

CABINET

Meeting to be held on Wednesday 3 October 2012 at 4.30 pm

Council Chamber, Williton

AGENDA

1. **Apologies for Absence**

2. **Minutes**

Minutes of the Meeting of Cabinet held on 5 September 2012 to be approved and signed as a correct record – **SEE ATTACHED.**

3. **Declarations of Interest**

To receive and record declarations of interest in respect of any matters included on the agenda for consideration at this meeting.

4. **Public Participation**

The Leader to advise the Cabinet of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public wishing to speak at this meeting there are a few points you might like to note.

A three-minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue. There will be no further opportunity for comment at a later stage. Your comments should be addressed to the Chairman and any ruling made by the Chair is not open to discussion. If a response is needed it will be given either orally at the meeting or a written reply made within five working days of the meeting.

5. **Forward Plan**

To approve the Forward Plan No. 5 – November 2012 to November 2013 – **SEE ATTACHED.**

6. **Cabinet Action Plan**

To update the Cabinet on the progress of resolutions and recommendations from previous meetings – **SEE ATTACHED.**

7. **Goviers Lane Railway Crossing, Watchet**

To consider Report No. WSC 127/12, to be presented by Councillor K V Kravis, Lead Member for Resources and Central Support – **SEE ATTACHED.**

The purpose of the report is to consider accessibility improvements at the pedestrian railway crossing, Goviers Lane, Watchet in order to comply with the

requirements of the 2010 Equalities Act and the Public Sector Equalities Duties (PSED).

8. Pooling of Business Rate Retention

To consider Report No. 121/12, to be presented by Councillor K V Kravis, Lead Member for Resources and Central Support – **TO FOLLOW**.

The purpose of the report is to provide background to the government's proposals in the Local Government Finance Bill, which will allow authorities to retain a proportion of the business rates revenue, generated in a local area. In particular the report concentrates on the provision within the Bill that enables local authorities to form a pooling arrangement and thus maximise the retention of business rates generated locally.

9. Our Town First – Town Team Partners (Minehead)

To consider Report No. WSC 129/12, to be presented by Councillor D J Sanders, Lead Member for Economic Regeneration and Tourism – **SEE ATTACHED**.

The purpose of the report is to inform Members about this recent Government initiative that provides additional opportunities and resource for economic regeneration activity in Minehead.

10. Agreement for a County wide Community Safety Partnership Merger

To consider Report No. 130/12, to be presented by Councillor D J Westcott, Lead Member for Community and Customer – **SEE ATTACHED**.

The purpose of the report is to seek Council approval for West Somerset Council to join a proposed county wide merger of the Community Safety Partnerships encompassing the East and West of the County.

COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS

CABINET

MINUTES OF THE MEETING HELD ON 5 SEPTEMBER 2012

AT 4.30 PM

IN THE COUNCIL CHAMBER, WILLITON

Present:

Councillor T Taylor Leader

Councillor C Morgan
Councillor D J Sanders

Councillor S J Pugsley
Councillor D J Westcott

Members in Attendance:

Councillor H J W Davies
Councillor S Y Goss
Councillor B Heywood
Councillor E May
Councillor L W Smith

Councillor J Freeman
Councillor A P Hadley
Councillor A F Knight
Councillor I R Melhuish
Councillor K J Ross

Officers in Attendance:

Chief Executive (A Dyer)
Corporate Director (B Lang)
Group Manager – Environment, Customer and Community (S Watts)
Planning Manager (A Goodchild)
Principal Accountant (S Plenty)
Meeting Administrator (K Kowalewska)
Legal Advisor (R Pinney, Mendip DC) – Item 7 only

CAB31 Apologies for Absence

Apologies for absence were received from Councillors K V Kravis and K H Turner.

CAB32 Minutes of the Meeting held on 1 August 2012

(Minutes of the Meeting of Cabinet held on 1 August 2012 - circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Cabinet held on 1 August 2012 be confirmed as a correct record.

CAB33 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
Councillor D Westcott	All	Watchet	Spoke and voted
Councillor S Y Goss	All	Quantock Vale	Spoke
Councillor K J Ross	All	Dulverton	Spoke
Councillor L W Smith	All	Minehead	Spoke

CAB34 Public Participation

No member of the public had requested to speak.

CAB35 Forward Plan

The purpose of this item was to approve Forward Plan No. 4 – October 2012 to October 2013.

RESOLVED that, subject to adding 'Pooling of Business Rate Retention' for October, Forward Plan No. 4 – October 2012 to October 2013 be approved.

CAB36 Cabinet Action Plan

(Copy of the Action Plan – circulated with the Agenda.)

RESOLVED that the following items be deleted as actioned:

- (i) CAB27 – Request for allocation of Seaside Strategy Funding for Minehead Vision Manager and Apprenticeship Posts
- (ii) CAB28 – Request for Allocation of Planning Obligations Monies. The Chief Executive reported that he had received a letter from the Chairman of Minehead Cricket Club who wished to convey his thanks to Members and officers for their recent support concerning the provision of a cricket pavilion.

CAB37 Future Provision of Services currently delivered under a Contract with Veolia

(Report No WSC 91/12, circulated with the Agenda.)

The purpose of the report was to provide the necessary information for Members to decide upon the future provision of the Council's cleansing service following the conclusion, on 30 September 2012, of the existing contract with Veolia.

The Lead Member for Environment presented the report who advised that a Scrutiny Task and Finish Group had reviewed the street cleansing service and this item had recently been considered by the Scrutiny Committee at their meeting held on 20 August 2012. He reported that the proposed three year agreement was not a fixed contract thereby giving the Council the flexibility to reappraise the service during this period and, in addition to the proposed closure of five toilets, would provide an overall saving of £80,000.

The Lead Member proposed the recommendations in the report which were duly seconded by Councillor D J Westcott.

An explanation of the complaints received about the street cleansing service in 2010/11 and 2011/12 was sought and although no breakdown of figures was available at the meeting the complaints were thought to be linked to flytipping.

Members praised the work undertaken by officers in negotiating the new service level agreement.

Members were informed that there were no proposals at present to remove any litter bins, however once the Council took on the responsibility of litter collection in rural areas the usage would then be ascertained and the numbers rationalised if necessary.

The Chief Executive confirmed that there would be a seamless transition between the end of the current contract and the start of the new agreement, and with regards to the closure of the toilets those toilets identified to be potentially closed permanently would be closed during the winter period, with a decision then having to be made as to whether to keep them closed after this period or reopen them.

RESOLVED (1) that Cabinet extend their gratitude and thanks to the Scrutiny Task and Finish Group for their invaluable contribution in identifying a preferred way forward for procuring the future delivery of the street cleansing service, which forms an integral part of the existing contract with Veolia.

RESOLVED (2) that, on the basis of legal advice received (paragraph 12 of the report), relevant standing orders in relation to the tendering requirements for the work undertaken as part of the proposed Service Level Agreement (SLA) be waived.

RESOLVED (3) that Council be recommended to approve the principle of entering into a three-year SLA with Veolia, commencing on 1 October 2012 to provide the services referred to in paragraph 4.2 of the report.

RESOLVED (4) that the Chief Executive, in consultation with the Lead Member for Environment, be granted delegated powers to agree the draft terms and conditions of the SLA, for recommendation to Council.

RESOLVED (5) that Council be recommended to approve, following the winter closure on 1st November 2012 of Public Conveniences, those located in Blenheim Gardens Minehead (gents and ladies), Carousel, Minehead (excl. disabled), Church Street Dunster, Porlock Central and one yet to be identified in Watchet, the principle of them remaining closed permanently.

RESOLVED (6) that consultation is undertaken with the relevant Parish and Town Councils and other likely interested bodies to determine whether they wish to take over ownership and maintenance of the public conveniences scheduled for permanent closure and that more widespread public consultation is undertaken in order to fully understand the impact of the proposed permanent closures on our communities with a report then being presented to Cabinet and Council regarding a final decision concerning the permanent closure or transfer of the public toilet facilities referred to in Resolution (5) above.

CAB38 **Finance System Review**

(Report No WSC 115/12, circulated with the Agenda.)

The purpose of the report was to seek approval for the purchase of a one-off perpetual licence and agree a way forward for the Council's finance system. A request for Cabinet to waive standing orders in relation to procurement thresholds was also made.

The report was presented by the Leader who drew Members' attention to Appendix D of the report which detailed the results of a matrix analysis which had been undertaken by the officer team reviewing the finance system, and to the conclusion of the review team which stated that the most suitable way forward for the Council at this current time was to enter into an agreement with Consilium Technologies to purchase a perpetual licence for a one-off cost of £50,000 and to host the system in-house. The Leader congratulated and thanked the finance system review team for the hard work they had undertaken.

The Leader proposed the recommendations in the report and this was seconded by Councillor S J Pugsley.

Members queried the issue surrounding the waiving of standing orders. The Corporate Director advised that there was a risk that the Council could face a challenge, however this risk was identified clearly in the report and explaining the mitigating circumstances and the specific reasons for waiving standing orders were identified in section 6 of the report.

RESOLVED (1) that the process that has been undertaken to arrive at the recommendations be noted.

RESOLVED (2) that the purchase of a perpetual licence and associated maintenance and training on a spend-to-save basis that identifies ongoing annual revenue savings of up to £46,000 per year

from the current Council budget (as shown in section 5.1 of the report) be approved.

RESOLVED (3) that the waiving of standing orders for the reasons identified in section 6 of the report be approved.

RESOLVED (4) that it be noted that a supplementary estimate is not being sought (and hence approval not required by Council) as any costs incurred will be replenished to the General Fund within the timing as shown within Financial Implications in section 5 of the report.

CAB39 Corporate Performance Report April – June 2012/13

(Report No WSC 117/12, circulated with the Agenda.)

The purpose of the report was to provide Members with an update on progress in delivering the corporate priorities, performance of council services including budgetary information and customer satisfaction covering the period from 1 April 2012 to 30 June 2012.

The report was presented by the Leader who informed Members that the report made due reference to the comments raised by Scrutiny Committee when this matter was considered at its meeting held on 20 August 2012.

The Leader proposed the recommendations in the report which were seconded by Councillor D J Westcott.

RESOLVED (1) that the progress in delivering the corporate priorities for 2012/13, be noted.

RESOLVED (2) that the performance against Group and Service Indicators, including the Budget Monitoring Indicators, be noted.

CAB40 Non Domestic Rate (Business Rate) Write Off Request

(Report No WSC 114/12, circulated with the Agenda.)

The purpose of the report was to seek Cabinet approval in accordance with the Financial Regulations to authorise an individual write off in excess of £5,000.

The Chief Executive presented the item and outlined the details in the report and advised that there was no further recovery action that could be taken by the Council. He reported that in cases such as these as the Council was not considered to be a preferred creditor the amount owed to the Council would be determined by the Court dealing with the Company Voluntary Arrangement.

He stated that the collection of business rates and council tax was taken extremely seriously within West Somerset Council.

The Leader proposed the recommendation in the report which was duly seconded by Councillor S J Pugsley.

