

WEST SOMERSET COUNCIL

Minutes of the Meeting held on 22 July 2013 at 4.30 pm

in the Council Chamber, Williton

Present:

Councillor A F Knight..... Chairman
Councillor D J Sanders..... Vice-Chairman

Councillor M J Chilcott	Councillor H J W Davies
Councillor M O A Dewdney	Councillor S Y Goss
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 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:

Corporate Director (B Lang)
Section 151 Officer (S Campbell)
Project Manager (S Adam)
HR Consultant (M Griffin)
Meeting Administrator (H Dobson)

Also in Attendance:

Martin McNeill, Chairman of Governors, West Somerset Community College
Hannah Enticott, Deputy Principal, West Somerset Community College
Graham Carne, Director of Finance and Support Services, West Somerset Community College

C27 Apologies for Absence

Apologies for absence were received from Councillors G S Dowding, J Freeman, and P N Grierson.

C28 Appointment of Vice-Chairman

RESOLVED that Councillor D J Sanders be appointed Vice-Chairman for the meeting.

C29 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 22.7.2013

Name	Minute No.	Member of	Action Taken
Cllr S Y Goss	All	Stogursey	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 H J W Davies	All	Somerset County	Spoke and voted except C31 and C32 – see below
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 or Disclosable Pecuniary	Action Taken
Cllr H J W Davies	C31	Was a Councillor for County who was the responsible body for education in West Somerset	Personal	Did not speak or vote
Cllr H J W Davies	C32	Was a distant relative of a member of the family of the Chief Executive of TDBC	Personal	Did not speak or vote
Cllr K V Kravis	C33	Family connection regarding the ownership of the Carousel	Disclosable Pecuniary	Left the chamber
Cllr R P Lillis	C33	Had expressed an interest in running/ managing public conveniences in West Somerset	Prejudicial	Left the chamber

C30 **Public Participation**

Mr David Orr spoke in relation to Agenda Item 5, West Somerset and Taunton Deane Joint Management and Shared Services Project – Joint Chief Executive, to the effect that he lived in Taunton and had been an employee of Somerset County Council (SCC) and SouthWest One and was part of the team who assessed WSC as a potential joiner in 2010. He raised concerns and as to whether TDBC sharing services with SouthWest

One was good, when it had been a disaster for SCC. He believed that should WSC share services with TDBC it would also be with SouthWest One. He raised further concerns regarding the poor state of TDBC's IT and kit system and SouthWest One's SAP finance system and who would pick up the cost. He summed up believing that the merger with West Somerset would distract Taunton Deane from its focus on Taunton's economic recovery. Further, he asked whether WSC should have concerns about the viability of the business case and whether the disruption and risks involved were worthwhile?

C31 **West Somerset Community College – Age Range Consultation**

(Report No. WSC 81/13, circulated with the Agenda).

The purpose of the report was to receive a presentation regarding the consultation exercise currently being undertaken by the West Somerset Community College (WSSC) on age range and to provide an opportunity for the Council to make a formal response.

The Leader welcomed and introduced the representatives from the West Somerset Community College.

The Chairman of Governors informed that the governors were from a range of backgrounds and all thought that every young person should be able to receive the best possible start in his/her life. They recognised the difficulties that living in a rural area presented and therefore believed that partnership working was the best possible way forward. The proposal currently being consulted upon was specifically to address the needs for Dulverton and Exmoor in order to deliver the highest quality of services.

The Director of Finance and Support Services, made a presentation on the financial context and the new national funding formula due to affect all schools; the background to the issues that Dulverton middle school face; and how the College proposed to support the middle school in Dulverton.

The Deputy Principal, advised of the proposal to change the age range of the college from 13-19 to 11-19. Should this first stage be approved at ministerial level there would be further consultation on an admissions policy. She believed that if the College did not pursue this proposal to change the age range then it would not be possible for them to help Dulverton in the future.

The Leader presented the report and distributed a copy of recommendations to all members for consideration:

1. That the Council welcomes the consultation process that enables parents, carers and stakeholders to contribute their views on the West Somerset Community College's proposal to change the age range of the college from 13-19 to 11-19.
2. That all the relevant parties are encouraged to work closely together to identify the best possible structures, methods and support to improve

educational opportunities, attainments, aspiration and involvement of young people in West Somerset, including the area covered by the Exmoor Federation of Schools.

3. That the Council is prepared, if the interested parties involved would consider it helpful, to provide non-partisan assistance to facilitate positive collaboration by the key players, in the provision of education for the young people of West Somerset.

The Leader proposed the recommendations which were duly seconded by Councillor S J Pugsley.

During the course of the discussion Members raised the following points:

- Concern that the proposals could see a small number of 11 year olds travelling by bus, for long periods of the day, to and from Minehead and who potentially might not be in a position to attend out of hours school activities.
- Concern of the issues that a wide age range of children attending the college would bring.
- Would like Somerset County Council to be more involved in consulting throughout the district in order to address the issues facing the schools in West Somerset.

