

**CABINET**

**MINUTES OF THE MEETING HELD ON 7 NOVEMBER 2012**

**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 G S Dowding  
Councillor A F Knight  
Councillor E May  
Councillor D D Ross  
Councillor L W Smith

Councillor M O A Dewdney  
Councillor B Heywood  
Councillor R P Lillis  
Councillor P H Murphy  
Councillor K J Ross  
Councillor M A Smith

**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)  
Efficiencies and Performance Manager (K Batchelor)  
Climate Change and Community Liaison Manager (A Lamplough)  
Meeting Administrator (K Kowalewska)

**CAB54      Apologies for Absence**

No apologies for absence were received.

**CAB55      Minutes of the Meeting held on 3 October 2012**

(Minutes of the Meeting of Cabinet held on 3 October 2012 - circulated with the Agenda.)

**RESOLVED** that subject to amending Resolution (2) of Minute No. CAB52 – Our Town First – Town Team Partners (Minehead) by deleting ‘Council be recommended to approve’ and substituting the word ‘virement’ for ‘supplementary estimate’, the Minutes of the Meeting of Cabinet held on 3 October 2012 be confirmed as a correct record.

**CAB56      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:

<b>Name</b>	<b>Minute No.</b>	<b>Member of</b>	<b>Action Taken</b>
Councillor D Westcott	All	Watchet	Spoke and voted
Councillor K H Turner	All	Brompton Ralph	Spoke and voted
Councillor P H Murphy	All	Watchet	Spoke
Councillor K J Ross	All	Dulverton	Spoke
Councillor L W Smith	All	Minehead	Spoke

In addition the following interests/lobbying were declared:

<b>Name</b>	<b>Minute No.</b>	<b>Description of interest</b>	<b>Personal or Prejudicial</b>	<b>Action Taken</b>
Councillor D J Sanders	CAB 61	Lobbied in respect of Minehead Rugby Club		Spoke and voted
Councillor C Morgan	CAB 61	Granddaughter plays at Minehead Rugby Club	Personal	Spoke and voted
Councillor C Morgan	CAB 63	Closely involved in the campaign to reopen The Shurton Inn	Prejudicial	Left the Chamber
Councillor H J W Davies	CAB 61	Vice-President of Minehead Rugby Barbarians	Personal	Spoke
Councillor K J Ross	CAB 61	Trustee of West Somerset Arts Consortium	Personal	Spoke

**CAB57      Public Participation**

Agenda Item 8 – Request for Allocation of Planning Obligations Monies.

Colin Howells, Ben Willes and Dionne Jones spoke on behalf of the Minehead Rugby Club and requested that Members support the application to provide additional changing rooms, catering facilities and improved access for disabled users at the Club as the current facilities were inadequate and could not accommodate for the increased demand.

**CAB58      Forward Plan**

(Copy of latest Forward Plan published 23 October 2012 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 23 October 2012.

**RESOLVED** that the latest Forward Plan published 23 October 2012 be approved.

**CAB59**      **Cabinet Action Plan**

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

**RESOLVED** that CAB53 – Agreement for a county wide Community Safety Partnership Merger, be deleted as actioned.

**CAB60**      **Discretionary Business Rate Relief Scheme**

(Report No. WSC 106/12, circulated with the Agenda.)

The purpose of the report was to propose a revised 'Discretionary Business Rate Relief Scheme' for consideration that would be effective for the period 1 April 2013 to 31 March 2014.

The Lead Member for Resources and Central Support presented the report providing Members with background information and advised that the Council was unique in being able to give discretionary business rate relief in West Somerset. She drew Members' attention to Appendix A of the report and informed that a scheme had been designed that not only delivered savings but also helped to limit the impact on organisations in receipt of rate relief, and that by encouraging sports clubs to apply to be classed as a Community Amateur Sports Club (CASC) this would entitle them to receive 80% mandatory business rate relief resulting in a potential saving of £7,348 to the Council.

The Lead Member proposed the recommendations of the report which were seconded by Councillor S J Pugsley.

**RESOLVED (1)** that it be recommended to Council that the existing Discretionary Business Rate Relief Scheme as described at Appendix A to the report is amended from 1 April 2013 so that those non-profit making organisations providing sporting activities recognised by the Sports Council (Appendix C to the report) receive a maximum of 20% discretionary relief. The scheme would cease on 1 April 2014.

**RESOLVED (2)** that a report on the future of the Council's Discretionary Rate Relief Scheme is drafted and presented to Members before 31 October 2013.

