

CABINET

MINUTES OF THE MEETING HELD ON THURSDAY 3 AUGUST 2011

AT 4.30 PM

IN THE COUNCIL CHAMBER, WILLITON

Present:

Councillor T Taylor	Leader	
Councillor K V Kravis			Councillor C Morgan
Councillor S J Pugsley			Councillor D J Sanders
Councillor K H Turner			Councillor D J Westcott

Members in Attendance:

Councillor MJ Chilcott	Councillor H J W Davies
Councillor J Freeman	Councillor A P Hadley
Councillor B Heywood	Councillor R P Lillis
Councillor E May	Councillor I R Melhuish

Officers in Attendance:

Chief Executive (A Dyer)
Corporate Director (B Lang)
Group Manager – Housing & Community (I Timms)
Group Manager – Environment and Services (S Watts)
Efficiencies and Performance Manager (K Batchelor)
Scrutiny and Performance Officer (S Rawle)
Meeting Administrator (K Kowalewska)

CAB28 Apologies for Absence

There were no apologies for absence from members of Cabinet.

CAB29 Minutes of the Meetings held on 6 July 2011

(Minutes of the Meetings of the Cabinet held on 6 July 2011 – circulated with the Agenda).

RESOLVED that the Minutes of the Meeting of the Cabinet held on 6 July 2011 be confirmed as a correct record.

CAB30 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 C Morgan	All	Stogursey	Spoke and voted
Councillor K Turner	All	Brompton Ralph	Spoke and voted
Councillor D Westcott	All	Watchet	Spoke and voted

In addition, Councillor H J W Davies declared a prejudicial interest relating to Agenda Item 9, Performance Monitoring – Target Savings 2011/12 as he was in receipt of business rate relief and left the chamber for that item.

CAB31 Public Participation

No member of the public had requested to speak.

CAB32 Forward Plan

The purpose of this item was to approve Forward Plan No. 3 – September 2011 to September 2012.

RESOLVED that, subject to the following amendments, Forward Plan No. 3 – September 2011 to September 2012, be approved.

- (1) Refresh of Corporate Priorities following consultation report to be moved to October 2011.
- (2) Results of the West Somerset Residents consultation exercise being included for September 2011.
- (3) Budget Strategy report being included for September 2011.

CAB33 Cabinet Action Plan

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

There were no resolutions/recommendations from the meeting held on 6 July 2011 that required monitoring.

CAB34 Local Government Ombudsman Annual Letter 2010-11

(Report No. WSC 89/11, circulated with the Agenda).

The purpose of the report was to bring to Members' attention a summary of the complaints made to the Local Government Ombudsman, together with a commentary on the Council's performance in dealing with these complaints.

The report was presented by the Leader who summarised the key points; namely the number of complaints that had been received during the year, the decisions taken on the four complaints that were investigated and that the average response time to deal with the Ombudsman enquiries was well within the 28 days requested.

Following a concern raised by Councillor May as to why the local settlement of £300 which had been paid to a complainant had not been

reported to a council meeting sooner, Ian Timms confirmed that a report had been received by the Licensing Committee on Monday 1 August and officers had adhered to the advice given in the Ombudsman report.

Councillor C Morgan proposed the recommendation in the report and they were seconded by Councillor S J Pugsley.

RESOLVED that the contents of the report be noted.

CAB35 Medium Term Financial Plan 2012-2015

(Report No. WSC 95/11, circulated with the Agenda).

The purpose of the report was

- (1) to present the updated Medium Term Financial Plan for 2012-2015 to Cabinet for consideration and comment;
- (2) to provide the context and framework for the budget 2012-13.

The report was presented by the Resources and Central Support Lead Member and she advised Members that the Medium Term Financial Plan (MTFP) update was the start of the budget setting process and that there would be a need to either increase income or reduce expenditure in order to set a balanced budget in 2012/13. She confirmed that West Somerset Council was at the time of writing the report £160,758 short of meeting the savings identified in this year's budget.

Points raised during the discussion were as follows:

- The cost of Parish elections had been recharged to the parish and town councils, however any potential district by-election expense would have to be met from West Somerset Council's budget.
- Loss of planning performance agreement income – would the council be in a position to enter into another agreement? The Chief Executive confirmed that if there was another exceedingly large planning application then this would be considered as an option. He reported that there was uncertainty moving forward into the Development Consent Order stage. Negotiations with EDF concerning the Section 106 Agreement would provide the Council with resources to do the necessary work required to comply with the conditions attached to the preliminary works planning consent.
- Sale of assets – Aquasplash site was currently being used as a tourist coach park and, although a lot of interest had been received from organisations enquiring about purchasing the site, the council was concentrating its efforts on negotiations to sell the Seaward Way land for housing purposes.
- Council Tax – the 3.5% increase was on the assumption that it would be capped based on this year's figure. The possibility of a referendum would need to be considered if a greater increase was proposed. Discretionary services would be cut if the electorate decided not to increase council tax and the Chief Executive confirmed that an officer report would be presented to Members in the future.

