

WEST SOMERSET COUNCIL

Minutes of the Meeting held on 16 December 2015 at 4.30 pm

in the Council Chamber, Williton

Present:

Councillor G S Dowding Chairman
Councillor B Heywood Vice-Chairman

Councillor I Aldridge	Councillor A Behan
Councillor M J Chilcott	Councillor M O A Dewdney
Councillor S Y Goss	Councillor A P Hadley
Councillor T Hall	Councillor I Jones
Councillor R P Lillis	Councillor B Maitland-Walker
Councillor K M Mills	Councillor C Morgan
Councillor P H Murphy	Councillor S J Pugsley
Councillor R Thomas	Councillor N Thwaites
Councillor A Trollope-Bellew	Councillor K Turner
Councillor T Venner	Councillor D J Westcott
Councillor R Woods	

Officers in Attendance:

Chief Executive (P James)
Assistant Chief Executive/Monitoring Officer (B Lang)
Director Growth and Development (B Cleere)
Assistant Director Resources (P Fitzgerald)
Assistant Director Planning and Environment (T Burton) – Item 10
Planning Policy Manager (N Bryant) – Item 10
Principal Planning Officer (Policy) (M Wilsher) – Item 10
Revenues and Benefits Manager (H Tiso) – Item 6
Asset Manager (T Child) – Item 15
Meeting Administrator (K Kowalewska)

C83 Apologies for Absence

Apologies for absence were received from Councillors R Clifford, H Davies, B Leaker and J Parbrook.

C84 Minutes

(Minutes of the meeting of Council held on 18 November 2015, circulated with the Agenda.)

RESOLVED that, subject to including Councillor I Jones to the list of Members present and including an extra bullet point to Minute No. C80 to read “An issue was raised regarding a litter bin on The Esplanade in Watchet.”, the Minutes of the meeting of Council held on 18 November 2015 be confirmed as a correct record.

C85 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 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 Murphy	All	Watchet	Spoke and voted
Cllr R Thomas	All	Minehead	Spoke and voted
Cllr N Thwaites	All	Dulverton	Spoke and voted
Cllr A Trollope-Bellew	All	Crowcombe	Spoke and voted
Cllr K Turner	All	Brompton Ralph	Spoke and voted
Cllr T Venner	All	Minehead & SCC	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

In addition the following interests were declared:

- Councillor A Trollope-Bellew made reference to a potential prejudicial interest in respect of Item 7 Fees and Charges 2016/17 as owner of a private water supply and Chairman of the AONB, and advised that if the matter of private water supply charges or AONB charges were to be specifically discussed he would leave the Chamber during this item.
- Councillor A Trollope-Bellew declared a prejudicial interest in respect of Item 10 Consideration of Potential Amendments to the West Somerset Local Plan to 2032 and Interim Release of Sites as owner of land in Crowcombe and left the Chamber during the discussion of this item.
- Councillor R Woods declared a prejudicial interest in respect of Item 10 as she lived near to the WAT9 site in Watchet and left the Chamber during the discussion of this item.
- Councillor C Morgan declared a prejudicial interest in respect of Item 10 as the owners of the SGR3 and SGR2 sites in Stogursey were close personal friends and left the Chamber during the discussion of this item.

C86 Public Participation

Agenda Item 10 - Consideration of Potential Amendments to the West Somerset Local Plan to 2032 and Interim Release of Sites

Phil Gannon spoke on behalf of Old Cleeve Parish Council concerning two sites - land east of Washford Mill, Washford (WAS4); and land south of A39 between Halscombe House and Blenheim House, Washford (WAS5) and gave reasons as to why the sites were unsuitable for housing development.

Teresa Bridgeman spoke on behalf of the West Somerset Flood Group commenting on the unsuitability of the WAS5 site for housing in relation to it being the source of surface water flooding for a high flood risk area and urged Members to reject the site for development. She also raised concerns about the process and information by which the Strategic Housing Land Availability Assessment panel had based its recommendations on.

