



# Scrutiny Committee

**Tuesday 2nd August 2022**

**10.30 am**

**Council Chamber, Council Offices,  
Brympton Way, Yeovil, BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



The following members are requested to attend this meeting.

**Chairman:** Gerard Tucker  
**Vice-chairmen:** Brian Hamilton and Sue Osborne

Barbara Appleby  
Robin Bastable  
Ray Buckler  
Louise Clarke

Karl Gill  
Andy Kendall  
Tim Kerley  
Mike Lewis

Paul Maxwell  
Robin Pailthorpe  
Oliver Patrick

Any members of the public wishing to address the meeting at Public Question Time are asked to email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Monday 1 August.

If you would like any further information on the items to be discussed, please contact [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

This Agenda was issued on Monday 25 July 2022.

**Jane Portman, Chief Executive Officer**

This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk) and via the mod.gov app



# Information for the Public

## What is Scrutiny?

The Local Government Act 2000 requires all councils in England and Wales to introduce new political structures which provide a clear role for the Council, the Executive and non-executive councillors.

One of the key roles for non-executive councillors is to undertake an overview and scrutiny role for the council. In this Council the overview and scrutiny role involves reviewing and developing, scrutinising organisations external to the council and holding the executive to account

Scrutiny also has an important role to play in organisational performance management.

The Scrutiny Committee is made up of 14 non-executive members and meets monthly to consider items where executive decisions need to be reviewed before or after their implementation, and to commission reviews of policy or other public interest.

Members of the public are able to:

- attend meetings of the Scrutiny Committee except where, for example, personal or confidential matters are being discussed;
- speak at Scrutiny Committee meetings (limited to up to 3 minutes per person and at the Chairman's discretion usually no more than a total of 15 minutes is allocated for public speaking); and
- see agenda reports.

Meetings of the Scrutiny Committee are held monthly on the Tuesday prior to meetings of the District Executive at 10.00am in the Council Offices, Brympton Way, Yeovil.

Agendas and minutes of these meetings are published on the Council's website at <https://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

Further information can be obtained by contacting the agenda co-ordinator named on the front page.

## Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

# Scrutiny Committee

**Tuesday 2 August 2022**

## Agenda

### *Preliminary Items*

**1. Minutes**

To approve as a correct record the minutes of the previous meeting held on 5 July 2022. The draft minutes can be viewed at:

<http://modgov.southsomerset.gov.uk/ieListMeetings.aspx?CId=141&Year=0>

**2. Apologies for absence**

**3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

**4. Public question time**

**5. Issues arising from previous meetings**

This is an opportunity for Members to question the progress on issues arising from previous meetings. However, this does not allow for the re-opening of a debate on any item not forming part of this agenda.

**6. Chairman's Announcements**

### *Items for Discussion*

**7. Verbal update on reports considered by District Executive on 7 July 2022 (Page 4)**

**8. Reports to be considered by District Executive on 4 August 2022 (Page 5)**

**9. Verbal update on Task and Finish reviews (Page 6)**

**10. Update on matters of interest (Page 7)**

**11. Scrutiny Work Programme (Pages 8 - 10)**

**12. Date of next meeting (Page 11)**

**13. Scrutiny Call-in procedure - Wincanton Regeneration budget- Change of Scope (Pages 12 - 19)**



**Verbal update on reports considered by District Executive on  
7 July 2022**

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The Chairman will update members on the issues raised by Scrutiny members at the District Executive meeting held on 7 July 2022.



## Reports to be considered by District Executive on 4 August 2022

*Lead Officer:* Stephanie Gold, Specialist (Scrutiny & Member Development)  
*Contact Details:* [stephanie.gold@southsomerset.gov.uk](mailto:stephanie.gold@southsomerset.gov.uk)

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Scrutiny Committee members will receive a copy of the District Executive agenda containing the reports to be considered at the meeting on 4 August 2022.

