

South Somerset District Council

Minutes of a meeting of the **South Somerset District Council** held on **Thursday 16 July 2020** as a Virtual Meeting using Zoom meeting software.

(6.00 pm - 7.41 pm)

Present:

Members: Councillor Paul Maxwell (Chairman)
Councillor Jenny Kenton (Vice-Chairman)

Jason Baker	Henry Hobhouse	Clare Paul
Robin Bastable	Ben Hodgson	Crispin Raikes
Mike Best	Charlie Hull	Wes Read
Neil Bloomfield	Kaysar Hussain	David Recardo
Dave Bulmer	Val Keitch	Paul Rowsell
Hayward Burt	Andy Kendall	Dean Ruddle
Tony Capozzoli	Tim Kerley	Gina Seaton
Martin Carnell	Mike Lewis	Peter Seib
John Clark	Mike Lock	Jeny Snell
Nicola Clark	Pauline Lock	Andy Soughton
Louise Clarke	Tony Lock	Mike Stanton
Adam Dance	Kevin Messenger	Rob Stickland
Sarah Dyke	Graham Oakes	Lucy Trimnell
Karl Gill	Tricia O'Brien	Gerard Tucker
David Gubbins	Sue Osborne	Linda Vijeh
Peter Gubbins	Tiffany Osborne	Martin Wale
Brian Hamilton	Robin Pailthorpe	William Wallace
Mike Hewitson	Oliver Patrick	Colin Winder

Officers:

Alex Parmley	Chief Executive
Nicola Hix	Director (Support Services)
Kirsty Larkins	Director (Strategy and Commissioning)
Jo Nacey	Section 151 Officer
Richard Ward	Monitoring Officer
Jan Gamon	Lead Specialist (Strategic Planning)
Paul Matravers	Specialist (Finance)
Becky Sanders	Case Officer (Strategy & Commissioning)
Jo Morris	Case Officer (Strategy & Commissioning)
Jo Boucher	Case Officer (Strategy & Commissioning)
Michelle Mainwaring	Case Officer (Strategy & Commissioning)
Angela Cox	Specialist (Democratic Services)

136. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Malcolm Cavill, Nick Colbert, Garry Shortland and Alan Smith.

137. Minutes (Agenda Item 2)

The minutes of the Council meeting held on 19th March 2020, copies of which had been previously circulated, were approved as a correct record of the meeting and signed by the Chairman.

138. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by Members.

139. Public Question Time (Agenda Item 4)

The Council were addressed by the leader and co-founder of Somerset Independents, a group formed during the Covid-19 emergency by local residents to voice the democratic rights of the residents of Somerset. He advised that at a poll conducted in 2007, 82% of residents had voted against a proposed Unitary Authority at that time. He suggested that another poll be held to gauge public opinion on the latest proposed Unitary Authority and a Citizens Assembly be held to discuss changes to how Somerset would be governed. He said they had written to all Councillors and he thanked those who had responded on this request. He concluded by asking Members to commit the Council by a motion to hold a referendum to gauge public opinion on the latest proposed Unitary Authority and to show their support through social media.

The Council were then addressed by a further representative of the Somerset Independents group regarding Agenda item 6: The Future of Local Government in Somerset: "One Somerset" Business Case for a single unitary council. She noted comments made by Councillors at the District Executive meeting earlier that day and regretted that the unitary bid was being made during the current pandemic. She suggested that the Council should make plans with the other Somerset Authorities to hold a referendum of the people of Somerset on this issue the following year.

140. Chairman's Announcements (Agenda Item 5)

The Chairman welcomed Councillor Oliver Patrick, the new Parrett ward member to his first Council meeting. He also welcomed the new Section 151 Officer to the meeting.

The Chairman noted that the Lead Specialist for Development Management was leaving the authority and he wished him all the best for his future career.

The Chairman concluded by recognising the Council's response to the Covid-19 emergency. He said the Council's Leader, Chief Executive and senior officers had shown true leadership and officers had responded magnificently to the challenges of redeployment. He said all should be proud to be part of the organisation.

141. The Future of Local Government in Somerset: "One Somerset" Business Case for a single unitary council (Agenda Item 6)

The Leader of Council introduced the report and said that there was a need to change and reform Local Government in Somerset but the County Council no longer wished to pursue any option other than a single Unitary Authority, which was their right. The District

Councils were still working together on alternative options. She said that until an invitation was received from the Secretary of State on a business case for Somerset then they would continue to work together.

