

WEST SOMERSET COUNCIL

Minutes of the Meeting held on 21 March 2012 at 4.30 pm
in the Council Chamber, Williton

Present:

Councillor A F Knight..... Chairman
Councillor D D Ross Vice-Chairman

Councillor A M Chick
Councillor H J W Davies
Councillor G S Dowding
Councillor K V Kravis
Councillor E May
Councillor K M Mills
Councillor S J Pugsley
Councillor M A Smith
Councillor A H Trollope-Bellew
Councillor D J Westcott

Councillor M J Chilcott
Councillor M O A Dewdney
Councillor B Heywood
Councillor R P Lillis
Councillor I R Melhuish
Councillor C Morgan
Councillor L W Smith
Councillor T Taylor
Councillor K H Turner

Officers in Attendance:

Chief Executive (A Dyer)
Corporate Director (B Lang)
Group Manager Finance and Central Support (G Carne)
Group Manager Housing and Community (I Timms)
HR Consultant (M Griffin) (Item 7 only)
Principal Accountant (S Plenty) (Item 10 only)
Media, PR and Communications Officer (S Beaumont)
Meeting Administrator (K Kowalewska)

C91 Apologies for Absence

Apologies for absence were received from Councillors J Freeman, S Y Goss, P N Grierson, A P Hadley, P H Murphy, K J Ross and D J Sanders.

C92 Minutes

(Minutes of the Meeting of Council held on 29 February 2012 - circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Council held on 29 February 2012 be confirmed as a correct record.

C93 **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	Member of	Action Taken
Cllr L W Smith	All	Minehead	Spoke and voted
Cllr A H Trollope-Bellew	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,

- Councillor A F Knight declared a personal interest relating to Item 7 – Pay Policy Statement 2012/13, as his daughter was a West Somerset Council employee.
- Councillor M A Smith declared a personal interest relating to Item 8 – Hinkley Point C Development Financial Update Examination Period, as her sister was press officer for Stop Hinkley.
- Councillor A H Trollope-Bellew declared a personal interested relating to Item 11 – Somerset Armed Forces Community Covenant, as he was an ex-serviceman.

C94 **Public Participation**

No member of the public had requested to speak.

C95 **Chairman's Announcements**

5 March 2012	Opened Pupil Parliament at West Somerset Council offices
7 March 2012	Croft House – photo call and meeting with “Archie”
17 March 2012	Attended the launch of the “Archie” project
16 March 2012	Attended South Somerset’s Civic Evening at The Octagon, Yeovil, followed by a performance of South Pacific
17 March 2012	Charity Evening in support of the Mayor of Taunton’s chosen charity plus a concert at The Temple Methodist Church by Taunton and Bournemouth Male Voice Choirs
20 March 2012	Unveiling of the “re-vamped” Fitzroy barometer on Watchet Esplanade

The Chairman reminded Members that they were welcome to attend the charity quiz evening at Washford Village Hall on 21 April.

C96 **Timetable of Meetings 2012/2013**

(Timetable of meetings for the 2012/13 Municipal Year, circulated with the Agenda.)

The purpose of the report was to agree a timetable of meetings for the 2012/2013 Municipal Year.

During the discussion the following amendments to the timetable were suggested:

- Timetable at least two additional dates for full council meetings as it was thought that six ordinary meetings a year was not sufficient and having more meeting dates would provide a better running of the Council.
- Audit Committee be moved from 26 September to 24 September 2012.
- Reschedule the Cabinet meeting proposed for 6 June 2012 due to at least two Cabinet members not being able to attend on that date.

The Lead Member for Executive Support and Democracy agreed to look at the frequency of Council meetings and an appropriate alternative date for Cabinet would be found.

Councillor A F Knight proposed the amendments to the Timetable of Meetings and these were seconded by Councillor I R Melhuish.

RESOLVED that, subject to the amendments identified at the meeting, the 2012/2013 timetable be approved.

C97 **Pay Policy Statement 2012/13**

(Report No. WSC 33/12, circulated with the Agenda.)

The purpose of the report was to seek approval from Council for the 2012/13 Pay Policy Statement and the Honorarium and Acting Up Policy, which is contained within the Statement.

The report was presented by the HR Consultant who provided a background to the Pay Policy Statement. He advised that the Pay Policy Statement for a financial year can be further amended within the year by full Council. He clarified the fact that the Pay Policy Statement related to policies and did not contain personal information about individual salaries, nor was there a need for an authority to publicise additional multipliers or ratios other than the median average compared to the highest paid employee in the authority.

