

WEST SOMERSET COUNCIL

Minutes of the Meeting held on 18 September 2013 at 4.30 pm

in the Council Chamber, Williton

Present:

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

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

Officers in Attendance:

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

Also in Attendance:

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

C47 Apologies for Absence

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

C48 Minutes

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

C49 **Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

Name	Minute No.	Member of	Action Taken
Cllr S Y Goss	All	Stogursey	Spoke and voted
Cllr P N Grierson	All	Minehead	Spoke and voted
Cllr C Morgan	All	Stogursey	Spoke and voted
Cllr P H Murphy	All	Watchet	Spoke and voted
Cllr K J Ross	All	Dulverton	Spoke and voted
Cllr H J W Davies	All	Somerset County	Spoke and voted
Cllr K H Turner	All	Brendon Hills	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

In addition, the following interests were declared:

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

C50 **Public Participation**

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

C51 **Chairman's Announcements**

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

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

C52 **Creative Somerset**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

C54 Discretionary Housing Payments Use of Additional Funding

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

C57

Constitutional Issues Relating to Joint Chief Executive Implementation

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

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

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

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

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

C58 **Empty Homes Enforcement Policy**

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

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

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

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

During the debate the following main points were raised:

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

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

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

C59 **Unlawful Evictions Policy**

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

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

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

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

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

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

C60 **Safeguarding Policy**

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

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

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

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

C61 **Standards Advisory Committee**

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

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

C62 **Minutes and Notes for Information**

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

RESOLVED that the draft notes of the Dunster Area Panel held on 29 July 2013, be noted.

The meeting closed at 6.50 pm.