

WEST SOMERSET COUNCIL

Minutes of Council held on 13 December 2017 at 4.30 pm

in the Council Chamber, Williton

Present:

Councillor B Heywood Chairman
Councillor R Woods Vice-Chairman

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

Officers in Attendance:

Chief Executive (P James)
Director of Operations (S Adam)
Assistant Chief Executive (B Lang)
Assistant Director Resources (P Fitzgerald)
Finance Manager (J Nacey)
Assistant Director Place and Energy Infrastructure (A Goodchild)
Economic Regeneration Manager (C Matthews)
Revenues and Benefits Services Manager (H Tiso)
Senior Transformation Lead (E McGuinness)
Corporate Transformation Project Lead (K Batchelor)
SHAPE Legal Partnership Services (L Dolan)
Meeting Administrator (K Kowalewska)

C52 Apologies for Absence

Apologies for absence were received from Councillors I Jones, K Mills and T Venner.

C53 Minutes

(Minutes of the meeting of Council held on 22 November 2017, circulated with the Agenda.)

RESOLVED that the Minutes of the meeting of Council held on 22 November 2017 be confirmed as a correct record.

C54 **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 voted
Cllr S Goss	All	Stogursey	Spoke and voted
Cllr A Kingston-James	All	Minehead	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 P Pilkington	All	Timberscombe	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 A Trollope-Bellew declared a prejudicial interest in respect of C61 Fees and Charges 2018-2019 as the owner of a private water supply and advised that if the matter were to be specifically discussed he would leave the Chamber during this item but would otherwise stay and participate fully in the item.

Councillor A Hadley declared a prejudicial interest in respect of C61 Fees and Charges 2018-2019 as a premises licence holder and advised that if the matter were to be specifically discussed he would leave the Chamber during this item but would otherwise stay and participate fully in the item.

C55 **Public Participation**

Agenda Item 6 – Notice on Motion

Peter Grandfield, a retired local businessman, spoke against the formation of a new Council between West Somerset and Taunton Deane Borough Councils, and believed West Somerset would lose its identity. He stated that West Somerset Council was penalised for being in an area of aging population and poor social mobility. He considered the Council was getting no real benefit from EDF and the Hinkley Point development, and that EDF should be making a bigger contribution to the district.

Agenda Item 10 – Fees and Charges 2018/19

Sally de Renzy-Martin, Chair of the Watchet Harbour Advisory Committee, spoke on the Watchet Harbour fees and charges, in particular the administrative fee for inspection of the Watchet Sea Scout Group insurance documents, requesting it be removed all together.

Chris Mitchell, Chairman of the 1st Watchet Sea Scout Group, spoke further on the proposal for future slipway charges at Watchet and how this would impact on the Sea Scout Group financially, and highlighted the importance of keeping their ongoing costs to a minimum. He found the intention of the proposed charges to be confusing. Reference was made to a 1948 agreement between the Scout Group and the Council which granted free use of the harbour to the Watchet Sea Scouts for 100 years and requested a deferment of the fee for 12 months in order that the agreement could be found and assessed, and he welcomed the chance to have the position reviewed. He concluded by stating Watchet Sea Scout Group really appreciated all the help received from West Somerset Council and the Group would appreciate their continued support.

Steve Pilbrow, Secretary Treasurer of Minehead and District Angling Club vehemently protested against the new charge for fishing on Minehead and Watchet Harbours. Elderly and infirm members were unable to fish from the stony beaches and the harbours provided flat, comfortable access. People on restricted incomes and small businesses on the harbour would also be impacted. The lack of harbour facilities was raised as a matter of concern. Various questions were asked, which included - what would anglers get for the money, were there plans to charge others for the use of the harbour, what would the money be used for and whether the harbour bylaws would have to be changed to enable the charges to be implemented?

C56 **Chairman's Announcements**

There were no Chairman's announcements.

C57 **Notion on Motion**

In accordance with Procedure Rule 11 the following motion was received from Councillor R Woods:

“On 7th September 2016 we voted "in principle" to refer the proposed New Council to the Secretary of State. Now we have a "minded to" decision we are in a consultation period prior to it being referred to parliament.

In light of the "minded to" decision we recommend West Somerset Council revisits its decision to form a new council in the light of its current financial position and the outstanding issues.”

Councillor R Woods asked for Members to partake in the consultation process, which ran up to 19 January 2018, and to encourage communities to do the same. She stated the current partnership working between WSC and TDBC was extremely successful and highlighted that WSC's projected financial situation for 2018 had improved.

Councillor R Woods went on to propose the motion and it was seconded by Councillor R Clifford, who expressed concern as to the potential loss of representation of the people of West Somerset once the new Council was formed.

