



Members of the Cabinet  
(Councillors A H Trollope-Bellew (Leader), M J Chilcott (Deputy  
Leader), M O A Dewdney, K M Mills, C Morgan, S J Pugsley,  
K H Turner and D J Westcott)

Our Ref DS/KK  
Your Ref

Contact Krystyna Kowalewska kkowalewska@westsomerset.gov.uk  
Extension 01984 635307  
Date 23 June 2015

**THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING  
THIS DOCUMENT CAN BE MADE AVAILABLE IN LARGE PRINT, BRAILLE, TAPE FORMAT  
OR IN OTHER LANGUAGES ON REQUEST**

Dear Councillor

I hereby give you notice to attend the following meeting:

**CABINET**

**Date: Wednesday 1 July 2015**  
**Time: 4.30 pm**  
**Venue: Council Chamber, Council Offices, Williton**

Please note that this meeting may be recorded. At the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during the recording will be retained in accordance with the Council's policy.

Therefore unless you advise otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact Committee Services on 01984 635307.

Yours sincerely

A handwritten signature in black ink, appearing to read "Bruce Lang".

**BRUCE LANG**  
Proper Officer

## RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

**Risk Scoring Matrix**

<b>Likelihood</b>	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
<b>Impact</b>							

<b>Likelihood of risk occurring</b>	<b>Indicator</b>	<b>Description (chance of occurrence)</b>
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

- Mitigating actions for high ('High' or above) scoring risks are to be reflected in Service Plans, managed by the Group Manager and implemented by Service Lead Officers;
- Lower scoring risks will either be accepted with no mitigating actions or included in work plans with appropriate mitigating actions that are managed by Service Lead Officers.

# CABINET

**Meeting to be held on 1 July 2015 at 4.30 pm**

**Council Chamber, Williton**

## AGENDA

1. **Apologies for Absence**

2. **Minutes**

Minutes of the Meeting of Cabinet held on 3 June 2015 to be approved and signed as a correct record – **SEE ATTACHED.**

3. **Declarations of Interest**

To receive and record declarations of interest in respect of any matters included on the agenda for consideration at this meeting.

4. **Public Participation**

The Leader to advise the Cabinet of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public wishing to speak at this meeting there are a few points you might like to note.

A three-minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue. There will be no further opportunity for comment at a later stage. Your comments should be addressed to the Chairman and any ruling made by the Chair is not open to discussion. If a response is needed it will be given either orally at the meeting or a written reply made within five working days of the meeting.

5. **Forward Plan**

To approve the latest Forward Plan – **SEE ATTACHED.**

6. **Cabinet Action Plan**

To update the Cabinet on the progress of resolutions and recommendations from previous meetings – **SEE ATTACHED.**

7. **Request for Allocation of Planning Obligations Funding**

To consider Report No. WSC 96/15, to be presented by Councillor M Chilcott, Lead Member for Resources and Central Support – **SEE ATTACHED.**

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

**8. HPC Planning Obligations Board – Allocations of CIM Funding**

To consider Report No. WSC 94/15, to be presented by Councillor M Chilcott, Lead Member for Resources and Central Support – **SEE ATTACHED**.

The purpose of the report is to present the recommendations of the Hinkley Point C Planning Obligations Board, for the allocation of monies from the Community Impact Mitigation (CIM) Fund secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point; and to inform Cabinet of the decision made by the Planning Obligations Board to allocate funding from the Community Impact Mitigation Small Grants Fund.

**9. HPC Section 106 – Housing Funding Strategy: Amendment to Private Sector Housing Renewal Policy**

To consider Report No. WSC 95/15, to be presented by Councillor K Turner, Lead Member for Housing, Health and Wellbeing – **TO FOLLOW**.

The purpose of the report is to for Members of the Executive to consider and approve the attached amendment, at Appendix 1, to the Somerset West Private Sector Housing Renewal Policy, which sets out the types of financial assistance that the Council can offer owner occupiers and landlords to carry out essential repairs on their property, and to bring empty properties back into use. The Policy needs to be amended in order to be able to offer the grants and loans for empty properties, Landlord Accreditation and the Living Over the Shops grant, contained within the Hinkley Housing Funding Strategy approved by West Somerset Council on 19 November 2014.

**10. Hinkley Point C: Section 106 Agreement – Provisional Allocation of Leisure Contribution**

To consider Report No. WSC 90/15, to be presented by Councillor C Morgan, Lead Member for Energy Infrastructure – **SEE ATTACHED**.

The purpose of the report is for Cabinet to consider and to recommend to Council that the list of projects set out within the report are invited to make application within the allocation of £250,000 paid from the Section 106 agreement for Site Preparation Works at Hinkley Point C. The projects would then be asked to submit information via an application process similar to that provided for other Section 106 agreement allocations before any release of funding.

**11. Hinkley Point Connection Project - Development Consent Order – Section 106 Agreement Update**

To consider Report No. WSC 91/15, to be presented by Councillor C Morgan, Lead Member for Energy Infrastructure – **SEE ATTACHED**.

The purpose of this report is to provide an update to Members on the status of the Section 106 Agreements (the Agreements) between National Grid and the six Local Authorities (West Somerset Council, Sedgemoor District Council, Somerset County Council, North Somerset Council, South Gloucestershire Council and Bristol City Council) relating to the Development Consent Order application which is currently being Examined by the Planning Inspectorate, to

advise Members on the content of the Agreements and how the Agreements affect West Somerset Council in particular, and sets out the process if Members wish to comment further on the content of the Agreements prior to the close of the Examination. The report also gives a general update on the progress of the Examination to date and outlines the remaining aspects of the process.

**12. Allocation of HPC S106 Tourism Information Funds**

To consider Report No. WSC 92/15, to be presented by Councillor K Mills, Lead Member for Regeneration and Economic Growth – **SEE ATTACHED**.

The purpose of the report is to consult with Cabinet on a suggested approach for the allocation of the HPC S106 Phase 2 (Part 2) Visitor Information funds.

**13. Final Report of the Secondary Education in West Somerset Task and Finish Group**

To consider Report No. WSC 84/15, to be presented by Councillor P Murphy, Chairman of Scrutiny Committee – **SEE ATTACHED**.

The purpose of the report is to set out the recommendations of the Scrutiny Task and Finish Group which was established to consider the provision of secondary education in West Somerset. The recommendations of this Task and Finish Group ( as set out in their report at Appendix A) have been agreed by the Scrutiny Committee and are now presented to Cabinet for their endorsement.

**14. Temporary Licensing Officer – Extension of Contract**

To consider Report No. WSC 98/15, to be presented by Councillor K Turner, Lead Member for Housing, Health and Wellbeing – **TO FOLLOW**.

The purpose of the report is for Cabinet to consider and to recommend to Council extending the contract for the position of temporary Licensing Officer.

**15. Exclusion of the Press and Public**

To consider excluding the press and public during consideration of Item 16 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:

Item 16 contains 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 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.

**16. Street and Toilet Cleaning Services Contract**

To consider Report No. WSC 93/15, to be presented by Councillor M Dewdney, Lead Member for Environment – **SEE ATTACHED**.

The report sets out the history of the Veolia contract and seeks support from the Cabinet to extend this for a further 12 months.

## **COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS**

### **The Council's Vision:**

**To enable people to live, work and prosper in West Somerset**

### **The Council's Corporate Priorities:**

- Local Democracy:  
Securing local democracy and accountability in West Somerset, based in West Somerset, elected by the people of West Somerset and responsible to the people of West Somerset.
- New Nuclear Development at Hinkley Point  
Maximising opportunities for West Somerset communities and businesses to benefit from the development whilst protecting local communities and the environment.

### **The Council's Core Values:**

- Integrity
- Respect
- Fairness
- Trust

**CABINET****MINUTES OF THE MEETING HELD ON 3 JUNE 2015****AT 4.30 PM****IN THE COUNCIL CHAMBER, WILLITON****Present:**

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

Councillor M J Chilcott  
Councillor S J Pugsley  
Councillor D J WestcottCouncillor M O A Dewdney  
Councillor K H Turner**Members in Attendance:**Councillor B Heywood  
Councillor N ThwaitesCouncillor P H Murphy  
Councillor R Woods**Officers in Attendance:**Chief Executive (P James)  
Assistant Chief Executive (B Lang)  
Assistant Director – Resources (P Fitzgerald)  
Assistant Director – Energy Infrastructure (A Goodchild)  
CIM Fund Manager (L Redston)  
Economic Development Officer (G Dwyer)  
Democratic Services Coordinator (E McGuinness)  
Meeting Administrator (K Kowalewska)**CAB1      Apologies for Absence**

Apologies for absence were received from Councillors K Mills and C Morgan.

**CAB2      Minutes of the Meeting held on 1 April 2015**

(Minutes of the Meeting of Cabinet held on 1 April 2015 - circulated with the Agenda.)

**RESOLVED** that the Minutes of the Meeting of Cabinet held on 1 April 2015 be confirmed as a correct record.**CAB3      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 A Trollope-Bellew	All	Crowcombe	Spoke and voted
Councillor K H Turner	All	Brompton Ralph	Spoke and voted
Councillor D J Westcott	All	Watchet	Spoke and voted
Councillor P H Murphy	All	Watchet	Spoke
Councillor N Thwaites	All	Dulverton	Spoke

**CAB4      Public Participation**

Naomi Griffiths spoke on Agenda Item 9 HPC Planning Obligations Board – Allocations of CIM Funding in support of the Watchet Boat Museum and Visitor Centre project.

**CAB5      Forward Plan**

(Copy of latest Forward Plan published 20 May 2015 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 20 May 2015.

**RESOLVED** that the latest Forward Plan published 20 May 2015 be approved.

**CAB6      Cabinet Action Plan**

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

**RESOLVED (1)** that CAB120 – Wheddon Cross Public Conveniences Proposed Transfer be deleted as actioned.

**RESOLVED (2)** that CAB121 – Grant to Exford Parish Council for Future Public Convenience Provision be deleted as actioned.

**RESOLVED (3)** that CAB122 – HPC S106 Agreement – Allocations of Housing Funding be deleted as actioned.

**RESOLVED (4)** that CAB123 – Proposed Asset Transfer – Flatner Boat Museum, Watchet be deleted as actioned.

**RESOLVED (5)** that CAB111 – Creation of Somerset Building Control Partnership be deleted as actioned.

**CAB7      Cabinet Appointments to Outside Bodies**

(Copy of the Cabinet Appointments – circulated with the Agenda.)

The purpose of the report was to appoint representatives to serve on outside bodies for the period to the annual meeting in 2016.

It was noted that Councillor D Westcott be included as deputy for ARTlife.

**RESOLVED** that the representatives detailed in the report, as amended, be appointed.

**CAB8 Housing Benefit Overpayment Write Off Request**

(Report No. WSC 78/15, circulated with the Agenda.)

The purpose of the report was to seek Cabinet approval in accordance with the Financial Regulations to authorise an individual write off in excess of £5,000.

The Lead Member for Resources and Central Support presented the item and provided Members with the background information and a further explanation as to the reasons for not being able to recover the debt.

She went on to propose the recommendation of the report which was seconded by Councillor M O A Dewdney.

**RESOLVED** that the write off for the sum of £5,780.50 be agreed as uncollectable.

**CAB9 Hinkley Point C – Economic Development Allocation**

(Report No. WSC 77/15, circulated with the Agenda.)

The purpose of the report was to outline proposals relating to the Economic Development allocation that forms part of the HPC Site Preparation S106 Agreement, and to take into consideration the recommendations of the HPC Planning Obligations Board.

The Leader introduced the item and the Economic Development Officer outlined the details in the report and drew attention to the three distinct activity strands in which the remaining economic development funding would be separated into, namely supply chain enhancement; small business and enterprise support; and local economic initiatives support.

The Leader proposed the recommendation which was duly seconded by Councillor M Chilcott.

In response to a question, the Assistant Director – Energy Infrastructure provided further detail on the Delivery Steering Group (DSG) referred to in the appendix to the report and explained the ‘dashboard’ which was used to monitor and report performance, allocations and activity for all work streams relating to Hinkley.

**RESOLVED** that it be recommended to Council to approve the drawdown of the HPC S106 Economic Development allocation of £66,641 to support the

delivery of the areas of activity as detailed in paragraph 6.2 and Appendix A of the report.

**CAB10**     **HPC Section 106 Agreement – Allocations of Housing Fund – Administration Fees**

(Report No. WSC 80/15, circulated with the Agenda.)

The purpose of the report was to present the recommendations of the Hinkley Point Planning Obligations Board (POB) of 7 April 2015 for the allocation of Housing Fund monies secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point, and to request that Cabinet recommend to Full Council the approval of the allocation.

The Lead Member for Housing, Health and Wellbeing presented the item. He provided Members with the background information, drawing attention to the POB's recommendations.

The Assistant Director – Energy Infrastructure advised that as applications came forward, administration costs would need to be apportioned in order to justify a percentage request up to 5%, and in accordance with the legal obligations spend would be monitored and costs would be detailed and backed up by data and dealt with on a case by case basis for future bids.

On consideration of the recommendations it was agreed, for clarity purposes, to amend recommendation 3(i) and delete the last sentence.

The Lead Member proposed the recommendations of the report, as amended, which were duly seconded by Councillor M O A Dewdney.

**RESOLVED (1)** that it be recommended to Council that, in accordance with the Section 106 agreement to contribute to the costs of both Councils, a fee of 5% of total project costs covering additional local authority administration in delivering the wider suite of initiatives should be applied to all Housing Contribution Fund projects, including £34,245 for the recently approved Withycutter (£4,000), Paragon Laundry (£15,133) and Monmouth Street (£15,112) enabling projects.

**RESOLVED (2)** that it be recommended to Council to note that the Planning Obligations Board requested that Sedgemoor District Council and West Somerset Council officers monitor the actual costs in relation to the development and delivery of Housing Contribution Fund projects and that the results of this monitoring are presented at the next meeting of the Board. The results of the monitoring will be used as a model to enable greater accuracy in prediction of actual administration costs for future Housing Contribution projects.

**CAB11**     **HPC Planning Obligations Board – Allocations of CIM Funding**

(Report No. WSC 79/15, circulated with the Agenda.)

The purpose of the report was to present the recommendations of the Hinkley Point C Planning Obligations Board (POB), for the allocation of monies from the Community Impact Mitigation (CIM) Fund secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point.

The item was presented by the Lead Member for Resources and Central Support who provided detailed information on the five applications considered by POB. The Lead Member congratulated all applicants who had reached this stage of the process and appreciated the work undertaken.

She went on to propose the recommendations contained within the report, which were duly seconded by Councillor S J Pugsley.

Members were supportive of the POB's recommendations and the point was made that it was hoped that appropriate projects, which met the CIM fund criteria, would be submitted in the future from the more remoter areas in the district.

The Lead Member of Resources and Central Support commented that the Council was starting to see the delivery of results within the district and was looking forward to more projects being successful in order to further benefit the community.

**RESOLVED (1)** that the recommendations of the Hinkley C Planning Obligations Board to award £22,000 from the CIM Fund to Kilve Cricket Club for improvements to the club, storage shed and equipment be endorsed.

**RESOLVED (2)** that it be recommended to Council to endorse the recommendations of the Hinkley C Planning Obligations Board as follows:

- To not award funding of £200,000 from the CIM Fund to Bridgwater College Academy for the Gym and exercise area on the basis that the application did not demonstrate how the project would deliver maximum benefits to the community and did not meet the CIM fund criteria in relation to partnership support or sustainability.
- To award funding of £250,000 from the CIM Fund to Williton Parish Council to deliver the Williton Pavilion Project subject to the agreement of a spending and payment schedule and the securing of match funding to meet the full costs of the project.
- To not award funding of £151,000 to The Angling Trust to deliver the Sea Angling project on the basis that the application did not demonstrate how the project would deliver value for money in relation to maximising benefits to the community and mitigating the identified impacts.

- To award funding of £243,119 from the CIM Fund to the Onion Collective to deliver the Watchet Boat Museum and Visitor Centre project.

**Note:** With the agreement of the Chairman the items on the Agenda were reordered.

**CAB12**     **Member Reporting on Membership of Outside Body for Information**

(Copy of Cllr D Westcott's report on the Safer Somerset Partnership – circulated with the Agenda.)

