

WEST SOMERSET COUNCIL

Minutes of the meeting held on 19 August 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 D Archer
Councillor A Behan	Councillor M J Chilcott
Councillor H J W Davies	Councillor M O A Dewdney
Councillor S Y Goss	Councillor T Hall
Councillor I Jones	Councillor B Leaker
Councillor B Maitland-Walker	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 T Venner
Councillor D J Westcott	Councillor R Woods

Officers in Attendance:

Chief Executive (P James)
Assistant Chief Executive (B Lang)
Assistant Director – Property and Development (T May)
Assistant Director – Resources (P Fitzgerald)
Democratic Services Manager and Meeting Administrator (R Bryant)

C42 Apologies for Absence

Apologies for absence were received from Councillors R Clifford, A P Hadley and K M Mills.

C43 Minutes

(Minutes of the Meeting of Council held on 22 July 2015 - circulated with the Agenda.)

RESOLVED that the Minutes of the meeting of Council held on 22 July 2015 be confirmed as a correct record.

C44 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:

WEST SOMERSET COUNCIL
Council Meeting 19.08.2015

Name	Minute No.	Member of	Action Taken
Cllr I Aldridge	All	Williton	Spoke and voted
Cllr D Archer	All	Minehead	Spoke and voted
Cllr H Davies	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	Quantock Vale	Spoke and voted
Cllr P 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 Trollope-Bellew	All	Crowcombe	Spoke and voted
Cllr K Turner	All	Brompton Ralph	Spoke and voted
Cllr T Venner	All except C49	Minehead	Spoke and voted
Cllr D 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 T Venner	C49	SCC	Prejudicial	Left the room during discussion

C45 Public Participation

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

C46 Chairman's Announcements

15 August 2015	Attended 70 th Anniversary of VJ Day Commemoration in Blenheim Gardens, Minehead
16 August 2015	Attended 70 th Anniversary of VJ Day Commemoration at St. Mary's Church, Taunton

At the invitation of the Chairman, Councillor K Turner made reference to the letters that had recently been sent to all Town and Parish Councils in connection with the submission of the West Somerset Local Plan for adoption on 31 July 2015. He reported that anyone who had made representations during the consultation period would also receive a similar communication.

Councillor H Davies drew the attention of Members to the Dunster Agricultural Show which would be taking place on 21 August 2015 and encouraged Councillors who were attending to visit the Somerset County Council Stall.

C47 **Corporate Debt Policy**

(Report No. WSC 12415 – circulated with the Agenda.)

The purpose of the report was to introduce the new Corporate Debt Policy which was key in outlining operational debt recovery activities for a range of debt types. It was essential that all monies owed to the Council were actively pursued. The Policy therefore reflected a range of measures to help customers pay sums due, maximising the level of resources available to support front line public services.

The Policy was underpinned by the following key principles:-

- taking early and co-ordinated debt recovery action;
- taking account of all relevant circumstances relating to the debt;
- offering a range of payment methods to make it easier to settle debts;
- providing links to debt advice; and
- adopting a debt hierarchy to prioritise those debts where non-payment could directly impact on an individual's wellbeing.

The report was presented by the Lead Member for Resources and Central Support, who welcomed the proposed introduction of the new policy.

The Lead Member proposed the recommendation of the report, which was duly seconded by Councillor M Dewdney.

RESOLVED that:-

- (i) the adoption of the new Policy detailed in Appendix 1 to the report be approved;
- (ii) the Council's commitment to engage with those customers in debt, helping them to pay by providing advice and guidance and involving relevant welfare and debt agencies be noted; and
- (iii) it be also noted that the Policy would be reviewed on an annual basis, taking into account changes in legislation, service improvements, regulations and wider policy initiatives.

C48 **Revenue and Capital Outturn 2014/2015**

(Report No. WSC 125/15, circulated with the Agenda.)

The purpose of the report was 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 2014/2015.

The Lead Member for Resources and Central Support presented the item and outlined the details in the report. She went on to propose the recommendations which were duly seconded by Councillor C Morgan.

