



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

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Date 28 March 2017

**THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING
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Dear Councillor

I hereby give you notice to attend the following meeting:

SPECIAL CABINET

Date: Wednesday 5 April 2017
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 "B. Lang", written over a light blue horizontal line.

BRUCE LANG
Proper Officer

SPECIAL CABINET

Meeting to be held on 5 April 2017 at 4.30 pm

Council Chamber, Williton

AGENDA

1. Apologies for Absence

2. Declarations of Interest

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

3. 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.

4. HPC Planning Obligations Board – Allocation of CIM Funding

To consider Report No. WSC 41/17, to be presented by Councillor M Chilcott, Lead Member for Resources and Central Support – **SEE ATTACHED**.

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

5. Exclusion of the Press and Public

To consider excluding the press and public during consideration of Item 6 on the grounds that, if the press and public were present during this item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended as follows:

Item 6 contains information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding that information). It is therefore proposed that after consideration of all the circumstances of the case, the public interest in

maintaining the exemption outweighs the public interest in disclosing the information.

6. **Seaward Way Land Development Options**

To consider Report No. WSC 42/17, to be presented by Councillor K Turner, Lead Member for Housing, Health and Wellbeing – **TO FOLLOW**.

COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS

Report Number: WSC 41/17

West Somerset Council

Cabinet – 5 April 2017

HPC Planning Obligations Board – Allocation of CIM Funding

This matter is the responsibility of Cllr M Chilcott, Lead Member for Resources and Central Support.

Report Author: Lisa Redston, CIM Fund Manager

1 Purpose of the 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 Recommendations

- 2.1 That Cabinet endorses the recommendations of the Hinkley Point C Planning Obligations Board as follows:
- 2.1.1 **To recommend to Full Council that the application for CIM funding from the Somerset Chamber of Commerce for the Somerset Education Business Partnership is not approved.**

3 Risk Assessment

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 August 2017 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)

3.1 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.

4 Background

4.1 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?

5 CIM Applications considered by the HPC Planning Obligations Board

- 5.1 The HPC Planning Obligations Board considered the application from the Somerset Chamber of Commerce at their meeting on 7th February 2017. The Board was minded to agree recommending the approval of up to 50% of the total project costs pending the submission by the applicant of additional information to support the application and the Boards satisfaction with the information, as follows :
- Specific targets against each of the key performance indicators in the business plan to demonstrate the expected extent of the benefit of the project.
 - A selection of case studies that demonstrate the journey of a young person in relation to the project.
 - A revised budget that reduces the amount of direct financial benefits to the Chamber.
 - Further information on the relationship between the project and the work of other agencies and projects, such as the Inspire project.
- 5.2 The HPC Planning Obligations Board held an extra ordinary meeting on 14th March 2017 to consider the additional information submitted by the applicant. Comments from the Board and their final recommendation are included in the summary in 5.6.
- 5.3 Where an application is seeking funding to mitigate impacts or to benefit from opportunities in relation to education, skills, training or employment the Planning Obligations Board seeks the view of the Hinkley Point C Education, Employment and Skills Operations Group (EESOG). EESOG includes representatives from the District and County Council, EDFE, Department of Work and Pensions, and a range of Education and Training providers. The views of EESOG in relation to applications are included in the application summary.
- 5.4 All applications are subject to financial viability checks, any concerns in relation to the viability of an organisation or project are highlighted within the summary.
- 5.5 Cabinet are asked to consider the following application for CIM Funding.

