

MENDIP DISTRICT COUNCIL

Minutes of the meeting of the Cabinet held on Monday, 14 October 2013 in the Council Chamber at Wells Town Hall commencing at 6.30 pm.

COUNCILLORS

PRESENT:

Cllr Philip Ham	Portfolio Holder for Policy and Performance and Assistant to Portfolio Holder for Built Environment
Cllr Tom Killen (Vice Chair)	Deputy Leader of the Council and Portfolio Holder for Access to Services
Cllr Graham Noel	Portfolio Holder for Finance
Cllr John Parham	Portfolio Holder for Governance, Assets and Public Spaces
Cllr Harvey Siggs	Leader of the Council (Chair) and Portfolio Holder for Access to Services
Cllr Nigel Taylor	Portfolio Holder for Regulatory Services
Cllr Nigel Woollcombe-Adams	Portfolio Holder for Built Environment

OTHER COUNCILLORS

PRESENT:

Cllr Bryan Beha, Cllr John Carter (Chair of the Audit Committee), Cllr Chris Inchley, Cllr Val Horler, Cllr Terry Napper, Cllr John North, Cllr Danny Unwin

OFFICERS:

Chris Atkinson	Corporate Manager, Access to Services
Stuart Brown	Chief Executive
Paul Deal	Corporate Finance Advisor
Claire Dicken	Committee Officer
Debbie Lambert	Senior Choice Based Lettings Officer
Donna Nolan	Corporate Manager, Governance Assets and Public Spaces
Keith Pennyfather	Strategic Assets Manager
Jenny Pitcher	Senior Economic Development Officer
Adam Savery	Deputy Corporate Finance Advisor
Jai Vick	Housing Options Team Manager

Agenda Item Number	Subject	Actioned By
1	<p>Chair's Announcements</p> <p>The Chair explained the procedures in the case of an emergency and asked that all mobile telephones and Blackberries be turned off or switched to silent. He further asked that no tweeting take place within the Council Chamber during the meeting.</p>	
2	<p>Apologies for Absence</p> <p>None.</p>	

3	<p>Declarations of Interest</p> <p>None.</p>	
4	<p>Public Participation</p> <p>a Items on the agenda: None.</p> <p>b Items not on the agenda: None</p>	
5	<p>Previous Minutes</p> <p>The minutes of the Cabinet meeting held on 9 September 2013 were agreed as a correct record of proceedings.</p>	<p>Claire Dicken</p>
6	<p>Somerset Health and Wellbeing Strategy</p> <p>The Portfolio Holder for Built Environment outlined the report which explained that a community that was healthy and well was a community that thrived. As a member of the Somerset Health and Wellbeing Board the District Council had been working to form a Somerset wide strategy so that all partners could work effectively to improve health and wellbeing across Somerset.</p> <p>It was recommended that Cabinet endorsed the Somerset Health and Wellbeing Strategy.</p> <p>Members welcomed the Strategy particularly because it was a joined up approach to the health and wellbeing of residents. It was noted that County Councillors received funding for projects that promoted healthy lifestyles, not necessarily sports related.</p> <p>The new responsibilities of the County Council with regard to scrutiny of health and wellbeing services and the newly formed HealthWatch organisation were outlined.</p> <p>In response to queries it was clarified that the performance of the Strategy would be measured by central government. There were no current specific performance targets, but these will be developed.</p> <p>OPTIONS CONSIDERED</p> <p>The Council had a number of options, with the emergence of this new area of focus. These options were whether to take an active role with partners in this arena, to do nothing more than continue independently with those activities it already does that contribute to health and wellbeing, or to ignore the agenda as a non priority.</p>	<p>Tracy Aarons</p>

