

CABINET

MINUTES OF THE MEETING HELD ON 4 MARCH 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 S Y Goss
Councillor B Heywood
Councillor E May
Councillor D D Ross

Councillor A Hadley
Councillor A F Knight
Councillor P H Murphy
Councillor M A 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 – Operational Delivery (C Hall)
Corporate Strategy and Performance Manager (P Harding)
New Nuclear Programme Manager (A Goodchild)
Housing Initiatives Implementation Officer (A Devine)
CIM Fund Manager (L Redston)
Revenues and Benefits Manager (H Tiso)
Welfare Reform and DHP Officer (J Ross)
Growth and Development Programme Manager (D Webb)
Media and Communications Officer (D Rundle)
Meeting Administrator (K Kowalewska)

Also in Attendance:

Phillip Adams, Sedgemoor District Council
Duncan Harvey, Sedgemoor District Council

CAB100 Apologies for Absence

No apologies for absence were received.

CAB101 Minutes of the Meeting held on 4 February 2015

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

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

CAB102 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 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 P H Murphy	All	Watchet	Spoke

In addition, the following interests were declared:

Name	Minute No.	Description of interest	Personal or Prejudicial	Action Taken
Cllr C Morgan	CAB107	Owens houses in Shurton and Stogursey	Personal	Spoke and voted
Cllr S Y Goss	CAB107	Beneficiary of the scheme to provide bespoke earplugs	Prejudicial	Left the Chamber

CAB103 Public Participation

Agenda Item 8 HPC Planning Obligations Board – Allocations of CIM Funding

Mrs L Flash, Mrs B Oates, Mr R Cuttell (written statement) and Mrs S Marsh (written statement) all expressed support of the scheme to provide bespoke earplugs for the residents of Shurton and Burton.

CAB104 Forward Plan

(Copy of latest Forward Plan published 13 February 2015 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 13 February 2015.

RESOLVED that, subject to amending the item relating to the transfer of Wheddon Cross Public Convenience to the parish council to include reference to a capital contribution to the proposed works, the latest Forward Plan published 13 February 2015 be approved.

CAB105 Cabinet Action Plan

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

RESOLVED (1) that CAB87 – Proposed Business Case for Shared Legal Service be deleted as actioned.

RESOLVED (2) that CAB94 – Regeneration of East Quay, Watchet be deleted as actioned.

RESOLVED (3) that CAB95 – Request for Allocation of Planning Obligations Funding - Minehead Illuminations Project be deleted as actioned.

RESOLVED (4) that CAB96 – Draft Corporate Plan 2015/16 be deleted as actioned.

RESOLVED (5) that CAB97 – Annual Budget and Council Tax Setting 2015-16 be deleted as actioned.

RESOLVED (6) that CAB98 – Capital Programme 2015/16 be deleted as actioned.

RESOLVED (7) that CAB99 – Hinkley Tourism Action Plan Strategy and Action Plan be deleted as actioned.

CAB106 HPC Section 106 Agreement – Allocations of Housing Fund

(Report No. WSC 35/15 – circulated with the Agenda.)

The purpose of the report was to present the recommendations of the Hinkley Point Planning Obligations Board (POB) for the allocation of Housing Fund monies secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point, and to request that Cabinet make its recommendations to Full Council regarding these proposals.

The Lead Member for Housing, Health and Welfare introduced the item, explaining that the Housing Initiatives Implementation Officer would present the application relating to the Routes Youth Hub at Prospect House, Minehead; and the representatives from Sedgemoor District Council would report on the three applications for allocations from the housing fund for enabling developments in Bridgwater.

The Housing Initiatives Implementation Officer provided details on the application for the release of funding from the Housing Contribution Fund for the Prospect House Routes Hub development stating that the funding request was only for 10% of the overall cost of the project and the contribution would go towards providing additional space in the property. She explained the ways in which the project would help and benefit West Somerset Council, making it easier for people in an emergency need to access the housing options service in order to obtain advice and assistance on a range of housing options. It was noted that the YMCA had made a real impact on the facilities to young people in West Somerset and provided a range of services which benefitted the local community, as well as those most vulnerable and at the end of the housing chain.

The recommendations were then considered and voted upon separately.

The Lead Member proposed recommendation 3.2 (i) of the report which was seconded by Councillor C Morgan.

Members expressed full support for the project stating that Prospect House was located in the ideal position and the YMCA would be very proficient in providing this vital service.

RESOLVED (1) that it be recommended to Council to approve the allocation of £37,800 (£36,000 grant to YMCA Somerset Coast, plus £1,800 administrative fee) from the Housing Contribution Fund for the Routes Youth Hub at Prospect House, Minehead.

