

**CABINET**

**MINUTES OF THE MEETING HELD ON 1 APRIL 2015**

**AT 4.30 PM**

**IN THE COUNCIL CHAMBER, WILLITON**

**Present:**

Councillor T Taylor ..... Leader

Councillor K V Kravis  
Councillor C Morgan  
Councillor A H Trollope-Bellew  
Councillor D J Westcott

Councillor K M Mills  
Councillor S J Pugsley  
Councillor K H Turner

**Members in Attendance:**

Councillor G S Dowding  
Councillor A Hadley  
Councillor E May  
Councillor D J Sanders  
Councillor M A Smith

Councillor S Y Goss  
Councillor A F Knight  
Councillor I R Melhuish  
Councillor L W Smith

**Officers in Attendance:**

Chief Executive (P James)  
Assistant Chief Executive (B Lang)  
Director of Operations (S Adam)  
Assistant Director – Resources (P Fitzgerald)  
Assistant Director – Energy Infrastructure (A Goodchild)  
Asset Manager (T Child)  
Principal Estates Officer (A Priest)  
Principal Benefits Officer (M Antonelli)  
Media and Communications Officer (D Rundle)  
Meeting Administrator (K Kowalewska)

**Also in Attendance:**

Councillor Anne Fraser, Sedgemoor District Council (Item 9)  
Phillip Adams, Sedgemoor District Council (Item 9)  
Doug Bamsey, Sedgemoor District Council (Item 9)  
Allison Griffin, Sedgemoor District Council (Item 9)

At the start of the meeting the Leader introduced and welcomed Councillor Anne Fraser and officers from Sedgemoor District Council.

**CAB114 Apologies for Absence**

No apologies for absence were received.

**CAB115 Minutes of the Meeting held on 4 March 2015**

(Minutes of the Meeting of Cabinet held on 4 March 2015 - circulated with the Agenda.)

**RESOLVED** that the Minutes of the Meeting of Cabinet held on 4 March 2015 be confirmed as a correct record.

**CAB116 Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

<b>Name</b>	<b>Minute No.</b>	<b>Member of</b>	<b>Action Taken</b>
Councillor K H Turner	All	Brompton Ralph	Spoke and voted
Councillor D J Westcott	All	Watchet	Spoke and voted
Councillor S Y Goss	All	Stogursey	Spoke
Councillor L W Smith	All	Minehead	Spoke

In addition, the following interests were declared:

<b>Name</b>	<b>Minute No.</b>	<b>Description of interest</b>	<b>Personal or Prejudicial</b>	<b>Action Taken</b>
Cllr A H Trollope-Bellew	CAB124	Private landlord	Personal	Spoke and voted
Cllr K H Turner	CAB124	Private landlord	Personal	Spoke and voted

**CAB117 Public Participation**

No members of the public spoke at the meeting on any items on the agenda.

**CAB118 Forward Plan**

(Copy of latest Forward Plan published 17 March 2015 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 17 March 2015.

**RESOLVED** that the latest Forward Plan published 17 March 2015 be approved.

**CAB119 Cabinet Action Plan**

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

**RESOLVED (1)** that CAB106 – HPC Section 106 Agreement – Allocations of Housing Fund relating to the Routes Youth Hub and the former Withycutter site be deleted as actioned, and the two bids at Paragon Laundry and Monmouth Street, Bridgwater be carried forward.

**RESOLVED (2)** that CAB107 – HPC Planning Obligations Board – Allocations of CIM Funding be deleted as actioned.

**RESOLVED (3)** that CAB110 – Discretionary Reduction in Council Tax Liability Policy and Discretionary Housing Payment Policy be deleted as actioned.

**RESOLVED (4)** that CAB111 – Creation of the Somerset Building Control Partnership be carried forward.

**RESOLVED (5)** that CAB112 – HPC Project Update and S106 Agreement Staff Allocations for Approval be deleted as actioned.

**CAB120 Wheddon Cross Public Conveniences Proposed Transfer**

(Report No. WSC 58/15 – circulated with the Agenda.)

The purpose of the report was to consider leasing the West Somerset District Council owned public conveniences at Wheddon Cross to the Parish Council, along with a capital contribution of up to £12,000

The Lead Member for Regeneration and Economic Growth presented the item and reported on the positive discussions that had taken place with Cutcombe Parish Council regarding the public conveniences at Wheddon Cross and the best way forward. She drew Members' attention to the financial reasons for leasing the building to the parish council and advised that both the Asset Management Group and the Corporate Policy Advisory Group had considered the proposal. She emphasised the proposal was in line with the Invest to Save principle.

