

CABINET

MINUTES OF THE MEETING HELD ON 2 NOVEMBER 2016

AT 4.30 PM

IN THE COUNCIL CHAMBER, WILLITON

Present:

Councillor A Trollope-Bellew Leader

Councillor M Chilcott
Councillor K Mills
Councillor S Pugsley
Councillor D J Westcott

Councillor M Dewdney
Councillor C Morgan
Councillor K Turner

Members in Attendance:

Councillor I Aldridge
Councillor S Goss
Councillor B Heywood
Councillor P Murphy

Councillor G S Dowding
Councillor A Hadley
Councillor B Maitland-Walker
Councillor N Thwaites

Officers in Attendance:

Director of Operations (S Adam)
Assistant Chief Executive (B Lang)
Assistant Director Resources (P Fitzgerald)
Assistant Director Place and Energy Infrastructure (A Goodchild)
Community and Housing Lead – Energy Infrastructure (L Redston)
Revenues and Benefits Manager (H Tiso)
Corporate Strategy and Performance Manager (P Harding)
Senior Tourism Officer (R Downes)
Asset Manager (T Child)
Assistant Estates Officer (R Mulcaire)
Senior Debt and Recovery Officer (S Perkins)
Partnership Manager, Somerset West Private Sector Housing Partnership (C Trevelyan)
Meeting Administrator (K Kowalewska)

CAB30 Apologies for Absence

No apologies for absence were received.

CAB31 Minutes of the Meeting held on 8 September 2016

(Minutes of the Meeting of Cabinet held on 8 September 2016 - circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Cabinet held on 8 September 2016 be confirmed as a correct record.

CAB32 Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

| Name | Minute No. | Member of | Action Taken |
|------------------------------|-------------------|------------------|---------------------|
| Councillor C Morgan | All | Stogursey | Spoke and voted |
| Councillor A Trollope-Bellew | All | Crowcombe | Spoke and voted |
| Councillor K Turner | All | Brompton Ralph | Spoke and voted |
| Councillor D Westcott | All | Watchet | Spoke and voted |
| Councillor I Aldridge | All | Williton | Spoke |
| Councillor S Goss | All | Stogursey | Spoke |
| Councillor B Maitland-Walker | All | Carhampton | Spoke |
| Councillor P Murphy | All | Watchet | Spoke |
| Councillor N Thwaites | All | Dulverton | Spoke |

In addition, the following interests were declared:

| Name | Minute No. | Description of interest | Personal or Prejudicial | Action Taken |
|------------------------|-------------------------|---|--------------------------------|---------------------|
| Cllr M Chilcott | CAB44 | Acquainted with of one of the account holders | Prejudicial | Left the Chamber |
| Cllr M Chilcott | CAB46 CAB47 CAB48 | Private Landlord | Prejudicial | Left the Chamber |
| Cllr S Pugsley | CAB46 CAB47 CAB48 | Private Landlord | Prejudicial | Left the Chamber |
| Cllr A Trollope-Bellew | CAB46 CAB47 CAB48 | Private Landlord | Prejudicial | Left the Chamber |
| Cllr K Turner | CAB46 CAB47 CAB48 | Private Landlord | Prejudicial | Left the Chamber |
| Cllr D Westcott | CAB46 CAB47 CAB48 | Private Landlord | Prejudicial | Left the Chamber |

CAB33 Public Participation

No members of the public spoke at the meeting on any items on the agenda.

CAB34 Forward Plan

(Copy of the Forward Plan for the month of January 2017 – circulated with the Agenda.)

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

RESOLVED that the Forward Plan for the month of January 2017 be approved.

CAB35 Cabinet Action Plan

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

RESOLVED that CAB28 HPC Planning Obligations Board – Allocations of CIM Funding be deleted as actioned.

CAB36 HPC Planning Obligations Board – Allocations of CIM Funding

(Report No. WSC 124/16 – circulated with the Agenda.)

The purpose of the report was to present the recommendations of the Hinkley Point C Planning Obligations Board (HPC 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 Lead Member for Resources and Central Support presented the item and provided a brief explanation of the application which had been considered by the HPC POB. She drew Members' attention to the comments received by the HPC Education, Employment and Skills Operations Group (EESOG) who unanimously supported the project. The Lead Member went on to state that the Beach Hotel and the work of the YMCA were a great asset to the community of West Somerset with the building being utilised by numerous groups and she believed it to be one of the most successful projects running in the area, changing the lives of local young people.

The Lead Member for Resources and Central Support proposed the recommendation which was duly seconded by Councillor D Westcott.

