

South Somerset District Council

Minutes of an informal meeting of the **District Executive** held as a **Virtual Meeting using Zoom meeting software on Thursday 7 October 2021.**

(9.30 - 11.30 am)

Present:

Councillor Val Keitch (Chairman)

Jason Baker
Mike Best
Adam Dance
Sarah Dyke

Peter Gubbins
Henry Hobhouse
Tony Lock
Peter Seib



Also Present:

Brian Hamilton
Sue Osborne

Gerard Tucker
Linda Vijeh

Officers

Jane Portman	Chief Executive
Jan Gamon	Director (Place and Recovery)
Nicola Hix	Director (Support Services & Strategy)
Kirsty Larkins	Director (Service Delivery)
Jill Byron	Monitoring Officer
Karen Watling	Chief Finance Officer (S151 Officer)
Leigh Rampton	Lead Specialist (Communities)
Lynda Pincombe	Specialist - Strategic Planning
Brendan Downes	Lead Specialist - People, Performance & Change
Anna Matthews	Chard High Street HAZ Project Manager
Paul Huntington	Specialist (Compliance & Enforcement)
Stephanie Gold	Specialist (Scrutiny & Member Development)
Michelle Mainwaring	Case Officer (Strategy & Support Services)
Becky Sanders	Case Officer (Strategy & Support Services)

Note: All decisions were approved without dissent unless shown otherwise.

71. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meeting held on 2nd September 2021 were approved as a correct record and would be signed by the Chairman.

72. Apologies for Absence (Agenda Item 2)

An apology for absence was received from Councillor John Clark.

73. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

74. Public Question Time (Agenda Item 4)

There were no members of the public present at the meeting.

75. Chairman's Announcements (Agenda Item 5)

The Chairman had no announcements, but advised members that the next meeting of full Council on 21 October would probably be a socially distanced in-person meeting at Westlands Entertainment Venue.

76. South Somerset Families Project - Budget Approval (Agenda Item 6)

The Portfolio Holder (Health & Wellbeing) presented the report which provided an update on the programme and the important work of this group, He advised that budget approval was also being sought for the 2021/22 financial year.

It was clarified by the Director (Service Delivery) that it had always been envisaged that the South Somerset Families Project was a three year programme. This report was seeking approval of funding for year two, and also proposed how to approach the third year of funding via the budget setting process. She noted the group had met targets across the district and there had been very positive progress of the programme.

The Chairman of Scrutiny Committee thanked the Director for attending their meeting and answering questions. He referred to comments raised at the Scrutiny meeting, in particular, concerns regarding continuity of the project as we transition to a new unitary authority.

During a short discussion, the Director and Portfolio Holder responded to some points of detail regarding school attendance statistics. They also acknowledged concerns about continuity of the programme and that there was a need to encourage such a programme county wide.

At the conclusion of discussion, members unanimously agreed the recommendations be confirmed by the Chief Executive.

RESOLVED: That District Executive recommend that the Chief Executive agree to:-

- a. note the continued growth in the delivery and initial outcomes of the South Somerset Families Project across the district;

- b. increase the revenue budget by £303,000 to fund the South Somerset Families Project for this financial year (2021/22);
- c. fund this expenditure by using earmarked revenue reserves using its delegation given in section 4 of the Constitution – as set out in Section 13 of this report;
- d. note that a decision to continue funding this project in the 2022/23 financial year will be considered later in the year by District Executive and Council as part of the overall MTFP and budget setting process.

Reason: To update members on the progress and seek budget approval for the 2021/22 financial year to continue the delivery of the South Somerset Families' Project.

77. Future Chard Strategy (Agenda Item 7)

The Portfolio Holder (Area West) presented the report which provided a draft of the Future Draft Strategy and sought approval to progress to public consultation. He noted consultants had been appointed to develop the strategy and he highlighted key points. Officers and a representative for the consultants were also present at the meeting to answer any questions from members.

