

CABINET

MINUTES OF THE MEETING HELD ON 6 FEBRUARY 2013

AT 4.30 PM

IN THE COUNCIL CHAMBER, WILLITON

Present:

Councillor T Taylor Leader

Councillor K V Kravis
Councillor S J Pugsley
Councillor K H Turner

Councillor C Morgan
Councillor D J Sanders
Councillor D J Westcott

Members in Attendance:

Councillor H J W Davies
Councillor P N Grierson
Councillor B Heywood
Councillor E May
Councillor K M Mills
Councillor D D Ross
Councillor A H Trollope-Bellew

Councillor M O A Dewdney
Councillor A P Hadley
Councillor A F Knight
Councillor I R Melhuish
Councillor P H Murphy
Councillor M A Smith

Officers in Attendance:

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

Also in Attendance:

Gerry Cox, South West Audit Partnership

CAB91 Apologies for Absence

No apologies for absence were received.

CAB92 Minutes of the Meeting held on 9 January 2013

(Minutes of the Meeting of Cabinet held on 9 January 2013 - circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Cabinet held on 9 January 2013 be confirmed as a correct record.

CAB93 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 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 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 P H Murphy	CAB98	Drafted the Watchet Library proposal on behalf of Watchet Library Friends	Personal	Spoke
Councillor K V Kravis	CAB100	Involved in a business that pays fees to the Council	Disclosable Pecuniary	Left the Chamber
Councillor H J W Davies	CAB100	Involved in a business that pays fees to the Council	Disclosable Pecuniary	Left the Chamber
Councillor A P Hadley	CAB100	Involved in a business that pays fees to the Council	Disclosable Pecuniary	Left the Chamber
Councillor P H Murphy	CAB100	Involved in a business that pays fees to the Council	Disclosable Pecuniary	Left the Chamber
Councillor A F Knight	CAB100	Involved in a business that pays fees to the Council	Disclosable Pecuniary	Left the Chamber

CAB94 Public Participation

No member of the public had requested to speak.

CAB95 Forward Plan

(Copy of latest Forward Plan published 18 January 2013 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 18 January 2013.

RESOLVED that the latest Forward Plan published 18 January 2013 be approved.

CAB96 **Cabinet Action Plan**

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

RESOLVED (1) that, CAB87 – Council Tax Technical Reform Amendment to Discounts and Exemptions, be deleted as actioned.

RESOLVED (2) that, CAB88 – Draft Localised Council Tax Support Scheme, be deleted as actioned.

RESOLVED (3) that, CAB89 – Localisation of Council Tax Support – Funding Arrangements, be deleted as actioned.

CAB97 **SWAP Governance Project Approvals**

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

The purpose of the report was to request the Council to become a member of the South West Audit Partnership Ltd (SWAP Ltd) and to dissolve the current South West Audit Partnership Joint Committee (SWAP).

The Lead Member introduced Gerry Cox from SWAP who made a presentation providing Members with background information. He reported that the driving factor for looking at an alternative governance model was due to difficulties with the current arrangements with the partnership model, and after in depth investigation it was agreed to move to a company limited by guarantee which meant there were no shareholders and it would remain a not for profit organisation. The fundamental change was that each of the members would become owners of the business and have a physical stake in the business. He also reported that there would be no change to the service provided to the Council. He drew Members' attention to the differences in roles and responsibilities and the governance relationship in respect of the Members' Board and the Board of Directors.

The Lead Member reiterated the Section 151 officer comments contained in the report and advised that other options had been explored. She confirmed that SWAP had presented the most cost effective solution for internal auditing. She then proposed the recommendations in the report, which were seconded by Councillor S J Pugsley.

In response to questions, the Section 151 Officer confirmed that it was important, in order to protect its interests, that the Council was represented on the Board of Directors.

The Leader thanked Gerry Cox for his attendance at the meeting.

RESOLVED (1) that it be recommended to Council to approve the formation of a company, limited by guarantee, to replace the existing SWAP Joint Committee.

RESOLVED (2) that it be recommended to Council that the Council be elected to be a Member of the SWAP Ltd from 1 April 2013 on the terms and basis set out in the articles of association, deed and service agreement.

RESOLVED (3) that it be recommended to Council to agree the dissolving of the SWAP Joint Committee at a date to be determined, but not later than 30 June 2013.

RESOLVED (4) that it be recommended to Council to note the separation of responsibilities and the membership profiles of the Members' Board and the Board of Directors.

RESOLVED (5) that it be recommended to Council to note the fees for the provision of internal audit services by SWAP Ltd for the financial year 2013/14 will not increase on the fees paid to SWAP by the Council in 2012/13.

CAB98

Consideration of nominations received under the Community Right to Bid Legislation

(Report No WSC 15/13, circulated with the Agenda.)

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

The Lead Member for Community and Customer presented the report and informed that due to a very recent change in ownership of the land at the Silk Mills site in Holford, the nomination should be deferred.

The Lead Member advised Members of the rules on what could be listed as an asset of community value and reported that a list of examples of what could be listed would be available to Members at the next meeting of Cabinet. He proposed the recommendations, which were duly seconded by Councillor C Morgan.

Members noted that if a nomination met the criteria under the relevant regulations there was no other option but to accept it to be listed as an asset of community value.

RESOLVED (1) that the nomination [ACV011] for Silk Mill, Holford to be listed as an Asset of Community Value, be deferred.

RESOLVED (2) that the nomination [ACV012] for Exmoor House Car Park to be listed as an Asset of Community Value, be accepted.

RESOLVED (3) that the nomination [ACV013] for Guildhall Car Park to be listed as an Asset of Community Value, be accepted.

