



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 December 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 6 January 2016
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

CABINET

Meeting to be held on 6 January 2016 at 4.30 pm

Council Chamber, Williton

AGENDA

1. **Apologies for Absence**

2. **Minutes**

Minutes of the Meeting of Cabinet held on 2 December 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 for the month of February 2016 – **SEE ATTACHED.**

6. **Cabinet Action Plan**

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

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

To consider Report No. WSC 3/16, to be presented by Councillor M Chilcott, Lead Member for Resources and Central Support – **SEE ATTACHED.**

The purpose of this 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.

8. Request for Allocation of Hinkley Point C Planning Obligations Funds

To consider Report No. WSC 2/16, to be presented by Councillor M Chilcott, Lead Member for Resources and Central Support – **SEE ATTACHED**.

The purpose of this report is for Cabinet to consider the recommendation of the Planning Obligations Group for the allocation of £400,000 of leisure funds ring fenced to Stogursey Parish towards the redevelopment of the Victory Hall in Stogursey.

9. Report of the Scrutiny Task and Finish Group

To consider Report No. WSC 1/16, to be presented by Councillor P Murphy, Chairman of Scrutiny Committee – **SEE ATTACHED**.

The purpose of the report is to present the recommendations of Scrutiny Committee following their consideration of the findings of the Scrutiny Task and Finish Group established to consider the Community Impact Mitigation Fund (CIM Fund) following their review.

10. Parking Fees and Charges

To consider Report No. WSC 4/16, to be presented by Councillor K Mills, Lead Member for Regeneration and Economic Growth – **SEE ATTACHED**.

The report sets out the changes to the charging process that supports traffic management of tourist industry by seeking to influence driver behaviour with the following outcomes:

- Incentive for commuters to use car parks away from the main tourist sites, freeing up space for tourist and visitors to the area.
- Continue investment in parking assets.

The report seeks approval for changes to the summer car park tariffs; removal of the three hour zero tariff when valid blue badges are displayed in vehicles; and an increase to six months and yearly permits; and also identifies the ongoing investment needs to improve the assets, the customers experience and convenience.

COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS

CABINET**MINUTES OF THE MEETING HELD ON 2 DECEMBER 2015****AT 4.30 PM****IN THE COUNCIL CHAMBER, WILLITON****Present:**

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

Councillor M Chilcott
Councillor C Morgan
Councillor K TurnerCouncillor M Dewdney
Councillor S J Pugsley
Councillor D J Westcott**Members in Attendance:**Councillor G S Dowding
Councillor A P Hadley
Councillor R P LillisCouncillor S Y Goss
Councillor B Heywood
Councillor P H Murphy**Officers in Attendance:**Assistant Chief Executive (B Lang)
Assistant Director Resources (P Fitzgerald)
Revenues and Benefits Manager (H Tiso) – Item 8
Assistant Director Energy Infrastructure (A Goodchild) – Item 7
Community and Client Services Manager (S Weetch) – Item 9
Licensing Manager (J Rendell) – Item 9
Finance Manager (S Plenty) – Item 11
Meeting Administrator (K Kowalewska)**CAB66 Apologies for Absence**

An apology for absence was received from Councillor K Mills.

CAB67 Minutes of the Meeting held on 4 November 2015

(Minutes of the Meeting of Cabinet held on 4 November 2015 - circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Cabinet held on 4 November 2015 be confirmed as a correct record.**CAB68 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 S Goss	All	Stogursey	Spoke
Councillor P Murphy	All	Watchet	Spoke

In addition, Councillor A Trollope-Bellew made reference to a potential prejudicial interest in respect of Item 11 Fees and Charges 2016/17 as owner of a private water supply, and advised that if the matter of private water supply charges was to be specifically discussed he would leave the Chamber during this item.

CAB69 Public Participation

No member of the public had requested to speak on any item on the agenda.

CAB70 Forward Plan

(Copy of the Forward Plan for the month of January 2016 – 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 2016 be approved.

CAB71 Cabinet Action Plan

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

RESOLVED (1) that CAB62 – Budget Savings 2015/16 and Earmarked Reserves Review be deleted as actioned.

RESOLVED (2) that CAB63 – HPC Planning Obligations Board Allocations of CIM Funding be deleted as actioned.

RESOLVED (3) that CAB65 – WSC Asset Property Portfolio Compliance Status Report be deleted as actioned.

CAB72 Corporate Performance 2015/16 Quarter 2

(Report No. WSC 168/15 – circulated with the Agenda.)

The purpose of the report was to provide Members with key performance management data up to the end of quarter 2 2015/16, to assist in

monitoring the Council's performance. Publishing the information also supports the aim of greater public accountability.

The Leader presented the report and advised Members that the Scrutiny Committee had considered the report and their comments were contained within the report. He highlighted that planning performance had significantly improved since the last quarter and an explanation was given on the new suggested Performance Indicator for Disabled Facilities Grants. It was noted that there had been an increase in sickness absence and there was concern that this may rise further during the transformation process.

The Leader proposed the recommendations of the report, which were duly seconded by Councillor K Turner.

The matter of housing benefit processing times and the delays experienced by claimants was raised, and the Assistant Director of Resources confirmed that the migration exercise of transferring benefits data onto the Civica system used by Taunton Deane Borough Council would be completed by 14 December 2015.

RESOLVED (1) that the performance in quarter 2 be noted.

RESOLVED (2) that the change of measure in relation to Disabled Facility Grants described in paragraphs 5.9 and 5.12 of the report be supported.

CAB73 Council Tax Rebate Scheme Review for 2016/17

(Revised Report No. WSC 169/15 – tabled at the Meeting.)

The purpose of the report was to provide Cabinet with information on the existing Council Tax Rebate (CTR) scheme and the context for reviewing the scheme for Working Age applicants from 2016/17; to advise the Cabinet of the outcome of the public consultation on the Council Tax Rebate scheme in 2016/17; and to advise Cabinet of the preferred revisions to the Council Tax Rebate scheme in 2016/17 provided by the Corporate Policy Advisory Group on 28 October 2015 and the Scrutiny Committee on 12 November 2015.

The Lead Member for Resources and Central Support presented the revised report and advised that the comments and recommendations of both the Corporate Policy Advisory Group and the Scrutiny Committee had been incorporated into the draft scheme. She reported that since the recent announcement of the Autumn Statement there had been an alteration to the report and, because of government legislation having an impact on the scheme; there was also a requirement to provide an additional recommendation as it was envisaged that next year's consultation would consult on a wider range of options in order to be more flexible. The Lead Member then provided Members with detailed background information, highlighted the differences in the tabled report

and emphasised that the most significant change to affect the CTR scheme was to be a reduction in the Tax Credit income.

She concluded by acknowledging the hard work undertaken and thanked the staff involved.

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

RESOLVED (1) that, having regard to the steer provided by the Corporate Policy Advisory Group, the Scrutiny Committee, the consultation response and the Equality Impact Assessment, it be recommended to Council to amend the current Council Tax Rebate scheme to that shown in Appendix 1 (and illustrated in Model 15) to the report. This would implement a combination of Options 2, 3, 4 and 5 (see Model 15) and would affect working age applicants in 2016/17 by:

- disregarding maintenance received for children;
- removing entitlement to applicants with capital over £6,000;
- applying a Minimum Income for Self-Employed applicants; and
- paying Council Tax Rebate at a level that would be no more than for a Band C property.

RESOLVED (2) that the 2016/17 Council Tax Rebate Scheme be recommended for 2016/17 only.

Administrator's Note: On circulation of the agenda, Members were advised to read the policy (Appendix 1 of the report), and to consider the implications detailed in the Equalities Impact Assessment, which was made available to view online on the West Somerset Council's website.

CAB74 Licensing Officer Post – West Somerset Council

(Report No. WSC 153/15 - circulated with the Agenda.)

The purpose of the report was to outline the requirement for a full-time licensing officer post.

The Lead Member for Housing, Health and Wellbeing presented the report and provided Members with the background information. He proposed the recommendation which was seconded by Councillor C Morgan.

RESOLVED that the appointment of a permanent full-time Licensing Officer post be agreed.

CAB75 Financial Monitoring Report 2015-16 (April – September 2015)

(Report No. WSC 170/15, circulated with the Agenda.)

The purpose of the report was to provide Members with details of the Council's latest forecast financial outturn position for the 2015/16 financial

year for both revenue and capital budgets, together with information relating to predicted end of year reserve balances.

The Lead Member for Resources and Central Support presented the item and outlined the key areas contained within the report, advising that the general reserves projected balance was above the recommended minimum balance and stressed the importance of maintaining reserves above the recommended minimum, and that reserves were a one-off source of funding.

The Lead Member proposed the recommendation which was seconded by Councillor M Dewdney.

The Assistant Director of Resources reiterated that there was a financial resilience pressure to manage and maintain the general reserves balance to keep it above the recommended minimum balance of £500,000; and Members were advised of the need to fully understand the implications of the decisions being made during the budget process.

RESOLVED that the current financial standing of the Council together with the estimated position at the end of the financial year be noted.

CAB76 Fees and Charges 2016/17

(Report No. WSC 171/15, circulated with the Agenda.)

The purpose of the report was to consider the proposed fees and charges for the period 1 April 2016 to 31 March 2017, prior to submission to full Council on 16 December 2015.

The Lead Member for Resources and Central Support presented the item and outlined the key areas contained within the report. She highlighted the proposals for fee changes in 2016/17, and pointed out that the changes were minimal as the Council aimed to deliver a good service at the best price.

The Lead Member proposed the recommendation which was duly seconded by Councillor M Dewdney.

RESOLVED that the proposed Fees and Charges for 2016/17, as set out in the report, be recommended to Council on the following basis:

The following fees are unchanged:

- Hackney Carriage Licences
- Private Hire Licences
- Acupuncture/Tattooing/Skin Piercing/Semi-Permanent Skin-Colouring Licences
- Scrap Metal Dealers Licensing
- Animal Welfare Licences
- Street Trading Licences

- Gambling Licences
- Caravan Site Licences
- Land Search Fees
- Housing Inspections for Immigration Purposes
- Freedom of Information Enquiries

The following changes are proposed:

Amended charge structure for:

- Building Control Charges

Increased charges for:

- Harbour Mooring and Slipway Fees
- Pleasure Boat Dues
- Various Waste Charges
- Pre-Planning Advice

Decreased charges for:

- Court Summons and Liability Orders for Council Tax and Business Rates

The meeting closed at 5.24 pm

7
Cabinet Forward Plan – February 2016

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	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/16/2/01 10/02/2015	3 February 2016 By Lead Member Resources & Central Support	Title: Annual Budget & Council Tax Setting 2016-17 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: Corporate Strategy 2016/20 Decision: to introduce the draft Corporate Strategy 2016/20 for recommendation to Council	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
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
FP/16/2/05 10/02/2015	3 February 2016 By Lead Member Resources & Central Support	Title: Draft Capital Programme 2016-17 Decision: to present the draft Capital Programme 2016/17 for recommendation to Council.	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680

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

2 DECEMBER 2015

<p>Minute Number</p> <p>Action Required</p> <p>Action Taken</p>	<p>CAB73 Council Tax Rebate Scheme Review for 2016/17</p> <p>RESOLVED (1) that, having regard to the steer provided by the Corporate Policy Advisory Group, the Scrutiny Committee, the consultation response and the Equality Impact Assessment, it be recommended to Council to amend the current Council Tax Rebate scheme to that shown in Appendix 1 (and illustrated in Model 15) to the report. This would implement a combination of Options 2, 3, 4 and 5 (see Model 15) and would affect working age applicants in 2016/17 by:</p> <ul style="list-style-type: none"> • disregarding maintenance received for children; • removing entitlement to applicants with capital over £6,000; • applying a Minimum Income for Self-Employed applicants; and • paying Council Tax Rebate at a level that would be no more than for a Band C property. <p>RESOLVED (2) that the 2016/17 Council Tax Rebate Scheme be recommended for 2016/17 only.</p> <p>At the Council meeting on 16 December 2015 it was RESOLVED (1) that having regard to the consultation response and the Equality Impact Assessment (EIA - see Appendix 4 of the report), the recommendation from Cabinet that the 2016/17 Council Tax Rebate scheme should be amended to that shown in Appendix 1 of the report, (and illustrated in Model 15) to revise support for working age applicants in 2016/17 by:</p> <ul style="list-style-type: none"> • disregarding maintenance received for children • removing entitlement to applicants with capital over £6,000; • applying a Minimum Income for Self-Employed applicants; and • paying CTR at a level that would be no more than for a Band C property <p>be approved.</p> <p>RESOLVED (2) that the 2016/17 Council Tax Rebate Scheme be approved for 2016/17 only.</p>
<p>Minute Number</p> <p>Action Required</p> <p>Action Taken</p>	<p>CAB76 Fees and Charges 2016/17</p> <p>RESOLVED that the proposed Fees and Charges for 2016/17, as set out in the report, be recommended to Council.</p> <p>At the Council meeting on 16 December 2015 it was</p>

RESOLVED that the proposed Fees and Charges for 2016/17 be approved on the following basis:

The following fees are unchanged:

- Hackney Carriage Licences
- Private Hire Licences
- Acupuncture/Tattooing/Skin Piercing/Semi-Permanent Skin-Colouring Licences
- Scrap Metal Dealers Licensing
- Animal Welfare Licences
- Street Trading Licences
- Gambling Licences
- Caravan Site Licences
- Land Search Fees
- Housing Inspections for Immigration Purposes
- Freedom of Information Enquiries

The following changes are proposed:

Amended charge structure for:

- Building Control Charges

Increased charges for:

- Harbour Mooring and Slipway Fees
- Pleasure Boat Dues
- Various Waste Charges
- Pre-Planning Advice

Decreased charges for:

- Court Summons and Liability Orders for Council Tax and Business Rates

Report Number: WSC 3/16
Presented by: Cllr M Chilcott, Lead Member for Resources and Central Support
Author of the Report: Lisa Redston, CIM Fund Manager
Contact Details:
 Tel. No. Direct Line 01984 635218
 Email: lredston@westsomerset.gov.uk

Report to a Meeting of: Cabinet
To be Held on: 6th January 2016
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 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.

