

## **WEST SOMERSET COUNCIL**

### **Minutes of the Meeting held on 27 March 2013 at 4.30 pm**

#### **in the Council Chamber, Williton**

##### **Present:**

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

Councillor A M Chick	Councillor M J Chilcott
Councillor H J W Davies	Councillor M O A Dewdney
Councillor S Y Goss	Councillor P N Grierson
Councillor A P Hadley	Councillor B Heywood
Councillor K V Kravis	Councillor R P Lillis
Councillor E May	Councillor I R Melhuish
Councillor K M Mills	Councillor P H Murphy
Councillor S J Pugsley	Councillor D J Sanders
Councillor L W Smith	Councillor M A Smith
Councillor T Taylor	Councillor A H Trollope-Bellew
Councillor K H Turner	Councillor D J Westcott

##### **Officers in Attendance:**

Chief Executive (A Dyer)  
Corporate Director (B Lang)  
Section 151 Officer (S Campbell)  
Corporate Manager Housing, Welfare and Economy (I Timms)  
Planning Manager (A Goodchild)  
Economic Regeneration & Tourism Manager (C Matthews)  
Planning Officer (K Taylor)  
Major Projects Manager (J Holbrook)  
Meeting Administrator (K Kowalewska)

#### **C115     Apologies for Absence**

Apologies for absence were received from Councillors G S Dowding, J Freeman, C Morgan and K J Ross.

#### **C116     Appointment of Vice-Chairman**

**RESOLVED** that Councillor A F Knight be appointed Vice-Chairman for the meeting.

#### **C117     Minutes**

(Minutes of the Meetings of Council held on 20 February 2013 and 27 February 2013, circulated with the Agenda.)

**RESOLVED (1)** that, subject to the addition of the following to the first bullet point of Minute No. C104 "...and that it was not in a priority of its

own.”, the Minutes of the Meeting of Council held on 20 February 2013 be confirmed as a correct record.

**RESOLVED (2)** that the Minutes of the Meeting of Council held on 27 February 2013 be confirmed as a correct record.

**C118**      **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 S Y Goss	All	Quantock Vale	Spoke and voted
Cllr P N Grierson	All	Minehead	Spoke and voted
Cllr P H Murphy	All	Watchet	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
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 or Disclosable Pecuniary</b>	<b>Action Taken</b>
Cllr A M Chick	C123	Has tenants who claim housing benefit	Personal	Did not speak or vote

**C119**      **Public Participation**

No members of the public had requested to participate during the meeting.

**C120**      **Chairman’s Announcements**

3/3/2013	Attended the Somerset County Council Civic Service at St Mary Magdalene Church, Taunton
5/3/2013	Attended the Bath and North East Somerset Civic Reception at the Roman Baths and Pump Room, Bath
15/3/2013	Attended the South Somerset Civic Reception at the Octagon Theatre, Yeovil
17/3/2013	Attended the High Sheriff’s Legal Service at Wells Cathedral

In addition, the Chairman thanked Councillor P Murphy for his assistance in delivering the framed photographs of the Watchet Town Council presentation to George Reeder and Tanya Allen who saved the life of baby Sam Cooper-Stevens.

**C121**

**Policy for Charging for Pre-Application Planning Advice**

(Report No. WSC 39/13, circulated with the Agenda, and Appendix A distributed prior to the Meeting.)

The purpose of the report was to seek Council approval following informal discussions at the Corporate PAG and Cabinet for a policy change to introduce charges for providing pre-application advice on planning proposals.

The Planning Manager introduced the report and advised that the concept of charging for pre-planning application advice had been considered for some time within the planning team. Research had been undertaken to look at the various charging schemes in the south west which revealed that there was no standard approach to charging. Therefore a scheme had been designed around West Somerset, particularly taking into account the nature of the types of applications that were dealt with on a day to day basis. Members were informed that a consultation meeting had been held with the Council's Agents Panel and there was no opposition to the principle of charging for pre-application planning advice. Further to concerns regarding officer capacity to deliver the scheme, the Planning Manager reported that a vacancy for a planning officer would soon be advertised locally.

