

WEST SOMERSET COUNCIL

Minutes of Council held on 20 September 2017 at 4.30 pm

in the Council Chamber, Williton

Present:

Councillor B Heywood Chairman
Councillor R Woods Vice-Chairman

Councillor A Behan	Councillor M J Chilcott
Councillor H J W Davies	Councillor M O A Dewdney
Councillor G S Dowding	Councillor S Goss
Councillor A P Hadley	Councillor T Hall
Councillor I Jones	Councillor A Kingston-James
Councillor B Maitland-Walker	Councillor K Mills
Councillor C Morgan	Councillor P H Murphy
Councillor J Parbrook	Councillor P Pilkington
Councillor S Pugsley	Councillor N Thwaites
Councillor A H Trollope-Bellew	Councillor K Turner
Councillor T Venner	Councillor D J Westcott

Officers in Attendance:

Chief Executive (P James)
Director – Growth and Development (B Cleere)
Assistant Chief Executive (B Lang)
Assistant Director – Place and Energy Infrastructure (A Goodchild)
Assistant Director – Resources (P Fitzgerald)
Assistant Director – Operational Delivery (C Hall)
Assistant Director – Asset Development Projects (T Gillham)
Finance Manager (J Nacey)
Asset Manager (T Child)
Principal Revenues & Debt Recovery Officer (D Emery)
Senior Revenues Officer (J Collins)
Meeting Administrator (K Kowalewska)

The Chairman announced at the start that a request had been made to film the proceedings of the meeting and asked whether any Member or member of the public objected to being recorded. No objections were raised.

C33 Apologies for Absence

Apologies for absence were received from Councillors I Aldridge, R Clifford, R Lillis and R Thomas.

C34 Minutes

(Minutes of the meetings of Council held on 19 July 2017 and Special Council held on 2 August 2017, circulated with the Agenda.)

RESOLVED (1) that the Minutes of the meeting of Council held on 19 July 2017 be confirmed as a correct record.

RESOLVED (2) that, subject to deleting Cllr K Turner from the Declarations of Interest, the Minutes of the meeting of Special Council held on 2 August 2017 be confirmed as a correct record.

C35 **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 M Chilcott	All	SCC	Spoke and voted
Cllr H Davies	All	SCC	Spoke and voted
Cllr S Goss	All	Stogursey	Spoke and voted
Cllr A Kingston-James	All	Minehead	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 P Pilkington	All	Timberscombe	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 T Venner	All	Minehead	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

In addition, Councillor T Venner declared a prejudicial interest in respect of Agenda Item 7 – Proposed Business Rates Revaluation Relief Scheme as he was in receipt of Small Business Rate Relief and left the Chamber during the discussion of this item.

The Chairman advised that as he had been working with local constituents in respect of Agenda Item 6 – Amendment to New Traffic Regulation Order (Off-Street Parking) 2017, and in the interest of transparency and fairness, he would stand down as Chair during discussion of this item and the Vice Chairman would take over.

C36 **Public Participation**

Agenda Item 6 – Amendment to New Traffic Regulation Order (Off-Street Parking) 2017 following Public Consultation

Judy Ernest, Deputy Chair of Dulverton Town Council, Keith Coulman, Dulverton Town Councillor and Gerry Lewis, Chair of Dulverton Town Council spoke in opposition to the recommendations of report no. WSC 101/17. In summary, their concerns were as follows:

- WSC had imposed an unnecessary burden on Dulverton - residents and workers would suffer hardship and the economic wellbeing of Dulverton businesses would be detrimentally affected.
- The views and concerns of the objectors had not been listened to and the consultation response had been misrepresented.
- Dulverton Town Council had received numerous representations to the effect that people were not happy with the proposed changes to parking charges and conditions, namely requests for the permits to be used without restriction in the Lion Stables car park and the retraction of the increase in parking permit costs.
- Changing the status of the Lion Stables car park to enable permits to be used in the car park and increasing the hourly rate had no justification in Dulverton and was against the stated requests of the town council and the business community.
- The permit figures quoted in the report were believed to be widely optimistic.
- The issue concerning the lack of uniformity in terms of hourly car parking charges in the district and the short term car parking policy was raised.

C37 **Chairman's Announcements**

22 August 2017	Attended a Garden Party hosted by the High Sheriff of Somerset, Richard Hickmet, at the Kings Hall School, Taunton
26 August 2017	Accepted an invitation from the Chairman of the Bristol Channel Yachting Association to attend an event to judge the best decorated boat at the Watchet Marina
3 September 2017	Attended the Chairman of Sedgemoor District Council's Civic Service at St Mary's Church, Bridgwater

In addition, the Vice-Chairman represented the Chairman of Council at the Flying Scotsman Event at Bishops Lydeard Station and at the Scout's AGM.

C38 **Amendment to New Traffic Regulation Order (Off-Street Parking) 2017 following Public Consultation**

(Report No. WSC 101/17, circulated with the Agenda.)