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 endorses the recommendations of the Hinkley C Planning Obligations Board as follows:
- 3.1.1 **To release £7500 from the CIM Fund ring-fenced for West Somerset to the Watchet War Memorial Ground Committee for the Pavilion Enhancement project.**
- 3.2 That Cabinet makes a recommendation to Full Council to endorse the recommendations of the Hinkley C Planning Obligations Board for projects applying for over £25,000 as follows:
- 3.2.1 **That the application from The Princes Trust should be refused and the applicant invited to work with the Employment and Skills Operations Group and Somerset County Council in its role as Local Education Authority with a view to developing a revised project that reflects the scale of unmet provision in West Somerset, Sedgemoor and Taunton Deane.**
- 3.2.2 **That the application from Sedgemoor District Council for the Blake Gardens Enhancement Project is refused and that the applicant is asked to resubmit**

their application and provide additional information that addresses the following:

- Mitigation of the impacts of the HPC workforce on the community such as social cohesion and integration.
- The potential for increased levels of match funding from Bridgwater Town Council and other s106 funding streams.
- Submission of 3 quotes for the works.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Risk Description	Current Score	Existing and planned control measures	Target Score after control
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
Priority Impact Zones	<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"> 1) Directly adjacent to the site 2) Directly adjacent to the main transport routes to and from the site within West Somerset, Sedgemoor and Somerset 3) Within West Somerset and/or Sedgemoor and directly affected by adverse impacts of the project 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 5) In Somerset and experiencing indirect adverse impacts or in relation to a measure which benefits West Somerset and/or Sedgemoor.
Quality of Life	The principal purpose of the contribution shall be to enhance the quality of life of communities affected/potentially affected by the Project.
Sustainability	To what extent will the project contribute to achieving sustainable communities, contribute to regeneration objectives and raising environmental sustainability?
Extent of benefit	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?
Community Need	To what extent has the applicant demonstrated a need for the project
Community Support	To what extent is there demonstrable local community and and/or business support for the project?
Partner Support	To what extent is there demonstrable local partner support for the project?
Governance	Demonstrate that good governance arrangements are in place, including financial and project management to ensure deliverability?
Value for Money	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. CIM APPLICATIONS CONSIDERED BY THE HPC PLANNING OBLIGATIONS BOARD

- 6.1 Three new applications were presented to the HPC Planning Obligations Board for consideration on 1st December 2015. The Board considered the applications against each of the nine criteria.
- 6.2 All applications have been subject to financial viability checks, any concerns in relation to the viability of an organisation or project are highlighted within the summary.
- 6.4 Cabinet are asked to consider the following 3 applications for CIM Funding.

6.5 Watchet War Memorial Ground Committee

Project Name:	War Memorial Ground Pavilion Enhancement Project
Expression of Interest Ref No:	146
Organisation Applying:	Watchet War Memorial Ground Committee
Summary of Project:	As part of a wider renovation and maintenance programme to improve the existing sports facilities within the Watchet War Memorial Ground, the project requires funding to renew the existing hot water system in the Pavilion with a mega flow system, enabling the provision of adequate shower facilities for its users.
Impacts mitigated as stated in application:	Expected increase in demand on the facilities at the Watchet War Memorial Ground due to the influx into the area of workers and their families when the Hinkley Point C development commences in earnest. Based on previous experience from the building of the 'A' & 'B' stations when many people moved into the area and integrated with the local communities and choosing to stay when those projects were completed. Due to increase in traffic along A39 people will be looking for facilities and activities locally. Workers and their families need this outlet to enable them to relieve the stresses of everyday life and to help them integrate into the local community.
Start Date: 1/2/15	Total Project Costs: £21,353
Completion Date: 14/2/15	Amount applied for: £7500
CIM Fund Manager Comments:	Aims to provide additional opportunities and to encourage more people to be physically active by taking part in football and cricket Williton and Watchet share one cricket and two football pitches. The HPC Accommodation Strategy suggests that approximately 90 workers are expected to settle in these areas. If minded to recommend funding robust performance monitoring should be in place to ensure the project is mitigating the identified impacts on the community.
POB Comments:	The Board noted that the applicants had demonstrated the likely impacts of the HPC development on the community, the need for the project, that the project complimented the wider enhancement project, and offered value for money.

POB Recommendation:	Approve application for funding of £7500 from the West Somerset ring-fence.
---------------------	---

6.6 The Princes Trust

Project Name:	Building Brighter Futures
Expression of Interest Ref No:	154
Organisation Applying:	The Princes Trust
Summary of Project:	To work with 490 young people (not in education, employment or training) over 3 years to capitalise on the economic opportunities created by HPC. The project will provide various interventions including engagement, skills development and technical training leading to jobs or self-employment. Young people will be engaged in activities (sports and science, technology, engineering etc.), develop skills through outdoor residential, community projects and work experience, attend employer led technical training, work placements and gain qualifications and be offered support and funding to help explore ideas and start their own business.
Impacts mitigated as stated in application:	HPC will lead to more jobs and business growth in Sedgemoor and West Somerset. Consultation with young people has identified the barriers young people will face in accessing these job opportunities. Increase in business investment will attract more people to the community, leading to greater competition for education and employment. Increase in investment will lead to house price increases, rent and living costs, placing pressure on young people to compete effectively in the labour market.
Start Date: 1/7/15	Total Project Costs: £1,011,589
Completion Date: 1/7/18	Amount applied for: £761,498
CIM Fund Manager Comments:	<p>The Princes Trust has presented a well written application. The project scores well against many of the funding criteria, however it is worth noting:</p> <p>Priority Impact Zones - Although some of the young people targeted by the project will live directly adjacent to the site or main transport routes some of the outreach work will benefit those living outside of West Somerset and Sedgemoor who are less likely to be directly impacted upon by the development.</p> <p>Community Need - Although the application evidences 'community need' for the project across Somerset in terms of youth unemployment and deprivation, it is important to note that West Somerset currently has low levels of the target demographic (young people who are NEET), and that unemployment levels across West Somerset and Sedgemoor are low at this time. The scale of project and amount of funding requested is high compared to identified need and gaps in provision noting that there is already a significant amount of provision targeting pre-employment across West Somerset and Sedgemoor.</p>

	<p>Sustainability - Benefits to participants are limited to the life (3 years) of the project and ongoing work with the target demographic will be dependent on the Princes Trust securing a similar level of funding from other providers.</p> <p>There are significant levels of spend on staff resources and administration costs. Over £700k is to be spent on staff time and over 50% of that money will be spent on staff who will be spending less than 50% of their time on this project. With 12% overhead costs this project has the potential to be very admin heavy with relatively few people 'on the ground'.</p> <p>The project is likely to draw £250k of match funding into Somerset.</p>
POB Comments:	<p>The Board agreed that the project was extremely well presented and that the Princes Trust were a credible organisation carrying out high quality work with young people.</p> <p>The board challenged the accuracy of the need for the project identified in the application, and challenged the potential for the project to meet its stated targets and questioned the appropriateness of the size and scale of the project in relation to recognised need especially in West Somerset and Sedgemoor.</p> <p>The Board also had some concerns that the applicant had not fully engaged with some key partners (e.g. SCCs Education team) to align the project with strategies and plans for provision for the target group.</p>
POB recommendation:	To refuse the application and invite the applicants to work with the Education authority and the Employment and Skills Operations Group to develop a revised project that reflects the scale of the unmet provision for this particular target group.

6.7 Sedgemoor District Council

Project Name:	Blake Gardens Enhancement Project – Lighting, Landscaping and Play Equipment
Expression of Interest Ref No:	138
Organisation Applying:	Sedgemoor District Council
Summary of Project:	To provide lighting, an improved cycle route and children's play equipment in Blake Gardens in Bridgwater as part of a wider park enhancement project. The wider project aims to provide a quality locally accessible Green space for central Bridgwater that provides multigenerational, integrated, informal recreational gardens that are free for all to use and a safe pedestrian and cycle route to the town centre.
Impacts mitigated as stated in application:	It is anticipated that there will be an 80 - 90% increase in heavy vehicles, buses and general traffic running along the route adjacent to the gardens. Having lighting in the gardens along the main path would encourage pedestrians and cyclists to utilize the gardens as an access route into the town centre and prevent possible collisions and injuries on the main A38 road. It is estimated that newly built accommodation blocks in Bridgwater will be housing 1500 workers

	and additional families living in Bridgwater during peak construction requiring provision of green open space and safe commuter links.
Start Date: 1/7/15	Total Project Costs: £178,000 (estimated)
Completion Date: 1/7/18	Amount applied for: £102,000
CIM Fund Manager Comments:	<p>A well-presented application that demonstrates community need and the ability of the project to provide long term community benefits for a good proportion of the local community significantly impacted upon by the HPC development.</p> <p>The applicant has requested that the application is considered before a full tender process has been completed due to time constraints as the delivery of the project is planned to coincide with other development work to be carried out by Wessex Water on the park from January to April 2016.</p> <p>Without a full tender process the affordability and value for money of the project are difficult to assess.</p> <p>Concerns that the community have not been consulted to establish public support for this project.</p> <p>If the applications is successful, the project budget should be reviewed following a full tender process and funding should not be released without approval of the actual project budget by the Planning Obligations Board.</p>
POB Comments:	<p>Although the Board recognised the significance of this particular public open space and the need for it enhancement the Board raised concerns about the projects ability to meet several of the CIM Fund criteria.</p> <p>The Board were concerned that the following had not been clearly demonstrated or explored:</p> <ul style="list-style-type: none"> • Mitigation of the impacts of the HPC workforce on the community including social cohesion and the need for workers to integrate into the community. • The potential for increased levels of match funding from Bridgwater Town Council and other s106 funding streams held by Sedgemoor District Council • The lack of market testing and consultation with the community to gauge support for this project and to substantiate the need for the project. • The affordability of the project as costs are estimated.
POB recommendation:	To refuse the application and invite the applicants to resubmit their bid after the tender process is complete and with additional information to support their application.

7. FINANCIAL/RESOURCE IMPLICATIONS

- 7.1 On 6th 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.
- 7.2 Financial information regarding allocated funding from the Community Impact Mitigation Fund can be found in Appendix A.
- 7.3 These proposals will not have an impact on the Council's own resources.
- 7.4 All organisations applying for funding are subject to financial viability checks to reduce risk associated with the award of grant funding.

8. COMMENTS ON BEHALF OF SECTION 151 OFFICER

- 8.1 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.

9. EQUALITY & DIVERSITY IMPLICATIONS

- 9.1 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.
- 9.2 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.
- 9.3 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.'
- 9.4 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.
- 9.5 Wider community benefit and the ability of the project to promote cohesive communities are both taken into account when scoring applications and making recommendations.

10. CRIME AND DISORDER IMPLICATIONS

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

11. CONSULTATION IMPLICATIONS

- 11.1 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.
- 11.2 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.

12. ASSET MANAGEMENT IMPLICATIONS

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

13. ENVIRONMENTAL IMPACT IMPLICATIONS

- 13.1 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.
- 13.2 Applicants are required to describe how their projects will promote environmental sustainability.

14. HEALTH & WELLBEING

- 14.1 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.
- 14.2 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.
- 14.3 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.