	<p>RESOLVED</p> <p>Cabinet endorsed the Somerset Health and Wellbeing Strategy.</p> <p>REASON FOR THE RESOLUTION</p> <p>Taking an active involvement in this area would help the Council deliver its corporate priorities and also deliver improved health and wellbeing for the community.</p>	
7	<p>Economic Development Strategy – Action Plans and Recommendations to Deliver Business Growth</p> <p>The Portfolio Holder for Access to Services outlined the report which explained that the new Economic Development Strategy for Mendip (2013-2016) was approved by Cabinet in January and formed the agenda for nurturing and sustaining future economic prosperity across Mendip, which had been identified as a Corporate Priority. This paper developed specific actions arising from the Economic Development Strategy to help deliver against the three inter-related priorities:</p> <ul style="list-style-type: none"> • Promoting the Vision, Identity & Sense of Place • Providing a stronger focus on Business Starts • Investing to Unlock Business & Development Potential <p>The paper was developed following a series of workshop debates over the summer with members of the Business Development Group. The Group was established by the Council to lead the review and provide recommendations on priorities to support local business growth and economic prosperity.</p> <p>A two-pronged marketing approach was proposed for adoption.</p> <p>Invest in Mendip – promoting Mendip as a strong business location and encouraging new and existing businesses to invest and grow, in association with Into Somerset, the county’s inward investment body.</p> <p>Enterprise Mendip – fostering local entrepreneurship and small business success in close partnership with local Chambers of Commerce.</p> <p>A package of business support solutions was proposed. Consideration had been given to the establishment of a Mendip Enterprise Zone within the Bath & West Showground, further discretionary Business Rate relief for major business investment, the establishment of Mendip Enterprise Fund and the potential for a Mendip Local Growth Fund.</p>	Chris Atkinson

Members welcomed the recommendations especially as they may help to combat rural isolation as well as encourage business growth throughout Mendip. However, there was concern that there should be adequate controls in place to ensure that any business growth at the Bath & West Showground should not have a detrimental impact on the town of Shepton Mallet.

In response to queries it was clarified that the discretionary Business Rate relief would be limited to 3 years and would be restricted to "B class" use only.

One member outside of the Cabinet suggested that Mendip invest in new road signs to promote Mendip further.

In response to further questions it was stated that the Council had approached a range of businesses, including large hauliers, so as to investigate Mendip's unique selling points.

OPTIONS CONSIDERED

The Business Development Group discussed a range of options and approaches to marketing and business start up and growth support and other aspects of the strategy. These included options for a significant number of individual activities which resulted in the development of the proposed campaigns with detailed accompanying action plans.

The package of business support solutions proposed were developed in response to an identified need to provide an integrated and comprehensive business 'offer'.

RESOLVED

That Cabinet adopts the recommendations to deliver three of the action plans from the approved Economic Development Strategy:

- a) Approve the 'Invest in Mendip' and 'Enterprise Mendip' promotional campaigns.
- b) Approve the Establishment of a Mendip Enterprise Zone
- c) Approve further Discretionary Business Rate Relief for Major Business Investment
- d) Approve the establishment of a Mendip Enterprise Fund
- e) Explore the potential to establish a Mendip Local Growth Fund
- f) Delegate authority to the Portfolio Holder, Business Development and Growth and Corporate Manager, Access to Services to take any further actions necessary to give effect to the above decisions.

	<p>g) Note that the recommendations of the Mendip Local Growth Fund exploration will be brought forward for consideration at future meetings of Cabinet.</p> <p>h) Note the New Homes Bonus policy will be updated to reflect the funding proposals which will be referred to Full Council for approval in due course.</p> <p>REASON FOR THE RESOLUTION</p> <p>By not adopting the proposed recommendations, the Council may fail to deliver one of the Council's key Corporate Priorities.</p>	
8	<p>Review of Homefinder Somerset Allocations Policy</p> <p>The Portfolio Holder for Built Environment outlined the report which explained that the Localism Act 2011 had introduced significant amendments to Part 6 (Allocation of Housing Accommodation) of the Housing Act 1996. The main policy objectives behind the Localism Act amendments were summarised as follows:</p> <ul style="list-style-type: none"> ▪ To enable housing authorities to manage their housing waiting lists by giving them the power to determine which applicants did or did not qualify for an allocation of social housing within their district ▪ To maintain the protection provided by the statutory responsibilities of the Local Authority in framing an allocation scheme to ensure preference was given to specific categories of people as set out in s167(2) of the 1996 Housing Act. These categories of people were formally referred to as clients who had a "reasonable preference". The Local Authority must frame their Allocation Policy so as to give reasonable preference to these people over those who did not have reasonable preference. The reasonable preference client group included people who: <ol style="list-style-type: none"> 1) were homeless 2) were owed any temporary accommodation duties by the authority 3) were occupying insanitary, unsatisfactory or overcrowded accommodation 4) needed to move on medical or welfare grounds 5) needed to move to a particular locality due to hardship ▪ To make it easier for existing social tenants who did not fall within the Reasonable Preference groups to move through direct allocations outside of the allocation scheme. Transferring tenants within Reasonable Preference groups would continue to receive priority under the Housing Authority's allocation scheme 	Jai Vick

