

CABINET

MINUTES OF THE MEETING HELD ON 7 JANUARY 2015

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 K M Mills
Councillor A H Trollope-Bellew
Councillor D J Westcott

Members in Attendance:

Councillor A P Hadley
Councillor D D Ross
Councillor M A Smith

Councillor P H Murphy
Councillor K J Ross

Officers in Attendance:

Assistant Chief Executive (B Lang)
Assistant Director Resources (P Fitzgerald)
New Nuclear Programme Manager (A Goodchild)
Housing Initiatives Implementation Officer (A Devine)
CIM Fund Manager (L Redston)
Housing and Community Project Lead (A Summers)
Economic Regeneration Manager (C Matthews)
Media and Communications Officer (D Rundle)
Meeting Administrator (K Kowalewska)

CAB76 Apologies for Absence

No apologies for absence were received.

CAB77 Minutes of the Meeting held on 3 December 2014

(Minutes of the Meeting of Cabinet held on 3 December 2014 - circulated with the Agenda.)

RESOLVED that, subject to correcting the action taken for Councillor Trollope-Bellew's declaration of interest to read 'Did not speak or vote' on Minute No. CAB74, the Minutes of the Meeting of Cabinet held on 3 December 2014 be confirmed as a correct record.

CAB78 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 P H Murphy	All	Watchet	Spoke
Councillor K J Ross	All	Dulverton	Spoke

In addition, the following interests were declared:

Name	Minute No.	Description of interest	Personal or Prejudicial	Action Taken
Cllr D D Ross	CAB83	Past Vice Chair of Somerset Coast PCT	Personal	Spoke
Cllr K J Ross	CAB85	Wife works for Engage	Personal	Spoke

CAB79 Public Participation

No member of the public had requested to speak.

CAB80 Forward Plan

(Copy of latest Forward Plan published 18 December 2014 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 18 December 2014.

RESOLVED that the latest Forward Plan published 18 December 2014 be approved.

CAB81 Cabinet Action Plan

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

RESOLVED (1) that CAB73 – Financial Monitoring Report 2014-15 (April-September 2014) be deleted as actioned.

RESOLVED (2) that CAB74 – Fees and Charges 2015/16 be deleted as actioned.

CAB82 Housing Funding Strategy – Three Allocations

(Report No. WSC 3/15 – circulated with the Agenda.)

The purpose of the report was to present to Members the recommendations of the Hinkley Point Planning Obligations Board (POB)

and to ask that Cabinet recommend to Full Council the approval of the attached three allocations from the Hinkley Housing Fund (Appendices A – C): Appendix A: Enabling Fund – Croft House, Williton - £56,000; Appendix B: Living Over the Shop - £204,750; and Appendix C: First Time Buyers Home Loan Scheme – £105,000.

The Lead Member for Housing, Health and Wellbeing presented the item in detail and went on to propose the recommendation contained in the report which was seconded by Councillor K V Kravis.

Members were supportive of the three bids and the following points were raised:

- The development of Old Croft House, Williton was thought to be a particularly good scheme by providing 12 family homes on a site that had been deteriorating for a number of years.
- The proposals showed good value for money and were deliverable.
- The funding being used either side of the District Council boundary line was welcomed.
- In response, it was advised that the interest for the First Time Buyers Home Loan Scheme was at 4% and was recyclable going back into the general loan pot, and matters concerning interest would be dealt with by the Finance team.

RESOLVED that it be recommended to Council to approve the three allocations to the Housing Fund, contained in Appendices A to C.

CAB83 Non Recovery of Debts in respect of Somerset Coast Primary Care Trust

(Report No. WSC 1/15 – circulated with the Agenda.)

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

The Lead Member for Resources and Central Support presented the item providing Members with the background information advising that the matter was entirely out of the Council's control.

The Lead Member proposed the recommendation of the report which was duly seconded by Councillor A H Trollope-Bellew.

It was confirmed that 10% of the council tax liability would have to be paid by WSC, however, there would be no budgetary impact as a result.

RESOLVED that it be agreed to write off a Council Tax balance on a single account totalling £34,423.45.

CAB84 Assets of Community Value Process

(Report No. WSC 2/15, circulated with the Agenda.)

The purpose of the report was to streamline the Assets of Community Value (ACV) process at WSC, to reduce the resource implications for the council.

The Lead Member for Community and Customer presented the report and provided Members with an update stating that WSC had received 29 nominations of which 19 had been accepted for listing as assets of community value.

During the discussion the following points were made:

- This was a fine example of delegated powers and trying to streamline processes and simplifying the whole process was supported.
- The decision would be made quicker and would be fairer to applicants by speeding up the process.
- The portfolio holder decision would be undertaken by way of the executive decision process and there would be the ability to call-in the decision if required.
- A proposal was made to amend the second bullet point of recommendation 3.1 in order to specify the composition of the Review Panel pertaining to elected members, e.g. cross party representation and the exclusion of the ward member. The membership would not be fixed and the decision as to who should be invited would be made by the Monitoring Officer.

The Lead Member proposed the recommendation, as amended, with an addition to the printed recommendation to include 'Cabinet is recommended to approve the transfer of £20,000 to an Assets of Community Value Earmarked Reserve to provide a contingency for potential compensation claims', which was duly seconded by Councillor K H Turner.

