

SWT Full Council

Monday, 27th April, 2020,
6.15 pm



Somerset West
and Taunton

[SWT VIRTUAL MEETING WEBCAST
LINK](#)

Members: Hazel Prior-Sankey (Chair), Simon Coles (Vice-Chair), Ian Aldridge, Benet Allen, Lee Baker, Marcus Barr, Mark Blaker, Chris Booth, Paul Bolton, Sue Buller, Norman Cavill, Dixie Darch, Hugh Davies, Dave Durdan, Kelly Durdan, Caroline Ellis, Habib Farbahi, Ed Firmin, Andrew Govier, Roger Habgood, Andrew Hadley, John Hassall, Ross Henley, Marcia Hill, Martin Hill, John Hunt, Marcus Kravis, Andy Milne, Richard Lees, Sue Lees, Libby Lisgo, Mark Lithgow, Janet Lloyd, Dave Mansell, Chris Morgan, Simon Nicholls, Craig Palmer, Derek Perry, Martin Peters, Peter Pilkington, Andy Pritchard, Steven Pugsley, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Phil Stone, Andrew Sully, Nick Thwaites, Anthony Trollope-Bellew, Ray Tully, Terry Venner, Sarah Wakefield, Alan Wedderkopp, Danny Wedderkopp, Brenda Weston, Keith Wheatley, Loretta Whetlor and Gwil Wren

Agenda

1. Apologies

To receive any apologies for absence.

2. Minutes of the previous meeting of Full Council

To approve the minutes of the previous meeting of the Committee.

(Pages 7 - 30)

3. Declarations of Interest

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

4. Public Participation - To receive only in relation to the business for which the Extraordinary Meeting has been called any questions, statements or petitions from the public in accordance with Council Procedure Rules 14,15 and 16

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

Temporary measures during the Coronavirus Pandemic

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will either be answered by the Portfolio Holder or followed up with a written response.

5. To receive any communications or announcements from the Chair of the Council

6. To receive any communications or announcements from the Leader of the Council

7. To receive only in relation to the business for which the Extraordinary Meeting has been called any questions from Councillors in accordance with Council Procedure Rule 13

8. Changes to the Constitution - Delegation of Decision Making (Urgent Report)

This matter is the responsibility of the Leader of the Council, Councillor Federica Smith-Roberts.

In light of the Coronavirus (COVID-19), a review of Part 3 of the Council's Constitution – Responsibilities for Functions (including delegations to Officers) has been carried out to ensure that the Chief Executive (and Directors if the Chief Executive is not available) have sufficient powers to allow the business of the Council to continue to function if Council meetings are postponed on Government advice.

(Pages 31 - 34)

- 9. Approval of the Annual Pay Policy Statement 2020/21** (Pages 35 - 66)
- This matter is the responsibility of Executive Councillor for Corporate Resources, Councillor Ross Henley.
- The pay policy statement describes the pay arrangements and policies that relate to the pay of the workforce which serves Somerset West & Taunton Council. The statement describes in particular the arrangements for senior staff and its lowest paid employees.
- 10. Splash Point Repair Works** (Pages 67 - 84)
- This matter is the responsibility of the Executive Councillor for Asset Management and Economic Development, Councillor Marcus Kravis.
- This report provides Members with an update on the emergency repair work carried out at Splash Point, Watchet.
- 11. Access to Information - Exclusion of the Press and Public**
- During discussion of the following item(s) it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 13 13.02(e) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Executive will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.
- Recommend that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the ground that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 12. Tangier Report** (Pages 85 - 96)
- This matter is the responsibility of Executive Councillor for Asset Management and Economic Development, Councillor Marcus Kravis.
- 13. Planning Report** (Pages 97 - 108)
- This matter is the responsibility of Executive Councillor for Planning and Transportation, Councillor Mike Rigby.

This report is for Full Council to ratify the recommendation of the Planning Committee on 12 March 2020.

14. Firepool Report

(Pages 109 - 120)

This matter is the responsibility of Executive Councillor for Asset Management and Economic Development, Councillor Marcus Kravis.