The Lead Member proposed the recommendation of the report which was seconded by Councillor S J Pugsley.

The main points raised during the discussion included:

- It was emphasised that the outcome of this process was initiated some time ago when talks were held with parish and town councils on the devolution of services and it was responded to favourably.
- The parish council were thanked for their willingness to progress the matter.
- It was hoped that more public conveniences would be secured in the long term.
- Clarification was provided on the fixed annual rental, the break clause in the lease and the cost of refurbishment works.
- It was envisaged that, on past experience, the workspace would be let out very easily.

**RESOLVED** that it be recommended to Council to approve:

- A lease with a term of up to 99 years of the Wheddon Cross public conveniences to Cutcombe Parish Council at a nominal rent of £25 per annum, exclusive of outgoings.
- A Supplementary Estimate for the 2015/16 Capital Programme of £12,000, funded by revenue reserves. This is for a capital contribution of up to £12,000 to enable the Parish Council to reconfigure the

building to provide workspace and two public conveniences, both of which will be operated and managed by the Parish Council.

- All other terms and conditions of the lease to be agreed by the Assistant Director for Property and Development in association with the Lead Member.

**CAB121 Grant to Exford Parish Council for Future Public Convenience Provision**

(Report No. WSC 59/15, circulated with the Agenda.)

The purpose of the report was to consider formally terminating the Council's lease of the current public conveniences building and giving a grant to Exford Parish Council of up to £9,000 as a contribution to the provision of new public toilet facilities in Exford.

The Lead Member for Regeneration and Economic Growth presented the item and advised that the proposal would provide a better sited set of facilities and the long standing issues over disability compliance and access would be overcome. She again emphasised that the proposal was in line with the Invest to Save principle.

She went on to propose the recommendation of the report which was seconded by Councillor S J Pugsley.

The main points raised during the discussion included:

- The parish council were thanked for their willingness to progress the matter.
- This was a very good example of cooperative working between the parish council, the Exmoor National Park Authority and WSC.
- It was suggested an update be included in the Community Newsletter on what was being achieved regarding to the provision of public conveniences.
- Confirmation was provided on the parish council's responsibility of the public conveniences.

**RESOLVED** that it be recommended to Council to approve:

- A Supplementary Estimate for the 2015/16 Capital Programme of up to £9,000, funded by revenue reserves. This is for a capital contribution to Exford Parish Council to enable the Parish Council to build new facilities in Exford.
- Terms and conditions to be agreed by the Assistant Director for Property and Development in association with the Lead Member.
- Terminating the lease on the current public convenience building which is leased by the District Council from the Exmoor National Park Authority.

**CAB122 HPC Section 106 Agreement – Allocations of Housing Funding**

(Report No. WSC 69/15, circulated with the Agenda.)

The purpose of the report was to present to Members a combination of:

- the recommendations of the Planning Obligations Board (POB) relating to bids from LV Property Rentals Ltd at Paragon Laundry and Monmouth Street in Bridgwater;
- a reminder of the recommendations made by Cabinet on 4th March 2015 relating to these bids; and
- an update from officers in relation to continued discussions that have taken place since Cabinet.

The report requested that Cabinet make its recommendations to full Council regarding these bids.

The item was presented by the Lead Member for Housing, Health and Wellbeing who briefed Members on the background information and provided a summary of the two bids. The Assistant Director – Energy Infrastructure went on to provide an update on discussions held between officers from WSC and Sedgemoor District Council (SDC) following the Cabinet meeting on 4 March 2015 when Members expressed concerns and requested that several points of information be clarified or revised. He confirmed that the financial viability appraisals were robust and did stack up and there should be no cause for concern regarding land value and profit derived from the two proposals. Additional information and confirmation had also been received on matters relating to the rental arrangements of the units, the type of accommodation and the trend of the rental market in Bridgwater. The Assistant Director reported that officers were comfortable with the financial due diligence process and any risks identified would be reflected in the requirements of the funding agreement, and advised this would provide the reassurance that the risk to WSC was as minimal as possible.

The Leader invited Councillor Anne Fraser to speak, who stated that she fully understood the concerns raised by Members at the March Cabinet meeting. She believed that the subsequent discussions had addressed and resolved these issues and hoped the matter could now be progressed. The two schemes were very important due to the Sedgemoor district already experiencing the impacts of the displacement of residents.