15. LEGAL IMPLICATIONS

- 15.1 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

	TOTAL	West Somerset	Sedgemoor	Cannington	1st Annual payment	Stogursey
	£	£	£	£	£	£
CIM Fund Received(including Inflation Uplift)	5,100,000	2,000,000	1,000,000	500,000	1,600,000	500,000
Inflation Uplift	387,175	134,529	67,265	33,632	151,749	33,632
TOTAL Received	5,487,175	2,134,529	1,067,265	533,632	1,751,749	533,632
<u>Less previously approved allocation</u>						
Stogursey Parish Council - Burgage Road Play Area	(90,373)	(90,373)				Stogursey Earplug Scheme (2,087)
Wembdon Village Hall - New VH & Play Area	(250,000)		(250,000)			
Somerset Youth & Community Sailing Association	(9,600)		(9,600)			
Tropiquaria - Relocation of primates	(40,000)	(40,000)				
Tropiquaria - Relocation of play area	(37,350)	(37,350)				
Porlock Shellfish Project	(800)	(800)				
Westfield Street Café	(110,000)		(110,000)			
Williton Bowling Club	(13,000)	(13,000)				
Kilve Cricket Club	(22,000)	(22,000)				
Onion Collective	(243,119)	(243,119)				
Williton Parish Council	(250,000)	(250,000)				
Stogursey Football Club	(750)	(750)				
North Petherton Playing Fields	(46,000)		(46,000)			
SDC - Sydenham Together	(60,000)		(60,000)			
Tropiquaria - Marketing	(1,000)	(1,000)				
Bridgwater Education Trust	(18,295)		(18,295)			
Sydenham and Bower FHWG	(200,000)		(200,000)			
Cannington Village Hall	(186,186)			(186,186)		
Victoria Park Community Centre	(14,524)		(14,524)			
Current Uncommitted Balance	3,894,178	1,436,137	358,846	347,446	1,751,749	531,545

Less Requested approvals

Watchet War Memorial Pavilion

(7,500)

(7,500)

Uncommitted Balance if all requests were approved**3,886,678****1,428,637****358,846****347,446****1,751,749****531,545**

Report Number: WSC 2/16

Presented by: Cllr Mandy Chilcott, Lead Member for Resources and Central Support

Author of the Report: Andrew Goodchild, Assistant Director Energy Infrastructure

Contact Details:

Tel. No. Direct Line 01984 635245

Email: agoodchild@westsomerset.gov.uk

Report to a Meeting of: Cabinet

To be Held on: 6 January 2016

Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: May 2015

REQUEST FOR ALLOCATION OF HINKLEY POINT C PLANNING OBLIGATIONS FUNDS

1. PURPOSE OF REPORT

1.1 The purpose of this report is for Cabinet to consider the recommendation of the Planning Obligations Group for the allocation of £400,000 of leisure funds ring fenced to Stogursey Parish towards the redevelopment of the Victory Hall in Stogursey.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 Key Task 3.4 of the 2015/16 Corporate Plan is that “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”
- 2.2 This is one part of the Council achieving Objective 3 of the Corporate Plan which is that: Communities in West Somerset can access and understand the process for accessing funding opportunities provided for by the development at Hinkley Point and, when funds become available, are supported in delivering projects and initiatives.

3. RECOMMENDATIONS

- 3.1 That Cabinet recommend to Full Council that £400,000 of the leisure fund ring-fenced to Stogursey Parish is allocated towards the redevelopment of the Victory Hall in Stogursey.
- 3.2 That Cabinet allocate £8,600 of the leisure fund ring-fenced to Stogursey Parish to appoint 2MD Regeneration and Vivid Regeneration to develop funding bids and to continue to help manage the redevelopment project.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
Failure to allocate monies correctly in line with the requirements of the legal agreement resulting in the need to repay contributions	3	4	12

<i>The proposals set out in the report have been developed to ensure that they accord with the requirements of the legal agreement</i>	1	4	4
Failure to spend contributions before the date by which they need to be returned if they remain unspent	2	3	6
<i>The proposals set out in the report have been developed in advance of the date by which they would need to be returned</i>	1	3	3
That the monies ring-fenced in Stogursey Parish are not spend on priority projects	2	3	6
<i>That proposals are supported by consultation and demonstrate community need</i>	1	3	3

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 The Section 106 agreement for the Site Preparation Works at Hinkley Point C provides a contribution of £500,000 for providing new, or improving existing sports/leisure facilities within the parish of Stogursey, this is separate and distinct from the CIM Fund. Having applied indexation, the contribution paid by EDF Energy was £533,632 of which £15,000 has been spent on the delivery of a feasibility study into the Victory Hall and village facilities in Stogursey, this activity and expenditure was approved by Cabinet in December 2014.
- 5.2 Stogursey Parish Council has provided a list of their top 10 projects which were derived from the Parish Plan and refreshed during the consultation and examination phases of the Hinkley Point C development. The Victory Hall is number 1 on that list and has been the subject of much discussion in the Parish as plans for how to mitigate the impact of the Hinkley Point C development have emerged. The feasibility study has enabled stakeholders including the District Council to take those discussions forward.
- 5.3 The feasibility study including two rounds of public consultation was completed and has been approved by the steering group (which comprised the Ward Members for Quantock Vale, three Parish Councillors who are also Trustees of the Victory Hall, the Assistant Director Energy Infrastructure and the Housing & Community Project Lead) in September and the Victory Hall Management Committee at their AGM in October. A summary of the feasibility study is presented to Cabinet and is attached at Appendix A. A full copy of the feasibility study is available to Members upon request.
- 5.4 The feasibility study includes the outcomes of both rounds of consultation, the evolution of the options following the initial consultation, selection of a preferred option, feedback on the preferred option, a business plan, a quantity surveyors report and an architect's brief on the preferred proposal. The total cost of the project as set out within the quantity surveyors report is £2.36m excluding VAT, the steering group determined that client site project management ought to be added to the overall costs of the project bringing the total to around £2.4m. The business plan indicates a £4,000 surplus each year on completion of the project.
- 5.5 Having been approved by both the steering group and the management committee, the next stage of the redevelopment project is for funding to be sourced, architects and project managers to be commissioned, planning permission sought and ultimately building works to be commenced. The purpose of this report is to seek approval to allocate funds from the leisure fund ring fenced for Stogursey Parish towards the redevelopment project. It is proposed to allocate £400,000 of the £510,000 left within the leisure fund, with the other £8,600 spent on additional support to help secure funding, leaving £101,029 unallocated.

- 5.6 Only 1 other of the Parish Priorities relates to a project with a leisure focus, the Burgage Road play area which was largely funded from the CIM Fund and recently opened. It is therefore considered appropriate to allocate a significant proportion of the leisure fund towards this project. The Assistant Director Energy Infrastructure met with Stogursey Parish Council on 8th December and the Parish Council voted unanimously to endorse the approach. Indicatively, it is proposed to source £1m of the £2.4m from funds within the Section 106 agreement for Site Preparation Works (with the other £600,000 coming from the CIM Fund), with £1.4m being sourced from match funding partners i.e. a ratio of 40:60 Section 106 funds to match funding.
- 5.7 Clearly this is not an insignificant project and it is proposed to utilise a significant proportion of the funds available from the Section 106 agreement for Site Preparation Works at Hinkley Point C, even with the proposal to bring in £1.4m of match funding. Stogursey Parish is, as Members will know, the host Parish for the Hinkley Point C project and will be the most affected community. Member may wish to note that:
- Every HGV, LGV, bus and car movement will travel into and out of the Parish (unlike any other community);
 - Stogursey will host a disproportionate amount of the workforce – around 1 in 6 people in the Parish will be from the workforce while the 500 bed on site campus is in use (compared with around 1 in 40 while the other 1000 bed campus is operational in Bridgwater);
 - the construction at the main site under the Development Consent Order is permitted to take place 24 hours a day, other associate development sites are restricted and construction works there will not take place overnight; and
 - the background noise level during the day at residential properties close to the site before construction began was between 32 and 35dB, the Consent requires that noise does not exceed 65dB during the day although the applicant can provide notice indicating that noise will rise to 75dB. Members may wish to note that 70dB is sixteen times louder than 30dB.
- 5.8 The Panel of Examining Inspectors concluded the following in relation to the impact on Stogursey Parish during their report to the Secretary of State:

“In combination, our view is that Hinkley Point C (if it goes ahead) would have a significant effect on life, particularly in those parts of the parish of Stogursey closest to the site. At times, the levels of noise would be increased and traffic volumes would increase significantly, particularly on the C182. A number of PRoW would be lost. In addition there would be adverse effects on the landscape and from many viewpoints in the locality the new power station would be readily visible alongside Hinkley Point A and B. There would also be some impacts associated with the plan to house a temporary workforce in the area and the make up of the community would be likely to change as some homeowners choose to sell up and move away, taking advantage of the Property Price Support Scheme.

“The concerns felt by the community was summed up by one interested party at our last open-floor hearing in September in Bridgwater, that should the DCO be made, Stogursey would be ‘stuffed’. Although we would not have described the situation in such strident terms, there is no doubt in our mind that the settlements closest to the site would be adversely affected and would face a much more rapid change than would be typical for a rural community of this nature.

“Overall our view is that the combination of specific compensation and mitigation measures for residents living near the site that would be secured by the requirements, together with the further mitigation that would be secured by the s106 Agreement and the two voluntary support schemes noted above, would go some considerable way to provide mitigation for the losses that the community would suffer. Whilst in general we take the view that the losses individuals would suffer would probably not be as severe as they fear, it has to be recognised

that the impact would be real. For some, we recognise that no compensation for the losses they would suffer could ever be sufficient.”

- 5.9 Following the completion of the feasibility study and taking into account key dates attached to potential funding sources, it is considered important to allocate a significant sum of funding towards the project to demonstrate to potential match funders that others specifically the Council is committed to the project. It is hoped that this proposed allocation will greatly assist with applications for match funding to be made in the early part of 2016.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 This proposal will have no impact on WSC General Fund as it all funded from the HPC Stogursey Leisure Fund. This pot had a total funding of £533,629, which consist of £500,000 as stated in Schedule 11 of the SPW s106 agreement plus indexation. On 3rd December 2014 (WSC 178/14), £15,000 was allocated from this fund for feasibility study leaving it with a balance of £518,629 prior to this proposal. This proposal has no impact on the £250,000 West Somerset Leisure Funding which has already been considered by Members.
- 6.2 This proposal will allocate £400,000 for the redevelopment of Victory Hall plus £8,600 to 2MD Regeneration and Vivid Regeneration to help manage the project and to make funding bids to lever in additional funding for the project. The balance remaining after this proposal will be £110,029
- 6.3 For information, The Burgage Road Play Area Project has been allocated £90,373 of Community Impact Mitigation (CIM) funding on 17th September 2014 (WSC 126/14). After the completion of the project, the actual spend for this project was £89,919.

7. SECTION 151 OFFICER COMMENTS

- 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 Councils procedures relating to all Section 106 Agreements and the Hinkley Point C Section 106 agreement have been adhered to by bringing this report to the Planning Obligations Group for them to make a recommendation to Cabinet. Any proposal above the £25,000 threshold will need to be agreed by Full Council.

8. EQUALITY & DIVERSITY IMPLICATIONS

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:

- 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

- 8.1 All sections of the community were included in the consultation events and activity to produce the feasibility study and it is anticipated that community cohesion will be significantly enhanced with the improved facilities on offer at the Victory Hall.

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 It will be important to consider the crime and disorder implications within the detailed design, noting that on occasion the Victory Hall site has seen some anti-social behaviour. Overall, as a much enhanced community facility it is hoped that the additional activity will help to reduce crime and disorder within the Parish.

10. CONSULTATION IMPLICATIONS

- 10.1 The initial consultation period was conducted over three weeks in February to March 2015. 315 responses were returned representing 23% of the parish population, or nearly 50% of households.
- 10.2 A workshop of the owners and managers of the various existing community facing buildings in Stogursey was held on 18 March 2015.
- 10.3 16 young people were interviewed at the Youth Club during February 2015.
- 10.4 The consultation over the preferred proposal saw 65 of 72 respondents saying that they supported or strongly supported the proposals.
- 10.5 The emerging plans were discussed at the Main Site Forum in July 2015

11. ASSET MANAGEMENT IMPLICATIONS

- 11.1 The Victory Hall is entrusted to the Trustees who make up the management committee. The intention is for the management committee to continue to run the Victory Hall, the Councils involvement in the project is to facilitate the development.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

- 12.1 The construction process for the redevelopment has the potential to impact on neighbours and it will be important that the planning process seeks to minimise any disruption. Some residents have raised some concerns with the relocation of the majority of the car park to the rear of the site, this issue along with the increased usage of the hall will need to be considered as part of the planning process.

13. HEALTH & WELLBEING

- 13.1 One of the main objectives of the feasibility study was to ensure that plans for the Victory Hall supported the health and wellbeing of residents, via sport, recreation, leisure and community facilities during the construction period of the Hinkley Point C project. The plans incorporate a range of facilities which will help to achieve this aim.

14. LEGAL IMPLICATIONS

- 14.1 There are no direct legal implications as a result of this report. Paragraph 2.2 of Schedule 11 of the Section 106 agreement for Site Preparation Works permits the use of up to £25,000 for a feasibility study from the £500,000 allocated to the parish of Stogursey.

1. Summary

A project brief was issued in October 2014 and in November 2MD Regeneration and Vivid Regeneration were jointly appointed to prepare a feasibility study for the future of the Victory Hall.

A Steering Group comprising members of the Victory Hall Management Committee, Stogursey Parish Council and West Somerset Council was formed and met throughout the project.

The Feasibility Study included two phases of consultation. The first sought information from residents, local organisations, hall users and other local facilities on how the Victory Hall is used and the types of facilities that would be required in the future. The consultation was supported by a team of resident community researchers. The second phase of consultation, comprising exhibitions, presentations and a household questionnaire, sought the views of local people on a preferred design option.

The Victory Hall is one of a number of community facilities in Stogursey. With the hall, kitchen, youth centre, multi-use games area and football pitch, it has the widest range of facilities. Of the 315 people returning the Phase 1 survey, 13% said they use the Victory Hall either often or sometimes (the most of any non-retail facility in the village). The most common use is for private parties but there are also a wide range of other activities taking place in the Hall. In terms of future activities, the most commonly requested are indoor sports, a gym and social club.