The Leader responded to the points raised regarding the possibility of receiving more money from EDF, explaining that both officers and Members had tried but were unsuccessful, and he believed that the Council had done all it could in regard to pursuing this matter.

The Assistant Director for Resources provided an updated position on the financial viability for West Somerset and advised any changes to the future of the Council by not pursuing the new Council bid in partnership with TDBC would significantly change the financial risk profile. The projected annual budget gap would be approximately £450,000 per year over the next five years.

Councillor J Parbrook raised concerns and indicated safeguards must be in place to prevent West Somerset from being totally subsumed by Taunton Deane. She went on to propose the following amendment (a copy of which was circulated to all Members at the meeting):

"The proposal to form a new Council should incorporate:

1. An Economic Plan for Rural and Coastal Areas and Market Towns should be prepared similar to TDBC's economic plan as set out in Higher Level Business Case.
2. An Agreement be put in place to ensure significant staffing is in West Somerset.
3. Some Council meetings should be held in West Somerset.
4. An undertaking is given that the whole of TDBC area is parished prior to the new council being formed.
5. West Somerset is made fully conversant with TDBC's financial commitments, both now and ongoing."

The amendment was seconded by Councillor B Maitland-Walker.

On being put to the vote the amendment was CARRIED.

During the debate on the substantive motion the following main points were raised:

- Reference was made to the fact that the revaluation of Hinkley Point B business rates had resulted in an increase in Council revenue.

- The Leader advised that there was a continued financial risk in respect of the business rates for Hinkley Point C. There was a possibility that the power station could be put on the Central Rating List; consequently business rates would not then be paid to the local authority.
- The opportunity for Members to revisit the decision was welcomed by Councillor P Murphy, and he expressed support for the amendment which reiterated the wish for West Somerset Council to form a new council subject to conditions being fulfilled during the negotiations.
- Concern was shown by one Member regarding the very short timeframe by which to receive the required information before the 19 January deadline.
- Further clarification was provided on the financial position and it was noted that there was still a substantial budget gap to be filled.

RESOLVED that the proposal to form a new Council should incorporate:

1. An Economic Plan for Rural and Coastal Areas and Market Towns should be prepared similar to TDBC's economic plan as set out in Higher Level Business Case.
2. An Agreement be put in place to ensure significant staffing is in West Somerset.
3. Some Council meetings should be held in West Somerset.
4. An undertaking is given that the whole of TDBC area is parished prior to the new council being formed.
5. West Somerset is made fully conversant with TDBC's financial commitments, both now and ongoing.

C58 **Timetable of Meetings 2018/19**

(Amended Timetable of Meetings for 2018/19 Municipal Year tabled at the meeting.)

The purpose of the report was to agree a timetable of meetings for the 2018/2019 Municipal Year.

The Lead Member for Executive Support and Democracy presented the item and drew attention to the changes made to the timetable since publication with the Agenda, namely the holding of a Planning Committee on 8 November 2018 rather than in October.

RESOLVED that the 2018/19 timetable be approved, as amended.

C59 **Review of Council Tax Rebate Scheme for 2018/19**

(Report No. WSC 134/17, circulated with the Agenda. Appendix 1 was available online at <https://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Full-Council/Full-Council---13-December-2017>)

The purpose of the report is to provide information on the existing Council Tax Rebate scheme and the context for reviewing the scheme for Working Age applicants from 2018/19.

The Chairman, on behalf of Council, commended the exemplary work of the Revenues and Benefits Team in relation to the considerable increase in the collection of council tax. The Team were also thanked for bringing the report together.

The Lead Member for Community and Customer presented the item and highlighted key points from the report. He went on to propose the recommendations which were duly seconded by Councillor K Turner.

Members expressed support, acknowledging that the revised Council Tax Rebate Scheme was an improvement on previous years' schemes.

RESOLVED (1) that Full Council, having regard to the consultation response and the Equality Impact Assessment (Appendix 4 of the report), agree to the recommendation from the Scrutiny Committee that the 2018/19 Council Tax Rebate scheme should be amended to that shown in Appendix 1. This will award entitlement to working age recipients based on bands of income and will:

- a) increase the maximum support available to working age recipients to 85% of their Council Tax liability;
- b) apply a flat rate deduction of £5 a week for each non-dependant;
- c) disregard carers' allowance from the income used to work out CTR
- d) provide extra assistance for young people who have left local authority care by increasing maximum support to 100% of the Council Tax liability for single applicants up to the age of 25 where their weekly income falls within Band 1.