In response the Chairman of Governors confirmed that they were aware of the issues regarding children travelling long distances to school at a young age. There was no suggestion that the college wanted a 0-19 age range educational establishment. However, they would like an appropriate representative group working together to make sure that education in West Somerset was working towards a common policy, that standards were similar and adequately provided, and to see an approach that where the aforementioned group had a degree of responsibility for the education of 0-19 year olds.

The Deputy Principal confirmed that the proposal was very broad because the college recognised that there would be many strengths. There were plenty of middle schools across the country that the college could look at which currently brought together the different age ranges.

Councillor D D Ross proposed an amendment, to include another recommendation, which was duly seconded by Councillor M J Chilcott:

- 'This Council calls upon H M Government to continue to fund rural education adequately, having regard in particular to the costs of providing subject specialist teaching in small rural schools'.

On being put to the vote the amendment was declared CARRIED.

Councillor D D Ross proposed a further amendment, to add another recommendation, which was duly seconded by Councillor K J Ross:

- 'This Council calls upon the Somerset County Council to institute their own district wide consultation with parents, teachers, governors and

other stakeholders on the future pattern of education for the West Somerset District; followed by consultation with all the schools likely to be affected by alternative outcomes’.

On being put to the vote the amendment was declared LOST.

The substantive motion was then voted upon, and it was

RESOLVED (1) that the Council welcomes the consultation process that enables parents, carers and stakeholders to contribute their views on the West Somerset Community College’s proposal to change the age range of the college from 13-19 to 11-19;

RESOLVED (2) that all relevant parties are encouraged to work closely together to identify the best possible structures, methods and support to improve educational opportunities, attainment, aspiration and involvement of young people in West Somerset, including the area covered by the Exmoor Federation of Schools;

RESOLVED (3) that the Council is prepared, if the interested parties involved would consider it helpful, to provide non-partisan assistance to facilitate positive collaboration by the key players, in the provision of education for the young people of West Somerset;

RESOLVED (4) that the Council call upon Her Majesty’s Government to continue to fund rural education adequately, having regard in particular to the costs of providing subject specialist teaching in small rural schools.

C32 **West Somerset and Taunton Deane Joint Management and Shared Services Project – Joint Chief Executive**

(Report No. WSC 89/13, circulated with the Agenda).

The purpose of the report was to outline a proposal that West Somerset Council (WSC) and Taunton Deane Borough Council (TDBC) move to a shared Chief Executive (Head of Paid Service) at the earliest opportunity, and sets out the recommendations of the Leader.

The Leader presented the report and advised that the proposal contained in the report was a hugely significant item for this Council. The savings proposed for WSC would be less than for TDBC, at this stage, as the council would be buying into a more expensive Chief Executive who would bring in a wider point of expertise. Both current Chief Executives supported the proposal and, in principle, had the support of both management teams. The Leader believed that Option 1 would provide the Council with the best route to start addressing its financial issues, therefore he proposed the recommendations which were duly seconded by Councillor E May.

Councillor D D Ross advised that he was a member of the Joint Members Advisory Panel (JMAP) and that the Panel had spent some time

discussing the proposal of a Joint Chief Executive. The JMAP had visited the Vale of the White Horse and South Oxfordshire councils, two very similar councils, who decided to share services and officers not because they needed to but because they thought they could save money and work more effectively. Experience taught them that to share a Chief Executive officer at the first stage would have made the process quicker. Councillor D D Ross stressed that the Council should not underestimate the debt it owed its Chief Executive who had worked immensely hard and been very successful. He believed, however, that the process of integration must start at the top. Lastly, he advised that it he would find it difficult to support Option 2 as the S151 Officer comments appeared not to support a scheme where the payback period exceeded 5 years. He suggested that if TDBC approved Option 2 WSC should then instigate urgent talks with TDBC as to how to share the costs of Option 2.

During the course of the discussion Members raised the following points:

- Further, concerns relating to Option 2 as referred to in recommendation 3.7 of the report.
- Support of the proposal to share a Chief Executive.
- The difficulty agreeing upon a Joint Chief Executive when the person was not well known to the Members.
- If the transformation funding bid was not successful the project would be more difficult and slower to implement, however, that should not prevent the Council from continuing with the project.

Councillor M J Chilcott indicated that she wished to raise questions relating to the confidential appendices to the report and recommended that Council consider excluding the press and public during consideration of the confidential appendices to the report, which was duly seconded by Councillor M O A Dewdney.

On being put to the vote it was declared CARRIED

RESOLVED that the press and public be excluded from the meeting during consideration of the confidential appendices to the report of Item CAB32 on the grounds that, if the press and public were present during that item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended.

The item contained information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding the information). It was therefore proposed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Members of the press and public left the Council Chamber.