The Hall is owned by a registered charity and managed by a board of trustees, referred to as the Victory Hall Management Committee. In 2013/14 the charity operated with a modest £2000 surplus and held cash assets of £41,000.

The village and its surrounding hamlets are expected to see modest growth in the coming years. At the same time there is likely to be an increased proportion of older people. Support for health and wellbeing is, therefore, of increasing importance for policy makers.

●

The village also faces pressure from the proposed development of Hinkley C. This has prompted the creation of a Community Impact Mitigation fund which could potentially provide funding for works to the Victory Hall.

The Project Steering Group agreed a set of core objectives for the Feasibility Study:

- Meets the needs of existing regular users including football, tennis, youth etc.
- Fit for the future needs of the local community
- Sympathetic to the heritage of the building
- Must allow for continued use during the build programme
- Capable of being managed without requiring employed staff
- Costs are low enough to retain competitive pricing when compared with other local facilities
- Makes the most of the existing strengths but addresses weaknesses
- Complements other facilities in the village
- Capital cost is capable of being funded

The core objectives, the consultation, site constraints and good practice informed the preparation of four design options. These were distilled down into a hybrid or preferred option. This includes the demolition of the current youth centre, refurbishment of the existing Victory Hall and construction of a new extension to include a sub-dividable function room, a new kitchen, new bar and new toilets. The MUGA will also be covered and have new changing rooms attached. The surrounding area will be landscaped and a new car park provided at the rear.

The hybrid was presented for public consultation. Of 72 people showing preference, 65 said they supported or strongly supported the proposals. There were however a number of issues emerging, not least the impact upon neighbours. This led to some amendments to the hybrid option.

The capital cost of the redevelopment is forecast to be c.£2.4m (exc. VAT). A range of funding sources have been identified. Annual income, mostly from lettings, is forecast to be £27,000 and operating costs are estimated to be £23,000.

●

To progress the scheme, architects will need to be appointed to draw up detailed proposals firstly for planning and then tendering for construction. It is likely that funding applications will have to be submitted to pay for this first phase of work. Further applications will obviously be needed to fund the capital works.

The capacity of the Management Committee to proceed with the project needs to be addressed both in terms of internal governance procedures (in order to satisfy the requirements of funders) and the recruitment of new and younger members.

An appointment is likely to be needed to coordinate the development process on behalf of the Trustees.

This Feasibility Study was approved by the Steering Group in September 2015 and presented to the Victory Hall Management Committee in October 2015.

Report Number: WSC 1/16

Presented by: Councillor Peter Murphy – Chairman of Scrutiny Committee

Author of the Report: Emily McGuinness – Democratic Services Manager

Contact Details:

Tel. No. Direct Line 01984 635223

Email: emcguinness@westsomerset.gov.uk

Report to a Meeting of: Cabinet

To be Held on: 6 January 2016

Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: N/A

REPORT OF SCRUTINY TASK AND FINISH GROUP

1. PURPOSE OF REPORT

- 1.1 To present to Cabinet the recommendations of Scrutiny Committee following their consideration of the findings of the Scrutiny Task and Finish Group established to consider the Community Impact Mitigation Fund (CIM Fund) following their review.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 Objective 3 of the Councils Corporate Plan is:

Communities in West Somerset can access and understand the process for accessing funding opportunities provided for by the development at Hinkley Point and are supported in delivering funded projects and initiatives

- 2.2 Key Tasks 3.1, 3.2 and 3.3 all relate directly to the operation of the CIM Fund and the support that the Council offers to community organisations to assist them in accessing the funding.

3. RECOMMENDATIONS

- 3.1 That the recommendations of Scrutiny Committee are considered by Cabinet following the outcome of the CIM Fund Task and Finish Group as set out in this report:

Recommendations

- 3.2 That the introduction of the application form for bids of less than £1k is monitored for a period of 6 months with a report back to members outlining the feasibility of introducing application forms for:
- Bids of less than £1k;
 - Bids of less than £25k; and
 - Bids over £25k.

- 3.3 That all application forms and accompanying guidance make the position on requiring match funding (or not) very clear to all potential bidders.
- 3.4 That following a Final Investment Decision, a report is presented to Scrutiny Committee outlining the process that will be followed to produce an Overarching Funding Strategy and how all members can engage in that process.
- 3.5 Members support the inclusion of a more detailed explanation of the eligibility and funding criteria in the new application form and guidance notes. Members also support the production of real life case studies to support applicants in the future.
- 3.6 That information given to potential applicants provides details on the roles and responsibilities of both the CIM Fund Manager and the Housing and Community Project Lead. This information should help distinguish between the roles of each of these posts. This section of the guidance document should also make the arrangement with Engage West Somerset explicitly clear.
- 3.7 That all correspondence with applications who have submitted a successful Expression of Interest and have subsequently been invited to make a full application continues to make it clear that such an invitation should in no way be seen as an indication of future success.
- 3.8 That a critical path diagram is produced to show applicants what happens and when and how they can seek help and advice throughout the process. This should contain information about the decision making process and how and when to engage with elected members.
- 3.9 That a consistent approach to Word Counts is used and this approach is clearly explained in any documentation.
- 3.10 To avoid confusion, ensure that each question within the re-designed application form is only one question, not a question within a question.
- 3.11 That clear guidance is provided to applicants about how they can engage with the CIM Fund Decision making process. Such guidance should remind applicants that they have the opportunity to address Cabinet and Council meetings of West Somerset Council for 3 minutes in which to state the case for their project.
- The Task and Finish Group also recommend that the Planning Obligations Board consider inviting all applicants submitting an application for the second time should be invited to present at the POB meeting.
- 3.12 That the Scrutiny Task and Finish Group is invited at an appropriate time to consider the revised application form and guidance documents before they are made publically available.
- 3.13 An update report on all these recommendations is presented to Scrutiny 12 months after adoption in order to monitor progress.

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

Risk Matrix

Description	Likelihood	Impact	Overall
That communities affected by the Hinkley Point C project are not successfully accessing the CIM Fund to address the impacts occurring or those which are likely to occur	3	4	12
<i>That the CIM Fund process is sufficiently clear and accessible and organisations seeking to make applications are sufficiently supported in doing so</i>	2	4	8
That the Council does not have sufficient resources to support communities through the process of accessing the CIM Fund	3	4	12
<i>That the Council makes sure that lessons learnt and support is delivered efficiently and effectively to make the best use of the resources available</i>	2	4	8

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 **Review methodology**

5.2 On the 9th July, West Somerset Council's Scrutiny Committee agreed to establish a Task and Finish Group to look into various aspects of the CIM Fund. The Scrutiny Committee agreed that as the governance arrangements of the CIM Fund are set out in the relevant s106 Agreement they are outside of the scope of this review.

5.3 It was agreed that the Task and Finish Group should primarily focus on the 'user experience' i.e. to what extent West Somerset communities are aware of the CIM Fund and how successfully the council is supporting applicants at all stages of the process.

5.4 The Scrutiny Committee identified the following questions which they suggested the Task and Finish Group may wish to use as an initial basis for their review:

- Are 'we' (WSC) being clear enough within our communities to allow potential bidders to make an informed decision about whether or not to submit a bid?
- Are 'we' listening and learning from the process and our experiences to date about what is working well and where things need to be improved?
- Is there a clear and generally understood definition of 'impact' and how this should be interpreted by those considering submitting a bid?
- What are the views of key community groups?
- Are we doing all that we can to support our communities to benefit from this 'once in a lifetime' funding opportunity?

5.5 The Scrutiny Committee appointed the following members to the Task and Finish Group:

- Councillor Peter Murphy;
- Councillor Susan Goss
- Councillor Rosemary Woods
- Councillor Stuart Dowding

5.6 The Task and Finish Group agreed the following Terms of Reference for the review:

- To conduct a time limited review as agreed by the Scrutiny Committee on 9th July 2015
- To consider the points identified above, and any others raised by members during the review;
- To note that the governance arrangements of the CIM fund are set out in the relevant s106 agreement (which is a legal document) and as such is outside the remit of this Task and Finish Group;
- To conduct appropriate research using a variety of sources to investigate the key issues identified by Scrutiny members. Such sources could include desk based research and discussions with service users and other partners.
- To work with relevant officers to produce a report for consideration by West Somerset's Scrutiny Committee, Cabinet and Council (as appropriate) and the Planning Obligations Board.

5.7 Evidence

In line with Scrutiny Best Practice, members agreed that it was important for them to seek the views of those who have been through the bidding process and in the interest of completeness, it was agreed they would seek to meet with:

- A potential applicant who made an Expression of Interest (EOI) but didn't go on to make a full application;
- An applicant who submitted an unsuccessful bid; and
- A successful applicant.

5.8 In preparation for these 'evidence gathering sessions', members of the Task and Finish group spent some time reviewing all the literature that was available to community groups relating to making an application to the CIM Fund. Members tried to put themselves in the position of such community groups and to view the information from their perspective.

5.9 It should be noted that at this point, Members were informed that a review of the CIM Fund application process by the CIM Fund Manager was already underway and that amended forms and guidance were currently in production. Members of the Task and Finish Group, in discussion with the CIM Fund Manager and the Assistant Director Energy Infrastructure agreed that they would continue to base their comments on the information publically available, and that any final recommendations of this Task and Finish Group could be taken into consideration **prior** to the publication of the amended documents. Therefore, the work of the Task and Finish Group would complement this ongoing work.

5.10 In addition to considering the publically available data, members also asked the Assistant Director Energy Infrastructure for information relating to enquires which had been received, expressions of interest which have been submitted, and the location and nature of successful (and unsuccessful) applications within the district. Members drew up a list of questions to ask those attending the Evidence gathering sessions – these are shown at Appendix 1 to this report.

5.11 Members of the Task and Finish Group are very grateful to the representatives of the community groups who gave up their time to meet with them and discuss their personal experiences of the CIM Fund process. Members feel that their perspective adds credibility to the recommendations of this review and follows national Scrutiny best practice in terms of community engagement in the Scrutiny process and ensuring all Scrutiny recommendations are soundly evidenced based.

5.12 Appendix 2 to this report shows the responses given by the representatives of the Community Groups.

5.13 **Conclusions**

5.14 Based on the comments received and Members' own research around this topic, the Task and Finish Group drew up the following list of initial recommendations for further discussion prior to making a final set of recommendations to the Scrutiny Committee.

5.15 The Task and Finish Group met with the Assistant Director to discuss their initial conclusions and to formulate a set of recommendations that would add value to the CIM Fund process, the information in *italics* represents the discussion had by the Task and Finish Group followed by a **final recommendation**:

5.15.1 Initial Recommendation 1:

Introduce a 'light touch' application form for smaller bids – perhaps under £50k? This would recognise that smaller community groups without access to expert 'bid writers' are likely to apply for smaller amounts.

As already mentioned, there has already been some work undertaken to review current practices around applications to the CIM Fund – amended documentation will be released in the near future, to coincide with a CIM Fund re-launch and a Final Investment Decision. As part of that work there are plans to introduce a form for applications of less than £1k. £50k is not a 'light touch' amount for West Somerset - introducing a form for applications of less than £1k would address the issues identified. It was suggested that the introduction of the new forms for bids under £1k should be monitored for a period of 6 months, and then reported back to members with a view to introducing separate forms for bids of less than £1k, less than £25k and over £25k (this would also mirror the decision making thresholds used for the Planning Obligations Board, Cabinet and Council)

It is recognised that all groups, and especially smaller groups, do not have access to 'expert bid writers and to some extent this is addressed via an arrangement with Engage West Somerset whereby they can be 'instructed' by WSC to support particular applications. Advice and guidance is also available from the CIM Fund Manager and/or the Housing and Community Project Lead.

Final Recommendation 1 of Task and Finish Group

That the introduction of the application form for bids of less than £1k is monitored for a period of 6 months with a report back to members outlining the feasibility of introducing application forms for:

- Bids of less than £1k;
- Bids of less than £25k; and
- Bids over £25k.

5.15.2 Initial recommendation 2

Ensure that the guidance and application forms make the need for match-funding (and the anticipated levels of match funding) very clear.

Officers can ensure that both the application form and accompanying guidance clarify the position regarding match funding. It is important to note that bids do not have to have match funding and can apply without any – and equally could be approved without any. It is not practicable to provide a figure or level of match funding that would work for all applications. The key point is that applicants make every effort to attract match funding which will ultimately enable the CIM Fund to deliver more within the affected communities.

Final recommendation 2 of the Task and Finish Group

That all application forms and accompanying guidance make the position on requiring match funding (or not) very clear to all potential bidders.

5.15.3 Initial recommendation 3

That the potential for West Somerset Council to spend some time identifying potential impacts on communities and then using this information to 'invite' applications from appropriate community groups, be explored, thus making the nature of potential community impact more widely understood.

There are plans for an 'overarching funding strategy' to be put in place that will address this point. This document will draw together important data about HPC project alongside important information about West Somerset and its communities. The necessary funding for this work is dependent on further funds being received by the Council and work can be commissioned once this is in place.

