide more frequent gully emptying and preventative jetting than is usually affordable, plus road sweeping, in areas most susceptible to flooding.
- 3.34 In addition, the SRA will continue its investment in supporting communities becoming more resilient to flooding and its impacts with a revamped programme of projects and initiatives. This will involve working with communities, households, businesses, and landowners to assist them in preparing and adapting in order to reduce their vulnerability to future flooding.
- 3.35 What capital schemes will Somerset Rivers Authority support?
- 3.36 Recognising the importance of slowing the flow in the upper catchment and reducing run-off in urban areas, the SRA will provide advice and support to communities and landowners for natural flood management. Investigations will continue into

⁴ <http://www.somersetiversauthority.org.uk/flood-risk-work/>

whether better land management could help to solve highway flooding problems (107 sites were investigated in 2016-17, including 50 in West Somerset). In a new initiative, advisory farm visits will seek to increase the uptake of soil management techniques and cropping changes that improve the infiltration of water and reduce run-off. Five major projects funded by Heart of the South West Local Enterprise Partnership (HotSWLEP) Growth Deal money also form part of the SRA's plans for 2017-18. SRA major projects tend to be longer-term works, stretching out towards 2018, 2019 and 2020.

- 3.37 What flood risk management works are carried out by other organisations in Somerset, in the Somerset Common Works Programme 2017-18?
- 3.38 Other flood risk management authorities at work in Somerset are the Environment Agency, Natural England, the Internal Drainage Boards, Wessex Water, Somerset County Council (the Lead Local Flood Authority), and the five district councils of South Somerset District Council, Mendip District Council, Taunton Deane Borough Council, Sedgemoor District Council and West Somerset Council.⁵

4 Links to Corporate Aims / Priorities

- 4.1 This report relates to two of the Key Themes in the Council's Corporate Plan, namely;
- 4.2 Key Theme 1: Helping our communities remain sustainable and vibrant is vital in keeping West Somerset a great place in which to live and work.
- 4.3 Key Theme 3: West Somerset is a beautiful place to visit and in which to live and work. We want to keep West Somerset a place to be proud of and one which is well-maintained and welcoming to residents, visitors and businesses alike.

5 Finance / Resource Implications

- 5.1 Not relevant to this report.

6 Legal Implications (if any)

- 6.1 Not relevant to this report.

7 Environmental Impact Implications (if any)

- 7.1 Not relevant to this report.

8 Safeguarding and/or Community Safety Implications (if any)

- 8.1 Not relevant to this report.

9 Equality and Diversity Implications (if any)

- 9.1 Not relevant to this report.

10 Social Value Implications (if any)

⁵ <http://www.somersetwatersauthority.org.uk/flood-risk-work/>

10.1 Not relevant to this report.

11 Partnership Implications (if any)

11.1 Not directly relevant to this report, but there are 11 partner organisations in the Somerset Rivers Authority (SRA) and their existing responsibilities and accountabilities all continue.

11.2 Through the SRA, their work is co-ordinated to ensure that Somerset's flood risk management benefits from their collective experience and knowledge.

11.3 SRA partners are:

- Environment Agency
- Mendip District Council
- Natural England
- Sedgemoor District Council
- Somerset County Council
- South Somerset District Council
- Taunton Deane Borough Council
- The Axe/Brue Internal Drainage Boards
- The Parrett Internal Drainage Board
- Wessex Regional Flood and Coastal Committee
- West Somerset Council

12 Health and Wellbeing Implications (if any)

12.1 Not relevant to this report

13 Asset Management Implications (if any)

13.1 Not relevant to this report.

14 Consultation Implications (if any)

14.1 Not directly relevant to this report, though the Somerset Rivers Authority Project Officers have been informed of the Scrutiny Committee's recommendation to Council and thus this report.

15 Scrutiny Comments / Recommendation(s) (if any)

15.1 This matter was considered by the Scrutiny Committee at their meeting on 14th June 2018. Discussion centred on the latest meeting of the SRA Joint Scrutiny Panel and the issues with the Precepting Legislation which had struggled to get through Parliament as a Private Members Bill. Members commented that the then Prime

Minister had visited the worst affected areas during the floods of 2013-14 and promised that everything that could be done would be in helping the area recover.

- 15.2 Members recommended to Council that it supported and endorsed the Authority writing to the Local MP to urge him to use his influence as the area's national representative to encourage government time be found to pass a bill to regularise the Rivers Authority as a preceptor.