**RESOLVED** that the Member report on the Safer Somerset Partnership be noted and approved.

The meeting closed at 5.35 pm

7  
Weekly version of Cabinet Forward Plan published on 18 June 2015

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Documents and background papers to be available to decision maker	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/15/8/01 10/02/2015	5 August 2015  By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/15/8/02 04/06/15	5 August 2015  By Lead Member Resources & Central Support	Title: West Somerset's New Corporate Debt Policy  Decision: to recommend to Council to approve the new corporate debt policy		No exempt / confidential information anticipated	Steve Perkins, Senior Debt Recovery Officer 01984 635247
FP/15/8/03 10/02/2015	5 August 2015  By Leader of Council	Title: <b>Corporate Performance Report 2014-15 Quarter 4</b>  Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services		No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/15/8/04 10/02/2015	5 August 2015  By Lead Member Resources & Central Support	Title: <b>Budget Monitoring Report Quarter 4</b>  Decision: to provide Members with details of the Council's expected financial outturn position in 2014/15 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances		No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Documents and background papers to be available to decision maker	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/15/8/05 10/02/2015	5 August 2015 By Lead Member Resources & Central Support	Title: <b>Medium Term Financial Plan Update</b>  Decision: to present the updated Medium Term Financial Plan.		No exempt / confidential information anticipated	Shirlene Adam, Section 151 Officer 01984 635259
FP/15/9/01 10/02/2015	2 September 2015 By Leader of Council	Title: <b>Corporate Performance Report 2015-16 Quarter 1</b>  Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services		No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/15/9/02 10/02/2015	2 September 2015 By Lead Member Resources & Central Support	Title: <b>Budget Monitoring Report Quarter 1</b>  Decision: to provide Members with details of the Council's expected financial outturn position in 2014/15 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances		No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/15/9/03 10/02/2015	2 September 2015 By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/15/10/01 10/02/2015	7 October 2015 By Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 2</b>  Decision: to make proposals for the allocation of monies secured through planning obligations to		No exempt / confidential information anticipated	Tim Burton Assistant Director Planning and Environment 01823 358403

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		individual schemes, and to update members with the current funding position.			
FP/15/10/02 10/02/2015	7 October 2015 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/15/10/03 04/06/15	7 October 2015 By Lead Member Resources & Central Support	Title: <b>Review of Financial Regulations [FR2]</b> Decision: to offer comment on the Financial Regulations.		No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/15/11/01 10/02/2015	4 November 2015 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/15/12/01 10/02/2015	2 December 2015 By Leader of Council	Title: <b>Corporate Performance Report 2015-16 Quarter 2</b> Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services		No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/15/12/02 10/02/2015	2 December 2015 By Lead Member Resources & Central Support	Title: <b>Budget Monitoring Report Quarter 2</b> Decision: to provide Members with details of the Council's expected financial outturn		No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680

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		position in 2014/15 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances			
FP/15/12/03 10/02/2015	2 December 2015 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/15/12/04 03/06/2015	2 December 2015 By Lead Member for Community and Customer	Title: Council Tax Rebate Scheme 2016/17 Decision: to present the Council Tax Rebate Scheme 2016/17 for recommendation to Council		No exempt / confidential information anticipated	Heather Tiso, Head of Revenues and Benefits 01823 356541
FP/16/1/01 10/02/2015	6 January 2016 By Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 3</b> Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position		No exempt / confidential information anticipated	Tim Burton Assistant Director Planning and Environment 01823 358403
FP/16/1/02 10/02/2015	6 January 2016 By Lead Member Resources & Central Support	Title: <b>Draft Capital Programme 2015-16 and Capital Strategy</b> Decision: to present the draft Capital Programme 2015/16 and draft Capital Strategy for recommendation to Council.		No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680

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FP/16/1/03 10/02/2015	6 January 2016 By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/16/2/01 10/02/2015	3 February 2016 By Lead Member Resources & Central Support	Title: <b>Annual Budget &amp; Council Tax Setting 2016-17</b>  Decision: to provide Members with all the information required for Council to approve the revenue budget and capital programme for 2016/17 for recommendation to Council.		No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/16/2/02 10/02/2015	3 February 2016 By Leader of Council	Title: <b>Draft Corporate Plan for 2016-17</b>  Decision: to introduce the draft West Somerset Council Corporate Plan 2016/17 for recommendation to Council.		No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/16/2/03 10/02/2015	3 February 2016 By Lead Member Resources & Central Support	Title: <b>Fees and Charges</b>  Decision: to propose levels of fees and charges for the period 1 April 2016 to 31 March 2017 (in some cases fee increases will be implemented earlier, this will be stated in the relevant sections of the report)		No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/16/2/04 10/02/2015	3 February 2016 By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245

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FP/16/3/01  10/02/2015	2 March 2016  By Leader of Council	Title: <b>Corporate Performance Report 2015-16 Quarter 3</b>  Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services		No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/16/3/02  10/02/2015	2 March 2016  By Lead Member Resources & Central Support	Title: <b>Budget Monitoring Report Quarter 3</b>  Decision: to provide Members with details of the Council's expected financial outturn position in 2014/15 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances		No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/16/3/03  10/02/2015	2 March 2016  By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/16/4/01  10/02/2015	6 April 2016  By Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 4</b>  Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position.		No exempt / confidential information anticipated	Tim Burton Assistant Director Planning and Environment 01823 358403

<b>Forward Plan Ref / Date proposed decision published in Forward Plan</b>	<b>Date when decision due to be taken and by whom</b>	<b>Details of the proposed decision</b>	<b>Documents and background papers to be available to decision maker</b>	<b>Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?</b>	<b>Contact Officer for any representations to be made ahead of the proposed decision</b>
FP/16/4/02  10/02/2015	6 April 2016  By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245

Note (1) – Items in bold type are regular cyclical items.

Note (2) – All Consultation Implications are referred to in individual reports.

The Cabinet comprises the following: Councillors A H Trollope-Bellew, M Chilcott, M Dewdney, K M Mills, C Morgan S J Pugsley, K H Turner and D J Westcott.

The Scrutiny Committee comprises: Councillors P H Murphy, R Lillis, D Archer, G S Dowding, B Maitland-Walker, J Parbrook, R Clifford, R Woods and A Behan.



## CABINET ACTION PLAN

3 JUNE 2015	
<b>Minute Number</b>	CAB9 Hinkley Point C – Economic Development Allocation
<b>Action Required</b>	<b>RESOLVED</b> that it be recommended to Council to approve the drawdown of the HPC S106 Economic Development allocation of £66,641 to support the delivery of the areas of activity as detailed in paragraph 6.2 and Appendix A of the report.
<b>Action Taken</b>	At the Council meeting on 17 June 2015 it was <b>RESOLVED</b> that the drawdown of the HPC S106 Economic Development allocation of £66,641 to support the delivery of the areas of activity, as detailed in paragraph 6.2 and Appendix A of the report, be approved.
<b>Minute Number</b>	CAB10 HPC Section 106 Agreement – Allocations of Housing Fund – Administration Fees
<b>Action Required</b>	<b>RESOLVED (1)</b> that it be recommended to Council that, in accordance with the Section 106 agreement to contribute to the costs of both Councils, a fee of 5% of total project costs covering additional local authority administration in delivering the wider suite of initiatives should be applied to all Housing Contribution Fund projects, including £34,245 for the recently approved Withycutter (£4,000), Paragon Laundry (£15,133) and Monmouth Street (£15,112) enabling projects. <b>RESOLVED (2)</b> that it be recommended to Council to note that the Planning Obligations Board requested that Sedgemoor District Council and West Somerset Council officers monitor the actual costs in relation to the development and delivery of Housing Contribution Fund projects and that the results of this monitoring are presented at the next meeting of the Board. The results of the monitoring will be used as a model to enable greater accuracy in prediction of actual administration costs for future Housing Contribution projects.
<b>Action Taken</b>	At the Council meeting on 17 June 2015 it was <b>RESOLVED (1)</b> that, in accordance with the section 106 agreement to contribute to the costs of both Councils, a fee of 5% of total project costs covering additional local authority administration in delivering the wider suite of initiatives should be applied to all <u>previously approved</u> Housing Contribution Fund projects, including £34,245 for the recently approved Withycutter (£4,000), Paragon Laundry (£15,133) and Monmouth Street (£15,112) enabling projects. <b>RESOLVED (2)</b> that the Planning Obligations Board request for Sedgemoor District Council and West Somerset Council officers to monitor the actual costs in relation to the development and delivery of Housing Contribution Fund projects be noted and that the results of this monitoring be presented at the next meeting of the Board. The results of the monitoring would be used as a model to enable greater accuracy in prediction of actual administration costs for future Housing Contribution projects.

<p><b>Minute Number</b></p>	<p>CAB11 HPC Planning Obligations Board – Allocations of CIM Funding 16</p>
<p><b>Action Required</b></p>	<p><b>RESOLVED (2)</b> that it be recommended to Council to endorse the recommendations of the Hinkley C Planning Obligations Board as follows:</p> <ul style="list-style-type: none"> <li>• To not award funding of £200,000 from the CIM Fund to Bridgwater College Academy for the Gym and exercise area on the basis that the application did not demonstrate how the project would deliver maximum benefits to the community and did not meet the CIM fund criteria in relation to partnership support or sustainability.</li> <li>• To award funding of £250,000 from the CIM Fund to Williton Parish Council to deliver the Williton Pavilion Project subject to the agreement of a spending and payment schedule and the securing of match funding to meet the full costs of the project.</li> <li>• To not award funding of £151,000 to The Angling Trust to deliver the Sea Angling project on the basis that the application did not demonstrate how the project would deliver value for money in relation to maximising benefits to the community and mitigating the identified impacts.</li> <li>• To award funding of £243,119 from the CIM Fund to the Onion Collective to deliver the Watchet Boat Museum and Visitor Centre project.</li> </ul>
<p><b>Action Taken</b></p>	<p>At the Council meeting on 17 June 2015 it was <b>RESOLVED (1)</b> that the decision of Cabinet on 3 June 2015 to award £22,000 from the CIM Fund to Kilve Cricket Club for improvements to the club, storage shed and equipment be noted. <b>RESOLVED (2)</b> that the recommendations of Cabinet and the Hinkley Point C Planning Obligations Board be endorsed, as follows:</p> <ul style="list-style-type: none"> <li>• To not award funding of £200,000 from the CIM Fund to Bridgwater College Academy for the Gym and exercise area on the basis that the application did not demonstrate how the project would deliver maximum benefits to the community and did not meet the CIM fund criteria in relation to partnership support or sustainability.</li> <li>• To award funding of £250,000 from the CIM Fund to Williton Parish Council to deliver the Williton Pavilion Project subject to the agreement of a spending and payment schedule and the securing of match funding to meet the full costs of the project.</li> <li>• To not award funding of £151,000 to The Angling Trust to deliver the Sea Angling project on the basis that the application did not demonstrate how the project would deliver value for money in relation to maximising benefits to the community and mitigating the identified impacts.</li> <li>• To award funding of £243,119 from the CIM Fund to the Onion Collective to deliver the Watchet Boat Museum and Visitor Centre project.</li> </ul>

*Report Number:* WSC 96/15  
*Presented by:* Cllr M Chilcott  
*Author of the Report:* TIM BURTON ASSISTANT DIRECTOR PLANNING AND ENVT  
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*Report to a Meeting of:* Cabinet  
*To be Held on:* Wednesday 1<sup>st</sup> July 2015  
*Date Entered on Executive Forward Plan* 17.06.15  
*Or Agreement for Urgency Granted:*

## Request for allocation of planning obligations funding

### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to make proposals for the allocation of monies secured through planning obligations to individual schemes.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 No clear links within the proposals.

### 3. RECOMMENDATIONS

- 3.1 Cabinet recommends to Full Council the allocation of £149,500 for phase 1 of the Williton Pavilion project to be added to the capital programme and funded from planning obligations contributions.
- 3.2 Cabinet agree the allocation of the allocation of £10,000 towards the construction of a new village hall and pavilion at Huish Champflower to be added to the capital programme and funded from planning obligations contributions.

### 4. RISK ASSESSMENT (IF APPLICABLE)

#### Risk Matrix

Description	Likelihood	Impact	Overall
Failure to allocate monies correctly in line with legal agreements causing requirements to repay	3	4	12
<i>The proposals within the report are matched to the legal agreements and monies available in that area</i>	1	4	4
Failure to spend monies before date required in any legal agreements and trigger a requirement to repay	2	3	6
<i>The recommended projects use funds that are available and in date requirements</i>	1	3	3

Projects do not progress in accordance with plan and therefore money remains unspent	2	2	4
<i>Set timescale for delivery of project. Reallocate money if required</i>	1	2	2

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before and after the mitigation measures have been actioned.

## 5. **BACKGROUND INFORMATION**

- 5.1 The authority has established arrangements to allocate monies secured through planning obligations. These match schemes to the authority's priorities. This mechanism has now also begun to identify projects that may be funded through new development. It also deals with specified streams of funding associated with the Hinkley Point development where funds have been directly paid to the Council and decisions are the sole responsibility of West Somerset.
- 5.2 Proposals are considered by the internal planning obligations group against priorities, appropriate strategies and any identified local priorities to create recommendations for Cabinet to consider on a quarterly basis. Any individual proposals over £25,000 require Full council approval. Proposals are considered against set criteria as a part of the formal consideration of projects to allow allocation of funds and subsequent release of monies.
- 5.3 **Williton Pavilion Project:** Phase 1 of the project comprises erection of the new pavilion, which will improve recreational facilities for the people of Williton with a building that includes fully accessible changing facilities, toilets, kitchen and an indoor public space suitable for indoor recreation and sports activities. It also involves improving accessibility into and within the recreation ground, including new pedestrian links, disabled parking and a hardstanding area adjacent to the War Memorial. Subsequent phases will comprise the creation of a Multi Use Games Area (MUGA) and redevelopment of the existing changing rooms. The total cost of phase 1 will be £1.3m. It is proposed to use funding from three planning obligations (ref: 3/39/11/004, 3/39/12/025 and 3/39/13/013). This will leave £15,730 of outstanding planning obligations funding relating to Williton parish. None of the outstanding obligations are time limited.
- 5.4 **Huish Champflower Village Hall:** The existing village hall is constructed principally of pre-cast interlocking horizontal strip panel with ends tongued into vertical concrete pre-cast posts. The roof is constructed of corrugated fibre cement sheet. It is in poor structural condition and a recent construction survey has suggested that it will be unfit and unsafe for use from 2017. The Village Hall committee has therefore initiated a program of fund raising for a new hall. Plans have been drawn up and a planning application submitted. It is estimated that £300,000-£400,000 in total will be required to deliver this project. It is proposed to use £10,000 from planning obligation (3/17/13/009).

## 6.0 **FINANCIAL/RESOURCE IMPLICATIONS**

- 6.1 The request for funding in respect of the Williton Pavilion meets the requirements of agreements 3/39/11/004, 3/39/12/025 and 3/39/13/013.

- 6.2 The request of funding at Huish Champflower meets the requirements of agreement 3/17/13/009.

## **7.0 COMMENTS ON BEHALF OF SECTION 151 OFFICER**

- 7.1 In accordance with Financial Regulations, a virement in excess of £25,000 needs to be agreed by Full Council, to demonstrate proper processes are being followed in the management of budgets.
- 7.2 The sum in section 3.1 of this report exceeds this threshold and therefore will need to be recommended by Cabinet to be approved by Full Council. The sum included in section 3.2 of this report can be approved by Cabinet.
- 7.3 To aid monitoring and reporting against financial approvals, the sums will be added to the Capital Programme creating an agreed budget for the schemes, and will be funded from contributions received. This will not impact on the use of 'un-ring-fenced' capital resources i.e. capital receipts.

## **8. EQUALITY & DIVERSITY IMPLICATIONS**

- 8.1 **Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.** The three aims the authority **must** have due regard for are:
- Eliminate discrimination, harassment, victimisation
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 8.2 It is considered that both projects will deliver positive benefits for all members of the communities.

## **9. CRIME AND DISORDER IMPLICATIONS**

- 9.1 None

## **10. CONSULTATION IMPLICATIONS**

- 10.1 None

## **11. ASSET MANAGEMENT IMPLICATIONS**

- 11.1 None

## **12. ENVIRONMENTAL IMPACT IMPLICATIONS**

- 12.1 None

## **13. HEALTH & WELLBEING**

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;

- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

13.1 The proposals will potentially bring benefits in terms of health and wellbeing to the communities concerned.

**14. LEGAL IMPLICATIONS**

14.1 None

*Report Number:* WSC 94/15  
*Presented by:* Cllr M Chilcott, Lead Member for Resources and Central Support  
*Author of the Report:* Lisa Redston, CIM Fund Manager  
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*Report to a Meeting of:* Cabinet  
*To be Held on:* 1<sup>st</sup> July 2015  
*Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:* 29/04/2014

## HPC PLANNING OBLIGATIONS BOARD – ALLOCATIONS OF CIM FUNDING

### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to
- 1.1.1 Present the recommendations of the Hinkley Point C Planning Obligations Board, for the allocation of monies from the Community Impact Mitigation (CIM) Fund secured through the Section 106 legal agreement for the Site Preparation Works at Hinkley Point.
  - 1.1.2 Inform Cabinet of the decision made by the Planning Obligations Board to allocate funding from the Community Impact Mitigation Small Grants Fund.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The allocation of these funds will enable the Council to deliver against the Corporate Priority of *'maximising opportunities for West Somerset communities and businesses to benefit from the Hinkley development whilst protecting local communities and the environment'*.

### 3. RECOMMENDATIONS

- 3.1 That Cabinet notes the decision of the Planning Obligations Board to award funding of £750 to Stogursey Football Club for the purchase of removable goal posts.
- 3.2 That Cabinet makes a recommendation to Full Council to endorse the recommendations of the Hinkley C Planning Obligations Board as follows:
- 3.2.1 That the Holford and District Village Hall application for £507,984 is refused as it does not demonstrate value for money given the level of funding sought relative to the size of the community who would benefit and the lack of match funding.
  - 3.2.2 That the Kilve Village Hall Refurbishment application for £54,290 is refused given lack of a link between the refurbishment and the impacts that HPC will cause.

3.2.3 That the North Petherton Playing Fields applications for £46,000 is approved subject to securing the remaining match funding and the grant of planning permission.

3.2.4 That the Sydenham Together application for £60,000 is approved.

#### 4. **RISK ASSESSMENT (IF APPLICABLE)**

##### **Risk Matrix**

<b>Risk Description</b>	<b>Current Score</b>	<b>Existing and planned control measures</b>	<b>Target Score after control</b>
Lack of quality approvable bids to the CIM Fund due to communities not having the means (skills/resources) to make quality bids and deliver projects resulting in a lack of effective impact mitigation projects	Medium (12)	Community development officers in post in WSC/TDBC and Sedgemoor District councils and Engage WS contracted to support communities in WS in making bids and project delivery. Risk remains feasible as capacity of community development officers is limited.	Medium (9)
Risk of future community impacts not being mitigated due to early demand for funding exceeding available budget resulting an inability to respond to future or unknown impacts.	Medium (12)	Annual contribution payments (2015 and 2016) will ensure a budget is available to respond to future demand. Planning Obligations Board to continue to develop funding strategy that includes mechanisms for review and reprioritisation and trigger points for release of funding to reflect changes in circumstances and impacts.	Low (8)
Failure of the Planning Obligations Board to allocate CIM fund by 2016 resulting in continued requirement for staff resource to manage application/decision making process, finances and to support community.	Medium (9)	Planning Obligations Board to continue to develop funding strategy to provide direction for release of funding.	Low (4)
Failure of the Planning Obligations Board to monitor the actual and potential impacts of the development due to the lack of a defined impact monitoring procedure resulting in the inability of the Planning Obligations Board to apply funding to achieve maximum mitigation of impacts.	Medium (16)	Planning Obligations Board to develop process and procedures for monitoring the impact and potential impact of the development and reflect this in the funding strategy.	Low (8)

4.1 The scoring of the risks identified in the above table has been based on the WSC and TDBC council's risk assessment scoring matrix. Only those risks that score medium or high are detailed in this report. The full risk assessment is available on request from the CIM Fund Manager.

#### 5. **BACKGROUND INFORMATION**

5.1 Applications to the CIM Fund are considered by the Planning Obligations Board against nine criteria outlined in the Section 106 legal agreement for the Site Preparation Works at Hinkley Point. A recommendation is subsequently made to West Somerset Council's Cabinet. Any proposals above £25,000 also require approval by West Somerset's Full Council.