5.6

Project Name:	Somerset Education Business Partnership
Expression of Interest Ref No:	186
Organisation Applying:	Somerset Chamber of Commerce and Industry Limited
Summary of Project:	<p>The application seeks funding to re-establish a Somerset Education Business Partnership (EBP). It will ensure the Hinkley Point C Project leaves a positive long term legacy whilst overcoming short/medium term impacts in displacement within the labour market;</p> <p>The EBP will provide a "wrap-around" service to:</p> <ul style="list-style-type: none"> • Consolidate disparate Careers Advice and Guidance across Somerset. • Ensure young people are exposed to all opportunities in Somerset. • Act as a 'one stop shop' for businesses and education wanting to make contact. • Promote business/education activity and events. • Facilitate interaction between careers advice providers, businesses and education. • Work in close collaboration with existing work experience delivery partners. • Lead the development of an apprenticeship signposting service. • Collaborate with existing delivery partners already operating, especially with the work of the HPC Inspire Education Programme.
Impacts mitigated as stated in application:	<p>Growing evidence suggest businesses across Somerset are being increasingly affected by the employment displacement of the HPC project. Movement of the local workforce from local business to HPC is creating a shortage in the availability of an appropriately skilled workforce. The development of HPC represents a generationally significant opportunities for local people and especially young people.</p>
Start Date: April 2017	Total Project Costs: £560,356
Completion Date: April 2020	Amount applied for: £560,356 (if match not secured) £250,012 (if match secured)
CIM Fund Manager Comments (original application):	
<p>The project aims to mitigate significant impact on the local labour market and provides wider socio-economic benefits across Somerset including the retention of local talent and an increase in social mobility.</p> <p>The development of HPC represents a generationally significant opportunity across the economic, education, employment and skills sectors. The project will ensure robust links are made to enable people in Somerset, especially young people to take advantage of the opportunities on offer and to help resolve issues around employee displacement.</p> <p>Somerset's community of young people and adults seeking career enhancement/return to employment would benefit from careers events and signposting to a broad range of initiatives to help understand the range of local employers and careers open to them.</p> <p>Education providers would also benefit from signposting and a website to help secure quality careers advice and work experience for their students.</p> <p>The project also aims to link with local employers to inform careers advice, ensure quality of careers advice, and identify gaps in provision.</p>	

The applicant aims to secure £310,344 match funding from the Careers and Enterprise fund, however if not secured the applicant has requested full project costs from the CIM fund.

The Business plan forecasts the ability to generate £147,580 per year in revenue by year 4 to cover future annual costs. There is a risk that this will not be achieved and that other funding may need to be secured (note: the amended business plan removes all claims of becoming self-sufficient by year 4).

As the service will be provided by the applicant and no tender process has been completed WSC are minded to approve the bid I recommend value for money reviews to ensure the applicant is seeking value and cost effectiveness throughout delivery of the project.

Hinkley Point C Education, Employment and Skills Group (EESOG) Comments:

EESOG raised questions in relation to:

- Total amount required for the scheme and whether this was a HPC issue alone and therefore suitable for funding through the CIM.
- Why there is a need for the project when provision has been made via the s106 to respond to displacement and the requirement for improved educational links to HPC.
- How will the EBP integrate with Careers SW and skills and education community outreach work?

EESOG received responses from key partners in relation to these questions and were satisfied with the responses given – full letter of response provided with application documents.

The chair of EESOG summarised that [the Somerset EBP is] is a scheme that robustly demonstrates multi-stakeholder support and interest in getting the service right. A service such as this is badly needed for Somerset and is an essential tool to support delivery of the HPC project and other activity to ensure that the local economic opportunities are fulfilled.

POB comments:

Although the Board recognised the need for a service that provides clear links between schools, businesses and career advice providers in Somerset; the difficulties faced by employers due to displacement of staff as a result of HPC and the strong governance arrangements and partnership working that would support the project, the board had concerns in relation to the business plan, budget and financial viability of the project.

In particular the Board raised the following concerns:

It was unclear how revenue income would be generated and spent, and that the project would be mainly reliant on a significant amount of grant funding to enable its continuation into the future.

That, although the applicant had presented targets for the outputs (number of schools, businesses using the service etc) it was unclear how the actual outcomes of this interaction would be measured.

The application did not make specific reference to targeting work in areas most impacted by the HPC development.

Rather than staff costs, such as on-costs and Chamber overheads being reduced in the revised budget, the total staff related costs had actually increased.

	That, without a comparison with other providers, it was difficult to judge whether the Somerset Chamber of Commerce would be the most effective and viable 'vehicle' for the provision of this service.
POB recommendation :	That the application for CIM funding from the Somerset Chamber of Commerce for the Somerset Education Business Partnership is not approved as it did not meet the value for money criteria.

6 Links to Corporate Aims / Priorities

- 6.1 The allocation of these funds will enable the Council to deliver against the Corporate Priorities of '*Our Communities* - Helping our communities remain sustainable and vibrant is vital in keeping West Somerset a great place in which to live and work' and '*Our Place and Infrastructure* - West Somerset is a beautiful place to visit and in which to live and work. We want to keep West Somerset a place to be proud of and one which is well maintained and welcoming to residents, visitors and businesses alike.

