

CABINET

MINUTES OF THE MEETING HELD ON 9 JANUARY 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 M J Chilcott
Councillor M O A Dewdney
Councillor P N Grierson
Councillor B Heywood
Councillor R P Lillis
Councillor K M Mills
Councillor D D Ross
Councillor L W Smith

Councillor H J W Davies
Councillor J Freeman
Councillor A P Hadley
Councillor A F Knight
Councillor E May
Councillor P H Murphy
Councillor K J Ross
Councillor M A Smith

Officers in Attendance:

Chief Executive (A Dyer)
Corporate Director (B Lang)
Corporate Manager – Environment, Customer and Community (S Watts)
Section 151 Officer (S Campbell)
Corporate Manager – Housing, Economy and Welfare (I Timms)
Planning Manager (A Goodchild)
Climate Change & Community Liaison Manager (A Lamplough)
Principal Benefits and Fraud Officer (P Lamb)
Meeting Administrator (H Dobson)

Also in Attendance:

Steve Read, Managing Director, Somerset Waste Partnership

CAB77 Apologies for Absence

No apologies for absence were received.

CAB78 Minutes of the Meeting held on 5 December 2012

(Minutes of the Meeting of Cabinet held on 5 December 2012 -
circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Cabinet held on 5
December 2012 be confirmed as a correct record.

CAB79 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 K J Ross	All	Dulverton	Spoke
Councillor L W Smith	All	Minehead	Spoke

In addition the following interests/lobbying were declared:

Name	Minute No.	Description of interest	Personal or Prejudicial or Disclosable Pecuniary	Action Taken
Councillor T Taylor	CAB87	Owens a second home in West Somerset.	Disclosable Pecuniary	Left the Chamber

CAB80 Public Participation

No member of the public had requested to speak on any item on the agenda.

CAB81 Forward Plan

(Copy of latest Forward Plan published 18 December 2012 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 18 December 2012.

RESOLVED that the latest Forward Plan published 18 December 2012 be approved.

CAB82 Cabinet Action Plan

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

RESOLVED that, CAB60 – Discretionary Business Rate Relief Scheme, CAB71 – Review of Financial Regulations and CAB72 – Non-Domestic Rate (Business Rate) Write Off Requests, be deleted as actioned.

CAB83 Somerset Waste Partnership (SWP) Business Plan 2013-18

(Report No WSC 5/13, circulated with the Agenda.)

The purpose of the report was to seek approval for the draft Somerset Waste Partnership (SWP) Business Plan 2013-18.

The report was presented by the Lead Member for Environment and advised that the present system worked well. He acknowledged the hard work undertaken to gain a saving in the budget for West Somerset of about £65,000. Further, he thanked everyone who had been involved to help deliver the service, as best as possible, during the recent extreme weather conditions. He proposed the recommendations, which were seconded by Councillor K H Turner.

The Managing Director of Somerset Waste Partnership (SWP) reported that the partnership would be concentrating on minimising waste and encouraging householders to recycle food waste, which would be used to produce energy once the Anaerobic Digestion facility at Walpole was launched in the Spring 2013. There were to be no further changes to the recycling centres opening hours. He appreciated the particular financial issues that West Somerset Council were managing and hoped to continue to be able to assist.

During the course of the debate the main issues included:

- A suggestion that space on the collection vehicles could be used to advertise relevant information or sell advertising space.
- Confirmation that around 50% of what was in the residual waste stream could potentially be recycled, therefore it was still necessary to impress the importance of recycling.
- Support that the partnership continue with the current collections, in particular with the weekly food waste collection.
- Part of the review with Viridor would be to discuss what they could offer regarding all the available new technologies that could help improve recycling rates, reduce landfill and generate an income.
- The recycling of 'other plastics' was constantly under review; the technology and potential for end markets was changing rapidly, which meant that these items could be added in the future.

Councillor Dewdney requested that it be noted that as the Somerset Waste Partnership had developed a progressive service it was unnecessary and wrong to revert back to weekly household collections of all waste.

The Managing Director confirmed that he would provide further clarification on the 'lease repayments – Sort It Plus vehicles' figure, appendix B of the report, attached to the agenda, after the meeting.

The Leader thanked the Managing Director for his attendance at the meeting.

RESOLVED (1) that the SWP draft Business Plan 2013-18 attached as Appendix A to the report, be approved.

RESOLVED (2) that the SWP draft 2013/14 budget attached as Appendix B to the report, be approved.

