

**CABINET**

**MINUTES OF THE MEETING HELD ON WEDNESDAY 6 JULY 2011**

**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 J Freeman  
Councillor A F Knight  
Councillor P H Murphy

Councillor A P Hadley  
Councillor R P Lillis  
Councillor K J Ross

**Officers in Attendance:**

Chief Executive (A Dyer)  
Corporate Director (B Lang)  
Group Manager – Finance & IS (G Carne)  
Group Manager – Housing & Community (I Timms)  
Group Manager – Customer and Corporate Support Services (W Bass)  
HR Consultant (M Griffin)  
Member Services Officer (K Kowalewska)

**CAB12      Apologies for Absence**

There were no apologies for absence.

**CAB13      Minutes of the Meetings held on 1 June 2011**

(Minutes of the Meetings of the Cabinet held on 1 June 2011 – circulated with the Agenda).

**RESOLVED** that the Minutes of the Meeting of the Cabinet held on 1 June 2011 be confirmed as a correct record.

**CAB14      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
Councillor P Murphy	All	Watchet	Spoke
Councillor K Ross	All	Dulverton	Spoke

In addition councillor T Taylor declared a personal interest in the East Wharf item as his sister-in-law's partner moored a boat in Watchet harbour and spoke and voted thereon.

**CAB15 Public Participation**

Mr John Irven from the Watchet Conservation Society spoke about the East Wharf Development Agreement – item 9. He commented that the development was critical and welcomed. Extending the Urban Splash agreement was not ideal although not having to re-tender was helpful. Useful meetings had been held with the Chief Executive and the mixed residential/commercial wharf development was supported. He requested that consultation should take place prior to any proposal for mothballing being considered.

**CAB16 Forward Plan**

The purpose of this item was to approve Forward Plan No. 2 – July 2011 to July 2012.

**RESOLVED** that, subject to the following amendments, Forward Plan No. 2 – July 2011 to July 2012, be approved.

- (1) Performance Monitoring – Target savings 2011/12 report to be moved to August 2011
- (2) Somerset West Private Sector Housing Renewal Strategy report to be moved from August to November 2011
- (3) The Corporate Performance and Budget Monitoring Report Quarter 4 and the Outturn Report 2010/11 due to be considered at the August meeting would be one report
- (4) The Draft Economic Strategy moved from August to September 2011

**CAB17 Cabinet Action Plan**

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

There were no resolutions/recommendations from the meeting held on 1 June 2011 that required monitoring.

**CAB18 Request for allocation of Planning Obligations Monies**

(Report No. WSC 88/11 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 report was presented by the Resources and Central Support Lead Member and she advised Cabinet of the recommendations of the internal planning obligations group. She reported that the operating procedures of the group had been revised and strengthened, new website pages had been introduced to improve access to organisations wishing to apply and work had been undertaken with parish councils to identify their top five priority projects.

She referred to the four recommended schemes in the report and advised Cabinet that a further application had since been received from Knights Templar School relating to a shortfall of £5,186.13 relating to the project to enhance the community swimming pool. She recommended that this sum be added to the £10,000 recommended in the report.

It was requested that the amount that was proposed for Stogumber Cricket Club should not be paid until planning permission was granted.

The Cabinet thanked the Group Manager – Housing and Community and his colleagues for the considerable progress that had been made in regard to the process now used for the allocation of planning obligation monies.

The Lead Member proposed the recommendations in the report subject to the amendment to the sum to be paid to Knights Templar School and to planning permission being obtained by Stogumber Cricket Club. Her proposal was seconded by Councillor C Morgan.

**RESOLVED** that Cabinet agree that capital funds are allocated to the following projects for inclusion in the current year's capital programme:

1. £10,000. Splashout II - Knights Templar School contributing towards overall project costs for the provision of recreation facilities in Watchet linked to swimming pool enhancements and in addition the sum of £5,186.13 to meet the shortfall in the project.
2. £1000 Stogumber Cricket club for installation of fixed netting to provide recreational facilities. Subject to planning permission being granted.
3. £4296 towards improvement of recreational facilities at the Victory Hall, Stogursey.
4. £10872 towards provision and enhancement of recreational facilities at the Memorial Ground Watchet. To include advice to the applicant on availability of the funds.

**CAB19**      **Remuneration Committee**

(Report No. WSC 76/11 circulated with the Agenda).

The purpose of the report was to provide further information to Members on the possible creation of a Remuneration Committee as well as maintaining the status quo.

The report was presented by Martin Griffin, HR Consultant and he advised Members of the background to the report. He pointed out that the Scrutiny Committee had recommended to Cabinet that a Remuneration Committee should not be adopted. It was noted that the only authority, to date, in the South West to consider the creation of a Remuneration Committee was the Isles of Scilly.

