

CABINET

MINUTES OF THE MEETING HELD ON 8 JANUARY 2014

AT 4.30 PM

IN THE COUNCIL CHAMBER, WILLITON

Present:

Councillor T Taylor Leader

Councillor K V Kravis
Councillor C Morgan
Councillor A H Trollope-Bellew
Councillor D J Westcott

Councillor K M Mills
Councillor S J Pugsley
Councillor K H Turner

Members in Attendance:

Councillor G S Dowding
Councillor B Heywood
Councillor D D Ross
Councillor M A Smith

Councillor A P Hadley
Councillor E May
Councillor K J Ross

Officers in Attendance:

Director of Operations (S Adam)
Assistant Chief Executive (B Lang)
Assistant Director Business Development (I Timms)
Section 151 Officer (S Campbell)
Economic Regeneration Manager (C Matthews)
Director of Housing and Communities (J Barraah)
Assistant Director Housing and Communities (S Lewis)
Interim Executive Director (A Dyer)
Meeting Administrator (K Kowalewska)

The Leader introduced and welcomed to the meeting two of the newly appointed officers on the Joint Management Team who were attending their first meeting of the Cabinet - James Barraah, Director of Housing and Communities and Simon Lewis, Assistant Director of Housing and Communities.

At the start of the meeting Councillor E May, on behalf of the Council, took the opportunity to thank all those concerned who helped to protect people and properties during the recent severe weather in the district. He also congratulated all the local people on the Queen's New Year Honours List.

CAB81 Apologies for Absence

No apologies for absence were received.

CAB82 Minutes of the Meeting held on 4 December 2013

(Minutes of the Meeting of Cabinet held on 4 December 2013 - circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Cabinet held on 4 December 2013 be confirmed as a correct record.

CAB83 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 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 K V Kravis	CAB88	Private landlord	Personal	Spoke and voted
Cllr T Taylor	CAB88	Private landlord	Personal	Spoke and voted
Cllr A H Trollope-Bellew	CAB88	Private landlord	Personal	Spoke and voted
Cllr K H Turner	CAB88	Private landlord	Personal	Spoke and voted
Cllr D J Westcott	CAB88	Private landlord	Personal	Spoke and voted
Cllr D D Ross	CAB88	Private landlord	Personal	Spoke
Cllr A P Hadley	CAB89	Shop owner selling tobacco	Personal	Spoke

Note: Councillor C Morgan also declared that he considered himself to be predetermined.

CAB84 Public Participation

No member of the public had requested to speak.

CAB85 Forward Plan

(Copy of latest Forward Plan published 19 December 2013 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 19 December 2013.

RESOLVED that, subject to amending the relevant contact officer details to reflect the new Joint Management Structure, the latest Forward Plan published 19 December 2013 be approved.

CAB86 Cabinet Action Plan

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

RESOLVED that CAB76 – Review of Financial Regulations be deleted as actioned as it was to be considered at the Council meeting to be held on 22 January 2014.

CAB87 Low Cost Home Ownership Scheme

(Report No. WSC 2/14, circulated with the Agenda.)

The purpose of the report was to outline to Members the proposed amendment to the Council's Low Cost Home Ownership Policy, in particular how it related to the sale of properties at Clanville Grange in Minehead and the circumstances that had led to these proposals being made.

The Lead Member for Housing, Health and Welfare presented the item and advised that the change to the Policy was being proposed due to it becoming impossible for prospective purchasers of properties at Clanville Grange to obtain a mortgage offer as a result of the existence of the Deed of Pre-emption (which imposed a legal requirement for the Council to buy the property back whenever it came onto the market). Following legal advice the Lead Member advised that the Policy would be amended via a Covenant and Legal Charge and confirmed that these properties would then be brought into line with all other low cost homes in the district. He also drew Members' attention to what the Council's involvement would be as a result of this amendment.

The Lead Member proposed the recommendations with an addition to the wording printed in the report so that they were 'subject to recommendation to Council', which were duly seconded by Councillor K V Kravis.

Following a request for clarification regarding the legal implications on how the proposal would affect the properties at Clanville that were not currently in the Council's ownership, the Lead Member explained that the owners of the properties would be notified of the new sales mechanism and it would be down to the homeowner as to whether they proceeded with the new proposal. If the homeowner did not wish to proceed the Council would be obligated to buy the house back at the time when the property was put on the market.

Members discussed in length the possibility of selling the three properties on the open market to develop more affordable houses. The Assistant Director Business Development advised that the prospect of producing a viable amount of money to provide a decent sized development was limited. He reported that the proposal was valid and had been

considered but due to the impracticalities and the current market trends had been put to one side. He confirmed that the report to be presented to Council would be amended to clarify the issue.