Criteria	Evaluation Criterion
<b>Priority Impact Zones</b>	<p>Priority shall be given to those areas that are anticipated in the Environmental Statement to experience or which actually experience the greatest adverse impact from the project in accordance with the following hierarchy:</p> <ol style="list-style-type: none"> <li>1) Directly adjacent to the site</li> <li>2) Directly adjacent to the main transport routes to and from the site within West Somerset, Sedgemoor and Somerset</li> <li>3) Within West Somerset and/or Sedgemoor and directly affected by adverse impacts of the project</li> <li>4) In Somerset but beyond West Somerset and Sedgemoor and experiencing the next greatest degree of adverse impact, with projects which benefit West Somerset and Sedgemoor as well as its immediate area</li> <li>5) In Somerset and experiencing indirect adverse impacts or in relation to a measure which benefits West Somerset and/or Sedgemoor.</li> </ol>
<b>Quality of Life</b>	The principal purpose of the contribution shall be to enhance the quality of life of communities affected/potentially affected by the Project.
<b>Sustainability</b>	To what extent will the project contribute to achieving sustainable communities, contribute to regeneration objectives and raising environmental sustainability?
<b>Extent of benefit</b>	To what extent has the applicant demonstrated that the project will ensure a positive benefit and/or legacy to an adequate proportion of people within that community?
<b>Community Need</b>	To what extent has the applicant demonstrated a need for the project
<b>Community Support</b>	To what extent is there demonstrable local community and and/or business support for the project?
<b>Partner Support</b>	To what extent is there demonstrable local partner support for the project?
<b>Governance</b>	Demonstrate that good governance arrangements are in place, including financial and project management to ensure deliverability?
<b>Value for Money</b>	Can the applicant demonstrate value for money and that reasonable effort has been made to maximise the impact of any investment? Has match funding been secured where appropriate?

## 6. **SMALL GRANT APPLICATIONS CONSIDERED BY THE HPC PLANNING OBLIGATIONS BOARD**

- 6.1 Cabinet agreed (4<sup>th</sup> June 2014) the delegation of authority to the Planning Obligations Board to make decisions in relation to the award of CIM funding for projects up to and including £1000.

- 6.2 Stogursey Football Club submitted an application to the CIM fund on the 20<sup>th</sup> January for the following project.

Project Name:	Stogursey Football Club
Expression of Interest Ref No:	127
Organisation Applying:	Stogursey Football Club
Date appraised:	08/05/2015
Summary of Project:	The project will provide modern powder coated steel goals for the Victory Field in Stogursey. The new goals will be removable between matches and one of the existing goals will be relocated for use by local young people. The project aims to increase the number of matches played on the pitch by reducing erosion near the goal areas between matches.
Impacts mitigated as stated in application:	The presence of a large number of extra persons of working age in the vicinity will result in an increased demand for sporting facilities. Increasing the number of football matches played will encourage people from affected communities across West Somerset and Sedgemoor to take part in healthy activities.
Start Date: 01/06/2015	Total Project Costs: £1250
Completion Date: 22/06/2015	Amount applied for: <b>£750</b>

- 6.3 The Planning Obligations Board made the following decision on 5<sup>th</sup> June 2015:

6.3.1 To approve the release of £750 from the CIM Fund to Stogursey Football Club to purchase removable goal posts for the Victory Football Field with the condition that local young people are involved in deciding on the new location of the old goal posts.

## **7. CIM APPLICATIONS CONSIDERED BY THE HPC PLANNING OBLIGATIONS BOARD**

- 7.1 Five new applications were presented to the HPC Planning Obligations Board for consideration on 2<sup>nd</sup> June 2015. The Board considered the applications against each of the nine criteria.
- 7.2 The Board have deferred one application for one funding cycle pending receipt of further information from the applicant.
- 7.3 All applications have been subject to financial viability checks, any concerns in in relation to the viability of an organisation will be highlighted within the summary.
- 7.4 Cabinet are asked to consider 4 applications to the CIM Fund.

## 7.5 Holford and District Village Hall

Project Name:	H & D VH Amenity Enhancement Project
Organisation Applying:	<b>Holford and District Village Hall Management Committee</b>
Summary of Project:	To modernise and extend the Community Hall in Holford, providing 2 additional rooms (1 meeting/conference room), a storage room and a larger entrance, improve toilets, heating, lighting and roof, add a small car park (19 spaces), a boules court a 'safe space' for children's activities and plant a hedgerow around the grounds. The aim of the project is to provide low cost recreation opportunities for the local and wider community and for new families moving into the area to encourage integration into the community and a healthier and active lifestyle.
Impacts mitigated as stated in application:	Holford is one of the communities closest to the development of HPC and needs to offer different recreation activities for those working at and affected by the development of HPC. Social and leisure activities can encourage cohesive communities and breakdown barriers. Provision of healthier lifestyle opportunities will improve the physical and psychological wellbeing of those affected by the development and its associated projects. Potential impacts identified by the community include traffic disruption, pressure on current service and amenities, visual impact of HPC, air and noise pollution from traffic and works on site.
Start Date: 01/09/2015	Total Project Costs: £568,310
Completion Date: 01/03/2016	<b>Amount applied for: £507,984</b>
CIM Fund Manager Comments:	<p>A well-used community hall offering a wide range of community activities and services.</p> <p>Application did not provide information of the type and range of activities planned within the building, or plans to attract new activities to achieve the overall aims of mitigation the impacts they have identified.</p> <p>Match funding not yet secured.</p> <p>No engagement with young people to ensure impacts are mitigated through project. Monthly young people's events held, no plans for extended youth facilities, toddler groups etc.</p> <p>Costs are estimated referred supplier to be selected in June, this may reduce overall costs of project and funding required.</p> <p>Planning conditions relating to submission of soft landscape scheme, works should not be started until this has been approved and building regs checked. Car park must be finished before new extensions are used.</p>
<b>HPC POB recommendation:</b>	<b>That the Holford and District Village Hall application is refused as it does not demonstrate value for money given the level of funding sought relative to the size of the community who would benefit and the lack of match funding.</b>

## 7.6 Kilve Village Hall

Project Name:	Kilve Village Hall Refurbishment
Organisation Applying:	<b>Kilve Village Hall Management Committee</b>
Summary of Project:	Maintain and improve the condition and facilities at the Village Hall, including damp-proofing, roof repairs, replacement doors and windows, refurbishment of toilets and disabled access toilets, redecoration, improvements to flooring, upgrading electrical units to improve solar power generation, purchase of dishwasher, new chairs and stage lighting.
Impacts mitigated as stated in application:	Anticipating hosting temporary workers and new residents from HPC development that will need somewhere to socialise and integrate into the community. Along main transport route from Williton Park and Ride to HPC. Increased noise in building due to large vehicles travelling along A39. Increased traffic so need for a comfortable venue in walking distance to mitigate impact of traffic congestion.
Start Date: 01/08/2015	Total Project Costs: £58,301.50
Completion Date: 31/07/16	<b>Amount applied for: £54,290</b>
CIM Fund Manager Comments:	<p>A well-used and supported community hall by the older population of the village.</p> <p>Not engaging/no plans to engage with young people in area, no response from under 25s in survey. Mostly engaging 50-90 age group. Most frequently used by 60-80 age group.</p> <p>No plan provided to attract new users or activities to achieve the overall aims of the mitigation for greatest number of people. No engagement with young people to ensure impacts are mitigated through project.</p> <p>Proven integration of HPC workers into community from past development.</p>
<b>HPC POB recommendation:</b>	<b>That the Kilve Village Hall Refurbishment application is refused given lack of a link between the refurbishment and the impacts that HPC will cause and/or the hosting of the workforce. The Board were also concerned about the limited nature of the consultation undertaken and the lack of engagement with younger people.</b>

## 7.7 North Petherton Playing Fields

Project Name:	North Petherton Playing Fields project
Organisation Applying:	<b>North Petherton Playing Fields Charitable Trust</b>
Summary of Project:	To provide local, easily accessible inclusive play and recreation facilities for all age groups in North Petherton. Funding is required for replacement of old play equipment in the existing infants play area, creation of a new junior play area and to build a BMX off road

	cycle track for wider recreational use.
Impacts mitigated as stated in application:	Increased traffic flow through the village and through Bridgwater reducing ability to access play and recreation. Responding to potential increase in demand for facilities for Hinkley workers and their families who may settle in North Petherton due to proximity to Park and Ride at Junction 24.
Start Date: 01/09/2015	Total Project Costs: £116,375
Completion Date: 01/11/2015	<b>Amount applied for: £46,000</b>
CIM Fund Manager Comments:	An extremely well planned, designed and sustainable project, with high levels of community and partner engagement providing benefits for those living directly adjacent to main transport routes and park and ride at Jct 24, no other similar facilities available locally. With plans to use facility to fundraise to fund further improvements in the area (e.g. new play equipment at the memorial field)  Viridor funding not yet secured - decision 15/8 Planning permission application decision expected 3/6
HPC POB recommendation:	<b>The Planning Obligations Board recommend that the North Petherton Playing Fields Project is approved subject to securing the remaining match funding and the grant of planning permission.</b>

## 7.8 Sedgemoor District Council – Sydenham Together

Project Name:	Sydenham Together
Organisation Applying:	<b>Sedgemoor District Council</b>
Summary of Project:	The 3 year project aims co-ordinate a dedicated team of professionals from statutory and non-statutory agencies to identify and work intensively with families and residents in need in Sydenham. Funding is required to facilitate targeted support; this will be determined by community need, but may include, a drop in café for mental health support or domestic abuse victims, volunteering opportunities in the local community (grass cutting, litter picks), community events, diversionary projects for disaffected young people, small scale changes to the built environment such as flower beds. Funding will also be used to promote the Sydenham Together team to raise awareness and gain community trust.
Impacts mitigated as stated in application:	The area of Sydenham will have a significant role in hosting 2 worker campuses (housing approximately 1000 workers) and is located near to the main transport routes through Bridgwater. It is predicted that there will be a range of significant environmental, amenity and socio-economic impacts on the area that are likely to have a significant impact on an already deprived area. The community will be affected by the development of the campuses during construction due to vehicular movement and noise and post construction due to additional demand on services and amenities. Positive action to support access to training and employment opportunities presented by the development of HPC will help to alleviate impacts on the community.

Start Date: 1/4/2015	Total Project Costs: £307,000
Completion Date: 1/4/2018	<b>Amount applied for: £60,000</b>
CIM Fund Manager Comments:	<p>Good value for money project attract £225k into an area directly impacted upon by the associated campuses and HPC development.</p> <p>Targeted work with communities will significantly reduce impacts. Key performance indicators will be used to measure successful outcomes of the project in relation to impact mitigation.</p> <p>£12k deficit in year 3, other funding options being explored - overall length of project will reduce (by 6 months) if remaining funding cannot be secured.</p> <p>Some risk to sustainability of project after 3 years and removal of co-ordinator to drive joint working practises.</p> <p>Community support and engagement to be established as part of the project.</p>
<b>HPC POB recommendation:</b>	<b>The Planning Obligations Board recommend that the Sydenham Together application is approved.</b>

## 8. FINANCIAL/RESOURCE IMPLICATIONS

- 8.1 On 6<sup>th</sup> May 2015, EDF has made the payment for the first anniversary of phase two under the Site Preparation Work (SPW) agreement. Under this, the CIM fund has received £1,751,749, inclusive of inflation uplift. This is in addition to the £3,735,426 previously under phase two, bringing the total CIM Fund received to £5,487,175.
- 8.2 Financial information regarding allocated funding from the Community Impact Mitigation Fund can be found in Appendix A.
- 8.3 These proposals will not have an impact on the Council's own resources.
- 8.4 All organisations applying for funding are subject to financial viability checks to reduce risk associated with the award of grant funding.

## 9. COMMENTS ON BEHALF OF SECTION 151 OFFICER

- 9.1 The rules relating to the Section 106 Agreement have been adhered to by bringing this report to Full Council for a decision. All monies are accounted for within the Community Impact Mitigation (CIM) Fund received from EDF and held by West Somerset Council.

## 10. EQUALITY & DIVERSITY IMPLICATIONS

- 10.1 Members must demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation

- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 10.2 Organisations applying to the CIM and Stogursey Contributions Funds are required to describe how their project will promote equal opportunities and will be accessible to all people in the community regardless of background, ability or personal circumstances.
- 10.3 Projects that restrict membership or access to services without being able to 'objectively justify' their reasons for doing so will not be eligible to be considered for funding. Projects that wish to limit access must be able to show that the less favourable treatment contributes to a 'legitimate' aim and that it is 'proportionate.'
- 10.4 Organisations are required to provide a copy of their Equal Opportunity Policy with their application to demonstrate awareness of their responsibility to deliver accessible services that advance equality.
- 10.5 Wider community benefit and the ability of the project to promote cohesive communities are both taken into account when scoring applications and making recommendations.

## **11. CRIME AND DISORDER IMPLICATIONS**

- 11.1 There are no direct implications on crime and disorder in West Somerset as a result of the recommendations within this report.

## **12. CONSULTATION IMPLICATIONS**

- 12.1 Applications to the CIM Fund are considered Planning Obligations Board. The Board consists of representatives from EDF, Sedgemoor District Council, West Somerset District Council and Somerset County Council.
- 12.2 All applicants are required to demonstrate that they have consulted with their local and wider communities on project proposals with the aim of informing their need appraisal and to shape delivery of their project.

## **13. ASSET MANAGEMENT IMPLICATIONS**

- 13.1 There are no direct asset management implications as a result of this report

## **14. ENVIRONMENTAL IMPACT IMPLICATIONS**

- 14.1 There are not considered to be direct implications of approving the release of these monies associated with the Community Impact Mitigation Fund. However, there are obviously environmental impacts associated with the wider proposed development of Hinkley Point C. These have been assessed within the Environmental Statement submitted by NNB Genco with the application to carry out Site Preparation Works at Hinkley Point C (West Somerset Council Planning Application No: 3/32/10/037) and mitigation measures have been secured.
- 14.2 Applicants are required to describe how their projects will promote environmental sustainability.

**15. HEALTH & WELLBEING**

- 15.1 The Community Impact Contribution and Stogursey Contribution have been paid to West Somerset Council for the purpose of mitigating the impacts of the Hinkley C development on local communities through projects that promote or improve the economic, social or environmental wellbeing of local communities.
- 15.2 The application and scoring process has been developed to prioritise funding of projects that aim to improve the health and wellbeing of people, families and communities affected by the development.
- 15.3 Applications are required to evidence and demonstrate that
- The communities is taking responsibility for their own health and wellbeing;
  - Projects provide benefits which empower communities to be thriving and resilient
  - Projects provide benefits which support people to live independently.

**16. LEGAL IMPLICATIONS**

- 16.1 These funds have been paid by a developer (NNB Genco) due to the signing of a Section 106 legal agreement for planning permission to carry out the site preparation works at Hinkley Point C (West Somerset Council Planning Application No: 3/32/10/037). As part of this legal agreement West Somerset Council shall take into account the recommendations of the Planning Obligations Board when deciding how to apply those elements of the Community Impact Mitigation Contributions (Schedule 1 – General, Para. 5.3 of the S106).

## APPENDIX A:

### Hinkley Fund Community Impact Mitigation Fund Approval Balances

	£	£
CIM Fund received under SPW Phase 2		3,735,426
CIM Fund received under SPW Phase 2+1		1,751,749
		<u>5,487,175</u>
<u>Less previously approved allocation</u>		
Stogursey Parish Council - Burgage Road Play Area	(90,373)	
Wembdon Village Hall - New VH & Play Area	(250,000)	
Somerset Youth & Community Sailing Association	(9,600)	
Tropiquaria - Relocation of primates	(40,000)	
Tropiquaria - Relocation of play area	(37,350)	
Porlock Shellfish Project	(800)	
Westfield United Reform Church - Street Café	(110,000)	
Williton Bowling Club	(13,000)	
		<u>(551,123)</u>
<b>Current Uncommitted Balance</b>		<b>4,936,052</b>
<u>Less current applications recommended but not yet approved</u>		
Kilve Cricket Club	(22,000)	
Onion Collective	(243,119)	
Williton Parish Council	(250,000)	(515,119)
North Petherton Playing Fields	(46,000)	
SDC - Sydenham Together	(60,000)	
Victoria Park Community Centre	(14,525)	(120,525)
		<u><u>4,300,408</u></u>



*Report Number:* WSC 90/15  
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*Report to a Meeting of:* Cabinet  
*To be Held on:* 3<sup>rd</sup> July 2015  
*Date Entered on Executive Forward Plan* April 2014  
*Or Agreement for Urgency Granted:*

## **HINKLEY POINT C: SECTION 106 AGREEMENT – LEISURE CONTRIBUTION**

### **1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is for Cabinet to consider and to recommend to Council that the list of projects set out within the report are invited to make application within the allocation of £250,000 paid from the Section 106 agreement for Site Preparation Works at Hinkley Point C. The projects would then be asked to submit information via an application process similar to that provided for other Section 106 agreement allocations before any release of funding.

### **2. CONTRIBUTION TO CORPORATE PRIORITIES**

- 2.1 Key Task 3.4 of the Corporate Plan is directly relevant to the proposed allocation, it reads:

By March 2016 to deliver a programme of investment within West Somerset for the leisure funding provided directly to the council from the development at Hinkley Point

### **3. RECOMMENDATIONS**

- 3.1 That Cabinet consider and recommend to Full Council that the list of projects at paragraph 5.4 are invited to make an application within the allocation of £250,000 paid from the Section 106 agreement for Site Preparation Works at Hinkley Point C.
- 3.2 That Cabinet recommend to Full Council that delegated powers be granted to the Lead Member for Resources and Central Support, the Lead Member for Energy Infrastructure and the Assistant Director Energy Infrastructure to grant monies to projects in accordance with the list of projects at paragraph 5.4 upon receipt of the necessary financial and governance information.

### **4. RISK ASSESSMENT (IF APPLICABLE)**

#### **Risk Matrix**

<b>Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Overall</b>
That the contribution is spent in isolation of other potential funding sources and priorities for sports and leisure	2	3	6

<i>The SASP study took account of other potential funding sources and the existing and known priorities for sports and leisure facilities in West Somerset</i>	1	3	3
That the contribution is not applied in an appropriate way or to appropriate projects in light of the legal agreement	2	4	8
<i>The requirements of the legal agreement have been taken into account and the views of EDF Energy have been sought. The provisional allocations have sought to balance the needs of the existing community and the likely impact of hosting the Hinkley Point C workforce</i>	1	4	4

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before and after the mitigation measures have been actioned.