During the course of the debate the points raised included:

- There was a proposal from central government that from next year local authorities would be able to retain their business rates, however there would be a ceiling on the amount they were able to retain.
- The Council followed a recovery action timetable and this was a set process that was carried out automatically.

RESOLVED that the write off for the sum of £36,161.14 as uncollectable be agreed.

CAB41 **Hinkley Point C – Development Consent Order – Section 106 Agreement**

(Report No WSC 116/12, circulated with the Agenda.)

The purpose of the report was to provide an update to Members on the status of the Section 106 Agreement (the Agreement) between NNB GenCo Ltd (EDF Energy) and the three Local Authorities (West Somerset Council, Sedgemoor District Council and Somerset County Council) relating to the Development Consent Order application which is currently being examined by the Planning Inspectorate, to advise Members on the content of the Agreement and how the Agreement affects West Somerset Council in particular, and sets out the process if Members wish to comment further on the content of the Agreement prior to the close of the Examination. The report also gave a general update on the progress of the Examination to date and outlines the remaining aspects of the process.

The Planning Manager presented the item and outlined the details in the report. In addition, he provided an update on the status of the Section 106 Agreement associated with the main Development Consent Order at Hinkley Point. He advised that if Members wished to raise specific points these would be submitted to the Planning Inspectorate by noon on Friday 7 September 2012.

The Lead Member for Environment proposed the recommendations in the report, which were seconded by Councillor D J Sanders.

The main points of the discussion were as follows:

- Ward Members expressed their disappointment at not being involved in the section 106 agreement process concerning the securing of money for Stogursey and Shurton and concern was expressed about the affect and impact to local residents caused by the proposed on-site campus.
- The promotion of economic development contributions to maximise opportunities for local businesses would continue and EDF have

estimated that £100 million would be spent in the local economy within Somerset over the next 10 years.

- Members were pleased to note that the majority of the community impact funding would be directed towards the communities most affected.

RESOLVED (1) that the content of the report be noted.

RESOLVED (2) that the Planning Manager be instructed to write to the National Infrastructure Directorate to emphasise that, whilst the Council did not wish to raise any further representations regarding the content of the Section 106 Agreement for the DCO, the Council wanted to remind the Panel of Examining Inspectors that the agreement reached between the Council and EDF Energy should not, in its view, undermine the representations of local communities, Parish Councils and other Interested Parties, particularly regarding the provision of the proposed on-site Campus at Hinkley Point C.

CAB42 **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting during consideration of Item CAB43 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.

The item contained information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding the information). It was 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.

CAB43 **Continuation of Partnership Arrangement with Mendip District Council for the Provision of Legal Services**

(Report No WSC 109/12, circulated with the Agenda.)

The purpose of the report was to consider the continuation of the partnership arrangement with Mendip District Council for the provision of legal services.

The Leader presented the report and advised Members that the existing arrangement had proven to be very successful. The recommendation contained in the report was proposed by Councillor S J Pugsley and seconded by Councillor D J Westcott.

In reply to a question as to whether the costs for legal work included travel expenses the Corporate Director agreed to provide Members with this information after the meeting.

RESOLVED that the collaboration partnership arrangement with Mendip District Council for the provision of legal services be continued for a further 18 month period from 1 October 2012 until 31 March 2014 in accordance with the details set out in the report waiving any relevant Contract Standing Orders relating to the invitation of tenders. The position can then be reviewed in the light of any possible wider partnership working opportunities.

The meeting closed at 6.38 pm

WEST SOMERSET COUNCIL

CABINET FORWARD PLAN - NUMBER 5 - OF KEY DECISIONS

Decision Matter	Portfolio Holder	CMT Member	Final Decision Maker	Likely Decision Dates
Allocation of Section 106 funds held – Quarter 2	Resources & Central Support – Councillor K V Kravis	Group Manager – Housing, Welfare and Economy – Ian Timms	Cabinet Council	7 November 2012 21 November 2012
Fees and Charges	Resources & Central Support – Councillor K V Kravis	Corporate Director – Bruce Lang	Cabinet	5 December 2012
Corporate Performance & Budget Monitoring Report 2012-13 – Quarter 2	Leader of Council – Councillor T Taylor Resources & Central Support – Councillor K V Kravis	Corporate Director – Bruce Lang	Cabinet	5 December 2012
Allocation of Section 106 funds held – Quarter 3	Resources & Central Support – Councillor K V Kravis	Group Manager – Housing, Welfare and Economy – Ian Timms	Cabinet Council	9 January 2013 23 January 2013
Draft Capital Programme 2012-13 & Capital Strategy	Resources & Central Support – Councillor K V Kravis	Corporate Director – Bruce Lang	Cabinet Council	9 January 2013 23 January 2013
Review of Customer Access	Community and Customer – Councillor D Westcott	Corporate Director – Bruce Lang	Cabinet Council	9 January 2013 23 January 2013
Annual Budget & Council Tax Setting – 2013-14	Resources & Central Support – Councillor K V Kravis	Corporate Director – Bruce Lang	Cabinet Council	6 February 2013 27 February 2013
Draft Corporate Plan for 2013-14	Leader of Council - Councillor T Taylor	Chief Executive – Adrian Dyer	Cabinet Council	6 February 2013 27 March 2013
Corporate Performance & Budget Monitoring Report 2012-13 – Quarter 3	Leader of Council – Councillor T Taylor Resources & Central Support – Councillor K V Kravis	Corporate Director – Bruce Lang	Cabinet	6 March 2013
Allocation of Section 106 funds held – Quarter 4	Resources & Central Support – Councillor K V Kravis	Group Manager – Housing, Welfare and Economy – Ian Timms	Cabinet Council	3 April 2013 24 April 2013
Cabinet Appointments on Outside Bodies	Leader of Council – Councillor T Taylor	Corporate Director – Bruce Lang	Cabinet	June 2013
Allocation of Section 106 funds held – Quarter 1	Resources & Central Support – Councillor K V Kravis	Group Manager – Housing, Welfare and Economy – Ian Timms	Cabinet Council	July 2013 September 2013
Corporate Performance & Budget Monitoring Report 2012-13 – Quarter 4	Leader of Council – Councillor T Taylor Resources & Central Support – Councillor K V Kravis	Corporate Director – Bruce Lang	Cabinet	July 2013

Review of Financial Regulations [FR2]	Resources & Central Support – Councillor K V Kravis	Corporate Director – Bruce Lang	Cabinet Council	July 2013 September 2013
MTFP Update	Resources & Central Support – Councillor K V Kravis	Corporate Director – Bruce Lang	Cabinet	July 2013
Allocation of Section 106 funds held – Quarter 2	Resources & Central Support – Councillor K V Kravis	Group Manager – Housing, Welfare and Economy – Ian Timms	Cabinet Council	October 2013 November 2013
Corporate Performance & Budget Monitoring Report 2013-14 – Quarter 1	Leader of Council – Councillor T Taylor Resources & Central Support – Councillor K V Kravis	Corporate Director – Bruce Lang	Cabinet	October 2013

Note (1) – Items in bold type are regular cyclical items.

Note (2) – All Consultation Implications are referred to in individual reports.

The Cabinet comprises the following: Councillors T Taylor, C Morgan, K V Kravis, S J Pugsley, D J Sanders, K H Turner and D J Westcott.

The Scrutiny Committee comprises: Councillors K J Ross, R Lillis, M J Chilcott, M O A Dewdney, G S Dowding, J Freeman, P N Grierson, B Heywood and D D Ross.

CABINET ACTION PLAN

Date/Minute Number	Action Required	Action Taken
<p>5 September 2012</p> <p>CAB37 Future Provision of Services currently delivered under a Contract with Veolia</p>	<p>RESOLVED (3) that Council be recommended to approve the principle of entering into a three-year SLA with Veolia, commencing on 1 October 2012 to provide the services referred to in paragraph 4.2 of the report.</p> <p>RESOLVED (4) that the Chief Executive, in consultation with the Lead Member for Environment, be granted delegated powers to agree the draft terms and conditions of the SLA, for recommendation to Council.</p> <p>RESOLVED (5) that Council be recommended to approve, following the winter closure on 1st November 2012 of Public Conveniences, those located in Blenheim Gardens Minehead (gents and ladies), Carousel, Minehead (excl. disabled), Church Street Dunster, Porlock Central and one yet to be identified in Watchet, the <u>principle</u> of them remaining closed permanently.</p>	<p>At the Council meeting held on 19 September 2012, it was RESOLVED (2) that the principle of entering into a three-year SLA with Veolia, commencing on 1st October 2012 to provide the services referred to in paragraph 4.2. of the report, attached to the agenda, be approved.</p> <p>RESOLVED (3) that Chief Executive, in consultation with the Lead Member for Environment, be granted delegated powers to agree the final draft terms and conditions of the SLA prior to its signing.</p> <p>RESOLVED (4) that following the winter closure on 1st November 2012 of Public Conveniences those located in Blenheim Gardens Minehead (gents and ladies), Carousel, Minehead (excl. disabled), Church Street Dunster, Porlock Central and one yet to be identified in Watchet, the <u>principle</u> of them remaining closed permanently be approved.</p>

REPORT NUMBER WSC 127/12
 PRESENTED BY CLLR. KATE KRAVIS, LEAD MEMBER FOR RESOURCES AND
 CENTRAL SUPPORT
 DATE 3RD OCTOBER 2012

GOVIERS LANE RAILWAY CROSSING, WATCHET

1. PURPOSE OF REPORT

- 1.1. To consider accessibility improvements at the pedestrian railway crossing, Goviers Lane, Watchet in order to comply with the requirements of the 2010 Equalities Act and the Public Sector Equalities Duties (PSED).

2. RECOMMENDATIONS

- 2.1. That Cabinet approve:
- (a) The progressing of the proposed accessibility works at the Goviers Lane railway crossing in accordance with the scheme detailed at Appendix A of this report.
 - (b) The awarding of a contract to G A Sully Ltd for the works at £54,298 plus VAT that includes a £9,250 contingency sum for unforeseen works.
 - (c) The appointment of Michael Riley Associates Ltd to undertake the related project management and the Construction and Design Management (CDM) works at an agreed cost of £12,000 plus VAT.
 - (d) The total cost of £66,298 plus VAT of the scheme be apportioned as shown in paragraph 5.6 of this report with the West Somerset Council (WSC) allocation being restricted to a maximum of £22,255.

3. RISK ASSESSMENT

Risk Matrix

Description	Likelihood	Impact	Overall
The funding to proceed with the work is not forthcoming.	Unlikely (2)	Moderate (3)	Low (6)
<i>There remains a limited amount of WSC capital funding from the railway footbridge installation and agreement has been given by WSR, WTC and SCC to contribute to the overall cost of the scheme.</i>	Unlikely (1)	Moderate (3)	Low (3)
The modifications do not provide full and unrestricted access to all users of the crossing, resulting in legal action being taken against SCC, WSR and WSC under the Equalities Act 2010.	Possible (3)	Moderate (3)	Medium (9)
<i>A series of public consultations and practical trials have been held during the course of establishing a fully compliant improvement scheme.</i>	Unlikely (2)	Moderate (3)	Low (6)

The scoring of the risks identified in the above table has been based on the scoring matrix below. Each risk has been assessed and scored both before and after the mitigation measures.