Councillor K V Kravis proposed the recommendations in the report and they were seconded by Councillor K H Turner.

RESOLVED (1) that the assumptions made in the MTFP be noted.

RESOLVED (2) that the budget gap of £891,000 for 2012-13 and £1.4m for the life of the MTFP be noted.

CAB36 **Performance Monitoring – Target Savings 2011/12**

(Report No. WSC 83/11, circulated with the Agenda).

The purpose of the report was to advise Members of the achievement to-date in achieving the budget savings as identified and approved in the 2011/12 budget.

The report was presented by the Resources and Central Support Lead Member who reported on the progress made in meeting the identified target savings. 67% of the savings had been implemented and the 4% figure of targets not reached related to the introduction of Civil Parking Enforcement which was not now likely to happen and was out of West Somerset Council's control.

She advised that the budget savings would improve as the year went on and that a number of savings had yet to be projected, which included car park income. Quarterly performance monitoring reports would be presented to Cabinet.

The Lead Member summarised that the savings identified would be met by the year end as procedures had been put into place to enable this to happen.

Councillor K V Kravis proposed the recommendations in the report and they were seconded by Councillor K H Turner.

RESOLVED that the achievements to-date in delivering the savings identified in the 2011/12 budget be noted.

CAB37 **Corporate Performance Report – Quarter 4 2010/11 and Outturn Report 2010/11**

(Report No. WSC 96/11, circulated with the Agenda).

The purpose of the report was to provide to Members a regular update on progress in delivering the corporate priorities, performance of council services including budgetary information and customer satisfaction covering the period from 1 April 2010 to 31 March 2011.

The report was presented by the Leader and the Resources and Central Support Lead Member and the main points of discussion were:

- Council tax debt collection.

- Budget figures for housing were being monitored and would appear in this year's report.
- Development control spending figure discrepancy – originally it was budgeted that a much higher planning fee would be received in respect of the Hinkley Point preliminary works application.

The recommendations in the report were proposed by Councillor K V Kravis and seconded by Councillor S J Pugsley, subject to the deletion of the word 'dashboard' in recommendation 2.2 of the report.

RESOLVED (1) that the progress in delivering the corporate priorities for 2010/11 be noted.

RESOLVED (2) that the performance against the Group and Service Indicators, including the budget monitoring indicators be noted.

CAB38

Sale of Barnsclose Business Units, Dulverton

(Report No. WSC 100/11, circulated with the Agenda).

The purpose of the report was to approve the freehold sale of the Barnsclose Business Units, Dulverton.

The report was presented by the Resources and Central Support Lead Member who summarised the events and discussions that had led to the reasoning as to why the site should be advertised for sale in its current condition and with the existing tenants.

Clarification was sought as to whether Cluff Commercial Ltd would provide value for money and the Group Manager - Environment and Services confirmed that he was comfortable with their appointment as marketing agents.

In reply to queries raised as to why it wasn't possible to develop the site to provide residential and affordable homes, the Group Manager – Housing & Community confirmed that there was no housing need at the present time, nor in the foreseeable future, and that a Registered Social Landlord had already purchased land adjacent to the site; for these reasons it would be preferable to sell now.

During discussions members stated that there were already a lot of empty small units throughout the district and that there may be a problem in selling them, especially as the units were in a poor state of repair.

Councillor K V Kravis proposed the recommendations in the report and they were seconded by Councillor C Morgan.

RESOLVED (1) that the Barnsclose business units be advertised for sale, with the current two sitting tenants, for a guide price of £130,000.00.

RESOLVED (2) that Cluff Commercial Ltd be employed as the marketing agent for a fee of 2% plus VAT of the agreed sale price.

CAB39 **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting during consideration of Item 13 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 1 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 individuals. 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.

NOTE: The Corporate Director, Group Manager – Housing & Community and Group Manager – Environment and Services left the meeting before consideration of CAB39.

CAB40 **Management Review – Group Managers**

(Report No. WSC 92/11, circulated with the Agenda).

The purpose of the report was to advise Members of the results from the 'Management Review' of the Council's Corporate Management Team agreed by Council in February 2011 as part of the budget setting process and which has been undertaken by the Chief Executive.

Councillor K V Kravis proposed the recommendations in the report and they were seconded by Councillor K H Turner.

RESOLVED (1) that post 104, Group Manager, Customer and Corporate Support is deleted from the establishment and the post holder made compulsory redundant with effect from 28 October 2011.

RESOLVED (2) that the management responsibilities and duties be reallocated in accordance with that proposed in Appendices A and B to the report.

The meeting closed at 6.50 pm.