## 5. **BACKGROUND INFORMATION**

- 5.1 The Section 106 agreement for Site Preparation Works at Hinkley Point C included a payment of £250,000 for the purposes of providing new, or improving existing, sports/leisure facilities within West Somerset Councils area. It should be noted that a payment of £500,000 for the purposes of providing new, or improving existing, sports/leisure facilities in Stogursey Parish was also paid as part of the Section 106 agreement, this £500,000 is not considered within the context of this report although potential projects using that contribution at Stogursey Victory Hall have been taken into account.
- 5.2 In October 2014 Cabinet agreed to fund the appointment of Somerset Sports Action Partnership (SASP) to undertake a feasibility study to assist the Council in deciding who to best allocate the contribution. The report from SASP which has evolved with the assistance of Council Officers is presented at Appendix A of this report.
- 5.3 SASP's report explains the consultation process, sets out a range of background information which needs to be taken into account, explains the process by which the various projects have been prioritised and sets out a range of proposed allocations. A number of the projects which are recommended to receive a provisional allocation have the ability to receive match funding from other sources, and SASP have agreed to work with these organisations to help develop funding bids which will hopefully result in the original allocation drawing in levels of significant match funding.
- 5.4 The following projects, as set out within Appendix A, are to be invited to make an application for the provisional allocation amount (totalling £249,000):

<b>Organisation</b>	<b>Project</b>	<b>Provisional Allocation</b>	<b>Total Project Cost</b>
1610	Outreach Work	£2,500	£3,720
Age UK	Exercise Classes for older people in Watchet	£9,500	£9,500
Carhampton Recreation Ground	New showers as part of complete refurbishment project	£10,000	£184,000
Dunster Marsh Playing Field Association	MUGA	£10,000	£70,000
Minehead Eye	Extreme Sports Instructor and Outreach	£2,500	£22,000
Minehead Golf Club	Indoor Training Facility	£5,000	£80,000
Minehead Tennis Club	Floodlights	£5,000	£25,000

Minehead Town Council	Alcombe Activity Area / Green Gym	£12,500	£50,000
Watchet Bowling Club	New indoor bowling rink and community multi use space	£50,500	£1,000,000
Watchet PT and ABC Boxing Club	Improve facilities and upgrade equipment for use by the Watchet Boxing Club, Age UK and other user groups within the community	£20,000	£25,000
Williton Football Club	Equipment for youth team	£1,500	£2,500
Williton Parish Council	Williton Pavilion and MUGA project	£70,000*	£1,300,000
YMCA	Minehead 'Silver Gym' – specialist gym equipment for older people [ for fitness and rehab ] available day time and evenings also to visitors and young people at affordable cost.	£50,000	£80,000
<b>Total</b>		<b>£249,000</b>	<b>£2,851,720</b>
*Members will note that this project has received a CIM Fund allocation of £250,000 and has an application for 'normal' Section 106 funds which is being considered.			

5.5 Members will see from Appendix A that there are projects where it is not proposed to allocate a contribution. This is due to a variety of reasons, firstly the total costs of the projects seeking funding was almost £3m, nearly 12 times the amount of money available. Also taken into account was the likelihood that projects might be funded from other sources, for example contributions from planned development outlined in the emerging Local Plan. Finally, proposed expenditure has been focussed on the three major conurbations which are likely to host the majority of Hinkley Point C workers within the District – recognising that the funding was secured to ensure that capacity issues within sports and leisure facilities was not caused or exacerbated by hosting workers.

5.6 Whilst a range of conversations and exchanges of information have taken place, the level of detail required to actually allocate monies is not yet in place. If Cabinet and Council are minded to approve the projects on the list above, they can be invited to submit the necessary information relating to finances and governance prior to the release of funds. The invitation will assist greatly in accessing match funding for a number of the projects so it is proposed that delegated powers be granted to the Lead Member for Resources and Central Support, the Lead Member for Energy Infrastructure and the Assistant Director Energy Infrastructure to grant monies to projects in accordance with list upon receipt of the necessary financial and governance information.

## **6. FINANCIAL/RESOURCE IMPLICATIONS**

6.1 There is no impact on the Council's General Fund Position as it is entirely funded by the Hinkley s106 grant (Schedule 11 – WSC Leisure)

6.2 The Site Preparation Work Section 106 agreement under Schedule 11 has allocated £250,000 plus inflation uplift for the provision of leisure facilities within West Somerset. After inflation uplift, the total amount received is £266,816

6.3 Previously, we have already allocated £14,000 on 1<sup>st</sup> October 2014 (WSC 139/14) for technical and feasibility studies for West Somerset Leisure Facilities (£10,000) and the Steam Coast Trail Project (£4,000)

6.4 After approval of this report, which will allocated £249,000 from this funding, the total funding unallocated will be £3,816.

## **7. COMMENTS ON BEHALF OF SECTION 151 OFFICER**

- 7.1 The funding for providing leisure facilities is from the s106 agreement for the site preparation agreement Work at Hinkley Point C, not the council's own resources. However, we must be able to demonstrate to our stakeholders, in particular EDF Energy and other parties to the s106 agreement, that we have maximised the benefit from this fund in terms of mitigating of the impact of HPC on West Somerset.
- 7.2 The rules relating to the Section 106 Agreement has been adhered to by bringing this report to Cabinet. Any proposal above the £25,000 threshold need to be agreed by Full Council.

## **8. EQUALITY & DIVERSITY IMPLICATIONS**

- 8.1 **Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.** The three aims the authority **must** have due regard for are:
- Eliminate discrimination, harassment, victimisation
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 8.2 The proposed provisional allocations have taken into account identified need and the contents of the West Somerset Health and Wellbeing Strategy. Those with a provisional allocation will be expected to explain how their projects take account of equality and diversity implications.

## **9. CRIME AND DISORDER IMPLICATIONS**

- 9.1 There are no direct crime and disorder implications as a result of this report

## **10. CONSULTATION IMPLICATIONS**

- 10.1 The SASP feasibility study included consultation evenings (which followed adverts and invitations being sent to organisations) and involved a range of follow up conversations with local sports clubs and organisations.
- 10.2 The Councils Community Leisure Manager has reviewed the SASP report and the proposed provisional allocations and has no comments to make.
- 10.3 EDF Energy have also been kept up to speed with the work of SASP and the outcomes of the feasibility study.

## **11. ASSET MANAGEMENT IMPLICATIONS**

- 11.1 There are no direct asset management implications as a result of this report

## **12. ENVIRONMENTAL IMPACT IMPLICATIONS**

- 12.1 There are no direct environmental implications as a result of this report. If facilities require the benefit of planning permission any environmental implications will be considered as part of the application process.

## **13. HEALTH & WELLBEING**

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

13.1 The provisional allocations have been proposed in light of the West Somerset Health and Wellbeing Strategy – the most relevant extracts have been reproduced in appendix 2 of SASPs report.

#### **14. LEGAL IMPLICATIONS**

14.1 Schedule 11 of the Section 106 agreement for Site Preparation Works requires that the £250,000 contribution is spent for the purposes of providing new, or improving existing, sports/leisure facilities within West Somerset Councils area.



**WEST SOMERSET**

**sasp**   
Somerset Activity & Sports Partnership

**LEISURE FUND**

Report by SASP to West Somerset Council

March 2015



[www.sasp.co.uk](http://www.sasp.co.uk)

## West Somerset Leisure Fund

### Introduction

SASP (Somerset Activity and Sports Partnership) was commissioned by West Somerset Council in October 2014 to prepare a report on the needs of local sports and community groups applying to the West Somerset Leisure fund.

The report will assist the Council in prioritising funding applications for its £250k leisure fund and for larger projects which would be more appropriate to apply to other funders.

The approach to the project followed that established by good practice and previous facility and consultation projects undertaken by SASP.

### **1. Consultation**

Three consultation evenings were arranged on 12<sup>th</sup> November 2014 (Williton), 17<sup>th</sup> November (Watchet) and 24<sup>th</sup> November (Minehead) led by Colin Johnson and Jane Knowles from SASP

Invitations were sent to sports clubs, village halls and community groups in West Somerset mainly focussing on the coastal strip.

In all 56 people attended from 24 separate organisations. (App 1 shows full list). The format of the two hour sessions was:

1.1 Introduction to the Leisure Fund, opportunities of the fund and outcomes from the session

1.2 Background statistics to West Somerset demographic

1.3 Group work – examining individual projects and their potential impact of raising participation and activity levels in West Somerset

1.4 Summing up and next steps

All attendees were emailed the following day an online form which they returned with outline details of their project. Groups who were unable to attend but requested further information were also sent a form.

In total 20 applications were received. Visits were then arranged to Minehead Golf Club, YMCA (Beach Hotel), Minehead Cricket Club, Minehead Tennis Club, Watchet Boxing Club, Age UK, Watchet Bowling Club and Williton Parish Council. Telephone contact was then made to the majority of remainder. Total funding requested on all 20 applications was £2,910,720.

### **2. Prioritising Projects**

The projects were then assessed against the following criteria:

- 2.1 Will the project impact on the objectives of the West Somerset Council's Health and Wellbeing and Sport and Recreation Strategies? (See App 2 for key statements).
- 2.2 Does the project offer more opportunities to existing / new members or participants?

- 2.3 Does the project offer a new facility or make an existing one more accessible or ensure long term sustainability?
- 2.4 Does the project impact on the health of West Somerset residents?
- Provide opportunities for older people to exercise
  - Reduce burden on NHS i.e. provide preventative physical activity / exercise solutions to the cost of inactivity e.g. Type 2 diabetes (currently effects 2,500 West Somerset residents), obesity, disability, dementia.
- 2.5 Will the project provide opportunities for young people?
- Improve health and wellbeing of young people
  - Prevent anti-social behaviour
  - Provide coaching / participation opportunities
- 2.6 If the project was awarded leisure funding, could it act as partner funding for other larger grant funders?
- 2.7 Will the project offer more opportunities to girls and women?
- 2.8 Can the project link with any other project to form an activity hub?

## Summary

The spreadsheet included in the report shows recommended allocations. The £250k Leisure Fund if allocated as recommended could start some exciting new projects or act as a pump priming for projects to attract larger local or external funds e.g. S106, Sport England.

A key consideration in the allocation of funding was that grants should be seen to be making an impact on activity levels in West Somerset and not repairs to existing buildings.

The West Somerset Sport and Recreation and Health and Wellbeing Strategies are very aspirational documents but with little WSC funding available to deliver the objectives external funding will be needed to bring them for fruition. References to these strategies are in App. 2.

The three larger grant allocations not only meet all the prioritising criteria but will enable local solutions to the barriers to inactivity i.e. affordable local facilities that are easily accessible and have long term sustainability.

Some key facts on West Somerset which the Leisure Fund could help alleviate are shown in App. 3.

All the groups who attended the three consultation meetings felt that regular meetings for voluntary sports / leisure groups would be very beneficial. SASP will organise a further meeting therefore during the summer 2015.

## Allocation of Leisure Funding

Organisation	Project	Amount	Leisure Fund EDF	Comment
1610	Outreach work	£3,720	£2,500	SASP to work with applicant to source other sources
Age UK	Exercise classes for older people in Watchet	£9,500	£9,500	Age UK to work with local community to determine equipment needs for exercising through the provision of taster sessions.
Brompton Ralph Cricket Club	Complete Clubhouse works	£7,500	£0	Refer to Engage: <a href="http://www.engagews.org.uk/">http://www.engagews.org.uk/</a> to advise on potential funding sources
	New Kitchen	£30,000	£0	
Carhampton Recreation Ground	Disabled access	£20,000	£0	WSC Housing & Community Project Team to continue initial support with this project to demonstrate evidence of need within the community
	New Kitchen - upgrade	£10,000	£0	
	New toilets	£15,000	£0	
	New showers	£10,000	£10,000	
	Double glazing	£20,000	£0	
	Heating	£4,000	£0	
	Extension to existing	£70,000	£0	

	Field drainage	£35,000	£0	SASP to work with applicant to source other sources - application being submitted to Sport England
Dunster Marsh Playing Field Association	MUGA	£70,000	£10,000	Possible additional contribution from nearby development
Minehead Barbarians RFC	Training floodlights on car park	£15,000	£0	SASP to work with applicant to source other sources
Minehead Cricket Club	New cricket nets	£15,000	£0	SASP to work with applicant to source other sources
	New artificial cricket wicket	£10,000	£0	
Minehead Cycling Club	Cycle track in Minehead	£65,000	£0	SASP to work with applicant to source other sources
Minehead Eye	Extreme sports instructor and outreach	£22,000	£2,500	SASP to work with applicant to source other sources
Minehead Golf Club	Indoor training facility	£80,000	£5,000	Applicant to explore Section 106 possibilities with Minehead Town Council and work with SASP to work up a bid proposal
Minehead Tennis Club	Flooring in Clubhouse	£25,000	£0	Not eligible.
	Floodlights	£25,000	£5,000	SASP to work with applicant to source other sources
Minehead Town Council	Alcombe Activity Area/Green Gym	£50,000	£12,500	SASP to offer support to the Minehead Town Council to find

				additional funding, including Section 106
Moorland Hall	Replace existing clubhouse/changing/access to MUGA	£150,000	£0	Engage already working with this applicant to source funding for this project.
Watchet Bowling Club	New indoor 2 rink bowling and community multi-use space	£1,000,000	£50,500	SASP to work with group Watchet Bowling Club to develop this project to provide indoor bowling rinks and additional community facilities, including an indoor exercise space
Watchet Memorial Ground	Roof to pavilion	£6,500	£0	Not eligible
	Replace Floor	£2,000	£0	Not eligible
Watchet PT & ABC Boxing Club	Improve facilities and upgrade equipment for use by the Watchet Boxing Club, Age UK and other user groups within the community	£25,000	£20,000	SASP to work with applicant to ensure the sustainability additionally of this project going forward.
Williton Bowling Club	Green upgrade and access improvements	£13,000	£0	Applicant has successfully secured funding via the CIM Fund
Williton Football Club	Equipment for the youth team	£2,500	£1,500	SASP to work with applicant to source other sources
Williton Parish Council	MUGA	£1,100,000	£70,000	SASP to work with applicant to source other funding. The planning permission approval was
	Entrance improvements			
	Pitch improvements			

	Pavilion			inclusive of all aspects of the improvement scheme. This includes the MUGA, improvements to the entrance to improve accessibility and improvements to the pitch to improve drainage and incorporate a junior pitch.
YMCA	Minehead Silver Gym – specialist gym equipment for older people [ for fitness and rehab ] available day time and evenings also to visitors and young people at affordable cost.	£80,000	£50,000	SASP to work with applicant to source other sources
<b>TOTALS</b>		£2,910,720	£249,000	

	<b>Total allocation of Leisure EDF</b>	<b>£249,000</b>
	<b>Amount available</b>	<b>£250,000</b>
	<b>Amount unallocated</b>	<b>£1,000</b>

**Consultation day attendees**

Minehead Tennis Club  
Minehead Ladies Hockey Club  
West Somerset College  
Old Cleeve Parish Council  
Ageing Well  
Watchet War Memorial Ground Committee  
Williton Bowling Club  
Minehead Football Club  
Williton Parish Council  
Williton British Legion Rifle Club  
Dunster Football Club  
Dunster Cricket Club  
Roadwater and Nettlecombe Village Hall  
Dunster Marsh Playing Field  
Williton Rockets FC  
Watchet Bowling Club  
Watchet Amateur Boxing Club and Gym  
Minehead Golf Club  
Carhampton Recreation Centre  
Moorland Hall and Playing Field Committee  
Minehead Cricket Club  
Minehead Barbarians RFC  
Brompton Regis Cricket Club  
1610

## 2. Health and Wellbeing Strategy References

### Key objectives of West Somerset Health and Wellbeing Strategy

- 2.1 'Identify links with voluntary and other partners to strengthen our ability to influence health and wellbeing' (P4)
- 2.2 'Identify areas of health disability in West Somerset and target resources to provide support and aid for those in need' (P4E)
- 2.3 'People families and communities take responsibility for their own health and wellbeing. West Somerset Council to undertake appropriate partnership engagement with others including West Somerset Health Forum, GP Practices and GP Federation (P5 Exec Summary)
- 2.4 Action 1. 'The Health and Wellbeing Board will give greater support for community led action to encourage healthier lifestyles. We will develop a more joined up approach to providing information about local opportunities'
- 2.5 Action 3 'The strategy will give greater emphasis on prevention'
- 2.6 P17 West Somerset Council has very limited funding available for financing leisure and sporting facilities which would support the Somerset Health and Wellbeing Strategy

## 3. West Somerset Leisure Strategy References

- Network of small community and village halls provide a valuable asset to the community. Opportunities should be taken to improve facilities where quality or current demand is an issue (Williton).
- Bowls – increased demand in Watchet for more indoor rink capacity.
- MUGAs – local opportunities should be considered in a number of villages if feasible and financially viable.

**Key facts on West Somerset which the Leisure Fund could impact on.**

- Population of West Somerset 35,600
- Highest % of over 65s in England – further challenges with ageing population
- Decline in working population – 40% retired by 2028
- 45<sup>th</sup> ranked in IMD in UK (out of 326)
- Health deprivation and disability most prevalent in parts of Watchet, Williton and South Minehead
- 2,600 people in West Somerset have diabetes diagnosed, 90% of which is Type 2. However a further 30% of cases possibly undetected
- West Somerset population 2 -4 times more likely to have heart disease and / or stroke risk
- 15% of diabetes sufferers suffer lower limb amputation
- 6 – 7-% of people with diabetes suffer nerve damage as a side effect
- Risk of developing Type 2 diabetes increased by 30 – 40% in sedentary people compared to those who are physically active
- Lifestyle interventions - exercise combined with dieting advice reduces incidence of diabetes by 58%
- Stroke effects 125 people p.a. in West Somerset – this can be reduced by exercise and healthy diet
- Dementia in West Somerset – 834 cases in 2010, 937 in 2015, 1061 predicted in 2020. Exercise is a key component in preventing dementia

Source – Joint Needs Assessment – West Somerset 2011

*Report Number:* WSC 91/15  
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*Report to a Meeting of:* Cabinet  
*To be Held on:* 1<sup>st</sup> July 2015  
*Date Entered on Executive Forward Plan* April 2014  
*Or Agreement for Urgency Granted:*

## **HINKLEY POINT C CONNECTION PROJECT – DEVELOPMENT CONSENT ORDER – SECTION 106 AGREEMENT UPDATE**

### **1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to provide an update to Members on the status of the Section 106 Agreements (the Agreements) between National Grid and the six Local Authorities (West Somerset Council, Sedgemoor District Council, Somerset County Council, North Somerset Council, South Gloucestershire Council and Bristol City Council) relating to the Development Consent Order application which is currently being Examined by the Planning Inspectorate, to advise Members on the content of the Agreements and how the Agreements affect West Somerset Council in particular, and sets out the process if Members wish to comment further on the content of the Agreements prior to the close of the Examination. The report also gives a general update on the progress of the Examination to date and outlines the remaining aspects of the process.