RESOLVED (1) that it be recommended to Council that the proposal be accepted so that the mechanism for selling properties at Clanville Grange be amended and that a discount of 25% be applied. In line with other Low Cost Home Ownership properties secured across the District, their affordability in perpetuity will be secured by Covenant rather than a Deed of Pre-emption.

RESOLVED (2) that it be recommended to Council to amend the Council's Low Cost Home Ownership Policy to take account of these changes.

CAB88 **Somerset Strategic Housing Framework and West Somerset Action Plan**

(Report No. WSC 3/14, circulated with the Agenda.)

The purpose of the report was to outline to Members the proposed Somerset Strategic Housing Framework 2013 – 2016 and the supporting West Somerset Action Plan.

The report was presented by the Lead Member for Housing, Health and Welfare and it was agreed that the wording of the Outcome for Key Area of Focus 1.7 within the 'Somerset Strategic Housing Framework: West Somerset Action Plan' should be amended and Action No. 1.15 deleted to reflect that the New Homes Bonus would not be ring fenced as capital funding for housing related matters in West Somerset in order to maximise housing supply.

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

During the discussion of this item it was noted that the wording of Key Task 2.2 with the Contribution to Corporate Priorities section of the report be amended to read 'Facilitate the delivery of 80 affordable homes within the West Somerset area by 31 March 2014'.

RESOLVED (1) that the Somerset Strategic Housing Framework (attached at Appendix A to the report) be endorsed for formal adoption by Council.

RESOLVED (2) that the principles of the West Somerset Action Plan (attached at Appendix B to the report) be endorsed and it be noted that further enhancements to delivery may be made prior to submission to Council for adoption.

CAB89 Tobacco Declaration

(Report No. WSC 4/14, circulated with the Agenda.)

The purpose of the report was to outline the issues relating to tobacco and health and for Cabinet to consider recommending that Council sign the Tobacco Declaration.

The Lead Member for Housing, Health and Welfare presented the item and advised that this was the first report emanating from the Health and Wellbeing Board.

Members undertook an in-depth discussion and concerns about signing the Declaration at this stage were raised. Members wished to convey the Council's continued support to the Health and Wellbeing Board going forward and its non-smoking initiative, however, although Members were absolutely clear on the serious impacts of smoking they questioned whether the Council should commit to signing up to specific actions before a fully developed action plan and a mechanism to monitor progress was in place.

During the debate there was a request to provide clarification that West Somerset Council did not participate in any of the points raised in paragraph 5.9 of the report and the Assistant Director Business Development confirmed that this would be provided following the meeting.

The Assistant Director Housing and Communities advised that there were concerns about the specific wording of the Declaration when the matter was considered at Taunton Deane Borough Council and following clarification received from the Health and Wellbeing Board at Somerset County Council, Taunton Deane was of the opinion that the Declaration was about intention rather than a commitment. The Assistant Director noted the points of concern and advised that he would obtain further assurance on the issues raised and report back accordingly.

The Lead Member for Resources and Central Support proposed an amendment to the recommendation in the report to make it clear that the Cabinet wholeheartedly supported the intentions of the Local Government Declaration on Tobacco Control and would continue working with the Health and Wellbeing Board to clarify detailed expectations and requirements to enable the document to be signed on behalf of the authority. The amended recommendation was seconded by Councillor K H Turner.

RESOLVED that Cabinet wholeheartedly support the intentions of the Local Government Declaration on Tobacco Control and would continue working with the Health and Wellbeing Board to clarify detailed expectations and requirements to enable the document to be signed on behalf of the authority prior to it being recommended to Council for approval.

CAB90 Non Recovery of Debts in respect of SW Apprenticeship Company and Dunster Holdings Ltd

(Report No. WSC 6/14, circulated with the Agenda. An Appendix entitled 'Western Somerset – Local Action for Rural Communities' was circulated at the start of the meeting.)

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 Assistant Director Business Development presented the item and reported that all avenues to recover the debts had been pursued concerning the two write off requests. He drew Members' attention to the circulated appendix and advised that despite the SW Apprenticeship Company debt, the Starting Out and Lifting Off project was still delivered and was very successful. He also highlighted that with regards to the Non Domestic Rates write off, the Council would bear 20% of the actual debt.

Councillor K H Turner proposed the recommendation in the report which was seconded by Councillor K M Mills.

During the discussion there was a request that a report in respect of the Starting Out and Lifting Off project be presented to a future meeting of the Economic Development Policy Advisory Group in order for Members to debate the matter further.

RESOLVED that the write off of an unpaid invoice for £13,024 and an unpaid Non Domestic Rates account of £14,542.31 be agreed. The Companies had either gone into administration or were being wound up therefore no further recovery action could be taken and both debts were deemed uncollectable.

The meeting closed at 6.03 pm