During a brief discussion and in response to a concern raised about timeframes, the Director (Place & Recovery) provided more detail regarding plans for the consultation including, type, timings, events and group events etc. She acknowledged the consultation period would be quite intensive but should be achievable.

The Chairman of Scrutiny Committee noted the item had been considered in depth at their meeting and referred to some of the comments made including information about Chard Connect and if there was confidence that relevant CIL funding can be drawn in. A suggestion had been made that a two-page summary of the document might be well received and helpful for engagement during the consultation.

In response, the Portfolio Holder provided an explanation of Chard Connect and its purpose. The Director (Place & Recovery) advised that they had acted upon the Scrutiny suggestion and a summary document was produced.

At the conclusion of debate, members unanimously agreed the recommendations be confirmed by the Chief Executive.

RESOLVED: That District Executive recommend that the Chief Executive agree to:-

- a. offer feedback on the vision and priorities identified within the strategy;
- b. approve the draft Future Chard Strategy to progress to public consultation.

Reason: To provide District Executive with a draft of the Future Chard Strategy and to seek approval to progress to public consultation.

78. Procurement Strategic Framework and Revised Standing Orders (Agenda Item 8)

The Portfolio Holder (Legal & Democratic Services) introduced the report which presented a draft suite of procurement documents to members for adoption. He noted it was an opportunity to update four documents at the same time in order to bring up to date with the latest legislation and government initiatives.

The Chairman of Scrutiny Committee referred to comments raised at their meeting, and that some caution would be needed with procuring at this stage with the transition to a new authority, as there may be instances where projects or tasks may be unable to be implemented.

During a very brief discussion, the Lead Specialist (People, Performance & Change) referred to the Social Value Policy and noted that social value intervention was a major move forward for authority. At the conclusion of debate, members unanimously agreed that the recommendations be forwarded to Full Council for approval.

RESOLVED: That District Executive recommend that Full Council agree to:-

- a. adopt the following procurement documents:
 - Revised Contract Standing Orders
 - Procurement Strategy
 - Social Value Policy
 - Contract Management Framework

and update the Council's Constitution accordingly.

- b. delegate authority to the Monitoring Officer in consultation with the Portfolio Holder to make minor amendments to the Contract Procedure Rules, provided any such amendments are reported to the next appropriate meeting of Council.

Reason: To present a draft suite of procurement documents to members for adoption by Full Council.

79. Medium Term Financial Plan (MTFP) Refresh 2021/22 - 2023/24 (Agenda Item 9)

The Portfolio Holder (Finance & Legal Services) presented the report which provided an indicative financial forecast for future years. He noted that the diagram at paragraph 7 of the report gave an overview of the pressures and issues to be considered for this version of the MTFP. Overall, the picture showed the authority was in a very sound position.

He highlighted key elements of the report and noted there was a lot of work to do by a specified date in readiness for the new unitary authority in 2023. There was also a need to move to the position of zero base budgeting in preparation for handover to the new authority. One matter that was not included within the report was financing of the work to transition to the new authority. This would be addressed in a future report as not enough information was known at the current time in order to formulate an estimated budget.

The Chairman of Scrutiny Committee thanked the Section 151 Officer for attending their meeting and answering questions. He referred to the comments raised at their meeting regarding Section 31 grants, Covid-19 grants, inflationary pressures due to energy costs, and the additional National Insurance contributions. In response, the Portfolio Holder and Section 151 Officer briefly summarised the answers provided at Scrutiny Committee.

There was no debate and members unanimously agreed the recommendations be confirmed by the Chief Executive.

RESOLVED: That District Executive recommend that the Chief Executive:-

- a. note the contents of this report and in particular the issues that will need to be considered as part of budget setting process, the need to get approval from Council for revised estimates for this financial year, and the next steps timeline;
- b. agree in principle SSDC's continuing membership of the Somerset Business Rates Pool as discussed in paragraphs 74 and 75 of this report.