### **2. CONTRIBUTION TO CORPORATE PRIORITIES**

- 2.1 There are no specific Corporate Objectives relating to the National Grid project however, the 2<sup>nd</sup> Corporate Priority relating to maximising opportunities for West Somerset communities and businesses whilst protecting local communities and the environment in relation to the Hinkley Point C development is equally applicable to this project.

### **3. RECOMMENDATIONS**

- 3.1 It is recommended that Cabinet instruct the Assistant Director Energy Infrastructure, on behalf of the Council, to submit representations to the Planning Inspectorate for Deadline 7 on Monday 13<sup>th</sup> July indicating that the Council wish for the Panel of Examining Inspectors to positively consider the Joint Councils requests for additional mitigation.

### **4. RISK ASSESSMENT (IF APPLICABLE)**

#### **Risk Matrix**

Description	Likelihood	Impact	Overall
-------------	------------	--------	---------

That the contributions offered by National Grid within the Section 106 agreement submitted at Deadline 6 on 18 <sup>th</sup> June 2015 are insufficient to mitigate against the impacts of the development	4	3	12
<i>That the Council continues to encourage the Panel and the Secretary of State, through written representation that the additional mitigation measure suggested by the Joint Councils are positively considered</i>	3	3	9

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before and after the mitigation measures have been actioned.

## 5. **BACKGROUND INFORMATION**

- 5.1 Members will recall from previous reports relating to the formal consultation undertaken by National Grid that the Hinkley C Connection Project seeks approval to erect pylons and install a section of underground cabling to connect the Hinkley Point C New Nuclear Power Station to the National Grid and that this involves works from Hinkley Point to Seabank in Avonmouth. The project involves five other local authorities as it passes through West Somerset, Sedgemoor (and Somerset County Council's area), North Somerset, South Gloucestershire and Bristol City – the six Local Authorities are known as the Joint Councils in relation to this project.
- 5.2 National Grid submitted their Development Consent Order (DCO) Application on 28<sup>th</sup> May 2014 and it was accepted for Examination on 19<sup>th</sup> June 2014. The Joint Councils submitted a relevant representation on 26<sup>th</sup> August 2014 setting out their initial views on the DCO application. The Preliminary Meeting for the project was held on the 19<sup>th</sup> January 2015 and the 'Rule 8' letter which sets the Examination Timetable was issued by the Examining Authority on 29<sup>th</sup> January 2015. The Joint Councils submitted their Local Impact Report (LIR) on 26<sup>th</sup> February 2015 following a meeting of Full Council on 15<sup>th</sup> February which endorsed the content of the LIR.
- 5.3 Since the commencement of the Examination the Council has, amongst other associated tasks, meetings and discussions, undertaken the following formal activities:
- (a) Submitted responses to the Panel's 1<sup>st</sup> Written Questions – 26<sup>th</sup> February
  - (b) Submitted the Local Impact Report – 26<sup>th</sup> February
  - (c) Submitted written representations – 26<sup>th</sup> February
  - (d) Submitted a Statement of Common Ground – 26<sup>th</sup> February
  - (e) Submitted a response to National Grid and 3<sup>rd</sup> party representations – 25<sup>th</sup> March
  - (f) Commented on the Draft Section 106 agreement – 25<sup>th</sup> March
  - (g) Commented on the Draft Development Consent Order – 25<sup>th</sup> March
  - (h) Attended and Spoke at the 1<sup>st</sup> DCO Issue Specific Hearing – 14<sup>th</sup> April
  - (i) Attended and Spoke at the Heritage and Historic Environment Issue Specific Hearing – 21<sup>st</sup> April
  - (j) Attended and Spoke at the Landscape and Visual Issue Specific Hearing – 22<sup>nd</sup> and 23<sup>rd</sup> April
  - (k) Attended and Spoke at the Health, Wellbeing and Socio-Economic Issue Specific Hearing – 30<sup>th</sup> April
  - (l) Submitted written summaries of cases put orally – 6<sup>th</sup> May
  - (m) Submitted a response to the Examining Authorities 2<sup>nd</sup> Written Questions – 4<sup>th</sup> June
  - (n) Commented on the Draft Development Consent Order – 4<sup>th</sup> June
  - (o) Attended and Spoke at the 2<sup>nd</sup> DCO Issue Specific Hearing – 16<sup>th</sup> and 17<sup>th</sup> June
  - (p) Submitted the signed Section 106 agreement – 18<sup>th</sup> June

- (q) Submitted written material in relation to Deadline 6 including the 'not agreed' Section 106 paper and the content of an agreed supplemental S106 on Socio-Economic matters
- 5.4 Each of the above activities have required detailed preparation and in most cases associated written submissions including liaison with partner Councils, Statutory Consultees and Parish/Town Councils.
- 5.5 The Examination is due to finish on 19<sup>th</sup> July 2015. By the 19<sup>th</sup> October the Panel of 5 Examining Inspectors will have provided their report and recommendations to the Secretary of State for Energy and Climate Change who will decide within 3 months of the report being provided to her whether or not to grant the Development Consent Order (mid-January 2016).
- 5.6 Members may recall from their experience of the Hinkley Point C project that there are three key documents (as well as a raft of supporting documents and strategies) which control the development if approved, namely:
- (a) The Development Consent Order itself (the Planning Permission) (akin to an Act of Parliament)
  - (b) The Requirements (part of the DCO) (akin to Planning Conditions)
  - (c) The Section 106 Agreement
- 5.7 The Final Form of the DCO, the Requirements and the signed Section 106 Agreement were submitted by National Grid to the Planning Inspectorate on the 18<sup>th</sup> June. All Interested Parties (including the Council) can, if they wish, provide final comments on these documents on or before 17<sup>th</sup> July 2015. Should Members be minded to provide formal comments on the documents during the Cabinet Meeting on 3<sup>rd</sup> July these will need to be sent to the Planning Inspectorate on or before the 17<sup>th</sup> July with a written explanation.
- 5.8 Whilst the timescales for comments appear to be very short, the documents have been the subject of very detailed discussion, negotiation and examination since they were produced on 26<sup>th</sup> February 2015. The Council has provided its written comments on 25<sup>th</sup> March and 4<sup>th</sup> June and made oral submissions to the Panel of Examining Inspectors at the Issue Specific Hearings on 14<sup>th</sup> April and 16<sup>th</sup> / 17<sup>th</sup> June. Various iterations of the documents have been provided to the Councils for comment alongside the Examination process and they have been the subject of negotiation at various meetings and written exchanges.
- 5.9 The Section 106 Agreement, in accordance with the timetable set out in the Panel's Procedural Decision, was signed and sealed by the six Councils and EDF Energy, and was submitted to the Panel on 18<sup>th</sup> June 2015. The Joint Councils also agreed the content of a supplemental S106 with National Grid on socio-economic matters.
- 5.10 The main purpose of the report is to set out the content of the Section 106 Agreement for Members so that, if considered necessary, comments can be provided to the Planning Inspectorate on 17<sup>th</sup> July which will be taken into account by the Panel of Examining Inspectors. A summary of the Section 106 Agreement, as relevant to West Somerset Council is set out below:

### **Transport**

Various payments totalling £33,500 to Somerset County Council, North Somerset Council and Bristol City Council and provisions for maintenance and repair

### **Local Wildlife Sites**

Contributions totalling £150,000 to be paid to Somerset County Council, North Somerset Council and Bristol City Council

### **Off Site Planting and Enhancement Scheme**

Provisions for National Grid to deliver a wide variety of off-site planting (approximately £5m along the length of the route), payment of £15,000 to WSC for woodland management, payment of £13,370 to WSC for undertaking landscaping works and £13,370 to SCC for Rights of Way diversion in WSC

### **Socio Economics**

Provisions requiring National Grid to employ a minimum percentage of local people, securing business engagement to assist in accessing supply chain opportunities, a training and skills development plan and a STEM subject education programme.

### **Service Level Agreement**

Provision for the Councils to recover costs for the consideration of submissions made by National Grid pursuant to planning Requirements

- 5.11 Despite these positive provisions, the Section 106 agreement in the view of the Joint Councils officers and the legal team that has been advising the Councils remains deficient in a number of areas. Despite having held detailed discussions for many months with National Grid and having made convincing arguments, verbally at hearings and in writing, National Grid has refused to include these items within the Section 106 agreement.
- 5.12 The key areas (as they relate to West Somerset Council) are as follows:
- (a) The provision of a Community Impact Mitigation Fund
  - (b) Additional rights of way diversions relating to the Coastal Path in Stogursey Parish
  - (c) Additional planting within the OSPES scheme specific to the Hinkley Line Entries
- 5.13 In the circumstances, the Council has no option but to make further representations to the Panel of Examining Inspectors and request that they actively consider these additional items within their report to the Secretary of State. National Grid have indicated that if the Secretary of State is minded to approve the scheme subject to them entering into a supplemental Section 106 agreement then they would be willing to do this.
- 5.14 The representation as submitted at Deadline 6 is set out at Appendix A.

## **6. FINANCIAL/RESOURCE IMPLICATIONS**

- 6.1 The amount of contributions secured by the Agreement is clearly not anywhere as significant as the Hinkley Point C project and the burden of responsibility, which is placed on this Council, is also not as significant. The Councils approach has been to ensure that the impact of this unique development and the costs of this Council representing the community and dealing with the direct and indirect impacts of the project do not fall to the local taxpayer, the provision of the Service Level Agreement is important in this regard.
- 6.2 Should a CIM Fund be secured then the administration of that fund may involve West Somerset Council however, the context for the connection project is very different from the Hinkley Point C project and the impact in West Somerset is small in comparison to other communities and Councils.

## **7. COMMENTS ON BEHALF OF SECTION 151 OFFICER**

- 7.1 The planning process whereby the Panel of Examining Inspectors appointed by the Planning Inspectorate to consider any application for developments of this nature, does not place any

requirement on the Panel or the Secretary of State to mediate discussions on contributions from the developer to mitigate the impact of the decision. Therefore, it is through a process of negotiation between the developer and the relevant bodies (in this case the six Councils, largely) to agree on a package of mitigation measures; as has been done at length and is presented in the report above, otherwise a Unilateral Undertaking would have been presented with few of the measures in place.

## **8. EQUALITY & DIVERSITY IMPLICATIONS**

8.1 **Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.** The three aims the authority **must** have due regard for are:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

8.2 The consultation and arrangements for the Examination are the responsibility of National Grid and PINS respectively. The report and recommendations have no direct Equality and Diversity implications.

## **9. CRIME AND DISORDER IMPLICATIONS**

9.1 There are no direct impacts as a result of this report. The workforce for the National Grid project is not significant.

## **10. CONSULTATION IMPLICATIONS**

10.1 The responsibility of consulting both statutory consultees and the general public rests with the developers under the 2008 Planning Act (in this case National Grid). The Planning Inspectorate accepted National Grid's DCO application after having considered whether or not the consultation process was adequate.

## **11. ASSET MANAGEMENT IMPLICATIONS**

11.1 There are no direct impacts as a result of this report, the Council do not own land which will be affected by the project.

## **12. ENVIRONMENTAL IMPACT IMPLICATIONS**

12.1 The Environmental Impacts of the development are considered within National Grid's Environmental Statement. In the main the Council is content with the methodology used to assess the environmental impacts of the project save for those highlighted within the Local Impact Report.

## **13. HEALTH & WELLBEING**

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

- 13.1 The Joint Councils have repeatedly requested that National Grid undertake a Health Impact Assessment which has not been done, this is identified as a principle issue by the Examining Authority.

**14. LEGAL IMPLICATIONS**

- 14.1 It is important that the Council responds in accordance with its responsibilities set out in the Planning Performance Agreement and in accordance with its role as defined by the Planning Act 2008.



**Planning Act 2008**

**Hinkley C Connection Project**

**PINS Reference: EN0200001**

**The Joint Councils' case for a supplemental section 106 agreement**

**Deadline 6**

**18 June 2015**

## 1. INTRODUCTION

- 1.1 This is a submission by the Joint Councils made to the Examining Authority at Deadline 6 of the examination into the Hinkley C Connection Project.
- 1.2 It records the areas where the Joint Councils have sought development consent obligations to secure mitigation identified as necessary in their Local Impact Report, but which National Grid has not agreed to.
- 1.3 This submission should be read alongside the agreed and completed deed of development consent obligations dated 16 June 2015 made between National Grid and the Joint Councils ("Submitted Section 106 Agreement") which is also being submitted to the Examining Authority at Deadline 6.

## 2. THE CASE FOR AND CONTENT OF A SUPPLEMENT SECTION 106 AGREEMENT

- 2.1 A table identifying the topics from the Joint Councils' Local Impact Report in respect of which development consent obligations which are not agreed is set out in the table at Appendix 1 to this submission.
- 2.2 In relation to each topic, the table provides references to signpost the Examining Authority and the Secretary of State to the principal documents containing arguments that the Joint Councils have already made to support their respective positions. There is no need to repeat those arguments here.
- 2.3 Appendix 2 to this submission contains detailed drafting proposed by the Joint Councils in the form of schedules which the Joint Councils submit should be included in a further section 106 agreement between them and National Grid ("Supplemental Section 106 Agreement") in order to address adverse impacts of the Project which are currently not mitigated.
- 2.4 The Joint Councils submit that the other terms of Supplemental Section 106 Agreement would be substantially the same as those of the Submitted Section 106 Agreement, to the extent necessary to secure any schedules from this submission which the Secretary of State identifies for inclusion.
- 2.5 Whilst National Grid does not agree to the principles behind the development consent obligations contained in Appendix 2, they have acknowledged in clause 4.4 of the Submitted Section 106 Agreement that the Joint Councils may pursue their case before the Examination in relation to them.

## 3. REQUESTS FOR THE EXAMINING AUTHORITY

- 3.1 The Joint Councils respectfully ask that the Examining Authority:
- 3.1.1 Consults upon this submission at the same time as it consults on the Section 106 Agreement;
- 3.1.2 In its report to the Secretary of State pursuant to section 74 of the Planning Act 2008, sets out its findings and conclusion in respect of each schedule in Appendix 2, and its recommendation whether or not in the Examining Authority's view the relevant schedule would if included in a Supplemental Section 106 Agreement secure mitigation which is necessary and proportionate to address the impacts of the Project.

## 4. REQUESTS FOR THE SECRETARY OF STATE

- 4.1 The mitigation sought by the Joint Councils as identified in this submission was identified in their Local Impact Report. The Joint Councils therefore ask that the Secretary of State has regard to this submission when deciding the application in

accordance with section 104 (2)(b) of the Planning Act 2008, and further or in the alternative under subsection (d) as matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision

4.2 The Joint Councils respectfully ask that the Secretary of State:

- 4.2.1 consider this submission and the findings, conclusions and recommendations of the Examining Authority in relation to it;
- 4.2.2 consider whether to require that National Grid enter a Supplemental Section 106 Agreement either:
  - (a) before the Secretary of State makes an order granting development consent for the Project; or
  - (b) following such an order being made but before commencement of the Project.
- 4.2.3 that in giving reasons under section 116 of the Planning Act 2008 for her decision in relation to National Grid's application for development consent, the Secretary of State explicitly states, in relation to each schedule in Appendix 2:
  - (a) whether she agrees with the findings, conclusions and recommendations of the Examining Authority in relation to it;
  - (b) how regard has been had to the Local Impact Report and NPS in this respect; and
  - (c) whether she is minded to require National Grid to enter a Supplement Section 106 Agreement to secure the relevant mitigation.

Appendix 1  
**Table identifying section 106 matters not agreed**

Topic	Relevant Schedule in Appendix 2	Principal references for Joint Councils' case
Mitigation of Flood Risk in Sedgemoor	A	Local Impact Report dated 26 February 2015, Appendix G: Mitigating Flood Risk in Sedgemoor  Updated in response to ExA second written question 2.5.1 (June 2015)
Monitoring	B	Joint Councils' response to ExA first written question 4.59 submitted at Deadline 2.
Avonmouth Severnside Enterprise Area: Marketing Contribution	C	Local Impact Report dated 26 February 2015: Appendix D - Avonmouth Severnside Enterprise Area (ASEA) Topic Paper, Chapter 8 The Council's Proposed Mitigation
Community Impact Mitigation Fund	D	Local Impact Report dated 26 February 2015, Appendix C: The need for and substance of an HCCP Community Impact Mitigation Fund.  Submission to the ExA on 6th May 2015: "Written submission from the Joint Councils in relation to the CIM Fund"
Public Rights of Way	E	Local Impact Report dated 26 February 2015 Appendix I; Public Rights of Way (PRoW) Topic Paper, paragraphs 11.1 and 11.1C; and LIR Appendix J (PROW appendix (I.3))
OSPES – Additional Planting	F	Local Impact Report dated 26 February 2015. Appendix B: Review of Off Site Planting and Enhancement Scheme (OSPES)

## Appendix B

### Schedule A

#### Flood Risk – Contribution Towards the Mitigation of Flood Risk in Sedgemoor

1. National Grid covenants with Sedgemoor District Council that it shall not Commence any part of the Project in the district of Sedgemoor until it has paid to them the sum of £100,000 (one hundred thousand pounds) as a contribution towards the cost of flood risk mitigation in Sedgemoor as part of the long term strategic planning for flood defences in Sedgemoor which shall only be repayable to National Grid to the extent that it remains unspent or uncommitted on the date which is 10 (ten) years after the date of payment.

### Schedule B

#### Service Level Agreement – Monitoring

1. Subject to paragraph 2 of this Schedule, National Grid shall:
  - 1.1 pay the Councils' reasonable costs incurred during the Construction Period and any period of maintenance of planting or highway works in connection with the Councils carrying out monitoring to ensure that the Project is being carried out in accordance with the articles and requirements of the DCO and all approved plans, strategies and schemes; and
  - 1.2 make such payments within 20 Working Days of receiving a written demand from a Council;
 

Provided that no Council may submit more than 4 (four) invoices in any one calendar year.
2. For the avoidance of doubt, the Councils' reasonable costs shall:
  - 2.1 include expenditure incurred by the Councils in monitoring where so requested by National Grid; and/or
  - 2.2 only be payable by National Grid where costs are incurred above and beyond the statutory duties imposed on the Councils in relation to local authority enforcement powers as they relate to the Project

**Schedule C**  
**Avonmouth Severnside Enterprise Area: Marketing Contribution**

Where in this Schedule the following defined terms and expressions are used they shall have the following respective meanings unless otherwise stated:

**“ASEA Development Guidelines”** means a publication written in a form accessible to those looking to develop or occupy business premises in the Avonmouth Severnside Enterprise Area which:

- a. Explains the parameters of developing in proximity to electricity transmission systems in generic terms;
- b. Explains how those parameters apply to the Project as it passes through the Avonmouth Severnside Enterprise Area;
- c. Includes illustrative material showing the potential extent of development of specific sites through which the Project passes (with reference to Document [RPS report]); and
- d. Provides contact details for technical staff at National Grid who would be able to engage with potential developers and/or occupiers and/or investors.

