

CABINET

MINUTES OF THE MEETING HELD ON 3 APRIL 2013

AT 4.30 PM

IN THE COUNCIL CHAMBER, WILLITON

Present:

Councillor C Morgan.....Deputy Leader (In the Chair)

Councillor K V Kravis
Councillor D J Sanders
Councillor D J Westcott

Councillor S J Pugsley
Councillor K H Turner

Members in Attendance:

Councillor M O A Dewdney
Councillor R P Lillis
Councillor P H Murphy
Councillor K J Ross
Councillor A H Trollope-Bellew

Councillor A P Hadley
Councillor E May
Councillor D D Ross
Councillor L W Smith

Officers in Attendance:

Chief Executive (A Dyer)
Corporate Director (B Lang)
Corporate Manager Housing, Welfare and Economy (I Timms)
Section 151 Officer (S Campbell)
Climate Change & Community Liaison Manager (A Lamplough)
Efficiencies and Performance Manager (K Batchelor) – Item 7
Meeting Administrator (K Kowalewska)

CAB115 Apologies for Absence

An apology for absence was received from Councillor T Taylor.

CAB116 Minutes of the Meeting held on 6 March 2013

(Minutes of the Meeting of Cabinet held on 6 March 2013 - circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Cabinet held on 6 March 2013 be confirmed as a correct record.

CAB117 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:

**WEST SOMERSET COUNCIL
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Name	Minute No.	Member of	Action Taken
Councillor D Westcott	All	Watchet	Spoke and voted
Councillor K H Turner	All	Brompton Ralph	Spoke and voted
Councillor P H Murphy	All	Watchet	Spoke
Councillor K J Ross	All	Dulverton	Spoke
Councillor L W Smith	All	Minehead	Spoke
Councillor A H Trollope-Bellew	All	County	Spoke

In addition, the following interests/lobbying were declared:

Name	Minute No.	Description of interest	Personal or Prejudicial or Disclosable Pecuniary	Action Taken
Councillor C Morgan	CAB122	Lobbied in respect of Minehead EYE		Spoke and voted
Councillor C Morgan	CAB123	WSC appointed ENP Committee member	Prejudicial	Left the Chamber
Councillor K V Kravis	CAB122	Lobbied in respect of Minehead EYE		Spoke and voted
Councillor S J Pugsley	CAB122	Lobbied in respect of Minehead EYE		Spoke and voted
Councillor S J Pugsley	CAB123	WSC appointed ENP Committee member	Prejudicial	Left the Chamber
Councillor D J Sanders	CAB122	Lobbied in respect of Minehead EYE		Spoke and voted
Councillor D J Westcott	CAB122	Wife is treasurer of Minehead Baptist Church	Prejudicial	Left the Chamber
Councillor D J Westcott	CAB122	Attends Minehead EYE meetings as WSC appointee	Personal	Spoke and voted
Councillor K J Ross	CAB122	Wife is director of Minehead EYE	Personal	Spoke

CAB118 Public Participation

Agenda Item 8 – Request for Allocation of Planning Obligations Funding

The following members of the public spoke in support of the Minehead EYE bouldering wall project – Naomi Griffith, Reuben Jelley, Lilly Lynch, James Latus and Jan Ross, and requested that Members support the application request for funding. Their comments included the following:

- Minehead EYE was not subsidised by the local authority, and staff and many volunteers worked tirelessly to ensure its continued success. It was expected that in this financial year Minehead EYE would break even. The level of local support and enthusiasm had been huge regarding the funding campaign for the bouldering wall

and grants had been received from the Anti-social Behaviour Panel and Comic Relief. Its ambition was to become an action sports centre for the area, providing a much needed wet weather attraction.

- No indoor climbing facility in West Somerset – the closest climbing wall was in South Molton and having a bouldering wall in Minehead would be more convenient.
- The Minehead EYE is a great place to go to meet up with friends.
- The bouldering wall worked on a supportive level providing great focus and encouragement for the person who was climbing.
- Providing facilities in the local community for young people was the top of people's needs.