Final recommendation 3 of the Task and Finish Group

That following a Final Investment Decision, a report is presented to Scrutiny Committee outlining the process that will be followed to produce an Overarching Funding Strategy and how all members can engage in that process.

5.15.4 Initial recommendation 4

Clarify what exactly makes an eligible project – there was confusion amongst those members spoke to as to why their project was unsuccessful but others they perceived as similar were accepted.

This is not as straightforward as it may seem. The eligibility criteria and the funding criteria are not the same thing. EOIs are appraised against a robust checklist. If a project is not eligible to apply, it is made clear to them which of the criteria they have not met.

*Where a project is eligible to apply and a full funding application has been received – this will be assessed against the 9 **funding criteria**. An application can only be judged on the information contained in the form and supporting documents. The new application form and guidance notes can contain more detailed information about both the eligibility and the funding criteria.*

Again, after a Final Investment Decision there are plans to 're-launch' the CIM Fund and within that there are plans to produce some case studies which will highlight good practice.

Final Recommendation 4 of the Task and Finish Group

Members support the inclusion of a more detailed explanation of the eligibility and funding criteria in the new application form and guidance notes. Members also support the production of real life case studies to support applicants in the future.

5.15.5 Initial recommendation 5

Publish the scoring criteria – including any ‘weighting’ so that this can be considered by applicants.

A more helpful step would be to reorganise the application form to completely align with the criteria. This will help applicants to ensure that they have addressed each criteria in their application.

Final Recommendation 5 of the Task and Finish Group

That the new application form is organised in such a way that it aligns with the assessment criteria.

5.15.6 Initial Recommendation 6

Promote the role of the CIM Fund Manager as the main point of contact to ensure that accurate and consistent information is given to community groups. It needs to be very clear what assistance the CIM Fund Manager is able (or not able) to provide.

The programme of engagement following a Final Investment Decision will re-establish and reinforce all CIM Fund roles and responsibilities. Within West Somerset Council, the role of the Housing and Community Team would benefit from a higher profile in terms of the advice and support they can provide CIM Fund applicants.

*Although general support is available via the Housing and Community Team – this equates to 1FTE across **all** activity in West Somerset and all support has to be delivered from within this limited resource.*

There is an arrangement in place whereby funding has been set aside to fund Engage West Somerset to support some applications. Engage are instructed by West Somerset Council where we feel they can add the most value and to make the best use of the limited money set aside for this.

Final Recommendation 6 of the Task and Finish Group

That information given to potential applicants provides details on the roles and responsibilities of both the CIM Fund Manager and the Housing and Community Project Lead. This information should help distinguish between the roles of each of these posts. This section of the guidance document should also make the arrangement with Engage West Somerset explicitly clear.

5.15.7 Initial Recommendation 7

Make it explicitly clear that success at the Expression of Interest stage does not guarantee ultimate success. Being asked to submit a full application can generate a false sense of security and requires a lot of work for smaller community groups.

This point can be reinforced in all documentation. However, all applicants that pass the EOI stage are currently told that being asked to submit a full application should not be seen an indication of success at the next stage.

Final Recommendation 7 of the Task and Finish Group

That all correspondence with applications who have submitted a successful Expression of Interest and have subsequently been invited to make a full application continues to make it clear that such an invitation should in no way be seen as an indication of future success.

5.15.8 Initial Recommendation 8

Produce a critical path diagram to show applicants what happens and when and how they can seek help and advice throughout the process. This should contain information about the decision making process and how and when to engage with elected members.

Final Recommendation 8 of the Task and Finish Group

That a critical path diagram is produced to show applicants what happens and when and how they can seek help and advice throughout the process. This should contain information about the decision making process and how and when to engage with elected members.

5.15.9 Initial Recommendation 9

That a consistent approach to using word counts is used. Applicants need to know if there is a word count. The ability to use continuation sheets also need to be clear.

Yes – this will be made clear in the revised forms.

Final Recommendation 9 of the Task and Finish Group

That a consistent approach to Word Counts is used and this approach is clearly explained in any documentation.

5.15.10 Initial Recommendation 10

Ensure that each question within the re-designed application form is only one question, not a question within a question.

Final Recommendation 11 of the Task and Finish Group

To avoid confusion, ensure that each question within the re-designed application form is only one question, not a question within a question.

5.15.11 Initial Recommendation 12

Guidance needs to be clearer for applicants about whether they can attend decision making meetings. Members of the Task and Finish Group suggest that applicants be informed that they attend the West Somerset Council Cabinet and Council meetings and use their 3 minutes to promote their project. Members also recommend that all applications submitted for the second time should be invited to address the Planning Obligations Board Meeting.

Any recommendations of the Task and Finish Group relating to the POB will need to be discussed with them.

Final Recommendation 12 of the Task and Finish Group

- 5.16 That clear guidance is provided to applicants about how they can engage with the CIM Fund Decision making process. Such guidance should remind applicants that they have the opportunity to address Cabinet and Council meetings of West Somerset Council for 3 minutes in which to state the case for their project.

The Task and Finish Group also recommend that the Planning Obligations Board consider inviting all applicants submitting an application for the second time should be invited to present at the POB meeting.

Members of the Task and Finish Group would like to thank Andrew Goodchild – Assistant Director Energy Infrastructure and Lisa Redston, CIM Fund Manager for their support during this review.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 The Community Impact Mitigation Fund is entirely funded by EDF Energy as agreed within the Site Preparation Work (SPW) section 106 agreement. Therefore this will have no impact on both West Somerset Council and Sedgemoor District Council's general fund.
- 6.2 The post of the CIM Fund Manager is currently funded under the Service Level Agreement of the SPW s106 agreement and is part of the approved structure for Energy Infrastructure approved in March 2015. The Community Officers are funded from the general fund.
- 6.3 Due to indexation, the actual amount received was £3.735m in May 2014 with an additional £1.752m paid in May 2015, bringing the total received so far to £5.487m. The Council will receive another payment in May 2016, which based on the current inflation figure is estimated to be £1.844m, bringing the estimated total to £7.331m. For the Stogursey Fund, we have received £0.534m – a Grand total of £7.865m.
- 6.4 Currently, the Council has approved £1.066m of grant from the main CIM fund, inclusive of the £24,000 approval for the small grants, the balance sheet of approved projects is presented at Appendix A. £0.696m within the West Somerset Area and £0.437m within the Sedgemoor Area with the £0.024m for projects under £1,000. No approval has been given so far within the Cannington Parish. Of the £24,000 fund for small projects, only £800 has been approved (which was for the Porlock shellfish project). For the Stogursey CIM fund, the only approved spend so far is the £2,640 for the bespoke earplugs.
- 6.5 The Council has also approved £10,000 from the Energy Infrastructure for a contract with Engage West Somerset so that they can support organisations within West Somerset to submit applications for funding from the CIM Fund. So far, we have spent £1,000 with more due to be invoiced.

7. COMMENTS ON BEHALF OF SECTION 151 OFFICER

- 7.1 Although the money is not funded from our own general fund or from the council tax payer, it is vitally important that we are able to demonstrate that we have spent the money appropriately and obtain as much benefit as we can from the fund and to demonstrate good stewardship.
- 7.2 The CIM Fund supports the delivery of one of West Somerset Corporate Objectives titled the New Nuclear Development at Hinkley Point. The CIM Fund will enable West Somerset Council to maximise opportunities for West Somerset Communities and Business and protect local communities from the development. If the CIM Fund is managed effectively, it will hugely help us meet this priority.

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 Ensuring that the Council is delivering good quality advice and support to organisations will help to ensure that there are no equality and diversity implications arising from the CIM Fund application process.

9. CRIME AND DISORDER IMPLICATIONS

9.1 There are no crime and diversity implications which arise from this report.

10. CONSULTATION IMPLICATIONS

10.1 Ensuring that bids are properly informed via consultation within the particular community and whether or not this is being done effectively is one aspect which any Scrutiny Task and Finish Group could examine as Community Support is one of the CIM Fund criteria.

11. ASSET MANAGEMENT IMPLICATIONS

11.1 There are no asset management implications which arise from this report.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

12.1 There are no environmental impact implications which arise from this 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 Ensuring that the Council is delivering good quality advice and support to organisations will help to ensure that opportunities to address health and wellbeing issues within communities which assist with addressing the impacts of the Hinkley Point C project.

14. LEGAL IMPLICATIONS

14.1 It is important that the terms of any Scrutiny Task and Finish Group recognise the obligations by which the Council and the other signatories to the Section 106 agreement are fixed and cannot be unilaterally amended by one party. There are no legal implications that directly arise from a review of the way in which the Council supports its communities and community based organisations to access the CIM Fund.

<i>Report Number:</i>	WSC 109/15
<i>Presented by:</i>	Andrew Goodchild, Assistant Director Energy Infrastructure
<i>Author of the Report:</i>	Andrew Goodchild, Assistant Director Energy Infrastructure
<i>Contact Details:</i>	
<i>Tel. No. Direct Line</i>	01984 635245
<i>Email:</i>	agoodchild@westsomerset.gov.uk
<i>Report to a Meeting of:</i>	Scrutiny Committee
<i>To be Held on:</i>	9 th July 2015
<i>Date Entered on Executive Forward Plan</i>	N/A
<i>Or Agreement for Urgency Granted:</i>	

HINKLEY POINT C – SECTION 106 AGREEMENT – COMMUNITY IMPACT MITIGATION (CIM) FUND

1. PURPOSE OF REPORT

1.1 This report to Scrutiny Committee is to provide an update on the first 12 months of the operation of the Community Impact Mitigation (CIM) Fund. The purpose of the review is to determine whether or not organisations within West Somerset have access to the necessary information, guidance and support to enable them to make successful applications to the CIM Fund.

2. CONTRIBUTION TO CORPORATE PRIORITIES

2.1 Objective 3 of the Councils Corporate Plan is:

Communities in West Somerset can access and understand the process for accessing funding opportunities provided for by the development at Hinkley Point and are supported in delivering funded projects and initiatives

2.2 Key Tasks 3.1, 3.2 and 3.3 all relate directly to the operation of the CIM Fund and the support that the Council offers to community organisations to assist them in accessing the funding.

3. RECOMMENDATIONS

3.1 That Scrutiny Committee consider the content of this report and consider the potential for a Task and Finish Group to further assess whether or not the objectives of the Corporate Plan are being met

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
That communities affected by the Hinkley Point C project are not successfully accessing the CIM Fund to address the 3 4 12 impacts occurring or those which are likely to occur			
<i>That the CIM Fund process is sufficiently clear and accessible and organisations seeking to make applications are sufficiently supported in doing so</i>	2 4 8		
That the Council does not have sufficient resources to support through the process of accessing the CIM Fund	3 4	12	communities
<i>That the Council makes sure that lessons learnt and support is delivered efficiently and effectively to make the best use of 2 4 8 the resources available</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 and after the mitigation measures have been actioned.

5. BACKGROUND INFORMATION

5.1 On 27th January 2012 West Somerset Council granted planning permission for EDF Energy to undertake Site Preparation Works at the Hinkley Point C site. This followed the submission of an application in November 2010 and the consideration of the application by West Somerset's Planning Committee in July 2011. The planning permission included a Section 106 agreement which contains a series of obligations (both financial and non-financial) between EDF Energy and the Councils (West Somerset, Sedgemoor District and Somerset County).

Geography

5.2 One of the key financial obligations involved EDF Energy paying West Somerset Council two contributions namely, the Community Impact Mitigation (CIM) Fund and the Annual Community Impact Mitigation Fund. The initial CIM Fund payment was paid to the Council in May 2015. This initial £4m was ring fenced geographically in accordance with the Section 106 agreement as set out in the following table:

Geography	Amount
West Somerset Council Area	£2m
Cannington Parish	£0.5m
Bridgwater	£1m
Stogursey Parish	£0.5m
Total	£4m

5.3 The Annual CIM Fund payments are £1.52m and £1.6m meaning that the contributions total £7.2m. Unlike the initial £4m, the Annual CIM Funds can be spent anywhere in the County of Somerset.

5.4 The first payment of £4m was made in May 2014 and the first annual payment was made in May 2015 with the final annual payment due in May 2016. The CIM Fund was publically launched in June 2014 and so has been operational for 12 months at the time of writing this report.

Governance

- 5.5 The governance of the CIM Fund and the Annual CIM Fund is set out in detail within the Section 106 agreement and both EDF Energy and the Councils are bound by the obligations in this respect. In recognising the need to combine the process by which planning obligations are considered in West Somerset and the wider partners involved in the Hinkley Point C development, a Board known as the Planning Obligations Board was created and replaced West Somerset Councils internal Planning Obligations Group in the decision making process. In the case of the CIM Fund, the Board make recommendations to Cabinet and Full Council (if the Bid is for more than £25,000) regarding the bids that are received.
- 5.6 Full Council considered the governance of the CIM Fund, the role of the Board and appointed its representatives to the Board in January 2012. Recently the representatives from West Somerset Council changed post the recent local Government election, the Board Members for West Somerset are Cllr Chilcott and Brendan Cleere. The Section 106 agreement states that a Board Member for West Somerset will chair the Board meeting and would have the casting vote if necessary.
- 5.7 The remaining 6 Board Members are made up of 2 from each of Sedgemoor District Council, Somerset County Council and EDF Energy. All three Councils have one Member and one Officer represented. Each organisation has reserve Board Members, in the case of West Somerset the reserves are Cllr Morgan and Andrew Goodchild.
- 5.8 The Board meets once every 2 months to consider bids and, allowing for a period to assess proposals, the end to end time taken to consider bids is approximately 10 weeks, if an application needs to be presented to Full Council. The process allows for 6 funding rounds per year.
- 5.9 The Board are responsible for making recommendations on all CIM Funds apart from those seeking to be funded from the Stogursey Parish £500,000, where Stogursey Parish Council are consulted and their recommendation is presented to Cabinet and Full Council (if required).