Reason: To update members on the 2021/22 revenue and capital budgets, taking account of last year's outturn figures, the budget monitoring information for the first quarter of this financial year (2021/22), and other updated information that has an impact on the financial position of the Council.

80. Establishment of a Joint Committee in Somerset for the implementation of local government reorganisation (Agenda Item 10)

The Chairman introduced the item and highlighted the purpose of the report. She noted we were the first constituent council of the five councils to consider the report, and an identical report was being taken each Executive Committee or Cabinet.

The Chief Executive Officer clarified that the Joint Committee would provide strategic oversight and political leadership for the implementation of the Secretary of State's (SoS) decision to form one unitary authority. Several matters were outlined in detail in the report, and she provided a brief overview, including proposals for a Joint Scrutiny Committee.

It was noted that joint committees for implementation of Local Government Reorganisation (LGR) were well established, and had been used successfully in other authorities nationally that had gone through the same situation and process. There was plenty of precedent, and that precedent also dictated that the council who put forward the proposal that was the successful bid approved by the SoS, was the council that would have overall control of the Joint Committee.

The report laid out that the Joint Committee would consist of five members from Somerset County Council (SCC) and four members for the district councils (one from each authority). There had been discussion about the number of members but it had been agreed that the recommendation for 5+4 members would be taken forward. It was proposed that the Joint Committee would meet monthly. The Joint Committee would fall away once the Implementation Executive or alternative Shadow Authority (depending on what's decided) was stood up, following the Structural Change Order and the elections in May 2022.

During a lengthy debate, some councillors expressed their disappointment about the proposed make up of the Joint Committee, and suggested that 4+4 members would be more democratic. There were also queries raised about points of detail regarding the Terms of Reference for the Joint Committee and what the consequences might be if the recommendations were not agreed, or a proposal made to amend and reduce the membership of the Joint Committee.

The Chairman of Scrutiny Committee noted that had been a good discussion at their meeting and members spoke with passion about the item. The overall view was that transparency was needed. He also referred to other comments made by Scrutiny members including about whether the existing Joint Scrutiny Panels for Waste and Rivers would be amalgamated into any proposed joint scrutiny for the LGR.

In response to comments made during discussion and at Scrutiny Committee, the Chairman, Chief Executive and the Monitoring Officer noted that:

- All five Leaders had met and had originally discussed a membership of 9+8 for Joint Committee, however it was felt smaller numbers would be more manageable. Substitutes would be allowed.

- If the proposal for the Joint Committee was agreed by all constituent councils, then the previously agreed councillor working group at SSDC would be stood up.
- A membership of 4+4 members, with the Chairman being an SCC member and having a casting vote, was likely to have the same result as a 5+4 membership.
- What this is trying to do is create a shadow of what will be in the Structural Change Order, and hence smooth the transition.
- The meetings of the Joint Committee would be public meetings with agendas published in the usual timeframes.
- Other Scrutiny Panels, such as those for Waste and Rivers, were unlikely to be included in the Joint Scrutiny arrangements for LGR. Terms of Reference for the proposed Joint Scrutiny for LGR would come forward for consideration shortly.
- There wasn't an easy answer regarding what might happen if any changes to the recommendations were proposed, as the opinions of other authorities were unknown at the current time. If we suggested an amendment, others may follow or they may not, and there may also be issues about what happens to, or at, the Joint Committee.
- The recommendations in the report were a set of recommendations negotiated across the five councils. There could be a risk that if the recommendations were not approved that we do not have any authority for our Leader to be on the Joint Committee.
- If members were wishing to propose a change to one part of the Terms of Reference, the way forward may be to take that suggestion to the Joint Committee to be considered at the first meeting.
- If the recommendations are not endorsed, there is a risk we won't have a seat at the table, which would be very regrettable.
- From negotiations so far, indications were that constituent councils were very willing to consider the recommendations outlined in the report.
- If the Joint Committee is agreed and stood up, one of the first items of business will be to approve the Terms of Reference, and concerns or suggestions about the membership can be raised at that time.
- If the recommendations were agreed, members of the District Executive could meet with the Leader to discuss any specific concerns that should be raised at the first meeting of the Joint Committee about the Terms of Reference.