Faye Barringer-Capp spoke on behalf of Carhampton Parish Council and raised concerns and observations relating to the site at land adjacent to Garlands, Withycombe Lane, Carhampton (CAR6). She requested that Members of the Council reject this site as it was unsuitable for housing on the grounds that it would exacerbate the flooding problems in Carhampton, and there would be increased difficulties due to limited visibility for vehicles and pedestrians.

C87 **Chairman's Announcements**

26 November 2015	Attended the Police Awards at Congresbury
7 December 2015	Visited Minehead Sorting Office with Councillor K Mills to observe the handling of the Christmas mail

C88 **Consideration of Potential Amendments to the West Somerset Local Plan to 2032 and Interim Release of Sites in response to matters raised by the Examination Inspector in initial correspondence**

(Report No. WSC 189/15, circulated with the Agenda.)

The purpose of the report was to consider the wording of potential changes to the Plan's policies for forwarding to the examining Inspector in respect of the compliance issues which he has identified. The report also looked to identify potential additional sites that would supplement the strategic sites included in the Submission Draft in order to provide a range of different sized sites across the LPA area that could be developed in the early years following adoption of the Local Plan. These could be supplemented by further allocated sites, to cover the remainder of the plan-period (2012 – 2032), in a subsequent development plan document, post adoption of the currently submitted Local Plan document.

The Lead Member for Housing, Health and Wellbeing presented the report, summarising the key issues contained within. He advised that a tremendous amount of work had been undertaken on the Local Plan to make it compliant to Government guidance; and highlighted the concerns raised by the Planning Inspector in relation to the policy amendments and the identification of additional sites.

He further advised that the matter had been discussed at the Local Development Panel held on 25 November 2015, and at this meeting it was resolved to recommend to Council that only three of the nine sites identified be endorsed with a request for officers to give consideration to further alternative/additional sites in Stogursey and/or Crowcombe. Officers had looked at the alternative sites and they were found to be unsuitable for housing development.

The Lead Member emphasised the risks involved if the Inspector considered the Local Plan to be unsound and not suitable for adoption, and indicated that there was a sense of urgency to submit the additional sites in order that they could be considered by the Planning Inspector. He also made reference to the fact that the Council had to make sure there were enough sites of different sizes to accommodate the housing needs of West Somerset across the district to 2032.

The Lead Member proposed the recommendations of the report with an addition to the wording printed in the first line of recommendation 3.ii to state "Resolve to endorse additional sites as shown in the Summary Table in paragraph 5.24 of the report for residential development...". These were seconded by Councillor S Goss.

Concern was expressed that the recommendations of the report had no bearing on the debate that took place at the recent Local Development Panel. An amendment to recommendation 3.ii was proposed by Councillor M Dewdney and seconded by Councillor R Lillis to endorse the three SHLAA sites MIN4, WAT9 and SGR3, as recommended by the Local Development Panel, and that they form part of the submitted amendments to the West Somerset Local Plan to be considered by the Inspector through the examination process. In addition to these three sites, it was also suggested that further work be carried out with immediate effect to identify whether any more of the 124 sites nominated for consideration through the SHLAA process were suitable for residential development.

A lengthy debate ensued and various questions and issues were raised by Members and Officers. The main points of discussion focussed on:

- It was not acceptable to have only three sites as it would not be enough to contribute towards the Local Planning Authority's (LPA) five-year land supply and would not satisfy the Inspector.
- It was emphasised that any sites which the Inspector recommended for allocation would be subject to public consultation as part of the examination process, and all the issues and concerns raised would be addressed as a result.
- Failure to identify additional sites could considerably delay the Local Plan process and result in costs to the Council in terms of unsuccessfully being able to defend planning appeals.
- Concerns were raised that there was no safe easy pedestrian access to essential services and facilities in respect of sites in Washford, Carhampton and Minehead thereby not meeting the criteria of the SC1 policy.

