

WEST SOMERSET COUNCIL

Minutes of the Meeting held on 21 November 2012 at 4.30 pm

in the Council Chamber, Williton

Present:

Councillor D D Ross Chairman
Councillor G S Dowding Vice-Chairman

Councillor H J W Davies
Councillor P N Grierson
Councillor B Heywood
Councillor K V Kravis
Councillor E May
Councillor S J Pugsley
Councillor D J Sanders
Councillor M A Smith
Councillor A H Trollope-Bellew

Councillor J Freeman
Councillor A P Hadley
Councillor A F Knight
Councillor R P Lillis
Councillor K M Mills
Councillor K J Ross
Councillor L W Smith
Councillor T Taylor
Councillor K H Turner

Officers in Attendance:

Chief Executive (A Dyer)
Corporate Director (B Lang)
Section 151 Officer (S Campbell)
Group Manager Housing, Welfare and Economy (I Timms)
Climate Change and Community Liaison Manager (A Lamplough)
Meeting Administrator (K Kowalewska)

At the start of the meeting the Chairman requested a minute's silence in memory of Colin Russell, an ex-West Somerset Council Chief Officer. Deepest sympathies were also expressed to the family of a member of the Minehead Barbarians Rugby Club who had suddenly and unexpectedly passed away.

C68 Apologies for Absence

Apologies for absence were received from Councillors A M Chick, M J Chilcott, M O A Dewdney, S Y Goss, I R Melhuish, C Morgan, P H Murphy and D J Westcott.

C69 Minutes

(Minutes of the Meeting of Council held on 24 October 2012, circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Council held on 24 October 2012 be confirmed as a correct record.

C70 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 P N Grierson	All	Minehead	Spoke and voted
Cllr K J Ross	All	Dulverton	Spoke and voted
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

In addition, the following interests were declared:

Name	Minute No.	Description of interest	Personal or Prejudicial	Action Taken
Cllr H J W Davies	C73	Vice-President of Minehead Barbarians RFC	Personal	Spoke and voted
Cllr R P Lillis	C73	Vice-President of Minehead Barbarians RFC	Personal	Spoke and voted
Cllr K V Kravis	C76	Connection with a gambling establishment	Prejudicial	Left the chamber

Upon a signed request, the following Members were granted a dispensation relating to a disclosable pecuniary interest in Item 11 – Arrangements for Independent Remuneration Panel and Review of West Somerset Council Members' Allowance Scheme – due to all being in receipt of allowances:

Councillor H J W Davies
Councillor J Freeman
Councillor A P Hadley
Councillor A F Knight
Councillor R P Lillis
Councillor K M Mills
Councillor D D Ross
Councillor D J Sanders
Councillor M A Smith
Councillor A H Trollope-Bellew

Councillor G S Dowding
Councillor P N Grierson
Councillor B Heywood
Councillor K V Kravis
Councillor E May
Councillor S J Pugsley
Councillor K J Ross
Councillor L W Smith
Councillor T Taylor
Councillor K H Turner

C71 Public Participation

Agenda Item 10 – Request for Allocation of Planning Obligations Monies.

Colin Howells, Chelsea Howard (aged 11), Dionne Jones and Mike Willes spoke on behalf of the Minehead Barbarians Rugby Football Club and requested that Members support the application to provide additional changing rooms, catering facilities and improved access for disabled users at the Club as the current facilities were inadequate and could not accommodate for the increased demand. Members were informed that the

Club was registered as a Community Amateur Sports Club and was a non-profit, voluntary organisation.

C72 **Chairman's Announcements**

31 October 2012	Attended an event organised by the Carers Trust in Butlins, Minehead
12 November 2012	Attended the laying of the Foundation Stone of the new Bridgwater Hospital, Bridgwater

The Vice Chairman announced that he had attended the Minehead British Legion Remembrance Service on 11 November 2012, and on 13 November 2012 had attended the Somerset Armed Service Community Covenant Group in Taunton.

C73 **Request for Allocation of Planning Obligations Monies**

(Report No. WSC 153/12, circulated with the Agenda.)

The purpose of the report was to make a proposal for the allocation of capital monies secured through planning obligations to a scheme proposed by Minehead Barbarians Rugby Football Club.

The Lead Member for Resources and Central Support presented the report and thanked and commended the members of the Rugby Club who attended and spoke at the meeting and regarded them a credit to the Club. She drew Members' attention to paragraph 4.4 of the report which detailed the total cost of the scheme, and to the planning agreement which the sum of money was allocated from, and confirmed that the funding matched the planning obligations agreement. Members were advised that extensive consultation on the scheme had been undertaken by the Club and letters of support had been received which clearly demonstrated their dedication and commitment.

The Lead Member reported that Minehead Town Council had debated the application at their recent meeting and were supportive of the proposal.

The Lead Member proposed the recommendation in the report which was seconded by Councillor R P Lillis.

Members were fully supportive and felt that it was a great privilege to grant section 106 money to a vibrant club which had accomplished a great deal in the West Somerset area. During the debate it was noted that Minehead Barbarians Rugby Football Club owned their own ground and was the only amateur rugby club in West Somerset.

Members noted an error in the report in paragraph 6.1.1 and that it should read: 'virements in excess of £25,000 need to be authorised by full Council', and noted that there would be no impact on general reserves from undertaking this project.

RESOLVED that the allocation of £50,000 for the expansion of facilities at Minehead Rugby Football Club to be included in the current year's capital programme be agreed.

Note: With the agreement of the Chairman this item was brought forward on the Agenda.