The recommendations in the report were proposed and seconded.

It was proposed by Councillor T Taylor and seconded by Councillor A H Trollope-Bellew that the 'Type 1 Minor Developments' and 'Type 2 Minor Developments' columns within Appendix A to the report be amended to read:

'Type 1 Minor Developments: 1-4 Dwellings / up to 499m<sup>2</sup> of commercial use / sites up to 0.1Ha

Type 2 Minor Developments: 5-9 Dwellings / 500-999m<sup>2</sup> of commercial use / isolated homes in the countryside or rural workers dwellings / sites more than 0.1Ha but less than 2.5Ha'

The reason for the amendment was to remove the affordable housing distinction between villages and towns, thereby introducing equality between the different sizes of settlements.

On being put to the vote the amendment was carried.

Other points of discussion included:

- third party enquiries from the general public would not be charged – the scheme would only charge members of the public proposing forms of development, i.e. the point up to when a planning application was submitted;
- the planning team were thanked for the work undertaken in devising the scheme; and

- the review of the policy in December 2013 was felt to be appropriate as it linked in with the Council's annual review of fees and charges and it was thought that there would be enough data to identify a trend.

**RESOLVED (1)** that the introduction of a policy to charge for providing pre-application advice in accordance with the charging schedule, set out in Appendix A as amended, be approved.

**RESOLVED (2)** that an assessment regarding the implications of the new policy, effects on planning decisions and the overall quality of planning applications, as well as a cost analysis, be reported to Cabinet in December 2013.

## **C122      Additional Council Tax Rebate Discretionary Scheme**

(Report No. WSC 41/13, circulated with the Agenda.)

The purpose of the report was to agree the policy for the Additional Council Tax Rebate discretionary scheme.

The Lead Member for Community and Customer presented the report who proposed the recommendation in the report which was duly seconded by Councillor K H Turner.

On consideration of the report the following points were raised:

- genuine hardship was not taken into account in allowable expenses relating to council tax;
- concern was expressed regarding the size of the fund;
- the discretionary scheme would be kept under review as a matter of course and Members would be kept updated as to how it was being used, and if the fund was spent early on a report would be presented to Council; and
- the Corporate Manager Housing, Welfare and Economy confirmed that a review of the expenditure would be incorporated and monitored in the service planning process.

**RESOLVED** that the policy for the Additional Council Tax Rebate discretionary scheme, attached as Appendix A to the report, be approved.

## **C123      Discretionary Housing Payments Scheme**

(Report No. WSC 42/13, circulated with the Agenda.)

The purpose of the report was to inform Council of the proposed policy for Discretionary Housing Payments Scheme.

The Lead Member for Community and Customer presented the report and proposed the recommendation in the report, which was seconded by Councillor M O A Dewdney.

In response to concerns raised the Corporate Manager Housing, Welfare and Economy confirmed that a review of the expenditure of the fund would

be incorporated and monitored in the service planning process. He also reassured Members that the Council's policy was to work with claimants to deal with any situations that arose as a result of recent changes to the housing benefit scheme, and requested that Members should inform the housing benefits team if they were aware of specific cases.

**RESOLVED** that the policy for Discretionary Housing Payments Scheme, attached at Appendix A to the report, be approved.

**C124**     **Joint Working between West Somerset Council and Taunton Deane Borough Council – Membership of Joint Members Advisory Panel**

(Report No. WSC 35/13, circulated with the Agenda.)

The purpose of the report was to agree its membership of the Joint Members Advisory Panel.

The Leader presented the report and advised of the reasons for the Panel and its role and recommended Councillor K Mills and A H Trollope-Bellew as the two other elected West Somerset Council representatives on the Joint Members Advisory Panel. He further advised that the words 'non-Executive' had been deleted from the recommendation contained in the report as it would be Full Council's decision as to who to nominate onto the Panel.