At the conclusion of debate, several members expressed their discontent but also that given the situation that there was little option but to approve the recommendations. On being put to the vote, a proposal to approve the recommendations was carried 8 in favour, with 1 abstention.

RESOLVED: That the District Executive recommend that the Chief Executive agree to establish the LGR Joint Committee with representation from the Constituent Councils, constituted in accordance with and having the delegated Executive functions set out in the Terms of

Reference attached as Appendix 1.

Note: this decision will only come into full effect on 25 October 2021 after all the Constituent Councils have met and agreed to the Terms of Reference.

Reason: To seek approval for the establishment of a Local Government Reorganisation Joint Committee (LGR Joint Committee) with Mendip District Council, Sedgemoor District Council, Somerset County Council and Somerset West and Taunton District Council (collectively, with the addition of South Somerset District Council, the Constituent Councils).

(Voting: 8 in favour, 1 abstention)

81. Public Space Protection Orders: Yeovil (Agenda Item 11)

The Chairman introduced the item, and the Specialist (Compliance & Enforcement) provided an overview of the existing Public Space Protection Order (PSPO) and the reasons for seeking an extension to the area to address street drinking. He clarified that evidence figures in the report referred to alleged incidents reported to Police.

During discussion members noted the perception of anti-social behaviour was not good, and indicated their support for the proposal. In response to points of detail raised, the Specialist (Compliance & Enforcement) explained that:

- The boundaries or areas covered by a PSPO had to be informed by an evidence base. If there was no evidence to support the PSPO the Order could be appealed.
- He was liaising with officers regarding the County Park at Ninesprings to see if there was any evidence for a PSPO in specified areas of the park
- The Police were very supportive of the proposal to extend the area of the PSPO, and had been involved in the process since the beginning.

The Chairman of Scrutiny referred to comments made at their meeting, and noted members had raised about the future of PSPOs within the new authority going forward, as districts had led at this stage. It was acknowledged this was probably unknown at the current time.

At the conclusion of debate, members unanimously agreed the recommendation be confirmed by the Chief Executive.

RESOLVED: That District Executive recommend that the Chief Executive agrees to extend the area of the existing Public Space Protection Order to restrict street drinking in the town centre of Yeovil as proposed in paragraph 12: Figure 2: Proposed Extension to the Restricted Area, of the report.

Reason: To agree to the extension of the Public Space Protection Orders to address street drinking.

82. District Executive Forward Plan (Agenda Item 12)

The Portfolio Holder (Finance & Legal Services) noted the Capital and Revenue Monitoring reports were a little late, and this was due solely to workloads within the Finance Team.

There were no further comments, and members were content that the Forward Plan be approved.

RESOLVED: That the District Executive recommend the Chief Executive agree to:-

1. approve the updated Executive Forward Plan for publication as attached at Appendix A.
2. note the contents of the Consultation Database as shown at Appendix B.

Reason: The Forward Plan is a statutory document.

83. Date of Next Meeting (Agenda Item 13)

Members noted that the next scheduled meeting of the District Executive would take place on Thursday 4th November 2021 as a virtual meeting using Zoom meeting software commencing at 9.30 a.m.

84. Exclusion of Press and Public (Agenda Item 14)

RESOLVED: That the following item be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

85. Briefing on Local Government Reorganisation (Confidential) (Agenda Item 15)

The Chief Executive provided members with a brief verbal update on the Local Government Reorganisation in Somerset.

There was no discussion or comments raised by members.

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Chairman

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Date