

WEST SOMERSET COUNCIL

Minutes of the Special Meeting held on 16 April 2012 at 1.30 pm

in the Council Chamber, Williton

Present:

Councillor A F Knight..... Chairman
Councillor D D Ross Vice-Chairman

Councillor A M Chick
Councillor H J W Davies
Councillor G S Dowding
Councillor S Y Goss
Councillor A P Hadley
Councillor K V Kravis
Councillor E May
Councillor K M Mills
Councillor P H Murphy
Councillor K J Ross
Councillor L W Smith
Councillor T Taylor
Councillor K H Turner

Councillor M J Chilcott
Councillor M O A Dewdney
Councillor J Freeman
Councillor P N Grierson
Councillor B Heywood
Councillor R P Lillis
Councillor I R Melhuish
Councillor C Morgan
Councillor S J Pugsley
Councillor D J Sanders
Councillor M A Smith
Councillor A H Trollope-Bellew
Councillor D J Westcott

Officers in Attendance:

Chief Executive (A Dyer)
Corporate Director (B Lang)
Group Manager Finance and Central Support (G Carne)
Group Manager Housing and Community (I Timms)
Group Manager Environment and Services (S Watts)
Planning Manager (A Goodchild)
Regeneration Manager (C Matthews)
Car Parks Manager (M Lewis)
Media, PR and Communications Officer (S Beaumont)
Meeting Administrator (H Dobson)
Legal Advisor (R Pinney – Mendip District Council)

Prior to the start of the meeting an information sheet, relating to Item 5 - Magna West Somerset Housing Association, was distributed.

C105 Apologies for Absence

There were no apologies for absence.

C106 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
Cllr S Y Goss	All	Stogursey	Spoke and voted
Cllr P N Grierson	All	Minehead	Spoke and voted
Cllr P H Murphy	All	Watchet	Spoke and voted
Cllr K J Ross	All	Dulverton	Spoke and voted
Cllr L W Smith	All	Minehead	Spoke and voted
Cllr A H Trollope-Bellew	All	Somerset County	Spoke and voted
Cllr K H Turner	All	Brendon Hills	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

In addition,

- Councillor D J Sanders declared a personal interest relating to Item 8 – Delivering Visitor Information Services in West Somerset, as he had been a member of the Minehead Development Trust.
- Councillor H J W Davies declared a personal interest relating to Item 5 – Magna West Somerset Housing Association, as he had recently attended a meeting with Magna regarding a personal matter.

C107 Public Participation

Item 5 – Magna West Somerset Housing Association – Proposed Changes to Rules Relating to Tenant Representation on the Board of the Association

Piers Fielden, Chairman of Magna West Somerset Board, advised that the proposed changes would improve the governance of Magna and would not change the operation or basic structure of the management. The current process had caused delays when implementing decisions. Magna currently had a very high client satisfaction rating and exceptional tenant involvement. Tenants would prefer to be involved in performance and not as board members.

Debby Wheatley, Company Secretary, referred to the covenant detail, which was set out in the report, attached to the agenda. Magna currently reported to the Council's Scrutiny Committee half yearly, an arrangement that the regulator thought worked well. Two tenants would be co-opted onto the recruitment panel for the new board. Tenants had already shown an interest. There would be a whole range of other ways in which tenants could be involved in the future.

Tony Murray, Magna West Somerset Director, advised that there were two weeks before the tenants' consultation closed and that they had received 11 responses to-date. Seven of the responses were in favour, two did not understand, one was against and one had no view. There were additional ways in which tenants could be involved about the issues that they were

interested in. It was important that Magna tenants had a voice and their involvement would provide that.

Item 8 – Delivering Visitor Information Services in West Somerset

Ron Bridle, Minehead Town Councillor, explained to the effect that Minehead Town Council had not been able to consider the proposal submitted by their VIIC working group, as key members of the group were not in attendance to answer questions at their meeting. He advised that although it had appeared logical to have a visitor centre on the seafront at the time, in hindsight an information centre situated more centrally for residents was just as important. He confirmed that he supported the proposal being considered from the Minehead Development Trust.

