

WEST SOMERSET COUNCIL

Minutes of the Meeting held on 17 June 2015 at 4.30 pm

in the Council Chamber, Williton

Present:

Councillor G S Dowding Chairman
Councillor B Heywood Vice-Chairman

Councillor D Archer	Councillor A Behan
Councillor M J Chilcott	Councillor H J W Davies
Councillor M O A Dewdney	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 J Parbrook
Councillor S J Pugsley	Councillor R Thomas
Councillor N Thwaites	Councillor A H Trollope-Bellew
Councillor K H Turner	Councillor D J Westcott
Councillor R Woods	

Officers in Attendance:

Chief Executive (P James)
Director of Operations/Section 151 Officer (S Adam)
Assistant Chief Executive/Monitoring Officer (B Lang)
Assistant Director Energy Infrastructure (A Goodchild)
CIM Fund Manager (L Redston)
Economic Development Officer (G Dwyer)
HR Manager (F Wills)
Deputy Monitoring Officer (R Pinney)
Media and Communications Officer (D Rundle)
Meeting Administrator (K Kowalewska)

C14 Apologies for Absence

Apologies for absence were received from Councillors I Aldridge, R Clifford, S Goss, B Leaker and T Venner.

C15 Minutes

(Minutes of the meeting of Annual Council held on 20 May 2015, circulated with the Agenda.)

The following points of information were noted:

- It was confirmed that Councillor D Archer was a member of the Local Development Panel.
- The Countywide Shared Services Task and Finish Group was no longer active.

- Somerset Local Access Forum did not require a WSC representative until 2023 because only one district councillor could be appointed to the Forum and the district councils were on a two year rota in alphabetical order.

RESOLVED that the Minutes of the meeting of Annual Council held on 20 May 2015 be confirmed as a correct record.

C16 **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 D Archer	All	Minehead	Spoke and voted
Cllr H J W Davies	All	SCC	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

In addition, the following interest was declared:

Name	Minute No.	Description of interest	Personal or Prejudicial	Action Taken
Cllr H J W Davies	C19	Williton business owner	Personal	Spoke and voted

C17 **Public Participation**

Naomi Griffiths spoke on Agenda Item 6 HPC Planning Obligations Board – Allocations of CIM Funding in support of the Watchet Boat Museum and Visitor Centre project. In addition, at the request of the Chairman, she briefed Members on the work of the Onion Collective.

C18 **Chairman's Announcements**

20 May 2015	Attended the Taunton Deane Borough Council Mayor Making Ceremony at Taunton Cricket Club. Cllr Marcia Hill was elected Mayor for the ensuing year.
21 May 2015	Escorted the High Sheriff of Somerset around the Hinkley Point development
23 May 2015	Met with ex-Mayor of Lion-sur-Mer, Jean Marc Gilles, at

	the Northfield Hotel, Minehead. Cllrs Hadley, Hall and Lillis were also in attendance
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C19 **HPC Planning Obligations Board – Allocations of CIM Funding**

(Report No. WSC 88/15, circulated with the Agenda.)

The purpose of the report was to present the recommendations of the Hinkley Point C Planning Obligations Board and West Somerset Council Cabinet, 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 item, recognising the huge amount of work and effort undertaken from all the applicants and groups of volunteers, and the work of the whole of the community was truly appreciated. The Lead Member provided detailed information on the five applications contained within the report, highlighting the recommendations made by the Planning Obligations Board (POB). She stressed the importance of the applications meeting the nine criteria, in particular providing proof of how the project would mitigate the impact of the Hinkley development, and confirmed that there was an opportunity for unsuccessful applicants to revise their bid and reapply one more time. It was noted that the POB was keen to see match funding incorporated within the bids for CIM funding and if the project could not be delivered, as presented, as a result of loss of match funding, the application would need to be reconsidered by the Board.

She further drew Members' attention to the financial information regarding the breakdown of spending to date.

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

Members were supportive of the POB's recommendations as these projects were seen to provide positive benefits to support the local community and would help encourage families to locate into the area. Members also praised the good examples of partnership working and recognised the long lead-time for many of the projects and the need to start the application process early.

