

WEST SOMERSET COUNCIL

Minutes of Council held on 20 July 2016 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 M O A Dewdney
Councillor G S Dowding	Councillor S Y Goss
Councillor A P Hadley	Councillor T Hall
Councillor I Jones	Councillor B Leaker
Councillor K M Mills	Councillor R Thomas
Councillor N Thwaites	Councillor A H Trollope-Bellew
Councillor K H Turner	Councillor D J Westcott

Officers in Attendance:

Chief Executive (P James)
Assistant Chief Executive (B Lang)
Assistant Director Energy Infrastructure (A Goodchild)
Assistant Director Resources (P Fitzgerald)
Revenues and Benefits Manager (H Tiso)
Tourism Officer (R Downes)
Meeting Administrator (K Kowalewska)

C21 Apologies for Absence

Apologies for absence were received from Councillors D Archer, R Clifford, H Davies, R Lillis, B Maitland-Walker, C Morgan, P Murphy, J Parbrook, S Pugsley and T Venner.

C22 Minutes

(Minutes of the meeting of Annual Council held on 11 May 2016, circulated with the Agenda.)

RESOLVED that the Minutes of the meeting of Annual Council held on 11 May 2016 be confirmed as a correct record.

Administrator's Note: Somerset Rural Youth Project no longer required representation of a West Somerset councillor.

C23 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 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, Councillor R Woods declared a personal interest as an Employment Hubs volunteer in respect of Agenda Item 10 HPC Planning Obligations Board – Allocations of CIM Funding.

C24 Public Participation

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

C25 Chairman's Announcements

12 May 2016	Attended the Taunton Deane Borough Council Mayor Making Ceremony at Wellington School. Cllr Vivienne Stock-Williams was elected Mayor for the ensuing year.
10 June 2016	Attended the West Somerset Volunteer of the Year Awards at the Beach Hotel, Minehead organised by Engage West Somerset
19 June 2016	Accepted an invitation from the Mayor of Taunton Deane to attend her Civic Service at St John the Baptist Church, Wellington
20 June 2016	Raised the flag as part of the Armed Forces Day event at West Somerset House, Williton
25 June 2016	Attended Men's Breakfast Club in Dulverton
1 July 2016	Attended the unveiling of the Kinetic sculpture by Dulverton Weir and Leat Conservation Group

C26 Anti-Fraud and Corruption Policy and Strategy

(Report No. WSC 72/16, circulated with the Agenda.)

Responsibility for benefit fraud passed to the Department for Work and Pensions through the formation of the Single Fraud Investigation Service, in June 2015. From August 2015 the South West Counter Fraud Partnership (SWCFP) has delivered a Corporate Anti-Fraud service, providing a full counter fraud function for West Somerset Council. The Anti-Fraud and Corruption Policy and Strategy has been refreshed to recognise SWCFP's anti-fraud activities, as well as updating for

procedural changes. In addition, the policy now provides guidance on the options available to deal with those committing Council Tax or Council Tax Rebate fraud or those who negligently make incorrect statements, or fail to notify a change affecting their entitlement to a Council Tax discount, exemption or reduction.

The Lead Member for Resources and Central Support presented the report and provided background information. She drew Members' attention to the equality and diversity implications and stated it was important to be aware of the various policies the Council had in place.

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

During the discussion, the following comments were made:

- A question was raised in respect of what had authorities who had introduced the penalty system experienced and whether the efficiency of collecting council tax had increased by doing so.
- The Revenues and Benefits Manager responded by stating that no negative effect had been experienced by authorities and by publicising to the public that penalties may be applied if the council was not informed of a change in circumstances in a timely manner had proven beneficial.
- It was confirmed that by imposing a penalty did not increase the amount of council tax that was payable as a penalty was considered to be a separate accounting issue.
- At WSC no prosecution action had been taken in respect of failing to inform of a change in circumstances in this new regime.
- It was vital that the council tax register was kept up to date and accurate as it dictated what New Homes Bonus was awarded to the council.
- The Revenues and Benefits Manager and team were thanked for their work in preparing the report.

RESOLVED (1) that the introduction of penalty charges to assist in the prompt and accurate assessment of Council Tax liability be approved.

RESOLVED (2) that the revised Ant-Fraud and Corruption Policy and Strategy (attached at Appendix B to the report) be approved.

C27

Heart of the South West Formal Devolution Bid

(Report No. WSC 85/16, circulated with the Agenda.)

The purpose of the report was to seek approval to sign up 'in principle' to the pursuit of a Devolution Deal and the creation of a Combined Authority for the Heart of the South West sub-region to administer the powers and funding devolved through the Deal. An 'in principle' agreement from all of the local authorities, partners and MPs involved in the Heart of the South West devolution process will open up negotiations with HM Treasury to work towards a Deal.