Democratic Path:

- **Scrutiny – Yes**
- **Cabinet – No**
- **Full Council – Yes**

Reporting Frequency: **Once only**

List of Appendices (delete if not applicable)

Appendix A	Councillor Wood's Report to WS Scrutiny on the SRA Joint Scrutiny held on 21/05/18.
Appendix B	Item 9 – SRA Joint Scrutiny 21/05/18 – Precepting Legislation Update

Contact Officers

Name	Marcus Prouse	Name	
Direct Dial	01823 219570	Direct Dial	
Email	mprouse@westsomerset.gov.uk	Email	

SRA Scrutiny 21 May 2018

Meeting report from Cllr Rosemary Woods

The main business of the meeting included receiving the draft End of Year Report from the SRA. This was an extremely interesting document which included a positive appraisal of dredging on the tidal reaches of the Parrett downstream from Burrowbridge – Water Injection dredging carried out on 10 day and nights, over 10 consecutive high tides in December 2017 and shifted as much silt as was taken out over 4 months using conventional maintenance dredging methods. This document is due for publication during June 2018 and I recommend it for bedside reading. As a scrutiny committee we recommended that some detail was split into areas so that it could be easier to find specific information, the officer in charge of this report saw the point and will see about adding information to the SRA website giving this type of breakdown.

The passage of the River Authority and Land Drainage Bill, to enable a precept to be raised across the whole of Somerset to appropriately fund flood prevention measures, was discussed. The chairman of the SRA Scrutiny committee has written independently of the committee to Sir Christopher Chope OBE MP asking him to support the private members Bill when it next comes before Parliament. The discussion included the possibility to write to some of those members who are likely to oppose the Bill setting out the case for the Bill. In the end it was decided to write to the government again and possibly any one who could help the case, on behalf of the committee, supporting the Bill. The Chairman and Vice Chair of the committee agreed to undertake this task.

Cllr Rosemary Woods

WSC Watchet Ward

25/05/2018

ITEM 9**Somerset Rivers Authority Joint Scrutiny Panel Paper**

Title: SRA Precepting body – Update on progress of Rivers Authorities and Land Drainage Bill

RECOMMENDATION

The Joint Scrutiny Panel is asked to:

1. Note and provide comment on the contents of this paper

Purpose of the item:

- To update Joint Scrutiny Panel members on progress towards securing the passing of legislation making the SRA a precepting authority.
- To request comment and secure support to maintain pressure on Government for the approval of the necessary legislation.

Background and context

At the July 2017 Board meeting, the options open to the SRA to pursue legislation were discussed and it was concluded that although government had expressed its commitment to pursue legislation it was unlikely there would be sufficient parliamentary time in the current two year session to do so.

Since July 17 discussions continued with Defra officials and a meeting was held on 20th December 2017 between Dr Therese Coffey, Environment Minister, Rebecca Pow, MP and a representation from the SRA Board. At the meeting reassurances were given that progress was being made with signing off the contents of a draft Bill across government and an MP had been identified to present a Private Members Bill. No firm timescale were given at this meeting.

Current Status

Things moved suddenly and quickly at the end of February 2018 when word was received that Defra had secured all necessary sign-off across government and that David Warburton MP would be presenting the Rivers Authorities and Land Drainage Bill to Parliament on the 5th March (first reading). The Bill was scheduled to receive its Second Reading on 16th of March. The Bill was unsuccessful at 2nd Reading stage.

Since the 16th of March David Warburton has put the Bill forward for two further attempts at receiving its 2nd Reading on the 27th April and the 11th of May. Unfortunately the Bill did not pass at either attempt.

On each occasion the Bill was not debated as it was one of many bills due for consideration each day. There are only 13 Fridays set aside for considering Private Members Bills during each parliamentary session, with the first 7 of these sessions allocated to Bills successful in a ballot held at the start of the parliamentary session. Therefore it is difficult for Bills not successful in the ballot process to be considered in detail.

When a Bill is not debated it is possible for it to be 'noddled through' at the end of the debating session; often Bills will be objected to on principle if no debate has been held. This appears to be what has happened on each occasion with the Rivers Authorities and Land Drainage Bill.

David Warburton has resubmitted the Bill again for its 2nd Reading on the 5th June.

Whilst the odds of the Bill being noddled through are slim it is recommended that all possible steps are taken to avoid the Bill being objected to on principle. In addition it is recommended that we continue to lobby Government to support the Bill and, ideally, take it through Parliament in Government time.