15. Future High Street Fund Report

(Pages 121 - 126)

This matter is the responsibility of Executive Councillor for Planning and Transportation, Councillor Mike Rigby.

16. HRA Acquisition Report

(Pages 127 - 140)

This matter is the responsibility of Executive Councillor for Housing, Councillor Francesca Smith.



**JAMES HASSETT
CHIEF EXECUTIVE**

Please note that this meeting will be recorded. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore unless you are advised otherwise, by taking part in the Council Meeting during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact the officer as detailed above.

Following Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will be live webcasting our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, but you can also access them on the [Somerset West and Taunton webcasting](#) website.

If you would like to ask a question or speak at a meeting, you will need to submit your request to a member of the Governance Team in advance of the meeting. You can request to speak at a Council meeting by emailing your full name, the agenda item and your question to the Governance Team using governance@somersetwestandtaunton.gov.uk

Any requests need to be received by 4pm on the day that provides 2 clear working days before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Thursday prior to the meeting.

The Governance and Democracy Case Manager will take the details of your question or speech and will distribute them to the Committee prior to the meeting. The Chair will then invite you to speak at the beginning of the meeting under the agenda item Public Question Time, but speaking is limited to three minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group.

Please see below for Temporary Measures during Coronavirus Pandemic and the changes we are making to public participation:-

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will be answered by the Portfolio Holder or followed up with a written response.

Full Council, Executive, and Committee agendas, reports and minutes are available on our website: www.somersetwestandtaunton.gov.uk

For further information about the meeting, please contact the Governance and Democracy Team via email: governance@somersetwestandtaunton.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please email: governance@somersetwestandtaunton.gov.uk

SWT Full Council - 19 February 2020

Present: Councillor Hazel Prior-Sankey (Chair)

Councillors Simon Coles, Ian Aldridge, Benet Allen, Marcus Barr, Mark Blaker, Chris Booth, Sue Buller, Dixie Darch, Hugh Davies, Dave Durdan, Habib Farbahi, Ed Firmin, Roger Habgood, John Hassall, Ross Henley, Marcia Hill, John Hunt, Marcus Kravis, Andy Milne, Richard Lees, Sue Lees, Libby Lisgo, Mark Lithgow, Janet Lloyd, Dave Mansell, Chris Morgan, Simon Nicholls, Craig Palmer, Derek Perry, Martin Peters, Peter Pilkington, Andy Pritchard, Mike Rigby, Federica Smith-Roberts, Vivienne Stock-Williams, Phil Stone, Andrew Sully, Nick Thwaites, Anthony Trollope-Bellew, Terry Venner, Sarah Wakefield, Alan Wedderkopp, Danny Wedderkopp, Brenda Weston, Keith Wheatley, Loretta Whetlor and Gwil Wren

Officers: Dawn Adey, James Barrah, Emily Collacott, Lesley Dolan, Paul Fitzgerald, James Hassett, Kerry Prisco, Andrew Pritchard, Marcus Prouse, Lisa Redston, Clare Rendell, Richard Sealy and Scott Weetch

(The meeting commenced at 6.15 pm)

116. **Apologies**

Apologies were received from Councillors L Baker, P Bolton, N Cavill, K Durdan, C Ellis, A Govier, A Hadley, Mr M Hill, S Pugsley, F Smith, P Stone and R Tully.

117. **Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr M Barr	All Items	Wellington	Personal	Spoke and Voted
Cllr M Blaker	All Items	Wiveliscombe	Personal	Spoke and Voted
Cllr C Booth	All Items	Wellington and Taunton Charter Trustee	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr H Davies	All Items	SCC	Personal	Spoke and Voted
Cllr Mrs Hill	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr J Hunt	All Items	SCC & Bishop's Hull	Personal	Spoke and Voted
Cllr R Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted

Cllr S Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Lisgo	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Lithgow	All Items	Wellington	Personal	Spoke and Voted
Cllr J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke and Voted
Cllr A Milne	All Items	Porlock	Personal	Spoke and Voted
Cllr C Morgan	All Items	Stogursey	Personal	Spoke and Voted
Cllr S Nicholls	All Items	Comeytrove	Personal	Spoke and Voted
Cllr C Palmer	All Items	Minehead	Personal	Spoke and Voted
Cllr D Perry	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Peters	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr P Pilkington	All Items	Timberscombe	Personal	Spoke and Voted
Cllr H Prior-Sankey	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke and Voted
Cllr F Smith-Roberts	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr V Stock-Williams	All Items	Wellington	Personal	Spoke and Voted
Cllr T Venner	All Items	Minehead	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr D Wedderkopp	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Whetlor	All Items	Watchet	Personal	Spoke and Voted
Cllr G Wren	All Items	Clerk to Milverton PC	Personal	Spoke and Voted

Councillor H Prior-Sankey further declared a disclosable pecuniary interest on agenda item 13, Voluntary and Community Sector Grants Annual Fund Review, as her husband worked for the Street Pastors.

Councillor T Venner further declared a disclosable pecuniary interest on agenda item 9, Off Street Car Parking Charges.

Councillor A Pritchard further declared a disclosable pecuniary interest on agenda item 13, Voluntary and Community Sector Grants Annual Fund Review, as he worked for Mind.

Councillor A Trollope-Bellew further declared a personal interest on agenda item 13, Voluntary and Community Sector Grants Annual Fund Review, as he was a member of Quantock Eco.

Councillor R Habgood further declared a personal interest on agenda item 13, Voluntary and Community Sector Grants Annual Fund Review, as he was a member of the Street Pastors.

Councillor B Weston further declared a personal interest on agenda item 13, Voluntary and Community Sector Grants Annual Fund Review, as a trustee of the North Taunton Partnership.

Councillor S Wakefield further declared a personal interest in agenda item 13, Voluntary and Community Sector Grants Annual Fund Review, as a trustee of the Somerset Community Foundation.

Councillor L Lisgo further declared a personal interest on agenda item 13, Voluntary and Community Sector Grants Annual Fund Review, as a trustee of the North Taunton Partnership.

Councillor V Stock-Williams further declared a personal interest on agenda item 13, Voluntary and Community Sector Grants Annual Fund Review, as a trustee of Citizens Advice, Taunton.

118. **Public Participation - To receive only in relation to the business for which the Extraordinary Meeting has been called any questions, statements or petitions from the public in accordance with Council Procedure Rules 14,15 and 16**

Mr Alan Debenham made the following statement:-

To hear PM Johnson Commons' blather, especially at PMQs on Wednesdays, you'd think his "get it done" Brexit golden age of fantastic new opportunities was with us, instead we witness the opposite:-

- continued tight Local Government austerity despite big 4% Council Tax rise yet again and no attempt to restore any services previously butchered - fundamental review of unfair Council Tax, based on 1991 valuations, is needed;
- virtually no significant extra bus, bike, and rail investments yet, despite jocular Johnson's recent extra £5.5 bn centrally pledged support - maybe (?) re-instate recent savage cuts to local routes and timetables, and review old Beeching cuts including new Wellington station;
- nebulous promise of 20,000 extra police on the beat met by 137 last year for Avon & Somerset and probably the same this year, but paid for largely by 10% increase in police Council Tax levy last year and another extra 4% this year;
- road potholes and roadside waste dumping still forever growing;
- promises tackling climate emergency still much more Johnson fantasy, particularly related to recent storms and flood prevention, and urgent need for an end to GDP/economic growth and new development only tied to this (so says Greta Thunberg and Extinction Rebellion) - this Council's actions still in the pipe-line and underpinned by only £75.000 earmarked in the budget.

Mr Nigel Behan spoke on agenda item 12, Capital, Investment and Treasury Management Strategies 2020/21 and made the following statement:-

Question 1

Paragraph 1.4 (Appendix)

Notes:

“SWTC has recent and emerging plans that are expected to see a significant increase in capital investment both in the short term and longer term, related to housing, regeneration and commercial investment to generate essential income to fund local services and priority projects. This will see growth in assets held on the balance sheet and a related growth in borrowing need. The Council actively pursues access to other sources of capital such as bids for government grant funding, and private sector investment where appropriate, and plans to utilise the majority of available New Homes Bonus income and Community Infrastructure Levy towards the Capital Programme.”