C108 Hinkley Point C Local Impact Report

(Report No. WSC 68/12, circulated with the Agenda.)

The purpose of the report was to provide a brief summary of the key issues, which have emerged from the preparation of the Local Impact Report (LIR) with up-to-date information concerning EDF Energy's Hinkley Point C proposals and their implications for the Council and the communities of West Somerset.

The Lead Member for Environment presented the report and advised that it was important to make everyone aware that this project would affect every corner of West Somerset. The LIR was an emerging document and would form one of many being submitted to the National Infrastructure Directorate of the Planning Inspectorate (formally IPC).

He thanked all those who had submitted their concerns, especially Stogursey Parish Council for their succinct responses. He proposed the recommendations in the report and they were duly seconded by Councillor K Turner.

Members recognised that the LIR was a significant piece of work with huge ramifications.

In response to questions, the Planning Manager advised that there was no definitive contingency plan in the event of an emergency. A Traffic Management Incident Plan would need to be approved before progressing a contingency plan. For some time, the Council had been pursuing for new build housing in appropriate locations, which would help to deal with the Council's affordable housing issues. Unfortunately, EDF did not wish to pursue that.

RESOLVED (1) that the content of the draft Local Impact Report (LIR), attached as Appendix A to the report, be endorsed.

RESOLVED (2) that the finalisation and submission of the LIR to the National Infrastructure Directorate of the Planning Inspectorate (formally

IPC) be delegated to the Planning Manager in consultation with the Leader of the Council, Lead Member for Environment and the Chief Executive on or before 3 May 2012.

RESOLVED (3) that the latest position concerning the Hinkley Point C proposals set out in the report, attached to the agenda, be noted.

RESOLVED (4) that the arrangements being made to provide support to local communities in considering and responding to the Development Consent Order application, be noted.

C109 **Magna West Somerset Housing Association – Proposed Changes to Rules Relating to Tenant Representation on the Board of the Association**

(Report No WSC 63/12, circulated with the Agenda.)

The purpose of the report was to outline Magna West Somerset Housing Association's (MWS) proposal to change the Rules of Association as they relate to local authority and tenant representation on the MWS Board and to seek the Council's consent to this proposal in line with the requirements of the Large Scale Voluntary Transfer (LSVT) agreement.

The Lead Member for Housing, Environmental Health and Licensing outlined the details in the report and advised that the proposed changes to the rules and covenants had been appropriate at the time of their implementation, when the Council's housing stock was transferred to MWS. He proposed the recommendations in the report and which were seconded.

During the course of the debate the following points raised/addressed included:

- Concern that the shareholders views would not be known until their meeting in June. The tenants did not understand the consultation and that the changes were officer led. The covenant was in place to help the tenants have a voice.
- Support was expressed regarding the proposed changes in order to streamline MWS, improve governance and include tenants on the Performance Committee.
- Why was it not possible to continue to reserve at least one place for tenants on the MWS Board?
- Having tenants on the Board would not guarantee a wide range of opinions; there were other ways in which the tenants could voice their views. Perhaps the Scrutiny Committee could look at the actions taken from tenants' input.
- The proposed structure, as in Appendix 1 attached to the report, showed that tenants would be represented even if there were no tenants on the Board.
- Members noted that MWS reported to Scrutiny every six months and as well as reporting on past performance they could also provide a forward plan.

The Lead Member asked Members not to assume that there would be no tenants on the Board. There were at present four tenant members on the Board and there was no reason why they could not be on the Board in the future.

Councillor R Lillis proposed an amendment that 'a West Somerset tenant member be included on the Board of MWS'. It was seconded by Councillor K Ross.

On being put to the vote the amendment was LOST.

Concern was expressed regarding the low amount of responses to the consultation, perhaps there was something wrong with the consultation. Conversely, with only one response objecting perhaps tenants were in support.