Members are asked to read the reports and bring any concerns/issues from the reports to be discussed at the Scrutiny Committee meeting on 2 August 2022.

The concerns and views of the Scrutiny Committee will be reported to the responsible Portfolio Holder(s) and officer(s) in advance of the District Executive meeting to be held on 4 August 2022, for consideration and response in advance of the decision being taken.

### **Please note:**

The Press and Public will be excluded from the meeting when a report or appendix on the District Executive agenda has been classed as confidential, Scrutiny Committee will consider this in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 3 (or for any other reason as stated in the District Executive agenda):

“Information relating to the financial or business affairs of any particular person (including the authority holding that information).”

It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.



## **Verbal update on Task and Finish reviews**

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The Task and Finish Review Chairs or Specialist (Scrutiny & Member Development) will give a brief verbal update on progress made.

### **Current Task & Finish Reviews**

- Flooding in South Somerset - on hold
- Productivity Analysis - on hold



## Update on matters of interest

*Lead Officer:* Stephanie Gold, Specialist (Scrutiny & Member Development)  
*Contact Details:* [stephanie.gold@southsomerset.gov.uk](mailto:stephanie.gold@southsomerset.gov.uk)

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### **Action Required**

That members of the Scrutiny Committee note the verbal updates as presented by the Specialist (Scrutiny & Member Development).

### **Purpose of Report**

This report is submitted for information to update members of the committee on any recent information regarding matters of interest to the Scrutiny Committee, and for the Specialist (Scrutiny & Member Development) to verbally update members on any ongoing matters.

## Scrutiny Work Programme

Meeting Date	Agenda Item	Background/Description	Lead Officer/ Lead Member
TBC	Key Performance Indicators	Scrutiny member briefing on KPI monitoring for the year '22/'23.	Strategic Planning Specialist
TBC	CIL funding and allocation	Scrutiny committee members have requested an update on CIL funding and allocation at SSDC. The 21/22 Infrastructure Funding Statement is currently being written Jun '22, and will be shared with the committee when complete.	Strategic Planning Specialist
TBC	S106 funding and allocation	Scrutiny committee members have requested an update on S106 funding and allocation at SSDC. There is a project team currently working on process improvements to S106 monitoring, and the Locality Team Manager has advised that a report will be going to area committees in Sept '22.	Locality Team Manager

The Somerset Waste Board and Somerset Waste Partnership Forward Plan of key decisions can be viewed at:

<http://democracy.somerset.gov.uk/mgListPlans.aspx?RPId=196&RD=0>

Agendas and minutes for the Heart of the South West (HotSW) Local Enterprise Partnership (LEP) Joint Scrutiny Committee can be viewed at:

<https://democracy.devon.gov.uk/ieListMeetings.aspx?CId=456&Year=0>

Agendas and minutes of the Joint Scrutiny Panel of Somerset Waste Board can be viewed at:

<https://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=356&Year=0>

Agendas and minutes of the Joint Scrutiny Panel of Somerset Rivers Authority can be viewed at:

<https://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=351&Year=0>

Agendas and minutes of the Local Government Re-Organisation Joint Scrutiny Committee can be viewed at:

<https://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=420&Year=0>



## Current Task & Finish Reviews

Date Commenced	Title and Purpose	Members
1 <sup>st</sup> July 2022	<p><b>Remote meetings Protocol</b></p> <p>Assess the options for in person and hybrid meetings.</p> <p>Task and Finish report now complete and submitted to the monitoring officer to be considered by Full Council on 21<sup>st</sup> July 2022.</p>	<p>All members (With the Monitoring Officer and Scrutiny and Member Development Specialist)</p>
Suggest remove	<p><b>Productivity Analysis</b></p> <p>Understanding the cost of services, products and process.</p> <p>Workshops focussed on analysis and review of fees and charges across various service delivery areas.</p>	<p>Cllr Robin Bastable, Cllr Brian Hamilton, Cllr Crispin Raikes and Cllr Gerard Tucker. (with the Assistant Director Strategy and Support Services)</p>
Recommended 5 <sup>th</sup> July 2022	<p><b>Flooding in South Somerset</b></p> <p>Understanding flood risk and mitigation following the devastating flooding in Chard and other areas across the district in 2021. A T&amp;F report has been submitted to the LLFA in response to the consultation on the draft S19 for chard (incident 28<sup>th</sup> June 2021)</p>	<p>Cllr Gerard Tucker, Cllr Sue Osborne (Chair), Cllr Robin Bastable, (with the Specialist Scrutiny and Member Development)</p>