Small Grants Fund

- 5.10 In June 2014, Cabinet agreed the Board's recommendation to set up a Small Grants fund for projects seeking under £1,000. Cabinet agreed as part of the process to delegate authority to the Board for applications to the Small Grants fund and set aside an initial £24,000. Any proposals to increase the funding for the Small Grants fund would need to be agreed by Cabinet and Full Council depending on the extent of the fund.

Criteria for Applications

- 5.11 The Section 106 agreement also specifies the criteria by which applications are judged. These were important in ensuring that the CIM Fund met the tests by which all planning obligations are secured. There is no ability for one party to unilaterally change the criteria and it is important that the Board, Cabinet and Council consider applications against the criteria when making their recommendations/decisions. The criteria are as follows:

Criteria	Evaluation Criteria
----------	---------------------

Priority Impact Zones	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: 1) Directly adjacent to the site 2) Directly adjacent to the main transport routes to and from the site within West Somerset, Sedgemoor and Somerset 3) Within West Somerset and/or Sedgemoor and directly affected by adverse impacts of the project 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
	5) In Somerset and experiencing indirect adverse impacts or in relation to a measure which benefits West Somerset and/or Sedgemoor.
Quality of Life	The principal purpose of the contribution shall be to enhance the quality of life of communities affected/potentially affected by the Project.
Sustainability	To what extent will the project contribute to achieving sustainable communities, contribute to regeneration objectives and raising environmental sustainability?
Extent of Benefit	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?
Community Need	To what extent has the applicant demonstrated a need for the project
Community Support	To what extent is there demonstrable local community and and/or business support for the project?
Partner Support	To what extent is there demonstrable local partner support for the project?
Governance	Demonstrate that good governance arrangements are in place, including financial and project management to ensure deliverability?
Value for Money	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?

Application Process

5.12 The application process for accessing the CIM Fund follows broadly the Councils own process for considering applications for 'normal' Section 106 contributions. First applicants are invited to submit an Expression of Interest (EOI) to introduce their project and to allow the CIM Fund Manager to make an initial assessment of eligibility. If proposals are eligible, applicants are invited to make a full application, the bi-monthly closing dates for which are published on the Councils website.

5.13 Recently, the Planning Obligations Board has agreed to set up a separate website and application form for the Small Grants fund in an attempt to encourage the submission of smaller bids. It is envisaged at the time of writing that the separate part of the website would go live in late summer 2015.

5.14 One important aspect of the EOI stage allows officers at West Somerset and Sedgemoor to begin a dialogue with applicants in an attempt to help shape bids. Without the EOI stage, applicants would be expecting a decision within a set period and the ability to help shape and align proposals with other initiatives would be very limited. Some project sponsors have approached the Council before submitting an EOI for advice which is encouraged on the website and during conversations/presentations however, the EOI process does allow this activity to be tracked and requires potential applicants to be reasonable clear on their initial ideas which allows officers to identify the right kind of support.

Assessment of Applications

5.15 Once an application is received, the information submitted is checked and the CIM Fund Manager makes an initial assessment against the criteria. If information is missing or not clear the CIM Fund Manager seeks the necessary information prior to the production of the paperwork for the Board meeting. In recent months, applications which have failed to provide the right information have been 'deferred' and have not been presented to the Board. This is a subjective judgement sometimes and ultimately applicants might request that their application is presented 'as submitted' to the Board. The CIM Fund Managers assessment of the applications is presented to the Board as a recommendation for each of the bids.

5.16 The Board at their bi-monthly meeting consider the recommendations of the CIM Fund Manager and on a bid by bid basis make recommendations, either to approve or refuse funding, to Cabinet. Recently the Board decided to 'defer' making a decision on an application given the lack of clarity in some areas of the proposal, this is a positive step as rather than presenting a recommendation to refuse to Cabinet, the Board have sought additional information with the intention of presenting a positive recommendation in relation to a project which meets the majority of the criteria.

5.17 Cabinet and Full Council (where bids are over £25,000) do have the ability to reach a different decision to the recommendation of the Board but they must have good reasons, based on the criteria, to do so – the criteria are in place to ensure that the decision to fund projects is consistent with the planning tests which enabled the fund to be secured.

Analysis of Applications – 0-12 Months

5.18 Since the CIM Fund was launched in June 2014 a total of 121 Expressions of Interest have been received. Of these 70 were from a West Somerset based organisation or seeking to deliver a project in a West Somerset community.

5.19 Of the projects from a West Somerset based organisation or seeking to deliver a project in a West Somerset community which submitted an EOI, 86% have received support and/or advice from officers.

5.20 To date 35 Full Applications have been received. Of the applications received 22 were from a West Somerset based organisation or seeking to deliver a project in a West Somerset community.

5.21 Of the 35 Full Applications received, 13 of them have been approved and 21 refused, with one application deferred pending further information. Of the 13 applications approved 8 were from a West Somerset based organisation or seeking to deliver a project in a West Somerset community (the application deferred was from a Bridgwater based organisation).

5.22 Only one application to date has made a 2nd application and this 2nd application was approved.

Support for organisations in West Somerset

- 5.23 The CIM Fund Manager role is primarily responsible for:
- Appraising applications using a fair and transparent scoring system and make recommendations to POB
 - Negotiating funding agreements (funding conditions, staged payment schedules and project monitoring etc)
 - Ongoing liaison with funded projects to monitor implementation, spend and achievement of project outcomes
 - Providing feedback to applicants post funding decision
 - Maintaining records (EOI's, Applications, Decisions, Payments etc) to enable timely and effective responses to enquiries and ongoing management of the funds
 - Developing and maintaining performance monitoring systems to monitor the implementation of the CIM fund to ensure the overall objectives of the fund are achieved. Provide regular performance reports to POB and others
 - Managing communication with community development officers across partners to enable effective and consistent levels of support for applicants.
 - Developing, reviewing and updating governing documents for the POB (Funding Distribution Strategy, Terms of Reference).
 - Regularly reviewing the processes, documents and website to ensure they are effective and relevant.
 - Managing the POB meetings, including the preparation of reports, agendas and minutes.
 - Preparing reports and recommendations for WS Cabinet and Full Council.
 - Liaising with the Finance officer in relation to release of funding and budget monitoring.
- 5.24 Given the above the ability and scope for the CIM Fund Manager to provide advice to applicants throughout the application and decision making process is necessarily limited, and given the need for this role to appraise applications using a fair and transparent scoring system and make recommendations to POB, it would be inappropriate for the role to also be heavily involved in project development activity.
- 5.25 In addition to the CIM Fund Manager, both Sedgemoor and West Somerset have put in place support via community development officers to help develop bids with the community. In the case of supporting West Somerset organisations, this is managed by the Housing and Community Project Lead. Two Community Officers are now beginning to support West Somerset applicants, either via direct web or telephone enquiries or notification from the CIM Manager of a new Expression of Interest being received. Prior to May 2015 all enquiries were dealt with by the Housing and Community Project Lead. Level of support will depend upon the ability of the applicant. Types of support can include assistance with designing community surveys to identify level of need for their project, identifying other sources of funding, developing business plans, providing relevant policies and strategies, statistical data to support applications, as well as guidance on completion of the application form.
- 5.26 In September 2014 Cabinet agreed to contract with Engage West Somerset to provide additional support to organisations making bids. In accordance with the Cabinet decision, a small team of officers including the AD Energy Infrastructure, the Housing and Community Project Lead, the CIM Fund Manager and the Economic Regeneration and Tourism Manager consider new EOI's and as appropriate request that Engage WS work with the organisation. To date Engage have been supporting 3 organisations at a cost of £986. Notably, the one application which was refused initially and then approved was supported prior to making their 2nd application by Engage.

Potential Scope of a Scrutiny Task and Finish Group

5.27 Taking into consideration that the geography, governance and criteria for considering applications are set out within the Section 106 agreement which is legally binding and so cannot be unilaterally amended, it is considered that the scope of a Scrutiny Task and Finish Group should be focused on whether or not communities know enough about the CIM Fund, the process by which it is accessed and whether or not the Council is supporting organisations to make well informed, good quality bids for projects that address the impacts of the Hinkley Point C project. Some potential questions for a Task and Finish Group might be:

- Are 'we' being clear enough within our communications to allow potential bidders to make an informed decision about whether or not to submit a bid?
- Are 'we' listening and learning from the process and our experiences to date about what is working well and where things need to be improved?
- Why have organisations who submitted an EOI not proceeded to make a Full Application?
- Is there a clear and generally understood definition of 'impact' and how this should be interpreted by those considering submitting a bid?
- What are the views of key community groups?
- What are the views of partners such as Engage West Somerset?
- Are we going all that we can to support our communities to benefit from this 'once in a lifetime' funding opportunity?

6. FINANCIAL/RESOURCE IMPLICATIONS

6.1 The Community Impact Mitigation Fund is entirely funded by EDF Energy as agreed within the Site Preparation Work (SPW) section 106 agreement. Therefore this will have no impact on both West Somerset Council and Sedgemoor District Council's general fund.

6.2 The post of the CIM Fund Manager is currently funded under the Service Level Agreement of the SPW s106 agreement and is part of the approved structure for Energy Infrastructure approved in March 2015. The Community Officers are funded from the general fund.

6.3 Due to indexation, the actual amount received was £3.735m in May 2014 with an additional £1.752m paid in May 2015, bringing the total received so far to £5.487m. The Council will receive another payment in May 2016, which based on the current inflation figure is estimated to be £1.844m, bringing the estimated total to £7.331m. For the Stogursey Fund, we have received £0.534m – a Grand total of £7.865m.

6.4 Currently, the Council has approved £1.066m of grant from the main CIM fund, inclusive of the £24,000 approval for the small grants, the balance sheet of approved projects is presented at Appendix A. £0.696m within the West Somerset Area and £0.437m within the Sedgemoor Area with the £0.024m for projects under £1,000. No approval has been given so far within the Cannington Parish. Of the £24,000 fund for small projects, only £800 has been approved (which was for the Porlock shellfish project). For the Stogursey CIM fund, the only approved spend so far is the £2,640 for the bespoke earplugs.

6.5 The Council has also approved £10,000 from the Energy Infrastructure for a contract with Engage West Somerset so that they can support organisations within West Somerset to submit applications for funding from the CIM Fund. So far, we have spent £1,000 with more due to be invoiced.

7. COMMENTS ON BEHALF OF SECTION 151 OFFICER

7.1 Although the money is not funded from our own general fund or from the council tax payer, it is vitally important that we are able to demonstrate that we have spent the money appropriately and obtain as much benefit as we can from the fund and to demonstrate good stewardship. Any unused grant at the end of the project (around 2025) will be paid back to EDF Energy.

7.2 The CIM Fund supports the delivery of one of West Somerset Corporate Objectives titled the New Nuclear Development at Hinkley Point. The CIM Fund will enable West Somerset Council to maximise opportunities for West Somerset Communities and Business and protect local communities from the development. If the CIM Fund is managed effectively, it will hugely help us meet this priority.

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 Ensuring that the Council is delivering good quality advice and support to organisations will help to ensure that there are no equality and diversity implications arising from the CIM Fund application process.

9. CRIME AND DISORDER IMPLICATIONS

9.1 There are no crime and diversity implications which arise from this report.

10. CONSULTATION IMPLICATIONS

10.1 Ensuring that bids are properly informed via consultation within the particular community and whether or not this is being done effectively is one aspect which any Scrutiny Task and Finish Group could examine as Community Support is one of the CIM Fund criteria.

11. ASSET MANAGEMENT IMPLICATIONS

11.1 There are no asset management implications which arise from this report.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

12.1 There are no environmental impact implications which arise from this 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 Ensuring that the Council is delivering good quality advice and support to organisations will help to ensure that opportunities to address health and wellbeing issues within communities which assist with addressing the impacts of the Hinkley Point C project.

14. LEGAL IMPLICATIONS

14.1 It is important that the terms of any Scrutiny Task and Finish Group recognise the obligations by which the Council and the other signatories to the Section 106 agreement are fixed and cannot be unilaterally amended by one party. There are no legal implications that directly arise from a review of the way in which the Council supports its communities and community based organisations to access the CIM Fund.