Following the Public Consultation period of 2 June until 10 July 2017, the Council received 119 letters from the general public, businesses, parish/town councils and district councillors. Of these representations 118 raised objections, with one in support.

Following consideration of the objections, the report sought agreement for the amendment of Recommendations 2.2 and 2.4 of the report to Full Council on 22 March 2017 (as permitted by West Somerset Council's Constitution, Section 14) in relation to the Dulverton charges.

There was only one representation received concerning the changes to the Traffic Regulation Order (TRO) covering Watchet and the report did not propose any further changes following this consultation.

The Lead Member for Regeneration and Economic Growth presented the report and advised that due consideration had been given to the objections raised during the public consultation process, and face to face meetings were held with representatives of Dulverton Town Council. He explained the reasoning behind changing the status of the Lion Stables car park from a short term to a long term car park and reported that the cost of parking permits had also been discussed at length. Consideration should also be given to delivering parity across the whole district, as Dulverton was not a special case.

The Lead Member reiterated that the Council had listened and tried to address the concerns raised by the objectors and went on to propose the revised recommendations of the report, subject to the addition of 'named permits' in recommendation 2.2 so that the last line read "...so both permits are fully aligned with those named permits across the District." These were duly seconded by Councillor K Mills.

Concerns were raised that the proposed revised recommendations did not fully address the numerous objections or address the root of the problem. The fact that the changes were required to bring parity with other West Somerset car parks was also disputed. Despite the need and desire to encourage residents, businesses and visitors to use the car parks, the proposals were seen as a barrier, as well as creating on street parking problems.

Councillor N Thwaites therefore proposed an amendment, which was seconded by Councillor S Pugsley, to substitute resolution 2.2 of the report with the following:

'Council recognises that the West Somerset Car Park Strategy 2005 is in need of review and that the process of review is already included in the Scrutiny Committee work plan for 2017 and this review should include the charging structure as part of that work stream. In the interim, Council resolves to remove the changes to permit charges and permit usage in Dulverton from the Traffic Regulation Order (Off-Street Parking) 2017 so that the other changes may be implemented forthwith.'

The Chairman of Scrutiny expressed support for the amendment, and he advised that Members would have an opportunity to debate the Car Parking Strategy at a future Scrutiny Committee as the strategy was in need of a review. It was indicated the Council had taken far too long to agree and process the New Traffic Regulation Order, and as a consequence of the delay, problems with parking were occurring at the Watchet Harbour slipway. A suggestion to provide incentives to purchase permits was also raised.

On being put to the vote the amendment was LOST.

Various issues were raised in regards to the original motion. The Assistant Director Operational Delivery brought to Members' attention that the TRO had not been unnecessarily held up as there was always a requirement to present a follow-up report to Full Council to agree the process.

RESOLVED (1) that Dulverton (6 and 12 month) permits be brought in line with the "Named" permit in two stages. Stage one to be implemented in October 2017, 6 months £105 and 12 months £150; stage two from 1 May 2018 so both permits are fully aligned with those named permits across the District.

RESOLVED (2) that the Lion Stables be approved as a long stay car park to enable the Dulverton permit to be accepted within this car park.

C39 **Proposed Business Rates Revaluation Relief Scheme**

(Report No. WSC 102/17, circulated with the Agenda.)

The purpose of the report was to consider amending the Discretionary Rate Relief policy to include the new relief for revaluation from 1 April 2017.

In the Budget on 8 March, the Chancellor announced that the Government would make available a discretionary fund of £300 million over four years from 2017-18 to support those businesses that faced the steepest increases in their business rates bills as a result of the revaluation. Local government was best placed to determine how this fund should be targeted and administered to support those businesses and locations within their area that were in the greatest need.

The Lead Member for Resources and Central Support presented the item and highlighted the key points from report. The Revenues Team were thanked for their hard work in developing the new relief policy which would maximise the funding in order to support those businesses in need.

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

In response to a question as to how many businesses would qualify for the relief scheme, the Principal Revenues & Debt Recovery Officer confirmed that 23 pubs had received £33,000 and 22 small businesses had been given £31,000 to date. In addition, he advised that currently there were approximately 246 businesses going through the new set of relief schemes and the estimate of spend was £161,000. It was also confirmed that the Government had been informed of the Council's current position, and the Principal Revenues & Debt Recovery Officer was thanked for the work undertaken in this regard. It was further noted that the relief schemes were 100% funded by Government; and there was no roll forward of reliefs and it could only be spent in-year.

RESOLVED that the use of Council's local discount powers from 1 April 2017 to award Revaluation Relief to those organisations that face significant increases in their business rates bills following revaluation be supported.

C40 **HPC Planning Obligations Board – Allocations of CIM Funding**

(Report No. WSC 105/17, 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 outlined the details of the report. She provided further information on the project and proposed the recommendation which was duly seconded by Councillor C Morgan.

Members expressed support for the project and it was hoped that something similar would be put forward for West Somerset.