7 Finance / Resource Implications

- 7.1 On 6th May 2016, EDF made the payment for the second anniversary of phase two under the Site Preparation Work agreement. Under this, the CIM fund has received £1,937,220 inclusive of inflation uplift. Bringing the total CIM Fund received to £7,424,395.
- 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 Legal Implications

- 8.1 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).

9 Environmental Impact Implications

- 9.1 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.

- 9.2 Applicants are encouraged to consider any environmental implications of their project and are asked to describe how their projects will promote environmental sustainability

10 Safeguarding and/or Community Safety Implications

- 10.1 Applicants are encouraged to consider the promotion of community safety and community cohesion as part of their project.
- 10.2 Applications for projects that provide facilities or services to children, young people or vulnerable adults are required to include copies of the applicants safeguarding policy and procedures.
- 10.3 The requirement for organisations to adhere to Safeguarding legislation and to ensure necessary checks are carried out to ensure the suitability of staff or volunteers involved in the project are included in the CIM Fund grant terms and conditions.

11 Equality and Diversity Implications

- 11.1 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.

- 11.2 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.
- 11.3 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.'
- 11.4 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.
- 11.5 Wider community benefit and the ability of the project to promote cohesive communities are both taken into account when scoring applications and making recommendations.

12 Social Value Implications

- 12.1 Applications to the CIM Fund must demonstrate how they provide economic, social and or environmental benefits for the local area. Applicants are also encouraged to provide opportunities for volunteering and community involvement wherever possible.

13 Partnership Implications

- 13.1 The Planning Obligations Board has representative members from Sedgemoor District Council, Somerset County Council, EDF Energy and West Somerset Council.

14 Health and Wellbeing Implications

- 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 Asset Management Implications

- 15.1 There are no asset management implications as a result of these recommendations.

16 Consultation Implications

- 16.1 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.
- 16.2 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.

17 Cabinet Comments / Recommendation(s)

- 17.1 This report contains recommendations to Cabinet.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Cabinet/Executive – Yes**
- **Full Council – Yes**

Reporting Frequency: Every 2 months.

List of Appendices

Appendix A	Hinkley Community Impact Mitigation Fund Approval Balances
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Contact Officers

	Lisa Redston, Community and Housing Lead – HPC		Andrew Goodchild, Assistant Director Place and Energy
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Appendix A

Appendix D: HPC Community Impact Mitigation Fund Approval Balances

	TOTAL	West Somerset	Sedgemoor	Cannington	1st Annual	2nd Annual	Stogursey
	£	£	£	£	payment	Payment	£
					£	£	
CIM Fund Received(including Inflation Uplift)	6,700,000	2,000,000	1,000,000	500,000	1,600,000	1,600,000	500,000
Inflation Uplift	724,395	134,529	67,265	33,632	151,749	337,220	33,632
TOTAL Received	7,424,395	2,134,529	1,067,265	533,632	1,751,749	1,937,220	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)				Victory Hall (200,000)
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)					

		10					
	TOTAL	West Somerset	Sedgemoor	Cannington	1st Annual	2nd Annual	Stogursey
	£	£	£	£	payment	Payment	£
					£	£	
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)				
Watchet War Memorial Pavilion	(7,500)	(7,500)					
Otterhampton Parish Play Area	(37,820)				(37,820)		
Bridgwater Doctors Cricket Club	(1,000)			(1,000)			
Stogursey and District Victory Hall	(400,000)	(400,000)					
Greenways and Cycle Routes Ltd	(65,000)				(65,000)		
West Somerset Council - Employments Hub	(57,036)	(57,036)					
Bridgwater Town Centre Support Scheme	(116,070)		(116,070)				
Southern Bridgwater and North Petherton Mitigation Scheme	(344,850)		(242,776)		(102,074)		
Watchet Arts Group	(1,000)	(1,000)					
YMCA SC Beach Hotel	(12,500)	(12,500)					
Steam Coast Trail (Phase 2)	(287,950)	(287,950)					
Current Uncommitted Balance	4,500,672	670,151	-	346,446	1,546,855	1,937,220	331,545