4. BACKGROUND INFORMATION

- 4.1 The railway crossing that connects the northern end of Goviers Lane with Harbour Road, Watchet is believed to have been in use by pedestrians since the original opening of the railway in 1862 and is a public right of way.
- 4.2 The land ownership is a combination of WSC and Somerset County Council (SCC). The actual pedestrian crossing area is the property of SCC but it is leased to the West Somerset Railway (WSR) under a lease agreement that commenced in 1975 and is valid until 2074.
- 4.3 In order to provide a degree of protection to persons crossing the line, a warning bell system was in operation until approximately 1971, when British Railways closed the line. During the course of 1976, when the WSR commenced its services, level crossing protection was provided in accordance with Her Majesty's Railway Inspectorate (HMRI) requirements and included wicket gates alongside miniature Red/Green warning lights that were automatically operated by approaching trains. The wicket gates were subsequently removed at some point between 1976 & 2010.
- 4.4 This warning light system was in operation until July 2010 when due to ongoing damage to the lights and persons disregarding the red lights, WSR removed the light boxes and installed metal self-closing gates. A 10mph driver's speed restriction was also implemented as a part of the modifications.
- 4.5 WSR consulted on the changes beforehand, which were approved by the Office of Rail Regulation (ORR) in order to improve safety.
- 4.6 Almost immediately, WSR became aware of members of the local community raising concerns regarding the noise of the gates closing and, in particular, persons using manual wheelchairs, powered conveyances and children's buggies being unable to open the gates without assistance. A local community group obtained specialist legal advice and were prepared to initiate action against WSR and SCC under the then 1995 Disability Discrimination Act (since superseded by The Equalities Act 2010).
- 4.7 Positive engagement between the Board of WSR and leaders of a local campaign to find a solution culminated in a meeting in December 2010. This involved the WSR, ORR, WSC, SCC, Watchet Town Council (WTC) and other members of the local community. It was agreed that a preferable and permanent resolution to the problem would entail an application to the Secretary of State requesting authorisation for the installation of a chicane arrangement. This would enable easier access for people using powered mobility scooters. However, such an arrangement would also need to ensure that there was no significant increase in the safety risks to other users.

PROPOSED MODIFICATIONS

- 4.8 A considerable amount of time and effort has been expended in establishing a workable solution that incorporates a chicane arrangement and an agreed scheme is shown at Appendix A.
- 4.9 In summary, the proposal is based on an anticipated crossing time of a maximum of 13 seconds and specifically takes into account users with pushchairs and/or other wheeled conveyances with restricted mobility. The visibility of approaching trains from either 'decision point' on the crossing is in excess of 80 metres.

- 4.10 It is intended to retain the 10mph maximum speed of trains approaching the crossing as the time between an approaching train coming into view and reaching the crossing will be in excess of the previously mentioned 13 seconds crossing time. No additional warning devices will be provided but the sounding of the trains whistle or horn will reinforce its presence whilst approaching the crossing and when restarting from a station stop.
- 4.11 The proposed modifications provide a chicane arrangement on either side of the railway giving a minimum width of approximately 1.5 metres. It is considered that whilst easing use of the crossing for powered conveyances, it would also limit the likelihood of pedestrians and mounted cyclists effectively ignoring the presence of the crossing. The chicanes will tend to present users to the railway track at right angles at the decision points after turning from an easterly or westerly direction.
- 4.12 The profiles and layout of the approach to the crossing on the north side of the crossing at the top of the existing steps are to be altered during the improvements works to provide a gentler slope for wheel chair and powered conveyances while retaining a direct route via the steps and a self-closing gate. The lower ramped approach will not be regraded, but improvements to the railings and existing barriers are included in the scope of the works to widen the lower ramp. The guard rail and dropped kerb from the pavement onto Harbour Road will be repositioned to make the approach to and from this ramp easier to negotiate by wheelchair or mobility scooter.
- 4.13 WSR have undertaken a safety assessment of the proposed modifications and are responsible for ensuring with the ORR that these meet the necessary regulatory and safety requirements.
- 4.14 The ORR have been kept informed during the development of the scheme and confirmed on 18th May 2012 that although they would require notification of a start and completion date for the work, they were supportive of the scheme. WSR will liaise with the CDM coordinator and contractor in respect of method statements before and during the contract period through daily safety meetings on site to ensure safety during the implementation of the new scheme.

5. FINANCIAL/RESOURCE IMPLICATIONS

- 5.1 A series of meetings have been held with the principal stakeholders and individual commitments have been given to part share the overall costs. A competitive tendering exercise has also been undertaken in conjunction with WSC officers and Michael Riley Associates Ltd, and four companies were selected and invited to bid for the works.
- 5.2 The Tender Evaluation process established that the lowest price quotation that complied with the submission criteria was G A Sully Ltd at £54,298 plus VAT. There may be some additional works that could arise during the works but these are as yet unidentified but a contingency of £9,250 is provided within the contract sum for such eventualities.
- 5.3 Due to the sensitivities surrounding this area and the potential (as at any level crossing) for a public health and safety related incident, it is essential that professional guidance be sought on the Construction and Design Management (CDM) issues related to the project. This will be obtained from Michael Riley Associates as a part of the overall project management fee of £12,000. This cost will be divided equally between the principal stakeholders.
- 5.4 The previously agreed capital allocation for the Watchet railway footbridge works was £130,000 of which £107,745 was spent; leaving a potential balance of £22,255, which is available to be directed to the pedestrian crossing works.
- 5.5 To date, WSC has expended £8,100 on project management and tendering costs and a proportion of this expenditure will be recovered from SCC and WSR if the project is not

approved. The WSC Building Control Manager, at no cost to the Authority, has prepared the drawings and was integral to the consultations. A community stakeholder who is also a member of the WTC has facilitated progress on the scheme.

5.6 The total cost of the scheme is £66,298 plus VAT, inclusive of £9,250 contingency and £12,000 project management and CDM costs, and it is intended to be apportioned as follows: -

(1)	Somerset County Council	-	£24,182* LTP grant.
(2)	West Somerset Council	-	£22,255 capital allocation.
(3)	West Somerset Railway	-	£15,000 contribution.
(4)	Watchet Town Council	-	£4,861 grant aid.
	Total fund	-	£66,298

* (Capped at £34,832)

5.7 The WTC and WSR contributions are fixed at £4,861 and £15,000 respectively. The WSC contribution is also limited to a maximum of £22,255 as SCC have agreed to carry the risk of any overspend on unforeseen works up to a maximum of £34,832.

5.8 The improvement works are expected to take six weeks to complete and will need to be coordinated to commence when there are no scheduled WSR trains operating. This is provisionally set for the period between 5th and 30th November. WSR will ensure a lookout is provided to comply with rail safety requirements where there are likely to be unscheduled train movements during this period and where the contract period overlaps the resumption of timetabled train services.

6. SECTION 151 OFFICER COMMENTS

6.1 The project is supported; as the recently installed railway footbridge linking Brendon Road with Harbour Road, Watchet does not provide for those persons requiring disabled access (report to Cabinet WSC 4/11 refers).

6.2 It is noted and appreciated that the principal stakeholders, namely WSR, SCC and WTC, are providing substantial financial contributions due to the partnership approach.

7. EQUALITY & DIVERSITY IMPLICATIONS

7.1. The upgrade to the crossing in July 2010, although approved by the ORR in order to improve safety, had not been impact assessed in accordance with the then Disability Discrimination Act, 1995. The DDA 1995 has now been superseded by the Equality Act, 2010.

7.2. The Equality Act 2010 includes a specific duty to make reasonable adjustments. The reasonable adjustment duty also formed part of the DDA 1995.

7.3. The duty to make reasonable adjustments applies to people such as employers, service providers and education providers and is intended to make sure that disabled people do not face substantial difficulties in employment, education or when using services. Failure to make reasonable adjustments can be a form of discrimination and is unlawful.

7.4. The Equality Act defines a reasonable adjustment as a reasonable step taken to prevent a disabled person suffering a substantial disadvantage compared with people who are not disabled.

7.5. The proposed upgrade to the crossing has been undertaken in consultation with the community and in particular disabled users. Agreement to the proposals will have a positive action on equalities and a reasonable adjustment in improving accessibility for people currently disadvantaged by the current layout.

- 7.6. An Equality Impact Assessment has been produced prior to the letting of the contract and is attached at Appendix B. The main purpose of the works is to improve access to all on the public footpath/level crossing so it is not anticipated that there will be any adverse equality and diversity implications.

8. CRIME AND DISORDER IMPLICATIONS

- 8.1. The existing self-closing gates initially generated a considerable amount of complaints from local residents due to the noise of the metal-to-metal contact when closing. The gates were also subject to vandalism. The proposed metal barrier chicanes would eliminate these issues.

9. CONSULTATION IMPLICATIONS

- 9.1. A series of stakeholder meetings have been held throughout the process and a practical on-site demonstration using the largest of the manufactured 'Motability' type scooters in the adjacent Harbour Road car park was held on 16th March 2011. This involved practical tests supported by local residents using wheelchairs, motorised disability scooters, children's buggies and a postal delivery trolley.
- 9.2. The WSR application to the ORR included a minimum statutory two-month consultation period during which a public meeting was held on 23rd February 2012 in the Watchet Phoenix Club, which is adjacent to the Goviers Lane crossing. At the meeting, stakeholders, local community users and other interested parties were able to review the final plans.
- 9.3. The outcome of the consultations to date is that there is general support for the project and an acceptance that the proposed scheme will address the concerns of groups who are disadvantaged by the current system.
- 9.4. An 'artist's impression' of the overall scheme that depicts the chicane arrangement is given at Appendix C.

10. ASSET MANAGEMENT IMPLICATIONS

- 10.1. There are no implications in the context of this report. The proposed alterations will improve the surface condition of the footpaths in the immediate area of the chicanes and the revised levels will aid the safer movement of powered conveyances.
- 10.2. The Asset Management Group considered the proposal on 11th April 2012 and recommended the modifications be supported and that the WSC capital funding allocation be made available.

11. ENVIRONMENTAL IMPACT IMPLICATIONS

- 11.1. There are no environmental implications in the context of this report.