- It would be sensible to carry out further investigation to identify alternative acceptable sites within Appendix A of the report.
- Concern that there may be a conflict with the Local Plan policies and whether any of the sites would be rejected on this basis; officers confirmed that a high level assessment had been undertaken in this regard.
- The officers advised that it was important to seek to address the issues raised by the Inspector, which were detailed within the report, and it was explained that the sites were only being identified as potential allocations for consideration at the present time. There would be an opportunity for the public to comment and it would be at the Examination Stage when the Examiner would decide whether the sites submitted were suitable, available and achievable and take a view on the appropriateness of the sites and whether they should be included in the Plan.
- Officers confirmed that there should be a range of sites across the Local Planning Authority area which contributed towards the Authority's obligation to provide a minimum five-year supply of land for housing. There was a risk of developers being able to challenge the local planning authority and developing in inappropriate locations if this was not fulfilled.
- Attention was drawn to the process of how the nine sites were selected for their suitability for residential development. The sites were assessed on their availability, suitability, achievability and viability, as well as accessibility to facilities and services; and all the information was included in the appendices to the report.

On being put to the vote the amendment was LOST.

Further discussion ensued concerning the original motion and the point was made that the recommended additional sites should be in sustainable locations. It was noted that in order to encourage people to work in West Somerset, there was a requirement for other land to be allocated for industry and commerce development which should be looked at in conjunction and close proximity to these sites.

Members were supportive of the suggested policy amendments to the West Somerset Local Plan.

It was agreed that the recommendations be voted on separately. On being put to the vote recommendation 3.i was CARRIED and recommendation 3.ii was LOST.

RESOLVED (1) that the potential amendments to the submitted West Somerset Local Plan policies set out at Appendix 1 to the report be endorsed, so that these may be forwarded to be considered by the Inspector through the examination process.

The meeting was suspended at 5.55 pm for 10 minutes by the Chairman to enable advice to be taken as to how most appropriately conclude this item with those Members who had withdrawn from the meeting due to declaring prejudicial interests, remaining outside of the chamber during the adjournment.

Upon the resumption of the meeting, in order to ensure that a range of sites existed across the Local Planning Authority area that would also contribute towards the Authority's obligation to provide a minimum five-year supply of land for housing in the early stages, post adoption, the Lead Member for Housing, Health and Wellbeing proposed that a process be agreed to vote separately on the nine sites that were listed in the Summary Table of Recommended Additional Sites contained within section 5.24 of the report, in order to supplement the strategic sites already identified and included in the Submission Draft of the West Somerset Local Plan to 2032. This proposal was seconded.

After some deliberations, the procedural motion was proposed and seconded that the question be now put on the process to vote on each of the nine sites one at a time. The Chairman agreed that the procedural motion should be put to the vote upon which it was declared CARRIED.

Members then voted on the proposed process whereby each of the proposed nine sites would be voted upon separately which was declared CARRIED.

RESOLVED (2) that MIN4 (Minehead and Exmoor Caravan and Camping Park, Middlecombe Cross, Minehead) be endorsed for residential development to supplement the strategic sites already identified and included in the Submission Draft of the West Somerset Local Plan to 2032.

RESOLVED (3) that MIN5 (Land adjacent to Barberton, Middlecombe, Minehead) be endorsed for residential development to supplement the strategic sites already identified and included in the Submission Draft of the West Somerset Local Plan to 2032.

RESOLVED (4) that MIN30 (Land at The Mount, Porlock Road, Minehead) be endorsed for residential development to supplement the strategic sites already identified and included in the Submission Draft of the West Somerset Local Plan to 2032.

RESOLVED (5) that MIN41 (Land south-west of Minehead Cemetery, Porlock Road, Minehead) be endorsed for residential development to supplement the strategic sites already identified and included in the Submission Draft of the West Somerset Local Plan to 2032.