David Warburton, with the support of Defra and his party colleagues has been working with fellow MPs to minimise the likelihood of the Bill being objected to in principle. The SRA senior manager has been in touch with David to offer any support and assistance required. As it is David Warburton's Bill we are very much guided by him with regards parliamentary lobbying.

A summary of the contents of the Rivers Authority and Land Drainage Bill is provided at the end of this document for information.

Recommendation:

The Joint Scrutiny Panel is asked to:

1. Note and provide comment on the contents of this paper

Date: May 11th, 2018

Author: David Mitchell, Senior Manager Somerset Rivers Authority

Rivers Authorities and Land Drainage Bill – summary

The Bill contains two measures. The first will provide the Secretary of State for Defra with powers to establish new bodies known as “Rivers Authorities”. The second will address a current obstacle to the raising of the expenses of certain internal drainage boards under the Land Drainage Act 1991.

A Rivers Authority established under the Bill will be a locally accountable body with the power to issue a precept to billing authorities, which will then collect the money from council tax payers for additional local flood risk management work.

Under the Bill, the initiative to establish a new Rivers Authority must come from local flood risk management authorities, which include the Environment Agency, lead local flood authorities (i.e. the county or unitary council), district councils, internal drainage boards (IDBs), water companies, and highway authorities. The risk management authorities must develop and consult on a proposal for the establishment of the new body, which must then be submitted to the Secretary of State for Defra along with a cost benefit analysis. The Secretary of State may then establish the new Rivers Authority by making regulations under the affirmative procedure.

The Bill sets out that the SoS will make regulations for:

- an initial period to enable the RA to plan to come into existence
- the composition of a RA e.g. number of members, eligibility to be a member, appointment of staff, payment of remuneration, pensions, gratuities etc.
- an RA to make arrangements for the proper administration of its financial affairs
- an RA to have a committee for the sole purpose of setting its council tax requirement
- provision of delegations to committees, sub-committees and staff
- access to meetings and information of the RA

The Bill sets out the main functions of rivers authorities :

- before the start of each financial year (FY) the RA must prepare and publish a plan of activities to be carried out by flood risk management authorities in its area
- having prepared the plan advise relevant risk management authorities for opportunities for coordination and cooperation on those activities e.g. joint exercise of functions and one authority to carry out activities of the other
- before the start of each FY having produced the plan above if the RA identifies activities which could be carried out but which are not proposed to be can choose to fund a relevant risk mgt authority to do the works or carry out the activities itself on behalf of the relevant risk mgt if an arrangement is made under section 13(4) with that authority to do so
- if no work is identified a statement must be produced to this effect and published

- the plan of activities / works or statement of no activities / works must be published as soon as practicable after the authority issues its precept for the FY

Incidental functions

A rivers authority may do anything that is calculated to facilitate, or is conducive or incidental to, the carrying out of its functions. This includes in particular power to

- enter into contracts and other agreements;
- acquire and dispose of property (including land)

Setting up of a rivers authority;

- A relevant risk management authority must submit a scheme to the SoS
- Before submitting a scheme to the SoS the proposer must consult with relevant risk mgt authorities, Natural England, council tax payers, persons affected if not covered above
- When submitting a scheme the proposer must show how consultation feedback has been taken account of and publish the fact a scheme has been submitted
- Before making regulations a public inquiry may be held

A proposal must

- Identify the risk management authority proposing the RA
- Describe the geographic area the RA will cover
- Describe the proposed composition of the RA
- Set out the proposed activities of the RA in its first full financial year
- Explain the benefits to flood risk reduction of the activities set out above
- Contain an estimate of the amount of precept proposed to be issued
- Explain how the precept has been calculated

STANDARDS ADVISORY COMMITTEE**MINUTES OF THE MEETING HELD ON 27 MARCH 2018
AT 2 PM****IN THE COUNCIL CHAMBER, WILLITON****Present:**

Mr T Evans Chairman

Councillor J Davis

Mr J Gamlin

Councillor P Webber

Councillor D J Westcott

Councillor S O de Renzy-Martin

Mr I Gunn

Councillor N Thwaites

Officers in Attendance:

Monitoring Officer (B Lang)

Deputy Monitoring Officer and Meeting Administrator (R Bryant)

SA1 Apologies for Absence

Councillor P Murphy and Ms Louise Somerville (Independent Person)

SA2 Minutes of the Meeting held on 13 June 2017

(Minutes of the Meeting of the Standards Advisory Committee held on 13 June 2017 - circulated with the Agenda.)