Page 9

If you have any suggested topics for Scrutiny Committee to consider please contact Specialist (Members) – [stephanie.gold@southsomerset.gov.uk](mailto:stephanie.gold@southsomerset.gov.uk)

**Other Scrutiny working groups/workshops/matters of interest**

<b>Meeting date</b>	<b>Title</b>	<b>Description</b>	<b>Officers/Members</b>
Updates at committee as required	SWP Joint Scrutiny Panel	The representatives from the SWP Joint Scrutiny committee will provide verbal updates as appropriate.	Cllr Brian Hamilton, Cllr Robin Bastable
Updates at committee as required	SRA Joint Scrutiny Panel	The representatives from the SRA Joint Scrutiny committee will provide verbal updates as appropriate.	Cllr Paul Maxwell, Cllr Robin Pailthorpe
Updates at committee as required	Local Government Reorganisation Implementation Joint Scrutiny Committee	The representatives from the LGR JSC will provide verbal updates and appropriate.	Cllr Paul Maxwell, Cllr Brian Hamilton
Ongoing	Role of Scrutiny & Audit	Members have requested guidance and support in understanding how the Scrutiny and Audit committees can work collaboratively and supportively on key issues.	Chairs of Scrutiny and Audit with S105 Monitoring officer and Chief Executive.



## **Date of next meeting**

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Members are requested to note that the next meeting of the Scrutiny Committee will be held on Tuesday 30 August at 10.30am, at the Council Offices, Brympton Way, Yeovil.

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## Scrutiny Call-in Request: Wincanton Regeneration budget - Change of Scope

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Executive Portfolio Holder:	Cllr Sarah Dyke, Wincanton Regeneration
Ward Member(s)	Cllrs Colin Winder and Nick Colbert
Strategic Director:	Jan Gamon, Place and Recovery / Peter Paddon, Acting Director of Place and Recovery
Service Manager:	Natalie Fortt, Regeneration Programme Manager
Lead Officer:	Pam Williams, Wincanton Town Centre Regeneration Project Manager
Contact Details:	pam.williams@southsomerset.gov.uk or 01963 435020

### Background

1. Part 4.33 of the Constitution sets out the **Overview & Scrutiny Procedure Rules**, including the power to "call in" decision items considered by the District Executive, Area Committee or Portfolio Holders.
2. There are two types of call in:

**(a) "Call In" Before the Decision is Implemented**

Decisions made by the District Executive, individual Portfolio Holders and the Area Committees may be "called in" before they are implemented. A list of decisions taken will be published 48 hours after a meeting and may be requisitioned for "call in" and review within 5 working days from the date of publication. Unless the decision is urgent it will not be implemented until after the period allowed for call in.

The "called in" item will be reported to the next meeting of the Scrutiny Committee and an Executive or Area Committee member has the right to attend and make representations. If the Scrutiny Committee is unhappy with the called in decision it can ask the Executive or Area Committee to re-consider the item or for it to be considered by full Council.

**(b) "Call In" After the Decision is Implemented**

All decisions taken by the Executive, Area Committees or officers under delegated authority which have been implemented may be "called in" at any time by the Scrutiny Committee to consider the implications of the decision. The Committee can make recommendations to the Executive or full Council on changes to policy or practice in the light of their findings in respect of a particular decision or its implementation. Whilst individual quasi-judicial decisions, such



as planning, cannot be re-considered the procedures and policies applied in each case may be looked at by the Committee.