Members were supportive of the Beach Hotel Kitchen Theatre project and wished it every success. This provided an excellent educational training opportunity for young people interested in catering.

The Assistant Director Place and Energy Infrastructure provided further clarification on the work of EESOG; and in response to a further question relating to the relaunch of the CIM Fund, the Lead Member for Resources and Central Support advised that there were several streams of work being carried out and a number of funds would be launched at the same time, namely the Somerset Fund and the Somerset Community Foundation Fund. A clear public message would be communicated to avoid any confusion as regards to the criteria for applying to the different funds.

RESOLVED that the recommendations of the Hinkley Point C Planning Obligations Board be endorsed as follows:

- To release £12,500 to the YMCA Somerset Coast from the CIM fund ring-fenced for West Somerset towards the Beach Hotel Theatre project subject to conditions specified by the Planning Obligations Board.

CAB37 Review of Council Tax Rebate Scheme for 2017/18

(Report No. WSC 122/16 - circulated with the Agenda.)

The purpose of the report was to provide Cabinet with information on the existing Council Tax Rebate scheme.

The Lead Member for Resources and Central Support presented the report and proposed the recommendations which were duly seconded by Councillor M Dewdney.

Members confirmed they had read and understood the report prior to voting.

RESOLVED (1) that, having regard to the recommendations from the Scrutiny Committee, the consultation response and the Equality Impact, it be recommended to Council to amend the current CTR scheme to that illustrated in Model 11. This will implement a combination of Options 2 and 4 and will:

- (a) Reduce the maximum CTR available to people of working age to 80%;
and
- (b) Align the CTR scheme for 2017/18 with changes made by the Government to other welfare benefits with the exception that applicants aged 18-21 would continue to be eligible for CTR.

RESOLVED (2) that it be recommended to Council to approve the 2017/18 Council Tax Rebate Scheme for 2017/18 only.

CAB38 Hinkley Point C Project Update

(Report No. WSC 119/16 - circulated with the Agenda.)

The purpose of the report was to provide a general update to Members on recent activity in relation to the project; to publish the recent Annual Review of the project alongside the Q2 Performance Report; to provide an update on staffing matters and to seek approval for some changes to the governance arrangements to enable West Somerset Council to provide input and take decisions on aspects of the project going forwards.

The Lead Member for Energy Infrastructure presented the report and highlighted the key points contained within. He proposed the recommendations of the report which were seconded by Councillor K Mills.

The Leader stated that now that the work on the Hinkley Point C project was able to continue, it would give certainty to local businesses. He raised an issue concerning a future funding problem which would need to be addressed in relation to being able to continue supporting the project longer term, and confirmed he had written a letter to the Minister, Baroness Neville Rolfe raising this issue and was awaiting a response.

During the discussion the following main points were raised:

- It was confirmed that the Community Fund had not yet been set up to receive bids. However, if community groups had good ideas for projects it was advised that these should be directed to the CIM Fund as the aims and objectives of the two funds were the same. A lot of officer help and advice was available and groups were encouraged to contact the Community and Housing Lead – Energy Infrastructure officer for further information and to ascertain eligibility.
- Populating the vacant posts within the Energy Infrastructure Team was on track and it was aimed to utilise the services of experienced officers to save money wherever possible.
- It was important to note and understand the financial position contained within the Annual Statement as WSC was the responsible authority, and the table detailing the breakdown and the range of funding was very useful.
- The Somerset Community Foundation Fund criteria and the process for accessing the fund would be made available in due course, once detailed discussion had been held with the relevant parties.
- The legal agreement for the Hinkley Housing Fund had been signed and West Somerset Council was now in control of the money which was agreed at the May 2016 full Council meeting.
- Members were encouraged to visit the Hinkley Point sites to gain a better understanding and to become familiar with the area.
- It was confirmed that the Wessex Regional Flood Committee were responsible for the Stolford Area Flood Fund and the Environment Agency would deliver the project.
- It was noted that reference to the funding awarded to 'Croft House in Williton' within paragraph 4.2 of the Financial Report related to the former Croft House, and a request was made for the wording to be amended to avoid further confusion.

RESOLVED (1) that the recent progress on the Hinkley Point C project be noted.

RESOLVED (2) that the recent changes to the Energy Infrastructure Team be noted.

RESOLVED (3) that the content of the Annual Statement be noted.

CAB39 Financial Monitoring 2016/17 as at 31 August 2016

(Report No. WSC 123/16 - circulated with the Agenda.)