12. LEGAL IMPLICATIONS

- 12.1. The Council's Solicitor has been made aware of the proposal and has not raised any legal implications.
- 12.2. It should be noted that a claim was made against the Council in respect of an incident involving a motorised scooter tipping over on the dogleg pathway on the seaward side of the crossing and the Council's insurers have recently settled the claim out of court. The proposed works will enhance the overall safety of the approach to the level crossing in both directions in particular the area of adverse camber at the top of the steps. The scheme

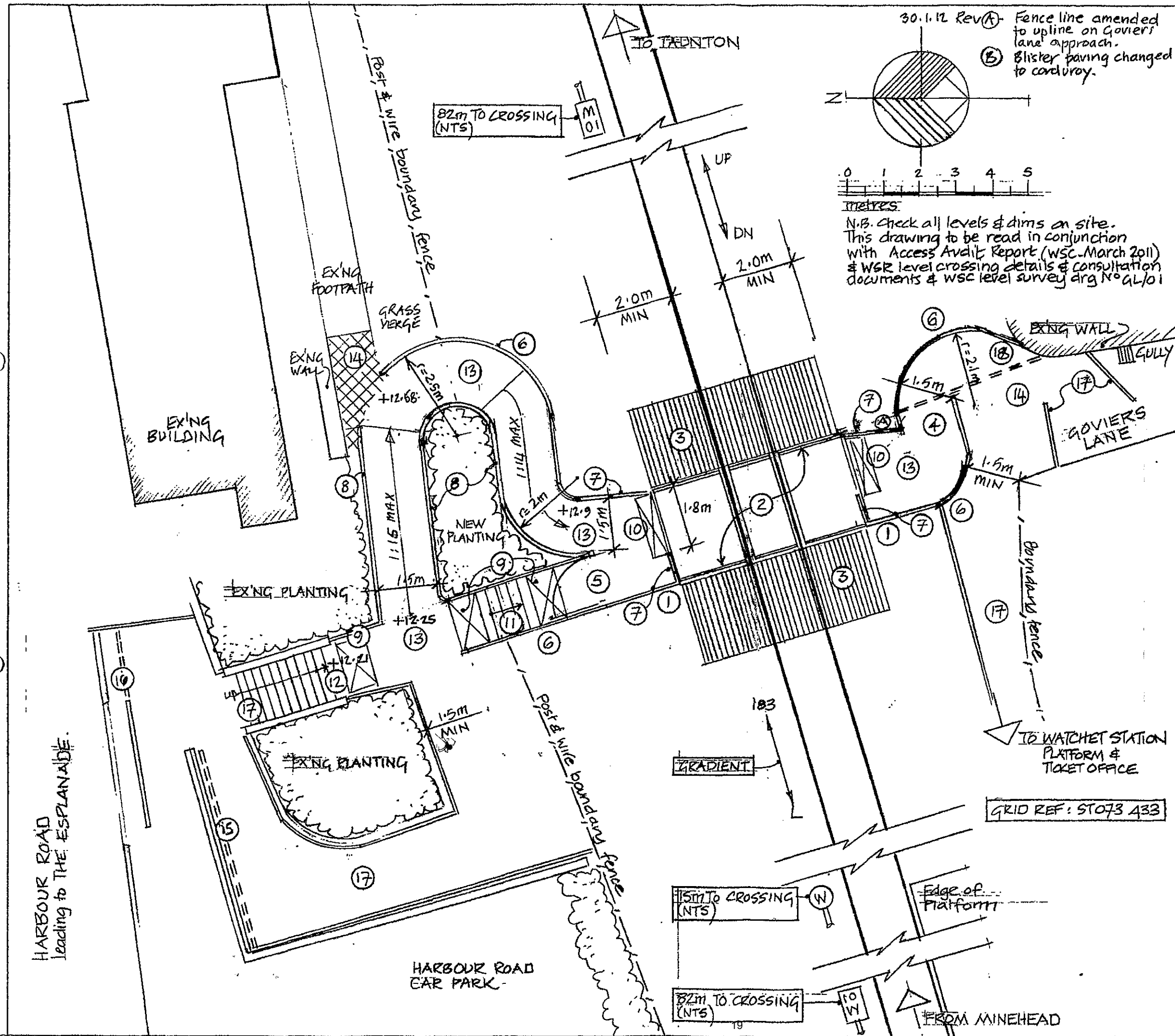
does not include for regrading of the lower slopes of the existing ramp adjacent to the steps on the Harbour Road approach, however improvements are proposed to the width and railings (refer also para. 4.12) It is intended to place warning signs on the adjacent wall, to advise users of the footpath to take care at changes of level.

- 12.3 In respect of maintenance of the area in future years, this will remain as the current position in that the respective landowner or leaseholder will be responsible for their specific items.

REPORT TO A MEETING OF CABINET TO BE HELD ON 3RD OCTOBER 2012

CONTACT OFFICER: Steve Watts – Corporate Manager
TEL. NO.DIRECT LINE: 01984 635261
EMAIL: swatts@westsomerset.gov.uk

Appendix A - Schematic drawing GL/03B dated November 2011.
Appendix B – Equality Impact Assessment
Appendix C – ‘Artists’ impression of the overall scheme (not to scale).



Proposed Accessibility Improvements to Public Right of Way at WSR PEDESTRIAN LEVEL CROSSING, GOVERERS LANE, WATCHET for West Somerset District Council, West Somerset Railway & Somerset County Council (Highways)

Scale: 1:100 Drawn: JH Drg No: GL/C3B
Date: November 2011

- LEGEND**
- ① Sign 101 "STOP LOOK LISTEN BEWARE OF TRAINS"
 - ② Marking 1021-1 Edge of carriageway/crossing
 - ③ Ex'ng arm's rail to pass guard shortened to 2m line
 - ④ Chicane-min width 1.5m between guard rails
 - ⑤ Reuse ex'ng gate to maintain 'closed' crossing & continuity of ex'ng Public Right of Way. Fit with self-closing device & hang from 150x150 timber posts to dampen noise.
 - ⑥ Fencing to be white palisade 1.3m high, to match ex'ng to boundary of WSR land.
 - ⑦ Fencing to be white palisade 0.9m high to 2m 'safe zone' adjacent to crossing
 - ⑧ Handrail/guardrail to ramp & new steps to BS8300
 - ⑨ 'Corduroy' textured paving to BS8300 to top & bottom of steps
 - ⑩ 'Corduroy' textured paving to BS8300 to indicate 2m 'safe zone'
 - ⑪ 4 No new steps with contrast nosing to BS8300
 - ⑫ Step added to ex'ng flight going & rise to match ex'ng contrast nosing to all steps to BS8300
 - ⑬ Form level landings between step & ramp flights, to BS8300
 - ⑭ Regrade ex'ng paths & make good surface to suit levels & falls of new ramped approach
 - ⑮ Relocate ex'ng handrail on wall line to widen ex'ng ramp
 - ⑯ Remove ex'ng KeeKlamp guarding & form new drop kerb
 - ⑰ Retain as ex'ng
 - ⑱ Remove ex'ng railings & excavate into bank to form new paved chicane approach.

HARBOUR ROAD leading to THE ESPLANADE.

HARBOUR ROAD CAR PARK

GRID REF: ST073 433

GRADIENT

Edge of Platform

FROM MINEHEAD

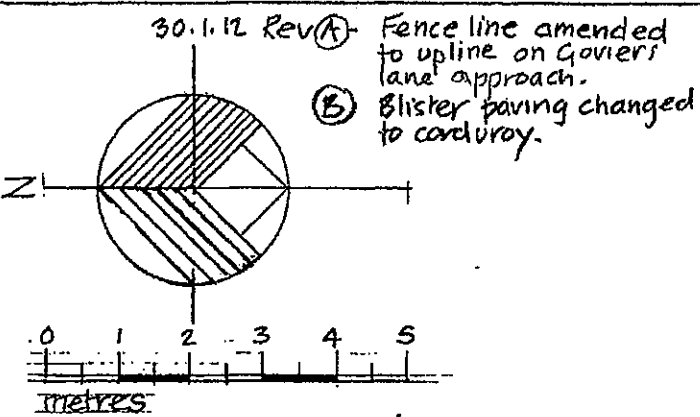
TO WATCHET STATION PLATFORM & TICKET OFFICE

TO TAUNTON

82m TO CROSSING (NTS)

15m TO CROSSING (NTS)

82m TO CROSSING (NTS)



West Somerset Council

Equality Impact Analysis Record Form 2012

When reviewing, planning or providing services West Somerset Council needs to assess the impacts on people.

We must show we have given due regard to the General Equality Duties in relation to our policies, strategies, services and functions as set out in Section 149 of the Equality Act 2010:

The three aims we **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

Service Area: Environment	
Title of policy/ practice/ service of function	Proposed access works at Goviers Lane railway crossing

Section 1 Why are you completing the Impact Assessment (please ✓ as appropriate)

Proposed new policy or service	Change to policy or service	Budget/Financial Decision	
	✓	✓	

Section 2 : About the Service/Policy Decision

The railway crossing that connects the northern end of Goviers Lane with Harbour Road, Watche is believed to have been in use by pedestrians since the original opening of the railway in 1862 and is a public right of way.

The land ownership is a combination of West Somerset Council and Somerset County Council. The actual pedestrian crossing area is the property of Somerset Council but it is leased to the West Somerset Railway under a lease agreement that commenced in 1975 and is valid until 2074.

In order to provide a degree of protection to persons crossing the line, a warning bell system was in operation until approximately 1971, when British Railways closed the line. During the course of 1976, when the West Somerset Railway (WSR) commenced its services, level crossing protection was in accordance with Her Majesty’s Railway Inspectorate (HMRI) requirements and included miniature Red/Green lights that were automatically operated by approaching trains.

This system was in operation until July 2010 when due to ongoing damage to the lights and persons disregarding the red lights, WSR removed the light boxes and installed metal self-closing ‘kissing’ gates. A 10mph driver’s speed restriction was also implemented as a part of the modifications.

WSR consulted on the changes beforehand, which were approved by the Office of Rail Regulation (ORR) in order to improve safety issues.

Almost immediately, WSR were aware of members of the local community raising concerns regarding the noise of the gates closing and, in particular, persons using manual wheelchairs, powered conveyances and children's buggies being unable to open the gates without assistance. Initial action against WSR and SCC was initiated under the then 1995 Disability Discrimination Act.

The Goviers Lane pedestrian footpath and railway crossing is the only safe and accessible route for disabled and elderly people into the centre of Watchet. Alternative routes are either the railway footbridge or the Brendon Rd crossing. Accessing the centre of Watchet via Brendon Rd requires navigating a narrow section of the highway which has no pavement. The footbridge has steps which is not accessible for disabled, elderly and those with pushchairs.

Positive engagement between the Board of WSR and leaders of a local campaign to find a solution culminated in a meeting in December 2010. This involved the WSR, ORR, WSC, SCC, WTC and members of the local community. It was agreed that a preferable and permanent resolution to the problem would be an application to the Secretary of State requesting authorisation to install a chicane arrangement. This would enable easier access for people using powered mobility scooters, providing that such arrangements did not significantly increase the safety risks of other users.

Section 3 Information about the change to the service (explain the proposal and reason for the change)

The proposed modifications provide a chicane arrangement on either side of the railway giving a minimum width of approximately 1.5 metres. It is considered that whilst easing use of the crossing for powered conveyances, it would also limit the likelihood of pedestrians and mounted cyclists effectively ignoring the presence of the crossing. The chicanes will tend to present users to the railway track at right angles at the decision points after turning from an easterly or westerly direction.

The profiles and layout of the approach to the crossing on the north side of the crossing at the top of the existing steps are to be altered during the improvements works to provide a gentler slope for wheel chair and powered conveyances while retaining a direct route via the steps and a self-closing gate. The lower ramped approach will not be regraded, but improvements to the railings and existing barriers are included in the scope of the works to widen the lower ramp. The guard rail and dropped kerb from the pavement onto Harbour Road will be repositioned to make the approach to and from this ramp easier to negotiate by wheelchair or mobility scooter.