CAB84 Request for Allocation of Planning Obligations Monies

(Report No. WSC 4/12, 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 Lead Member for Resources and Central Support presented the report and advised that the proposal for play equipment at Liddymore Estate would provide two separate play areas for the under 5s and under 8s age groups. Watchet Town Council had conducted extensive consultation and would maintain the play areas in the future. With regard to the existing projects she informed that work was still being conducted for SCC to adopt the footpath and to install street lights along side Morrisons in Minehead. The Lead Member proposed the recommendations of the report which were seconded by Councillor C Morgan.

In response to concerns regarding the lighting of the footpath alongside Morrisons, members were advised that officers were working to overcome obstacles and that progress was being made.

Concerns were raised regarding the late payment of s106 monies by developers and it was agreed that the next quarterly planning obligations report presented to Cabinet would include details regarding progress being made in respect of outstanding s106 monies.

RESOLVED that the allocation of £14,536.00 to provide play equipment at Liddymore Estate in Watchet, be approved.

CAB85 Consideration of nominations received under the Community Right to Bid Legislation

The Leader advised members that as Stogursey Parish Council had withdrawn the nominations the report would not be considered.

In response to concerns regarding sufficient information being available regarding the process to follow to nominate an asset to be listed as an Asset of Community Value, the Corporate Director advised that the legislation was new and information was on the council's website which explained how the council was involved and provided a link to background documents and useful information. He confirmed that the information would be included again on the 'Community Matters' newsletter sent to parish and town councils, and that a review of the process to date would be discussed at a future Community PAG.

CAB86 Hinkley Point C – Proposed Section 106 Allocation

(Report No WSC 6/13, circulated with the Agenda.)

The purpose of the report was to seek Cabinet approval to allocate a small contribution towards community safety initiatives and to seek

Cabinet agreement to the financial treatment of index linked payments as they are received from EDF Energy.

The Planning Manager presented the report and advised that the index linked payments would help to ensure that the council should not be financially disadvantaged due to any late payments.

Councillor K H Turner proposed the recommendations, which were duly seconded by Councillor D J Westcott.

RESOLVED (1) that the allocation of £1,875.00 towards community safety initiatives be approved.

RESOLVED (2) that the financial treatment of index linked payments, as set out in 4.8 of the report, attached to the agenda, be approved.

CAB87

Council Tax Technical Reform Amendment to Discounts and Exemptions

(Report No WSC 2/13, circulated with the Agenda.)

The purpose of the report was to advise Council of proposals to reform Council Tax Discounts and Exemptions relating to empty property and 'second homes' to be introduced in 2013, and to enable Council to agree recommendations to increase the council tax base.

The Lead Member for Community and Customer presented the report and informed that the proposed changes would raise £277,000, of which West Somerset Council would retain 9%, equating to £24,930. The Lead Member proposed the recommendations, which were seconded by Councillor S J Pusgley.

During the course of the debate the following main points included:

- Concern that it was not possible to sell a property in three months.
- The proposals would help to ensure that homes were empty for as short a period of time as possible.
- The definition of a second home was suggested as another property that was owned and used sporadically for the owner's usage or holidays. A property that had been 'let' was likely to be considered by the owner as a business and not their home.
- It was noted that probate could not be obtained in three months and that consideration would be given to that circumstance within the report to be presented to Council.
- Some support was proposed for option 4 in the report, attached to the agenda, which provided no discount and a higher income.

RESOLVED (1) that Council be recommended to remove the current discount of 10% awarded in relation to second homes.

RESOLVED (2) that it be recommended to Council that a 100% discount for uninhabitable properties (empty, unfurnished and undergoing major structural repair) be granted from up to twelve months as current class A exemption.

RESOLVED (3) that it be recommended to Council that a 100% discount for vacant dwellings (empty and unfurnished properties) be granted for a reduced period of no more than three months.

RESOLVED (4) that it be recommended to Council that an empty homes premium of 50% is applied after two years (empty and unfurnished properties only).

Note: Councillor C Morgan chaired this item during the meeting whilst the Leader left the chamber.

CAB88

Draft Localised Council Tax Support Scheme

(Report No WSC 3/13, circulated with the Agenda.)

The purpose of the report was to advise Cabinet of the proposed Council Tax Support Scheme for West Somerset; to advise of the feedback from the public consultation relating to the scheme and the recommendations of Scrutiny Committee, and to advise of the Equality Impact assessment carried out using the consultation feedback provided from residents.

