

CABINET

MINUTES OF THE MEETING HELD ON 5 DECEMBER 2012

AT 4.30 PM

IN THE COUNCIL CHAMBER, WILLITON

Present:

Councillor T Taylor Leader

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 A P Hadley
Councillor R P Lillis
Councillor K M Mills
Councillor D D Ross
Councillor M A Smith

Councillor P N Grierson
Councillor B Heywood
Councillor E May
Councillor P H Murphy
Councillor K J Ross

Officers in Attendance:

Chief Executive (A Dyer)
Corporate Director (B Lang)
Group Manager – Environment, Customer and Community (S Watts)
Section 151 Officer (S Campbell)
Group Manager – Housing and Economy (I Timms)
Planning Manager (A Goodchild)
Efficiencies and Performance Manager (K Batchelor) - Item 11 only
Principal Accountant (S Plenty)
Meeting Administrator (K Kowalewska)

CAB64 Apologies for Absence

An apology for absence was received from Councillor C Morgan.

CAB65 Minutes of the Meeting held on 7 November 2012

(Minutes of the Meeting of Cabinet held on 7 November 2012 -
circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Cabinet held on 7
November 2012 be confirmed as a correct record.

CAB66 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 K H Turner	All	Brompton Ralph	Spoke and voted
Councillor P N Grierson	All	Minehead	Spoke
Councillor P H Murphy	All	Watchet	Spoke
Councillor K J Ross	All	Dulverton	Spoke

In addition the following interests/lobbying were declared:

Name	Minute No.	Description of interest	Personal or Prejudicial	Action Taken
Councillor D J Sanders	CAB70	Close association with Minehead Development Trust and attends Committee meetings	Prejudicial	Left the Chamber
Councillor K V Kravis	CAB70	Her business is in close proximity to the Old Hospital	Prejudicial	Left the Chamber
Councillor D D Ross	CAB70	Board Member of the Regal Theatre which supported funding to the Old Hospital	Prejudicial	Left the Chamber

CAB67 Public Participation

Agenda Item 11 – Consideration of nomination received to list Minehead’s Old Hospital as an Asset of Community Value under the Community Right to Bid Legislation

Jenny Lennon-Wood, Chair of the Minehead Development Trust (MDT), spoke to the effect that the Minehead Old Hospital had been redundant since February 2011 when the new hospital opened and there were three Grade II listed buildings on the site. The old hospital was located in the heart of Minehead linking all the key features of the town and was a unique focal point for a community hub and town centre regeneration. She informed that MDT had been working to secure the site for the community since 2008 and hoped that Members would agree that the site should be listed as an asset of community value.

CAB68 Forward Plan

(Copy of latest Forward Plan published 27 November 2012 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 27 November 2012.

RESOLVED that, subject to the following amendments, the latest Forward Plan published 27 November 2012 be approved:

- (1) the following reports be delayed
 - Budget Strategy Update
 - Implementing Value for Money Strategy
- (2) deleting 'Technical Changes to Council Tax' which had been duplicated in the Plan.

CAB69 **Cabinet Action Plan**

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

The Chief Executive reported that central government had recently issued a policy statement regarding changes to the retention of business rates which stated that as from April 2013 the additional cost of mandatory and discretionary rate relief would be split 50/50 between the government and the billing authority, West Somerset Council (WSC). This would mean that if the Council increased the mandatory relief bill, WSC would have to incur 50% of the cost of the grant. However, it was uncertain at this time whether the additional cost included a combined cost of discretionary and mandatory rate relief.

RESOLVED (1) that, subject to receiving clearer guidance from central government on the retention of business rate relief, CAB60 – Discretionary Business Rate Relief Scheme recommendation to Council be postponed until January 2013.

RESOLVED (2) that CAB61 – Request for Allocation of Planning Obligations Monies, be deleted as actioned.

CAB70 **Consideration of nomination received to list Minehead's Old Hospital as an Asset of Community Value under the Community Right to Bid Legislation**

(Report No WSC 165/12, circulated with the Agenda.)

The purpose of the report was to consider the nomination received and the recommendations from CMT under the Localism Act 2011 Part 5 – the Community Right to Bid.

The report was presented by the Lead Member for Community and Customer who proposed the recommendation in the report which was seconded by Councillor S J Pugsley.

Members were supportive of the nomination and endorsed MDT's endeavours for the old hospital to become a community facility.