CAB119 **Forward Plan**

(Copy of latest Forward Plan published 19 March 2013 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 19 March 2013.

RESOLVED that, subject to adding 'Non-Domestic Rates – Section 49 Hardship Relief Policy' for June 2013, the latest Forward Plan published 19 March 2013 be approved.

CAB120 **Cabinet Action Plan**

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

RESOLVED (1) that, CAB111 – Council Tax Support Discretionary Payments Scheme, be deleted as actioned.

RESOLVED (2) that, CAB112 – Discretionary Housing Payments, be deleted as actioned.

RESOLVED (3) that, CAB113 – Policy for Charging for Pre-Application Planning Advice, be deleted as actioned.

CAB121 **Consideration of nominations received under the Community Right to Bid Legislation**

(Report No. WSC 40/13, circulated at the Meeting.)

The purpose of the report was to review nominations received and the recommendations from Operational Management Team under the Localism Act 2011 Part 5 – the Community Right to Bid.

The Lead Member for Community and Customer presented this item and outlined the details in the report. He proposed the recommendations contained in the report which were duly seconded.

When considering the nominations the following main points were raised:

- If more than one application for nomination was received they would be all classed as valid; such relevant bodies would have no status beyond the right to put an asset forward for nomination and a different criteria would apply regarding the right to bid for an asset up for sale.
- Frequently asked questions regarding the community right to bid legislation had been compiled and extensive information was available on the Council's website.
- It was good to see joined up thinking to upgrade the toilets in West Somerset to a high standard.
- WSC would do its utmost to safeguard public conveniences to keep them open and would continue to work with parish/town councils in this regard.

RESOLVED (1) that the nomination [ACV018] for The Bicknoller Inn to be listed as an Asset of Community Value, be accepted.

RESOLVED (2) that the nomination [ACV020] for Summerland Place Public Convenience, Minehead to be listed as an Asset of Community Value, be accepted.

RESOLVED (3) that the nomination [ACV021] for Quay West Public Convenience, Minehead to be listed as an Asset of Community Value, be accepted.

CAB122 Request for Allocation of Planning Obligations Funding

(Report No. WSC 38/13, circulated with the Agenda.)

The purpose of the report was to make proposals for the allocation of capital monies secured through planning obligations to individual schemes.

The Lead Member for Resources and Central Support introduced the item and advised that the Minehead EYE bouldering wall project met all the requirements of the section 106 agreement, and although there were concerns regarding Minehead EYE's finances, the financial pressures were understood and that by allocating monies secured through planning obligations to the Minehead EYE it was hoped to increase its revenue by attracting people to use the centre as it was a fantastic facility.

It was agreed that the recommendations contained in the report should be discussed separately.

The Lead Member proposed recommendation 3.2 contained within the report, which was seconded by Councillor S J Pugsley.

Members were fully supportive of the bouldering wall project. It was commented that Minehead EYE had always been incredibly successful and there was a lot of enthusiastic support for the project. The centre had a proven track record of success and it was a great asset for

Minehead and West Somerset as a whole. The bouldering wall would increase its footfall which would enhance its viability.

The Lead Member asked Members to note that the allocation for Crowcombe play equipment had been amended to £3,500 and then went on to propose recommendations 3.3, 3.4 and 3.5 of the report. The recommendations, as amended, were duly seconded by Councillor S J Pugsley.

Discussions then took place on the issue surrounding Morrisons footpath lighting and the Lead Member for Resources and Central Support brought Members up-to-date on the latest situation, advising that Somerset County Council would need both the path and the lighting to be brought up to adoptable standard before they would consider adopting and maintaining the area. The full cost of this would be in the region of £43,000 which was a third of the remaining Morrisons planning obligations money. The general consensus was in favour of the section 106 monies being used to bring the footpath and lights to an adoptable standard.

The Lead Member for Resources and Central Support proposed recommendation 3.1 of the report which was seconded by Councillor S J Pugsley.

