

WEST SOMERSET COUNCIL

Minutes of the Special Meeting held on 12 November 2013 at 2.00 pm

in the Council Chamber, Williton

Present:

Councillor G S Dowding Chairman
Councillor A F Knight..... Vice-Chairman

Councillor A M Chick	Councillor M J Chilcott
Councillor H J W Davies	Councillor M O A Dewdney
Councillor J Freeman	Councillor S Y Goss
Councillor P N Grierson	Councillor A P Hadley
Councillor B Heywood	Councillor K V Kravis
Councillor R P Lillis	Councillor E May
Councillor I R Melhuish	Councillor K M Mills
Councillor C Morgan	Councillor P H Murphy
Councillor S J Pugsley	Councillor D D Ross
Councillor K J Ross	Councillor D J Sanders
Councillor L W Smith	Councillor M A Smith
Councillor T Taylor	Councillor A H Trollope-Bellew
Councillor K H Turner	Councillor D J Westcott

Officers in Attendance:

Chief Executive (P James)
Interim Executive Director (A Dyer)
Monitoring Officer (B Lang)
Deputy Monitoring Officer (I Timms)
Section 151 Officer (S Campbell)
Performance and Efficiencies Manager (K Batchelor)
HR Consultant (M Griffin)
Unison, Branch Chair (K Penfold)
Unison, Joint Branch Secretary (L Sully)
Unison, Joint Branch Secretary (J Mote)
Administrative Support (H Dobson)

Also in Attendance:

Andrew Coleman, Local Partnerships
Councillor J Williams, Leader for Taunton Deane Borough Council
Shirlene Adam, Project Manager, Taunton Deane Borough Council
Debbie Rundle, Communications Officer, Taunton Deane Borough Council
Stephen Edmonds, Finance Coordinator, Somerset County Council

Prior to the start of the meeting and at the invitation of the Chairman, Councillor R P Lillis informed that West Somerset had been awarded an important trophy for Best Community Policing for the whole of West Somerset. The reduction in crime rate had risen from 19% to 95%. He requested that the Council acknowledge the award.

In response the Chairman replied that the Council was pleased to be informed of the valiant efforts made to achieve such a distinction.

C75 Apologies for Absence

No apologies for absence were received.

C76 Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

Name	Minute No.	Member of	Action Taken
Cllr H J W Davies	All	County	Spoke and voted
Cllr S Y Goss	All	Stogursey	Spoke and voted
Cllr P N Grierson	All	Minehead	Spoke and voted
Cllr C Morgan	All	Stogursey	Spoke and voted
Cllr P H Murphy	All	Watchet	Spoke and voted
Cllr K J Ross	All	Dulverton	Spoke and voted
Cllr L W Smith	All	Minehead	Spoke and voted
Cllr K H Turner	All	Brendon Hills	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

In addition, the following interests were declared:

Name	Minute No.	Description of Interest	Personal or Prejudicial	Action Taken
Cllr K Ross	C78	Colleague Director of Local Partnerships	Personal	Spoke and voted

C77 Public Participation

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

C78 Joint Management & Shared Services Business Case

(Joint Management and Shared Services Business Case, circulated with the Agenda).

The purpose of the report was to present the Business Case for Joint Management and Shared Services for West Somerset Council and Taunton Deane Borough Council.

The Leader presented the report in which considerable thought and effort had been invested. In his opinion, the Business Case set out the best way forward for the residents of West Somerset in providing services and greater resilience and capacity. West Somerset Council (WSC) was supportive of other partners and sharing with other councils in order to generate further savings. The Business Case 'stacks up' a view shared by the Local Partnerships Assurance Review team. The Council's Medium Term Financial Plan predicts clearly that in 2014/15 and 2015/16, £600,000 of savings will need to be made. Therefore, it was important that the Council take action. Without the savings generated by working with Taunton Deane Borough Council WSC would not be viable and would have to make major cuts and it would be doubtful as to whether those cuts could be implemented. He believed the Council had no alternative and that it would be positive to implement the Business Case with Taunton Deane Borough Council.