The Lead Member for Community and Customer presented the report. He recognised that to limit the entitlement to 85%, as recommended by the Scrutiny Committee, was not currently affordable; it would result in the Council having to find approximately £200,000 of savings in order for the scheme to be cost neutral. Should the entitlement be 70% the Council would be required to find about £47,313 of savings. Therefore, it was with reluctance that the Lead Member proposed the recommendations in the report and proposed a third recommendation, as follows:

“To note that, due to the high percentage of retired residents in West Somerset, the impact of the 10% reduction in funding council tax support falls unfairly on working age people in West Somerset.”

Councillor K Kravis seconded the three recommendations.

During the course of the debate, the following main points were raised:

- It was suggested that should option 4 (appendix A) of the previous item, on the agenda, be approved at Council it could generate £43,830; this along with the proposed funds to be set aside for parish and town councils, in the next item on the agenda, could generate approximately three quarters of the savings that would need to be identified for an 85% entitlement.
- The time allocated to create a scheme and the late announcement of the financial settlement did not allow sufficient time to consider as many options as possible.
- Concern that the scheme would affect the most vulnerable people in West Somerset who would not be able to pay, and that this would impact the Council's collection rate and negatively affect its finances.

RESOLVED (1) that the results of the public consultation for the proposed scheme, and the detailed Equality Impact Assessment attached as Appendix C to the report, be noted.

RESOLVED (2) that it be recommended to Council that a Council Tax support scheme that limits entitlement to 70% liability be adopted.

RESOLVED (3) that it be noted that, due to the high percentage of retired residents in West Somerset, the impact of the 10% reduction in funding council tax support falls unfairly on working age people in West Somerset.

CAB89

Localisation of Council Tax Support – Funding Arrangements

(Report No WSC 1/3, circulated with the Agenda.)

The purpose of the report was to seek approval for the distribution of government grant funding to parish/town councils.

The Lead Member for Resources and Central Support presented the report and advised that due to the changes within the council tax scheme parish and town councils would experience a shortfall in their funding. The Lead Member believed that parish and town councils across the district worked hard for their communities and therefore proposed the recommendations of the report, which were duly seconded by Councillor S J Pugsley.

In response to a question as to whether parish and town councils would receive assistance the following year, 2014/15, the Chief Executive advised that the Department for Communities and Local Government had advised that there would be a grant to help mitigate the shortfall for the following year, but had not specified a sum.

Members noted that parish and town councils were not capped and could set their council tax at whatever level they required. It was suggested that if the council kept the grant it could be used to serve the people of West Somerset in better ways.

In response to concern as to whether Cabinet was the right body to make the decision the Chief Executive advised that the timescales for setting the budget were very tight. Nevertheless it was in the remit of Cabinet to make a recommendation to Council if it so wished. Parish and town councils were advised to set their precept by 31 January 2013 and that the next meeting of Council was 23 January 2013.

Councillor C Morgan recommended that the report be presented to the next meeting of full Council, which was seconded by Councillor K H Turner.

Members noted that parish and town councils would be informed of the decision.

On being put to the vote it was

RESOLVED that Cabinet recommend to Council that £110,262 of the government Council Tax Support grant received of £368,208 is redistributed to Parish and Town Councils in accordance with details listed in Appendix A of the report attached to the agenda.

CAB90 **Report on Financial Settlement for 2013/14 and Latest Medium Term Financial Plan (MTFP)**

(Report No WSC 9/13, circulated with the Agenda.)

The purpose of the report was to update Members on the financial settlement for 2013/14 and its impact on the MTFP.

The Lead Member for Resources and Central Support presented the report in detail and advised that tables 1 and 2 of the report, attached to the agenda were central government's calculations. The council's 'safety net' would be £78,805 and that amount would be earmarked for the future. She confirmed that it was now clear that the Revenue Support Grant 2014/15 figure of £1,211,000.00 did include Council Tax Support Grant. The savings identified were largely savings that would not have a huge impact on the residents of West Somerset. The Council was seeking to be in a position to achieve more savings by working with its neighbouring councils in the future.

The Lead Member proposed the recommendations of the report, and that amendments to the second and third recommendations be made so that they were, 'subject to recommendations to Council'. The recommendations and amendments were seconded by Councillor S J Pugsley.

RESOLVED (1) that the details of the financial settlement for local government, be noted.

RESOLVED (2) that, subject to recommendations to Council, the principle of not freezing the level of council tax in 2013/14, be approved.

RESOLVED (3) that, subject to recommendations to Council, the level of council tax in 2013/14 be increased by 3.7%.

RESOLVED (4) that the draft proposed list of savings initiatives as detailed in table 6 for inclusion in the outturn for 2012/13 and the draft budget for 2013/14, be approved.

RESOLVED (5) that the Medium Term Financial Plan 2013/14 to 2015/16 be noted.

The meeting closed at 7.24 pm