RESOLVED that the recommendation of the Hinkley C Planning Obligations Board and West Somerset Cabinet to release £79,289 from the 1st Annual payment to the Bridgwater Chamber of Commerce for the Supply the Supplier Business Engagement project be endorsed, with the following conditions:

- that 50% of the funding should be released to enable the employment of relevant project staff when a formal Memorandum of Understanding between the Bridgwater Chamber of Commerce and Somerset Chamber of Commerce is agreed, signed and in place before the start of the project;
- that the remaining 50% of the funding should be released when a range of Key Performance Indicators that measure outputs and outcomes of the project with targets are developed and submitted by Bridgwater Chamber of Commerce and agreed by the Planning Obligations Board within 3 months of the start date of the project staff and a plan for financial sustainability of the project after the initial 2 years is developed by Bridgwater Chamber of Commerce and reported to the Board within 6 months of the start date of the project staff.

C41 **West Somerset Council 2017 Asset Strategy**

(Report No. WSC 103/17, circulated with the Agenda.)

The purpose of the report was to seek approval to adopt the West Somerset Council 2017 Asset Strategy and to approve a revised governance process as informed by the discussions at Corporate PAG held on 29 March 2017, presented to Cabinet Agenda Setting on 19 April 2017 and to Scrutiny on 3 August 2017.

The Lead Member for Resources and Central Support outlined the details of the report. She thanked the Member Working Group for their time and support in reviewing the draft strategy and extended thanks to the officers for taking the Scrutiny Committee's feedback on board and reflecting their comments within the revised asset strategy being presented. The creation of the strategy would help improve asset data and intelligence, and it was felt to be useful for Members to have background information when looking at any asset propositions going forward.

The Lead Member proposed the recommendations which were duly seconded by Councillor B Maitland-Walker.

During the discussion concern was raised about the lack of community involvement in the asset strategy process and the membership of the Asset Management Group was questioned.

RESOLVED (1) that the adoption of the West Somerset Council 2017 Asset Strategy (attached as an appendix to the report), the principles within and the recommendations, be adopted.

RESOLVED (2) that the specific final protocol decisions that flow from the approved strategy, including key decisions, to be undertaken as executive portfolio holder decisions be agreed.

C42 Seaward Way, Minehead – Proposals for Mixed Development (Part 1)

(Report No. WSC 104/17, circulated with the Agenda.)

The purpose of the report was to seek endorsement of the business case and Cabinet recommendations for proceeding with a viable investment to develop a mixed use scheme, creating new affordable homes and essential employment units at Seaward Way, Minehead.

The Lead Member for Housing, Health and Wellbeing presented the report and provided detailed background information. He went on to propose the recommendations which were duly seconded by Councillor A Hadley.

Members were supportive of the scheme to provide much needed jobs and affordable homes in the district, and welcomed the mixed use development was aligned with achieving West Somerset Council's key priorities.

C43 **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded during consideration of the appendices contained in Seaward Way, Minehead Confidential Business Case (Part 2) on the grounds that, if the press and public were present during this 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 appendices 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 agreed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

C44 **Readmittance of the Press and Public**

RESOLVED that the press and public be readmitted to the meeting.

C45 **Seaward Way, Minehead – Proposals for Mixed Development**

Consideration was given to the detail contained in the confidential appendices.

RESOLVED that the following proposals be approved:

(a) The sale of land to local housing provider, identified specifically for a residential scheme, on the eastern half of the site. The land sale will be subject to a conditional contract based on draft terms, as set out in the special purchaser's offer letter (Confidential Part 2 - Appendix D timescales extended by agreement).

(b) Approve a supplementary estimate of £2.982m to the Capital Programme for this scheme, to be funded by external borrowing, to pay for the costs of planning, development, construction and professional fees. (Confidential Part 2 – appendices H & I).

(c) Delegate Director of Growth and Development and S151 Officer the authority to proceed with the proposed development, in agreement with Asset Project Group and Lead Members (Portfolio Holder, Deputy Leader & Leader), delivering two new commercial units for rent on retained land, and:

- (i) Appoint a preferred Design and Build provider (Contractor A) as the most economically advantageous tenderer (Confidential Part 2 - Appendix F).
- (ii) Appoint a professional team of advisors to support the Council with detailed design and planning, quality and cost control, ensuring the commercial units are developed to an agreed specification, on time and within budget (Confidential Part 2 - Appendix K);

- (iii) Conclude Lease Agreement with occupier of large Light Industrial Unit (Draft Terms agreed with major business operator and its parent company as guarantor (Confidential Part 2 - Appendices L);
- (iv) Conclude Lease Agreement with occupier of new smaller unit, based on draft Heads of Terms agreed with local business operator (Confidential Part 2 - Appendix M);
- (v) Submit a planning application, following consultation and develop scheme in accordance with a future planning committee determination, within agreed programme timescales and budget (indicative milestones in Confidential Part 2 Appendix G).

The meeting closed at 7.08 pm.