A debate ensued with regards to the impact statement submitted by Williton Parish Council for the Williton Pavilion Project and the Assistant Director Energy Infrastructure provided clarification on the points raised.

RESOLVED (1) that the decision of Cabinet on 3 June 2015 to award £22,000 from the CIM Fund to Kilve Cricket Club for improvements to the club, storage shed and equipment be noted.

RESOLVED (2) that the recommendations of Cabinet and the Hinkley Point C Planning Obligations Board be endorsed, as follows:

- To not award funding of £200,000 from the CIM Fund to Bridgwater College Academy for the Gym and exercise area on the basis that the application did not demonstrate how the project would deliver maximum benefits to the community and did not meet the CIM fund criteria in relation to partnership support or sustainability.
- To award funding of £250,000 from the CIM Fund to Williton Parish Council to deliver the Williton Pavilion Project subject to the agreement of a spending and payment schedule and the securing of match funding to meet the full costs of the project.
- To not award funding of £151,000 to The Angling Trust to deliver the Sea Angling project on the basis that the application did not demonstrate how the project would deliver value for money in relation to maximising benefits to the community and mitigating the identified impacts.
- To award funding of £243,119 from the CIM Fund to the Onion Collective to deliver the Watchet Boat Museum and Visitor Centre project.

C20 **Regulatory Amendments to Statutory Protection Provisions for Statutory Officers**

(Report No. WSC 86/15, circulated with the Agenda.)

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 came into effect on 11 May 2015. They amend the statutory provisions in relation to disciplinary action or the dismissal of the key statutory posts of Chief Executive Officer (Joint Chief Executive), Chief Finance Officer (Director – Operations and Deputy Chief Executive) and Monitoring Officer (Assistant Chief Executive and Monitoring Officer). The regulations require all councils to adopt revised Standing Orders at their first 'ordinary' meeting after 11 May 2015.

The Somerset Monitoring Officers Group (SMOG) met on 21 May 2015 and agreed to recommend a consistent approach across the 6 councils to considering the implementation of these regulatory requirements. The report detailed why SMOG at this stage is proposing that the 6 councils defer making any changes to their standing orders on this matter until later in the year.

The report was presented by the Lead Member for Resources and Central Support who provided Members with detailed background information. She went on to propose the recommendation, with an amendment to the wording printed so that 'section 5' replaced 'paragraph 3.7.1'. This was seconded by Councillor A Trollope-Bellew.

The Deputy Monitoring Officer confirmed that the concerns reflected in the report were not just countywide but that the same issues had been raised nationally and difficulties had been highlighted for local authorities implementing the regulations at this stage.

RESOLVED that the agreement of revisions to the existing Standing Order provisions relating to the statutory protection arrangements for the posts of Chief Executive, Director - Operations and Deputy Chief Executive and Assistant Chief Executive and Monitoring Officer be deferred to the November 2015 Full Council meeting for the reasons outlined in section 5 of the report.

NOTE: Statutory Officers (Chief Executive, Chief Finance Officer and Monitoring Officer) whose posts were specifically referred to in the report left the room for this item.

C21 **Hinkley Point C – Economic Development Allocation**

(Report No. WSC 85/15, circulated with the Agenda.)

The purpose of the report was to outline proposals relating to the Economic Development allocation that forms part of the HPC Site Preparation S106 Agreement and to take into consideration the recommendations of the HPC Planning Obligations Board and Cabinet.

The report was presented by the Lead Member for Regeneration and Economic Growth who proposed the recommendation of the report which was duly seconded.

RESOLVED that the drawdown of the HPC S106 Economic Development allocation of £66,641 to support the delivery of the areas of activity, as detailed in paragraph 6.2 and Appendix A of the report, be approved.

C22 **HPC Section 106 Agreement – Allocations of Housing Fund – Administration Fees**

(Report No. WSC 89/15, circulated with the Agenda.)

The purpose of the report was to present the recommendations of the Hinkley Point Planning Obligations Board (POB) of 7 April 2015 for the allocation of Housing Fund monies secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point, and to request that Cabinet recommend to Full Council the approval of the allocation.