WSR have undertaken a safety assessment of the proposed modifications and are responsible for ensuring with ORR that these meet the necessary regulatory and safety requirements.

Section 4: What evidence has been used in the assessment?

(List the consultation/engagement undertaken and data or intelligence you have gathered.)

A series of stakeholder meetings have been held throughout the process and a practical on-site demonstration using the largest of the manufactured 'Motability' type scooters in the adjacent

Harbour Road car park was held on 16th March 2011. This involved practical tests supported by local residents using wheelchairs, motorised disability scooters, children’s buggies and a postal delivery trolley.

The WSR application to the ORR included a minimum statutory two-month consultation period during which a public meeting was held on 23rd February 2012 in the Watchet Phoenix Club, which is adjacent to the Goviers Lane crossing. At the meeting, stakeholders, local community users and other interested parties were able to review the final plans.

The outcome of the consultations to date is that there is good agreement and an acceptance that the proposed scheme will address the concerns of groups who are disadvantaged by the current system.

Section 5: What are the community impacts of your proposal?

The proposed upgrade to the crossing has been undertaken in consultation with the community and in particular disabled users. Agreement to the proposals will have a positive action on equalities and a reasonable adjustment in improving accessibility for people currently disadvantaged by the current layout.

5.1. Equality Impact Assessment

With reference to the analysis above, for each of the ‘protected characteristics’ in the table below please record your conclusions with evidence around equality impact in relation to the savings proposal/service change.

Protected Group	Findings – Highlight potential negative impact or missed opportunities for promoting equality
Age (includes all age groups)	The demographic of West Somerset shows an aging population. A number of these will be wheelchair/scooter users. The proposed modifications will have a positive impact.
Disability (includes mental health, physical & sensory)	The modifications proposed to the crossing will have a positive impact on disabled people. In particular those who are wheel chair/scooter users who find the current arrangement difficult to use.
Gender (Sex)	The modifications will have a positive impact for those who care for children and use pushchairs.
Gender reassignment	None identified
Marriage and civil partnership (discrimination only)	None identified
Pregnancy and maternity	None identified
Race (includes ethnic origins, colour and nationality)	None identified
Religion and belief including non-belief	None identified

Sexual orientation (includes heterosexual, gay, bisexual)	None identified
---	-----------------

Non-statutory

Socio-economic (low income individuals & families)	None identified
Rural Isolation (West Somerset is a rural district with poor transport networks which can affect the way we deliver services)	None identified
Other (Are there other groups other than those already considered e.g. carers, staff, military)	None identified

5.2: What is the cumulative equality impact of your proposal?

You may have identified an impact on the lives of a group as a result of your individual savings proposal. However, taken together with other savings changes the cumulative impact of these decisions may be considerable and the combined impact may not be apparent where decisions are taken in isolation.

None identified.

Section 6: ACTION PLAN

This table must be completed where all negative impacts have been identified, and the steps that could be taken to mitigate this impact or to promote improved equality of opportunity or good relations.

Identified Issue/Negative Impact	Action needed to mitigate impact	Who is responsible	Expected outcomes from carrying out action
None Identified – The work proposed will be of a benefit to the elderly and disabled			

Section 7: Publishing the completed assessment

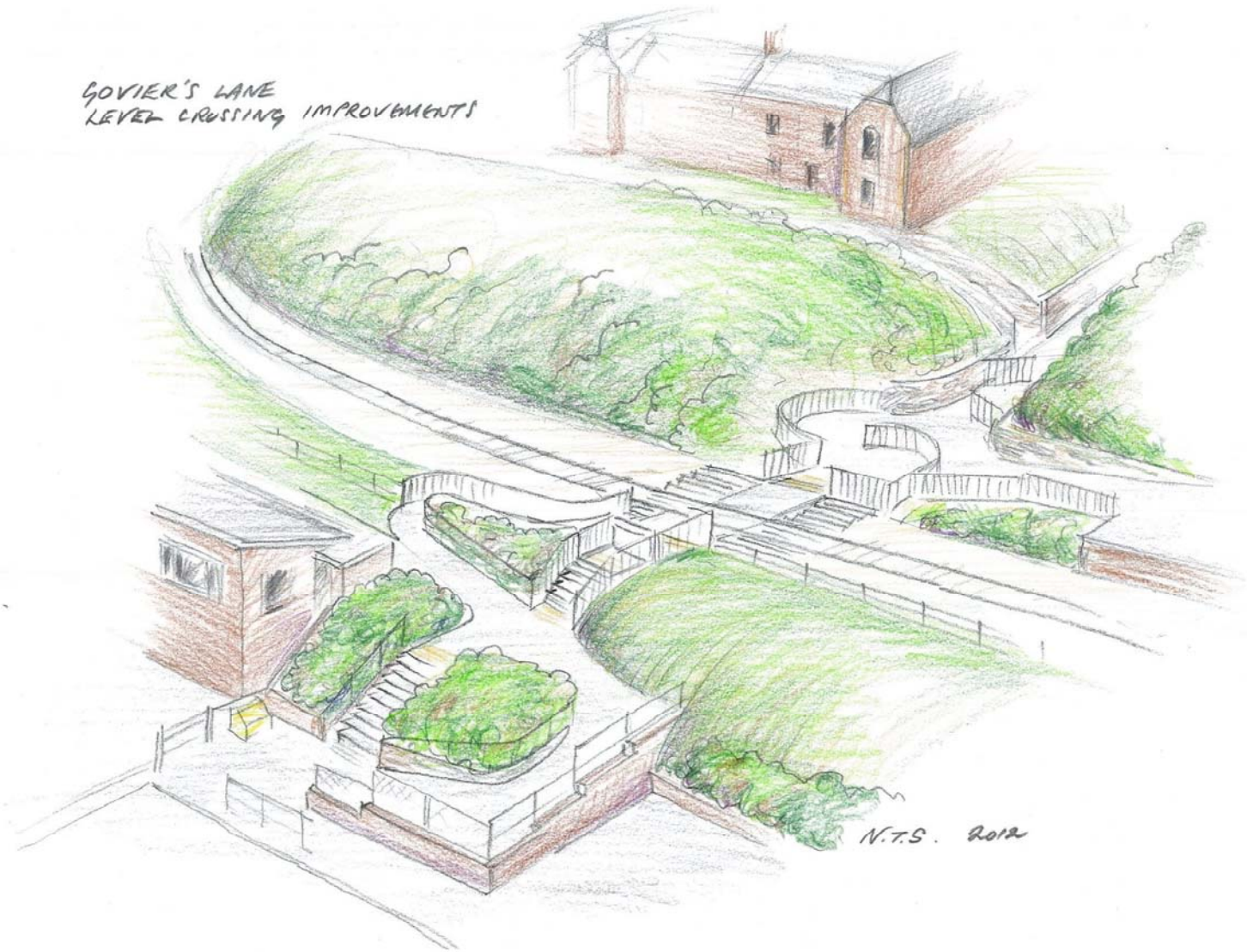
How will the assessment, consultation & outcomes be published and communicated.

All information will be published on WDC web site.

Section 8: Sign Off

Completed by:	S Rawle
Date:	22 nd September, 2012
Reviewed by:	
Date:	

GOVIER'S LANE
LEVEL CROSSING IMPROVEMENTS



REPORT NUMBER WSC129/12
 PRESENTED BY CLLR DAVID SANDERS – CABINET LEAD FOR ECONOMIC
 REGENERATION AND TOURISM
 DATE 3 OCTOBER 2012

OUR TOWN FIRST – TOWN TEAM PARTNERS (MINEHEAD)

1. PURPOSE OF REPORT

- 1.1. To inform Members about this recent Government initiative that provides additional opportunities and resource for economic regeneration activity in Minehead.

2. RECOMMENDATIONS

- 2.1 That Members note the contents of this report.
- 2.2 That Members recommend the approval of a supplementary estimate of £20,000 utilising the £10,000 allocation from Government and £10,000 of unallocated Sea Side Strategy Funding to support the Minehead Events Group in delivering a co-ordinated annual events programme with associated marketing and promotion as detailed in Section 4 of this report.

3. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
Lack of co-ordinated activity	2	4	6
<i>Minehead Events Group established as a fully constituted body</i>			

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

4. BACKGROUND INFORMATION

- 4.1. One of the key roles of the Economic Regeneration & Tourism Service for West Somerset Council is to lever in external funding to help support economic delivery in the District, as well as helping to facilitate local delivery mechanisms. This is to ensure that any funds that are secured are focused on the delivery of the corporate plan and the associated service plan combined with supporting strategies including the Economic Strategy.
- 4.2. Members will be aware of recent decisions made to allocate sums of money that are part of the £200,000 secured from the Governments Seaside Strategy fund in 2010. A consequence of this was the facilitation of a multi stakeholder forum, the Minehead Vision Group (MVG) that has established an action plan for driving forward activity to deliver a number of socio / economic priorities in the town.
- 4.3. The WSC Economic & Regeneration Team on behalf of the MVG recently submitted a bid to the Government's Portas Fund, which was put in place to support town centre

rejuvenation against a background of town centres struggling to retain their economic viability.

- 4.4. The bidding process was a very competitive one, with Minehead's application being one of 400, where there was only enough funding available to support 27 towns in total.
- 4.5. The application for Minehead which sought funding of £85,000 from the maximum £100,000 that Towns could apply for, concentrated on activity that would smarten the town's public realm and shop facades, provide an identity in terms of its former seaside resort splendour, implement a programme of events and activities that would attract people to the centre and increase dwell time for visitors, as well as supporting high street businesses by implementing a shop local loyalty card scheme, and some specific retail training and skills support.
- 4.6. The bid was not successful in drawing in the full amount requested, but by demonstrating a desire to become involved with this programme of Portas Report led High Street regeneration, it attracted the interest of Government who has subsequently pledged to support all of those towns that applied to this funding stream.
- 4.7. The letter from the Department of Communities and Local Government (attached at appendix A) gave the Minehead Vision Group the opportunity to be recognised as a 'Town Team' if it received the support of its local Member of Parliament and would be put forward to receive a payment of £10,000 to implement elements of their 'Portas' application and a package of on-going support from the Association of Town Centre Management.
- 4.8. Local Authority stakeholders of the Minehead Vision Group (West Somerset Council, Somerset County Council and Minehead Town Council) met with the Member of Parliament for the area— Ian Liddell-Grainger, 7th September to discuss in detail the action plan for delivering the priorities for the Minehead Vision Group and the types of activity that they considered the £10,000 allocation could be used for, to deliver aspects of the Portas application.
- 4.9. The key priority that emerged from that discussion was a desire to use the funding to establish an all year around fully co-ordinated events programme that would encourage more visitors to the town and provide activity for them to participate in. In addition to this there was a desire to fully engage with the towns many voluntary / community organisations and businesses to consult with, and work with them on this activity, thus helping to enhance the vitality and vibrancy of the town centre.
- 4.10. The local MP was fully supportive of this activity and agreed to support the MVG application to be recognised as a 'Town Team' on the understanding that there would be a SMART (Specific, Measurable, Attainable, Relevant and Timely) action plan put in place for implementation of this activity. The importance of having a focus to support businesses during this winter was also emphasised.
- 4.11. A proposed action plan of activity was produced following the MP's visit, forwarded to him for his approval, and resulted in him submitting the application on Minehead's behalf on the 11th September, well in advance of the deadline imposed by Government of the 16th September. DCLG has confirmed that this application has been received and that the £10K funds will be made available to West Somerset Council.
- 4.12. Appendix B provides an outline business plan for the event management element of this activity. The plan demonstrates a strategic and considered approach to event management in the town that should result in Minehead having a far higher profile to attract visitors throughout the whole year and not just the summer months. The plan allows for far more proactive marketing and promotion of the Town.