The Lead Member proposed an amendment to the recommendation 'that, subject to quarterly performance reports being made to the Council and bi-annual reports to the Scrutiny Committee on the basis that Scrutiny Committee is in agreement, the Council supports the proposed change and gives consent to the proposed change to the rule relating to local authority or tenant representation on the MWS Board.' The amendment was seconded by Councillor M Dewdney.

This then became the new substantive motion.

On being put to the vote is was CARRIED and

RESOLVED that, subject to quarterly performance reports being made to the Council and bi-annual reports to the Scrutiny Committee on the basis that Scrutiny Committee is in agreement, the Council supports the proposed change and gives consent to the proposed change to the rule relating to local authority or tenant representation on the MWS Board.

C110 **Draft Corporate Plan – 2012-16**

(Report No. WSC 67/12, circulated with the Agenda.)

The purpose of the report was to seek Council approval of the draft West Somerset Council Corporate Plan 2012/16.

The Leader presented the report and advised that the Corporate Plan linked into the service plans, which were monitored through performance management framework. He proposed the recommendations of the report and they were seconded by Councillor C Morgan.

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

- Noted the request to provide a break down of costs shown in the bar chart detailing the expected expenditure.

- Concern that some housing in the future may be demolished if they were not affordable to live in.
- The savings identified by the waste partnership could have a knock on effect and perhaps affect any budget that would have been used to encourage the public to recycle more effectively.

The Leader responded to concerns regarding waste going to landfill sites and referred to objective 6 of the Corporate Plan, which aimed to reduce the amount of residual waste going to landfill by 28%. The Council were keen to work on sustainability, carbon reduction, energy efficiency and were working with Forum 21 and other groups to help deliver the Council's objectives.

RESOLVED that the draft Corporate Plan 2012-16, attached to the agenda, be approved.

C111 Civil Parking Enforcement

(Report No. WSC 65/12, circulated with the Agenda.)

The purpose of the report was to note the current position regarding the impending implementation of Civil Parking Enforcement (CPE) throughout the county and to consider purchasing off-street enforcement services provided through a countywide Somerset County Council contract.

The report was presented by the Lead Member for Economic Regeneration and Growth who advised that the issues were complicated both legally and financially. The Department for Transport had signed the order necessary for CPE to be introduced throughout the county on 23 March 2012. SCC have identified an approved contractor to implement CPE: NSL Ltd. The anticipated commencement date would be 11 June 2012. Under the order SCC would retain direct control of on-street enforcement. With regard to off-street parking the District and Borough Councils would be able to either purchase enforcement time from the SCC contract or continue with its existing in-house arrangements. However, the new regulations under the 2004 Act would also introduce new orders for car parks and would therefore become the relevant legislation for the Council once CPE was introduced, and would also apply to the management of car parks in Dulverton. Further, there would be no future provision to revert back to the 1984 Act.

The recommendations set out in the report were proposed by Councillor D Sanders and seconded by Councillor K Turner.

During the course of the debate the following points raised/addressed included:

- Concern about on-street parking issues during late at night.
- The Police were welcoming the introduction of CPE and would continue to deal with obstructions and parking on double yellow lines.
- The use of money generated by SCC through on-street parking would be used for highways traffic management/improvement. CPE would

benefit West Somerset: where CPE was introduced in other areas of the country the use of local car parks increased. 20 minute parking bays would benefit everyone, including local traders, and traffic would flow better.

- Residents may benefit from the introduction of parking permits as it would help to free up parking outside their homes. SCC had provided assurance that residents parking permits would only be implemented at the residents' request.
- The Council should continue to discuss issues with SCC to make sure the Council had a voice.

RESOLVED (1) that the proposal to not procure car parking enforcement services through a private contractor appointed by Somerset County Council, at the current time, be approved.

RESOLVED (2) that the position be reviewed in twelve months.

RESOLVED (3) that a further report be prepared identifying the operational and financial implications of implementing the Traffic Management Act 2004, and depending on the amount of any supplementary budget requirements and in accordance with Financial Regulations, the report be presented to either Cabinet or Council.

