

CABINET

MINUTES OF THE MEETING HELD ON 14 OCTOBER 2015

AT 4.30 PM

IN THE COUNCIL CHAMBER, WILLITON

Present:

Councillor A H Trollope-Bellew..... Leader

Councillor M J Chilcott
Councillor C Morgan
Councillor K Turner

Councillor K Mills
Councillor S J Pugsley
Councillor D J Westcott

Members in Attendance:

Councillor I Aldridge
Councillor S Y Goss
Councillor B Heywood
Councillor B Maitland-Walker
Councillor R Woods

Councillor G S Dowding
Councillor A P Hadley
Councillor B Leaker
Councillor N Thwaites

Officers in Attendance:

Assistant Chief Executive (B Lang)
Assistant Director Resources (P Fitzgerald)
Senior Accountant and Deputy Section 151 Officer (J Nacey)
Housing & Community Project Lead (A Summers) – Item 7
Principal Revenues & Debt Recovery Officer (D Emery) – Item 8
Assistant Director Asset Development Projects (T Gillham) – Item 10
Meeting Administrator (K Kowalewska)

At the start of the meeting the Leader gave a warm welcome to the Council's new Deputy Section 151 Officer, Jo Nacey who would be assisting the Section 151 Officer for a temporary period.

CAB46 Apologies for Absence

An apology for absence was received from Councillor M Dewdney.

CAB47 Minutes of the Meeting held on 2 September 2015

(Minutes of the Meeting of Cabinet held on 2 September 2015 - circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Cabinet held on 2 September 2015 be confirmed as a correct record.

CAB48 **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 A Trollope-Bellew	All	Crowcombe	Spoke and voted
Councillor K Turner	All	Brompton Ralph	Spoke and voted
Councillor D Westcott	All	Watchet	Spoke and voted
Councillor I Aldridge	All	Williton	Spoke
Councillor S Goss	All	Stogursey	Spoke
Councillor B Maitland-Walker	All	Carhampton	Spoke
Councillor N Thwaites	All	Dulverton	Spoke

In addition, Councillor K Turner declared a prejudicial interest relating to Item 7 – Request for Allocation of Planning Obligations Funding as he was Chair of Brompton Ralph Parish Council, and he left the Chamber during the discussion of this item.

CAB49 **Public Participation**

Tony Bullen spoke on Agenda Item 8 – Discretionary Business Rate Relief Policy. He was in favour of retaining the existing policy as he felt the impact of the new policy would see a substantial reduction in discretionary relief granted from business rates to charities, community amateur sports clubs and many other local organisations.

CAB50 **Forward Plan**

(Copy of the Forward Plan for the month of November 2015 – circulated with the Agenda.)

The purpose of this item was to approve the Forward Plan.

RESOLVED that, subject to the Review of Financial Regulations being deferred to March 2016, and the inclusion of In-year Budget Savings and Earmarked Reserves Review in November 2015, the Forward Plan for the month of November 2015 be approved.

CAB51 **Cabinet Action Plan**

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

RESOLVED (1) that CAB44 – Financial Monitoring Report – Quarter 1 2015/16 be deleted as actioned.

RESOLVED (2) that CAB45 – HPC Planning Obligations Board – Allocations of CIM Funding be deleted as actioned.

CAB52 **Request for Allocation of Planning Obligations Funding**

(Report No. WSC 138/15 – circulated with the Agenda.)

The purpose of the report was to make proposals for the allocation of monies secured through planning obligations to individual schemes.

The Lead Member for Resources and Central Support presented the item and provided detailed information on the two requests for planning obligations funding.

The Lead Member proposed the recommendation of the report, which was duly seconded by Councillor C Morgan.

Members expressed support for both proposals. In response to a concern raised regarding the lack of lighting in connection with the land at bottom of Marshfield Road, Alcombe project, it was advised that it was proposed to only improve the surface of the path at this present time.

RESOLVED that the allocation of £1,000 towards the renewal of the main village hall stage at Brompton Ralph, and the allocation of £7,825 for the upgrading of land at bottom of Marshfield Road, Alcombe be agreed; these amounts to be added to the capital programme and funding from planning obligations contributions.

CAB53 **Discretionary Business Rate Relief Policy**

(Report No. WSC 150/15 (revised), and a revised Appendix A to the Discretionary Rate Relief Policy - circulated prior to the meeting.)

The purpose of the report was to introduce a revised Discretionary Rate Relief Policy to come into effect from 1 April 2016.