The Leader of Council presented the report and advised that due to the recent changes in parliament, all personnel in charge of the devolution process had changed, and it was unclear as to when arrangements to open up negotiations towards a devolution deal would commence. He emphasised the fact that by agreeing to the recommendations WSC was not committed to a formal devolution deal, only to the principle of a combined authority, and any final deal with government would be subject to further approval/ratification by all partners individually.

The Leader drew attention to key points of the report – it was considered that the Devon and Somerset area was the right size in terms of a devolution deal; the Mayoral issue was not a precondition of any deal and a decision on this could be made at a later stage; there was no intention for a new Combined Authority to take existing powers or funding from local authorities; and the devolution deal may still proceed even if one or more local authorities chose to opt out.

The Leader proposed the recommendations of the report which were duly seconded by Councillor K Mills.

Various questions and issues were raised by Members and the main points of discussion focussed on

- the implications of managing the devolution deal;
- whether a referendum would be held on the mayoral issue and who would be responsible for paying for it;
- concern that there was no democratically elected representatives on the informal partnership who were involved in the Heart of the South West devolution process;
- concern relating to the economic boundaries;
- was seen as a positive move for the region especially for the sites identified along the M5 corridor, however, West Somerset would not be hugely impacted initially; and
- how the management for the delivery of major projects and distribution of funding would be coordinated.

RESOLVED (1) that the Leader's current approach to devolution be endorsed and the signing up to the principle of creating a Combined Authority for the Heart of the South West, as set out in the Prospectus for Productivity, as the basis for negotiation with Government towards a Devolution Deal for the area, be agreed.

RESOLVED (2) that giving this endorsement did not commit the Council to entering into a Devolution Deal or becoming a member of a Heart of the South West Combined Authority. This would be subject to future debate and agreement by the Council and subject to negotiations with Government.

C28 **Hinkley Tourism Action Plan – Phase 2 Delivery 2016/17**

(Report No. WSC 87/16, circulated with the Agenda.)

The purpose of the report was to consult on the contents of Phase 2 of the Hinkley Tourism Action Plan, developed by the Hinkley Tourism Action Partnership (HTAP) for delivery during 2016-17, and which continues work from Phase 1 of the plan in 2015-16; and to outline proposals for the drawdown of the second contribution for tourism from the Hinkley Point C Site Preparation Section 106 agreement, which totals £171,926k (including £11,926 indexation uplift).

The Lead Member for Regeneration and Economic Growth introduced the report and reiterated the Plan had been in the making for several years, involving several partners, and a tremendous amount of work had been achieved. The Strategy had been devised following significant consultation within the tourist industry.

The Tourism Officer went on to summarise the main details of the report.

The Lead Member for Regeneration and Economic Growth proposed the recommendations of the report which were duly seconded by Councillor A Hadley.

During the discussion, the following main points were raised:

- It was essential that there was a baseline with local businesses and tourism so the actual impact of the Hinkley Point development could be properly measured.
- The Tourism Officer explained how funding was allocated and how it would be managed over the Hinkley construction period once it started, and advised that the work currently being undertaken would influence beyond the expiry of the allocations. The Strategy was planned until 2020 which would be reviewed periodically, and the impacts of Hinkley would have an effect on how the money was spent.
- Marketing and advertising campaigns would be progressing over the next 6-12 months and business monitoring surveys would continue.
- The Assistant Director for Energy Infrastructure confirmed that a lot of the funding would be used to the peak of construction and a fantastic legacy would be left beyond this phase.
- The Tourism Officer explained how the success of the current PR agency's performance was measured.
- The public were not aware of how much was going on with regards to the promotion of tourism in West Somerset and Members commended the team.
- Further to a question on how accommodation would be monitored, the setting up of the business monitoring survey would highlight problem areas particularly within the rural areas of West Somerset and Sedgemoor pertaining to 'good value' accommodation. Work was also being undertaken separately by EDF on a revision to the Accommodation Strategy and HTAP would work closely with them.
- It was confirmed that the Visit Somerset and Visit Exmoor websites used Google Translate as a translating facility. International visitors were very important. Targeting overseas markets was planned for in the future, at the moment work was being concentrated on key domestic markets by HTAP.

- Highways England had been undertaking a review of signage along the M5 which was still continuing with a proposal in place to improve the signs. This work would be kept under review. Signage developments would be considered in travel planning going forward.

RESOLVED (1) that Phase 2 of the Hinkley Strategic Tourism Action Plan for delivery in 2016-17 be approved.

RESOLVED (2) that the drawdown of the £171,926 second allocation for Tourism from the Hinkley Point C Site Preparation Section 106 agreement for delivery of Phase 2 of the Hinkley Tourism Action Plan in 2016-17 be approved.

C29 **Revenue and Capital Outturn 2015/16**

(Report No. WSC 88/16, 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 2015/16.

The Lead Member for Resources and Central Support outlined the details of the report, and stated it was important to note that the outturn figures were provisional and had not yet been audited. Any changes to the accounts discovered by the External Auditor would be reported to the Audit Committee in September 2016.