The Lead Member for Housing, Health and Wellbeing presented the report indicating that Cabinet had considered the report and stressed the importance of monitoring the financing of the bids that were submitted. He went on to propose the recommendations of the report which were duly seconded.

RESOLVED (1) that, in accordance with the section 106 agreement to contribute to the costs of both Councils, a fee of 5% of total project costs covering additional local authority administration in delivering the wider suite of initiatives should be applied to all previously approved Housing Contribution Fund projects, including £34,245 for the recently approved Withycutter (£4,000), Paragon Laundry (£15,133) and Monmouth Street (£15,112) enabling projects.

RESOLVED (2) that the Planning Obligations Board request for Sedgemoor District Council and West Somerset Council officers to monitor the actual costs in relation to the development and delivery of Housing Contribution Fund projects be noted and that the results of this monitoring be presented at the next meeting of the Board. The results of the monitoring would be used as a model to enable greater accuracy in prediction of actual administration costs for future Housing Contribution projects.

C23 **Standards Advisory Committee**

(Minutes of the Standards Advisory Committee held on 9 December 2014 circulated with the Agenda.)

RESOLVED that the Minutes of the Standards Advisory Committee held on 9 December 2014 be adopted.

C24 **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 14 April 2015 be noted.

C25 **Clanville Grange Purchase**

(Report No. WSC 97/15, circulated prior to the Meeting.)

The purpose of the report was to request approval of a supplementary capital estimate for the purchase of a property at Clanville Grange, Minehead.

The Lead Member for Housing, Health and Wellbeing presented the item and outlined the details contained within the report. He highlighted the fact that West Somerset Council had an obligation to purchase the property and there was a need to ensure appropriate funding was allocated.

An error in the recommendation of the report was noted and that it should read: "...In the event the onward sale is not completed in the current financial year...".

The Lead Member proposed the recommendation, as amended, which was seconded by Councillor C Morgan.

RESOLVED (1) that a Supplementary Estimate for the 2015/16 Capital Programme of £93,000 for the acquisition of a property at Clanville Grange, Minehead, to be funded from Unallocated Capital Receipts, be approved.

RESOLVED (2) that it be noted that the purchase will need to be funded from the existing planned capital receipts, with the intention of replacing this funding with the capital receipt from the onward sale of the property. In the event the onward sale is not completed in the current financial year this will impact on current policy to use capital receipts to repay external debt.

NOTE: Having regard to the special circumstances pertaining in relation to this item – namely the need for the Council to consider the decision before the next full Council meeting – the Chairman was of the opinion that, despite its non-inclusion on the agenda, this item should be considered at this meeting as a matter of urgency.

C26 **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded during consideration of Item C27 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:

The item 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 is 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.

C27 **Seaward Way, Minehead – Land Sale (Residential)**

(Report No. WSC 87/15, circulated prior to the Meeting.)

Following the disappointing news that David Wilson Homes had recently withdrawn from negotiations for the purchase of the Council's land at Seaward Way, (previously referred to as Residential Land), the report sought to brief members, and gain a clear steer on the way forward.

The Lead Member for Housing, Health and Wellbeing presented the item. In light of the Clanville Grange Purchase resolution (Minute No. C25 refers) it was proposed to amend the unallocated capital resources figure to £313,000 in recommendation 3.1 (c) .

The Lead Member proposed the recommendations of the report, as amended, which were seconded by Councillor M Chilcott.

Various questions and issues were then raised by Members and the Assistant Director Property and Development noted them down for consideration/action.

RESOLVED (1) that the land at Seaward Way (Residential) be marketed immediately, as either for a housing development and/or for a suitable employment use.

RESOLVED (2) that a further budget of £5,000 be made available and delegated to Officers, to take forward resolution (1) above, and to instruct and work with advisors to market the land, carry out initial negotiations and due diligence with legal advice to establish the best price. This is to be funded from available capital receipts in 2015/16.

RESOLVED (3) that the second and final payment of £88,700 to Crown and Passmore Trust be funded from unallocated capital resources – leaving £313,000 currently available for the Council to support future capital priorities (subject to additional planned disposals and planned capital debt repayment).

The meeting closed at 6.10 pm.