**CAB61**      **Request for Allocation of Planning Obligations Monies**

(Report No. WSC 144/12, circulate 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 Lead Member for Resources and Central Support presented the report and provided information on the two proposals that had been recommended for approval. She also reported on a funding request from Minehead Town Council to provide benches to enhance links from the town centre to the Morrisons development, and gave Members a general update on existing projects and street lighting along the Morrisons footpath.

The Lead Member also reported on the enhanced planning obligations website page and encouraged Members to take a look at the updated links which provided improved information, greater transparency and awareness to the public of what monies were available.

The Lead Member further advised that the report provided details of the planning obligation sums still owed to the Council by developers and reassured Members that a lot of work was currently being undertaken to actively pursue and recover the money, and she reported that some of the outstanding monies had already been successfully collected either in full or by instalments.

The Lead Member proposed the recommendations of the report which were seconded by Councillor D J Westcott.

Members were supportive of the two proposals. During the debate Members were advised that the Scrutiny Committee were currently carrying out a review of the process and would propose recommendations to further improve the planning obligations process and procedures.

**RESOLVED (1)** that Council be recommended to approve the allocation of £50,000 for the expansion of facilities at Minehead Rugby Club for inclusion in the current year's capital programme and that Council be recommended to consider any further feedback from Minehead Town Council when making their decision.

**RESOLVED (2)** that the use of the sum of £24,000 for the development of a programme of Landscape Art related to the Coleridge Way be agreed.

**CAB62**

**Proposed Winter Closure of a number of Public Conveniences**

(Report No WSC 134/12, circulated with the Agenda.)

The purpose of the report was to seek Cabinet's approval for the winter closure programme of public conveniences.

The Lead Member for Environment presented the report and welcomed the input from Watchet Town Council who were working closely with

West Somerset Council on the issue of the long-term future of public conveniences in Market Street. He also drew Members' attention to the Section 151 comments contained in the report and highlighted the reasonably significant amount of money that would be saved as a result of temporary closing the public conveniences in the winter.

He proposed the recommendations of the report, which were seconded by Councillor K Kravis.

During the debate the following main points were raised:

- Public conveniences were very valuable to the West Somerset area and it was reasonable to look at streamlining the number in the winter to reduce the financial impact on the Council.
- The Equalities Impact Assessment was thorough and reassuring and contained sensible and practical suggestions and the Scrutiny and Performance Officer was thanked for her hard work in preparing the document.
- All relevant parish and town councils had been written to requesting comments on the recommendations regarding winter closures, and only one response had been received from Watchet Town Council.
- Concerns were raised that the decision to approve the winter closure should be presented to full Council.
- Clarification was sought on the risk assessment and why there was no reduction in the cost of cleaning the public conveniences by Veolia.

**RESOLVED (1)** that due consideration to the Equalities Impact Assessment (EIA) included at Appendix A to the report be given.

**RESOLVED (2)** that the public conveniences located at Carousel, Minehead (not disabled); Blenheim Gardens, Minehead (ladies and gents); Church Street, Dunster; Central Car Park, Porlock and Market Street, Watchet (excluding the disabled facility) are closed during the period 19 November 2012 to 15 March 2013.

**RESOLVED (3)** that the winter closure of the public conveniences in Market Street, Watchet is delayed pending the outcome of current negotiations with Watchet Town Council. Further, the Chief Executive, in consultation with the Lead Member for Environment, is granted delegated authority to decide whether the outcome of the negotiations referred to above merit the permanent postponement of the winter closure of the public conveniences in Market Street, Watchet.

**RESOLVED (4)** that the action plan included in the EIA at Appendix A to the report including the purchase of signs at a cost of £240 be approved.

CAB63

**Consideration of nominations received to list Assets of  
Community Value under the Community Right to Bid Legislation**

(Report No WSC 145/12, circulated with the Agenda and Appendices to the report, circulated at the meeting.)

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 proposed the recommendations which were duly seconded.

Members were supportive of the two nominations. Various questions were raised regarding the sale of commercial premises and planning law and how this would interlink with the Localism Act 2011 and it was acknowledged that some of the more detailed issues would only be clarified with the benefit of experience. The Efficiencies and Performance Manager confirmed that current guidance stated that any asset listed would be a material consideration if a planning application was submitted in respect of a property/land listed as an Asset of Community Value and discussions were being held with Exmoor National Park Authority to keep them up to date concerning any affected properties within their area.

**RESOLVED (1)** that the nomination for the Notley Arms, Monksilver, TA4 4JB to be listed as an Asset of Community Value be accepted.

**RESOLVED (2)** that the nomination for the Shurton Inn, Shurton, TA5 1QE to be listed as an Asset of Community Value be accepted.

The meeting closed at 6.42 pm