APPENDIX A:

<u>Hinkley Fund Community Impact Mitigation Fund Approval Balances</u>			
	£	£	
CIM Fund received under SPW Phase 2		3,735,426	
CIM Fund received under SPW Phase 2+1		1,751,749	
		5,487,175	
<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)		
Kilve Cricket Club	(22,000)		
Onion Collective	(243,119)		
Williton Parish Council	(250,000)		
Current Uncommitted Balance	(1,066,242)	4,420,933	

<u>Less current applications recommended but not yet approved</u>			
North Petherton Playing Fields	(46,000)		
SDC - Sydenham Together	(60,000)		
	(106,000)		
		4,314,933	

CIM Fund Task and Finish Group

Evidence Session record

Question	Onion Collective Response	Holford Village Hall Response
1. How useful did you find the pre-application information available on the West Somerset Council Website?		
2. How useful did you find the advice and support given prior to submitting an Expression of Interest?		
3. How useful did you find the advice and support provided once an Expression of Interest had been submitted?		
4. What are your views of the application process once your application had been submitted – was the process clear, was there enough information, guidance and support available at each stage?		
5. If you were to submit your bid again, would you		

do anything differently?		
6. Was the assessment criteria clear to you from the outset of the process?		
7. Do you have any comments about easy (or not!) it was to complete the Expression of Interest and subsequent forms on-line?		
Any other comments:		

CIM Fund Task and Finish Group – notes of meeting with applicants:

(Responses are grouped together for each question)

1.
 - The form is fine and not too onerous – not too long but the bit about evidencing impact is less clear, especially the differentiation between mitigating the impact of site works and ongoing impact. The Website guidance was clear enough but advice from officers differed depending on who you spoke to.
 - Info was straightforward – there was enough space to write what we wanted but for smaller groups who don't have computer skills, such a computer based process may be off putting.
 - Information was ok, but there wasn't enough about what would constitute an acceptable project, if it was made clearer at the outset what was likely to succeed it would save a lot of time and effort. Based on the decisions made on projects to date – it is not clear that anyone has a clear understanding of what 'impact' means.
2.
 - Advice and guidance once Lisa was in post became clearer but there is still an overriding sense of confusion but this may be because they applied very early on in the process,
 - Quite a long time ago so difficult to remember but guidelines quite straightforward but all the officers have been very helpful along the way.
 - Officers were all very helpful, trying to get an application in in January was very difficult though as many of the officers needed for advice were unavailable over the Christmas break. Lisa Redstone was excellent – it may be helpful to let groups know exactly what help and advice they can ask for...it was difficult to know what they didn't know!
3.
 - There were 5 very simple questions but lots of follow on questions which we weren't expecting and hadn't built into our timeframe. The very strict word count was unnecessary and restricted our ability to describe a very complex project. The EOI majored a lot on impact and it took a lot of research to full understand this – not all groups would have access to this level of research.

- Officers were very helpful but would have appreciated more support once the EOI had been accepted.
- Useful up to a point – more information on pitfalls would have been helpful – where we were going wrong. Having the EOI accepted gave us a certain level of confidence that turned out to be misplaced.

4.

- Application form is dreadful – theoretically there are no word counts but the form imposes a limit as to how much you can write. We ended up providing a separate sheet. As an experienced bid writer, I am not a fan of word counts – they can be very off-putting. Recommended looking at the People's Health Trust Application process. The questions are unclear – there seem to be several questions wrapped up in one so easy to avoid answering the more tricky questions! The form never mentions impact mitigation. There are some good projects out there but the process is prohibitive – especially the lack of clarity around understanding impact.

We submitted numerous additional documents which was unusual at the application stage – you could be asked if you have H&S documents etc and then provide them if you are successful.

It appears to be the same form regardless of the level of funding required so a bid for £5k goes through the same process as a £500k.

- Expecting the form to be geared towards community led projects not professional bid writers – the form was too complicated for community groups to complete. It would have been helpful if they had known that they could invite people to visit the project. The ground rules around match-funding were not made clear at the start and so we misunderstood this and this point was not emphasised via Engage.
- No – we thought we were doing well. We had to deduce what we thought we needed to write and would have appreciated more detailed feedback – an honest and if necessary brutal opinion as to whether we should submit a bid – process is a big commitment for a small community group. We did speak to Jan Ross from Engage.

5.

- Understanding definition of 'impact' in advance and the importance of timing.
- Stressful process. Many community groups simply don't have the expertise.
- Ascertain criteria and the how we could meet them.

6.

- 9 Criteria were very clear although not specifically asked, the applicant needs to cross check and make sure all 9 criteria have been addressed. It would be helpful to know the scoring criteria and to have an explanation that not all criteria have to be met. Wouldn't necessarily expect questions to be grouped under criteria headings.
- Could have been clearer.
- A little bit vague – ambiguous, when application gets to members an understanding of the scoring and decision making process would be helpful – working in the dark just wastes everybody's time.

7.

- Not necessarily expect to complete the whole process on –line – if you're going to do it all on line you have to nail the processes and ensure there are no technical glitches.
- Completing the EOI on line was very straightforward but the application form was more difficult – no specific word count but restrictive box size and we weren't aware that we could submit additional info. Word count can be annoying but very helpful as well.

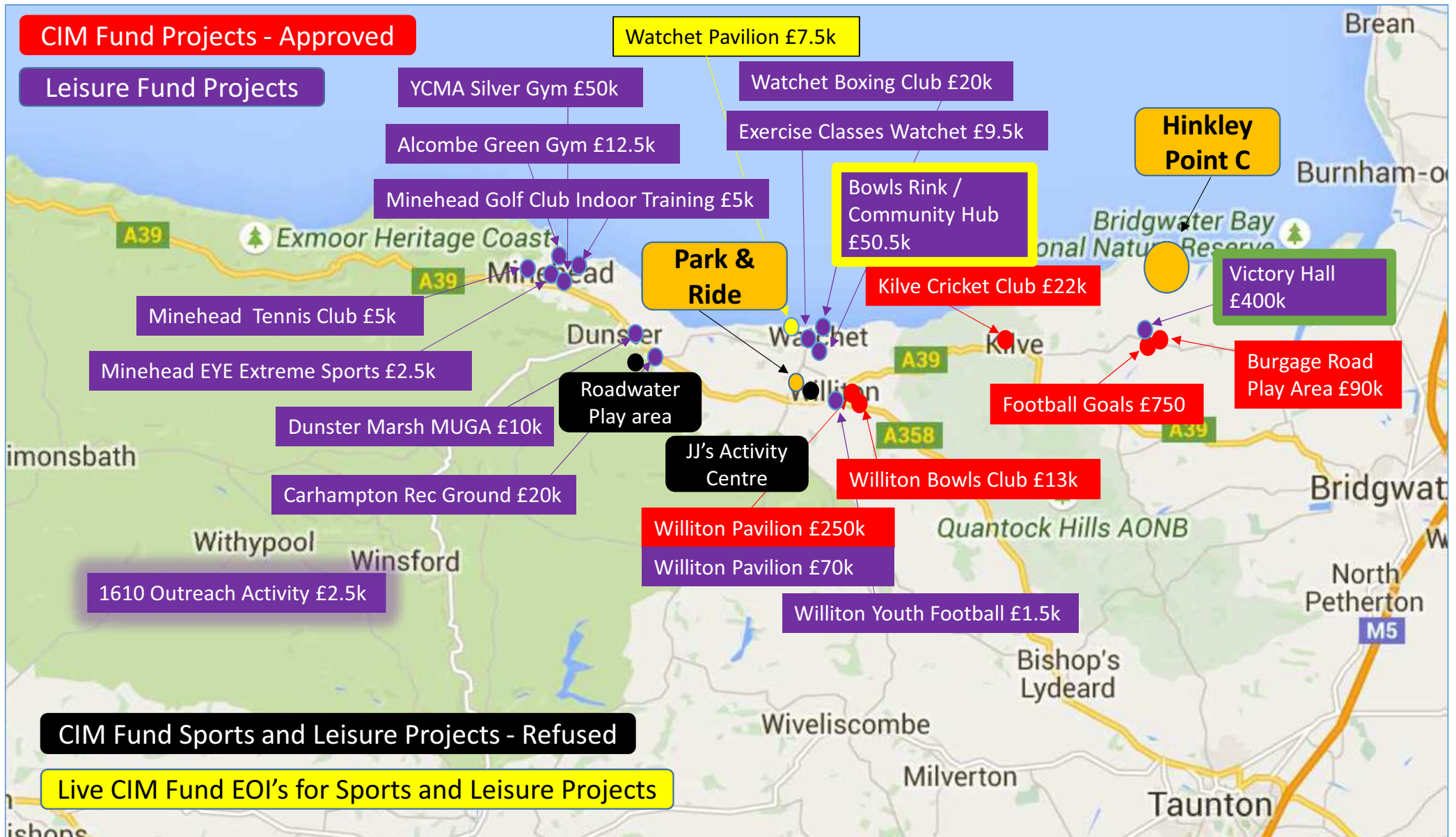
Any other comments:

- Turn the whole process on its head. Understanding impact is the most important part of the process but also the most difficult. Adopting a more 'commissioning approach' may be more beneficial. They were aware of a youth service provider being asked to submit a bid to the CIM fund to address the impact on young people, but other similar groups had not been approached in the same way – how is this fair and transparent? The Council could do some work to identify impacts across the area and then invite bids to address specific impacts. This will be fairer for communities especially as the process is opened up to the whole of Somerset.
- As experienced bidders, we know what we're doing and were able to lobby extensively – we know who to contact at EDF (had David Eccles to visit the project) and contacts at district and county council level – we might not have had such a positive outcome without this lobbying and other, less experienced groups wouldn't be aware of this, and essentially, this isn't how a funding process should work.
- Never known such a complex decision making process as this one – back through very lengthy political decision making process. If the POB make a decision based on a successful application – meeting the required criteria, why should there be an opportunity for politicians to overturn this rational decision?
- The process took about 100 hours which just isn't feasible for smaller organisations.
- The process acted as a positive catalyst within the community to bring everyone together.

- Knowing what the panel are looking for would be very helpful and an awareness that even though an EOI may be approved, this is by no means a guarantee that the bid will progress any further – avoid the false sense of security.
- As they understood it there are a high number of unsuccessful applicants and the problem is not with the quality of the projects so must be with the process.
-









APPENDIX 5:

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>

Less previously approved allocation

Stogursey Parish Council -	Burgage Road Play Area	(90,373)	
Wembdon Village	Hall - New VH & Play Area	(250,000)	
Somerset Youth Sailing Association	New Dinghies	(9,600)	
Tropiquaria - Relocation of primates	Relocation of Primates	(40,000)	
Tropiquaria - Relocation of play area	Relocation of Play Area	(37,350)	
Westfield United Reform Church	Street Café	(110,000)	
Williton Bowling Club	Improving the Bowling Green	(13,000)	
Kilve Cricket Club	Replace Storage Shed & Scoreboard	(22,000)	
Onion Collective	Boat Museum	(243,119)	
Williton Parish Council	Replace Williton Pavilion	(250,000)	
Sedgemoor District Council	Sydenham Together	(60,000)	
North Petherton Playing Field Trust	Play Area and Off Road BMX Track	(46,000)	
Victoria Park Community Centre	3 Years Digital Inclusion & Job Club	(14,524)	
Sydenham & Bower Wellbeing Group	Coronation Park Enhancement	(200,000)	
Bridgwater Education Trust	Student Employer Mentoring Project	(18,295)	
Cannington Village Hall	Refurbishment of Village Hall	(186,186)	
Small Project Fund*	See Below*	(24,000)	
			<u>(1,614,447)</u>
Current Uncommitted Balance			3,872,728

Less Current Applications Recommended for Approval

Watchet War Memorial Ground	Renew Hot Water System in Pavilion	(7,500)	
			<u>7,500</u>
Balance after Recommended Approvals			<u>3,865,228</u>

*Small Project Fund

Approval for Small Project Fund

Less previously approved allocation

Porlock Parish Council	Porlock Bay Shellfish Project	(800)	
Stogursey Football Club	New Football Kits	(750)	
Tropiquaria	Emergency Marketing Support	(1,000)	
			<u>(2,550)</u>
Small Project Fund Balance			<u>21,450</u>

Report Number: WSC 4/16
Presented by: Councillor Karen Mills, Lead Member for Environment
Author of the Report: Tracey-Ann Biss – Parking and Civil Contingencies Manager
Contact Details:
Tel. No. Direct Line 01823 356356
Email: t.biss@tauntondeane.gov.uk

Report to a Meeting of: Cabinet
To be Held on: 6th January 2016

Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:

PARKING FEES AND CHARGES

1. PURPOSE OF REPORT

- 1.1 This report sets out the changes to the charging process that supports traffic management of tourist industry by seeking to influence driver behaviour with the following outcomes:
- Incentive for commuters to use car parks away for the main tourist sites, freeing up space for tourist and visitors to the area.
 - Continue investment in parking assets.
- 1.2 It seeks approval for changes to the summer car park tariffs; removal of the three hour zero tariff when valid blue badges are displayed in vehicles; and an increase to six months and yearly permits.
- 1.3 It also identifies the ongoing investment needs to improve the assets, the customers experience and convenience.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 This report and the proposals contribute to the tourism industry within West Somerset

3. RECOMMENDATIONS

- 3.1 That Members support the changes to the fees and charges identified in the report to Full Council.

4. RISK ASSESSMENT (IF APPLICABLE)

Description	Likelihood	Impact	Overall
The traffic management process being attempted does not work and leads to greater disruptions for drivers	2	4	8
<i>Officers consider the proposals viable without any additional mitigation</i>	2	4	8

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.