RESOLVED (2) that working age applicants with protected characteristics who will receive reduced CTR from 1 April 2018, should be invited to submit a claim for a discretionary reduction to mitigate the effects in moving to a Banded Income CTR scheme.

C60 **Heart of the South West (HotSW) Joint Committee**

(Report No. WSC 133/17, circulated with the Agenda.)

On 15 February 2017 an Executive Councillor Record of Decision (by Cllr Anthony Trollope-Bellew, the Leader of the Council) was published (Appendix C), confirmed 'in principle' approval to the establishment of a HotSW Joint Committee, subject to approving the Joint Committee's constitutional arrangements and an inter-authority agreement necessary to support the Joint Committee.

A Members' Briefing Paper was also issued and shared with Group Leaders in February which provided an update following the July 2016 'in principle' Council approvals to progress negotiations for a devolution deal and the establishment of a Combined Authority, both subject to further report and the approval of the 17 councils. The report set out the necessary documents which, if agreed, would enable the Joint Committee to be formally established.

The Leader of Council presented the report and provided background information. He drew attention to the key role of the HotSW Joint Committee which was to develop the Productivity Strategy; and it was noted that decisions of the Joint Committee would be taken at a local level. He further pointed out that the creation of a single strategic public sector partnership covering the HotSW area would provide a formal structure to engage with Government at a strategic level. It was hoped that by being a member, the West Somerset district would benefit.

The Leader proposed the recommendations of the report which were seconded by Councillor A Hadley.

RESOLVED (1) that the recommendation of the HotSW Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West be approved.

RESOLVED (2) that the Arrangements and Inter-Authority Agreement documents set out in appendices A and B of the report for the establishment of the Joint Committee with the commencement date of Monday 22 January 2018 be approved.

RESOLVED (3) that Cllr Anthony Trollope-Bellew and Cllr Mandy Chilcott be appointed as the Council's named representative and substitute named representative on the Joint Committee.

RESOLVED (4) that Somerset County Council be appointed as the Administering Authority for the Joint Committee for a 2 year period commencing 22 January 2018.

RESOLVED (5) that the transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/18 financial year subject to approval of any expenditure by the Administering Authority be approved.

RESOLVED (6) that an initial contribution of £1,400 for 2018/19 to fund the administration and the work programme of the Joint Committee be approved, noting that any expenditure will be subject to the approval of the Administering Authority.

RESOLVED (7) that the key function of the Joint Committee to approve the Productivity Strategy (it was intended to bring the Strategy to the Joint Committee for approval by February 2018) be agreed.

RESOLVED (8) that the initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy be authorised.

RESOLVED (9) that the proposed meeting arrangements for the Joint Committee including the timetable of meetings for the Joint Committee as proposed in para 2.14 of the report be agreed.

C61 **Fees and Charges 2018/19**

(Report No. WSC 143/17, circulated with the Agenda.)

The purpose of the report was to set out the proposed fees and charges for next financial year, 2018-2019.

The Lead Member for Resources and Central Support presented the report and drew attention to the Scrutiny Committee's recommendations, which included a suggested proposal that the proposed charge to the Sea Scouts Group be waived for the next 12 months whilst the legal position regarding a 1948 document between the Sea Scouts Group and the Council's predecessor body was established and clarified. On consideration of this, the Lead Member proposed the recommendation in the report, with an addition to the printed recommendations to include, "In respect of the proposed charge in Appendix F of the report – Watchet and Minehead Harbours – relating to the use of a harbour by charities and community groups of £100, the fee in respect of the Watchet Sea Scouts' use of Watchet Harbour be waived for a 12 month period from 1 April 2018 to enable further discussions and investigations to be made in regard to a 100 year Agreement made with the Watchet Sea Scouts in 1948." The recommendations, as amended, were seconded by Councillor M Dewdney.

The Lead Member for Environment responded to the various concerns and issues raised by the public speakers. He clarified that any money raised through charges would be reinvested into the harbours.

The Lead Member for Community and Customer expressed his concerns about charging charitable and community groups to use the harbour slipway. He also disagreed with the fishing permit charges and felt that fishing from the harbour should be encouraged as it was safer, especially for those fishing with young children. He proposed an amendment that the charges relating to the 'non-standard shared use of the harbour, charities and community groups' and the 'fishing permits Minehead and Watchet' be suspended for 12 months. This was seconded by Councillor P Murphy.

On being put to the vote the amendment was CARRIED.

This then became the new substantive motion on which there was no further debate.

RESOLVED (1) that the Fees and Charges proposals be added to the 2018/19 budget, with the new charges for Environmental Health to come into effect from 1 January 2018, be approved.