Councillor John Clark, Portfolio Holder for Economic Development, read out the proposed response of the District Executive working party to the SCC One Somerset Business Plan, following the presentation by SCC Council Leader, David Fothergill earlier in the week, as follows:-

That South Somerset District Council recommends that Option (c) of the report is adopted, with the commentary that follows:

Option c. Agree that [SSDC] does not support the business case overall, with supporting commentary on the reasons why it does not support the business case; where it feels more work or clarification is required; and any aspects of the business case it does support.

Commentary

Summary statement:

“SSDC believes that this is a solution put forward by a discredited authority based on failed examples of change, with inadequate evidence and a high risk of bad outcomes for residents and communities.”

The reasons why SSDC does not support the business case; and where more work or clarification is required

1. The proposed unitary authority is based on failed examples of local government which have lost vital local services and democratic accountability. SSDC cannot support a risky experiment to suffer a similar fate:
 - Currently, residents, businesses and communities are supported by high-performing districts that have demonstrated sound financial management and digital transformation, and have a mandate to deliver valuable discretionary services (such as town centre regeneration, theatres and swimming pools). The county administration has focussed on tax cuts not needs, reducing budgets to the point of service failure (transport, social care, special educational needs and disabilities) and abandoning other service areas, relying on others to fund them (youth services). This business case extends that approach over key services delivered by Districts which are valued by business and residents.
 - The ‘One Somerset’ business case relies on evidence from other single county unitaries, including neighbouring Wiltshire, and recent unitaries where it is too early to measure success. Wiltshire is reported to be on the verge of issuing a S114 bankruptcy notice. Wiltshire’s Local Council Networks (Area Boards) have been a conspicuous failure with little funding, autonomy and officer resource, and very limited devolution to parish and town councils. Local Council Networks on this model will in no measure replace the quality of service of the District Councils. Dorset has failed to devolve services to parishes, and a period of paralysis has followed the implementation of single unitary authorities, that can ill be afforded in the aftermath of Brexit and Covid-19.
 - Alternative options to the single unitary are given only superficial analysis.

- The business case fails to recognise the transformation necessary in the delivery of social care.
2. A single Somerset unitary is too big for effective local democracy in Somerset, and will lead to a substantial democratic deficit:
- If two tiers of local government are to be reduced to one tier, it makes no sense for the new tier to be at the level of one of the previous tiers.
 - The government's aspirations for devolved authorities are based on Local Enterprise Partnership areas (in our case, Somerset combined with Devon). A unitary for the whole of Somerset would be too close in size to a future combined authority of Somerset and Devon.
 - A unitary for the whole of Somerset would be too remote from local communities, residents and c.300 Parish and Town Councils.
 - The average size of the 20 rural unitary authorities in England is around 300,000. A single unitary for Somerset would serve a population of about 560,000, and would nearly be the biggest unitary population in the country, and spread over a great geographical area.
 - Single Unitaries are not necessarily the norm, especially if an authority borders on differing authorities. Evidence is Cornwall which is the only single Unitary in the SW and borders only Devon. The SCC administrative area borders Dorset, Wiltshire, the other 2 unitaries in Somerset, and Devon (2 tier).
 - Under the business case, each Councillor will be expected to take on 8 times the work of an existing Councillor, over a wider area and on a much broader range of responsibilities: the loser in this democratic deficit will be the communities and residents.
 - The SSDC model is a recognised national leader in involving communities, as evidenced by being awarded Council of the Year and 3 Beacon awards for this work – the key element of the model is the Area Committees.
 - One of the government's tests is a strong level of public support. The business case's exaggerated claims on this are wrong, not only because the business case has just been published, but because the last time a single unitary was suggested, it was rejected by about 82% of the population.
3. The financial arguments in the business case appear to be inadequate and flawed, and urgently need an independent and thorough investigation. Observations include: -
- The cheapest solution is not usually the best.
 - There is a substantial risk of not delivering the financial benefits.
 - The business case has failed to demonstrate any duplication in front-line services leading to savings.
 - The business case takes no account of the transformation savings that have been realised in district councils.
 - The reported finances of the county and district councils are outdated, and in some cases misleading. The county's claims of financial stability need to be carefully scrutinised, including any hidden borrowing.
 - Savings of Chief Executive salaries are claimed, when these are less than those of County directors.

- Financial analysis appears to estimate cost from the County perspective, rather than from the point of view of the Council taxpayer.
- District and Parish Councils have had to step in and fund community services that have been cut by the county council. Will these be funded under the single unitary?
- No cost to the taxpayer has been taken into account when parishes take on responsibilities.
- £18.5m per year saving, even if corroborated by scrutiny, would be less than the cost of poor delivery of social care, which is what has happened so far when delivered at a county scale.
- It has been stated that the single unitary will discontinue commercial investment to save vital services. It is unclear how this lost income will be made up.
- It is unclear whether the financial case relies on rises in Council Tax.