During the discussion of this item, the following main points were raised:-

- Members pointed out a number of examples of reported changes that had occurred during the final quarter where explanations had not been provided.
- Improvements to Minehead had been made and further works were planned making use of people who were required to undertake 'community payback' tasks. It was hoped that the additional resources spent on Blenheim Gardens in recent years would continue.
- Without the Hinkley Business Rates appeal decision, the Council would have reported an underspend. The Hinkley situation was fundamentally unfair where Councils such as WSC were required to meet the cost of successful appeals even though the Business Rates collected in the past had been collected by the Government. There was a need to strongly lobby the Government over this issue. Should WSC seek to form an alliance with other Councils in a similar position? Was there a case for a Judicial Review to be requested?

RESOLVED that:-

- (1) the reported General Fund Revenue Budget net overspend of £228,348 be noted.
- (2) the proposed transfer of £2,183,884 to the Business Rates Smoothing Reserve be approved to mitigate the deficit on the Collection Fund in 2014/15 and the estimated deficit in 2015/16 due to the outcome of the recent Hinkley Point appeal, as well as future risks in this area.
- (3) a Supplementary 2015/16 Revenue Budget allocation of £40,000 be approved for essential asset maintenance and health and safety works to be funded from the Sustainability Earmarked Reserve.
- (4) the transfers to and from Earmarked Reserves as set out in Table 4 and Appendix B of the report be noted, and the recommended Budget Carry Forward of 2014/15 underspends for specific service costs in 2015/16 totalling £206,394 as set out in Appendix B to the report be supported.
- (5) the Capital Programme Budget Carry Forwards totalling £577,719 for general schemes to be funded using capital receipts, capital grant and S106 contributions (as set out in Appendix C of this report) be approved.
- (6) the Capital Programme Budget Carry Forwards totalling £898,149 for Hinkley S106-funded schemes (as set out in Appendix C of the report) be approved.
- (7) the net overspend of £39,204 in relation to the Capital Programme for general schemes in the current year and that this overspend has been funded from the useable capital receipts reserve be noted.

(8) the Revenue Budget Carry Forwards for Hinkley S106-funded schemes (Stogursey Parish Council £2,640 and HTAP Action Plan £125,385) be also approved.

C49 **Clanville Grange Purchase**

(Report No. WSC 126/15, circulated with the Agenda.)

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 report.

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

The main points raised during the discussion included:-

- A number of questions in relation to the Clanville Grange properties were raised concerning the formula used for calculating the purchase price of each property within the development, why the covenant could not be removed by the Council and why no provision had been made in the budget for the potential risk that had been identified?
- It would be helpful, particularly for the new Councillors, if a full presentation on Clanville Grange was provided at the next meeting of the Housing Policy Advisory Group.

RESOLVED that:-

(1) a supplementary capital estimate for the sum of £117,000 be approved to purchase a property at Clanville Grange to be funded from Capital Receipts.

(2) it be noted that the purchase would 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. It be also noted that in the event the onward sale was not completed, or other unallocated receipts balance was insufficient, in the current financial year the Council would need to fund this acquisition initially through borrowing and then set aside the capital receipt to repay the borrowing in subsequent year(s). This might also impact on current policy to use capital receipts to repay existing capital debt.

(3) the following update to the Minimum Revenue Provision Policy in respect of the Low Cost Home Ownership scheme be approved:-

“In respect of properties acquired under the Low Cost Home Ownership scheme, no MRP is applied in the financial year following acquisition

where capital expenditure is funded through borrowing pending capital receipt from onward sale of the related property.”

(Councillor D Westcott left the meeting at 5.40 p.m. during the discussion of the above item.)

C50 Regulation of Investigatory Powers Act (RIPA) 2000

(Report No. WSC 127/15, circulated with the Agenda.)

The purpose of the report was to advise the Council on the outcome of the review of the Council’s management of covert activities and to seek endorsement of the actions taken/required to implement recommendations emanating from the review.

The Lead Member for Executive Support and Democracy presented the report and proposed acceptance of the recommendations. This was seconded by Councillor B Leaker.

RESOLVED that:-

(1) the outcome of the review and the action taken to date be noted.

(2) the Corporate Policies and Procedures Document in respect of the Regulation of Investigatory Powers Act 2000 (RIPA), as set out in Appendix A to the report, be approved.

C51 Standards Advisory Committee

(Minutes of the Standards Advisory Committee held on 16 June 2015 circulated with the Agenda.)

RESOLVED that the Minutes of the Standards Advisory Committee held on 16 June 2015 be adopted.

The meeting closed at 5.54 pm