

WEST SOMERSET COUNCIL

Minutes of the Meeting held on 12 December 2012 at 2.30 pm

in the Council Chamber, Williton

Present:

Councillor D D Ross Chairman
Councillor G S Dowding Vice-Chairman

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 A F Knight	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 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 (A Dyer)
Corporate Director (B Lang)
Section 151 Officer (S Campbell)
Corporate Manager Housing, Welfare and Economy (I Timms)
Meeting Administrator (K Kowalewska)

C80 Apologies for Absence

No apologies for absence were received.

C81 Minutes

(Minutes of the Meeting of Council held on 21 November 2012, circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Council held on 21 November 2012 be confirmed as a correct record.

C82 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:

WEST SOMERSET COUNCIL
Council Meeting 12.12.2012

Name	Minute No.	Member of	Action Taken
Cllr S Y Goss	All	Stogursey	Spoke and voted
Cllr P N Grierson	All	Minehead	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 A H Trollope-Bellew	All	Somerset County	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 A F Knight	C87	Daughter is an employee of West Somerset Council	Personal	Spoke and voted

C83 Public Participation

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

C84 Chairman's Announcements

28 November 2012	Attended the afternoon session of the Exmoor Tourism Conference at Halsway Manor and he congratulated the Regeneration team on a very successful event
4 December 2012	Planted a tree in the Parks Walk, Minehead to mark the 10 th anniversary of the founding of the Minehead branch of Amnesty International

The Vice Chairman announced that he had recently attended the Avon and Somerset Police and Crime Panel and met the newly appointed Police and Crime Commissioner, Sue Mountstevens. He also updated Members on his visit, accompanied by Councillor B Heywood, to Selby District Council in North Yorkshire to look at their performance. Councillor Dowding reported that a few years ago Selby DC were in a similar financial situation to West Somerset Council and as a result became a commissioning authority. Councillor Heywood briefed Members further on this visit during the discussion of agenda item 8. He reported that Selby DC had undergone a total reorganisation and established a Transformation Team made up of service managers and interested members of staff which led to the creation of a totally new approach to delivering public services by an organisation called Access Selby, who were now an ongoing success and had been rated as excellent.

C85 **Timetable of Meetings 2013/2014**

(Timetable of Meetings for the 2013/14 Municipal Year, circulated with the Agenda.)

The purpose of the report was to agree a timetable of meetings for the 2013/2014 Municipal Year.

During the discussion of this item one amendment to move the Housing PAG from 21 May to 23 May 2013 was proposed and seconded.

RESOLVED that, subject to the one amendment identified at the meeting, the 2013/2014 timetable be approved.

C86 **Financial Regulations**

(Report No. WSC 167/12, circulated with the Agenda.)

The purpose of the report was for Council to approve changes to the Financial Regulations, attached as Appendix A to the report..

The Chief Executive presented the report and advised that the proposed changes to the Financial Regulations were relatively minor in terms of merely updating the terminology and outlined the changes contained therein. Members noted that the draft Financial Regulations had been recently considered and approved at the meetings of Scrutiny Committee and Cabinet.

Councillor T Taylor proposed the recommendation in the report which was seconded by Councillor S J Pugsley.

RESOLVED that the changes to the document appended to the report be approved.

C87 **Strategy for Securing the Long Term Viability of the Council**

(Report No. WSC 156/12, circulated with the Agenda and amendments to the recommendations circulated at the Meeting.)

The purpose of the report was to enable Members to consider the results from an independent assessment on the Council's future viability and to provide details of an interrelated meeting with Rt. Hon. Brandon Lewis, Parliamentary Under Secretary of State with responsibility for Local Government. The report also proposed a strategy aimed at protecting the long-term financial viability of the Council.

Councillor T Taylor, Leader of Council, made an opening statement, which included the following main points:

- The talks of the death of West Somerset Council (WSC) were very premature and financially, the Council had enough money in the budget

to carry on providing services until 2015, if not a little longer. However, WSC wished to look ahead and take action early.

- Since 2007, when the Council was seen as a failing authority, all members and officers had successfully worked together to turn the council around.
- The problems facing WSC were financial due to lack of funding and not organisational other than suffering from some lack of resilience, capacity and expertise, and this could be achieved by working in partnership with other councils, as was currently being done with the Somerset Waste Partnership.
- The income per head of population in West Somerset was similar to that of the neighbouring authorities in Somerset (who were three or four times the size of WSC) even though the Council had the extra cost of super sparsity, covering most of Exmoor, the Brendon Hills and the Quantocks, as well as the higher proportional costs of being a small council. Despite this the Council had sustained these difficulties by staff reductions and maintaining low pay grades.
- In late 2010 central government announced the reduction in their grant funding to WSC which was the equal biggest percentage reduction of any other council in the country, plus the capping of council tax, despite ongoing escalating costs.
- Central government had been informed that WSC was under-funded as a super sparse authority and the funding formula was unfair but the response received was that nothing could be done at this stage in terms of providing increased central government funding.
- Ad hoc development and sharing of services had already been undertaken, however this course of action alone would not bridge the savings gap.

The Leader presented the report in brief and advised that, following recent meetings, the favoured option from central government was that WSC should investigate the option of sharing or commissioning of services; and he detailed certain amendments to the recommendations proposed in the report circulated with the agenda to the effect of adding a reference to a 'collaborative authority' in recommendation 2.2, adding the 'Leader of the Democratic Alliance' to recommendation 2.3 and deleting recommendation 2.4.