The Leader welcomed the representatives from Sedgemoor District Council to the meeting and invited them to make their presentation. The officers provided background information and context on the three strategic schemes in the Sedgemoor district in order to meet some of the emerging demand emanating from the Hinkley project. A broad overview was provided on the number and costs of units and bed spaces, the location and history of the three sites and private sector partnership working. Members were informed that these had been identified as key sites because they were small in size, in key locations situated on the main transport routes and that there was some urgency in delivering them as quickly as possible.

Reference was made to the key questions raised at the POB meeting and further clarification was provided on these issues. It was noted that due diligence was being undertaken internally and each project would be subject to a call on title and to a detailed risk assessment and phasing profile.

There was considerable debate and various questions and issues were asked and answered by the officers from Sedgemoor District Council.

Members were supportive of the Withycutter affordable housing enabling scheme, however concerns were raised regarding the affordable housing on the Paragon Laundry and Monmouth Street sites. The Lead Member reported on the main issues of concern, namely it was felt that neither of these two schemes delivered value for money and the concept of only providing affordable housing for ten years, with the properties then reverting back to the open market, was not acceptable as it was at this time when it was felt that there would be even more of a demand for affordable housing. He further expressed that he did not think the balance was right and wanted to see affordable bed spaces for the long term to ensure a lasting legacy of the housing enabling fund.

The main points raised during the discussion included:

- There was seen to be a considerable profit element to the private developer.
- It was important to maximise the effectiveness of the housing contribution and there should be further negotiations with the developer and the landowner to negotiate the land value, to extend the term of affordable housing, or even to lengthen it to perpetuity.
- The abnormal land conditions should be reflected in the land value.

- The mix of units did not match the profile of the Hinkley workforce.
- Concerns were expressed in terms of setting a precedent relating to other projects.
- Members recognised the urgent need for affordable housing in Bridgwater.
- Clarification was provided by the New Nuclear Programme Manager on the POB process and the legal agreement to allocate the Section 106 monies.
- The legacy was that Sedgemoor DC were proposing to build 87 units in Bridgwater in key areas that were very hard to build on.
- Clarification was provided on why the schemes went to POB so urgently and as the Council was about to enter a purdah period, officers from Sedgemoor did not want to delay the commencement of the projects any further.
- Clarification was provided on Sedgemoor's democratic accountability.
- Attention was drawn to the outcomes of the POB meeting who were minded to make a positive recommendation to fund the schemes from the housing contribution fund. It was reported that a robust, and difficult, debate was held at POB and as a result it was decided that the projects should go ahead and Sedgemoor District Council thoroughly recommended them and would like to see them approved.
- Bridgwater needed housing urgently as the effects of the Hinkley project were being experienced. Derelict sites were being targeted as the most appropriate places for delivering the scheme due to their specific distance of the bus stops to the Hinkley site.

The Lead Member proposed recommendation 3.2 (ii) of the report which was seconded by Councillor A H Trollope-Bellew, and it was:

RESOLVED (2) that it be recommended to Council to grant SHAL Housing Association £80,000 from the Housing Contribution Fund for the housing enabling scheme at the former Withycutter site with the conditions contained in section 6.9 of the report.

The Lead Member proposed that recommendations 3.2 (iii) and (iv) of the report be recommended to Council for refusal as they did not maximise the effectiveness of the Housing Contribution, which was duly seconded by Councillor D J Westcott.

On being put to the vote the recommendations were CARRIED, with one against and one abstention.

RESOLVED (3) that it be recommended to Council to refuse the proposal to grant LV Property Rentals Ltd £302,662 from the Housing Contribution Fund for the housing enabling scheme at Paragon Laundry site as it did not maximise the effectiveness of the Housing Contribution.

RESOLVED (4) that it be recommended to Council to refuse the proposal to grant LV Property Rentals Ltd £302,236 from the Housing Contribution Fund for the housing enabling scheme at the Monmouth Street site as it did not maximise the effectiveness of the Housing Contribution.

CAB107 HPC Planning Obligations Board – Allocations of CIM Funding

(Report No. WSC 38/15, circulated with the Agenda.)

The purpose of the report was to present the recommendations of the Hinkley Point C Planning Obligations Board, for the allocation of monies from the Community Impact Mitigation (CIM) Fund secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point; and to present the recommendation of Stogursey Parish Council for the allocation of monies from the Stogursey Contribution Fund secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point.