The purpose of the report was to provide an update on the projected “outturn” – end of year – financial position of the Council for the financial year 2016/17 (as at 31 August 2016).

The Lead Member for Resources and Central Support presented the report, advising that the predicted revenue outturn figures could change throughout the year.

The Lead Member proposed the recommendation which was seconded by Councillor S Pugsley.

In response to a question concerning the creation of the new council and the spending of ring-fenced funds and its associated impacts, the Director of Operations advised that if there were any legal obligations associated with WSC or TDBC earmarked reserves, the obligation would be passed on to the new council and therefore protected.

RESOLVED that the Council’s forecast financial performance as at 31 August 2016 with the estimated position at the end of the financial year be noted.

CAB40 Quarter 2 (month 5) 2016/17 Performance Report

(Report No. WSC 121/16 - circulated with the Agenda.)

The purpose of the report was to provide Members with key performance management data up to the end of month 5 Quarter 2 2016/17, to assist in monitoring the Council’s performance.

The Leader presented the report and drew Members’ attention to the detailed explanations of the red measures. Further training would be undertaken to improve the situation with regards to performance indicator KPI 123 – Customer Complaints, and TH14a – Timeliness of draft minutes of committee minutes would be addressed.

The Leader proposed the recommendation of the report which was seconded by Councillor K Turner.

The Corporate Strategy and Performance Manager confirmed that following a request made at the recent Scrutiny Committee, he had circulated comparative data on sickness to Members.

In response to concerns raised regarding public toilet complaints, the Corporate Strategy and Performance Manager reported that it was more of a problem concerning the closing of the complaints process rather than officers not dealing with the enquiries or their complexity, and training would be provided to improve the procedure.

RESOLVED that the Council's performance be noted.

CAB41 **Allocation of Hinkley Point C Section 106 Tourist Information Centre Funds**

(Report No. WSC 125/16 - circulated with the Agenda.)

The purpose of the report is to consult with Cabinet on a suggested approach for allocating Hinkley Point C Section 106 funds for Tourist Information Centres during 2016-18; and to consult with Cabinet on a suggested approach for commissioning tourist information services in Watchet.

The Lead Member for Regeneration and Economic Growth presented the report, focussing on the funding to the West Somerset tourist information services. She drew attention to the rationale for allocating the monies, as well as the roles and responsibilities of the Tourist Information Centres (TICs) that would receive the money. The Lead Member provided clarification that the funding levels were proportional to the work the TICs would be performing as set out in the report. She also stated that as the Watchet Boat Museum, funded from the CIM Fund, was now operational, this would be a good opportunity to commission a more robust visitor information service for the town – visitor numbers had significantly increased and it was felt to be the appropriate way forward.

The Lead Member proposed the recommendations which were duly seconded by Councillor M Dewdney.

In response to a question as to whether there would be money available over the extended funding period to continue to support the tourist information services, the Senior Tourism Officer explained how the allocations of funding were to be spent and confirmed that support would be provided for quite some time. Work was due to be undertaken with the TICs in terms of helping them become more sustainable.

Measuring the impacts of the Hinkley project on tourism was vitally important, and it was questioned what work was being undertaken to share the impacts with the Exmoor National Park Authority (ENPA). It was confirmed all information was being disseminated to ENPA and vice versa in this regard.

RESOLVED (1) that it be recommended to Council to approve the allocation of £71,000 from HPC S106 allocations for tourist information centres. This includes the remaining funds of £60,649.33 from the Site Preparation Works agreement, and part of the funds of £10,350.67 from the first Development Consent Order Works agreement. Staggered payments would be made in line with service level agreements with centres, which total:

(a) £48,000 to West Somerset Council for the purposes of supporting Minehead, Porlock and Watchet tourist information services for two financial years in 2016/17 and 2017/18.

(b) £23,000 to Sedgemoor District Council for the purposes of supporting Burnham-on-Sea, Cheddar and Bridgwater tourist information services in 2016/17.

RESOLVED (2) that a service provider for tourism information services to the community of Watchet be advertised and to delegate the commissioning of the service to the Lead Member for Economic Regeneration and Economic Development and the Economic Regeneration Manager in line with a provider satisfying the requirements of the service level agreement as detailed in paragraph 4.2 of the report.

RESOLVED (3) that Somerset County Council be advised that their proposed allocation of £10,000 set aside from the 2015/16 approval process will revert to the Hinkley Tourism Action Partnership fund, unless claimed by 31 March 2017.