RECOMMENDED that the Minutes of the Meeting of the Standards Advisory Committee held on 13 June 2017 be noted and would be confirmed as a correct record at the meeting of Council to be held on 19 July 2017.

SA3 Declarations of Interest

No declarations of interest were declared.

SA4 Public Participation

No member of the public had requested to speak.

SA5 Local Government Ethical Standards : Stakeholder Consultation

The Council had recently been notified that the Committee on Standards in Public Life (CSPL) was undertaking a review of local government ethical standards.

In their view, robust standards arrangements were needed to safeguard local democracy, maintain high standards of conduct and protect ethical practice in local government.

As part of its review the CSPL had formulated a series of consultation questions which they had sent to all local authorities in England asking for responses. The questions covered the following topics:-

- Codes of Conduct;
- Investigations and decisions on allegations;
- Sanctions;
- Declaring interests and conflicts of interest;
- Whistleblowing;
- Improving standards; and
- Intimidation of local Councillors.

Prior to the meeting, the Monitoring Officer had drafted responses to the questions which were presented to Members. Numerous additions to these responses were suggested, many of which were incorporated into the final reply to the CSPL – a copy of which is appended to these Minutes.

Resolved that the responses to the consultation questions, as amended, be agreed and submitted to the Committee on Standards in Public Life before the deadline of 18 May 2018.

SA6

Exclusion of the Press and Public

RESOLVED that the press and public be excluded for the following item on the grounds that, if the press and public were present during that item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended as follows:-

The item (Minute No SA7) contained information that could release confidential information relating to the identities of individuals. It was therefore agreed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

SA7

Monitoring Officer's Update

The Monitoring Officer reported on activities undertaken since the last meeting of the Advisory Committee.

It had been quite some time since the Standards Advisory Committee had last met. Part of the reason for this was that very few formal complaints against Councillors had been received.

Details of those he had received were reported together with the action taken to resolve them without having to resort to the formal procedure.

With regard to two of the complaints, these had occurred as a result of Councillors not following their Parish Council's procedures. There was no need therefore for West Somerset Council to become involved.

In recent weeks, complaints had been received about Members of particular Parish Councils where interests had not been declared. The Monitoring Officer explained the circumstances of each case which had resulted in apologies from the subject members being made. He had also offered to provide additional Code of Conduct training to the Parishes concerned.

RECOMMENDED that the Monitoring Officer's update be noted.

SA8

Date of Future Meeting

- 12 June 2018 at 4.30 pm in the Council Chamber, West Somerset House.

The meeting closed at 3.59 pm

Appendix

West Somerset Council

Review of Local Government Ethical Standards

Responses to the Consultation Questions

- a. ***Are the existing structures, processes and practices in place working to ensure high standards of conduct by local councillors? If not, please say why.***

Not in all cases, especially the potentially serious cases or instances whereby a particular councillor keeps breaching the code of conduct. This is a direct result of the available sanctions having no teeth to act as a deterrent.

- b. ***What, if any, are the most significant gaps in the current ethical standards regime for local government?***

- (i) Sanctions that would act as a deterrent including the power to suspend councillors for a limited time and, in those councils where a basic allowance is paid to councillors, the power to stop paying the allowance during the period of suspension. It is firmly believed that stronger deterrents would undoubtedly result in fewer complaints being received;
- (ii) Currently there are very limited powers in respect of town and parish councils where the majority of complaints raised seem to arise. At present, there is no independent body that people can go to if they are unhappy with the treatment/service provided by a town/parish council (like the Local Government Ombudsman for example). This means a range of issues come to the Monitoring Officer which are either completely outside the normal remit or, if they do relate to the code of conduct, there are no effective sanctions to adequately address the more serious issues;
- (iii) The involvement of the Police where there is an alleged non declaration of a Disposable Pecuniary Interest. Such referrals are treated as very low priority by the Police which, in turn, can lead to long delays in a complaint against a councillor being dealt with. This is very unfair on the councillor concerned;
- (iv) The 'mantra' from the Government that sanctions were in the hands of voters who could prevent a councillor being re-elected if they had 'transgressed' should be de-bunked. Sanctions needed to be imposed immediately after a councillor had been found to have breached the code of conduct.

- c. ***Are local authority adopted codes of conduct for councillors clear and***

easily understood? Do the codes cover an appropriate range of behaviours? What examples of good practice, including induction processes, exist?