The Lead Member for Resources and Central Support presented the item, providing brief details on the applications submitted for consideration by the Planning Obligations Board, and stressed it was very important for applicants to provide proof of how the project would mitigate the impact of the Hinkley development; and there was an option for applicants to reapply once more if not successful the first time. The Lead Member drew Members' attention to the financial information regarding the allocation of the CIM fund and went on to propose the recommendations of the report which were seconded by Councillor C Morgan.

RESOLVED (1) that the recommendations of the Hinkley C Planning Obligations Board be endorsed, as follows:

- To award £13,000 from the Community Impact Mitigation fund to Williton Bowling Club for improvements to the bowling green.
- To not award funding to the Victoria Park Community Centre of £1,760 towards the PC and internet access project on the basis that the application did not sufficiently demonstrate the projects ability to deliver its aims and did not demonstrate how the project would effectively mitigate impacts relating to the HPC development.
- To award £2,640 from the Stogursey Contribution Fund to Stogursey Parish Council to enable the purchase of bespoke earplugs for residents of Shurton and Burton with the aim of mitigating the impacts of external noise for residents closest to the site boundaries of the Hinkley Point C development.

RESOLVED (2) that it be recommended to Council to endorse the recommendations of the Hinkley C Planning Obligations Board, as follows:

- To award £110,000 from the Community Impact Mitigation Fund to Westfield United Reform Church to provide a permanent Street Café with extended opening hours subject to the conditions recommended by the Planning Obligations Board.
- To not award funding to the Roadwater Village Trust of £25,000 towards the Roadwater Community Playground project on the basis that the application did not demonstrate how the Hinkley Point C development will have a significant impact on the community in Roadwater or how the project will mitigate impacts for the wider community in West Somerset.

CAB108 Financial Monitoring Report 2014-15 (October – December 2014)

(Report No. WSC 39/15, circulated with the Agenda.)

The purpose of the report was to provide Members with details of the Council's expected financial outturn position in 2014/15 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances.

The item was presented by the Lead Member for Resources and Central Support who briefed Members on the key points of the report. She drew particular attention to the business rates retention and other factors which contributed to the underspend; and to the capital schemes within the capital programme. In view of the predicted overspends, it was noted that the finance team were aware of the need to monitor legal expenditure in connection with Council asset sales.

The Lead Member proposed the recommendations contained within the report which were duly seconded by Councillor K M Mills.

The Revenues and Benefits section were thanked for the good work being undertaken in improving the funding relating to business rates.

RESOLVED (1) that the current financial standing of the Council together with the estimated position at the end of the financial year be noted.

RESOLVED (2) that £14,356 be transferred to the Business Rates Smoothing Reserve to set aside the updated forecast retained business rates funding surplus in the year.

RESOLVED (3) that the predicted overspend of £45,506 in relation to the Capital Programme in the current year be noted and that this overspend will be funded from the useable capital receipts reserve.

Note: With the agreement of the Chairman this item was brought forward on the Agenda.

CAB109 Corporate Performance Report – Quarter 3 2014/15 (1 Apr to 31 Dec)

(Report No. WSC 37/15 – circulated with the Agenda.)

The purpose of the report was to provide Members, and the public, with an update on progress in delivering the Council's corporate priorities and the performance of Council services for the period from 1 April to 31 December 2014.

The Leader presented the item and proposed the recommendation of the report which was duly seconded.

RESOLVED that the progress in delivering the corporate priorities for 2014/15 be noted.

CAB110 Discretionary Reduction in Council Tax Liability Policy and Discretionary Housing Payment Policy

(Report No. WSC 32/15, circulated with the Agenda.)

The purpose of the report was to outline the Council's approach to awarding Discretionary Housing Payments (DHPs) and Discretionary Rebates in Council Tax liability and to seek Member support on revising our policies from 1 April 2015.

The Lead Member for Community and Customer presented the item in detail. He provided Members with the background information, drawing attention to the summary of the policy changes provided within the report. He went on to propose the recommendation of the report which was duly seconded by Councillor A H Trollope-Bellew.

Whilst the summary of policy changes was appreciated, it was requested the changes be embedded in the main document and, to make them clearer, it would be helpful to highlight the amendments by using different text.

A question was asked in regard to the breakdown of DHP spending and the Revenues and Benefits Manager agreed to provide clarification on the matter after the meeting.

RESOLVED that it be recommended to Council that the revised policies for Discretionary Reduction in Council Tax liability and Discretionary Housing Payments should apply from 1 April 2015.

CAB111 Creation of the Somerset Building Control Partnership

(Report No. WSC 40/15, circulated with the Agenda.)