C74 **Notice on Motion**

In accordance with Procedure Rule 11 the following amended motion was received from Councillor D D Ross:

"I wish for the Council to debate the following motion:

That this Council supports representations being made to the Minister of State for the Armed Forces to review the situation that is preventing British and Allied Sailors from being honoured by the Russian Government for their service in the Arctic convoys during the second world war and to request that these brave people be able to receive the recognition they deserve."

The Chairman reported that, following a report in the local newspaper regarding Mr Peter Baker, a former veteran of the Arctic Convoys in World War 2, he was incensed to read that Mr Baker was being refused permission to receive an award from the Russian government even though veterans from other countries had received awards. The Chairman felt it would be hypocritical of the Council to hold an Armed Forces Day and raise the flag if it failed to support West Somerset veterans' right to recognition.

The Chairman proposed the amended motion and it was seconded by the Vice-Chairman.

RESOLVED that the Council supports representations being made to the Minister of State for the Armed Forces to review the situation that is preventing British and Allied Sailors from being honoured by the Russian Government for their service in the Arctic convoys during the second world war and to request that these brave people be able to receive the recognition they deserve.

C75 **Localism Act 2011 – Repeal of Legislation – Dealing with Petitions**

(Report No. WSC 108/12, circulated with the Agenda.)

The purpose of the report was to provide Council with the opportunity to reconsider its position on dealing with petitions in the light of changes consequent upon the repeal of legislation relating to this issue.

The Lead Member for Executive Support and Democracy presented the report and reported that the current petition scheme which was formally adopted by Council in 2010 was repealed by the Localism Act in 2011 and

therefore the requirement for a statutory petition scheme and mandatory new petitions facility was no longer needed. The Council was now in a position to be able to review the process and be able to provide greater clarity and flexibility. Members of the Corporate PAG had recently reviewed the matter and the outcome of their discussions had been incorporated in the recommendation.

The Lead Member proposed the recommendations which were seconded by Councillor K Ross.

It was clarified that all petitions, including e-petitions, must include the name, address and signature of any person supporting the petition.

RESOLVED (1) that the Council repeals the Petitions Scheme adopted at its meeting held on 23 June 2010 (minute no. C31 refers).

RESOLVED (2) that in future all written and e-petitions will be considered on a case by case basis and, subject to not being a vexatious, abusive or otherwise inappropriate in nature, the Council will respond to a petition through one or more of the following ways:

- taking the action requested in the petition,
- considering the petition at a Council meeting,
- holding an enquiry into the matter,
- undertaking research into the matter,
- holding a public meeting,
- holding a consultation,
- holding a meeting with petitioners,
- referring the petition for consideration of the Council's Scrutiny Committee,
- calling a referendum,
- writing to the petition organiser setting out the Council's views about the request in the petition.
- In all instances an acknowledgement will be sent to the petition organiser within 10 working days of receipt advising of how the Council plans to deal with the petition and related timescales.

C76 **Gambling Act 2005 – Review of Policy**

(Report No WSC 142/12, circulated with the Agenda.)

The purpose of the report was to present the amended West Somerset Council's Statement of Gambling Policy following completion of the statutory three yearly review.

The Lead Member for Housing, Environmental Health and Licensing presented the report and proposed the recommendation of the report which was seconded by Councillor H J W Davies.

RESOLVED that the amended Gambling Act Policy to take effect from 3 January 2013 be adopted.

C77 **Arrangements for Independent Remuneration Panel and Review of West Somerset Council Members' Allowance Scheme**

(Report No. WSC 146/12, circulated with the Agenda.)

The purpose of the report was to enable the Council to agree an approach in regard to the review of the current Members' Allowances Scheme and to consider a proposal to create a Joint Independent Remuneration Panel for Somerset County Council and West Somerset Council.

The Leader of Council presented the report and proposed the recommendations in the report which were seconded by Councillor E May.

The Corporate Director confirmed that mileage payments were kept in line with approved HM Revenue and Customs mileage rate and the Members' Allowance Scheme would allow the payment to be automatically uplifted as required.

It was suggested that there may need to be a review of the Special Responsibility Allowances to incorporate payment to the Chairman of Audit and the Chairman of Local Development Panel. The Corporate Director advised that this could be taken into consideration when the Scheme was reviewed by the new Joint Panel in the future.

RESOLVED (1) that, in the light of the current challenging financial circumstances, the current Members' Allowances Scheme for West Somerset Council, as set out in Appendix A to the report, be frozen for a further 12 months and thereby apply until May 2014.

RESOLVED (2) that the establishment of a Joint Independent Remuneration Panel for Somerset County Council and West Somerset, as set out in Appendix B to the report, be approved.

Note: With the agreement of the Chairman this item was brought forward on the Agenda.

C78 **The Collection Fund – Estimate of Surplus and Deficiencies 2012/13**

(Report No. WSC 147/12, circulated with the Agenda.)

The purpose of the report was for Council to determine an estimate of the surplus and deficiency on the Collection Fund as at 31 March 2013.

The report was presented by the Lead Member for Resources and Central Support who proposed the recommendation, which was seconded by Councillor S Pugsley.

Concern was raised about the bad debt write off figure and the Lead Member and Chief Executive emphasised that the figure was only a provision in the accounts for the possibility that this amount may have to be

written off. Members were advised that the Audit Committee would undertake the role of investigating council tax and business rate collections and debts.

A question was raised about parish council precepts and it was suggested that the precept figures should be incorporated within the West Somerset Council figure of £2,805,000 in the Council Tax Revenue Account Summary.

RESOLVED that an estimated surplus of £115,000 on the Collection Fund at 31 March 2013 be declared.

C79 **Minutes and Notes for Information**

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

RESOLVED (1) that the draft notes of the Dunster Panel held on 15 October 2012, be noted.

RESOLVED (2) that the draft notes of the Exmoor Panel held on 6 November 2012, be noted.

The meeting closed at 5.34 pm.