

WEST SOMERSET COUNCIL

Minutes of Special Council held on 19 March 2018 at 6.00 pm

Oake Manor Golf Club, Oake, Taunton

Present:

Councillor B Heywood Chairman
Councillor R Woods Vice-Chairman

Councillor I Aldridge	Councillor B Allen
Councillor A Behan	Councillor M J Chilcott
Councillor H Davies	Councillor M Dewdney
Councillor G S Dowding	Councillor S Goss
Councillor A P Hadley	Councillor I Jones
Councillor A Kingston-James	Councillor R Lillis
Councillor B Maitland-Walker	Councillor K Mills
Councillor C Morgan	Councillor P H Murphy
Councillor J Parbrook	Councillor P Pilkington
Councillor S Pugsley	Councillor R Thomas
Councillor N Thwaites	Councillor A H Trollope-Bellew
Councillor K Turner	Councillor T Venner
Councillor D J Westcott	

Officers in Attendance:

Chief Executive (P James)
Assistant Chief Executive (B Lang)
Section 151 Officer (P Fitzgerald)
Senior Transformation Lead - New Council (E McGuinness)
Media and Communications Officer (D Rundle)
Principle Lawyer – SHAPE (L Dolan)
Democratic Services Officer (M Prouse)
Meeting Administrator (K Kowalewska)

C75 Apologies for Absence

An apology for absence was received from Councillor R Clifford.

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 I Aldridge	All	Williton	Spoke and voted
Cllr M Chilcott	All	SCC	Spoke and voted
Cllr H Davies	All	Williton	Spoke and voted
Cllr S Goss	All	Stogursey	Spoke and voted
Cllr A Kingston-James	All	Minehead	Spoke and voted
Cllr B Maitland-Walker	All	Carhampton	Spoke and voted

Cllr C Morgan	All	Stogursey	Spoke and voted
Cllr P H Murphy	All	Watchet	Spoke and voted
Cllr J Parbrook	All	Minehead	Spoke and voted
Cllr P Pilkington	All	Timberscombe	Spoke and voted
Cllr R Thomas	All	Minehead	Spoke and voted
Cllr N Thwaites	All	Dulverton	Spoke and voted
Cllr A H Trollope-Bellew	All	Crowcombe	Spoke and voted
Cllr K H Turner	All	Brompton Ralph	Spoke and voted
Cllr T Venner	All	Minehead	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

C77 **Public Participation**

No member of the public had requested to speak at the meeting.

Reference was made to a written submission requested by a member of the public which had been circulated prior to the start of the meeting.

C78 **Transitioning to a New Council**

(Report of the Joint Chief Executive and the Director of Operations and Transformation, circulated prior to the Meeting.)

In March 2016, Taunton Deane Borough Council (TDBC) and West Somerset District Council (WSC) confirmed commitment to a core, and on-going JMASS (Joint Management & Shared Services) Partnership and authorised and prioritised work to create a high level Transformation Business Case that tested what transformation could deliver under three governance scenarios.

In July (TDBC) and September (WSC) 2016, the councils agreed to progress work to create a new transformed council for their combined areas. Following this ground-breaking and ambitious decision, a public consultation exercise was carried out seeking views on the proposal before submitting a case to Government for consideration in March 2017.

The creation of a new Council would, if supported, follow the successful legacy of both Councils working closely together since 2013. It would be a model that other authorities would increasingly follow as they decided how best to grapple with the significant challenges facing local government. Councils needed to be of a scale large enough to face these challenges by having a loud enough voice, a strong bargaining position, a healthy balance sheet and a resilient workforce, yet small enough to feel connected to their residents. The creation of the new Council for Taunton Deane and West Somerset would strike that balance.

Since submitting the case to Government in March 2017, engagement with the Ministry for Housing & Local Government (MHCLG) had continued and although a number of high profile matters had diverted the government's attention away from progressing local government issues, the Secretary of State published his "minded to implement" decision on 30 November 2017.