The purpose of the report was to seek approval to create a Somerset Building Control Partnership as outlined in the appended Business Case, comprising Mendip and Sedgemoor District Councils, Taunton Deane Borough Council and West Somerset Council; and to seek approval to transfer employees to Sedgemoor District Council under TUPE - Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014.

The Lead Member for Environment - General presented the report, providing a summary of the risks and the background information. He drew Members' attention to the key reasons for forming the partnership and that in order to deliver early savings WSC and TDBC, under the joint management and shared services project, would amalgamate the building control service on 1 April 2015. The point was also made that should the sharing agreement negotiations not suit the needs of the Council there would be no requirement to join the partnership.

The Lead Member proposed the recommendation in the report, subject to an amendment to read 'subject to recommendation to Council', and a further amendment to be made to the fourth point to include "in consultation with the Portfolio Holder and the Chair of Scrutiny Committee". The amended recommendation was duly seconded.

RESOLVED that it be recommended to full Council:

1. To approve the creation of a Somerset Building Control Partnership, as outlined in the Business Case appended to the report, and subject to the approval of the other proposed partner Councils.
2. To approve the creation of a 'Joint Committee' to oversee the strategic direction, performance and budget of the partnership.
3. To nominate the Portfolio Holder and Assistant Director (Operational Delivery) to represent the Council on the Joint Committee.
4. To delegate responsibility to the Section 151 Officer, the Monitoring Officer and the Assistant Director (Operational Delivery) in consultation with the Portfolio Holder and the Chair of Scrutiny Committee, to finalise legal agreements, partnership budgets and cost/income sharing arrangements, shared redundancy payments and detailed governance arrangements.

CAB112 Hinkley Point C – Project Update and Section 106 Agreement Staff Allocations for Approval

(Report No. WSC 33/15, circulated with the Agenda.)

The purpose of this report was to set out the latest position on the Hinkley Point C project and in light of that for Cabinet to consider and recommend to Full Council proposals to allocate the staff resources set out in the Development Consent Order Section 106 agreement. The report also seeks to remind Members of the contributions which are due to be paid to West Somerset Council from the DCO Section 106 agreement and set out the process for how those funds are to be managed and spent.

The item was introduced by the Lead Member for Environment – Hinkley who advised that the proposal was to allow a continuance of current posts in order to establish a New Nuclear Programme Team and he went on to propose the recommendations which were seconded by Councillor D J Westcott.

The New Nuclear Programme Manager provided Members with further detailed information with regards to funding, issues arising from the timescales for payment from EDF, and the proposed structure. It was reported that a review of all the posts within the new structure would take place in April 2017. As a result of negotiations with EDF early payments had been achieved which helped to maintain a positive cash flow. It was noted that the economic development side of the new structure would provide real opportunities for the community and this was seen as one of the fundamental legacies of the Hinkley project. It was further noted that the Council owed a huge debt of gratitude to the New Nuclear Programme Manager for his work.

RESOLVED (1) that it be recommended to Council to allocate the remaining £209,000 from the Site Preparation Works Section 106 Agreement relating to staff resources to continue to employ the existing posts holders either post 'transition' as part of the New Nuclear Programme Team structure or prior to 'transition' via a further 4 month contract extension

RESOLVED (2) that it be recommended to Council to support and progress the indicative structure in line with funding plans and that the £2,603,572 which the Council will receive from the DCO Section 106 agreement be allocated to support the funding of the structure set out in the structure report at Appendix B to the report.

CAB113 Establishment of the Somerset Growth Board

(Report No. WSC 34/15, circulated with the Agenda.)

The purpose of the report was for Cabinet to endorse the proposal to establish a Somerset Growth Board.

The Lead Member for Regeneration and Economic Growth presented the report providing Members with the background information.

The Lead Member proposed the recommendations of the report, with an addition to recommendation 3.2 to read "with an in-principle support for years 2 and 3 subject to review of the Board and availability of sufficient income in 2016/17 and 2017/18 respectively", which were duly seconded by Councillor A H Trollope-Bellew.

Members were supportive of the proposal and it was appreciated that the level of contribution by WSC reflected the district's population figure. It was pointed out that it was hoped, due to the remoteness of the district, West Somerset would get a fair share of any growth created.

RESOLVED (1) that the Somerset Chief Executive and Leaders' proposal to establish a Somerset Growth Board be endorsed.

RESOLVED (2) that the transfer of £957 in the current year to an earmarked reserve to be used towards the Growth Board core costs for 2015/16 be agreed, with an in-principle support for years 2 and 3 subject to review of the Board and availability of sufficient income in 2016/17 and 2017/18 respectively.

The meeting closed at 7.27 pm