WSC had been proactive in moving forward and members and officers have done their utmost for the people of West Somerset. WSC were under considerable pressure to further progress matters rapidly and the Leader made it clear that he was not happy with this situation, and stressed that the Council would not be dictated and pressurised into rushing the process. He hoped that there would be real unity across all Members of the Council and whatever model was chosen would be in the interest of the people of West Somerset and the hardworking and able members of staff; and that there would be challenging and difficult decisions ahead to make.

The Leader proposed the amended recommendations which were seconded by Councillor C Morgan.

An amendment was proposed by Councillor P H Murphy and seconded by Councillor S Y Goss to add the following recommendation:

“That in order to place the future employment of its current loyal staff at the forefront of policy, West Somerset Council will:

- i. work with staff representatives, the LGA, DCLG, the Cabinet Office, the Strategic Alliance and other parties to examine the DCLG report on mutual and co-operative approaches to delivering local services, and
- ii. invite a Mutual’s Ambassador to visit and appraise the feasibility of taking this approach to service delivery forward.”

Councillor Murphy stated that at this stage no option should be ruled out and the Council should consider adopting the Ethical Commissioning Model. WSC is a large employer in the district and by becoming a commissioning authority could result in a lot of redundancies, damaging the livelihoods of employees and putting a big dent in the local economy.

Members acknowledged the hard work of staff and the need to safeguard jobs both in the council and the voluntary sector.

The Leader accepted that this model was worth investigating but however felt the proposal put forward was too specific in comparison with the other recommendations, and as he had no real knowledge of the report on mutual and co-operative approaches he proposed to simplify the recommendation to give due diligence in order that it could be considered in a more general sense, and to add the following to recommendation 2.2 – “...and including working with the other councils to investigate and examine the Department of Communities and Local Government Report on Mutual and co-operative approaches to delivering local services.”. The mover and seconder withdrew then their amendment on the basis that the mover and seconder of the original motion had agreed that 2.2 would be so altered..

A further amendment was proposed by Councillor M A Smith and seconded by Councillor K M Mills that in recommendation 2.6 the words ‘as soon as is possible’ be replaced with “as soon as is practicable for due diligence to be undertaken” and this minor amendment was accepted by the original proposer and seconder of the motion.

A further amendment was proposed by Councillor A P Hadley and seconded by Councillor J Freeman to add the following recommendation: “Alongside the investigation of the ‘Commissioning Authority Model’ a referendum is called to approve an increase in the council tax paid to West Somerset Council to cover any financial shortfall between the savings made through any viable and acceptable commissioning of services identified, and the amount needed to provide an acceptable level of service for the district’s statutory and essential discretionary services over the long term.”.

A debate ensued on the referendum and the point was made that even if the level of council tax increased, services would still need to be cut. Concern was raised that an alternative budget would have to be set prior to calling a referendum and this would be difficult to work out alongside an investigation into a commissioning model.

The Leader made it clear that he did not support a definite commitment towards a referendum as the funding gap was yet unknown but recognised that it should remain as an option in order to provide reasonable level of services.

Members were in agreement that it was premature to call a referendum at this time and the mover and seconder of the amendment agreed to adjust the amendment to read "that a referendum remains an option in order to provide a reasonable level of services."

On being put to the vote the amendment was CARRIED.

A further amendment was proposed by Councillor K H Turner and seconded by Councillor J Freeman that in recommendation 2.5 the reference to Sedgemoor District Council be replaced with Taunton Deane Borough Council.

The Leader responded to concerns raised regarding the need to keep all options open and that working on a business case should not be restricted to just one authority. He gave an explanation as to why there were only two councils that WSC could work with on a business case for the commissioning or sharing of services, management and staff, (either Sedgemoor District Council or Taunton Deane Borough Council), and there were no other alternatives on the table.

The Chief Executive clarified that by partnering up with one local authority nothing would be ruled out in taking the investigation forward.

On being put to the vote the amendment was CARRIED.

An amendment was proposed by Councillor I Melhuish, and seconded by Councillor P H Murphy, that the word 'endorsed' in recommendation 2.1 be changed to 'noted'.

On being put to the vote the amendment was CARRIED.

This then became the new substantive motion and the recommendations contained in the report, as now amended, were put to the vote and were CARRIED.

RESOLVED (1) that the contents of the report produced by the LGA (Appendix 'A' to the report) are noted.

RESOLVED (2) that, subject to due diligence being carried out, the practicalities of the Council becoming either a Commissioning Authority as

described in paragraphs 4.19 – 4.24 of the report or a Collaborative Authority sharing management and services as described in paragraph 4.18 (bi) of the report are investigated and including working with the other councils to investigate and examine the Department of Communities and Local Government Report on Mutual and co-operative approaches to delivering local services.

RESOLVED (3) that, in order to raise the level of diligence applied to the process and subject to the approval of the Leader of Council, the Lead Member for Finance & Resources and the Leader of the Democratic Alliance the Chief Executive is granted delegated authority to work with the LGA to identify and procure the services of a person suitably experienced to assist the Council and provide independent advice.

RESOLVED (4) that work is commenced on the drafting of necessary protocols that would apply during the process of the Council establishing itself as a Commissioning or Collaborating Authority. That special regard is given to the protocol covering future staffing arrangements.

RESOLVED (5) that members approve the Council and Taunton Deane Borough Council working together to draft a business case for the commissioning or sharing of services, management and staff.

RESOLVED (6) that the protocols and associated business case referred to in recommendations 2.4 and 2.5 above are completed as soon as is practicable for due diligence to be undertaken for presentation to a future meeting of Council for consideration.

RESOLVED (7) that a referendum remains an option in order to provide a reasonable level of services.

The meeting closed at 4.30 pm.