RESOLVED (2) that in respect of the proposed charges in Appendix F of the report – Watchet and Minehead Harbours – relating to the non-standard use of the harbour by charities and community groups and fishing permits be waived for a 12 month period from 1 April 2018. This would also enable further discussions and investigations to be made in regard to a 100 year Agreement made with the Watchet Sea Scouts in 1948.

C62 **Hinkley Tourism Strategy Phase 3 Delivery Plan 2018-19**

(Report No. WSC 142/17, circulated with the Agenda.)

The purpose was report to Council on what has been achieved in the first three years of delivering the Hinkley Tourism Strategy 2015-20 under Phase 1 and 2 Action Plans; to consult with Council on the details of a refreshed strategy, and proposals for a new Phase 3 Action Plan for 2018 and 2019; and to request the drawdown of £258,000 from Hinkley Point C Section 106 allocations available for tourism, to deliver the Phase 3 Action Plan.

The Lead Member for Regeneration and Economic Growth presented the item and provided background information. He drew attention to the reasons for refreshing the Hinkley Tourism Strategy and the four strategic aims. The work of the Hinkley Tourism Action Partnership covered the whole of Somerset, of which two of the key priorities fell within the West Somerset district. The Lead Member also took the opportunity to thank the Economic Development Team for their incredibly hard work in delivering the strategy.

The Lead Member proposed the recommendations of the report which were duly seconded by Councillor C Morgan.

RESOLVED (1) that the refreshed Hinkley Tourism Strategy 2015-20 and Phase 3 Action Plan for delivery between January 2018 and September 2019 be approved.

RESOLVED (2) that the request for drawing down £258,000 of Hinkley Point C Section 106 allocations available for tourism to deliver the Phase 3 plan be approved.

C63 **Earmarked Reserves Review**

(Report No. WSC 144/17, circulated with the Agenda.)

The purpose of the report is to provide information on the Earmarked Reserves Review for 2017-2018.

The Leader of Council presented the report. During the Review, £79,086 of earmarked reserves were deemed to be no longer required to be held and it was recommended that these be transferred to the General Fund Reserve.

The Leader proposed the recommendation which was seconded by Councillor A Hadley.

RESOLVED that the proposals as detailed in the report be approved.

C64 Business Rates Pool and 100% Business Rates Retention Pilot

(Report No. WSC 145/17, circulated with the Agenda.)

Following a recent meeting with Group Leaders, we submitted a bid to DCLG to become a pilot for 100% Business Rates Retention in 2018/19 with our county-wide district and County neighbours. The purpose of this report was to provide Councillors with the rationale and detail behind the bid. It was important to be clear that 100% BRR did not mean all of the business rates collected would be kept in the area, but the councils would keep 100% of the business rate growth above our funding baseline.

The Leader of Council presented the item and informed that this was a trial for one year only. He highlighted key points from the report and advised that the Council could decide to withdraw from the pooling arrangement if it did not offer the benefits envisaged. The modelling suggested the potential financial benefits were considerable albeit not without risk. It was noted that the no detriment clause had yet to be clarified by central Government. The Leader stressed the following points – the Council had not yet been accepted on to the pool; the figures were only estimates; it would be a one-off windfall, and the 100% BRR pilot was a trial scheme at this stage.

The Leader proposed the recommendations which were duly seconded by Councillor R Thomas.

RESOLVED (1) that the urgent decision made by the Leader of the Council and S151 Officer that the Council participated in the pooling arrangement together with other Somerset authorities (Somerset County Council, Mendip District Council, Sedgemoor District Council, South Somerset District Council, West Somerset Council) under the 50% Business Rates Retention scheme for 2018/19 be endorsed.

RESOLVED (2) that the urgent decision to apply to Government for the Somerset Business Rates Pool comprising the county and five districts to become a pilot area for 100% Business Rates Retention in 2018/19 financial year be endorsed.

RESOLVED (3) that delegated authority to the S151 Officer, in consultation with the Leader, to decide whether to remain in the Pool and, if approved by Government, the 100% BRR Pilot scheme when the Government's Provisional Settlement details were announced in December 2017 be approved.

C65 **Minutes and Notes for Information**

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

RESOLVED (1) that the notes of the Exmoor Area Panel meetings held on 12 September and 7 November 2017 be noted.

RESOLVED (2) that the notes of the Minehead Area Panel meetings held on 8 March and 11 October 2017 be noted.

RESOLVED (3) that the notes of the Dunster Area Panel meetings held on 24 July and 30 October 2017 be noted.

RESOLVED (4) that the notes of the Watchet, Williton and Quantock Vale Area Panel meetings held on 20 June and 19 September 2017 be noted.

The meeting closed at 6.40 pm.