RESOLVED (6) that WAT9 (Land at Liddymore Farm, Liddymore Lane, Watchet) be endorsed for residential development to supplement the strategic sites already identified and included in the Submission Draft of the West Somerset Local Plan to 2032.

RESOLVED (7) that CAR6 (Land adjacent to Garlands, Withycombe Lane, Carhampton) be not endorsed for residential development to supplement the strategic sites already identified and included in the Submission Draft of the West Somerset Local Plan to 2032.

RESOLVED (8) that SGR3 (Land south of Little Luke Farm, Shurton Lane, Stogursey) be endorsed for residential development to supplement the strategic sites already identified and included in the Submission Draft of the West Somerset Local Plan to 2032.

RESOLVED (9) that WAS4 (Land east of Washford Mill, Washford) be not endorsed for residential development to supplement the strategic sites already identified and included in the Submission Draft of the West Somerset Local Plan to 2032.

RESOLVED (10) that WAS5 (Land south of A39 between Halscombe House and Blenheim House, Washford) be not endorsed for residential development to supplement the strategic sites already identified and included in the Submission Draft of the West Somerset Local Plan to 2032.

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

C89 **Timetable of Meetings 2016/17**

(Report No. WSC 184/15, circulated with the Agenda.)

The purpose of the report was to submit a draft timetable for the 2016/17 Municipal Year for adoption in principle.

The Lead Member for Executive Support and Democracy presented the report and advised that a review had been undertaken on the number and type of meetings to produce cost savings and increase efficiency levels in order to make the best use of time and resources which had resulted in a proposal to reduce the number of Council, Cabinet and Scrutiny meetings; as well as combining the Policy Advisory Groups (PAG) into one Priorities PAG (excluding the Corporate PAG). The Lead Member drew Members' attention to the fact that there was always the option of calling special meetings should it be deemed necessary, and the timetable would be kept under review.

The Lead Member proposed the recommendation of the report and was seconded by Councillor M Dewdney.

On consideration of the report the following points were made:

- A concern was raised that bi-monthly meetings would increase the running time of the meeting.

- In light of concerns raised that there could be a knock-on effect with regards to the CIM Fund process as applicants would have to wait longer for a decision to be made, it was confirmed that this had been taken into account and the timescales would be made clearer in the process.
- It was incumbent upon Members to keep the length of the meetings under control.

RESOLVED that the draft timetable for meetings for the 2016/17 Municipal Year as set out in Appendix A to the report be adopted.

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

C90 **Council Tax Rebate Scheme Review for 2017/17**

(Report No. WSC 183/15, circulated with the Agenda.)

The purpose of the report was to provide Full Council with information on our existing Council Tax Rebate (CTR) scheme and the context for reviewing our scheme for Working Age applicants from 2016/17; to advise Full Council of the outcome of the public consultation on our Council Tax Rebate scheme in 2016/17; and to advise Full Council of Cabinet's recommendation on the preferred revisions to our Council Tax Rebate scheme in 2016/17; to obtain agreement from Full Council on our Council Tax Rebate scheme for 2016/17.

The Lead Member for Resources and Central Support presented the item and recognised the amount of work and effort which had been undertaken on this matter and thanked the officers involved. She detailed the key points contained within the report and emphasised that the most significant change to affect the CTR scheme was to be a reduction in the Tax Credit income. The Lead Member reported that for next year's consultation a range of broader options would be consulted upon to increase flexibility as there was potential to save more money; and it was important to treat all council tax payers fairly.

Officers were congratulated on collecting 97.25% of the net collectable Council Tax income due for 2014/15.

The Lead Member proposed the recommendations contained within the report which were duly seconded by Councillor M Dewdney.

The Revenues and Benefits Manager answered a range of questions from Members relating to issues on applying a minimum income for self-employed applicants; council tax payable on unoccupied furnished properties; the amount of effort extended on collecting small sums of debt owed; and the tracking of empty homes and further investment for additional inspections. A request was made for the information collected in respect of the identified issues/negative impacts highlighted in the action plan contained within the report to be made available on a regular basis.