And Paragraph 3.5 (Appendix) notes:

“The implications of financing capital expenditure from borrowing is that the expenditure is not funded immediately but charged to the revenue budget over a number of years. The Council may defer the timing of external borrowing on a short to medium term by using temporary cash resources held in reserves and balances. This practice, which is referred to as ‘internal borrowing’, does not reduce the magnitude of borrowing required or the level of funds held in reserves and balances; the funds are merely being utilised in the short term until they are required for their intended purpose. The timing of external borrowing and the balance of external / internal borrowing is determined by market conditions and the Council’s cash flow position. Officers manage this position on a day to day basis in line with the overall Treasury Management Strategy.”

Can clarification be provided on the relative scale of “internal borrowing” (“...using temporary cash resources...”) by days/weeks/months in terms of magnitude of cash (flow) and movements of cash (external borrowing averted-temporarily)?

Question 2

Section 5 (appendix) Commercial Investments – Property

“5.1 The Council invests in a diverse investment property portfolio both locally and nationally with the intention of generating surplus income that will be spent on local public services delivered within the district. This is an essential response to significant reductions in government funding over recent years, in order to meet service delivery objectives and the place making role of the Council, and avoid service cuts. The council plans to increase its investment by up to £100m over the next 2-3 years.”

The government (and CIPFA) expressed some concern about Local Councils investing in Commercial Property etc.

How much property (commercial property assets) does SWT hold in other Local Authority areas (by valuation and in comparison with SWT property held in the District Council area) and similarly how much property/assets do other Local Authorities hold in the SWT District Council area?

Question 3

Where will the “borrowing” for investment come from (as the PWLB – Public Work Loan Boards interest rates were recently uplifted by the Government and reported as “PWLB rate hike sends shockwaves through council finance sector”)?

119. **To receive any communications or announcements from the Chair of the Council**

The Chair of the Council made the following announcements:-

- Councillors were reminded that the swimathon was taking place on Sunday 23 February 2020 and to submit their money if they had sponsored the team.
- The Songs for Springtime was being held on Saturday 29 February 2020 and tickets were still available.
- Councillors were reminded that to be able to vote on any of the items on the agenda, they must be present in the room for the whole debate.

120. **To receive any communications or announcements from the Leader of the Council**

The Leader of the Council made the following announcements:-

- She wanted to note her thanks to Jason Bailey who had repaired the gates to Vivary Park free of charge after they had recently been vandalised.
- An update was given on the Future of Local Government in Somerset.
- She introduced and welcomed Dawn Adey, the Director for Internal Operations.
- Details were given on a scheme she wanted to launch to raise money for tree planting.

121. **To receive only in relation to the business for which the Extraordinary Meeting has been called any questions from Councillors in accordance with Council Procedure Rule 13**

No questions were received in relation to Procedure Rule 13.

122. **Housing Revenue Account Business Plan Review**

During the discussion, the following points were made:-

- Concern was raised on housing numbers and whether the Council was able to achieve the figures stated.
A written answer would be distributed.
- Councillors stated that there were a lot of good sensible topics included in the document but raised concern that they might not achieve carbon neutrality.
The Leader agreed that the Council needed to achieve on climate change topics and that there were many grants available to the Council which were being investigated.

Resolved that Full Council:-

- 1) Approved the revised 30 year Housing Revenue Account (HRA) Business Plan as set out in the report;
- 2) Approved the proposed vision for the Housing service along with three new service Objectives; and
- 3) Approved the proposed Housing Revenue Account Rent Setting policy 2020.

123. **Housing Revenue Account Revenue Budget and Capital Programme**

Budget 2020/21

In accordance with Standing Order 18(2)(i), the Chair called for a recorded vote to be taken and recorded in the Minutes.