RESOLVED (4) that the nomination [ACV014] for Lion Stables Car Park to be listed as an Asset of Community Value, be accepted.

RESOLVED (5) that the nomination [ACV015] for Lion Stables Public Toilets to be listed as an Asset of Community Value, be accepted.

RESOLVED (6) that the nomination [ACV016] for Watchet Library, Watchet, TA23 0AJ to be listed as an Asset of Community Value, be accepted.

CAB99 **Draft Corporate Plan for 2013/14**

(Report No WSC 17/13, circulated prior to the Meeting.)

The purpose of the report was to introduce the draft West Somerset Council Corporate Plan 2013/14 for recommendation to Council.

The Leader presented the report and advised that the foreword to the Corporate Plan was currently being written and would be available when this item was considered by full Council at the meeting to be held on 20 February 2013. He proposed the recommendation, which was duly seconded by Councillor D J Sanders.

During the discussion Members' noted that the Corporate Plan was in proportion to what the Council could achieve, as recommended in the Local Government Association report. The document was well put together with clear ways of measuring the success of objectives and key tasks whilst recognising the importance of the two chosen priorities.

Members thanked officers for their hard work in preparing the Corporate Plan.

A few typographical errors were highlighted and it was suggested that the section "how we manage our performance" should make reference to the work of the Scrutiny Committee.

The Corporate Director confirmed that the pie chart would be updated to include fees and charges for presentation to Council.

RESOLVED that it be recommended to Council to approve the West Somerset Council Corporate Plan 2013-16, included at Appendix A, as amended, to the report.

CAB100 **Fees and Charges**

(Report No WSC 16/13, circulated with the Agenda.)

The purpose of the report was to propose levels of fees and charges for the period 1 April 2013 to 31 March 2014 (in some cases fee increases will be implemented earlier, this will be stated in the relevant sections of the report).

The Lead Member for Regeneration and Economic Growth presented the report who proposed the recommendation, which was seconded by Councillor S J Pugsley.

RESOLVED that the levels of fees and charges as set out in report No WSC 16/13 be approved.

CAB101 Annual Budget and Council Tax Settings 2013-14

(Report No WSC 14/13, circulated with the Agenda.)

The purpose of the report was to provide Members with all the information required for Cabinet to approve the revenue budget and capital programme for 2013/14 for recommendation to Council.

The Lead Member for Resources and Central Support presented the report. She highlighted the challenges faced in setting the budget for 2013/14 considering the reforms to government funding and the late announcement of funding levels.

During the presentation, the Lead Member emphasised the following main points:

- The proposed savings gave particular regard to the future working on a business case with Taunton Deane Borough Council and was reflected throughout the budget setting paper.
- The biggest change to the funding was the business rate retention scheme. Hinkley Point was a large business rate contributor and it was anticipated that there would be a one-off large refund payable to them and as a result, to fund this, money had been allocated to a special earmarked reserve.
- Due to the Medium Term Financial Plan constantly changing, the significant amendments and reasons were highlighted and identified.
- The recommendations from Scrutiny Committee had been reflected in the paper and car parking income had not been included and no extra income had been projected.
- Changes to figures had been circulated to Cabinet Members prior to the meeting and would be included as corrected in the report being presented to Council on 20 February.
- Recent changes to the council tax base had been due to the council tax support scheme and technical reforms and government had recognised that West Somerset Council's level of council tax was in the lower quartile nationally and as a result the Council was able to increase its council tax by a higher percentage than the government's 2% cap.
- The New Homes Bonus would be brought back into the general fund to finance net expenditure rather than ring fencing the money for specific purposes as in previous years.
- A re-profiling budget exercise was currently being undertaken by budget holders to look at accuracy and appropriateness and it was anticipated that this would identify further savings.

- In addition to the identified savings made in 2012/13, a significant amount of extra savings had been attained and front line services had been protected.
- The Capital Programme had been set with regard to the Council's financial situation and did not impact on any future joint working arrangements which may be embarked upon; it also reflected the repayment of an outstanding loan.

The Lead Member proposed the recommendations in the report as amended, which were duly seconded by Councillor S J Pugsley.

Members congratulated the Lead Member on her clear and easy to follow presentation and officers were commended on the huge amount of work and effort involved in preparing the budget, and acknowledged that savings had been made despite the fact that fundamental services had not been affected.

Members were supportive of the budget and welcomed that the grants given to outside bodies and community groups would not be reduced.

RESOLVED (1) that the Equalities Impact Assessment (Appendix D to the report) be considered in accordance with guidance contained in paragraph 7 of the report and the assessment itself.

RESOLVED (2) that the potential impact on the budget report presented to Council of the work currently being undertaken to assess the appropriateness of individual budgets following quarter three budget monitoring, be acknowledged.

RESOLVED (3) that it be recommended to Council that in response to the Equalities Impact Assessment referred to in resolution (1) above, public toilet facilities for both males and females remain available in Blenheim Gardens during the period April to October each year. The reduction in efficiency savings being £1,550.

RESOLVED (4) that it be recommended to Council that Council Tax in 2013/14 is increased by 3.7%.

RESOLVED (5) that the revenue budget for 2013/14 as presented in Appendix B, as amended, to the report be recommended to Council.

RESOLVED (6) that the draft schedule of savings as shown in Appendix B, Table 12, as amended, of the report be recommended to Council.

RESOLVED (7) that the capital programme as presented in Appendix C, Table 13, as amended, of the report be recommended to Council.

RESOLVED (8) that the revised Medium-Term Financial Plan in Appendix B, Table 9, as amended, of the report be recommended to Council.

The meeting closed at 6.10 pm