The Lead Member for Resources and Central Support presented the item and outlined the main details contained within the report, advising that all organisations that may be affected by the revised Policy had been given the required 12 month notification. She drew attention to the fact that the cost to the Council of delivering the Business Rate Retention (BRR) scheme since its introduction had increased year on year. She also advised that the current policy had been in effect for a considerable amount of time without review. Another key point raised was that Discretionary Rate Relief had to be awarded in the interests of local Council Tax payers. The new policy also would take into account that phased relief over three years would apply in the case of an asset transfer of public conveniences to assist any communities who wished to take them over. The Lead Member drew further attention to the financial implications contained within the report and of the Council's requirement to

pay levy costs to central Government in connection with BRR Funding Baseline.

She concluded by stating that the Council, despite the need to make savings and balance its budget, would continue to support its community with a policy which was fair and equitable to all.

Further to suggestions made by the public speaker for Members to look at Cornwall Council's guidelines on Discretionary Rate Relief, the Lead Member concurred that it would be helpful to include an introductory paragraph in the policy.

An amendment to the policy was proposed to include a sentence in the last paragraph of section 9 'Local Business Rate Discretionary Discount', to read as follows: 'Should a public convenience be vested in a charity then the rules for charitable rate relief will apply'.

The Lead Member proposed recommendations 3.1 a) (as amended) and 3.1 c), with an amendment to delete 3.1 b) in order to allow any changes to the policy to be decided and ratified by full Council. The amended recommendations were seconded by Councillor S Pugsley.

A lengthy discussion ensued and various questions and concerns were raised. Members welcomed the opportunity to review the policy at any time; and following particular concerns raised as to how village halls would be affected by the introduction of the new policy guidelines, it was confirmed that the policy would state that all village halls would receive 100% rate relief without an application or reviews being required.

Finally, it was stated that the new procedures would continue to provide support to local charities, clubs and businesses across the district, where it was most needed; and Members were assured that the policy was flexible with the knowledge it would be kept under review with Members fully participating in this monitoring and review process. It was also acknowledged that a lot of extremely hard work had gone into revising the policy by officers and the lead member.

RESOLVED (1) that it be recommended to Council to approve the introduction of the revised policy detailed in Appendix 1 to the report, as amended.

RESOLVED (2) that it be recommended to Council to approve the inclusion of the anticipated savings within the 2016/17 budget and ongoing medium term financial plan net of additional administration costs.

CAB54 **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded during consideration of Item CAB55 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 as follows:

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 is therefore agreed 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.

CAB55 **Seaward Way, Minehead - Land Sale for Employment Use (previously referred to as residential/employment land)**

(Report No. WSC 151/15, circulated prior to the Meeting.)

The purpose of the report was to seek Cabinet support for recommendations to Council as landowner to agree the sale of remaining land on Seaward Way to a preferred bidder.

The Lead Member for Housing, Health and Wellbeing presented the item and outlined the details contained within the report.

It was suggested that recommendation 3.3 needed further explanation as it was unclear what the sum of £88,700 referred to, and it was agreed to cross reference the recommendation with paragraph 5.2 of the report.

The Lead Member went on to propose the recommendations, as amended, which were duly seconded by Councillor C Morgan.

On consideration of this item, various questions regarding the removal of the restrictive covenants were raised and Members were supportive of the proposals to deliver employment/commercial use development on the land.

RESOLVED (1) that it be recommended to Council as landowner:

- (a) to approve the sale of land at Seaward Way (marketed for residential/employment use) to the preferred bidder, for the delivery of employment and commercial use development, subject to contract and planning;
- (b) to note that the sale of land is subject to exchange of conditional contracts and the receipt of non-refundable deposit being paid to the Council of £50,000, which will be allocated to capital receipts reserves;
- (c) to delegate final approval and sign-off of the sale by agreement of the Leader, Lead Member for Finance, Chair of Asset Project Group, Chief Executive and the Section 151 Officer, and who are granted authority to conclude a sale if a minimum sum or a higher figure is achieved;
- (d) to note that Council members will be informed of progress through information reports from the Asset Project Group, such as Asset Sales standing agenda item at Corporate PAG.

RESOLVED (2) that a continuation of established authority that the Council approved minimum sum should be expected be agreed. This is a figure at least equal to the capital receipt previously approved by the Council (2012), with an appropriate adjustment to reflect any market uplift in land value.

RESOLVED (3) that it be recommended to Council that £88,700 is added to the 2015/16 Capital Programme for Seaward Way Disposal Costs, to be funded from unallocated capital receipts reserves, to meet West Somerset Council's commitment as detailed in paragraph 5.2 of the report..

The meeting closed at 5.50 pm