

CABINET

MINUTES OF THE MEETING HELD ON WEDNESDAY 11 JANUARY 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 P N Grierson
Councillor B Heywood
Councillor R P Lillis
Councillor I R Melhuish
Councillor P H Murphy
Councillor K J Ross
Councillor A H Trollope-Bellew

Councillor M O A Dewdney
Councillor A P Hadley
Councillor A F Knight
Councillor E May
Councillor K M Mills
Councillor D D Ross
Councillor M A Smith

Officers in Attendance:

Chief Executive (A Dyer)
Group Manager - Housing and Community (I Timms)
Group Manager - Environment and Services (S Watts)
Group Manager - Finance and Central Support (G Carne)
Planning Manager (A Goodchild)
Media, PR and Communications Officer (S Beaumont)
Economic Regeneration and Tourism Manager (C Matthews)
Meeting Administrator (K Kowalewska)

CAB82 Apologies for Absence

No apologies for absence were received.

CAB83 Minutes of the Meeting held on 7 December 2011

(Minutes of the Meeting of the Cabinet held on 7 December 2012 – circulated with the Agenda).

RESOLVED that the Minutes of the Meeting of the Cabinet held on 7 December 2011 be confirmed as a correct record.

CAB84 **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 N Grierson	All	Alcombe	Spoke
Councillor P H Murphy	All	Watchet	Spoke
Councillor K J Ross	All	Dulverton	Spoke
Councillor A H Trollope-Bellew	All	Crowcombe and Stogumber	Spoke

In addition,

- Councillor D J Sanders declared a personal interest relating to Item 7 – Request for Allocation of Planning Obligations Monies, as he lived in the vicinity of some of the proposals; and
- Councillor K M Mills declared a personal interest relating to Agenda Item 13 – Switching Station at Porlock, as ward member.

CAB85 **Public Participation**

No member of the public had requested to speak.

CAB86 **Forward Plan**

The purpose of this item was to approve Forward Plan No. 8 – February 2012 to February 2013.

RESOLVED that, subject to the following amendments, Forward Plan No. 8 – February 2012 to February 2013, be approved.

- (1) Discretionary Business Rate Relief be inserted for February 2012.
- (2) Continuing maintenance of Somerset County Council owned land to be inserted for February 2012 .
- (3) Civil Parking Enforcement (CPE) – Final Report to be inserted for March 2012.
- (4) Local Impact Report in relation to Hinkley Point to be inserted for April 2012.

CAB87 **Cabinet Action Plan**

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

RESOLVED that the item listed in the Action Plan be carried forward to the next meeting of Cabinet in February 2012.

CAB88 Request for Allocation of Planning Obligations Monies

(Report No. WSC 10/12, 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 report was presented by the Lead Member for Resources and Central Support who drew attention to the constant improvements that were being made to the application process for the planning obligations funding, she then went on to outline the four proposals that had been considered by the Planning Obligations Group and clarified that the proposal under 4.2.4 c) of the report related to the Esplanade in Minehead.

The Lead Member proposed the recommendation in the report and it was seconded by Councillor D J Westcott.

The Group Manager - Environment and Services asked Members to note that there was an amendment in paragraph 4.2.2 d) of the report and the monetary figure should read £22,662.50.

During the discussion Members congratulated the Portfolio Holder and Council staff on the improvements to how the planning obligation monies were being dealt with, it was felt that the process was now much more structured.

Issues regarding signage and repair works to lighting and wall improvements along the footpath near Morrison's were highlighted and noted, but it was brought to Members' attention that capital monies could not be spent on repairs. It was confirmed that the points highlighted would be looked into from an assets point of view.

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

1. £14,000 to be used to secure and improve the pool at St Michael's School.
2. £1,000 to Minehead Town Council to create a parking space at the allotments.
3. £12,633.89 for West Somerset Council to carry out a range of improvement works along Minehead Esplanade.
4. £22,662.50 for Public Realm improvements to improve or maintain the viability of Minehead Town Centre by using the monies secured from Morrison's for linking the town centre to the development.

CAB89 Fees and Charges 2012-13

(Report No. WSC 17/12, circulated with the Agenda).

The purpose of the report was to propose levels of fees and charges for the period 1 April 2012 to 31 March 2013 (in some cases fee increases will be implemented earlier, this will be stated in the relevant sections of the report).

The report was presented by the Resources and Central Support Lead Member who proposed the recommendation in the report and this was seconded by Councillor S J Pugsley. She advised that most of the fees and charges, including car park fees, were not increasing.