3. In either case, a call in requires a written request to the Democratic Services Specialist from either the Chairman of the Scrutiny Committee, two other members of the Scrutiny Committee or by ten members of the Council. The request must give the reasons for the "call in", with the names of the members making the request.

Following a call-in request made by two members of the Scrutiny Committee, and on behalf of the Wincanton ward members, Scrutiny Committee will revisit agenda item 11 'Wincanton Regeneration Scheme: Change of Scope', which was approved at the meeting of the District Executive on 7<sup>th</sup> July 2022. (Informal Consultative Meeting)

The concerns and views of the Scrutiny Committee and ward members will be reported to the responsible Portfolio Holder(s) and Officer(s) and if Scrutiny Members agree, the item will return to the District Executive for reconsideration on 4th August 2022.

#### **The Call In Request ("Call In" Before the Decision is Implemented)**

<b>Date</b>	<i>15 July 2022</i>
<b>Made by</b>	<i>Cllrs Sue Osborne and Robin Bastable</i>
<b>Decision of</b>	<i>District Executive on 07 July 2022</i>
<b>Decision date</b>	<i>15 July 2022</i>
<b>Decision details</b>	<i>The Chief Executive agreed to:  a. Option 2 i. To allocate the full £260,000 requested from the capital contingency budget to the Wincanton Regeneration Scheme</i>
<b>Reasons for Call In Request</b>	<i>Neither of the Ward members have been consulted or kept informed of when decisions have been made. They have not been shown any detailed plans or specification for any works, consequently they feel what is proposed is a series of duplication of works that have already been carried out and works that are simply not needed or wanted.</i>

#### **Background papers:**

*Report to District Executive: Wincanton Regeneration budget - Change of Scope – July 2022*

## Wincanton Regeneration budget - Change of Scope

Executive Portfolio Holder:	Cllr Sarah Dyke, Wincanton Regeneration
Ward Member(s)	Cllrs Colin Winder and Nick Colbert
Strategic Director:	Jan Gamon, Place and Recovery / Peter Paddon, Acting Director of Place and Recovery
Service Manager:	Natalie Fortt, Regeneration Programme Manager
Lead Officer:	Pam Williams, Wincanton Town Centre Regeneration Project Manager
Contact Details:	pam.williams@southsomerset.gov.uk or 01963 435020

## Purpose of the Report

1. The report suggests revisions to scope and sets out related changes to budget including a request for additional funds from the corporate capital contingency for the Wincanton Regeneration project. This follows receipt of tenders for the public realm scheme. The approach will ensure a focus on the two priorities of delivering the public realm and building repair grants (property project) during the remaining months of the project.

## Forward Plan

2. This report did not appear on the District Executive Forward Plan.
3. Following a recent procurement exercise for public realm schemes, an early decision is required to enable the additional Section 24 financial approval to be requested from Somerset County Council so that contracts can be signed. A signed contract reduces cost pressure by fixing the majority of prices which would otherwise be vulnerable to materials and labour market fluctuations. If District Executive and Somerset County Council support the requested change to scope and budget, Wincanton's three public realm schemes can be advanced.

## Public Interest

4. The report seeks a change of scope to the Wincanton Regeneration project. This would mean that construction works for the public realm schemes at Market Place, Carrington Way and Central High Street would get underway later this year.

## Recommendations

5. That District Executive recommend that the Chief Executive agree either:

### Option 1

- a. To reallocate £124,000 to the public realm work stream from other work streams within the Wincanton Regeneration budget.
- b. To allocate £136,000 to the Public Realm work stream from the corporate capital contingency.