**"ASEA Marketing Contribution"** means the sum of £50,000 (fifty thousand pounds) as a contribution towards promoting the Avonmouth Severnside Enterprise Area as a destination for development, employment and inward investment:

- a. in accordance with the planning and economic policies of the City Council and South Gloucestershire Council,
- b. to further the aims of the West of England Local Enterprise Partnership and the Bristol City Region City Deal
- c. in conjunction with marketing of the Avonmouth Severnside Enterprise Area being undertaken by the City Council and/or South Gloucestershire Council and/or other persons owning, developing, investing or otherwise with a business interest in land in the Avonmouth Severnside Enterprise Area

such marketing and promotional initiatives to include printed or online publications, advertising and events.

1. National Grid shall pay the ASEA Marketing Contribution to either the City Council or South Gloucestershire Council or in such proportion as those Councils may agree in the following instalments:
  - 1.1 £10,000 within 3 months of the Development Consent Order being made; and
  - 1.2 £10,000 annually on the anniversary of the making of the Development Consent Order, with the final payment due on the fourth such anniversary.
2. Within 3 months of the Development Consent Order being made, National Grid shall submit the ASEA Development Guidelines to the City Council and South Gloucestershire Council.
3. National Grid shall not Commence the Project in the Avonmouth Severnside Enterprise Area until it has:
  - 3.1 Published the ASEA Development Guidelines on its own website for the Project

- 3.2 Provided Bristol City Council and South Gloucestershire Council with a high-resolution electronic copy of the ASEA Development Guidelines.
4. National Grid consents to Bristol City Council and South Gloucestershire Council publishing and distributing the approved ASEA Development Guidelines electronically or in print for their own use.

**Schedule D**  
**Community Impact Mitigation Fund**

Where in this Schedule the following defined terms and expressions are used they shall have the following respective meanings unless otherwise stated:

**"Administration Agreement"** means a deed to be entered into between National Grid, the Councils and an Alternative Body approved under paragraph 2 of this Schedule on terms substantially equivalent to those contained in paragraph 3 below providing for the administration and application of the HCCP Community Fund for the purpose of mitigating the intangible and residual impacts of the Project by enhancing the quality of life of communities within the Area of Benefit and providing for the payment by National Grid of the Alternative Body's reasonable costs incurred in acting as Fund Manager;

**"Alternative Body"** means an organisation proposed and/or constituted by the Councils to act as Fund Manager;

**"Area of Benefit"** means the geographical area within the administrative boundaries of the Councils

**"Fund Manager"** means either:

- (a) one of the Councils nominated pursuant to paragraph 2.1; or
- (b) an Alternative Body

who shall receive instalments of the HCCP Community Fund from National Grid and hold it on trust, administering it in accordance with the provisions of this Schedule or (in the case of an Alternative Body) the Administration Agreement

**"HCCP Community Fund"** means the sum of **£5,000,000** to be paid by National Grid in accordance with this Schedule and to be applied for the purpose of mitigating the intangible and residual impacts of the Project on the local communities affected by them through projects the objectives of which are to promote or improve the economic, social or environmental well-being of those local communities;

**"Local Impact Report"** means the local impact report submitted by the Councils to the Planning Inspectorate in relation to the Application

**"Panel"** means any decision-making body established by this Schedule to assess applications to the HCCP Community Fund;

**"Prescribed Percentage"** means:

- (a) in respect of the Somerset CIM Panel, 40% (forty per cent)
- (b) in respect of the North Somerset CIM Panel 40% (forty per cent)
- (c) in respect of the Bristol and South Gloucestershire CIM Panel 20% (twenty per cent)

**1. SELECTION OF FUND MANAGER**

- 1.1 Within 2 months of the date of this Deed the Councils may agree that one of them acts as Fund Manager and in that event shall notify National Grid of:

- 1.1.1 the name of the relevant Council;
  - 1.1.2 details of the relevant officer contact at that Council; and
  - 1.1.3 details of the bank account into which the HCCP Community Fund is to be paid by National Grid.
- 1.2 Alternatively, or in the event that the Councils do not serve notice under paragraph 2.1 the Councils shall within 3 months of the date of this Deed give notice in writing to National Grid of a third party body they propose as Fund Manager.
- 1.3 National Grid shall give written notice to the Councils within 15 Working Days either:
- 1.3.1 approving the proposed Fund Manager; or
  - 1.3.2 rejecting the proposed Fund Manager with reasons.
- 1.4 Where National Grid reject the proposed Fund Manager under paragraph 2.3, the process under the Councils shall within 10 Working Days give written notice to National Grid either:
- 1.4.1 proposing a further Alternative Body as Fund Manager for National Grid to approve or reject under paragraph 2.3; or
  - 1.4.2 Nominating one of the Councils as Fund Manager.
- 1.5 Where National Grid approves an Alternative Body as Fund Manager it shall not Commence the Project until the Fund Manager and the Councils have entered into the Administration Agreement with National Grid.
- 1.6 For the avoidance of doubt, where a Council acts as Fund Manager it shall neither charge National Grid for acting in that capacity nor reimburse its own costs from the HCCP Community Fund.

## 2. **ROLE OF FUND MANAGER**

- 2.1 Each Council covenants with National Grid that should it act as Fund Manager it shall comply with the provisions of this paragraph 2.
- 2.2 The Fund Manager shall:
- 2.2.1 hold the Community Impact Mitigation Fund in a dedicated interest-bearing account or accounts;
  - 2.2.2 on receipt of the HCCP Community Fund National Grid place the received sums of money in such account or accounts;
  - 2.2.3 retain interest accruing to the account or accounts in which the HCCP Community Fund are held in that account or accounts and only apply that interest for the same purposes as the HCCP Community Fund.
  - 2.2.4 Subject to compliance with relevant laws and its own constitution and internal financial rules, provide National Grid with copies of all account statements and other correspondence received in relation to the account or accounts in which the HCCP Community Fund is held;
  - 2.2.5 not to spend the relevant monies other than for the purposes of the HCCP Community Fund;

- 2.2.6 within 6 months of the Commencement Date and annually thereafter until the HCCP Community Fund has been spent provide National Grid with a statement setting out details of the purposes to which the monies have been applied and (subject to compliance with relevant laws);
- 2.2.7 Notwithstanding the provisions above, allow National Grid (at its own expense) to audit all expenditure funded from the HCCP Community Fund and to provide access to all such information and evidence as may reasonably be necessary to enable National Grid to carry out any such audit upon receipt of 2 months' prior notice subject to National Grid agreeing the frequency and scope of such audits in advance with the Fund Manager and PROVIDED THAT in default of such agreement there shall be no more than two audits in the first 12 months following the date of the first payment of part of the HCCP Community Fund to the Fund Manager and no more than one audit in any subsequent 12 month period;
- 2.2.8 If any amount of money paid to the Fund Manager by National Grid remains is not spent or contracted before the expiry of the later of 5 years of the date the amount was paid by National Grid repay any such unspent monies to National Grid or its nominee unless otherwise agreed in writing.
- 2.3 The Fund Manager shall (subject to paragraph 2.5) make payments as directed by the Panels in relation to mitigation proposals from communities which the relevant Panel has resolved to approve.
- 2.4 The Fund Manager shall not be obliged to make payments directed by a single Panel which individually or cumulatively equal or exceed the Prescribed Percentage of:
- 2.4.1 the total HCCP Community Fund: or
- 2.4.2 the balance of the HCCP Community Fund at the time a direction is received pursuant to paragraph 3.5
- unless the other two Panels give their written consent to the Fund Manager.

### 3. PAYMENT OF HCCP COMMUNITY FUND

- 3.1 National Grid shall not Commence the Project unless the first instalment of the HCCP Community Fund has been paid to the Fund Manager
- 3.2 National Grid shall pay the HCCP Community Fund to the Fund Manager in the following instalments:
- 3.2.1 the sum of **£1,000,000** prior to the Commencement of the Project; and
- 3.2.2 the sum of **£1,000,000** annually on each of the first, second, third and fourth anniversaries of the date of Commencement of the Project

### 4. ESTABLISHMENT OF PANELS

- 4.1 The Joint Councils shall establish three Panels in accordance with paragraph 5.2 to:
- 4.1.1 receive and assess community applications to the HCCP Community Fund;
- 4.1.2 make requests to the Fund Manager for payments from the HCCP Community Fund; and
- 4.1.3 monitor delivery of community proposals which have received payments from the HCCP Community Fund.

4.2 The three Panels shall be comprised of the following organisations:

4.2.1 **Somerset CIM Panel:**

- (a) West Somerset Council;
- (b) Sedgemoor District Council;
- (c) Somerset County Council;
- (d) National Grid;
- (e) A community representative agreed by the three relevant Councils.

4.2.2 **North Somerset CIM Panel:**

- (a) North Somerset Council
- (b) National Grid
- (c) A community representative nominated by North Somerset Council

4.2.3 **Bristol and South Gloucestershire CIM Panel:**

- (a) Bristol City Council;
- (b) South Gloucestershire Council;
- (c) National Grid
- (d) A community representative agreed by the two relevant Councils.

4.3 The objectives of the Panels would be to:

- 4.3.1 maximise the environmental, economic and social benefits of the Project within the areas affected by the Project;
- 4.3.2 direct funding towards measures to seek to ensure that all funds are used to achieve the most appropriate mitigation to effects arising from the Project
- 4.3.3 and to operate with openness, transparency, equity and effectiveness; and attract additional funding from other private and public sector sources where possible.

4.4 In relation to administration of the HCCP Community Fund:

- 4.4.1 The Panels would recognise that the degree of actual or potential impact varies across the geography of the administrative areas of the Councils and that the application of funds should reflect this.
- 4.4.2 In order to address this, resources would be prioritised for use in areas of greatest impact with mitigation measures best suited to the geography and degree of actual or potential impact.
- 4.4.3 Priority would be given to those schemes, measures and projects that:
  - (a) can demonstrate the greatest potential to achieve mitigation of impacts;

- (b) have been identified as priorities to the communities with Parish or Community Plans as applicable;
- (c) are aligned to approved policies or plans of the Councils on each Panel as applicable;
- (d) can demonstrate support by the community and have been consulted upon.
- (e) can demonstrate they are deliverable and have support from key stakeholders such as landowners.
- (f) can demonstrate management and finance for future maintenance.
- (g) can demonstrate the greatest potential to address need arising from the Development;
- (h) can demonstrate overall value for money in terms of cost and effectiveness;
- (i) can demonstrate a contribution to developing and maintaining sustainable communities throughout the areas of impact; and

## 5. **ASSESSING MITIGATION PROPOSALS FROM COMMUNITIES**

5.1 The Councils shall make available on their websites an explanation of the criteria and process for written applications from communities to the HCCP Community Fund.

5.2 The Panel must accept and consider any application in writing:

5.2.1 from a person or group that meets the criteria in paragraph 6.3

5.2.2 which demonstrates that the applicant has consulted their users/local community, including the local parish or town council, that they have a business plan, and have relevant policies in place (eg in relation to child protection policy and equal opportunities)

5.2.3 which, where the local community has a parish or community plan, refers to this together with an indication of how the application fits with the priorities of that document.

unless it relates to one or more of the matters set out in paragraph [6.7 ] below.

5.3 The Panels shall consider applications from:

5.3.1 all community-based organisations that operate on a not-for-profit basis, with priority given to those communities that are directly adjacent to the development infrastructure, or are directly affected by construction activity;

5.3.2 other communities /settlements / areas which can demonstrate adverse impacts and/or can demonstrate that their proposal will benefit such other settlement/area; and

5.3.3 parish councils and local authority partnership projects

Provided that the applicant can demonstrate it is validly constituted and has bank account.

5.4 The Panels shall assess application forms against the following criteria:

- 5.4.1 **Priority Impact Zones** - Priority shall be given to those areas that are anticipated in the Environmental Statement or by the Councils in their Local Impact Report to experience or which actually experience the greatest adverse impact from the Project.
- 5.4.2 **Quality of Life** - The project should enhance the quality of life of communities affected by the Development
- 5.4.3 **Sustainability** - The proposal should contribute to the wider goal of achieving sustainable communities, contributing to regeneration objectives and achieving higher standards of environmental sustainability.
- 5.4.4 **Extent of benefit** - The proposal should enhance community life for a significant number of people. Any facilities provided must be open to the general public with no membership restrictions, and have broad public and community benefit.
- 5.4.5 **Community Need** - The proposal should be addressing a specific community need.
- 5.4.6 **Community Support** - The proposal should have support from the local community and other organisations.
- 5.4.7 **Partner Support** - The proposal should, where relevant, have local partner support.
- 5.4.8 **Governance** - Governance arrangements should be in place, including financial and project management, to ensure deliverability.
- 5.4.9 **Value for Money** - The proposal should represent value for money.
- 5.5 The relevant Panel will decide which applications to approve and in doing so need to ensure, that:
  - 5.5.1 The process is transparent and fair to all; and
  - 5.5.2 Proposals supported are necessary, viable (both during their development and in the long term), and will deliver social and community benefits within the area affected by the Project
  - 5.5.3 reasonable efforts have been made to maximise the impact of any investment, for example securing match funding where appropriate.
- 5.6 The Panels shall not insist on every application meeting all of the above criteria but any application must be able to demonstrate specific and measurable benefits for the local community.
- 5.7 The Panels shall not be obligated to consider applications which relate to:
  - 5.7.1 Individuals, feasibility studies, sponsorship or fundraising events;
  - 5.7.2 Proposals principally benefiting people outside of the areas/parishes affected by the Project;
  - 5.7.3 Retrospective bids;
  - 5.7.4 Charities without an existing or proposed base, project or link in the areas/parishes affected by the Project;
  - 5.7.5 Activities that primarily promote religious or political beliefs;

- 5.7.6 Mini buses or other vehicles (unless part of a sustainable transport scheme);
- 5.7.7 Any scheme/mitigation already funded under other provisions contained in this or any other legal agreement related to the Project
- 5.7.8 Travel expenses associated with a proposal; and
- 5.7.9 Animal welfare.

**Schedule E**  
**Public Rights of Way**

1. National Grid shall not Commence the Project until it has paid:
  - 1.1 the sum of £11,575 (eleven thousand five hundred and seventy five pounds) to the County Council as a contribution towards the cost of the County Council carrying out the works and activities deemed necessary by the County Council for the diversion of footpaths WL23/71 and WL23/61; and
  - 1.2 the sum of £5,706 (five thousand seven hundred and six pounds) to the County Council as a contribution towards the cost of carrying out the works and activities deemed necessary by the County Council for the strategic link improvements to the public right of way known as the Strawberry Line within the administrative area of the County Council
  - 1.3 the sum of £32,000 (thirty two thousand pounds) to Bristol City Council as a contribution towards the cost of the diversion of public rights of way away from over-sailed and most impacted routes to upgraded existing lanes at Hallen Marsh.

## Schedule F Additional Planting

Where in this Schedule the following defined terms and expressions are used they shall have the following meaning unless otherwise stated:-

**"Additional Planting"** means the additional planting of hedgerow trees, occasional strips and clumps of woodland in West Somerset, south of the Hinkley Line Entries, within the area inside Grid Refs ST 20729 45086, ST 21610 45084, ST 21558 44562 and ST 20809 44688

**"First OSPES"** has the same meaning as defined within the Submitted Section 106 Agreement

**"Management Plan"** means a 15 year plan detailing the periods for which each type of planting will be managed and maintained from the date of planting all the off site planting and related works delivered under the First OSPES or the Replacement OSPES and shall replace any plant lost within that same period in the next available planting season

**"Off Site Planting Delivery Scheme"** has the same meaning as defined within the Submitted Section 106 Agreement

**"Replacement OSPES"** has the same meaning as defined within the Submitted Section 106 Agreement

**"Submitted Section 106 Agreement"** means the agreement made under section 106 of the Town and Country Planning Act 1990 between National Grid and the Councils and dated 16 June 2015

### 1. ADDITIONAL PLANTING

1.1 The Additional Planting shall be deemed to be part of the First OSPES for the purposes of and delivered in accordance with Part A of Schedule 9 to the Submitted Section 106 Agreement.

### 2. MANAGEMENT PLAN

2.1 No Stage of the Project (or any other division that the parties may agree in writing) shall commence until the Management Plan for that Stage has been submitted to the relevant Councils.

2.2 National Grid will manage and maintain the First OSPES (including the Additional Planting) or any Replacement OSPES in accordance with the submitted Management Plan.

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*Report Number:* WSC 92/15  
*Presented by:* Cllr Karen Mills – Cabinet Lead for Economic Regeneration & Tourism  
*Author of the Report:* Corinne Matthews – Economic Regeneration & Tourism Manager  
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*Report to a Meeting of:* Council  
*To be Held on:* Wednesday 1 July 2015  
*Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:*

## ALLOCATION OF HPC S106 TOURISM INFORMATION FUNDS

### 1. PURPOSE OF REPORT

- 1.1 To consult with Cabinet on a suggested approach for the allocation of the HPC S106 Phase 2 (Part 2) Visitor Information funds.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 Maximising opportunities for West Somerset communities and businesses to benefit from the nuclear development whilst protecting local communities and the environment.

### 3. RECOMMENDATIONS

- 3.1 To recommend to Council the allocation of the Phase 2 (Part Two) S106 Tourism allocation of £50,000 to those Local Authorities and Visitor Centres identified as requiring support by the Local Authorities party to the S106 Agreement as follows:-

(i) £20,000 to West Somerset Council for the purposes of supporting Minehead, Porlock and Watchet Visitor Information Services.

(ii) £20,000 to Sedgemoor District Council for the purposes of supporting Burnham-on-Sea, Cheddar and Bridgwater Tourism Information Services.

(iii) £10,000 reserved for Somerset County Council to be released upon production of a fully costed proposal to be submitted to the Hinkley Tourism Action Partnership for delegated approval.