Clarification was sought as to whether the adjustment of the building control charges had been made in light of the VAT increase from 17.5% to 20%. It was highlighted that if the fee was a fixed price and the VAT increased then the amount that the Council received would reduce as a result. Where the fee included VAT it was suggested it would be better to have a net value plus VAT at the prevailing rate, therefore, in future, the fee would automatically go up or down accordingly.

In response to a question regarding how much money was collected in daily slipway fees, it was confirmed that as part of enforcement improvements, an acting Harbour Master had been employed and income was increasing as a result.

It was noted that if Cabinet agreed the recommendations in the report, the changes to the Private Water Sampling fees would need to take effect from 12 January 2012.

RESOLVED that the levels of fees and charges, summarised in Appendix B to the report, be approved.

CAB90

Revenue Budget Savings 2012/13 and 2013/14

(Report No. WSC 5/12, circulated with the Agenda).

The purpose of the report was to provide Cabinet with an update on the proposed initiatives to reduce the net revenue budget in 2012/13.

The report was presented by the Resources and Central Support Lead Member who proposed the recommendation in the report and this was seconded by Councillor C Morgan.

The Lead Member for Resources and Central Support advised of the suggested revenue budget savings that would form part of the Council's budget to be presented to Cabinet and Full Council in February. Although the Council recognised that it had a budget gap of just over £1.12 million, it was proposed to have a modest and realistic savings target of £150,000 and £50,000 in 2012/13 and 2013/14 respectively. She informed that the majority of community grant funding to external organisations had been reduced by 13.98% as this reflected the same percentage in cuts to government funding received by the Council. There would be further consultation on these savings and an Equality Impact Assessment would be carried out where necessary before any of the proposed cuts were implemented.

In response to a request to receive information on the percentage of budget cuts and which service had received total cuts, it was agreed to include in the list of savings the total budget in each service area, and an updated table would be emailed to all Members.

During the discussion a request was made to amend the service heading in the list of savings table from 'Grant – Warden on the Quantocks' to 'Grant – ANOB Service'.

The Lead Member clarified that the business rate relief scheme would continue and it was planned to write to organisations to inform them that it would not be cut.

In response to concern expressed regarding the cuts to the West Somerset Advice Bureau (WSAB) the Chief Executive brought to Members' attention that it was the work undertaken by West Somerset Council that was instrumental to the WSAB gaining EDF funding for two years to enable them to employ an additional debt advisor with specific responsibilities to fuel poverty.

RESOLVED that the draft savings list, as detailed in Appendix A to the report, be approved and that subsequent feedback is included in the Budget 2012/13 report that will be considered at the Cabinet meeting on 1 February 2012.

CAB91

Somerset County Council Office Integration at West Somerset House, Williton

(Report No. WSC 7/12, circulated with the Agenda).

The purpose of the report was to consider entering into a ten-year lease arrangement with Somerset County Council for renting available office space at West Somerset House, Williton.

The report was presented by the Resources and Central Support Lead Member who proposed the recommendation in the report and this was seconded by Councillor S J Pugsley.

Members suggested that due to Somerset County Council having shared use of the Council Chamber it was vital that a rota of Council meetings be drawn up as soon as possible to overcome potential logistical problems.

With regards to points raised regarding shared car park arrangements, the Lead Member informed that Somerset County Council had been made aware of West Somerset Council's Travel Plan which encouraged car sharing and of the current parking charges and permits.

It was noted that South West 1 were providing the legal support to Somerset County Council in this matter.

It was further noted that Members could view the plans of where staff would be relocated and these were situated on the office notice boards.

RESOLVED that a ten-year lease agreement with Somerset County Council for renting available office space at West Somerset House, Williton be approved on the terms and conditions detailed in Appendix A to the report and summarised in paragraph 5.2 of the report.

CAB92 Into Somerset – Proposal for Future Delivery of Inward Investment

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

The purpose of the report was to bring Members up-to-date with the activity of Into Somerset and consider West Somerset's potential future involvement for a further three years.

The report was presented by the Lead Member for Economic Regeneration and Growth who proposed the recommendation in the report and this was seconded by Councillor K H Turner.