	<ul style="list-style-type: none"> ▪ As a result housing Authorities would be able to strike an appropriate balance between meeting the needs of existing tenants and new applicants for social housing whilst making best use of stock ▪ Remove restrictions to applications on the grounds of local connection to members/ former members of the armed forces. <p>These legislative changes brought about as a result of the Localism Act required Homefinder Somerset to review the allocations policy of Homefinder Somerset across Somerset. The policy revisions proposed in this report had taken into account the legislative requirements of the Localism Act.</p> <p>In response to questions the Housing Options Team Manager explained what would happen in the case of victims of domestic abuse. It was further clarified that the number of people on the housing register had recently reduced to 2,500. It was noted that many other authorities had already closed their registers.</p> <p>Cabinet welcomed the changes to the Policy.</p> <p>RESOLVED</p> <p>That the Review of the Countywide Homefinder Somerset Policy be approved.</p> <p>REASON FOR THE RESOLUTION</p> <p>Failure to review the Homefinder Somerset Allocations Policy would leave the Council open to legal challenge having not taken into account the Council’s statutory duty under the Housing Act 1996 to review the Housing Allocation Policy taking into account changes in legislation (including the Localism Act) and best practice.</p>	
<p>9</p>	<p>Potential Asset Transfer of Frome Showfield Site to Frome Town Council</p> <p>The Portfolio Holder for Governance Assets and Public Spaces outlined the report which explained that Members were asked to consider the potential assignment of the two leases covering the Frome Showfield site to Frome Town Council to manage and maintain the site under the existing terms and conditions of the leases.</p> <p>In September, the Corporate Asset Management Group supported “in principle” the potential transfer of this site following further interest by Frome Town Council.</p> <p>Frome Town Council had taken a proactive approach to seeking the release of the Section 106 Legal Agreement monies from the</p>	<p>Keith Pennyfather</p>

development of the health centre. Following public consultation, the Town Council had identified works to enhance the site as a recreational space. The Town Council proposed that the majority of these works were to be funded through Section 106 monies following the development of the health centre on the site. There was no requirement for Mendip to make any investment for the assignments to proceed.

The Ward Councillor was unable to attend the meeting. However, he supported the transfer of the site to Frome Town Council.

Cabinet supported the transfer of the site subject to delegated authority being given to the Officer in consultation with the Portfolio Holder, Governance Assets and Public Spaces to enter into negotiations about whether the proposed fence to the children's play area should be included in the Section 106 spend.

OPTIONS CONSIDERED

1. Continue with the existing arrangements. The maintenance costs associated with the site may continue to rise particularly if there was increasing public pressure to alter the mowing regime. This may well be the situation if the landlords withhold their consent.
2. Surrender the lease. The District Council would need to be satisfied that the park would be maintained and managed to an appropriate standard for the benefit of the local community. Any surrender would have to be agreed by the Head Landlord. It was unlikely that the Head Landlord would consent to this because of the commitment to ongoing maintenance.