Councillor T Taylor proposed the recommendation which was duly seconded by Councillor M O A Dewdney.

An amendment was proposed by Councillor M Smith and seconded by Councillor A Hadley that Councillor P H Murphy be nominated as one of the Council's representative on the Panel.

On being put to a vote the amendment was LOST.

The substantive motion was then put to the vote and CARRIED.

**RESOLVED** that the Portfolio Holder for Resources and Central Support together with the Shadow Portfolio Holder be confirmed as representatives on the Joint Members Advisory Panel together two other Members, namely Councillors K Mills and A H Trollope-Bellew.

**C125**     **Proposed Revisions to the Council's Constitution**

(Report No. WSC 36/13, circulated with the Agenda.)

The purpose of the report was to consider agreeing proposed revisions to the West Somerset Council's Constitution.

**RESOLVED** that the proposed updates and revisions to the Constitution of West Somerset Council as outlined in the report be approved.

**C126**     **Treasury Management Strategy Statement, MRP Policy and Annual Investment Strategy 2013-14**

(Report No. WSC 48/13, 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 2012-2013 in line with the CLG'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 Lead Member for Resources and Central Support presented the report and drew Members' attention to the Section 151 Officer comments which reflected the Council's lack of capital monies and capital finance requirement and the impact of this on the minimum revenue provision, stressing the need to sell assets in 2013/14.

The Lead Member proposed the recommendation set out in the report, which was duly seconded by Councillor K M Mills.

During the debate, Members requested clarification on a number of issues concerning credit default swaps, officer training and a more detailed breakdown of year-end balances for resources.

**RESOLVED** that the combined Treasury Management Strategy, Minimum Revenue Policy and Annual Investment Strategy for 2013-2014, as set out in Appendix A to the report, be approved.

**C127**     **Hinkley Point C: Economic Development Allocation**

(Report No. WSC 46/13, circulated with the Agenda.)

The purpose of the report was to present to Members the recommendations of the Hinkley Point Planning Obligations Board (POB) and to approve the attached Economic Development Paper (Appendix A to the report) to release this allocation of funds.

The Lead Member for Resources and Central Support presented the report and advised that this was to be the first of many similar reports which would be presented to Council in the future relating to the Hinkley project. She reported that part of the section 106 monies for the Hinkley Point C preparatory works had been allocated to an economic fund for West Somerset Council to help mitigate the impact of the Hinkley development, benefitting businesses in West Somerset. It was confirmed that both the Planning Obligations Board and the Economic and Regeneration PAG had given approval and were fully supportive of the proposals.

The Lead Member was pleased to report that the Council was maximising the section 106 contributions by obtaining extra match funding. The point was also made that this was a once in a lifetime opportunity and WSC had

to take advantage and make the most of the money for the people of West Somerset – Members were advised that there were leaflets that could be publically distributed advising on how to benefit.

The Lead Member proposed the recommendation in the report, which was duly seconded by Councillor D J Sanders.

During the debate the following main points were raised:

- The need for a business database was essential.
- An update on the very successful Facilities Management Conference held in February was given by the Economic Regeneration & Tourism Manager.
- There was a need for more measurable clear targets and it was noted that Project 1 had to commence in order to do the research to establish targets.
- The Council was in the process of setting up a comprehensive performance management system for the Hinkley project that would interlink with the existing performance management framework.

**RESOLVED** that the proposals contained within Appendix A to the report to allow for the release of allocated funds be approved.

#### **C128 Standards Advisory Committee**

(Minutes of the Standards Advisory Committee held on 5 March 2013, circulated with the Agenda.)

The Monitoring Officer reported that the recommendations contained a proposal for his post to be granted delegated authority to deal with Councillor applications for dispensation if timescales did not permit him to be able to consult with the Standards Advisory Committee.

**RESOLVED** that the Minutes of the Standards Advisory Committee held on 5 March 2013 be adopted.

The meeting closed at 6.07 pm.