Clarification was sought regarding the Ready Reckoner contained within the Retirement and Redundancy policies as it was not clear what the figures in the table referred to, i.e. weeks, months or years. The HR Consultant confirmed that the figures related to weekly pay. It was agreed that an amendment to the Retirement Policy and Redundancy Policy be

made to include an explanation of the figures contained in the Ready Reckoner.

The Chairman made it clear that all West Somerset Council policies can be amended at any time during the year by full Council.

In response to a query regarding the Retirement Policy, the HR Consultant advised that the amendments made to the updated policy were as a result of the abolishment of the default retirement age.

Councillor T Taylor proposed the recommendation in the report, subject to an amendment to the Retirement and Redundancy policies as set out above, and this was duly seconded by Councillor D D Ross.

RESOLVED that the Pay Policy Statement 2012/13, the Honorarium and Acting Up Policy, as set out in **Appendix A** to the Minutes of this Meeting, be approved.

C98 **Hinkley Point C Development – Financial Update – Examination Period**

(Report No. WSC 43/12, circulated with the Agenda.)

The purpose of the report was to provide Members with an update on the current financial situation relating to the Council's ability to participate in the Examination of the Development Consent Order (DCO) application, covering the period April 2012 until a decision from the Secretary of State.

The report was presented by the Leader of Council who drew Members' attention to the extensive list of work that needed to be carried out and submitted to the Infrastructure Planning Commission (IPC) during the examination process of the DCO application. It was clear that the current offer from EDF Energy was not adequate to fund the work required but the Council had to do the very best with the resources available to represent the people of West Somerset. The need for good technical and legal support was important.

In response to a suggestion as to whether it would be feasible to take the offer from EDF as an interim payment without prejudice and to consider a legal challenge after the Secretary of State's decision, it was noted that due to time constraints and lack of resources a legal challenge may not be possible and the Chief Executive stated that EDF required a written confirmation from the Council stating that it was willing to accept the offer in full and final settlement before any funds were released.

The Chief Executive reported that a letter had been received from the IPC concerning the funding issue and their response was that the IPC had no powers to intervene in any dispute about funding agreements between applicants and interested parties and it was not appropriate for the IPC to comment.

In reply to a question as to what would the implications be if West Somerset Council did not accept EDF's financial offer, the Chief Executive responded that the process would proceed without any representation from the Council.

The recommendations in the report were proposed and seconded subject to an amendment to recommendation 2.1.4 to delete the words "should be issued"; and following concerns expressed by Members for the need to challenge central Government on this issue, to include a further recommendation that Council agree to actively pursue Government to try and resolve the funding for legal, technical and administration costs for infrastructure projects being submitted to the IPC, where a Council is the major consultee. The purpose of this is to ensure the Council can fully engage in the IPC examination and that local government is not forced to subsidise the project.

RESOLVED (1) that Council agree to maintain a proactive stance to endeavour to influence the Hinkley Point C New Nuclear project beyond 31 March 2012 and continue to be involved in the Examination process to support local communities and inform the IPC about important local matters. This will be within a defined funding envelope to be agreed with Sedgemoor District Council. As part of this process the Council will seek to conduct further discussions with EDFE and the IPC on scheme changes and or mitigation which reduce impacts and increase benefits, and to ensure delivery plans are in place to secure positive benefits and monitoring is in place.

RESOLVED (2) that Council agree to work closely with Sedgemoor District Council to secure additional resources to create a joint budget to fund technical and legal support for the District Councils to ensure a continuation of joint working during the Examination process.

RESOLVED (3) that Council agree to a Supplementary Estimate to the 2012/13 budget of £75,000 as a contribution to the joint budget referred to in Resolution (2) above.

RESOLVED (4) that the letter sent to the Infrastructure Planning Commission (IPC) to clarify how the Council may be able to engage in the process and how it may be denied full participation be noted.

RESOLVED (5) that Council note that at the Preliminary Meeting on 21 March 2012 officers inform the IPC of the Council's financial constraints and that a request made for all appropriate Council legal costs to be funded by the promoter in order to develop and finalise planning obligations and conditions.

RESOLVED (6) that Council agree to officers preparing proposed planning obligations to submit to the IPC for staffing and on-going operational and support costs during project implementation, should the DCO be approved.

RESOLVED (7) that Council agree to actively pursue Government to try and resolve the funding for legal, technical and administration costs for infrastructure projects being submitted to the IPC, where a Council is the major consultee. The purpose of this is to ensure the Council can fully engage in the IPC examination and that local government is not forced to subsidise the project.