In response to questions the HR Consultant advised that such matters as exit and termination arrangements, respective liabilities and other related

issues would need to be covered in the Section 113 agreement which would be drawn up as and when the Councils agree to proceed.

Once members confirmed that no more questions were to be raised on matters relating to the confidential appendices, the Chairman proposed that the press and the public return to the Council Chamber.

RESOLVED that the press and public be readmitted to the meeting.

Councillor P H Murphy proposed an amendment to the recommendation at 3.7 of the report, which was seconded by Councillor A P Hadley, to read:

‘Whilst the adoption of Option 1 as proposed in recommendation 3.5 above is the preferred implementation route, in the event of Taunton Deane Borough Council subsequently agreeing to the principle of sharing a Chief Executive subject to adopting Option 2, the Council will agree to move forward by holding immediate talks with Taunton Deane Borough Council about the way forward to achieving a Joint Chief Executive officer with the conclusions returned to both Councils for discussion’.

On being put to the vote the amendment was declared CARRIED

This then became part of 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 principle of sharing a Chief Executive with Taunton Deane Borough Council, be approved;

RESOLVED (2) that authority be delegated to the Monitoring Officer to draw up any required amendments to the West Somerset Council Constitution and Scheme of Delegation to provide for the authority working with a Joint Chief Executive;

RESOLVED (3) that the HR Consultant be asked to develop, in consultation with the Chief Executive of South West Councils, a performance appraisal scheme for the Joint Chief Executive post for consideration by the Joint Member Advisory Panel;

RESOLVED (4) that in order to implement recommendation 3.1 above Option 1 (as set out in paragraph 10.3) be adopted as the process for achieving the shared Chief Executive, subject to Taunton Deane Borough Council, at their Full Council meeting of 23 July 2013, having agreed the same principle and option process;

RESOLVED (5) that authority be delegated to the Monitoring Officer to draw up a Local Government Act 1972 S113 Agreement with the Monitoring Officer at Taunton Deane Borough Council for consideration by the Joint Member Advisory Panel;

RESOLVED (6) that as part of Option 1, the Council retain the services of the current Chief Executive post holder in a temporary (until 31 March 2014) suitable alternative post. This post would report to the Joint Chief Executive from the beginning of the new arrangements at the agreed date in October 2013 and would remain on comparable terms and conditions of employment;

RESOLVED (7) that whilst the adoption of Option 1 as proposed in recommendation 3.5 above is the preferred implementation route, in the event of Taunton Deane Borough Council subsequently agreeing to the principle of sharing a Chief Executive subject to adopting Option 2, the Council will agree to move forward by holding immediate talks with Taunton Deane Borough Council about the way forward to achieving a Joint Chief Executive officer with the conclusions returned to both Councils for discussion;

RESOLVED (8) that Full Council note the ongoing saving delivered from the Joint Chief Executive post and ensure the Councils medium term financial plans are updated accordingly.

C33 **Carousel Toilets, Minehead**

(Report No. WSC 95/13, circulated with the Agenda.)

The purpose of the report was to consider the opportunity of working in partnership with the Minehead Tourism and Business association (MTBA) to facilitate the temporary reopening of the Carousel Public conveniences at Minehead.

Councillors K V Kravis and R P Lillis left the chamber for this item.

The Lead Member for Regeneration and Economic Growth presented the report and advised that three of the water hand dispensers had been mended at no cost to the Council, appropriate signs were in place and the doors had been painted to ensure the facilities were fit for purpose. Minehead was reliant on tourism and as the good weather was increasing visitors to the area the Lead Member was happy to propose the recommendations of the report, which were duly seconded by Councillor K H Turner.

In response to questions the Lead Member replied that the Minehead Tourism and Business Association consisted of a range of 40 businesses based in Minehead and that the supplementary estimate would be funded from the general reserves.

Members noted that the proposal was a temporary measure and recognised that a joint plan between councils, traders and community groups could be the best way forward to provide such facilities.

The Lead Member was congratulated for her pragmatic, low cost solution to the issue.

RESOLVED (1) that the Council work in partnership with the MTBA in Minehead to facilitate the temporary reopening of the public conveniences at the Carousel for a six week period commencing as soon as possible;

RESOLVED (2) that the Council undertake to ensure that the facility is fit for purpose and be responsible for funding any additional electricity and water costs associated with the temporary reopening;

RESOLVED (3) that a supplementary estimate of £1,050.00 (£800 to cover water and electricity plus a contingency sum of £250 to cover any unforeseen additional costs) resulting from the implementation of Resolutions (1) and (2) above, be approved.

NOTE: Having regard to the special circumstances pertaining in relation to this item - namely the need for the Council to consider the proposal with the advent of the peak summer season – the Chairman was of the opinion that, despite its non inclusion on the agenda, this item should be considered at this meeting as a matter of urgency.

The meeting closed at 7.10 pm.