Following this, the Secretary of State invited representations on the proposal (closing date of 19 January 2018). The final decision was awaited. If this was positive, this would set in train the parliamentary process for making the statutory Orders required to bring the new Council into effect. The Secretary of State would – with the consent of the Councils – lay orders before Parliament that would dissolve both Taunton Deane Borough Council and West Somerset Councils and create a new single Council covering both areas.

The Leader presented the report and referred to the financial viability challenges facing West Somerset. He thanked all officers concerned for their time and effort on working very hard on the preparation of the report and for their involvement in setting up the meeting; it was very much appreciated by Members.

The Principle Lawyer provided an explanation of the process being undertaken. She advised that Council was being asked as a matter of principle to give consent under the Cities and Local Government Devolution Act 2016 to the making and laying of the necessary orders in Parliament for a dissolution of the two existing Councils and the creation of a single new Council. The Cabinet, at the meeting following the full Council meeting, would be asked to delegate the authority for consenting to the laying before parliament of the final Statutory Orders. The process was based on advice received from leading counsel.

The Leader stated that if the recommendations were approved, the Council would have done all it could to achieve the vesting date in April 2019. He drew attention to the fact that simultaneous meetings of the two full Councils and of the Executive and Cabinet were being held at the same venue so there would be parity of decision making.

It was acknowledged that if the new Council was not formed, services in West Somerset would degrade. Reassurance was provided that in the transformation plan there would be provision for economic development for the rural areas, market towns and the coastal strip. The Leader stressed that going forward West Somerset would be equally represented, and if the creation of a new Council was not agreed upon West Somerset Council would no longer be sustainable in the future and Members would be letting down the people of West Somerset.

The Leader advised that the recommendations to be considered by Cabinet later would provide a name to be used by the Secretary of State in the draft Structural Change Order. However, the strong feelings of many were understood and Members would continue to listen to the concerns of residents and reflect in the coming months on the best title and would review the options going forward.

The Leader advised of an addition to the wording printed in recommendation 2.1 (d) of the Cabinet report to include “and provision be requested for 1 substitute from each Council”.

The Leader proposed the recommendations which were duly seconded by Councillor M Chilcott.

A lengthy debate ensued and various issues were raised. The following main points were made:

- Members of the Opposition Group advised that they would be voting on a free vote.
- Members rejected the idea of suggestions to become a commissioning authority.
- The West Somerset Labour Party was fully supportive of the recommendations.
- The creation of a new Council was considered as being the best course of action for staff.
- The quality of Council services were of most importance to the community and it was felt that facilities would improve with the formation of new Council.
- Attention was drawn to the statement issued following the assurance review undertaken in autumn 2017 which stated that the creation of a new council was the best long-term solution for TDBC and WSC, as well as being the best solution for the communities served by the two councils.
- The business rates income from Hinkley Point B Power Station should not be continually relied upon to bolster the Council's finances, and without it WSC was totally unviable.
- Further points on Hinkley B and C power stations were raised, and the continuation of sensible budgeting into the Business Rates Smoothing Reserve to increase business rates income in West Somerset was supported.
- Clarification was given that as the matters were not reserved for full Council in the Constitution nor stipulated in the Local Government Act 2000 or Regulations they were therefore matters for Cabinet to consider.
- Under the circumstances this was the only option open to the authority.
- In order to make WSC viable, continued cuts in finances and staff have had to be made, and the Authority had almost lost all capacity to grant any assistance to voluntary organisations.
- The position of WSC's budget was extremely volatile.
- The new Council would be sustainable and viable in the long-term, and would be in a better position to compete competitively for national and regional funding.
- The new Council would offer great opportunities; and it was felt that the standard of services would be the same across the district, the income revenue would benefit the whole district, and that West Somerset would not be the "poor relation".
- The funding benefits of the New Homes Bonus were expressed.
- There was no reason to change the successful partnership between TDBC and WSC.