RESOLVED

To agree to the assignment of both leases covering the Frome Showfield site to Frome Town Council and;

1. To delegate authority to the Corporate Manager Governance Assets and Public Spaces to take such action as is necessary in order to assign the leases and sub lease for the remainder of the term as a public open space to Frome Town Council subject to the consent of the landlord, the Frome and District Agricultural Society and subject to delegated authority being given to the Officer in consultation with the Portfolio Holder, Governance Assets and Public Spaces to enter into negotiations about whether the proposed fence to the children's play area should be included in the Section 106 spend;
2. To advertise the disposal of the leases under Section 123

	<p>of the Local Government Act 1972 and refer any objections back to Cabinet for consideration prior to disposal;</p> <p>3. To ensure that the Council has no contingent liabilities for the site in the future and Frome Town Council bear their own legal costs;</p> <p>REASON FOR THE RESOLUTION</p> <p>The District Council by assigning the leases to Frome Town Council would not only be enabling empowerment of the local community to manage the facility at the local level but would also make future annual savings on maintenance.</p>	
10	<p>Member Development Charter</p> <p>The Portfolio Holder for Governance Assets and Public Spaces outlined the report which explained the Charter for Elected Member Development had been developed nationally by the nine Regional Employers Organisations in partnership with Local Government Improvement and Development (LGiD). The South West region had its own Charter, which had been adapted to respond to local needs.</p> <p>Mendip applied to SW Councils for charter status in 2010 and were successfully awarded the status on 6 October 2010. An arrangement had been made with SW Councils to keep our Charter status until January 2014.</p> <p>At its meeting on 14 May 2012 the full Council resolved that the Council should strive to maintain Member Development Charter Status if possible.</p> <p>It was recommended that the Council complete the first step towards re-attaining the charter status, namely, completing a self assessment document for the SW Councils to review.</p> <p>During the discussion that followed Cabinet agreed that Member training was very important to ensure good decision making.</p> <p>All members were encouraged to take advantage of the training that was delivered. It was noted that Members of the Planning Board would be required to attend all the training sessions on planning issues in order to remain on the Board.</p> <p>One Member suggested that exams be introduced.</p> <p>OPTIONS CONSIDERED</p> <p>1. To do nothing and let the charter status expire; or, 2. Strive to re-attain charter status.</p>	Claire Dicken

	<p>RESOLVED</p> <p>That the Council complete the first step towards re-attaining the charter status, namely, completing a self assessment document for the SW Councils to review.</p> <p>REASON FOR THE RESOLUTION</p> <p>In order to fulfil the wishes of full Council.</p>	
11	<p>Mendip Hub Update</p> <p>The Portfolio Holder for Governance Assets and Public Spaces outlined the report which updated Cabinet on progress in terms of the Shape Mendip Hub (Phoenix) project.</p> <p>The report outlined a progress and partner update, information about service transformation, branding and external promotion, alterations and layouts, ICT update, interior fit out update and works programme.</p> <p>In summary the programme was on course to deliver the outcomes agreed by Cabinet in July 2011. The programme and proposals had met with wide-ranging support, and delivery was well advanced with the build programme progressing in accordance with the project plan.</p> <p>The initial driver of the project was to consider if there were prospects for the Council to secure efficiency savings from its future operational office requirements. The financial targets initially set were within target. However, moreover the matter had evolved into a challenging project at the forefront of effective and efficient public sector estate management, bringing together a wide range of public sector partners striving to meet the Government's efficiency agenda whilst also improving public sector services.</p> <p>The Scrutiny Board had noted and endorsed overall progress of the project.</p> <p>Members suggested that Councillors receive an update to show where Officers were working during the accommodation review.</p> <p>The Chair thanked the Officers for working in temporary conditions whilst the building work was carried out. He said the evidence was that morale was really good despite the changes.</p> <p>Members agreed that the new "meet and greet" roles were critical to the success of the new hub.</p>	Donna Nolan

