

**WEST SOMERSET COUNCIL**

**Minutes of the Meeting held on 21 October 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 M J Chilcott	Councillor R Clifford
Councillor H J W Davies	Councillor M O A Dewdney
Councillor S Y Goss	Councillor A P Hadley
Councillor T Hall	Councillor B Leaker
Councillor R P Lillis	Councillor B Maitland-Walker
Councillor K M Mills	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/Monitoring Officer (B Lang)  
Assistant Director Resources (P Fitzgerald)  
Senior Accountant and Deputy Section 151 (J Nacey)  
Principle Revenues and Debt Recovery Officer (D Emery)  
Strategic Manager – Governance and Risk for Somerset County Council (J Gale)  
Chairman of the Joint Remuneration Panel on Members Allowances (I Partington)  
Meeting Administrator (A Randell)

**C63      Apologies for Absence**

Apologies for absence were received from Councillors A Behan and I Jones.

**C64      Minutes**

(Minutes of the meeting of Council held on 16 September 2015, circulated with the Agenda.)

**RESOLVED** that the Minutes of the meeting of Council held on 16 September 2015 be confirmed as a correct record.

**C65      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:

<b>Name</b>	<b>Minute No.</b>	<b>Member of</b>	<b>Action Taken</b>
Cllr I Aldridge	All	Williton	Spoke and voted
Cllr D Archer	All	Minehead	Spoke and voted
Cllr H J W Davies	All	SCC	Spoke and voted
Cllr S Goss	All	Stogursey	Spoke and voted
Cllr B Maitland-Walker	All	Carhampton	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	Minehead & SCC	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

In addition, the following interests were declared:

<b>Name</b>	<b>Minute No.</b>	<b>Description of interest</b>	<b>Personal or Prejudicial</b>	<b>Action Taken</b>
Cllr P H Murphy	C69	Treasurer of affected organisation	Personal	Spoke and voted
Cllr A Trollope-Bellew	C69	Interest with affected organisation	Personal	Spoke and voted
Cllr H J W Davies	C69	Business interest	Disclosable Pecuniary	Left the room during discussion
Cllr B Leaker	C69	Business interest	Disclosable Pecuniary	Left the room during discussion
Cllr T Venner	C69	Business interest	Disclosable Pecuniary	Left the room during discussion

**C66 Public Participation**

Relating to Item 7 Terry Brownbill spoke on behalf of the Exmoor Holiday Group and also as a Business Exmoor representative. He expressed concerns that the revised Discretionary Rate Relief Policy had not been taken through the correct processes and that local businesses had not been sufficiently consulted.

**C67 Chairman's Announcements**

The Chairman had attended the following events:

21 September, 2015 – Opening of the McMillan Theatre, Bridgwater College

24 September, 2015 – Presentation Evening at West Somerset College

27 September, 2015 – 10<sup>th</sup> National LWPT Service at St Michael's Church, Minehead (with Mayor of Minehead)

4 October, 2015 – Somerset Young Farmers Harvest Thanksgiving, Wells Cathedral

15 October, 2015 – Opening of Agricultural Innovation Centre at Bridgwater College

18 October, 2015 – Seafarers Service, Watchet Methodist Church

**C68**      **Report of the Joint Independent Remuneration Panel and Review of Members Allowances.**

(Report No. WSC 146/15, circulated with the Agenda.)

The purpose of the report was to enable the Council to consider the detailed report of the Joint Independent Members Remuneration Panel and to consider whether to accept, reject or amend any of the Panel's recommendations.

Ian Partington, Julian Gale and Bruce Lang presented the item, stating that the findings of the report were that of the panel. The processes and comparisons explored to reach the findings were detailed to members to consider.

During the discussion, the following main points were raised:

- Members were concerned over any increase in costs considering the council was struggling to provide a balanced budget, and that this would be sending out the wrong message to the community.
- There was an apprehension that if the allowance was not increased then there could be difficulty in attracting individuals to stand as Councillors in the future.
- Discussion took place relating to additional allowances for committee Chairman. There was a concern that an increase of additional allowances would be a retrograde step against the background of budget savings needing to be made.

The Leader went on to propose recommendation 3.1, as set out in the report which was duly seconded. An amendment was then duly proposed and seconded as follows:

‘Notwithstanding the contents of the report of the Independent Remuneration Panel, no changes be made to the existing scheme of Members Allowances except that, with effect from 1 January, 2016, all Special Responsibility Allowances be reduced by 5% with the resultant savings being made as a contribution to the General Revenue Fund and that there be no further changes made to the Members Allowance Scheme until after the 2019 local elections.’

On being put to the vote the amendment was declared CARRIED.

A further amendment was duly proposed and seconded with the effect that the following words be added:

‘That an additional special responsibility allowance be awarded to the post of Chairman of the Audit Committee at a level of £1,366 per annum, with effect from 1 January, 2016, with such allowance being subject to a 5% reduction with effect from the same date.’

On being put to the vote the amendment was declared CARRIED.

There was then a further amendment to the effect that the additional wording be added:-

‘That, with effect from 1 January, 2016, the Special Responsibility Allowance for the post of Chairman of Licensing Committee be increased to a sum of £3,366 per annum, which would also be subject to a 5% reduction with effect from the same date.’

On being put to the vote the amendment was declared LOST.

There was no further debate and on being put to the vote the substantive motion was declared CARRIED.