RESOLVED (1) that the allocation of £10,000 for the Minehead hub project be agreed.

RESOLVED (2) that the allocation of £10,000 for the Minehead EYE bouldering wall project be agreed.

RESOLVED (3) that the allocation of £2,980 to provide signage in Minehead be agreed.

RESOLVED (4) that the allocation of £3,500 for Crowcombe play equipment be agreed.

RESOLVED (5) that the allocation of £4,000 of the £7,500 Hinkley Point Community Outreach Operational budget to support the transport of individuals to employment and training opportunities be agreed.

CAB123

Sale of Council-Owned Land at Simonsbath

(Report No. WSC 27/13, circulated with the Agenda.)

The purpose of the report was to seek Member approval for the sale of Council owned land in Simonsbath.

The Lead Member for Resources and Central Support presented the report and advised that numerous attempts had been made and a lot of work undertaken to develop the land albeit unsuccessfully. She drew Members' attention to the list of reasons that prevented the site from being developed. The buildings were very dilapidated and due to the recent awareness of the historical importance of the site discussions

had been held with the Exmoor National Park Authority who have proposed to initially protect the buildings and secure the site with the vision of turning the site into a visitor attraction.

The Lead Member advised Members that the report provided details of the District Valuer's comments and the identified market value and reassured Members that the best was being done for the land.

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

During the debate the following main points were raised:

- The site was a health and safety hazard and the value would continue to decrease year on year.
- Following concerns expressed about the market value, it was confirmed that the Council was obliged to have a valuation to be able to demonstrate best value in accordance with Government guidelines.
- If the site was not sold there would be still be an immediate £7,000 cost to the Council as the site would have to be covered with tarpaulin.

RESOLVED (1) that Cabinet recognised and agreed that the sale of the site at Simonsbath for the purpose(s) referred to in the report would improve the economic well-being of the area and of the people whilst also improving the environmental well-being of the area.

RESOLVED (2) that the sale of the land to Exmoor National Park Authority (ENPA) for the sum of £20,000 be approved, as outlined in Appendix A to the report.

RESOLVED (3) that delegated authority be granted to the Chief Executive, in consultation with the Lead Member for Resources and Central Support, to agree, subject to legal advice, the covenants associated with the sale that protects the Council's decision to dispose of the site for an undervalued amount.

NOTE: In the absence of the Deputy Leader, who had left the chamber due to declaring a prejudicial interest, Councillor K V Kravis chaired this item.

CAB124 Commissioning of Property Consultants

(Report No. WSC 28/13, circulated with the Agenda.)

The purpose of the report was to seek Member approval for the appointment of property consultants to oversee the sale of the unused assets.

The Lead Member for Resources and Central Support presented the report and advised that the time was right for the Council to look at the disposal of some of its assets as there was a capital loan to repay in February 2014. WSC did not have the appropriate expertise in- and as

a result required to appoint external advisors to look at the disposal of assets, either for marketing or to look at potential uses to get best value. She reported that the Council already had an established working relationship with Bruton Knowles. The point was made that all the options regarding the Visitor Information and Interpretation Centre had to be investigated in order to obtain information to make an informed decision and other possibilities were being explored for its uses. The Lead Member also drew Members' attention to the fee structure. She proposed the recommendations, which were seconded by Councillor D J Westcott.

RESOLVED (1) that the waiving of Contract Standing Orders relating to the tendering process for the appointment of property consultants to assist with the disposal of those assets referred to in paragraph 4.3 of the report be approved.

RESOLVED (2) that Bruton Knowles are appointed as property consultants to assist with the disposal of those assets referred to in paragraph 4.3 of the report, and that the terms and conditions of the appointment are those included at Appendix A to the report.

RESOLVED (3) that in accordance with Financial Regulation FR 6 (7), a project team consisting of three Members, to be appointed by full Council, and the Chief Executive be established to monitor and oversee the three projects.

The meeting closed at 6.25 pm