CAB42 **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded during consideration of Items CAB43 and CAB44 on the grounds that, if the press and public were present during these items, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended as follows:

The items contain information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding that information). It is therefore agreed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

CAB43 **Lease of 25 Brunel Way, Minehead**

(Report No. WSC 126/16 - circulated with the Agenda.)

The purpose of the report was to consider the lease of 25 Brunel Way, Minehead.

The Lead Member for Resources and Central Support presented the report and proposed the recommendations which were seconded by Councillor C Morgan.

RESOLVED (1) that the lease of 25 Brunel Way, Minehead to Party B on a 15 year term at £6,250 per annum be approved.

RESOLVED (2) that all other terms and conditions of the lease to be agreed by the Asset Manager in consultation with the Lead Member for Resources and Central Support.

CAB44 Business Rates Write Offs Over £5,000

(Report No. WSC 118/16 - circulated with the Agenda.)

The purpose of the report was to seek cabinet approval in accordance with the Financial Regulations to authorise the write off of any irrecoverable Non Domestic Rates (Business Rates) which has an individual value greater than £5,000.

In the absence of the Lead Member for Resources and Central Support, the Leader introduced the item and the Senior Debt and Recovery Officer presented, outlining the key points from his report. In addition, he provided further clarification on questions raised by Members at the recent Cabinet Agenda Setting meeting.

The Leader proposed the recommendation which was seconded by Councillor D Westcott.

RESOLVED that the write off of £34,835.23 in respect of irrecoverable Business Rates be approved.

CAB45 Readmittance of the Press and Public

RESOLVED that the Press and Public be readmitted to the meeting.

CAB46 Appointment of Chairman for the remainder of meeting

At this point the Leader left the meeting.

RESOLVED that Councillor K Mills chair the remainder of the meeting.

CAB47 Amendment to the Private Sector Renewal Policy – Disabled Facilities Grants and Repairs Assistance

(Report No. WSC 116/16 - circulated with the Agenda.)

The purpose of the report was to seek Member approval for an amendment to the Somerset West Private Sector Housing Renewal Policy to include new prevention grant and equipment provisions to assist applicants applying for disabled adaptations and to assist with essential modifications to housing or repairs for owner occupiers and tenants with repairing obligations in order to prevent accidents or ill-health.

In the absence of the Lead Member for Housing, Health and Wellbeing, the Lead Member for Regeneration and Economic Growth presented the report and proposed the recommendation which was duly seconded by Councillor M Dewdney.

During the discussion of this item, it was noted the Equalities Impact Assessment had not been included with the report.

With agreement from the Chair, the meeting was adjourned for 5 minutes to allow Cabinet Members time to read the Equalities Impact Assessments which had been omitted from both reports relating to Agenda Item 17 – ‘Amendment to the Private Sector Renewal Policy – Disabled Facilities Grants and Repairs Assistance’, and Item 18 – ‘Housing Enforcement Policy’. During which time it was advised that the full versions of the Equalities Impact Assessments were unavailable to be presented. Cabinet accepted that the information contained within Section 10 of the reports which summarised in detail the equality and diversity implications was sufficient and the meeting resumed.

RESOLVED that the amendments to the Somerset West Private Sector Housing Renewal Policy be approved.

CAB48 Housing Enforcement Policy

(Report No. WSC 117/16 - circulated with the Agenda.)

The purpose of the report was to seek Member approval for the Somerset West Housing Standards Policy. The policy has been developed with the assistance of the Council’s partners which include; Sedgemoor District Council, Taunton Deane Borough Council, private sector landlords, tenants, Taunton Association for the Homeless, Bridgwater YMCA, and Somerset Care and Repair. It is a three year policy detailing how the partnership will regulate standards in private sector housing in Sedgemoor, Taunton Deane and West Somerset.

In the absence of the Lead Member for Housing, Health and Wellbeing, the Lead Member for Regeneration and Economic Growth presented the report and proposed the recommendation which was duly seconded by Councillor M Dewdney.

RESOLVED that the Somerset West Private Sector Housing Partnership Housing Standards Policy and charges be approved.

CAB49 Harassment and Unlawful Evictions Policy

(Report No. WSC 120/16 - circulated with the Agenda.)

The purpose of the report was to seek Member approval for the Somerset West Housing Harassment and Unlawful Evictions Policy.

In the absence of the Lead Member for Housing, Health and Wellbeing, the Lead Member for Regeneration and Economic Growth presented the report and proposed the recommendation which was duly seconded by Councillor C Morgan.

RESOLVED that the Somerset West Private Sector Housing Partnership Harassment and Unlawful Evictions Policy be approved.

The meeting closed at 6.30 pm.