RESOLVED (1) that having regard to the consultation response and the Equality Impact Assessment (EIA - see Appendix 4 of the report), the recommendation from Cabinet that the 2016/17 Council Tax Rebate scheme should be amended to that shown in Appendix 1 of the report, (and illustrated in Model 15) to revise support for working age applicants in 2016/17 by:

- disregarding maintenance received for children
 - removing entitlement to applicants with capital over £6,000;
 - applying a Minimum Income for Self-Employed applicants; and
 - paying CTR at a level that would be no more than for a Band C property
- be approved.

RESOLVED (2) that the 2016/17 Council Tax Rebate Scheme be approved for 2016/17 only.

Administrator's Note: On circulation of the agenda, Members were advised to read the policy (Appendix 1 of the report), and to consider the implications detailed in the Equalities Impact Assessment.

C91

Fees and Charges 2016/17

(Report No. WSC 187/15, circulated with the Agenda.)

The purpose of the report was to approve the proposed fees and charges for the period 1 April 2016 to 31 March 2017.

The Lead Member for Resources and Central Support presented the report emphasising the key issues contained within the report. She went on to propose the recommendation set out in the report which was duly seconded by Councillor B Heywood.

An explanation was provided that in order for the Council to be able to operate on a cost neutral basis it was proposed to increase the fee for Planning Type 1 Other Developments pre-planning advice.

RESOLVED that the proposed Fees and Charges for 2016/17 be approved on the following basis:

The following fees are unchanged:

- Hackney Carriage Licences
- Private Hire Licences
- Acupuncture/Tattooing/Skin Piercing/Semi-Permanent Skin-Colouring Licences
- Scrap Metal Dealers Licensing
- Animal Welfare Licences
- Street Trading Licences
- Gambling Licences
- Caravan Site Licences
- Land Search Fees
- Housing Inspections for Immigration Purposes
- Freedom of Information Enquiries

The following changes are proposed:

Amended charge structure for:

- Building Control Charges

Increased charges for:

- Harbour Mooring and Slipway Fees
- Pleasure Boat Dues
- Various Waste Charges
- Pre-Planning Advice

Decreased charges for:

- Court Summons and Liability Orders for Council Tax and Business Rates

C92 Licensing Officer Post – West Somerset Council

Item withdrawn as the matter had already been determined by Cabinet.

C93 Devolution

(Update report – circulated with the Agenda)

The Leader of the Council advised that the Devolution Bid had not yet been finalised and that a further meeting would be held in the new year to resolve the matter. The Leader confirmed he would report back to Members accordingly.

C94 Standards Advisory Committee

(Minutes of the Standards Advisory Committee held on 13 October 2015 circulated with the Agenda.)

RESOLVED that the Minutes of the Standards Advisory Committee held on 13 October 2015 be adopted.

C95 **Minutes and Notes for Information**

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

RESOLVED that the notes of the Dunster Area Panel held on 6 October 2015 be noted.

C96 **Exclusion of the Press and Public**

RESOLVED that the press and the public be excluded during consideration of C97 on the grounds that, if the press and public were present during that item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended as follows:

C97 contained information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding that information). It was therefore proposed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

C97 **Minehead Customer Services Centre, 1 and 3 Summerland Road, Minehead**

(Report No. WSC 186/15, circulated with the Agenda.)

The purpose of the report was to seek approval for the exercise of a contractual break notice to be exercised by the Council as Tenant on the Council's landlord. This notice would be served in accordance with the lease giving not less than 12 months' notice and to determine on 25 December 2016.

The Lead Member for Resources and Central Support presented the item and proposed the recommendation which was seconded by Councillor D Westcott.

RESOLVED that the exercise of a contractual break giving not less than 12 months' notice and to determine on 25 December 2016 be approved.

The meeting closed at 7.17 pm