MVG considered that the £10,000 allocation from Government would not be sufficient to fund all of this improved breadth of activity, which as well as supporting existing events intends to create a number of new high profile ones along similar lines to the Minehead Summer Festival. To be sustainable in the longer term it is essential that events are held that have the ability to generate income that will provide for funding in the future. To enable this to happen effectively a further allocation of up to a maximum of £10,000 of Seaside Strategy funding is required to make sure that this activity can be fully implemented. The business plan will also be presented to Minehead Town Council in due course requesting a financial contribution from them to support this

- 4.13. It is proposed that the Co-ordination of the Events Programme is undertaken by the Minehead Events Group (MEG). The Group currently comprises representatives of WSC, MTC, Minehead Chamber of Trade, Minehead Information Centre, Regal Theatre, Arlife, Butlins, West Somerset Railway, Churches Together in Minehead and a number of other charitable and voluntary organisations. West Somerset Council will support MEG to become properly constituted (draft constitution attached at Appendix C) as well as putting in place a detailed action plan to deliver the first year's calendar of events.
- 4.14. This activity is in line with the priorities of Minehead Vision Groups Action Plan, Key Task 4.1 to create a coordinated and cohesive approach to tourism marketing and promotion of the town.

5. FINANCIAL/RESOURCE IMPLICATIONS

- 5.1. The proposed sum of £20,000 will need to be allocated from the £10,000 Government Town Team funding and £10,000 from the Seaside Strategy Fund earmarked reserve.

Activity	Date	Amount
Minehead Projects (Enterprise Park signage / support for the Old Hospital Project / Esplanade furniture)	March 2012	£28, 937.50
Regal Theatre	June 2012	£50,000
Minehead Vision Manager	August 2012	£70,000
SSF Reserve unallocated		£51,062.50

6. SECTION 151 OFFICER COMMENTS

- 6.1. There are no direct financial implications to West Somerset as funding required for this project is being received from the Government Town Team Funding together with the use of monies allocated to the Seaside Towns Strategy Earmarked Reserve, which is already held by the Authority.

7. EQUALITY & DIVERSITY IMPLICATIONS

- 7.1. Minehead Events Group will be encouraged to adopt an equal opportunities policy to ensure that all events are as inclusive as possible.

8. CRIME AND DISORDER IMPLICATIONS

- 8.1. None in respect of this report.

9. CONSULTATION IMPLICATIONS

- 9.1. Extensive consultations have been undertaken in relation to this proposal which includes the local Member for Parliament, the Mayor of Minehead Town Council, the Chamber of Trade, Minehead Development Trust, the Town Clerk of MTC and Minehead Vision Group.

10. ASSET MANAGEMENT IMPLICATIONS

- 10.1. None in respect of this report.

11. ENVIRONMENTAL IMPACT IMPLICATIONS

- 11.1. Minehead Events Group will be encouraged to develop a 'Green Events' policy in relation to travel planning for tourists, waste disposal, and other uses of natural resources.

12. LEGAL IMPLICATIONS

- 12.1. Minehead Events Group will become a constituted body in line with the draft contained within Appendix C of this report.

REPORT TO A MEETING OF CABINET TO BE HELD ON 3 OCTOBER 2012

CONTACT OFFICER: CORINNE MATTHEWS
TEL. NO.DIRECT LINE: 01984 635287
EMAIL: CMATTHEWS@WESTSOMERSET.GOV.UK



Department for Communities and Local Government

Mr Ian Liddell-Grainger MP
House of Commons
London
SW1A 0AA

The Rt Hon Grant Shapps MP
Minister for Housing and Local Government

Department for Communities and Local Government

Eland House
Bressenden Place
London SW1E 5DU

Tel: 0303 444 3460
Fax: 020 7828 4903
E-Mail: grant.shapps@communities.gsi.gov.uk

www.communities.gov.uk

30 August 2012

Dear Ian

OUR TOWN FIRST: TOWN TEAMS PARTNERS

I have made a commitment that no town will be left behind as part of our ongoing efforts to breathe new life into the nation's high streets. Over 400 towns applied to be Portas Pilots and now that 27 have been selected, I'm determined that the remaining bidding teams are not forgotten.

With this in mind, I would now like to invite you to put your town first, by personally taking the lead for your community and showing your support for your local Town Team(s) by applying for them to become Town Team Partners. Town Team Partners will need to have the commitment of their MP in order to access the package of support detailed below, which will enable them to take action to revitalise their local high streets. (A list of all those Town Teams that applied to be Portas pilots will follow shortly).

In becoming a Town Team Partner, local town teams are making a commitment to deliver part of their plan as identified in their application. Our ambition is for each Town Team to form part of a national 'our town first' movement and share the vital lessons they learned along the way.

In return, they will be supported by the Association of Town Centre Management, which has over 20 years of experience in helping town centres become prosperous locations for business and investment and focal points for vibrant, inclusive communities. As well as working with Town Team Partners to identify their needs and requirements, they will also run information events, provide an advice line and offer a network of advisors to help improve local towns.

To support local activity, the Government will ensure each Town Team receives £10,000 (via their local authority) to help put elements of their plan into action.

A launch event is being organised for all Town Teams in central London, to be held on 5 September, which will outline in more detail the available support as well as providing an insight into the difference a 'Town Team' can make to their area. Information about this event is available on the ATCM website: www.atcm.org

The registration process to become a Town Team Partner is very simple. You should complete the registration form which will be sent shortly in conjunction with your Town Team and local authority, which should be returned by 16 September.

You may also be interested in the launch today of the prospectus for the £1m Future High Street X-Fund. The fund will reward those who have demonstrated the greatest improvement in their high street through innovative and effective schemes since May 2011. More details can be found at www.communities.gov.uk/regeneration/economicgrowth/highstreetsportas

A copy of this letter goes to all Town Teams and their respective local authorities within your constituency.

A handwritten signature in black ink, appearing to read 'Grant Shapps', with a period at the end. The signature is written in a cursive, flowing style.

GRANT SHAPPS MP

Minehead Events Programme

Business Plan 2012/13

Executive Summary

This plan sets out the business case for the development of a strategic and partnership led Minehead events programme beginning in 2012/13. It outlines the need for further investment in new and current events spread across the year in order to increase visitors and generate more sustainable income revenues for businesses. A variety of organisations currently put on some 50 events in and around the area, from the Minehead Raft Race to concerts in Blenheim Gardens. While the Minehead Events Group (MEG) does exist to offer a chance for organisers to exchange ideas, there is no single plan in place to strategically develop and support activity across the year to ensure sustained business growth. This plan will demonstrate how initial 'pump priming' of key events throughout the year, working with these organisations, community groups and the larger tourism attractions including Butlins and West Somerset Railway, will lead to a stronger self-sustaining annual programme that will bring significant long-term economic benefits to the town.

1 The Case / Key Issues

- **Lack of joined up planning:** From the Minehead Summer Festival, steam galas, markets and Rotary Spring Fayre, a wide variety of events (Appendix 1) take place in Minehead. All of the events have been established on an adhoc basis with very limited strategic planning and marketing to maximise the towns' potential as an all year round visitor destination.
- **Lack of major events:** A review of the current events programme shows that there are not enough 'major' type events taking place in the town. Compared to similar towns Minehead under performs in this area. There are plenty of very well run smaller events, but these do not attract the numbers of visitors required to make a real difference to the economy.
- **Poor seasonal spread:** The two biggest events, Minehead Summer Festival and the Raft Race, both take place in August, and there are currently no major spring, autumn or winter events. It is estimated that nearly 55-65% of all event related visits and spend takes place around the two August events.
- **Unsustainable situation:** A strategic led events programme, including more coordinated financial arrangements, would also provide the benefit of being able to support a key event through a difficult year. For example when bad weather leads to an event making a loss.
- **Opportunity to grow:** Investment now would also allow for more strategic marketing of the events programme, which would include working with key tourism attractions such as Butlins and West Somerset Railway, in order to increase visitor numbers and spend across the year.
- **Building capacity:** The Minehead Events Group provides a valuable opportunity for event organisers to meet, share ideas and discuss issues. Yet they have not had the resources or

funds to begin to think and act more strategically, identify gaps, generate new income opportunities or apply for external funding to support the growth of out of season events.

- **Social and Economic Benefits:** Well-planned events programming can bring significant community benefits. Events can create new business income opportunities, vibrant and thriving town centres and provide the community with a sense of pride, health and welling.
- **Spreading the benefits:** By taking a more strategic approach to events planning, it will also be possible to ensure a good spread of events based throughout the town centre, helping to benefit as many businesses as possible. For example, the main focus of attractions at the Family Winter Festival would take place in the Parade and Wellington Square, while the main focus of activity for the Summer Festival takes place on the Seafront.
- **Current climate:** Tourism and retail businesses have been reporting that the current economic conditions are beginning to bite hard. Across the district businesses are reporting that takings are down by 10% to 50% on last year. West Somerset Railway is currently down on visitor numbers, and while Butlins are up by 3%, their takings in their retail businesses are down, helping to clarify that visitors really are spending less at present.
- **Hinkley impacts:** To add to the economic situation, there is potential that work will start on the construction of Hinkley Point C in 2013, which could see further impacts on visitor numbers. The 'real and perceived' impacts of traffic congestion along the A39 may deter people from travelling to Minehead, particularly if there is nothing specific to visit for.

2 The Proposition

In order to tackle these key issues and help businesses achieve more sustainable growth throughout the year, there are three elements, which this plan seeks to address:

a) Financial support for four new 'major' events to help fill gaps in the calendar

- ✓ **Home Design Exhibition** (February Half Term)
Managed by West Somerset Creatives' Network this large indoor event would support local arts, crafts and home design businesses, and tap into the huge growth of DIY/home furnishings. Income would be generated from stallholder fees and advertising for publicity.
- ✓ **Family Winter Festival** (February Half Term)
This event would offer a week of family entertainment in the town, linking in with activities at Minehead Eye and West Somerset Railway, as well as an ice-skating rink on Wellington Square as the star attraction.
- ✓ **Spring Festival** (May Bank Holiday)
Working with Butlins, the Events Group would look to run a major spring event over the first Bank Holiday in May, linking in with the Hobby Horse event. Income would be generated from stallholder fees and advertising for publicity.