The main points of the discussion were as follows:

- Concern was expressed as to why Somerset County Council had requested an enhanced payment and it was proposed that the Economic Regeneration and Tourism Manager would contact SCC for the specific reasoning and clarification as to why the annual contribution had been increased to £3,000.
- The report mentioned Into Somerset having notable successes, however none were listed.
- Lack of incoming investment - although Into Somerset had received enquiries from businesses expressing an interest in locating to West Somerset none had come to fruition and the question was asked why not due to the fact that there were empty business units available in West Somerset. In response to this the Economic Regeneration and Tourism Manager stated that although the District had received no direct inward investment because of the work of Into Somerset, it didn't mean to say that they hadn't dealt with quite a lot of enquiries and worked with existing businesses, particularly looking at ways of keeping businesses in West Somerset.
- Following the recruitment of Ambassadors to Somerset, no support or notification of events had been received from Into Somerset.
- The Lead Member and Lead Officer confirmed that they would take Members' comments forward to the Chair of Into Somerset.

It was proposed by C Morgan and seconded by Councillor K V Kravis to defer the item and on being put to the vote it was

RESOLVED that, due to insufficient detailed information, the report be deferred to the next meeting of Cabinet held on 1 February 2012.

CAB93 Exmoor Tourism Partnership – Governance Arrangements

(Report No. WSC 11/12, circulated with the Agenda).

The purpose of the report was to provide Members with an update about the role and purpose of the Exmoor Tourism Partnership and to provide information about the proposed changes in Governance arrangements of the Partnership.

The report was presented by the Lead Member for Economic Regeneration and Growth who proposed the recommendation in the report and this was seconded by Councillor K V Kravis.

It was noted that this was a Cabinet decision and not a recommendation to Council, as stated in the report.

RESOLVED (1) that Cabinet approve Somerset County Council and North Devon+ becoming Core Members of the Exmoor Tourism Partnership.

RESOLVED (2) that Cabinet agree to invite the Somerset Tourist Association to become a Key Organisation enabling them to send a representative to future executive meetings of the Exmoor Tourism Partnership.

CAB94 **Switching Station at Porlock**

(Report No. WSC 9/12, circulated with the Agenda).

The purpose of the report was to consider approving the freehold sale of an area of land at High Bank, Porlock.

The report was presented by the Resources and Central Support Lead Member who proposed the recommendation in the report and this was seconded by Councillor S J Pugsley. It was noted that Porlock Parish Council and other parties involved were in full agreement with the scheme.

RESOLVED that the sale of an area of land adjacent to the Central car park, Porlock to Western Power Distribution for the purposes of installing a Switching Station, in accordance with the terms summarised in paragraph 5.1 of the report, be approved.

CAB95 **Dulverton Car Park – Management Arrangements**

(Report No. WSC 13/12, circulated with the Agenda).

The purpose of the report was to seek Member approval of the proposed arrangements for the management of the Council owned car parks in Dulverton.

The report was presented by the Lead Member for Economic Regeneration and Growth who proposed the recommendations in the report and these were seconded by Councillor K V Kravis.

Points raised during the discussion of this item included:

- It was commendable that arrangements with Dulverton Town Council could be maintained and Members congratulated all those involved in the discussions and negotiations in achieving this outcome at the present time.
- Why was West Somerset Council allowing Dulverton Town Council to manage their car park, but Minehead Town Council had been refused the right?

- It was advised that the disabled persons parking sign would be altered by Dulverton Town Council if Cabinet approved the recommendations.
- With the introduction of CPE it would be favourable for West Somerset Council to maintain the current arrangements with Dulverton Town Council.

RESOLVED (1) that the current agreement for Dulverton Town Council to manage the three car parks in Dulverton on behalf of West Somerset Council be extended until 28 February 2013 on the same terms and conditions (see paragraph 4.2 of the report) as in the current agreement which expires on 29 February 2012.

RESOLVED (2) that consideration be given to providing the required notice to terminate the agreement if and when the Council decides to proceed with the implementation of Civil Parking Enforcement.

RESOLVED (3) that the agreement, should it still be valid, be reviewed in December 2012.

RESOLVED (4) that the current scale of fees and charges as listed in paragraph 4.4 of the report for the period 1st March 2012 to 28th February 2013 be approved.

CAB96

Request of Virement of Funds for the Bridgwater Bypass Study

(Report No. WSC 8/12, circulated with the Agenda).

The purpose of the report was to seek Cabinet approval for a financial contribution towards the overall cost of completing a study into the possible necessity for a Bridgwater Bypass should the Development Consent Order for Hinkley Point C be approved.