The Efficiencies and Performance Manager reiterated that legislation allows for a six months moratorium period in order for a community group to formulate a bid.

RESOLVED that the nomination for Minehead (Old) Hospital to be listed as an Asset of Community Value be accepted.

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

CAB71 **Review of Financial Regulations**

(Report No. WSC 164/12, circulated with the Agenda.)

The purpose of the report was for Cabinet to offer comment on proposed changes to Financial Regulations attached as Appendix A to the report for 2012.

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

RESOLVED that Council be recommended to approve the changes to the document appended as Appendix A to the report.

CAB72 **Non-Domestic Rate (Business Rate) Write Off Requests**

(Report No. WSC 162/12, circulate with the Agenda.)

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

The Lead Member for Resources and Central Support presented the report and drew Members' attention to the fact that there were no financial implications to the Council by writing off business rate debts. She reassured Members that every effort had been made to pursue and recover the monies owed to the Council.

The Lead Member proposed the recommendation of the report which was seconded by Councillor D J Westcott.

Following concerns expressed by Members, the Chief Executive explained that the Council was accountable for collecting business rates and applied a diligent process which was strictly governed by legislation. An explanation was given as to how the rates were collected and the Chief Executive emphasised that the legislation regarding the collection of business rates was not as rigorous as the process for collecting council tax, and he also informed that as from April 2013 the Council would incur a 40% liability on all write offs.

During the debate it was proposed to recommend that Scrutiny Committee be asked to undertake a review of the Council's policy regarding the collection of business rates in light of changes to government legislation to make sure the procedures currently in place were as robust as they could be bearing in mind the limited resource available. The mover and seconder of the original motion were in agreement with the additional recommendation.

RESOLVED (1) that the five Non Domestic Rate (Business Rate) sums totalling £80,817.75 be agreed to be written off as recovery avenues have been exhausted therefore the debts are deemed uncollectable.

RESOLVED (2) that Scrutiny Committee be asked to consider initiating a review surrounding the emerging new issues of business rate retention.

CAB73 Trial Parking Permit Scheme – April 2013

(Report No WSC 160/12, circulated with the Agenda.)

The purpose of the report was to consider the introduction of a twelve month trial parking permit scheme at selected car parks within the District.

The Lead Member for Regeneration and Economic Growth presented the report in detail and advised that the scheme, initially suggested by Councillor K Mills, was recently considered at a meeting of the Corporate PAG. He reported that the permit would be issued to the vehicle (not the driver) to be displayed on the dashboard for a maximum period of 2 hours, and could be used in any of the nominated car parks.

The Lead Member proposed the recommendations of the report, which were seconded by Councillor K V Kravis. During the discussion of this item it was suggested to include a recommendation to reflect paragraph 9.2 of the report concerning the importance of monitoring, marketing and advertising the new scheme. The mover and seconder of the original motion were in agreement with the additional recommendation.

A lengthy debate ensued and the following specific issues were raised:

- Councillor Mills was thanked for her enthusiasm and drive in proposing this new initiative .
- Under the new permit scheme, the Council was supporting businesses by encouraging people to visit and park in the local towns and villages.
- Clarity was requested on the criteria and process for the choice of car parks listed in the report.
- Concerns were raised about nominating the car park in Killick Way, Williton as it was already well used and often full and revenue could potentially be lost by including it in the scheme. However, it was felt that Williton businesses may feel unfairly treated if Killick Way car park was not nominated to take part in the scheme.
- It was reported that the recommendation to include Killick Way car park arose from the meeting of the Corporate PAG as Members felt it more equitable to include it.
- The scheme would be regularly reviewed and if there were any problems changes could be instigated.
- Car park charges would be reviewed under Fees and Charges at a later date.

- An explanation was given as to why the price of the permit was exclusive of VAT.
- A suggestion was made to include a parking permit application form with the council tax bills.
- Members questioned whether the likely reduction in income had been calculated and whether the permit costings in the fees table listed under paragraph 4.6 of the report was inclusive or exclusive of VAT.

RESOLVED (1) that a twelve month temporary parking permit scheme be introduced from 1 April 2013 to 31 March 2014 at a cost of £25.00 per permit exclusive of VAT.

RESOLVED (2) that the permits will be subject to the conditions of operation given at section 4.4 of the report.

RESOLVED (3) that the scheme be regularly reviewed during this period and in the event of an adverse impact on the expected car park revenue, the scheme be withdrawn.