4. The business case also claims to offer benefits that are not sufficiently evidenced. These also need an independent and thorough investigation.

Any aspects of the business case it does support.

- SSDC is open to the view that a unitary authority can provide a solution to the future of local government in Somerset, but not at this scale. However the district councils do not underestimate the challenge of a unitary delivering the best services to residents and communities even at a smaller scale.
- SSDC accepts that there are some services that should continue to be delivered at a county-wide or a regional combined authority level (eg. transport, health, police, regional strategies, waste partnership, home finder, some back-office functions), but not those working with and supporting communities
- The discussion paper commissioned by SALC is worthy of further study. However SSDC agrees in particular with the views expressed that: -
 - o The burgeoning demand, particularly for children's and adult social services, will in any case soon dwarf any proposed savings
 - o It is clear that the scale and complexity of Somerset's challenges are so great they are unlikely to be effectively addressed from a unitary council which is too distant from recognising and responding to local concerns

Councillor Linda Vijeh, Leader of the Conservative group expressed her concern at some of the statements within the proposed response and questioned the evidence to substantiate them. She advised that the poll in 2007 had only a 50% response from all electors and 82% of those voted said no to the proposed unitary authority at that time. She said there were no examples or evidence given which demonstrated that SCC had been discredited in any way or that Councillors in a new unitary authority would have 8 times more workload than they currently had. She welcomed the business case from SSDC and the other Somerset District Councils which was due in the next few weeks. She noted the awards mentioned in the response had been received some years ago.

During discussion, the following points were made:-

- The meeting was to look at the County Council's business case and not any alternative proposal which would come forward in due course.
- SSDC had avoided cutting services and had put money aside for town centre regeneration projects by sound financial management.

- The Green Party were committed to proportional representation at elections and there was no proposal for this in the SCC business case so it was not supported.
- The SSDC response has failed to evaluate the SCC business case in a fair and unbiased manner. It was full of opinion and untested remarks.
- SCC had stopped youth services 10 years ago and now library services.
- SCC had engaged a private company to write to local businesses to gain their views and support for the SCC business case.
- The people of Somerset should be allowed a voted on this issue.
- We hear of several officers who have left the Council recently but can we be assured that we still have a viable planning service?
- Concern as to how SSDC could work with SCC when such comments were made in the business plan response.
- Change was needed but the proposal covered a large geographical area and all the major towns (Taunton, Bridgwater, Yeovil) were different. Also most councils had gone through transformation and already made savings.
- How had SCC accumulated reserves when they had so recently been in dire financial straights?.
- How can we decide a response to the SCC business case without seeing the District Councils proposals as a comparison?
- SSDC may not agree with a single unitary authority but two smaller unitary authorities may not be viable.
- Agree with the public that during the Covid-19 crisis we are being asked to divide our efforts and staff may feel insecure if asked to set up a new authority.
- There do not appear to be any duplicated front line services between the Councils to make savings from.
- Large Wards with many parish councils were better if the work was divided between 2 or 3 Councillors as it created resilience.
- There was no suggestion that SSDC would not work with SCC on any future proposal.
- Not aware that Dr Brand of SCC had offered to assist the District Councils with their business case.
- A response from the Finance Cabinet Member of Wiltshire Council confirmed that cost savings had been made in setting up their unitary authority by no longer duplicating roles, buildings and Councillors and was confident of delivering a balanced budget.
- The residents of Somerset should be making the decision but unfortunately, it would be decided by the Secretary of State. Local Government had to change the way they worked but local people should be allowed to make the decision.
- Councils needed to change to save money on duplicated services but a population of 560,000 would be too large for one authority. Two unitary authorities would provide the quality of representation.

At the conclusion of the debate, the Leader of Council thanked Members for a robust debate. She said that although the District Councils business case was not yet ready, the SCC business case was not right for Somerset. She proposed the SSDC response be that it did not support the SCC business case overall with the supporting commentary on the reasons why; where it feels more work or clarification is required; and any aspects of the business case it does support. This proposal was seconded by Councillor Adam Dance.

On being put to the vote, the proposal was approved by 42 votes in favour, 12 against and one abstention.

RESOLVED: That Full Council agreed the following response to Somerset County Council's "One Somerset" Business Case:-

That South Somerset District Council recommends that Option (c) of the report is adopted, with the commentary that follows

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 - o It is clear that the scale and complexity of Somerset’s challenges are so great they are unlikely to be effectively addressed from a unitary council which is too distant from recognising and responding to local concerns

Reason: To propose the South Somerset District Council response to the “One Somerset” Business Case.