The report was presented by the Planning Manager who advised that an independent study had been commissioned to look at the effect of the online junction improvements versus the bypass. The study looked at both the transport and the economic impact and it was now well advanced and a draft was being reviewed at the present time. He reported that the Development Consent Order (DCO) application did contain a bypass study, however it was inadequate. Transport improvements were necessary and in order to argue the case evidence was needed. The results of the study would be used to inform the Council's Local Impact Report for the DCO application, and would enable more detailed and robust arguments to be had with either EDF or the Infrastructure Planning Committee for a bypass or enhanced junction solutions.

Councillor D J Sanders proposed the recommendations in the report and these were seconded by Councillor K V Kravis.

During the debate the following main points were raised:

- Concern was expressed that West Somerset Council was being asked to fund the study after it had already been completed and that EDF should have paid for the study.

- It was confirmed that Sedgemoor District Council and Somerset County Council had agreed to proceed with the study without delay to help inform negotiations and WSC had been asked to provide a notional contribution of 10%. The Council should support the partner Councils at Sedgemoor District and Somerset County.
- Cabinet should vote on whether the study should have been done regardless of the fact that it had already been undertaken.
- Members acknowledged the need for a bypass, however, it was asked how would the bypass be done in time for it to be effective when needed.
- Members should be fully supportive of the Planning Manager and his team as West Somerset would benefit in the long run.

On being put to the vote the recommendations were carried, with one abstention.

RESOLVED (1) that the sum of £8,646 be paid to Sedgemoor District Council as a contribution towards the overall cost of producing the Bridgwater Bypass Study.

RESOLVED (2) that the contribution referred to in recommendation 2.1 of the report be funded from earmarked reserve income received under the Planning Performance Agreement with the Hinkley Point C developer.

CAB97

Nuclear New Build Update and Approval of Arrangements for Registering and Making Representations on the DCO Application

(Report No. WSC 14/12, circulated with the Agenda).

The purpose of the report was to provide Cabinet with up-to-date information concerning EDF Energy's Hinkley Point C proposals and their implications for the Council.

The report was presented by the Planning Manager who summarised the current position.

Councillor C Morgan proposed the recommendations in the report and these were seconded by Councillor D J Sanders.

Members noted that the appendix to the report was well laid out and extremely useful and the Planning Manager was congratulated for the work involved in its preparation.

RESOLVED (1) that Cabinet agree to the Council registering with the IPC as an interested party in connection with the Hinkley Point C Development Consent Order (DCO) application.

RESOLVED (2) that it be noted that, prior to finalising and submitting the Council's representations on the DCO application by the 23 March 2012, the Planning Manager will consult with the Leader of the Council, Lead Member for Environment and the Chief Executive.

RESOLVED (3) that Cabinet agree to Officers working with partner Councils at Sedgemoor District and Somerset County to prepare a detailed cost

estimate for representation at the Examination, with appropriate technical and legal support and seek a full financial settlement from EDFE to avoid costs being absorbed by Councils to the detriment of existing services, or passed to the community in the form of council tax increases.

RESOLVED (4) that the latest position concerning the Hinkley Point C proposals set out in the report be noted.

RESOLVED (5) that the arrangements being made to provide support to local communities in considering and responding to the DCO application be noted.

CAB98 **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting during consideration of Item 18 on the grounds that, if the press and public were present during that item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended.

The item contained information that could release confidential information relating to the financial or business affairs of any particular person (including the Authority holding that information). It was therefore proposed that, after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

CAB99 **Sale of Land, Seaward Way, Minehead**

(Report No. WSC 4/12, circulated with the Agenda).

The purpose of the report was to ask Cabinet to note the preferred developer and approve the subsequently draft 'Heads of Terms' between the Council and David Wilson Homes SW.

The report was presented by the Lead Member for Housing, Environmental Health and Licensing who proposed the recommendations in the report and these were seconded by Councillor K V Kravis.

RESOLVED (1) that, following a marketing and tendering exercise, the sale of the Council owned land, identified as shaded green in Appendix A to the report, to David Wilson Homes SW be approved. The terms of the sale being in accordance with the draft Heads of Terms attached to the report at Appendix B.

RESOLVED (2) that in consultation with the Project Team the Chief Executive be granted delegated authority to agree any subsequent changes to the draft Heads of terms prior to signing on behalf of the Council. This includes the provision of any access to land owned by West Somerset Community College, provided that there is no direct cost to the Council.

The meeting closed at 7.17 pm