- Concerns was raised regarding the predicted budget gap once the new council had formed; and whether the needs of residents would be suitably served and understood.
- The partnership work between officers and councillors undertaken to date was greatly appreciated.
- Concerns were expressed by a number of Ward Members as they felt that the new Council arrangement would not be in the interest of their wards or residents.
- Local residents would feel disenfranchised from the new council's decision making process.
- Concerns were raised about the ward restructure and having to travel to Taunton to attend meetings which would cause difficulties.
- Disappointment was expressed by one Member as it was felt that there had been a lack of communication between councillors and the local community about the work to create a new combined council.
- The Leader advised that thorough consultation had been undertaken and parish and town councils were all invited to attend Area Panel meetings.
- Problems with the demography, geography and road network between Minehead and Taunton were highlighted.
- WSC should not be moving in this direction as it would lose its local representation.
- Members were encouraged to look into the future and not the past.
- The new Council would be different to what existed presently, and was described as being cost effective, commercially minded, business-like and fit for the 21st Century.
- The alternative to not agreeing to the proposal was bankruptcy.
- The positive collective partnership working between the two councils had made savings and delivered on its promises, and as a result of this, Members expressed confidence that the new Council would put the customer first as well as representing and serving all communities equally.
- The transformation programme would deliver efficiencies and improve customer service delivery.
- The importance of having a sustainable future was emphasised; the new Council would deliver more, have a greater influence and rural representation would be improved.
- Every year WSC faced financial struggle and services under pressure, but this was a fantastic chance to move forward and Members should embrace the change.
- The formation of a new Council would provide a golden opportunity to build a better and brighter future for the residents of West Somerset.
- The S151 Officer provided clarification on how WSC operated above the minimum safety net and the consequences of there being a reduction in business rates income.
- The Resources and Central Support Lead Member provided reassurance that the finance figures presented in the report were accurate.

WEST SOMERSET COUNCIL
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Separate recorded votes were taken in respect of the two recommendations contained in the report following a request to do so supported by two members.

RESOLVED (1) that subject to the Secretary of State confirming his final decision, consent be given under Section 15(4) of the Cities and Local Government Devolution Act 2016 to the making and laying of the necessary Orders for the dissolution of Taunton Deane Borough Council and West Somerset District Council and the creation of a single new council covering both areas.

Councillor I Aldridge	Against	Councillor B Allen	Against
Councillor A Behan	Against	Councillor M Chilcott	For
Councillor H Davies	Against	Councillor M Dewdney	For
Councillor G S Dowding	For	Councillor S Goss	For
Councillor A Hadley	For	Councillor B Heywood	For
Councillor I Jones	Against	Councillor A Kingston-James	Abstain
Councillor R Lillis	For	Councillor B Maitland-Walker	For
Councillor K Mills	For	Councillor C Morgan	For
Councillor P Murphy	For	Councillor J Parbrook	Abstain
Councillor P Pilkington	Against	Councillor S Pugsley	For
Councillor R Thomas	For	Councillor N Thwaites	For
Councillor A Trollope-Bellew	For	Councillor K Turner	For
Councillor T Venner	Against	Councillor D Westcott	For
Councillor R Woods	Against		

RESOLVED (2) that it be noted that the Taunton Deane Borough Council had agreed to commence a Community Governance Review of the unparished area at the earliest opportunity (taking into consideration the guidance from both the Local Government Boundary Commission for England (LGBCE) and Ministry for Housing, Communities and Local Government (MHCLG)).

Councillor I Aldridge	Abstain	Councillor B Allen	Abstain
Councillor A Behan	Against	Councillor M Chilcott	For
Councillor H Davies	Abstain	Councillor M Dewdney	For
Councillor G S Dowding	For	Councillor S Goss	For
Councillor A Hadley	For	Councillor B Heywood	For
Councillor I Jones	Abstain	Councillor A Kingston-James	Abstain
Councillor R Lillis	For	Councillor B Maitland-Walker	For
Councillor K Mills	For	Councillor C Morgan	For
Councillor P Murphy	For	Councillor J Parbrook	For
Councillor P Pilkington	Abstain	Councillor S Pugsley	For
Councillor R Thomas	For	Councillor N Thwaites	For
Councillor A Trollope-Bellew	For	Councillor K Turner	For
Councillor T Venner	Abstain	Councillor D Westcott	For
Councillor R Woods	For		

The meeting closed at 7.20 pm.