Broadly yes at principal council level but not consistently across town and parish councils. It is very difficult to reach all councillors at parish level simply because of the sheer numbers involved even when we have offered free training sessions. Following the last local government elections in 2015 we were only able to reach about a third of parish/town councillors in our area.

The Government should devise a universal training leaflet alongside a Standardised version of a code of conduct which could be issued to all Councillors on being elected. Allied to 'at source' induction training which could perhaps be provided by the clerks to parish and town councils, this could result in a far higher proportion of councillors being trained.

- d. A local authority has a statutory duty to ensure that its adopted code of conduct for councillors is consistent with the Seven Principles of Public Life and that it includes appropriate provision (as decided by the local authority) for registering and declaring councillors' interests. Are these requirements appropriate as they stand? If not, please say why.***

The main issue is that since 2011 the wording does not have to be consistent in relation to declarations of interests and it would be much clearer if all codes of conduct had precisely the same wording. Using the three classifications of disclosable pecuniary, prejudicial and personal interests works well at our principal council level but this is not mirrored by all town and parish councils which has caused confusion and inconsistency.

It is not understood why a single, standardised version of the code of conduct was not produced back in 2012.

- e. Are allegations of councillor misconduct investigated and decided fairly and with due process?***

(i) What processes do local authorities have in place for investigating and deciding upon allegations? Do these processes meet requirements for due process? Should any additional safeguards be put in place to ensure due process?

We do have good processes in place, but rarely use them due to the expense and time taken knowing that there is no significant sanction available at the end of the process to address serious issues. Councils simply cannot afford to enter into potentially long and costly processes unless it is clearly in the public interest. Time and money are key factors when they really should not be. As such, no-one achieves real satisfaction under the current standards regime.

The requirement under the Localism Act 2011 for Standards Committees to reflect political proportionality makes it very easy for politics to obstruct proper objective investigation and the consideration of findings at a hearing. This is something that simply did not happen when the Committee here at West

Somerset comprised a majority of independent members and parish representatives.

As a result of this politicalisation, West Somerset Council decided its Standards Committee should become an Advisory Committee to allow independent members and parish representatives to take a full and active part (including being able to vote) in matters relating to complaints about Councillors. All decisions taken by the Advisory Committee are referred to Full Council for ratification.

It should be noted that hearings are held so infrequently because the current system does allow the Monitoring Officer a degree of flexibility whereby an informal resolution (normally an apology) is often sought to resolve a complaint.

Informal dispute resolution tends to be favoured as issues can often become entrenched if the current 'system' is brought to bear.

This flexibility is one part of the current standards regime that the Council would very much wish to be retained.

Overall, the process of dealing with a complaint needs to be seen as independent.

(ii) Is the current requirement that the views of an Independent Person must be sought and taken into account before deciding on an allegation sufficient to ensure the objectivity and fairness of the decision process? Should this requirement be strengthened? If so, how?

The views of the Independent Person do provide a useful check and balance and a support to the Monitoring Officer. Members of the public do not always understand where/why they fit in (in relation to the Council, Monitoring Officers, Standards Committees etc.).

Normally, having consulted the Independent Person, informal meetings of the Council's Standards Advisory Committee are arranged to undertake an assessment of the complaint to decide whether it needed to be formally investigated.

Unfortunately there are insufficient 'checks and balances' in place to stop 'tit or tat' complaints which often necessitate informal round the table discussions in an effort to mediate and find a suitable outcome for both parties.

(iii) Monitoring Officers are often involved in the process of investigating and deciding upon code breaches. Could Monitoring Officers be subject to conflicts of interest or undue pressure when doing so? How could Monitoring Officers be protected from this risk?

The Monitoring Officer would always use someone else to undertake any formal investigation but this will take extra resource internally (which we often do not have) so it can cost additional funding that is difficult to budget for – a further deterrent to going down the formal investigation route – so we always

look to deal with matters by the way of an informal resolution.

f. *Are existing sanctions for councillor misconduct sufficient?*

(i) What sanctions do local authorities use when councillors are found to have breached the code of conduct? Are these sanctions sufficient to deter breaches and, where relevant, to enforce compliance?

For less serious matters where some training or an apology is a proportionate mitigation, then the current sanctions are adequate – but for cases that require a formal investigation, then, it is the Council's view, that they do not offer a sufficient deterrent.