**RESOLVED** that, notwithstanding the contents of the report of the Independent Remuneration Panel, no changes be made to the existing scheme of Members Allowances except that, with effect from 1 January 2016, all Special Responsibility Allowances be reduced by 5% with the resultant savings being made as a contribution to the General Revenue Fund and that there be no further changes made to the Members’ Allowance Scheme until after the 2019 local elections; that an additional special responsibility allowance be awarded to the post of Chairman of the Audit Committee at a level of £1,366 per annum with effect from 1 January 2016, with such allowance being subject to a 5% reduction with effect from the same date.

**C69**      **Discretionary Business Rate Relief Policy**

(Report No. WSC 152/15, circulated with the Agenda.)

The purpose of the report was to introduce a revised Discretionary Rate Relief Policy to come into effect from 1 April 2016 The policy outlines the principle for the award of any discretionary Rate Relief.

The item was presented by the Lead Member for Resources and Central Support who reported on the application process, advising that the policy is underpinned by key considerations when making an award to take account of the best interests of the residents and taxpayers of West Somerset and producing a local benefit.

During the discussion, the following main points were raised:

- It was confirmed to members that businesses had been written to and informed that the policy is under review.
- Members were in agreement that the policy should still enable businesses to be supported up to 100% in certain instances.

- Concern was expressed that the revised policy had not been discussed at a Policy Advisory Group and not been considered by the Scrutiny Committee. There were additional concerns that the new policy was being introduced to save money and reduce support for small and local business.
- It was expressed that the existing scheme was too generous and the new policy would ensure that those businesses in need of rate relief would receive it.
- The business rate appeal process was discussed. It was clarified to members that appeals were considered on a case by case basis and had a target time of 28 days within which to be determined.
- Members were made aware that if the item was deferred then the policy could not be implemented for the 1<sup>st</sup> April, 2016 and there would be additional costs incurred if the policy was not implemented for the next financial year.
- The general consensus amongst members were that those businesses who could afford to make some contribution towards business rates should do so in the current climate of cuts in local government funding.
- Officers in the Revenues and benefits department were commended for the work that had been undertaken on this report.

The Lead Member went on to propose the recommendations set out in the report in paragraphs 3.1(a) and (b) which were duly seconded. During the ensuing debate concerns were raised regarding the transparency and consultative process associated with the development of the proposed discretionary relief policy and the following amendment was duly proposed and seconded:

‘Consideration of the revised discretionary rate relief policy be deferred to enable proper public consultation and for the proposed policy to be formally considered by the Scrutiny Committee’.

On being put to the vote the amendment was declared LOST.

There was no further debate and on being put to the vote the substantive motion was carried.

**RESOLVED (1)** that the revised discretionary rate relief policy detailed in Appendix 1 to the report, be adopted.

**RESOLVED (2)** to approve the inclusion of the anticipated savings within 2016/2017 budget in the ongoing medium term financial plan net of additional administration costs.

**C70**      **Minutes and Notes for Information**

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

**RESOLVED** that the notes of the Dunster Area Panel held on 27 July 2015, Exmoor Area Panel held on 1 September 2015, Minehead Area Panel on 9 September 2015 and the Watchet, Williton and Quantock Vale Area Panel held on 15 September 2015, be noted.

**C71**      **Exclusion of the Press and Public**

**RESOLVED** that the press and the public be excluded during consideration of item 10 on the grounds that, if the press and public were present during that 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:

Item 10 contains information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding that information). It is therefore proposed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**C72**      **Sale of Seaward Way Land for Development**

The purpose of this report is to request that the Council approve the recommendations of the Asset Project Group of the preferred bidder, who assessed the bids with advisors following marketing of Council owned land at Seaward Way, Minehead for either Employment or Residential use. These recommendations had been subsequently supported by Cabinet at its meeting held on 14<sup>th</sup> October, 2015.

The Lead Member for Housing, Health and Wellbeing presented the report and proposed the recommendations that were duly seconded.

**RESOLVED (1)** that Council agrees to:

- a) Approve the sale of land at Seaward Way (marketed for residential/employment use) to the preferred bidder, for the delivery of employment and commercial use development, subject to contract and planning;
- b) Note that the sale of land is subject to exchange of conditional contracts and the receipt of a non-refundable deposit being paid to the Council of £50,000, which will be allocated to capital receipts reserves;
- c) Delegate final approval and sign-off of the sale by agreement of the Leader, Lead Member for Finance, Chair of Asset Project Group, Chief

Executive Officer and the S151 Officer, and, who are granted authority to conclude a sale if a minimum sum or a higher figure is achieved.

- d) Note that Council members will be informed of progress through information reports from the Asset Project Group, such as Asset Sales standing agenda item at Corporate PAG.

**RESOLVED (2)** that Council agrees to a continuation of established authority, that the Council approved minimum sum should be expected. This is a figure at least equal to the capital receipt previously approved by the Council (2012), with an appropriate adjustment to reflect any market uplift in land value.

**RESOLVED (3)** that Council approves that the final payment be made to the Crown and Passmore Trust (£88,700) for the release of restricted covenants on Seaward Way employment land, and is added to the 2015/16 Capital Programme for Seaward Way Disposal Costs, to be funded from unallocated capital receipts reserves. Members to note, that the payment concludes a contractual requirement, by settling a fixed overage amount as referenced in paragraph 5.2 of the report.

NOTE(1): Councillor R Woods, H J W Davies and T Venner left at 5.30 pm

NOTE(2): Councillors C Morgan and B Leaker left at 5.45 pm

The meeting closed at 7.15 pm.