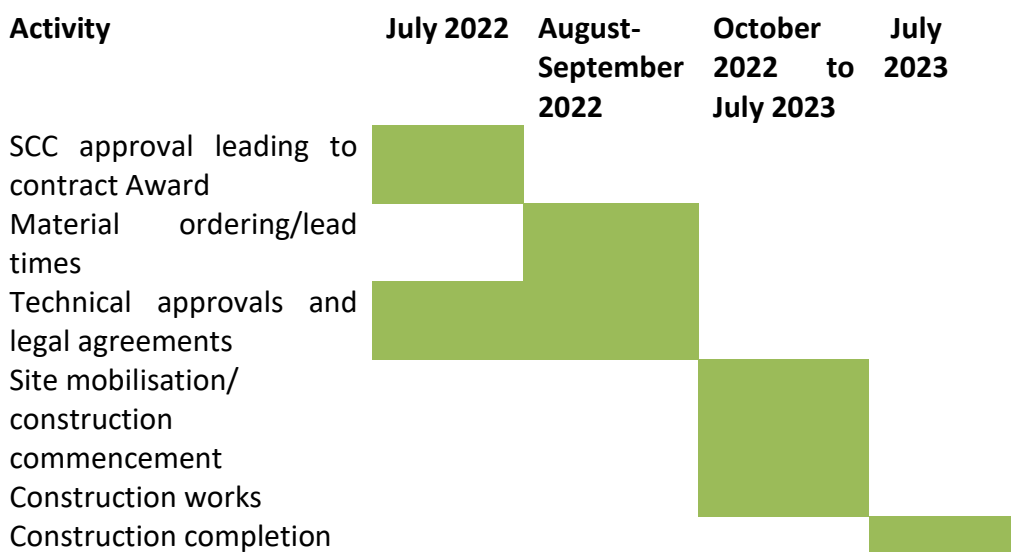
**Or Option 2**

To allocate the full £260,000 requested from the capital contingency budget.

**Background**

6. The Wincanton Regeneration programme seeks to improve the attractiveness of the town centre by creating an environment where businesses wish to trade with spaces, which people will visit and want to spend time. The project went live at the end of 2019 and comprises a range of initiatives including physical infrastructure and property improvements as well as softer interventions. The two prioritised work-streams within the programme are the public realm improvements and property grants as they are fundamental to enhancing the attractiveness of the town centre.
7. In February this year, Full Council approved a revised budget and work-streams for the final year of the Wincanton Regeneration project. However, following the recent re-tender of public realm works there is a budget shortfall, this means that if the schemes are to progress, a further change of budget and scope needs to be agreed.
8. As Local Government Re-organisation approaches, the Section 24 Directive and General Consents protocol means that there is a requirement for Somerset County Council to approve expenditure on specific projects and above certain financial thresholds. The Wincanton project falls into this category because the project is identified as requiring additional approvals and the public realm construction programme will run beyond vesting day.
9. Tenders for the public realm schemes remain open for 90 days (to mid-August 2022). Subject to the necessary sign-offs being obtained, the aim is for a construction start date of October 2022 (based on contract award in July 2022) with a finishing date of July 2023 anticipated. The headline timeline is as follows:

Table 1 Activity Timeline



## Change of scope and budget

10. When the revised Wincanton Regeneration budget was approved in February, the budget was informed by pricing from the tender exercise conducted in late 2021. One of the contractors within our public realm procurement framework subsequently became insolvent, as a consequence it was necessary to re-tender the work. This exercise, combined with other factors means there is a funding shortfall in the region of £260k.
11. The cost variances are not dis-similar to other projects where pricing has significantly inflated due to large rises in material costs, broader inflationary pressures and the availability of labour. These changes have been driven by a combination of factors which include the Covid pandemic, the war in Ukraine, high levels of inflation and significant local infrastructure projects such as A303 improvements and Hinkley Point.
12. This section contains suggestions about how to partially bridge the gap from within the budget, where this can be achieved without significantly diluting the outcomes. This approach helps to minimize the request from the corporate capital contingency. The table below details the suggested line reductions which could be moved to support the delivery of the public realm schemes.