RESOLVED (1) that the new suggested changes to the process be supported, which include:

- ACV listing recommendation made by officer to our Community & Customer Portfolio Holder and Assistant Director to list/not list the asset and the Portfolio Holder makes the final decision under specific delegated powers from Cabinet.
- If a review is requested by the owner, a Review Panel would consist of our Monitoring Officer as Chairperson rather than another member of the JMT for the meeting with three of our elected cross party members which would include one Cabinet member, one Scrutiny member and one other member (the Ward Member(s) for which the review applied would be excluded from the Panel).

RESOLVED (2) that the transfer of £20,000 to an Assets of Community Value Earmarked Reserve to provide a contingency for potential compensation claims be approved.

CAB85 HPC Planning Obligations Board – Allocations of CIM Funding

(Report No. WSC 4/15, circulated with the Agenda.)

The purpose of the report was to present the recommendations of the Hinkley Point C Planning Obligations Board to Cabinet, for the allocation of monies secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point. The relevant fund is the “Community Impact Mitigation (CIM)” Fund.

The Lead Member for Resources and Central Support presented the item advising that three meetings of the CIM fund had been held to date and she introduced the CIM Fund Manager to the meeting. The Lead Member briefed Members on the applications considered by the HPC Planning Obligations Board and stressed that any unsuccessful bids could be resubmitted to the Board. It was noted that the bids had been seriously considered by the Board and there appeared to be a theme of the Board requesting further detailed information from the applicants on the mitigation impacts of Hinkley Point C, and for the bids to be more fully planned and costed. It was reported that due to the project still being in the early evolving stages, improvements to the process to assist decision making would continue to be made. She also drew Members’ attention to the financial implications section of the report.

The Lead Member went on to propose the recommendations which were duly seconded by Councillor K M Mills.

Discussions centred around the current balance of the CIM Fund and the allocation of monies released to date; and on ways of improving the application and decision making processes. The New Nuclear Programme Manager concluded by stating that both Members and Officers must do everything they could to engage with applicants when an expression of interest was submitted, and in order for the projects to receive funding the bids needed to relate to impacts taking place at Hinkley Point.

Members hoped that the Holford and Kilve Broadband Campaign would work closely with the Connecting Devon and Somerset project to improve coverage across both parishes, and the Leader stated that the Council wished to monitor the emerging pattern for broadband connectivity across the whole of West Somerset.

RESOLVED (1) that the decision of the Hinkley C Planning Obligations Board* be noted, as follows: To award £800 of CIM Funding to the Porlock Bay Shellfish Project to fund a website as part of a wider project to establish mussel and oyster beds in Porlock Bay.

*On 4th June 2014 Cabinet agreed the delegation of authority to the Planning Obligations Board to approve applications for funding up to £1000.

RESOLVED (2) that the recommendations of the Hinkley C Planning Obligations Board be endorsed, as follows:

That funding for The Sedgemoor Project is not approved, as the application did not clearly demonstrate and evidence how the project mitigates impacts on the community of the Hinkley Point C project.

That funding for the Bridgwater Digital Radio Link Project is not approved, as the application did not provide evidence of the potential impacts on the community of the Hinkley Point C project and how the project with mitigate those impacts.

RESOLVED (3) that it be recommended to Full Council to endorse the recommendations of the Hinkley C Planning Obligations Board as follows:

That funding for the Holford and Kilve Broadband project is not approved, as the need for funding cannot be established at this time.

That funding for the Watchet Hidden History Project is not approved, as the application did not provide evidence of partner support and relevant permissions to deliver the project.

That funding for the St George's Parish Centre project is not approved due to a current lack evidence of future community need for the project in light of a recent CIM funding award for a project delivering similar outcomes within the locality.

CAB86 **Request for Allocation of Planning Obligations Funding (HPC S106)**

(Report No. WSC 7/15, circulated with the Agenda.)

The purpose of the report was to make a proposal for the allocation of monies secured through the HPC S106 planning obligation to specifically support community outreach employment and skills activities.

The Lead Member for Resources and Central Support presented the item and provided Members with the background information. She went on to propose the recommendation of the report which was seconded by Councillor D J Westcott.

RESOLVED that the allocation of £500 from the Employment and Skills Outreach Operational Budget to support the development of the West Somerset Our Place Project be agreed.

CAB87 **Proposed Business Case for Shared Legal Service**

(Report No. WSC 5/15, circulated with the Agenda.)

The purpose of the report was for Cabinet to consider the draft business case for establishing a shared legal service between Mendip District Council, Taunton Deane Borough Council and West Somerset Council,

taking into account comments received as part of the consultation process, before submitting any recommendations to Full Council.

The Lead Member for Resources and Central Support presented the report, highlighting the key objectives of the project which included a 15% budget saving for WSC, and she went on to propose the recommendation which was seconded by Councillor S J Pugsley.

Members were supportive of the proposal and during the discussion clarification was provided regarding staff being TUPE'd to Mendip District Council and it was noted that the legal staff would have the opportunity to be located at any of the three bases, or work remotely, where convenient and there was not expected to be any less presence of legal staff at WSC. In addition, following the meeting, the Monitoring Officer noted the minor amendments raised regarding Appendix A to the report.

RESOLVED that it be recommended to Council to adopt the draft business case for a shared legal service – as set out in Appendix A to the report – with an implementation dated of 1 April 2015 – and that Council consider and agree the full terms of the associated Inter Authority Agreement.

The meeting closed at 6.08 pm