✓ **Old Harbour Festival** (June)

Working with a variety of Minehead based organisations and charities; this event would celebrate Minehead's maritime and splendid Edwardian history. Income would be generated from stallholder fees and guided walk events.

b) Financial support for four current events with the potential for growth

✓ **Minehead Walking Festival** (End of April)

This event would seek to run a series of walks, events and markets over a weekend, linking in with the popular North Devon & Exmoor Walking Festival. Income would be generated from stallholder fees and guided walk events.

✓ **Summer Holiday Town Music** (July / August)

Support would be given for a series of concerts and other forms of music/entertainment to take place in and around Blenheim Gardens at weekends throughout the School Holidays. This will link with the Minehead & Exmoor Festival, and Regal Summer Show, and along with the Summer Festival and Raft Race would ensure a 'Summer Holiday' package of events from end of July until the beginning of September.

✓ **Summer Festival** (August)

The Summer Festival is already very popular and has the potential to grow further. Butlins are committed to the event, and the idea would be to expand attractions on offer. Income would be generated from stall holder fees and advertising for publicity.

✓ **Fireworks** (November)

For the past couple of years Butlins have funded an annual fireworks display on Minehead seafront. With further investment there is the potential to add more attractions and offer late night shopping. Income could be generated from stallholder fees.

c) Support for all events in the town via the development of a coordinated marketing plan

Resources will be required to pump prime the development and delivery of a coordinated events marketing and promotional plan. This would target visitors via off and online advertising channels, Public Relations, social media, development of promotional materials and via websites. The focus of promotion would be around major events, with information made available for the full programme. The Plan would aim to add value to the existing promotion and marketing already undertaken for discrete / individual events, and would encourage of the pooling of resources to enable joined up marketing and promotion of all that Minehead has to offer.

Full Calendar of 'major' Minehead Events (for full list see Appendix 1)

Feb - Home Design Exhibition

May - Spring Festival

Feb – Family Winter Festival

Jun - Old Harbour Festival

Mar - Spring Steam Gala

Jul - Days out with Peppa Pig or Thomas

Apr - Exmoor Walking Festival

Jul - Minehead & Exmoor Music Festival

Apr - Somerset Stages Rally

Aug – Blenheim Gardens Music

Aug - Summer Festival
 Aug - RNLI Raft Race
 Sep - CAMRA Real Ale Festival
 Oct - Autumn Steam Gala

Nov - Fireworks
 Dec – Christmas Lights Switch On
 Dec - Carol & Santa Trains
 Dec - Winter Steam Gala

3 Key Delivery Requirements

‘Pump priming’ initial investment

Resource for this activity could be drawn down from the Seaside Strategy Fund (up to £10k), Portas Town Fund (up to £10k) and possible contributions from other organisations, such as Minehead Town Council. Some of the events have significant income generating potential that will help create a ‘pool’ of funds for the following year, and which will ensure that there is a sustainable fund for continuing an annual events programme without further need of public funding.

Income Generation

Putting initial investment into events will allow new income generation opportunities to emerge via fees for stallholders, car parking, charging for attractions, guided walks and so on. Raising income in the first year will be crucial in helping to support events in the following year.

Partnership Support

Supported by Minehead Information Centre, the Minehead Events Group will act as the overall coordinating body and provide the wider forum for event organisers from the public, private, voluntary and community sectors to work together. The programme is also very much dependant on support and operation of a number of events by key partners, such as Butlins, West Somerset Railway, Minehead Rotary Club, and various voluntary and community organisations.

Community events

Many of the existing Minehead events provide community and voluntary organisations with fund raising opportunities. It is not the intention of the Minehead Events Group to meddle with these charitable events, or seek income generation from these for this business plan. However, the Events Plan recognises the added value that this activity brings to the vibrancy and vitality of the town and would hope to support them through the wider promotion and marketing plan.

Volunteers

Volunteers are a vital component of all successful events. This business plan assumes that there is very limited paid staff resource, other than that already provided by the Local Authorities / Minehead Information Centre and larger tourism attractions. This plan will support volunteers with necessary training such as first aid and Chapter 8 requirements, as well as looking at the potential for negotiating one insurance policy to cover a number of events rather than individually.

Delivery Mechanism

The team at the Minehead Information Centre could be well positioned to take the lead in supporting the delivery and operation of the annual events programme. If they did, then this would need to be in conjunction with partners and funding bodies (e.g. Minehead Town Council and West Somerset Council). Full financial accountability would need to be ensured, with all partners /

funding bodies forming a constituted Minehead Events Group that would be responsible for any finances allocated from funding and raised through events, keeping monies in a separate and specific events account. (A copy of the draft constitution of the Group is provided at appendix 2)

Marketing & Promotion

The outline budget for promoting a new inclusive 12 month events programmes is estimated at being a minimum of £5K to make a significant impact and attract new visitors to the town. It is envisaged that in working with partner organisations (who already have marketing budgets, that value could be added to ensure a wide spread of marketing and promotional activity.

4 Benefits

Vision

Minehead will be recognised as a vibrant and thriving town with a highly successful and self-sustaining annual events programme offering first-class visitor experiences throughout the year and supported by strong and sustainable local businesses.

Mission

The Minehead Events Programme will seek to bring sustained social, economic and community benefits to the town and its businesses through a partnership led approach that strategically coordinates and manages activity.

Outcomes

- Minehead will be regarded as a vibrant and thriving town by visitors and residents
- The town and area will benefit from an increased number of visitors throughout the year
- Businesses in and around Minehead will see a sustained increase in income
- Events will become self-sustaining, more proactive and plan more effectively to deal with both the economic climate and the vagaries of the weather
- Events will generate a real sense of well being and spirit among local communities

5 Marketing Plan

Objectives

- ✓ To encourage 10,000 visitors to the four new events between Feb and Jun 2013
- ✓ To increase visits to the four current events by 20% between Nov 2012 and Oct 2013
- ✓ To achieve £10k of income from the eight events between Nov 2012 and Oct 2013
- ✓ To ensure 80% high satisfaction levels among visitors across the eight events in 2012/13
- ✓ To report that on-street businesses have increased revenues by 5% during the eight events

Strategy

- **Overall Approach:** Marketing efforts will focus on the ‘major’ new and current events outlined in this plan, as they represent the greatest opportunity to increase numbers of visitors. Details of the full calendar of events will be made available as often as possible through a variety of channels to support this approach. The programme offers an excellent opportunity to promote the town, and this will be done as a backdrop to the events. All opportunities to develop joint promotional activity with key partners, and generate income from advertising and sponsorship to help fund literature, will be explored in order to help support future marketing budgets.
- **Target Markets:** The principal target market of four of the eight events outlined in this plan will be families (Winter, Spring, Summer Festivals & Fireworks), while the other four will target more specific groups. For instance the principal target markets for the walking festival will be couples, aged 45+ or groups interested in joint experiences, wildlife or history. Rhetoric and style of advertising/promotional materials will need to reflect this where possible.
- **Competition:** An analysis will need to take place over the year to determine how new and current events outlined in this plan compares with similar offerings in other towns. It will be important that Minehead competes in terms of value for money, quality and on overall experience, and is able to learn lessons from other events.
- **Market Positioning:** Marketing will seek to place ‘Minehead’ in the eyes of visitors in two ways: ‘as a great place for a quality and fun day out’, and ‘as a great base to access and enjoy West Somerset / Exmoor.’ The plan will seek to use the unique scenery and features of the town to help promote it and raise awareness of what else is on offer.

Activity

- **Paid Advertising:** Some £3k of the budget in year one would be used for advertising via off and online channels. This will include advertising in local and regional papers, websites, magazines and guides. Adverts would be strategically placed in the lead up to ‘major’ events.
- **Joint Activity:** In order to maximise the potential of the budget the Events Group will seek to work with partners such as Butlins, West Somerset Railway, West Somerset Creatives Network, Minehead Eye and the Regal Theatre to promote aspects of the event calendar. The plan will also seek to explore potential for generating advertising and sponsorship funds to produce promotional literature and/or place adverts.
- **Free Advertising:** The plan will also seek to take advantage of free promotional opportunities. This includes writing content for web pages on Visit Exmoor and Visit Somerset, editorial in visitor brochures and guides, e-newsletters and articles for local Parish Council newsletters.
- **PR & Social Media:** £1k of the marketing budget is being set aside for PR and social media. In order to maximise budget potential and develop linkages with wider promotion of the area, the proposal would involve extending the work of the current PR specialist employed by Visit Exmoor. Work would involve developing a events programme communications plan, developing

press releases, dealing with media enquiries, generating media visits, developing social media channels – specifically Twitter, Facebook and the Visit Exmoor Blog.

- **Promotional Materials:** Approximately £1.5k of the budget would be set aside to design and produce promotional materials such as leaflets and posters to help promote the new and current events, and overall programme of events. There is the potential with some events, such as the Home Design Exhibition to raise additional advertising from stallholders to help pay for improved literature. Materials would be distributed locally and regionally through...

Action Plan

A detailed marketing action plan will be developed, and will include a timetable for delivery, actions required, lead partners, staff resource implications and funding.

6 Financial Implications

Below is a 3-year budget for the Minehead Events Programme. It shows how by 'pump priming events' in year 1, will help lead to a surplus fund that can be carried over from year to year, and which will ensure the long term sustainability of an annual programme. A surplus fund also allows continued support for the odd event that might not achieve its income targets due to bad weather.

Across the three years the cost of putting on the events decreases, while income generated increases to the point where profit is made. During this period it is also envisaged that bids could be made to other potential sources of funding as and when they become available to help add even more value to the programme.

Expenses	Year 1 - 2012/13	Year 2 - 2013/14	Year 3 - 2014/15
Event Costs	Costs	Costs	Costs
4 New Events (Home Design, Winter, Spring & Harbour Festivals)	£ 12,750	£ 9,250	£ 9,250
4 Current Events (Fireworks, Walking Festival, Town Music, Summer Festival)	£ 5,250	£ 5,500	£ 5,500
Community Participatory Event 2013	£ 2,000	£ -	£ -
Other Costs	£ 20,000	£ 14,750	£ 14,750
Marketing & Promotion	£ 5,000	£ 3,000	£ 2,500
TOTAL COSTS	£ 25,000	£ 17,750	£ 17,250

Income	Year 1 - 2012/13	Year 2 - 2013/14	Year 3 - 2014/15
Funding source	Amount	Amount	Amount
Portas	£ 10,000	£ -	£ -
Seaside Strategy	£ 10,000	£ -	£ -
Event Income	£ 11,000	£ 13,500	£ 15,750
Current Budget carried over	£ 1,000	£ 7,500	£ 4,250
Joint partner marketing contributions / advertising generated	£ 500	£ 1,000	£ 1,500
TOTAL INCOME	£ 32,500	£ 22,000	£ 21,500
Surplus to support next year	£ 7,500	£ 4,250	£ 4,250

7 Management & Control

Action Plan

A detailed plan of action for the full year will be developed, and will include a timetable for delivery, actions required, lead partners, staff resource implications and funding. Below are the key milestones and an overview of year one activity:

2012

October: Work begins on improving entertainment for 2012 Fireworks night, planning for events in first six months of 2013, and development of a detailed Marketing plan.