Table 2 Proposed Budget Amendments

Programme Element	Budget Line £000s	Spend to date (up to 30.4.22)	Pipeline/ Commitment	Balance	Reduction £000s	Note
Property Project – grants*	190	0	96**	94	34	1
Re-use empty units	8	3		5	5	2
Signage and wayfinding	180	0		180	60	3
Anchor business review	5	0		5	5	4
Marketing/image dev	40	0		40	20	
					<b>124</b>	

### Notes

1 – Property Project

\* three application submitted and 13 expressions of interest for prioritised properties.

A reduction of £34k would allow scheme to be opened up beyond prioritised properties but on a ‘first come, first served basis’ to allow awards up to remaining budget ie £60k

2- Re-use of key vacant premises, no further work proposed in relation to developing case for CPO

3- Signage and Wayfinding – Some funds retained in case they are necessary to meet Highways Safety Audit requirements on signage

4- Anchor business review - suspend in line with national indicators, trend away from town centre retail

13. Reductions of £124k as identified above would result in modest scope alteration but as presented these should not significantly impact the outcomes sought. This would mean that £136k is required from the corporate capital contingency to progress the delivery the Public Realm schemes at Carrington Way, Market Place and Central High Street.



14. Approval of these changes in scope and budget would allow a formal request to continue the project to be made to Somerset County Council which, if secured, would allow the signing of contracts, locking in the principal prices and ensuring the schemes can be delivered.
15. The change in scope is due to be discussed at the Strategic Development Board on 1<sup>st</sup> July 2022. Any concerns raised there will be reported verbally to District Executive as part of the presentation of this report.

