

Council Meeting – 22 August 2016

Consultation with a wider audience regarding the proposed merger of Taunton Deane Borough Council (TDBC) with West Somerset Council (WSC)

Motion proposed by Councillor Federica Smith and seconded by Councillor Eddie Gaines

Preamble

We believe that TDBC's overarching message to its residents, businesses and staff should be one of reassurance that the Council can provide leadership and financial stability especially when it comes to consulting on a merger with an un-financially viable Council such as WSC.

At the Special Full Council on 26 July, 2016 we witnessed a majority decision by a TDBC administration which led to a Councillor declaring herself independent of the ruling group. There was also general unhappiness about both the procedure and processes which changed during the seven days leading up to the debate.

This means that there is the possibility of a Judicial Review on the grounds of failing to follow the Constitution of TDBC and the rule of law regarding equity for Members who did not have time to adjust their thinking to rapidly changing circumstances as well as the lack of consultation with members of the public, Parish Councils and other stakeholders.

Over 800 people had signed an online petition and questionnaires requesting to have their voices heard.

The outcome means that especially the most socially deprived wards of Rockwell Green, Pyrland and Rowbarton, Lyngford and Halcon could be seriously disadvantaged when the equalisation of resources takes place under the creation of a new greater Council. We believe it is our duty as representative of the TDBC community to reflect the needs and concerns of our residents first and last and not that of the joint Sovereign Councils.

We recognise there are challenges ahead with pressure on public services and finances, but the proposals to auction off our family silver (TDBC assets) and make a significant number of our staff redundant is not the answer. Furthermore, the Government's review of the Hinkley C project now adds a further significant risk to West Somerset's financial position and the potential cost of the TDBC cross subsidy.

Motion

We would therefore urge the administration to:-

- 1) Immediately engage in public consultation involving residents, businesses, Parish Councils and staff in a meaningful way as to their views of a merger with WSC;
- 2) Engage with the new Local Government Minister immediately requesting financial support for WSC to ensure TDBC communities are not financially or adversely affected; and
- 3) Start a dialogue with other neighbouring authorities regarding joint working arrangements to investigate if there is a more suitable arrangement to meet the Medium Term Financial Plan (balance the budget year on year), as we have recently been advised that one neighbouring authority "always remain open to a fresh approach, which includes all three councils on a level playing field from a new starting point".

Motions to Council – Assessment Proforma

(To be used in circumstances where it appears the wording of a proposed Motion will commit the Council to providing further financial or staffing resources which cannot be met from existing budgets)

Brief Details of the Motion –

With regard the the proposed merger with West Somerset Council (WSC) we urge the administration to:-

- 1) Immediately engage in public consultation involving residents, businesses, Parish Councils and staff in a meaningful way as to their views of a merger with WSC;
- 2) Engage with the new Local Government Minister immediately requesting financial support for WSC to ensure TDBC communities are not financially or adversely affected; and
- 3) Start a dialogue with other neighbouring authorities regarding joint working arrangements to investigate if there is a more suitable arrangement to meet the Medium Term Financial Plan (balance the budget year on year), as we have recently been advised that one neighbouring authority “always remain open to a fresh approach, which includes all three councils on a level playing field from a new starting point.

Notes of clarification

With regard to point 1) above, clarification was sought as to what was meant by “meaningful public consultation” as this could be achieved by measures as simple as public notices in the local press to the holding of a Borough-wide referendum.

The response received indicated that a full public consultation such as a referendum/poll would be preferred – but at the absolute minimum the consultation should be similar to that undertaken in respect of the Council’s Council Tax Support Scheme.

Clarification was also sought in relation to point 3) above, about dialogue with other neighbouring authorities. Did this mean just Sedgemoor District Council or other Councils too?

The response was that Taunton Deane should be talking to all neighbouring authorities - even say Mid-Devon District Council as we were perhaps closer to them geographically then for example Mendip.

Questions to be addressed

- ***What additional resource would be required to ensure the Motion (if approved) could be implemented?***

Answer – Any consultation exercise would have a cost to the Council in both terms of funding and staff resources. If a referendum was to be agreed this would be on a similar scale to holding local elections involving 90+ ‘Polling Stations’ across the Borough and all the usual staffing requirements for both the poll and the Count.

In terms of opening dialogue with other Councils, this would be likely to require staff resources at the Assistant Director and above level to undertake discussions relating to possible other mergers.

- ***What needs to be done to identify the level of resource necessary both in financial and staff terms?***

Answer – The cost of a referendum would have to be fully calculated, as would any other type of consultation suggested. Once these costs were to hand, it would require Councillors to decide which particular consultation route ought to be followed and to determine what the benefits of such an exercise would have if a referendum was to be held but the turn-out was not as great as anticipated.

The ‘knock-on’ effect of senior officers being involved in what could be protracted negotiations with another Council(s) would need to be examined – particularly if this was likely to have a major impact on their other duties.

- ***Are any approvals needed to provide these resources?***

Answer – Yes. The cost of staging a referendum would be substantial and would therefore require a Supplementary Estimate to be approved. If there was a need to recruit temporary senior staff to ‘backfill’ senior staff engaged in other merger negotiations this could also necessitate additional funding having to be sought.

- ***Will this require reports to be submitted through Scrutiny and the Executive? If a Supplementary Estimate is required, Full Council approval will be required too.***

Answer – Yes.

Likely timescale involved - If the motion was approved, the costs of whatever form of public consultation agreed could be calculated relatively quickly. However, if a Supplementary Estimate was required, this would necessitate the holding of a special Full Council meeting to approve the funding needed. This could take several weeks to achieve.

With regard to negotiations with other Councils, it is difficult to place a timescale on this. However, once the negotiations had been carried out, Members would need to be consulted on the outcome and the possible way forward – and this would require discussion through both the Corporate Scrutiny Committee and Full Council.