The recommendations, which are detailed below, were put and were carried with forty-six Councillors in favour and one abstaining:-

Resolved that Full Council approved:-

- 1) In accordance with the Regulator of Social Housing's new Rent Standard from April 2020, the Dwelling Rent for 2020/21 for existing tenants would be an increase of CPI+1% to the average weekly rent, from £80.87 per week to £83.05 per week;
- 2) In accordance with the Regulator of Social Housing's new Rent Standard from April 2020, the Dwelling Rent for 2020/21 for new tenants only would be an increase of CPI+1% plus an additional 5% for general needs to the average weekly rent, from £80.87 per week to £87.21 per week;
- 3) In accordance with the Regulator of Social Housing's new Rent Standard from April 2020, the Dwelling Rent for 2020/21 for new tenants only would be an increase of CPI+1% plus an additional 10% for sheltered/supported and extra care dwelling rents to the average weekly rent, from £80.87 per week to £91.36 per week;
- 4) To increase non-dwelling rent and service charges in line with national policy by CPI+1% for 2020/21, with the exception of garages for private and shared ownerships tenants which would increase from £10.32 (including VAT) to £12.00 (including VAT);
- 5) The HRA Annual Revenue Budget for 2020/21; and
- 6) The HRA Capital Programme for 2020/21.

Those voting **FOR** the **MOTION**: Councillors I Aldridge, B Allen, M Barr, M Blaker, C Booth, S Buller, S Coles, D Darch, H Davies, D Durdan, H Farbahi, E Firmin, R Habgood, J Hassall, R Henley, J Hunt, M Kravis, R Lees, S Lees, L Lisgo, M Lithgow, J Lloyd, D Mansell, A Milne, C Morgan, S Nicholls, C Palmer, D Perry, M Peters, P Pilkington, H Prior-Sankey, A Pritchard, M Rigby, F Smith-Roberts, V Stock-Williams, A Sully, N Thwaites, A Trollope-Bellew, T Venner, S Wakefield, A Wedderkopp, D Wedderkopp, B Weston, K Wheatley, L Whetlor and G Wren.

Those **ABSTAINING** from voting: Councillor Mrs M Hill

124. **Off Street Car Parking Charges**

During the discussion, the following points were made:-

- Councillor T Venner left the room during the debate.
- Councillors queried why last year's surplus parking income had not been used for the park and ride scheme.
- Councillors stated that both on street and off street parking needed to be reviewed at the same time.

- Concern was raised on the towns where the car parks were not utilised and that an increase in charges would encourage people to park on street.
- Concern was raised on the blanket increase on parking charges across the district and that it would impact on the rural areas.
- Councillor R Habgood proposed an amendment which he was then advised by our Legal Officer to be invalid.
- Councillors wanted to change driver behaviour by encouraging them to use bike routes, public transport and the park and ride. Councillors agreed that improvements were required on the alternative options for drivers.
- Concern was raised that shoppers and visitors would go elsewhere if the parking charges were too high.
- Concern was raised on the emissions caused by drivers having to look for parking if the parking charges were too high and that they would park on street.
- Councillors were confused that the report stated there were no equality implications, when some people had no other option that to drive due to disability.
- Councillors suggested that changes needed to be made on the days people were charged to park. In the former West Somerset area, people were still charged to park on a Sunday, where in the former Taunton Deane area, parking was free on a Sunday.
- Councillors highlighted that a new Parking Strategy was urgently required and they suggested that work was carried out alongside Somerset County Council and that all key stakeholders were involved.

Councillor R Habgood requested a recorded vote be taken on the item, which was duly seconded by Councillor J Hunt. Upon a vote being taken, the request was carried.

The recommendations, which are detailed below, were put and were carried with twenty-six Councillors in favour, eleven against and eleven abstaining:-

Resolved that Full Council approved to raise car parking charges by 10% across the Somerset West and Taunton Council area.

Those voting **FOR** the **MOTION**: Councillors B Allen, M Barr, C Booth, S Coles, D Darch, H Farbahi, E Firmin, J Hassall, R Henley, M Kravis, R Lees, M Lithgow, D Mansell, S Nicholls, D Perry, M Peters, P Pilkington, H Prior-Sankey, A Pritchard, M Rigby, F Smith-Roberts, A Sully, S Wakefield, A Wedderkopp, D Wedderkopp and K Wheatley.