C99 **Somerset Local Access Forum**

(Report No. WSC 34/12, circulated with the Agenda.)

The purpose of the report was to consider appointing a Councillor from West Somerset Council to be the District Council representative on the Somerset Local Access Forum.

The report was presented by the Lead Member for Environment who proposed the recommendation in the report which was duly seconded by Councillor M O A Dewdney.

RESOLVED that the Lead Member for Environment be appointed to serve on the Somerset Local Access Forum for a period of two years from April 2012 until March 2014.

C100 **Treasury Management Strategy Statement, Minimum Revenue Policy (MRP) Policy and Annual Investment Strategy 2012-13**

(Report No. WSC 52/12, circulated with the Agenda.)

The purpose of the report was to inform Council of the proposed Treasury Management Strategy, Minimum Revenue Policy and Annual Investment Strategy for 2012-13 in line with the Department for Communities and Local Government's Guidance on Local Government Investments ("the Guidance") and the 2011 revised CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes ("the CIPFA TM Code").

The report was presented by the Lead Member for Resources and Central Support who highlighted an amendment to the figures in the 'under / (over) borrowing' row in the table contained within section 3.1 Current Portfolio Position. The Lead Member proposed the recommendation in the report which was seconded by Councillor A H Trollope-Bellew.

During the discussion there was a request that sustainability should be included in long-term financial planning as it made economic sense to manage carbon.

In reply to a question regarding treasury management limits on activity, it was advised that the limits were designed to protect authorities from refinancing risk and, in the case of West Somerset Council who only has one loan, the only parameters that would work in this context are 0% and 100%.

RESOLVED that the combined Treasury Management Strategy, Minimum Revenue Policy and Annual Investment Strategy for 2012-2013, as amended, be approved.

C101 Somerset Armed Forces Community Covenant

(Report No. WSC 42/12, circulated with the Agenda.)

The purpose of the report was to update Council on this new initiative and seek endorsement for the action taken to date and future commitment to the partnership.

The report was presented by the West Somerset Member Champion for the Armed Forces who proposed the recommendations in the report and these were seconded by Councillor A F Knight.

Members thanked Councillor Dowding for taking on this role.

RESOLVED (1) that the Council's membership of the Somerset Armed Forces Community Covenant Partnership and being a signatory to the Armed Forces Community Covenant be endorsed.

RESOLVED (2) that the appointment of Councillor G S Dowding as the West Somerset Member Champion for the Armed Forces be endorsed.

RESOLVED (3) that the action taken to date on this initiative be noted and future commitment to the Partnership be supported within existing resource constraints.

C102 Refresh of Health and Safety Policy and Associated Procedure

(Report No. WSC 50/12, circulated with the Agenda.)

The purpose of the report was to update the Council's Health and Safety Policy and the Violence and Aggression to Staff Procedure.

The report was presented by the Lead Member for Resources and Central Support who proposed the recommendations in the report, which were seconded.

During the discussion there was a request for more practice on emergency procedures. The Group Manager for Housing and Community confirmed that he would be happy to arrange a fire drill during a future meeting.

The Chief Executive advised that there had been a number of instances of aggression and violence to staff in the past.

RESOLVED (1) that the updated Health and Safety Policy, attached as **Appendix B** to the Minutes of this Meeting, be adopted.

RESOLVED (2) that the changes to the Violence and Aggression to Staff Procedure, attached as **Appendix C** to the Minutes of this Meeting, be noted.

C103 **Clean Neighbourhoods and Environment Act 2005 – Dog (Exclusion) Orders**

(Report No. WSC 51/12, circulated with the Agenda.)

The purpose of the report was to outline the current provisions of the Clean Neighbourhoods and Environment Act 2005 in respect of the Dog Exclusion Orders implemented across the District in 2010, and set out proposals for the creation of a new Dog Exclusion Order replacing the 2010 Order.

The report was presented by the Lead Member for Community and Customer who advised that Watchet Town Council had been subject to a legal challenge which resulted in a review of the Order. The Lead Member proposed the recommendation in the report which was seconded by Councillor C Morgan.

RESOLVED that the adoption of The Dogs Exclusion (West Somerset) Order 2012, attached as **Appendix D** to the Minutes of this Meeting, be agreed.

C104 **Minutes and Notes for Information**

(Notes of Hinkley Point – Somerset Nuclear Energy Group (SNEG) held on 17 January 2012, circulated via email.)

RESOLVED that the notes of the Hinkley Point – Somerset Nuclear Energy Group (SNEG) held on 17 January 2012 be noted.

The meeting closed at 6.17 pm