RESOLVED (4) that talks be held with Dulverton Town Council to determine the future management arrangements for the three car parks located in Dulverton post February 2013, when the current agreement expires.

C112 | **Delivering Visitor Information Services in West Somerset**

(Report No. WSC 66/12, circulated with the Agenda.)

The purpose of the report was to enable the Council to agree an approach for supporting the provision of Visitor Information Services in West Somerset.

The Leader of the Council outlined the details in the report and advised that the recommendations proposed to support the Tourist/Visitor Information Services by using Hinkley Point C 106 monies. He expressed his thanks to the Porlock Tourist Information Centre for the work that they had conducted to support tourism in the district. Minehead Development Trust (MDT) had submitted the only bid for running the Visitor Information Service in Minehead. The MDT scored consistently well against the majority of the criteria as set out in the Financial Procedures for the awarding of contracts. It was important to note that the Council was being asked to commit £14k in the first year, or up to £28k if sufficient evidence of need could be demonstrated.

The recommendations as set out in the report were proposed by Councillor T Taylor and seconded by Councillor I Melhuish.

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

- The MDT would be responsible for the employment of staff at the information centre.
- The Chief Executive confirmed that 2.4.2 of recommendation 2.4 should read 'the minimum payment in the first year (2012/13) will be up to £14,000.
- Assurance was provided that the bulk of queries received in the Minehead VIIC were about the surrounding areas and therefore the district as a whole would benefit should the recommendations be agreed.
- Concern that the business case would have been based on £14k being received from Minehead Town Council and not up to £14k.

The Lead Member for Resources and Central Support reported that it had been a pleasure to work with MDT. This service was crucial for tourism in West Somerset and support should continue even when 106 monies were no longer available.

The Chief Executive noted the request that a one-off payment be given to Lesley Culverhouse in recognition of support provided during the winter/early spring tourism season. He advised that any such payment could be included in the next batch of funding to be allocated under the 106 agreement.

RESOLVED (1) that, subject to appropriate Service Level Agreements being in place and using specific monies from the Hinkley Point C Section 106 Agreement, the Council continues to provide financial support of £3,600 pa and £750 pa respectively to the provision of Tourist Information Services in Porlock and Watchet for an initial period of two years.

RESOLVED (2) that using specific monies from the Hinkley Point C Section 106 Agreement a one-off payment of £400 be given to Porlock Tourist Information Centre in recognition of the additional work they undertook up to 31 March 2012 in supporting the distribution of the Exmoor, Coast and Quantock Hills 2012 Brochure.

RESOLVED (3) that the proposal from the Minehead Development Trust for running Visitor Information Services in Minehead, be supported.

RESOLVED (4) that, subject to an appropriate Service Level Agreement being in place and using specific monies from the Hinkley Point C Section 106 Agreement, financial support is provided, as detailed and in accordance with the conditions listed below, to the Minehead Development Trust for the operation of Visitor Information Services in Minehead, be approved.

- (i) Maximum revenue support over the next five years (from 2012/13) will be £56,000'
- (ii) The minimum payment in the first year (2012/13) will be up to £14,000,

- (iii) The maximum payment for the first year of operation will be £28,000; the gap funding requirement will be subject to evidence of need being adequately demonstrated.

RESOLVED (5) that representatives of organisations providing the Tourist Information Services in Minehead, Porlock and Watchet be consulted to identify how any balance of the Hinkley Point C Section 106 monies ring fence for investment in tourist information centres in West Somerset can be best allocated in respect of tourism information delivery.

RESOLVED (6) that officers be requested to investigate and report to Cabinet on the options and implications of potential future uses of the VIIC building at the Seafront Minehead, including those associated with the removal of restrictive covenants.

RESOLVED (7) that the VIIC Working Group give consideration to the possibility of making a possible extra payment to Lesley Culverhouse of the Reading Room, Friday Street, Minehead in recognition of support provided during the winter/early spring tourist season with any recommendation to go forward as part of a Section 106 funding report to Cabinet.

The meeting closed at 4.44 pm.