(Voting: 42 in favour, 12 against, 1 abstention)

142. 2019/20 Treasury Management Activity Report (Agenda Item 7)

The Portfolio Holder for Finance and Legal Services introduced the report and advised that the Council carried some external debt for the first time. The money was reinvested in property for the Council’s Commercial Strategy and so the value was higher than the debt, but it was still listed as debt in the report. He thanked the officers for the quality of the report.

He concluded that the recommendations were to note the Treasury Management Activity for the 2019/20 financial year. There was no debate and Members were content to note the Treasury Management Activity Report.

RESOLVED: That Full Council agreed to:-

- a. note the Treasury Management Activity for the 2019/20 financial

year;

- b. note the position of the individual prudential indicators for the 2019/20 financial year;
- c. note the outlook for the investment performance in 2019/20;
- d. note the Council operated within all of the Prudential Indicators during 2019/20.

Reason: To review the treasury management activity and the performance against the Prudential Indicators for the 2019/20 financial year as prescribed by the CIPFA Code of Practice and in accordance with the Council's Treasury Strategy, Annual Investment Policy and Treasury Management Practices.

(Voting: unanimous in favour)

143. Proposed joining of Yeovilton Parish Council and Limington Parish Meeting - Community Governance Review (Agenda Item 8)

The Portfolio Holder for Finance and Legal Services advised that the Council had received a valid request to conduct a Community Governance Review of the parishes of Yeovilton and Limington. He said there may be some issues due to the Covid-19 pandemic which would be resolved during the consultation period and he proposed the recommendations to Members.

There was no debate and Councillors unanimously agreed the recommendations of the report.

RESOLVED: That Full Council:-

- a. noted the receipt of the request and its validity;
- b. agreed to undertake a Community Governance Review of the Parishes of Yeovilton and Limington;
- c. agreed the Terms of Reference of the review as detailed in Appendix A, including the timetable and arrangements for public consultation;
- d. agreed that the review will be carried out by the Democratic Services Specialist, in consultation with Ward Members and the Area East Committee;
- e. noted that further reports would be brought to Council in order that decisions may be made in respect of draft proposals and final recommendations of the Review.

Reason: To agree to conduct a Community Governance Review (under the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007) in the area of Yeovilton Parish Council and Limington Parish Meeting to merge to form one Parish Council.

(Voting: unanimous in favour)

144. Report of Executive Decisions (Agenda Item 9)

The report of Executive decisions was NOTED.

145. Motions (Agenda Item 10)

The Portfolio Holder for Environment asked Members to support the motion proposed. She said that renewable energy generation was needed to help the climate but it was not happening fast enough and the Local Energy Bill would empower local communities to sell locally generated clean energy directly to local customers by establishing a statutory Right to Local Supply. This is currently impossible because of the huge setup and running costs involved in doing so. She said the bill was supported by 188 MP's and 48 local and County authorities and she would like SSDC to declare their support.

During a brief discussion, Members voiced their support for the motion. The motion was seconded and unanimously confirmed by Members.

RESOLVED: That Full Council:-

- a. acknowledged the efforts that this council had made to reduce greenhouse gas emissions and promote renewable energy;
- b. recognised that councils can play a central role in creating sustainable communities, particularly through the provision of locally generated renewable electricity;
- c. further recognised;
 - that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so,
 - that making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for councils to be providers of locally generated renewable electricity directly to local people, businesses and organisations, and
 - that revenues received by councils that became local renewable electricity providers could be used to help fund local greenhouse gas emissions reduction measures and to help improve local services and facilities
- d. accordingly resolved to support the Local Electricity Bill which, if made law, would make the setup and running costs of selling

renewable electricity to local customers proportionate by establishing a Right to Local Supply; and

- e. further resolved to
 - inform the local media of this decision,
 - write to local MPs, asking them to support the Bill, and
 - write to the organisers of the campaign for the Bill, Power for People, (at 8 Delancey Passage, Camden, London NW1 7NN or info@powerforpeople.org.uk) expressing its support.

Reason: To confirm the Council's support for the Local Electricity Bill.

(Voting: unanimous in favour)

146. Questions Under Procedure Rule 10 (Agenda Item 11)

There were no questions under Procedure Rule 10.

147. Date of Next Meeting (Agenda Item 12)

Members noted that the next scheduled meeting of the Full Council would take place on **Thursday, 20th August 2020 by Zoom meeting software commencing at 6.00 p.m.**

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Chairman

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Date