**RESOLVED** that Council be recommended not to adopt a Remuneration Committee.

**CAB20**      **East Wharf, Watchet – Development Agreement**

(Report No. WSC 76/11 circulated with the Agenda)

The purpose of the report was to advise Members of the current position concerning the proposed development of the East Wharf, Watchet

The report was presented by the Regeneration and Economic Growth Lead Member who advised Members of the history of the scheme and of the current position whereby a scheme had been approved by the Planning Committee which was no longer financially viable. The longstop date for a revised scheme of 31 March 2010 was proposed to be extended until 31 March 2014 to provide the necessary security before further financial resources would be invested by the developer, Urban Splash.

During the discussion it was stated that this was the best way forward for the site together with the proposed break clause in March 2013 and working with a nationally renowned design company.

The Chief Executive confirmed that if mothballing the site was to be considered there would be consultation before any decision was taken.

The recommendations in the report were proposed by the Lead Member and seconded by Councillor D Westcott.

**RESOLVED** (1) that the longstop date in the Development Agreement between the Council and Urban Splash be extended until 31 March 2014.

**RESOLVED** (2) that, subject to the inclusion of a break clause at 31 March 2013 as outlined in the report, the Chief Executive in consultation with the Lead Member be granted delegated authority to sign the necessary deed of variation to the existing Development Agreement.

**RESOLVED** (3) that DTZ be retained to act as property advisors to the Council in the delivery of this project on the basis outlined in the report.

**CAB21**      **Review of Financial Regulations and Contract Standing Orders**

(Report No. WSC 78/11 circulated with the Agenda)

The purpose of the report was for the Cabinet to offer comment on proposed changes to Financial Regulations and Contract Standing Orders for 2011.

The report was presented by the Resources and Central Support Lead Member and she advised Members that both documents were reviewed annually. She proposed the recommendations in the report and they were seconded by Councillor S J Pugsley.

**RESOLVED** that Council be recommended to approve the Financial Regulations and Contract standing Orders with the amendments detailed as follows:

**Financial Regulations**

Creditor payments audit

All high value BACS payments to be checked prior to payment (the current requirement being only a sample of BACS over £10,000).  
(Implemented at FR13.4)

Payroll Audit

The Group Manager – Finance and Central Support Services should consider introducing a limit for the authorisation of BACS payments, above which additional signatures are required. This should be formally agreed and included in the Financial Regulations. (Implemented at FR13.4)

Capital Accounting Audit

The Section 151 Officer to ensure that the Council's Financial Regulations include reference to the Asset Register. Guidance notes should be produced. (Implemented at FR 17.2)

Debtors Audit

The Principal Accountant to consider specifying a target for raising invoices to ensure consistency across all services. This should be included within Financial Procedure Rules and communicated to all staff. (Implemented at FR 20.3)

**Contract Standing Orders**

Following the inclusion of an overseeing project group (consisting of Councillors and Officers) for all contracts over £50,000 in the 2010 update to the documents, the opening of tenders has been amended to include one Councillor from that group.

**CAB22**      **Performance Monitoring – Target Savings 2011/12**

The Leader reported that this item would be deferred until the next meeting

**CAB23**      **Statement of Accounts 2010/11**

(Report No. WSC 91/11 circulated with the Agenda)

The purpose of the report is to present to Cabinet the draft accounts for the year ended 31 March 2011.

The report was presented by the Resources and Central Support Lead Member. She proposed the recommendations in the report and they were seconded by Councillor S J Pugsley. She advised Members that the regulations regarding the Statement of Accounts had changed and they were no longer required to be approved by the Audit Committee before 30 June. It was the responsibility of the Section 151 Officer to sign the accounts and certify they were a true and fair view. To evidence that this had happened the accounts had been published on the website by 30 June.

She referred to the high reserves figure but pointed out that this included Working Neighbourhoods Funding that was uncommitted and other earmarked reserves relating to Seaside Towns and the Planning Performance Agreement for Hinkley. These reserves would not be available in the next financial year when further savings were required.

During the debate a request was made that the Council should seriously consider increasing Council Tax.

The Lead Member thanked the Finance team for their hard work and advised the Cabinet that she was pleased that the 2010/2011 budget had come in under budget.

**RESOLVED** (1) that the accounts be noted.

**RESOLVED** (2) that the actual spend of £5,162,200 against a budget of £5,416,611 be noted.

**RESOLVED** (3) that the general reserves position of £900,000 and earmarked reserves position of £1,090,000 be noted.

The meeting closed at 5.57 pm.