November/December: The process to book entertainment and stallholders for the Home Design Exhibition and Family Feb Half Term Winter Festival begins. Ideas will be worked up with Butlins for the new Spring Festival. The Marketing plan will be finalised, and then started with the contracting of a PR specialist and designer to produce literature / adverts, as well potential marketing links with partners explored.

2013

January: The full calendar of 2013 events will be confirmed in readiness for the production of promotional literature. The first adverts for Feb half term events and Walking Festival will be placed, PR will begin, and promotional content for free website advertising written. The visitor and business events surveys will be developed.

February: Feb half term events will take place, whilst bookings of entertainment and stallholders will continue to be made for Spring Festival. Planning for Harbour Festival and Summer season of events will begin.

March / April: Promotion of the Spring Festival will begin, as all details are finalised. Guided walks and entertainment for Walking Festival will be confirmed. Planning for Harbour Festival and Summer season of events will continue.

May: Walking Festival and Spring Festivals will take place. Details for the Harbour festival will be confirmed and promotion of the event started. A Mid year review of events programme activity to date will take place, and a forward plan developed for the rest of the year.

June: The Harbour Festival takes place. Promotion of the complete summer season will start and details will be confirmed. Licenses and road closures for the Summer Festival will be confirmed.

July / August: The Summer season of events will take place, including concerts in Blenheim Gardens, flanked by key events such as the Minehead & Exmoor festival, Summer Festival and Raft Race toward the end of August.

September: Following summer season of events another review will take place to finalise position for 2013/14 season. Funding opportunities could be sought throughout the year, but with the next event, taking place in November, the Autumn is a good time to plan for the future.

Monitoring & Evaluation

This programme will be monitored in a variety of ways...

- A business survey that will help assess economic impact
- A visitor survey that will assess visitor satisfaction and awareness
- Review of accommodation businesses to assess increased bed nights in the town
- Success of key charitable and community events
- Visitor numbers and feedback from key partners (Butlins, WSR, Minehead Eye)
- Success of the events programme to deliver on its outcomes and marketing objectives
- Success of measurable marketing initiatives (e.g. twitter followers, website visits)

Potential risks

There are a number of potential risks and threats to this event programme. Below is a table highlighting what they are and how they will be managed.

Factor	Risk to Programme	Likelihood	Consequence / Management
Reduction in funding	High	Medium	A reduction in funding will mean that one or more 'major' events are removed from the programme and/or the marketing budget is reduced, which will result in less money being generated for future programmes.

Bad weather affecting one or two events	Low	High	Bad weather is very likely to affect one or two events over the course of a full year. The purpose of this plan is to raise enough funds to carry over for the next year, and thereby support the odd event that is affected.
A major partner like Butlins pulling out	Medium	Low	If a major partner like Butlins decided to pull out, there would be a drop in visitor numbers and the ability to generate income. In this case, it is likely that a major event might be dropped in order to boost other events, and thereby maximise their potential.
A worsening economic climate	Low	Medium	A worsening economic climate could lead to less visitors attending events, but more likely that people might spend less in the economy or at stalls. The marketing of the event will help to highlight the great value nature of events in Minehead. Work will also take place to encourage businesses to develop special offers and packages during events and in marketing.

DRAFT CONSTITUTION

A NAME

The group's name is - Minehead Events Group

B THE PURPOSES OF THE GROUP ARE

- To co-ordinate, support and manage an annual programme of events within the Town of Minehead.
- To promote and market these events.
- To take responsibility for the organization of those new and existing Minehead events as outlined in the Event Programme Action Plan.

C CARRYING OUT THE PURPOSES

In order to carry out the purposes, the Committee has the power to : -

- (1) raise funds, receive grants and donations
- (2) co-operate with and support other groups with similar purposes
- (3) carry out other activity within the law which is necessary to achieve the purposes

D MEMBERSHIP

The Committee may admit to membership anybody aged 18 and over who supports the purposes of the group. People who wish to become a member should apply to the Committee. Membership lasts for 2 years and may be renewed. The Committee will keep an up to date membership list.

The Committee may expel someone from membership, provided it is in the best interest of the group to do so, and they are given the right to be heard by the Committee before the decision is made..

E ANNUAL GENERAL MEETING - AGM

(1) The AGM must be held every year, with 14 days notice given to all members telling them what is on the agenda.

(2) There must be at least 10 members present at the AGM.

(3) The Committee shall present the annual report and accounts.

(4) Any member may put themselves forward for election as a Committee member at the AGM.

(5) Every member has one vote.

(6) Members shall elect between up to 10 members to the Committee. They will retire at the next AGM and may stand for re-election.

F COMMITTEE

(1) The Committee shall hold at least 6 meetings each year. They will elect a chair, treasurer and secretary at their first meeting.

(2) At least 3 Committee members must be at a committee meeting to be able to take decisions. Minutes shall be kept for every meeting.

(3) The Committee must keep accounts which may be viewed by any member on

request.

(4) During the year, the Committee may appoint up to 4 extra members on to the Committee who will stand down at the next AGM but are eligible for re-election.

(5) The Committee may make reasonable additional rules for the proper conduct and management of the group. These rules must not conflict with this constitution or the law.

G MONEY

(1) Funds must be held in the group's bank account. All cheques must be signed by 2 Committee members.

(2) Funds cannot be used to pay Committee members except to refund legitimate expenses.

(3) Funds and property must only be used for the purposes of the group.

H SPECIAL GENERAL MEETINGS

Special General Meetings may be called by the Committee for the following reasons. All members must be given 14 days notice and told what change is proposed.

(1) **Changing the Constitution** - The constitution may be changed by a two thirds majority of members present and voting at a Special General Meeting.

(2) **Emergency Special General Meetings** – to allow the members to decide on important issues.

(3) **Winding up** – the group may be wound up by a two thirds majority of members present and voting at a Special General Meeting. Any money or property remaining after payment of debts must be given to a group with similar (charitable) purposes.

J SETTING UP THE GROUP

This constitution was adopted on _____ 2012__ by the people whose signatures appear below. They will be the Committee until the first AGM, which must be held within one year of this date.

Signed Print name and address

REPORT NUMBER WSC 130/12
 PRESENTED BY CLLR. D. WESTCOTT
 DATE 3RD OCTOBER 2012

AGREEMENT FOR A COUNTY WIDE COMMUNITY SAFETY PARTNERSHIP MERGER

1. PURPOSE OF REPORT

- 1.1. To seek Council approval for West Somerset Council to join a proposed county wide merger of the Community Safety Partnerships encompassing the East and West of the County.

2. RECOMMENDATIONS

- 2.1. Cabinet are recommended to approve:
- a. That formal agreement be given for the merger of the Community Safety Partnerships in Somerset.
 - b. That it is recommended that formal agreement is given by Council to the Community Safety Partnership merger.

3. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
West Somerset Council do not approve the formal merger of the Somerset CSP	2	3	6
<i>Ensure that the Portfolio Holder is fully informed of the progress and opportunities within the partnership so that Council can be correctly informed.</i>			
West Somerset Council decides to reconvene the partnership operating solely in West Somerset.	2	5	10
<i>This is possible but previous partnerships will need to be re-established</i>			

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

4. BACKGROUND INFORMATION

- 4.1. In 1988, the Crime and Disorder Act (as amended by the Police Reform Act, 2002 and the Police and Justice Act, 2006) introduced the concept of Crime and Disorder Reduction Partnerships (CDRP's) and identified a number of organisations, including local authorities, as responsible bodies. These were established at a District authority level and with a geographic area of business co-terminous with the District Council boundaries.

- 4.2. The Government also made available direct, ring-fenced, funding to support the work of the partnership and this totalled £79,497 in 2007/8. In the financial year 2008/9, the Government changed the funding arrangements and paid all monies allocated to the five Somerset partnerships direct to the County Council and removed the ring-fencing element.
- 4.3. The County Council subsequently made the decision to include this funding into their central budget in order to support SCC led initiatives such as domestic abuse and drug and alcohol related issues.
- 4.4. In 2006, the CDRP's operating in Mendip and South Somerset merged and demonstrated benefits from this joint working. In 2008, it was agreed by the then members of the West Somerset CDRP to enter into an informal working arrangement with the CDRP's operating in Sedgemoor and Taunton Deane to deliver community safety across the area.
- 4.5. This informal merged working arrangement was extended to all the CSP's operating in the County in 2010 and the term Crime and Disorder Reduction Partnership was replaced by Community Safety Partnership (CSP).
- 4.6. In November 2012, elections will be held to appoint a Police and Crime Commissioner (PCC) for the whole Avon and Somerset police force area. This person will be responsible for setting the Policing budget and for allocating funding to support Community Safety work across the two Counties (which encompasses the 4 unitary authorities for Bristol, South Gloucestershire, BANES, North Somerset together with the two tier authorities in Somerset).
- 4.7. There will be a reciprocal duty for the PCC and CSP'S to co-operate in order to deliver the statutory obligations placed upon both bodies.
- 4.8. A merged CSP across the County will provide a greater opportunity to secure funding and additional benefits with regard to collaborative delivery of the Police and Crime Plan, which the Commissioner is required to produce.
- 4.9. The Council will retain the opportunity and duty to exercise a scrutiny function of the work of a merged CSP (as detailed in the Local Government and Public Involvement in Health Act, 2007)

5. FINANCIAL/RESOURCE IMPLICATIONS

- 5.1. There will not be any specific funding allocated directly to West Somerset but it is anticipated that the merged partnership will be better able to influence funding decisions made by the PCC.

6. SECTION 151 OFFICER COMMENTS

- 6.1. The amalgamation of the individual partnerships into a single countywide partnership arrangement is supported, as it will provide overall benefits in future years.
- 6.2. There is no specific funding available at the present time but, equally, it is unlikely that there will be an adverse financial impact on West Somerset Council other than existing staff time.

7. EQUALITY & DIVERSITY IMPLICATIONS

- 7.1. None in respect of this report.

8. CRIME AND DISORDER IMPLICATIONS

- 8.1. The framework for CSP's to merge is established within the Crime and Disorder Act 1998 (as amended) and the approval for such a merger will rest with the PCC following their appointment in November 2012.
- 8.2. There is a requirement within the current legislation for all responsible bodies within a CSP to agree to such a merger. However, the legislation does provide for the Home Secretary (or PCC post November 2012) to force a merger.

9. CONSULTATION IMPLICATIONS

- 9.1. There are no consultation implications in the context of this report.

10. ASSET MANAGEMENT IMPLICATIONS

- 10.1. There are no asset management implications in the context of this report.

11. ENVIRONMENTAL IMPACT IMPLICATIONS

- 11.1. There are no consultation implications in the context of this report.

12. LEGAL IMPLICATIONS

- 12.1. The legal implications are detailed within the main body of the report.

REPORT TO A MEETING OF CABINET TO BE HELD ON 3RD OCTOBER 2012

CONTACT OFFICER: STEVE WATTS – GROUP MANAGER
TEL. NO.DIRECT LINE: 01984 635261
EMAIL: SWATTS@WESTSOMERSET.GOV.UK

Background papers: WSC 45/10 - Community Safety Partnership Merger
WSC 77/12 - Community Safety Scrutiny Review