#### 4. **RISK ASSESSMENT (IF APPLICABLE)**

##### **Risk Matrix**

<b>Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Overall</b>
<i>Those TIC's supported do not undertake the monitoring and support requirement in respect of minimising the impacts and maximising the opportunities of the HPC Project</i>	M	H	M
<i>SLA's / Partnership Agreements in place that clearly set out the expectation.</i>			

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

#### 5. **BACKGROUND INFORMATION**

##### **5.1. Role and Responsibilities of Tourism Information Services**

- Tourism Information Centres are the 'eyes and ears' of tourism intelligence across the County. They are a front-line service, and via their tried and trusted relationships with tourism providers and visitors are aware of visitor trends, opportunities and threats well in advance of any statistical analysis.
- The role of Tourism Information Services has changed considerably over the past decade. The growth of the internet, and other modernised tourism marketing models, has minimised the role that the TIC has in supporting the consumer to research their holiday destination in advance of prior bookings. However, it still has significant strength in supporting Visitors once they have arrived within a destination, and helping to support accommodation providers and other key attractions in being an integral part of place based marketing and promotion. Information Centres, also traditionally provide a range of services for the local community as well.
- In respect of the Hinkley Point C Project specifically the Information Services have a pivotal role in delivering the following:
  - Acquiring first-hand information in relation to any 'issues' that are impacting on tourism visits / visitor spend and rapidly communicating that information to the Local Authorities.
  - An important and vital conduit to businesses in terms of the dissemination of information / messages / alerts.
  - An important resource to HPC Construction Workers and their families, in helping to promote and market the area / provide information for recreational opportunities (providing regular updates to the HPC Accommodation website)
- The Visitor Centres also have an important role in delivering aspects of the Hinkley Tourism Action Plan. To this end all of the Centres are being encouraged to collaborate on some specific projects including 'Coach Friendly Towns' and 'Local Ambassador' Schemes.
- Investment to the Visitor Information Services has been subject to Service Level Agreements, attached as an appendix to this report is the SLA that was agreed with Minehead TIC for 2014/15.

## **5.2. Resource Allocation to-date**

The HPC Site Preparation S106 made a total of £200,000 available for tourism information support across the three Local Authorities named in the Agreement (West Somerset / Sedgemoor District Councils and Somerset County Council)

The payments have been phased with West Somerset Council having access to the first tranche of £50K, the second tranche came available May 2014 and was distributed across the three Authorities. The third and final tranche came available as of 6<sup>th</sup> May 2015 and totals £100,000 plus indexation. Due the on-going uncertainty related to EDF Energy making their final investment decision (FID) and it has been agreed amongst the Local Authorities to utilise less than half of the allocation available, to ensure that resource remains in place for continued support next year.

Table 1 – Allocations to date West Somerset IC's

Financial Year	Centre	Amount
2012/13	Minehead IC	28,000
	Porlock IC	4,000
	Watchet IC	750
<b>Total 2012/13</b>		<b>£32,750</b>
2013/14	Minehead IC	12,950
	Porlock IC	3,600
	Watchet IC	750
<b>Total 2013/14</b>		<b>£17,250</b>
2014 /15	Minehead IC	15,000
	Porlock IC	4,000
	Watchet IC	1,000
	Burnham IC	15,000
	Somerset Visitor Centre	15,000
<b>Total 2014/15</b>		<b>£50,000</b>
<b>Total S106 drawn down</b>		<b>£100,000</b>

## **5.3 Proposed allocations for 2015/16**

The Tourism Officers of West Somerset and Sedgemoor Councils have undertaken a review of the existing Service Level Agreements in place with the Tourism Information Centres and have gained an understanding of each Centres performance against the SLA's and their individual financial circumstances. West Somerset Tourism Officer's recommendation is that Minehead, Porlock and Watchet Information Services receive a similar allocation to that awarded for 2014/15 (see Table 1)

Sedgemoor District Council has examined the wider impact of the site preparation works on the towns of Bridgwater and Cheddar and have proposed that the support for visitor services in Sedgemoor extends to these areas as well as Burnham-on-Sea. They have requested a sum of £20,000 to support these three Centres.

Members may be aware that Somerset County Council have closed the Somerset Visitor Centre which was located at the Sedgemoor Services on the M5. SCC intend to install digital information points at key strategic locations throughout the County, and are currently working up a costed business plan. They are also seeking a business plan for proposed support from Cartgate the TIC located on the A303. Members are asked to reserve up to a maximum of £10,000 of this allocation and delegate the approval process of releasing the funds to the Hinkley Tourism Action Partnership.

## **6. FINANCIAL/RESOURCE IMPLICATIONS**

- 6.1 The Phase 1 HPC TIC Contribution of £50K was received by West Somerset Council in March 2012 and was allocated in line with the recommendations of the April 2012 Cabinet.
- 6.2 The Phase 2 (Part 1) allocation of £50K was received by West Somerset Council on 6 May 2014, and was allocated in-line with the recommendations of the July 2014 cabinet and Council.
- 6.3 The Phase 2 (Part 2) allocation of £100K was paid to WSC on 6<sup>th</sup> May 2015

## **7. COMMENTS ON BEHALF OF SECTION 151 OFFICER**

- 7.1 As the accountable body for the S106 funding, the total expenditure of £50,000 will be recorded in the Council's accounts. It is important to note that the S106 funding is one-off monies and it is advisable to use this to support one-off spending in order to prevent an ongoing budgetary commitment for the Council. It is not expected that there will be any associated costs, other than staff time and minimal administration, in respect of this item.
- 7.2 To aid monitoring and reporting against financial approvals, it is recommended that the sum of £50,000 is added to the Revenue Budget creating an agreed budget for the expenditure, with a matching income budget of £50,000 and be funded from contributions received. This will not impact on Council's Net Budget position.

## **8. EQUALITY & DIVERSITY IMPLICATIONS**

- 8.1 **Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.** The three aims the authority **must** have due regard for are:
- Eliminate discrimination, harassment, victimisation
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 8.2 In working with those organisations that we commission to deliver activity for us, we embed the Councils equality and diversity values.

## **9. CRIME AND DISORDER IMPLICATIONS**

- 9.1 None that are relevant to this report.

## **10. CONSULTATION IMPLICATIONS**

- 10.1 Consultations have been undertaken with Sedgemoor District Council, Somerset County Council and the Tourism Information Centres.

## **11. ASSET MANAGEMENT IMPLICATIONS**

- 11.1 There are no asset management implications.

## **12. ENVIRONMENTAL IMPACT IMPLICATIONS**

- 12.1 Our Tourism Information Centres encourage sensitive use of the natural environment.

**13. HEALTH & WELLBEING**

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

13.1 Our Tourism Information Centres publicise and promote the health and well-being benefits of visiting and enjoying our outstanding natural environment.

**14. LEGAL IMPLICATIONS**

14.1 The recommendations that form part of this Report are in line with the requirements of the HPC Site Preparation S106 – Schedule 6



## Service Level Agreement 2014

Agreement between West Somerset Council (WSC) and Minehead Information Centre (MIC) and Minehead Development Trust (MDT) as the legal entity responsible for MIC.

1. **Purpose** - the purpose of this Agreement is to set out the expectations of all parties in respect of the allocation of £15,000 of HPC Section 106 tourism mitigation funds to the Minehead Information Centre
  
2. **Site Preparation Works: Tourism Contribution (extract from Schedule 6) For the Purposes of supporting existing Tourist Information Centres:**

*The sums of*

(1) £50,000 prior to the implementation of Phase 1.....

(2) £50,000 prior to the implementation of Phase 2

(B) the sum of £100,000 prior to the first anniversary of the Implementation of Phase 2

*Tourist Information Centres means the following information centres: Minehead IC, Watchet IC, Porlock IC, Bridgwater IC (currently located at Bridgwater Arts Centre), Burnham on Sea IC, Sedgemoor Services M5 Information centre and A303 information centre.*
  
3. **Allocations** - The reports of West Somerset Council dated 16<sup>th</sup> April 2012 and 23<sup>rd</sup> July 2014 outlines the agreed contributions to each of the Centres. **The agreed allocation to the Minehead Information Centre** from the 2014 allocation will not exceed **£15,000**.
  
4. **Function** - The Council Report of 23<sup>rd</sup> July outlines the function of the Visitor Information Service as follows:
  - Tourism Information Centres are the ‘eyes and ears’ of tourism intelligence across the County. They are a front-line service, and via their tried and trusted relationships with tourism providers and visitors are aware of visitor trends, opportunities and threats well in advance of any statistical analysis.
  - The role of Tourism Information Services has changed considerably over the past decade. The growth of the internet, and other modernised tourism marketing models, has minimised the role that the TIC has in supporting the consumer to research their holiday destination in advance of prior bookings. However, it still has significant strength in supporting Visitors once they have arrived within a destination, and helping to support accommodation providers and other key attractions in being an integral part of place based marketing and promotion. Information Centres, also traditionally provide a range of services for the local community as well.
  
5. **Specific requirements** - The following areas will be those that MIC must seek to support in respect of the potential impacts / opportunities from the HPC project:

- Acquiring first-hand information in relation to any 'issues' that are impacting on tourism visits / visitor spend and rapidly communicating that information to the Local Authorities.
- An important and vital conduit to businesses in terms of the dissemination of information / messages / alerts.
- An important resource to HPC Construction Workers and their families, in helping to promote and market the area / provide information for recreational opportunities (providing regular updates to the HPC Accommodation website)
- Support the promotion and marketing of the town of Minehead and the surrounding area.
- Explore and implement income generating activity (that is in keeping with the TIC function) to ensure continues sustainability of the service.

## 6. Specific tasks / timeline / milestones

The following tasks (roles and responsibilities) will be required to be undertaken by the MIC (and overseen by the MDT) in respect of specific delivery directly related to the HPC S106 Requirement:-

Task	By when	Comment / additional information
Establish a comprehensive database of Tourism accommodation providers / attractions, with telephone numbers / email addresses and permissions from the businesses to receive regular news / updates	November 2014	Porlock and Watchet TIC's will be requested to broker in information to the master database maintained by MIC as part of their own individual SLA's
Collect intelligence / information and evidence in respect of the impacts of the HPC project, and establish a communications strategy for the rapid dissemination of information.	Throughout	This is a vital part of the service – to ensure that the MIC receives up-to-date information in respect of traffic congestion or other issues, and is able to communicate this to tourism providers, and support them with tactics for ensuring that customers visiting the area are not significantly disadvantaged.
Ensure that MIC staff receive digital media / social media training	1 September 2014	1 day training session provided by Starfish PR
MIC to co-opt a member of staff and /or Board Member to the (about to be established) Minehead Tourism Business Network (Sub-group of Minehead Vision Group)	1 September 2014	The MTBN will have the role of co-ordinating a marketing and promotional plan for Minehead – including generating content for websites / social media campaigns. It will link proactively with other activity including the Minehead

		Events Group, and key tourism attractions.
To undertake specific projects to support both the on-going sustainability of the service, and to add value to the resources / information available for visitors	1 April 2015	2 new projects full researched and primed for implementation
Monthly update / liaison meetings with WSC Tourism Officer or other designated member of the WSC Economic Development Team	August 2014 – and monthly* thereafter.	* Regular liaison and support is considered very important to ensure that activity is on track, fit for purpose and is proactive as well as reactive.

## 7. Monitoring and Evaluation

The Service Provider (MDT) will monitor and evaluate its service provision and report progress to WSC at two formal review meetings, held in January 2015 and April / May 2015. In addition the following documents / information will be provided to WSC

Annual Report - to include the following information

- Visitor Numbers – Direct visits to the Centre
- An indication of the number of visitor enquiries (letter / telephone / email)
- Accommodation bookings
- The number and type of tourism promotion related activity initiated or supported by the TIC
- Reporting on the outcomes of promotional and income generating activity (i.e. hits to website / sales within publications / advertising space sold).
- Number of and types of issues logged in direct response to the Hinkley Point C Project
- Number of referrals received from HPC Project in respect of accommodation / request for community / tourism information.
- Annual Audited Accounts

## 8. West Somerset Council's Commitment –

- i. On receipt of the signed Agreement West Somerset Council will make available £7,500. The second instalment of £7,500 will be paid the closest day to 1 January 2015 subject to a satisfactory interim review.
- ii. West Somerset Council will ensure that all relevant information in respect of the HPC project is communicated to the MIC in a timely fashion.
- iii. West Somerset Council will seek to broker and support those relationships with Tourism providers / tourism bodies that it considers that MIC should be liaising / networking / supporting.
- iv. West Somerset Council via the Tourism Officer (or other Economic Development team staff) will meet regularly with the MIC Manager and MDT Board members to support activity in relation to the key activity outlined in paragraph 6.

- v. West Somerset Council will continue to champion the important role of the dedicated tourism Information Services provision within the District. It will consult with the Information Services prior to negotiating the allocations due on the first anniversary of Phase 2, as well as those that will become available if the project moves to Development Consent Order.

**9. Signatories**

**For and on behalf of Minehead Development Trust**

**Chair.....**

**Print.....**

**(Minehead Development Trust)**

**.....Date**

**For and on behalf of Service Provider**

**.....Signed**

**.....Print**

**(Corinne Matthews – Economic Regeneration Manager)**

**.....Date**

*Report Number:* WSC 84/15  
*Presented by:* Cllr Peter Murphy – Chairman of Scrutiny Committee  
*Author of the Report:* Cllr Peter Murphy / Emily McGuinness  
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*Report to a Meeting of:* Cabinet  
*To be Held on:* 1<sup>st</sup> July 2015  
*Date Entered on Executive Forward Plan* 3<sup>rd</sup> June 2015  
*Or Agreement for Urgency Granted:*

## **FINAL REPORT OF THE SECONDARY EDUCATION IN WEST SOMERSET TASK AND FINISH GROUP**

### **1. PURPOSE OF REPORT**

- 1.1 This report sets out the recommendations of the Scrutiny Task and Finish Group which was established to consider the provision of secondary education in West Somerset. The recommendations of this Task and Finish Group ( as set out in their report at Appendix A) have been agreed by the Scrutiny Committee and are now presented to Cabinet for their endorsement.

### **2. CONTRIBUTION TO CORPORATE PRIORITIES**

- 2.1 This report contributes to the Corporate Objective of 'Local Democracy' in that an effective Scrutiny function is crucial to securing local democracy and accountability.

### **3. RECOMMENDATIONS**

Cabinet are asked to resolve:

- (1) that the recommendations of Scrutiny Committee be noted and the committee be commended for the quality of the report produced in relation to this matter;
- (2) that the Cabinet fully supports the principle of ongoing engagement between the West Somerset College and the Council and is committed to being supportive in promoting the highest possible standard of education provision for the young people of West Somerset; and
- (3) that the Cabinet would welcome any further reports from the Scrutiny Committee on the whole issue of education provision in the district with particular reference to the potential for joint scrutiny working across the county on educational matters.

### **4. BACKGROUND INFORMATION**

Attached at Appendix A is a copy of the Final report of a Scrutiny Task and Finish Group established earlier this year to consider the provision of Secondary Education in West Somerset.

The report outlines the thorough process undertaken by Scrutiny members in order to make informed recommendations on this matter of significant local importance.

This report was considered by the Scrutiny Committee at their meeting on 12<sup>th</sup> March 2015 – at which time, members noted the report recommendations and resolved that the recommendations of the Task and Finish Group be supported and Cabinet recommended to endorse them.

## **5. FINANCIAL/RESOURCE IMPLICATIONS**

5.1 There are no financial implications associated with this report.

## **6. COMMENTS ON BEHALF OF SECTION 151 OFFICER**

6.1 None associated with this report.

## **7. EQUALITY & DIVERSITY IMPLICATIONS**

7.1 **Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.** The three aims the authority **must** have due regard for are:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

None associated with this report.

## **8. ASSET MANAGEMENT IMPLICATIONS**

8.1 None associated with this report.

## **9. ENVIRONMENTAL IMPACT IMPLICATIONS**

9.1 None associated with this report.

## **10. HEALTH & WELLBEING**

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

10.1 This recommendations contained in this report will contribute to ensuring that West Somerset Communities are thriving and resilient through the provision of high quality education.

## **11. LEGAL IMPLICATIONS**

11.1 None associated with this report.

## APPENDIX A

### SCRUTINY TASK AND FINISH GROUP REPORT

### REVIEW OF SECONDARY EDUCATION IN WEST SOMERSET

#### Introduction

This report sets out the findings of the Task and Finish Group (TFG) established by the Scrutiny Committee to look into the matter of secondary education in West Somerset.

The provision of education as such is not part of West Somerset Council's remit; nevertheless, the Council is aware that this particular issue is of significant interest to local communities involved and by taking an interest the Council is fulfilling its role of championing and enabling people, local organisations and communities in West Somerset to achieve the Council's vision of enabling people to live work and prosper in West Somerset.

With the Local Government Act 2000, all local authorities (Including District Councils) gained new statutory powers in respect of their community leadership role in promoting and improving the economic well-being, social well-being and environmental well-being of their area. Scrutiny Committees have carried out work in monitoring education but, as far as we are aware, this is generally undertaken by top tier authorities with only a very few district councils carrying out any form of education scrutiny.

The report will outline the background to this topic, the investigation carried out before drawing conclusions.

#### Background

At the Scrutiny Committee meeting of the 7<sup>th</sup> August 2014 the matter of education issues in West Somerset was agreed as a topic for review. The Scrutiny Committee had already made a decision to specifically review the process carried out regarding the Dulverton Middle School age range consultation.

Following the announcement of the 2014 GCSE results at West Somerset College (WSCol), Scrutiny Members took the view that the scope of the task and finish group should be widened to look in greater depth at the education system in West Somerset and the reasons behind the decline in GCSE attainment levels.

Members were aware of the levels of concern amongst parents and the local community and at the Scrutiny Committee held on the 11<sup>th</sup> September, 2014 a member of the public raised concerns regarding the matter and requested that the Scrutiny Committee engage with the College on behalf of parents and local people.

Just 36% of students had achieved five A\* to C grades including English and Maths (DfE). Following an appeals process this rose to 42%.

Concerns from parents over the poor results led to a high profile campaign and the launch of an online petition calling for changes in the College's leadership team.

Ofsted carried out a no-notice inspection on 1/2 October that was triggered by 11 complaints. The College was rated as inadequate and was required to be placed into special measures.

The proposal to change the age range at All Saints First and Dulverton Middle schools and subsequent consultations was initiated in May 2013 by the governing body of the Exmoor Federation as a result of national funding changes and the ability to maintain standards.

In light of developments in the Exmoor Federation, West Somerset College consulted on the lowering of its age range to 11 and Minehead Middle proposed but did not consult to raise its age range to 16. Both these proposals have not been pursued at this present time.

With the changes to the formula providing scarcity funding in March 2014, and Ofsted rating Exford First and Dulverton Middle as 'Good' in July 2013, the Governors of the Exmoor Federation, at their meeting on 11 June 2014, voted not to support the proposal.