(ii) Should local authorities be given the ability to use additional sanctions? If so, what should these be?

For more serious cases, sanctions including the suspension of a councillor for up to six months and, possibly stopping their councillor basic allowance during their suspension would have the potential to have a real impact and make people think more about their behaviours.

The making of certain breaches a criminal offence does not seem to have worked as such matters have to be referred to the Police who, from my experience, are not geared up to the local government world and do not (understandably) see such matters as a high priority to them. As previously mentioned matters can take a long time and often end up being handed back to the council to deal with in any case.

g. *Are existing arrangements to declare councillors' interests and manage conflicts of interest satisfactory? If not, please say why.*

(i) A local councillor is under a legal duty to register any pecuniary interests (or those of their spouse or partner), and cannot participate in discussion or votes that engage a disclosable pecuniary interest, not take any further steps in relation to that matter, although local authorities can grant dispensations under certain circumstances. Are these statutory duties appropriate as they stand?

Broadly the arrangements work quite well. It is difficult from a Monitoring Officer perspective to get all register of interest forms completed by all parish and town councillors across our areas (can be hundreds of councillors) let alone keep them up to date.

There is a perceived need for the definitions of interests to be reviewed to simplify the understanding of the content.

(ii) What arrangements do local authorities have in place to declare councillors' interests, and manage conflicts of interest that go beyond the statutory requirements? Are these satisfactory? If no, please say why.

A declarations of interest item is on the agenda near the beginning of all formal decision making meetings; induction training is given on the code of conduct and as long as the member concerned brings to the Monitoring Officer's attention any potential conflict of interest in good time, then discussions can usually be held to ensure that potential conflicts of interest are satisfactorily managed.

h. *What arrangements are in place for whistleblowing by the public, councillors and officials? Are these satisfactory?*

We have a Whistleblowing Policy which has proved to be satisfactory to date.

i. *What steps could local authorities take to improve local government ethical standards?*

Provide more training especially to parish and town councillors. However, a means of ensuring that such training is provided to as many councillors as possible needs to be found. As mentioned in the foregoing should the clerks to the parish and town councils be required to undergo full training on ethical standards to enable them to dispense this to their members at source?

Whatever training is provided should be of a better quality than that provided at the moment and, although it could not be made mandatory, every effort should be made to encourage councillors to attend the training sessions provided.

j. *What steps could Central Government take to improve local government ethical standards?*

Either give councils greater sanctions or remove the requirement to formally deal with complaints to give more freedom to focus on them on an informal basis. At present there is a statutory requirement to have to deal with complaints with nothing significant to back it up.

k. *What is the nature, scale and extent of intimidation towards local councillors?*

There are some rare examples of tit for tat and/or persistent complaints about a particular parish/town council who rather than try to sort out their own issues, try to use the local Standards process to 'take sides' and sort things out for them. On occasion a particular councillor will be the subject of several complaints with other councillors ganging up on them.

There should be a means introduced of Monitoring Officers and Standards Committees being able to identify and handle in an appropriate way 'frivolous' complaints.

I also have seen a lot of pressure put on councillors who sit on the Planning Committee. It does not feel appropriate that they have to sit and determine, say, a contentious large housing development, sat in front of sometimes hundreds of angry objectors who make it clear that they will not vote for them again unless they object, even if there are no valid planning reasons for doing so.

(i) What measures could be put in place to prevent and address this intimidation?

Adequate sanctions especially for more serious examples of bullying (councillor to councillor may help).

Controversially, perhaps do away with a formal and ineffective complaints system and then at least it cannot be abused by people trying to bully or put pressure on councillors.

Encourage Chairmen to act in a far stronger way to stop threats and intimidation.

Allow independent persons to sit as full voting members of a Standards Committee to demonstrate that this process is not political as it used to be before the introduction of the Localism Act. Since 2011, the role and status of Standards Committees has, from my experience, declined and I do not believe that is a good thing for local government ethics.

And finally....and perhaps controversially, whilst part of the Planning Committee should be held in public when information from officers and representations are being made, the Committee should then be allowed to debate and determine the application in private to avoid the in the moment intimidation and almost 'circus of booing and clapping' that can happen – a public record of the decisions made could still be recorded and made available subsequently.

This practice is already currently used in local government when Licensing Sub Committees are requested to deal with particular matters. The councillors withdraw from the meeting once all the facts are presented to decide on the outcome. They then return to the meeting to announce the decision reached.

Should this practice be widened?