The Project Manager advised that the decision before Members was so important she believed it necessary again to present the main points of the Business Case. She advised that feedback and comments from staff had been included. Mendip District Council had gained Cabinet approval to engage with West Somerset and Taunton Deane Borough Councils to look at sharing services. Also, in response to a recent expression of interest, the Leaders had requested of Sedgemoor District Council to also obtain a mandate to fully explore joint management and sharing of services with West Somerset and Taunton Deane, but to date that had not yet been received.

The Local Partnerships representative advised that the review team had first-hand direct experience of shared services. The team spent a lot of time looking at the financial underpinnings and they 'stack up' and were achievable and should be regarded as a minimum. The cost/savings sharing formulae had been discussed in great detail were felt to be fair to both parties. Regarding the qualitative aspects and how to ensure shared management arrangements work would require a mutual understanding at leader level and officer level and importantly member involvement. It might be possible to achieve the savings quicker and he believed they could be greater.

Further, he advised that the only three-way shared arrangement in the country was in London and operated under two Chief Executives. It was a much more complex arrangement to put in place. He believed that if members should approve the Business Case, the Council will then be in a stronger position to go forward.

The Leader proposed the recommendations of the report which were duly seconded by Councillor E May.

During the course of the debate Members expressed a great deal of support for the Business Case and made the following comments:

- This was an historic decision and must be made with great care

- Much concern regarding the loss of jobs
- The Council will have greater resilience and critical mass
- The community of West Somerset would benefit
- Support for the officers as the Business Case was progressed
- Appreciation of the member drop-in sessions
- That the process was undertaken slowly and carefully
- Concern that West Somerset Council would not see major financial savings and that the savings had been based on assumptions
- Concern regarding redundancy terms and conditions, costs to TUPE staff and job evaluation
- Concern that the scope of the project did not consider alternative working such as outsourcing, commissioning etc. or allow the council to debate such alternatives.

In response to a question the Unison Branch Chair confirmed that they were in agreement with the procedure undertaken so far.

In response to concerns that sufficient savings may not have been made by the pay-back period the Project Manager and Section 151 Officer confirmed that on consideration of the information before them they were satisfied that the costs were as good an estimate as can be given at this time.

Further, the Project Manager confirmed that all staff would be in place within the shared service structure by 31 March 2015 and some services would have already started to transform by then when demands on staff and commissioning of services will be considered.

RESOLVED (1) that on the basis of the potential savings contained within the Business Case, the two Councils support the implementation, of the Joint Management and Shared Services arrangements delivering a single officer structure providing a shared workforce to support the two councils of Taunton Deane Borough Council (TDBC) and West Somerset Council (WSC);

RESOLVED (2) that Officers be authorised to implement the proposals in accordance with the financial targets and timeline as set out within the Business Case, with the financial targets to be included in the Council's budgets for 2014/15 and Medium Term Financial Plans for later years;

RESOLVED (3) that consideration be given to establish new governance arrangements to safely manage the implementation phase of the Business Case; such arrangements to include a framework to support the proposed Service Transformation Phase (see separate report from Monitoring Officers on this agenda – Inter Authority Agreement);

RESOLVED (4) that the shared workforce arrangements are progressed under the host employer model, with TDBC as the host employer, with the detailed planning being overseen by the proposed new governance

arrangements referred to in 3 above together with appropriate consultation undertaken with staff and UNISON;

RESOLVED (5) that a common set of employment terms and conditions are developed for approval by both Councils in consultation and negotiation with UNISON;

RESOLVED (6) that the Transition (one-off) costs of £714,000 payable by WSC are funded by :-

- A transfer of £358k from the Sustainability Earmarked Reserve; plus
- By using unallocated Capital Receipts of £356k.

At the invitation of the Chairman the Leader for Taunton Deane Borough Council informed that he was impressed with the quality of debate and the contributions made. The Business case was sound, viable and sustainable for both Councils going forward.

The Chairman congratulated those members of staff who had been involved in producing the Business Case.

C79 Proposed Governance Arrangements – Inter Authority Agreement

(Taunton Deane Borough Council and West Somerset Council Proposed Governance Arrangements – Inter Authority Agreement, circulated with the Agenda).

The purpose of the report was to outline the proposed inter authority agreement setting out the governance arrangements to be put in place in the event of the Taunton Deane Borough and West Somerset Councils agreeing to approve the Business Case for Joint Management and Shared Services.