During the discussion Cabinet requested for further reassurance to be provided that WSC would not be responsible for paying back the Section 106 monies to EDF should the two schemes not proceed. Confirmation was provided by SDC officers that this would be covered by conditions in the funding agreement, advising the first payment would not be released until 50% of the units were completed and the second payment on completion. The agreement would also be cash limited and the overspend risk would lie with the developer and other funding agencies. An acceptable timeframe for delivery would also be put in place.

Other issues raised during the discussion included the following:

- The affordability of the properties after the 10 year period.
- Lessons were being learnt together on how schemes were submitted and dealt with in the future, and there would be a need for creative thinking.
- Consideration should be given on how to manage and minimise risks associated with the large amounts of housing fund monies for future projects.

- The Council could run the risk of not spending the Section 106 money and lose the opportunity of providing much needed affordable housing.

The Lead Member proposed that it be recommended to Council to approve the two bids at Paragon Laundry and Monmouth Street, Bridgwater subject to the conditions listed in paragraph 5.21 of the report, which was duly seconded by Councillor D J Westcott.

**RESOLVED** that it be recommended to Council to approve the two bids at Paragon Laundry and Monmouth Street, Bridgwater subject to the conditions listed in paragraph 5.21 of the report.

**CAB123 Proposed Asset Transfer - Flatner Boat Museum, Watchet**

(Report No. WSC 60/15, circulated with the Agenda.)

The purpose of the report was to consider the freehold transfer of the Watchet Flatner Boat Museum building and surrounding land to the Onion Collective (OC) Community Interest Company in exchange for a peppercorn i.e. £1 consideration. Any transfer would be within the basis of a Community Asset Transfer. The transfer would enable significant investment through OC enabling the Museum to continue operating from the building, albeit with improved facilities, complemented by a new build Visitor Centre housing a revitalised visitor information service, the existing taxi occupier as well as co-location of the Town Council offices and shared use of public space for Town Council meetings.

The Lead Member for Resources and Central Support presented the item and outlined the details in the report, highlighting the proposed terms and conditions of the transfer. She advised that the proposal would give the community a chance to really make the most of the asset with no financial risk to WSC. She went on to propose the recommendation which was duly seconded by Councillor K M Mills.

Members were fully supportive of the proposal and it was acknowledged that this was another fantastic example of collaborative working.

**RESOLVED** that it be recommended to Council to approve:

- The freehold transfer for a peppercorn of the building and surrounding land, edged red on plan attached to the report, to the Onion Collective. This plan is indicative only.
- The granting of additional rights necessary over adjacent land and as detailed later in report.
- Detailed terms and conditions to be approved by Assistant Director, Property & Development in association with Lead Member. These terms to be consistent with a Community Asset Transfer.

**CAB124 Universal Credit and Local Support**

(Report No. WSC 62/15, circulated with the Agenda.)

The purpose of the report was to provide Members with information about the introduction of Universal Credit within the local area as part of the phased roll out of the scheme nationally.

The Lead Member for Community and Customer presented the item in detail. He provided Members with the background information, drawing attention to the eligibility criteria detailed in the appendix to the report. He proposed the recommendations of the report which were duly seconded by Councillor A H Trollope-Bellew.

The Principal Benefits Officer explained the DWP's approach to implementing Universal Credit and confirmed that the DWP funding given to WSC in 2015/16 would be adequate to provide local support to customers.

**RESOLVED (1)** that the preparation to date and the proposed arrangements to provide local support for Universal Credit claimants in West Somerset be noted.

**RESOLVED (2)** that the recommendation to deliver Universal Credit to claimants in West Somerset through DWP funding of £24,952 in 2015/16, with no impact on the Council's Net Budget, be approved.

In recognition of this being the last Cabinet meeting before the May elections, the Leader took the opportunity to thank Cabinet Members for their continued support, and in particular acknowledged the contribution and commitment of the Finance Portfolio Holder during her term of office. On behalf of the Cabinet Members he offered best wishes to the retiring Councillors and thanked them for their service and attendance at meetings.

The Chairman of Council thanked the Leader for his leadership over the last quadrennium, stating he had done a magnificent job for West Somerset Council and the local community, and went on to wish him a very happy and peaceful retirement

The meeting closed at 5.55 pm