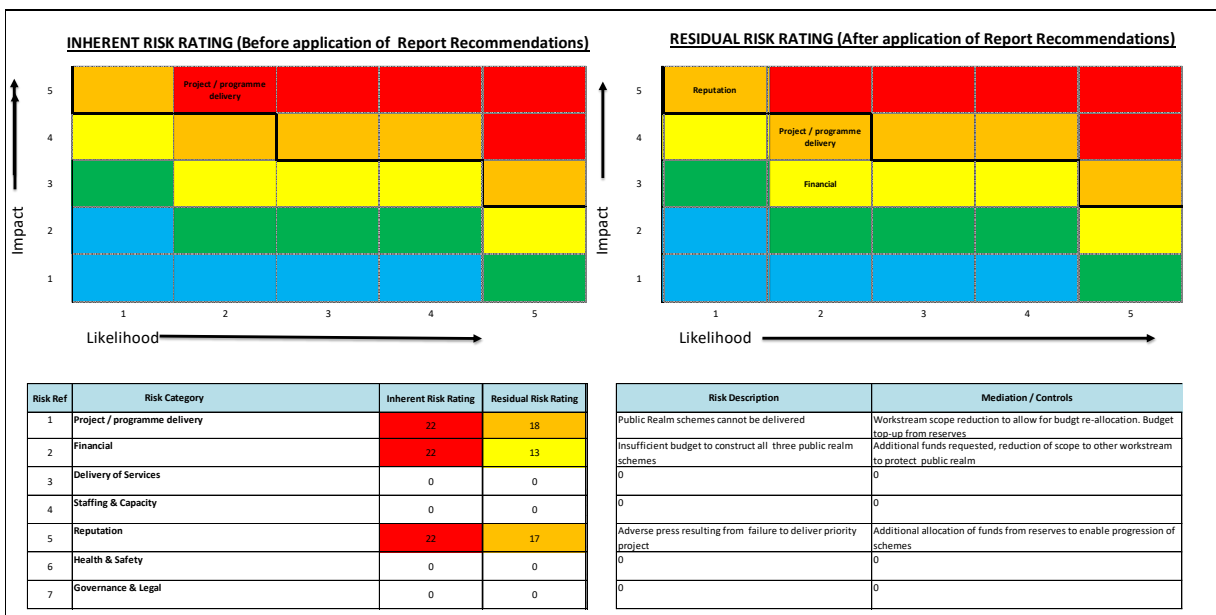
## Financial Implications

16. The detail of the tenders remains commercially sensitive at this stage of the procurement process. However, in order to deliver the programme as shown above, the overall budget allocation would need to be increased up to either £2,527,000 or £2,651,000, depending on whether option 1 or 2 is chosen. This would comprise:
  - a. Existing budget - £2,391,000
  - b. Corporate capital reserve - either £136,000 or £260,000, depending on whether option 1 or 2 is chosen.
  - c. This approach preserves a contingency sum of £143,000 to deal with unforeseen costs during construction.

## Legal implications and details of Statutory Powers

17. As described above the Wincanton Regeneration Project is identified as requiring sign-off by Somerset County Council within the Section 24 Directive and General Consents protocol, otherwise, this report is a change of scope and budget which forms part of the standard budget management processes of the council.

## Risk Matrix



## Council Plan Implications

18. Delivery of the public realm schemes and submission of a Levelling Up fund bid are Council Plan priorities for 2022/23.

## Carbon Emissions and Climate Change Implications

19. This report seeks a change in the way funding is allocated so does not directly impact this theme. Carbon Emissions and climate change has been taken into account in design of the public realm including the promotion of active travel and an increase in street trees and areas of planting.

## Equality and Diversity Implications

20. This report is purely a financial change of scope. Equality and diversity has been considered in all of the projects at design and construction phases. This will continue to be applied but is not directly applicable to this report content.

<i>An Equality Impact Relevance Check Form has been completed in respect of the Proposal?</i>	Yes
<i>The Impact Relevance Check indicated that a full EIA was required?</i>	No
<i>If an EIA was <b>not</b> required please attach the Impact Relevance Check Form as an Appendix to this report and provide a brief summary of its findings in the comments box below. – Attached</i>	
<b>Additional Comments</b>	
None	

## Privacy Impact Assessment

21. There are no identified impacts in this area of assessment related to this report.

## Background Papers

- None

# Equality Impact Relevance Check Form



The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required.

What is the proposal?	
Name of the proposal	Change of Scope Wincanton Regeneration budget
Type of proposal (new or changed Strategy, policy, project, service or budget):	New and revision of budget + scope
Brief description of the proposal:	Reduction in scope of some workstreams, re-alignment and addition to budget
Name of lead officer:	Pam Williams

You should consider whether the proposal has the potential to negatively impact on citizens or staff in the following ways:

- Access to or participation in a service,
- Levels of representation in our workforce, or
- Reducing quality of life (i.e. health, education, standard of living)

A negative impact is any change that could be considered detrimental. If a negative impact is imposed on any citizens or staff with protected characteristics, the Council has a legal duty to undertake a full Equality Impact Assessment.

Could your proposal negatively impact citizens with protected characteristics? (This includes service users and the wider community)	<b>NO</b>
Could your proposal negatively impact staff with protected characteristics? (i.e. reduction in posts, changes to working hours or locations, changes in pay)	<b>NO</b>

<b>Is a full Equality Impact Assessment required?</b>	<b>NO</b>
<b>If Yes,</b> Please provide a brief description of where there may be negative impacts, and for whom. Then complete a full Equality Impact assessment Form	
<b>If No,</b> Please set out your justification for why not.	
This is primarily a budget report which changes the focus of the finances of the Wincanton Regeneration scheme and requests additional corporate funding. Whilst the scope of the budget allocations is changing this does not alter the focus on the the two key priorities of the project. Therefore there are no identified negative impacts for people from the Protected Characteristics linked to the financial allocations. A full EIA is therefore not require.	
Service Director / Manager sign-off and date	N Fortt 16/6/22
Equalities Officer sign-off and date	Dave Crisfield 16 <sup>th</sup> June 2022