The Monitoring Officer presented the report and advised that both councils would retain their democratic structures and processes. In recognition of the vital role that the Joint Members Advisory Panel (JMAP) has provided to date it was proposed that a Joint Partnership Advisory Group (JPAG) be established comprising the two leaders of the councils who would be key in taking the process forward together with four other members from each council. It was not necessary for the JPAG to be politically proportional. Further, that there would be opportunity to set up member working groups who could be drawn from any of the other members from across the two councils.

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

RESOLVED (1) that subject to both Councils agreeing to approve the Business Case for Joint Management and Shared Services, the Inter Authority Agreement - attached as Appendix A to this report - be adopted by both authorities to provide the governance framework for implementing the joint arrangements between the Taunton Deane Borough and West Somerset Councils;

RESOLVED (2) that it be delegated to the Monitoring Officer, in consultation with the Leaders of the two political Groups to agree the four nominations to represent West Somerset Council, along with the Leader, to serve on the Joint Partnership Advisory Group.

C80 **Creating a Shared Workforce**

(Creating a Shared Workforce and Transition Redundancy Policy, circulated with the Agenda).

The purpose of the report was to outline the proposals for the creation of a shared workforce for the West Somerset Council and Taunton Deane Borough Council.

The Leader introduced the report and the HR Consultant set out the proposals which had been developed following comments from the Assurance Review and in consultation with the Unison Branches in West Somerset and Taunton Deane. He thanked the Unison representatives and Regional Officer who had experience with joined shared services, for all their work.

The Leader thanked the HR Consultant for his work undertaken for both councils and proposed the recommendations of the report which were duly seconded by Councillor D Ross.

RESOLVED (1) that Council note the negotiated overarching Collective Agreement with UNISON which is set out as Appendix A to the report and attached to the Agenda;

RESOLVED (2) that Council approve the Redundancy and Redeployment (transition) Policy as set out in Appendix 3 of the Collective Agreement;

RESOLVED (3) that Council approve the process and methodology for the creation of the shared workforce and in particular;

- approve that Taunton Deane BC will be the host employer;
- approve that the Taunton Deane BC Job Evaluation Scheme will be used to assess grades of any revised or new posts;
- approve that Grade A and the first three points of Grade B of the current Taunton Deane pay structure will be deleted and that the fourth point of Grade B will be increased to £14,420 per annum to provide for the 'Living Wage'.

C81 Joint Management Structure Proposal

(Joint Management Structure Proposal for West Somerset Council and Taunton Deane Borough Council, circulated with the Agenda).

The purpose of the report was to propose the creation of a joint management team that will serve both West Somerset Council and Taunton Deane Borough Council.

The Monitoring Officer, Deputy Monitoring Officer, Project Manager and Performance and Efficiencies Manager left the Chamber for this item.

The Leader presented the report and the Chief Executive advised that as a result of feedback from the Scrutiny Committee, UNISON and individual members of staff amendments to the original report were proposed. There was an additional post of a New Nuclear Programme Manager who would report direct to the Chief Executive and on a day to day basis work with the Director of Growth and Development. She accepted that opportunity should be given to appropriate staff at both councils to express an interest in the posts originally recommended for external advertisement. She confirmed that 'slot ins' had been reviewed to make sure that they were in line with HR policies and employment law.

The Leader proposed the recommendations of the report which were seconded by Councillor A Trollope-Bellew.

Members were pleased to see the additional post of New Nuclear Programme Manager included in the Joint Management Structure and noted that once the post was appointed other skills would be observed/utilised in order to give greater flexibility of working.

RESOLVED (1) that the original Joint Management Team proposal – as amended in paragraph G.1 of the report attached to the agenda be approved;

RESOLVED (2) that the Chief Executive be authorised to implement the proposals;

RESOLVED (3) that Group Leaders nominate representatives to attend the South West Councils Recruitment and Selection training to allow them to then be available for the Member Appointments Panels;

RESOLVED (4) that the Pay Policy Statement of each Council be amended to reflect the recommendations of South West Council as set out in the report attached to the agenda;

The meeting closed at 4.35 pm.