She reported on the main differences between the variances of Quarter 3 and Quarter 4 of which the largest funding variance was in connection with business rates and the report provided a brief explanation. Attention was drawn to the two transfer of MRP savings in 2015/16 and the decision taken to use capital reserves to balance the budget. It was important to keep an eye on the Hinkley funded projects and to note the Council's responsibility – further reporting on this matter would be available in the future. The volatility of business rates had affected WSC the most financially and the matter concerning the levy payment to Government was raised.

The Lead Member thanked the Scrutiny Committee for their comments which were contained within the report, and officer responses to questions raised by the Committee were included. She concluded by pointing out that if Members wished to obtain further information and a breakdown in respect of the 'Other' revenue variances, referred to in Appendix A of the report, to contact her.

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

During the debate, discussion focussed on the following:

- The figures within the report indicated WSC was not bankrupt.
- Capital expenditure relating to Watchet Harbour.

- In response to the question “What income is generated at Watchet Harbour?”, the Assistant Director Resources advised that he would provide a written response subsequent to the next meeting.
- Officers were complimented on achieving an underspend.
- The external grant funding in relation to the Steam Coast Trail was detailed within the capital budget of which WSC was only the accountable body.
- Earmarked reserves in relation to the Our Place Project.

RESOLVED (1) that the Council’s reported General Fund Revenue Budget underspend of £199,132 for the financial year 2015/16, which takes into account proposed earmarked reserve transfers including budget carry forwards be noted.

RESOLVED (2) that the net Earmarked Reserve transfers, as set out in Table 4 and Appendix B of the report, including recommended Budget Carry Forward of 2015/16 underspends for specific service costs in 2016/17 totalling £212,775, as set out in Appendix B of the report, be approved.

RESOLVED (3) that the proposed Capital Programme Budget Carry Forwards totalling £1,535,237 for general schemes to be funded using capital receipts, capital grant and S106 contributions (as set out in Appendix D of the report) be approved.

RESOLVED (4) that the proposed Capital Programme Budget Carry Forwards totalling £1,282,629 for Hinkley S106-funded schemes (as set out in Appendix D of the report) be approved.

RESOLVED (5) that the residual net underspend of £33,999 in relation to the Capital Programme for general schemes in 2015/16 be noted.

C30 **HPC Planning Obligations Board – Allocations of CIM Funding**

(Report No. WSC 89/16, circulated prior to the Meeting.)

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 outlined the details of the report, providing detailed information on the three applications contained within the report, highlighting the recommendations made by the Planning Obligations Board (POB). She went on to propose the recommendation of the report which was seconded by Councillor A Trollope-Bellew.

Members expressed support for the Brean Down Way project and the Employment Hubs project.

RESOLVED that the recommendation of the Hinkley C Planning Obligations Board and West Somerset Cabinet be endorsed as follows:

- (a) To release £65,000 from the 1st Annual CIM Fund Payment to Greenways and Cycloroutes Ltd to support the Brean Down Way project with the conditions that funding will not be released until:
 - The applicant has provided copies of its policies, insurance documents and current financial position.
 - The budget has been reviewed following the tender process to ensure the project is viable.
- (b) To release £57,036 from the CIM Fund ring-fenced for West Somerset to West Somerset Council on behalf of the West Somerset Employment Hub Network for the West Somerset Community Employment Hubs Future Development and Sustainability project.
- (c) That the application for £96,048 from Sustrans should be refused on the basis that it did not sufficiently meet the value for money criteria and the application has the potential to duplicate other section 106 transport schemes being developed by Somerset County Council.

C31 **Annual Treasury Management Review 2015/16**

(Report No. WSC 90/16, circulated prior to the Meeting.)

The purpose of the report was to review the treasury management activity and the performance against the Prudential Indicators for the 2015/16 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 outlined the details of the report and proposed the recommendation of the report which was seconded by Councillor I Aldridge.

RESOLVED that the Treasury Management activity for the 2015/16 financial year (attached at Appendix A to the report) be noted.

C32 **Composition of Policy Advisory Groups (PAGs) for 2016/17**

The Council's Constitution states that the core membership of the PAGs will be agreed annually by full Council. Given that there are currently two PAGs – the Corporate PAG and the Priorities PAG – it would be appropriate for there to be no specified core membership. Corporate PAG will be chaired by the Leader, or deputy Leader in his/her absence, and the Priorities PAG to be chaired by a Lead Member to be appointed on a meeting by meeting basis.

RESOLVED that the position be noted.

C33 **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 3 March and 9 June 2016 be noted.

RESOLVED (2) that the notes of the Minehead Area Panel held on 9 March 2016 be noted.

RESOLVED (3) that the notes of the Dunster Area Panel held on 18 April 2016 be noted.

The meeting closed at 6.27 pm.