RESOLVED (4) that the continuation of the scheme be determined as part of the Fees and Charges report due to be presented for the 2014/15 budget.

RESOLVED (5) that the importance of undertaking an intensive marketing and advertising programme be noted and that progress be reported informally to Cabinet.

Meeting Administrator's Note: Following the meeting the Group Manager – Environment, Customer and Community confirmed that the parking permit charges contained in the table in paragraph 4.6 of the report were inclusive of VAT.

CAB74 Corporate Performance Report April – September 2012/13

(Report No WSC 161/12, 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 September 2012.

The Leader presented the report relating to quarterly performance and asked Members to note that a capital spending programme update was scheduled to be presented to the Scrutiny Committee meeting in January 2013. He then proposed the recommendations in the report which were duly seconded by Councillor K H Turner.

During the discussion Members thanked and commended staff for their hard work as the majority of the key actions contained in the service plan reports were either completed or on-track.

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.

CAB75

Hinkley Point C – Development Consent Order – Technical Support

(Report No WSC 159/12, circulated with the Agenda.)

The purpose of the report was to advise Cabinet of the procurement process that was being completed with regards to technical support to be provided to the District Councils (West Somerset and Sedgemoor) during the potential implementation phase of the Development Consent Order for Hinkley Point C. In addition, to recommend that Ove Arup and Partners Limited be appointed under Sedgemoor District Council's Framework Agreement for the Provision of Technical Support to provide this advice and support.

The Planning Manager presented the report and informed Members that West Somerset Council had been working with Sedgemoor District Council to undertake the procurement process for technical support should the Secretary of State grant a Development Consent Order for the Hinkley Point C nuclear new build project. He advised that there were over 200 planning conditions/requirements, and as some were very technical, complex and specialised, there was a need to procure external technical advice. The process complied with the Council's Financial Regulations and Contract Standing Orders.

Councillor K H Turner proposed the recommendation contained in the report which was seconded by Councillor D J Sanders.

During the discussion Members asked about the contract management arrangements and the Planning Manager explained that the contribution would be held by West Somerset Council and that he would manage the contract with Ove Arup and Partners Limited along with an equivalent colleague at Sedgemoor District Council.

RESOLVED that the procurement process be noted and that Ove Arup and Partners Limited be appointed under Sedgemoor District Council's Framework Agreement for the Provision of Technical Support to provide technical and professional support in connection with the Hinkley Point C Development Consent Order for both West Somerset Council and Sedgemoor District Council.

CAB76

National Grid – Response to Stage 3 Consultation

(Report No WSC 163/12, circulated with the Agenda.)

The purpose of the report was for Cabinet to seek Member's endorsement of the key principles of this Council's response to National

Grid's stage consultation for the Hinkley Point C Connection Project – October 2012.

The Planning Manager presented the report in detail and informed Members that National Grid had set out four planned stages of consultation prior to the submission of their application to the Planning Inspectorate at the end of 2013 and the stage 3 consultation was concerned with the detailed connection proposals within the preferred corridor (which was outlined in stage 2 of their consultation process). He advised that it provided a line on the map within the preferred corridor setting out the choice of technology, providing more information on works to the existing power lines in the region as a result of the proposed connection project. The key driver being the Hinkley Point Power Station. A range of documents were currently being consulted on and the Planning Manager drew Members attention to the Changes to the Hinkley Point Transmission Line Entry Points which he informed was of the most interest to West Somerset Council. He further reported that from the three possible options identified to configure the transmission lines, Option 3 was favoured as it required the least number of overhead lines being erected to connect the new power station, and this was recommended to be the most appropriate solution.

Councillor K H Turner proposed the recommendation contained in the report which was seconded by Councillor D J Westcott.

In response to questions, the Planning Manager confirmed that he had been liaising with Councillor C Morgan and S Goss on the matter, and was satisfied that the relevant local bodies had been consulted and were happy with the input.

He also reported that members of Stogursey Parish Council and an officer from WSC would be attending a briefing with National Grid next week and that if any specific concerns arose from that meeting these would be factored into the response.

Members were in agreement that the presentation from National Grid at the recent Members Seminar was very good and were impressed with how they answered all the questions and stayed after the seminar to talk to individual members.

RESOLVED that the key principles of the Council's response (set out at 4.19, 4.22, 4.24 and 4.26 of the report) be endorsed and that delegated powers be granted to the Planning Manager to finalise and submit the response on behalf of the Council by 18 December 2012.

The meeting closed at 6.05 pm