The proposal to change the age range at All Saints and Dulverton Middle and the subsequent lengthy consultation process has resulted in a great deal of uncertainty within the Southern Exmoor community as to the long term sustainability of Dulverton Middle School. This has been further compounded by the decision to extend the Kingsmead Academy catchment to include the Dulverton area and the consultation by SCC which has just concluded concerning the provision of free school transport to Kingsmead for children in the Dulverton area.

### **Membership of the Scrutiny Task and Finish Group**

Councillor Peter Murphy (Chairman), Councillor Richard Lillis (Vice-Chairman), Councillor J Freeman, Councillor Keith Ross.

Councillor Stuart Dowding (Chairman of Council) received a standing invitation to attend meetings of the Task and Finish Group.

The Task and Finish Group was supported by Sam Rawle, Scrutiny and Performance Officer.

### **Terms of Reference and Objective of the Review**

As with all Scrutiny reviews the work of the Task and Finish Group needed to maintain a strong focus on some key points. Members agreed that this review should focus on the following points:-

- Seek clarity and understand the current academy status, how it works, and how children benefit;

- Consider current attainment levels and compare results league tables;
- Understand what proposals are being considered to address the low attainment levels
- Understand the education governance structure and system for holding decision makers to account
- Understand the current catchment area and consider any barriers this has to the education system in West Somerset
- Consider the process followed with regard to the proposal to change the age ranges of the West Somerset College and Exmoor Federation of Schools and consider how this impacted on the rural communities of West Somerset.
- Consider and understand the funding issues facing education providers in West Somerset.-

Members met officers of Somerset County Council and discussed a range of pre submitted questions to gain an insight into the role of the Education Authority in the current pattern of schools in West Somerset. In our meeting with SCC, examples were given as to how scrutiny of education has been carried out.

They also met the Chair and Secretary to the governors at West Somerset College to discuss a range of pre submitted questions and the response of the college to the situation they found themselves in. In our meeting with West Somerset College, suggestions were made as to how Councillors could support the school directly.

### **Current national context and role of the Local Authority**

Historically, the administration for local education services has been the responsibility of top tier local authorities (Counties and Unitaries).

There are about 25,000 schools in England of which the majority are currently maintained schools – they are maintained and funded nationally through the local authority.

Since 2010, the number of schools converting to academies has gathered pace. As at January 2015 there are 4,404 academies in England. (Department for Education website)

The increasing conversion of maintained schools to academies, however, means that the relationship between local government and schools is set to change. The local authority is still responsible for the three key roles of ensuring a sufficient supply of school places, protecting and supporting vulnerable children and tackling underperformance in schools and ensuring high standards.

Central Governments education policy is to:-

'To create a more autonomous and diverse school system that offers parents' choice and concentrates on improving standards'.

Academies are funded and accountable to the Secretary of State for Education, **not** local authorities.

The local authority retains a statutory duty to monitor the performance of all schools and to intervene in underperforming maintained schools when necessary.

***It is not able to intervene directly in academies where there are concerns about performance.***

This has in recent years been done by the Secretary of State for Education, through the Open Academies Division of the Department for Education. However the Department for Education has created a new position of Regional School Commissioners (RSCs) who will have oversight of 8 English education regions. Announced in December 2013, RSCs have the remit of monitoring performance and prescribing intervention to secure improvement in underperforming academies in their region. The RSC does not have a role in relation to maintained schools.

With the increase of academy schools in the last 5 years, the funding to local authorities for school improvement services has reduced substantially. This follows with the current education policy that academies will work collaboratively and learn from each other to raise standards.

As more schools have converted to academies, funds which were administered centrally by the LA (Local Authority) are transferred to local level. There is a loss of economies of scale which the LA provided and the ability of the LA to carry out its remaining statutory duties is reduced. As an example, there were formerly 9 School Improvement Officers in post to support schools, now there are 3. (As a comparison, there are 11 officers in post in Devon CC) where there are few academies.

SCC working with schools has set up Somerset Challenge which brings all schools together to encourage them to offer mutual support and challenge to raise attainment countywide. Somerset Challenge is a school-led initiative, supported through the Somerset Learning Platform and RM Collaborate.

## **How have we addressed the objectives that were set?**

### How does the Academy system work

Academies are independent, state-funded schools, which receive their funding directly from central government, rather than through a local authority.

They have more freedom and flexibility than other state schools over their finances, curriculum, length of terms and school days and do not need to follow national pay and conditions for teachers.

They have responsibility for all capital assets (land buildings etc) and their management.

They are subject to Ofsted inspections as other schools are and their public exams will continue to be published.

Academies were originally introduced in 2000 by the last Labour government as a way to drive up standards in struggling schools. The policy objectives of the programme were to:-

- To drive up standards by raising achievement across the local area;
- To increase choice and diversity by creating a new type of local school that provides a good standard of education.

In 2010, the Coalition Government made the decision to significantly expand the academies scheme and all schools in the country – primary as well as secondary - were invited to apply for academy status.

All maintained schools (primary, secondary and special schools) that are performing well can submit an application to convert to an Academy. Additionally, any school can apply with other schools as part of a formal partnership, providing at least one is performing well, to join an existing academy trust with a proven track record of school improvement.

When a school becomes an academy the academy trust becomes its own admissions authority. This means that it manages its own admissions process and must ensure that its admission arrangements comply with the School Admissions Code.

There are currently between 20% and 25% of Somerset Schools that have academy status, a majority of secondary schools and a small, but increasing, proportion of primary schools.

### Consider current attainment levels and compare results league tables

For the purposes of this review the task and finish group focused on two data sets, key stage 2 and key stage 4.

#### **Key Stage 2**

Key Stage 2 is the term used for the four years of schooling normally known as Year 3, Year 4, Year 5 and Year 6, when pupils are aged between 7 and 11.

At the end of Key Stage 2 teacher assessments and a series of tests are carried out to ascertain the level of achievement that a pupil has reached. Most children are expected to achieve level 4 at the end of KS2 and this is seen as a good indicator of a pupil's chances of success at secondary school.

Table 1 below shows the percentage of pupils at Key Stage 2 achieving level 4 or above in English and Mathematics for the period 2012 – 2014 for the three middle schools in West Somerset.

**Table 1**

<b>Key Stage 2</b>	<b>2012 Level 4+ in reading, writing and maths</b>	<b>2013 Level 4+ in reading, writing and maths</b>	<b>2014 Level 4+ in reading, writing and maths</b>
England/National Average – All Schools	75%	75%	79%
Somerset Average	74%	75%	78%
<b>School Name</b>			
Minehead Middle	64%	60%	73%
Variance between school result and Somerset average	-10%	-15%	-5%
Dulverton Middle	70%	67%	70%
Variance between school result and Somerset average	-4%	-8%	-8%
Danesfield Middle	59%	66%	66%
Variance between school result and Somerset average	-15%	-9%	-12%

(Figures from Department for Education website – 10 Dec 2014)

## Key Stage 4

At the end of this stage, pupils in Year 11 (aged 16) are normally entered for GCSE examinations.

One of the most significant indicators to measure attainment at key stage 4 is 'Percentage of students achieving 5A\*-C GCSEs including English and mathematics.

Table 2 below shows the percentage of pupils achieving measures 5+A\*-C grade GCSE including English and mathematics for the period 2012-2014.

**Table 2**

Key Stage 4	2012	2013	2014
	<b>Percentage achieving 5+ A*- C GCSE's including English and Maths GCSEs</b>		
England/National Average	59.4%	59.2%	53.8%
Somerset Average	56.5%	58%	53.8%
West Somerset College	49%	48%	38%

(Figures from Department for Education website – 10 Dec 2014)

### Plans and Proposals to improve current attainment levels

From discussions with the College, Members heard that following the GCSE results a 'Raising the Standards' improvement plan had been developed with support from Somerset Challenge and the Regional Schools Commissioner. Since then and in response to the Ofsted Section 5 inspection an Action Plan has been developed which addresses the 5 key priority areas identified as being in need of improvement.

The College may receive up to five monitoring inspections over the next two years to see how the College is progressing. At the first monitoring inspection the lead HMI expressed concern at the pace of implementing the Action Plan.

Support has been brokered on behalf of the College by the Regional Schools Commissioner and Somerset Challenge. The College has engaged with the Somerset Challenge programme which is a school led collaborative partnership, with the aim of raising standards of achievement across Somerset schools.

The College has joined PiXL – a collaboration of schools across the country which support each other by making available to each other outstanding subject leaders.

The College is working with Heathfield School to improve mathematics and The Blue School to improve English.

Sir David Carter the Regional Schools Commissioner for the South West is continuing to seek a sponsor for the West Somerset College. A sponsor has to be an outstanding institution that is usually similar in terms of leadership and make up. It has proved difficult to find a sponsor due, in part, to the accessibility of Minehead to suitable nearby schools.

### Understand the governance structure and system for holding decision makers to account

The principles of governance are the same at an academy as at a maintained school. The difference is that all academies are charitable companies and as such have a trust body. The trust body is the over-arching accountable body. It appoints a number of governors from the community. Parent and staff governors are elected.

The Governing Body is responsible for establishing the academy trust and entering in to a funding agreement with the Department for Education for the running of the academy. Its key responsibilities are to:

- Ensure the quality of education provision
- Challenge and monitor the performance of the academy
- Manage the academy trust's finances and property
- Employ staff

As part of the investigation members wanted to clarify the role and influence that Somerset County Council had with West Somerset College particularly as now the school had been put into special measures.

During discussions with County officers members heard that Somerset County Council as the local education authority still retained a statutory responsibility to monitor the performance of all schools, including academies. However, this power did not go as far as direct intervention in terms of academies. Academies are answerable directly to the Department for Education with regards to standards and performance.

Central Government has created a new post of a Regional Schools Commissioner, whose role is to monitor the performance of all academies, take action when an academy is underperforming and support academies on their improvement journeys.

Somerset County Council still has a responsibility to ensure that all children receive a high quality education, regardless of whether they attend a maintained school or an academy. All primary and secondary schools whose results place them below the national floor standard for that age group will be contacted by the County Council

and challenged on the low examination results and to ensure that the schools are taking steps to improve performance. The County Council will also raise concerns directly with the Regional Schools Commissioner if they have concerns over performance and standards.

### Consider Catchment Areas in West Somerset & the Barriers this has to Education

The diagram in appendix 1 shows the current structure of education in West Somerset. There is a three tier system of First (5 – 8 years old Triangle), Middle (9 – 13 years old rectangle) and Upper school (13 – 19 years old circle). Most schools are in a hard Federation (where schools are formally grouped together and accountable as a group to one head and one governing body) and most feed into West Somerset College (WSCol). (the main exception to this pattern is Crowcombe and Stogumber Federation which is a Primary (5-11 years old diamond) Federation which feeds into Kingsmead in Wiveliscombe, a secondary 11 – 16 years old school)

There is also the Exmoor Coast Federation (peach) where the headteachers work together but are responsible to their individual governing bodies. Academies are shown in Purple, hard Federation in red; and Blue are local Authority schools with one Head and one governing body.

The diagram in appendix 2 shows the primary and secondary education division in the West Somerset three tier system.

Students transfer from Middle to WSCol one year before the end of Key Stage 2. WSCol has KS2 data supplied by an external organization during the Autumn term after the students have transferred to the College together with teacher assessment supplied at the time of transfer to help inform them of students' achievement.

(Tables 1 & 2 show KS2 attainment data from the Department for Education website. This shows a range of attainment between the middle schools and across subjects.) When students arrive at WSCol, they sit a Foundation diagnostic paper in core subjects (English, mathematics & science) which provides benchmark data for progress monitoring, across the three middle schools target setting and grade prediction up to GCSE and beyond. WSCol makes use of Fischer Family Trust diagnostic data which governors use to monitor performance against targets.

From September 2015 Kingsmead Academy has made the decision to expand its catchment area to include Dulverton. Kingsmead will be increasing the number of places available in Year 7 (age 11) by 30 places and priority for admission will be granted to the new catchment children. Parents who wish to change to a secondary education at 11 will now be able to express an interest and move their children from middle school at age 11 to begin their secondary education at 11 effectively leaving the three tier system behind.

Consider the **process** followed with regard to the proposal to change the age ranges of the West Somerset College and Exmoor Federation of schools and consider how this has impacted on the rural communities of West Somerset.

West Somerset College consulted on the lowering of its age range to 11 to offer an opportunity to Dulverton pupils to continue to receive secondary education within West Somerset's 3 tier system. This was a response to the funding of Dulverton middle school (for a discussion of rural funding, see later). This triggered a proposal which was not consulted on by Minehead MS to raise its age range to 16 to provide an alternative for pupils transferring to West Somerset College. Both proposals have subsequently been placed in abeyance.

There was a Local Authority proposal to change the age range at All Saints and Dulverton Middle schools to change them into primary schools. This was in response to the funding changes and the drop in standards. Consultations, were initiated in May 2013 by the Governing Body of the Exmoor Federation.

With the changes to the formula providing sparsity funding in March 2014, and Ofsted rating Exford First and Dulverton Middle as 'Good' in July 2013, the Governors of the Exmoor Federation, at their meeting on 11 June 2014, voted not to support the proposal.

During the autumn of 2013 the Authority held informal consultation to understand the issues and options.

A period of statutory consultation on changing the age range was undertaken between January and May 2014. During the autumn term 2013, meetings had been held for the heads of the West Somerset schools, local parish councillors, the parents and communities of Dulverton and Exford, the Dulverton school council and the local clergy to explore possible options.

In February 2014 a consultation document was sent to all parents and was made available to the community. An online questionnaire was produced. During the consultation period two public meetings were held, one organised by Somerset County Council and one by Dulverton Town Council. Drop-in sessions were held in Dulverton and Exford.

Following a Governing Body meeting to discuss the results of the consultation, an additional consultation was undertaken directly with parents of children at the three schools in the Federation. Of the 96 responses to the consultation only 18 came from people who identified themselves as parents of children at the Exmoor Federation schools. The local authority and governors felt that they were under-represented in the initial consultation.

The local authority sent out 185 letters to the parents of the Exmoor Federation and received 61 responses from pupils families.

The Task & Finish Group (TFG) consider that the consultation failed to engage with parents and the wider community to produce a result that could be relied on with

confidence to show community and parental support for change or strong support for the current arrangements.

SCC decided not to change the age range in the Exmoor Federation schools as a result of the consultation and lack of governor support for change.

Subsequently, in late 2014, with a closing date of 16 January 2015, SCC carried out a consultation to see if there was support for offering free school transport for Exmoor Federation parents to Kingmead School. At the meeting with the TFG, officers said they did not intend to hold meetings in the schools as part of the consultation, as they had written to all families who's children attended the federation, local schools, and put an article in the West Somerset Press.

TFG do not know the result of this consultation although SCC have confirmed that 57 families and 7 schools have responded to the consultation

There are now discussion between the Exmoor Federation and Minehead Middle School to bring them together into a Multi Academy Trust. There is an ambition that this could potentially bring ten schools together under one leadership team but would require seven sets of governing bodies to agree it.

#### Consider and understand the funding issues facing education providers in West Somerset

Members key concern is that the current education funding formula puts schools in sparsely populated rural areas at a real disadvantage and jeopardises their long term viability.

If rural schools were to close the impact on the Exmoor rural communities would be enormous with outward migration of families affecting the economic viability and exacerbating a demographic imbalance within the community.

Pupil numbers in West Somerset have shown a steady decline over the last 10 years. Between 2001 and 2011 the number of 0-19year olds in West Somerset have reduced by 15%.

Somerset County Council has traditionally supported small rural schools by providing a large lump sum regardless of the number of pupils.

The 2011 Education Act changed education funding, based more on pupil numbers and aligned with national curriculum key stages. These reforms mean that middle school key stage 2 pupils are no longer funded as secondary pupils but as primary pupils. This meant that our middle schools suffered a cut to their funding for the oldest two years of pupils.

In 2014/15, the Department for Education introduced an additional factor for sparsity. Its purpose was to enable funding to be targeted at 'necessary' small rural schools to ensure their viability.

This meant that Somerset County Council was able to take up the option to provide additional funding for Exford First School and Dulverton Middle School and it did so which restored some funding to middle schools.

It was to address this funding situation that WSCol and Kingmead looked to their admission arrangements to provide an alternative to the continuation of the middle school providing lower secondary education in Dulverton.

The Rural Services Network through their Rural Fair Share Campaign has called on the in-coming government to protect rural schools from closure. The campaign calls for – ‘the scarcity factor introduced to the education funding formula in 2014/15 to take some account of the rural cost premium should be continued, with local authorities having discretion how that funding is best used locally’.

The Rural Services Manifesto – [www.rsonline.org.uk/fairerfunding](http://www.rsonline.org.uk/fairerfunding)

The TFG consider that our rural schools have suffered from governments operating an education model which is essentially designed for urban areas where most of the UK population live.

## **Conclusions**

There are concerns over the level of student achievement at all levels of the education system in West Somerset.

The TFG is concerned that the policies of governments have led to a fragmented system of education governance that is continually in flux as more schools change to academies. This has been partly addressed by government through the creation of Regional School Commissioners but LAs remain with powers over some schools yet a role to monitor all schools but little power to change for the better when concerns arise. The TFG recognise that LAs provide a measure of democratic accountability whereas a structure that runs through the DOE does not.

TFG recognises that the LA has a limited influence over DFE academies but has responded by the creation of Somerset Challenge and by alerting schools if the LA has concerns over their performance and offering support.

TFG recognises that schools need to work together to provide as seamless as possible transfer between schools in different tiers of education rather than competing for pupils to increase their own funding.

## **Recommendations**

- 1. The TFG recommends that support is given to any initiatives which have the raising of attainment as their goal. In particular, the TFG support the ambition to form a Multi Academy Trust in West Somerset.. West Somerset College be supported in its efforts to carry out its Action Plan,**

**in particular supporting the retention of a wide range of post 16 education in West Somerset so that young people are not compelled to travel great distances to improve their skill levels.**

- 2. The TFG recommends that national government and the LGA is lobbied to address the effectiveness of the governance structure of academy schools and to clarify the role and responsibility of the LA in relation to the challenging of underperforming academies.**
- 3. The TFG recommends that West Somerset College be asked to inform Councillors how they can engage with the school directly and invite them to do so.**
- 4. The TFG recommends that they continue to monitor developments in the education system in West Somerset as it continues to evolve with a view to inviting providers to engage with the Council as circumstances permit.**
- 5. The TFG recommends that they explore the potential for joint scrutiny work between the District and County Council concerning educational matters in West Somerset.**