- 4.1 As a tourism lead economy the parking income can fluctuates throughout the year and is subject to external influences such as weather, economy, events and infrastructure projects. The figures within this report are based on modelling of the occupancy levels within car parks where data exists.
- 4.2 Changes to Blue Badge Tariff - The car park tariff for vehicles displaying a valid blue badge is set at zero cost for three hours. No data exists on the use of Blue Badges within the car parks, therefore officers have used their knowledge to produce a workable model. The introduction of these charges may bring implications of increased vehicles displaying valid blue badges parking on-street resulting in implications for traffic management and reduced income in car parks, although the experience of South Somerset Council when they introduced this charge did not evidence a significant issue.
- 4.3 Permits – The proposal to increase permits may reduce demand and will be required to be monitored, however the discount is still a significant incentive.

5. BACKGROUND INFORMATION

- 5.1 In June 2015 a summer and winter tariff was introduced to the majority of the Council's Pay and Display car parks. It is clear that tourism is an import part of the local economy with an emphasis on ease of access to parking facilities. With this in mind the proposal is to encourage commuters to use car parks away for the main tourist areas which then free spaces for visitors and customers to these sites.

6. THE PROPOSAL

- 6.1 Summer Tariffs – it is proposed to amend some of the summer tariffs to discourage commuter parking in main tourist areas.
- 6.2 Remove of Display of Blue Badge three hour zero tariff – It is proposed to remove the three hour zero tariff and introduce an allowance of an additional 60 minutes to the expiry time if a valid blue badge is displayed in a vehicle and payment is made.
- 6.3 Parking Permits – The proposal is to increase the “Named”, “District” and “Business” and “Shoppers” permits whilst the “Weekly” permit remains at £25. The permits which are proposed to be increased still provide substantial savings to “meter prices”.

7. INVESTMENT

- 7.1 There is a continuing need to ensure the Council has provision to invest in the car parks, especially those situated along the coast which may require maintenance against erosion and tidal effects (e.g. accumulation of sand).
- 7.2 Additionally there is a need for a small budget, £5k, to support the work associated with the proposed changes. This is require for activities such as changing the signs and reprogram the machines etc.

8. **FINANCE**

- 8.1 The package of proposals provides funding to support maintenance due to climate change and long term investment plans.
- 8.2 These changes can be achieved for the new pricing structure implementation on Monday 4th April 2016.

	2016/17	2016/17	Cumulative
Increase price of shopper permits	£800		
Increase price of car park permit	£10,000		
Blue badge charges	£14,500		
Summer Car Park tariff	£4,700	5,000	
Subtotal of income	£29,000	5,000	£34,000

9. **EQUALITY & DIVERSITY IMPLICATIONS**

- a. **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

- 9.1 Equalities impact assessments are attached for each of the proposed changes.

10. **LEGAL IMPLICATIONS**

- b. It is necessary for WSC to complete the work required to achieve the traffic regulation order changes.

11. **SCRUTINY COMMITTEE COMMENTS**

- 11.1 There was considerable discussion on the parking report and specifically concerns raised in regard to blue badge charging. – Officers were able to confirm that early consultation had been undertaken with Somerset County Council.
- 11.2 Scrutiny Members were in support of the report.

TABLES

Table 1 Proposed Change to Summer Tariffs

Summer Tariff	Current Summer Tariff				Proposed Summer Tariff			
	Up to 1hr	Up to 2hrs	Up to 4hrs	All day	Up to 1hr	Up to 2hrs	Up to 4hrs	All day
MINEHEAD								
Quay West	£1.50	£2.80	£4.40	£5.90	£1.50	£3.00	£4.50	£6.00
Warren Rd Upper	£1.50	£2.80	£4.40	£5.90	£1.50	£3.00	£4.50	£6.00
Clanville		£2.20		£4.90		£2.50		£5.00
Alexandra Road	£1.00	£2.20	£2.70	£4.90	£1.00	£2.50	£3.00	£5.00
Summerland		£1.00				£1.00		
North Road	£1.50	£2.20	£2.70	£4.90	£1.00	£2.50	£3.00	£5.00
PORLOCK								
Porlock Central	£1.00	£1.70	£2.70	£4.90	£1.00	£2.00	£3.00	£5.00
Doverhay	£1.00	£1.70			£1.00	£2.00		
DUNSTER								
Dunster Steep		£1.70	£2.70	£4.90		£2.00	£3.00	£5.00
Park Street	£1.00	£1.70	£2.70	£4.90	£1.00	£2.00	£3.00	£5.00
WILLITON								
Central	£1.00	£1.70	£2.70	£4.90	£1.00	£2.00	£3.00	£5.00
WATCHET								
Anchor Street	£1.00	£1.70	£2.70	£4.90	£1.00	£2.00	£3.00	£5.00
Market Street	£1.00	£1.70	£2.70	£4.90	£1.00	£2.00	£3.00	£5.00
Swain Street	£1.00	£1.70	£2.70	£4.90	£1.00	£2.00	£3.00	£5.00
Harbour Road	£1.00	£1.70	£2.70	£4.90	£1.00	£2.00	£3.00	£5.00
West Pier	£1.00	£1.70	£2.70	£4.90	£1.00	£2.00	£3.00	£5.00

Table 2 Permits

Permit Type	Current Charges		Proposed Increase	
	Period	Cost Per Permit	Period	Cost Per Permit
Named	6 months	£110.00	6 months	£160.00
Named*	12 months	£150.00	12 months	£210.00
District	6 months	£160.00	6 months	£180.00
District*	12 months	£250.00	12 months	£310.00
Business	6 months	£200.00	6 months	£220.00
Business*	12 months	£320.00	12 months	£400.00
Before 10.00am	12 months	£25.00	12 months	£25.00
Parson Street	12 months	£150.00	12 months	£150.00
Weekly		£25.00		£25.00
Shoppers	12 months	£35.00	12 months	£40.00

Table 3 Example of Possible Permit Savings

*Customer savings	Cost at Meter	Savings to Customer		
		Named	District	Business
(a) 5 days per week x 48 weeks @ £5.00 per day	£ 1,200.00	£ 990.00	£ 890.00	£ 800.00
(b) 5 days per week x 48 weeks @ £6.00 per day	£ 1,440.00	£ 1,230.00	£ 1,130.00	£ 1,040.00
		<u>Shoppers</u>		
(c) 2hrs per week x 48 weeks @ £2.00	£ 96.00	£ 56.00 saving		
(d) 2hrs per week x 48 weeks @ £3.00	£ 144.00	£ 104.00 saving		

Equality Impact Assessment – pro-forma

Responsible person	Tracey-Ann Biss	Job Title Parking and Civil Contingencies Manager
Why are you completing the Equality Impact Assessment? (Please mark as appropriate)	Proposed new policy/service	
	Change to Policy/service	
	Budget/Financial decision – MTFP	X
	Part of timetable	
What are you completing the Equality Impact Assessment on (which, service, MTFP proposal)	Parking Permit charge changes	
Section One – Scope of the assessment		
What are the main purposes/aims of the policy/decision/service?	Whilst supporting the use of permits across the district this proposal seeks to reduce the current level of discount available to regular users of the car parks.	
Which protected groups are targeted by the policy/decision/service?	No Protected groups have been targeted through this proposal.	
What evidence has been used in the assessment - data, engagement undertaken – please list each source that has been used The information can be found on....	Management knowledge, permit volumes	
Section two – Conclusion drawn about the impact of service/policy/function/change on different groups highlighting negative impact, unequal outcomes or missed opportunities for promoting equality		
Permit charges will increase for all users of the service but the level of discount is still much greater than neighbouring authorities.		

I have concluded that there is/should be:	
No major change - no adverse equality impact identified	
Adjust the policy/decision/service	
Continue with the policy/decision/service	X
Stop and remove the policy/decision/service	
Reasons and documentation to support conclusions The Council's financial position means that it is no longer viable to support the level of discount currently offered through the permitting scheme.	
Section four – Implementation – timescale for implementation	
April 2016	
Section Five – Sign off	
Responsible officer Tracey-Ann Biss Date 30 th Oct 2015	Management Team Date
Section six – Publication and monitoring	
Published on	
Next review date	Date logged on Covalent

Equality Impact Assessment – pro-forma

Responsible person	Tracey-Ann Biss	Job Title Parking and Civil Contingencies Manager
Why are you completing the Equality Impact Assessment? (Please mark as appropriate)	Proposed new policy/service	
	Change to Policy/service	X
	Budget/Financial decision – MTFP	
	Part of timetable	
What are you completing the Equality Impact Assessment on (which, service, MTFP proposal)	Blue badge charging for WSC car parks	
Section One – Scope of the assessment		
What are the main purposes/aims of the policy/decision/service?	<p>To make use of the car parks chargeable to blue badge holders whilst providing some mitigation in the time allowance blue badge holder have.</p> <p>The Department for Transport's blue badge scheme, rights and responsibilities leaflet states that the use of blue badges are intended for on-street parking use only and that off-street parking is governed by separate rules. As WSC are providers of off street parking it is a policy decision for this Council to issue parking charges. WSC provide specific off-street spaces for disabled use.</p> <p>To remove the current inequality where only none blue badge holders pay for the operation of the service.</p>	
Which protected groups are targeted by the policy/decision/service?	<p>All those who meet the criteria to hold a blue badge, those who are:</p> <ul style="list-style-type: none"> • registered as blind/severely sight impaired • in receipt of the War Pensioners' Mobility Supplement • in receipt of the higher rate of the mobility component of Disability Living Allowance (DLA) • in receipt of the mobility component of Personal Independence Payment (PIP) and scored at least 8 points in relation to the 'moving around' activity in the PIP assessment, or least 12 points in the mobility activity for planning and following journeys 	

	<ul style="list-style-type: none"> • have been awarded a lump sum benefit from the Armed Forces Compensation scheme (tariffs 1 to 8) and have also been certified as having a permanent and substantial disability which means you can't walk or find walking very difficult • have been awarded a lump sum benefit from the Armed Forces Compensation scheme at tariff level 6 for a mental disorder • in receipt a government grant towards your own vehicle. • have a permanent or substantial disability which means you can't walk or find walking very difficult • a driver and have severe upper limb disabilities • as a result of a mental disorder, unable to follow the route of a familiar journey without the assistance of another person. Anyone aged over two years can be eligible under this condition, including people over 65. • applying on behalf of a child over two with a permanent or substantial disability which means they can't walk or find walking very difficult • applying on behalf of a child under three with a medical condition that requires them to be close to a vehicle for emergency medical treatment or transporting bulky medical equipment.
<p>What evidence has been used in the assessment - data, engagement undertaken – please list each source that has been used</p> <p>The information can be found on....</p>	<p>Management knowledge, discussions with SCC on the possible impacts to on street parking and the impacts that they have identified elsewhere in the county where blue badge charging has already been implemented.</p> <p>Further consultation and engagement with relevant groups is planned prior to implementation as is a review of the parking voucher options provided by South Somerset District Council.</p> <p>An assessment has been carried out into the accessibility of the pay and display machines as it is recognised that users of the car parks use both pay and display tickets and pay by phone. A schedule of works has been created to ensure accessibility of the machines prior to the implementation of this option.</p>
<p>Section two – Conclusion drawn about the impact of service/policy/function/change on different groups highlighting negative impact, unequal outcomes or missed opportunities for promoting equality</p>	

It is considered that one of the greater limitations on blue badge holders is the time that it may take them to carry out the tasks that would be quicker for a non blue badge holder. Whilst this proposal will mean that all users of the pay and display car parks will pay towards the cost of the service there will be an additional free time allowance of + 60 minutes on all pay and display tickets or pay by phone payments where a valid blue badge is presented.

I have concluded that there is/should be:

No major change - no adverse equality impact identified	
Adjust the policy/decision/service	
Continue with the policy/decision/service	X (but with further consultation and mitigating actions)
Stop and remove the policy/decision/service	

Reasons and documentation to support conclusions
This option is a review of the Council's current policy.

Section four – Implementation – timescale for implementation

4th April 2016

Section Five – Sign off

Responsible officer Tracey-Ann Biss
Date 30th Oct 2015

Management Team
Date

Section six – Publication and monitoring

Published on

Next review date

Date logged on Covalent

Action Planning

The table should be completed with all actions identified to mitigate the effects concluded.

Actions table						
Service area	Parking Services			Date	15/12/2015	
Identified issue drawn from your conclusions	Actions needed	Who is responsible?	By when?	How will this be monitored?	Expected outcomes from carrying out actions	
Consultation needed	To engage with relevant groups to test that mitigations put forward	Tracey-Ann Biss	4 th April 2016	Through management controls	Agreement or alteration to the mitigations	
Access to pay and display machines	Make physical changes to some car parks for accessibility	Tracey-Ann Biss	4 th April 2016	Through contractor arrangements	At least one machine in each car park is accessible.	

Action Planning

The table should be completed with all actions identified to mitigate the effects concluded.

Actions table						
Service area				Date		
Identified issue drawn from your conclusions	Actions needed	Who is responsible?	By when?	How will this be monitored?	Expected outcomes from carrying out actions	