	<p>RESOLVED</p> <p>To note and endorse overall progress including the updated financial analysis; updated risk register; adoption of phasing of the works programme; details of the internal fit out programme; Governance framework; the transformation bid; and partner update.</p> <p>REASON FOR THE RESOLUTION</p> <p>To further the Council's ambitions in relation to the creation of a Mendip Hub; and to position the Council so it could best influence and benefit from opportunities for service collaboration and public sector estate rationalisation.</p>	
12	<p>Anti-Fraud and Corruption and Whistleblowing Policy</p> <p>The Portfolio Holder for Governance Assets and Public Spaces outlined the report which explained that the Council had a culture of openness, honesty and integrity. It expected that elected Members, employees at all levels, partners, suppliers and contractors adopt the highest levels of propriety and accountability. The Anti-Fraud and Corruption Policy and the Whistleblowing Policy supported this culture and had been reviewed and updated to provide the framework for fraud awareness responses within the Council.</p> <p>Cabinet welcomed the updated Policy.</p> <p>RESOLVED</p> <p>That, subject to the concurrence of the Audit Committee and the Standards Committee, the revised Anti-Fraud and Corruption Policy and the Whistleblowing Policy were approved and recommended to Full Council for adoption and the Constitution be amended accordingly.</p> <p>REASON FOR THE RESOLUTION</p> <p>The adoption of the Anti-Fraud and Corruption Policy and Whistleblowing Policy would provide a clear network of systems and procedures to assist prevent and eradicate fraud, theft, corruption and bribery.</p> <p>Following adoption by Council, the revised policies would be published on the Council's website and SharePoint site thereby reinforcing the Council's commitment to preventing, tackling and monitoring fraud, as well as publicising the way to confidentiality inform appropriate Council Officers of suspected wrong doing.</p>	Donna Nolan

<p>13</p>	<p>2014/15 – 2016/17 Medium Term Resource Strategy (MTRS) – Update</p> <p>The Portfolio Holder for Finance outlined the report which stated that future service demands would significantly outstrip the resources available. Mendip would therefore need to review the services it currently provided and prioritise its spending. This report updated Members of the financial outlook for the forthcoming three-year MTRS cycle covering the period 2014/15 to 2016/17, and advised them of the actions being taken to mitigate the projected revenue funding shortfall. The report also outlined the work being undertaken to develop a Capital Investment Programme, and advised Members of the potential need to undertake specific consultations.</p> <p>The Chair clarified that the shortfall had been caused by the reduction of the government grant. He said that Mendip had made difficult decisions in the past so that it was now in a better position to deal with these challenges.</p> <p>Cabinet agreed that the financial decisions had proved successful.</p> <p>The Chair of the Audit Committee was invited to speak. He supported the financial decisions that had been made.</p> <p>RESOLVED</p> <p>To note the following:</p> <ul style="list-style-type: none"> • The revised 3-year revenue funding shortfall of £3.574m (stretching to £4m) following the announcement of the 2013 Comprehensive Spending Round (covering 2015/16 only) and the release of exemplifications from the Department for Communities and Local Government. • The on-going work to identify savings options and the avenues being used in order to resolve that 3-year funding shortfall. • The potential requirement to undertaken specific consultations in some on the proposed changes and the implications for service users. • The request for service managers to identify capital investment requirements in order to develop a Capital Investment Programme. <p>REASON FOR THE RESOLUTION</p> <p>Future service demands would significantly outstrip the resources available. It was therefore necessary to review the services currently provided and prioritise our spending. This report informs Members of the financial outlook for the forthcoming three-year MTRS cycle covering the period 2014/15</p>	<p>Adam Savery/Paul Deal</p>
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	to 2016/17 and the steps being taken to resolve that funding shortfall.	
14	Register of Recent Portfolio Holder Decisions Noted.	
15	Key Decisions for the Forward Plan Noted.	
16	Draft Minutes for Information The Wells Recreation Group Trust draft minutes from the meeting held on Tuesday, 17 September 2013 were noted.	
17	Urgent Business None.	
18	Exclusion of the Press and Public A resolution was agreed to exclude the press and public from the meeting during item 19 on the grounds that exempt information (as defined in Schedule 12 A Local Government Act 1972) of the following description was likely to be disclosed: Category 1, information relating to any individual. Category 2, information which was likely to reveal the identity of an individual.	
19	Irrecoverable Arrears – Housing Benefit Overpayments RESOLVED To approve the write off of the irrecoverable arrears as detailed in the report. REASON FOR THE RESOLUTION To properly reflect the Council’s recoverable debt.	

The meeting finished at approximately 7:45 pm.