Those voting **AGAINST** the **MOTION**: Councillors H Davies, D Durdan, R Habgood, J Hunt, A Milne, C Morgan, C Palmer, V Stock-Williams, N Thwaites, A Trollope-Bellew and L Whetlor.

Those **ABSTAINING** from voting: Councillors I Aldridge, M Blaker, S Buller, Mrs M Hill, S Lees, L Lisgo, J Lloyd, P Stone, T Venner, B Weston and G Wren.

125. **General Fund Revenue Budget and Capital Programme 2020/21 (fees and**

charges)

During the discussion on the amendment, the following points were made:-

- Councillor D Mansell presented his budget amendment which had been distributed to Councillors prior to the meeting.
- The Portfolio Holder for Climate felt that amendment was not needed as there were already several projects underway and had been included within the budget. He also highlighted that the Council already had officers in post that were involved in the Climate Strategy Group and looking at many options for climate work.
- Councillors discussed renewable energy options and some highlighted that a specialist officer was required to carry out the work needed on climate change.
- Councillors suggested that if the Council was serious about climate change, then they would need to support the amendment.
- Councillors believed that the sentiment was audible and could see that the amendment was a good idea, however, to employ someone as experienced as stated in the amendment, on the salary quoted, would be a challenge.
- Concern was raised on the figures included in the amendment for communications and studies.
- Councillors requested clarification on what happened if the amendment was carried.
- Councillors highlighted that the critical part of the work required was community engagement.
- Councillors gave clarification on the post's requirements and that it would generate income for the Council.
- Councillors that supported the amendment believed that the post would be the driver on climate change and that it would support work that had already been achieved.
- Councillor D Mansell closed the debate and highlighted that the Council had passed the climate change emergency over a year ago and that he wanted to push forward work to achieve their ambitions on climate change.

In accordance with Standing Order 18(2)(i), the Chair called for a recorded vote to be taken on the amendment and recorded in the Minutes.

Councillor D Mansell moved the amendment, which was duly seconded by Councillor G Wren that:

Full Council **resolved** to make the budget amendments shown in Table 1 for implementation of climate protection and energy projects as outlined in the report.

The recommendation, which is detailed above, was put and **FAILED** with seventeen for, twenty-seven against and 3 abstaining:

Those voting **FOR** the **MOTION**: Councillors I Aldridge, M Barr, M Blaker, R Habgood, J Hunt, L Lisgo, J Lloyd, D Mansell, A Milne, C Palmer, A Pritchard, N Thwaites, A Trollope-Bellew, T Venner, B Weston, L Whetlor and G Wren.

Those voting **AGAINST** the **MOTION**: Councillors B Allen, C Booth, S Buller, S Coles, D Darch, H Farbahi, E Firmin, J Hassall, R Henley, Mrs M Hill, M Kravis, R Lees, S Lees, M Lithgow, S Nicholls, D Perry, M Peters, P Pilkington, H Prior-Sankey, M Rigby, F Smith-Roberts, P Stone, A Sully, S Wakefield, A Wedderkopp, D Wedderkopp and K Wheatley.

Those **ABSTAINING** from voting: Councillors H Davies, D Durdan and V Stock-Williams.

During the discussion on the budget, the following points were made:-

- The Section 151 Officer gave information on the final settlement and thanked his team for their hard work on the budget.
- Councillors were disappointed that Central Government had not made a decision on the local settlement.
- Councillors were disappointed that the Somerset Rivers Authority were still included in the precept and that they had not yet set up their own precepting powers.
- Councillors requested that the Constitution be amended so that the Council's fees and charges were included in the report.
- Councillors were impressed with the projects listed in the climate change budget information.
- Councillors highlighted the money given to the Brewhouse and how the Regal Theatre had not benefited from any money from the Council.
- Councillors were sad to see a reduction of 66% in funding from Central Government over the last 10 years and that services had suffered because of that.

In accordance with Standing Order 18(2)(i), the Chair called for a recorded vote to be taken and recorded in the Minutes.

The recommendations, which are detailed below, was put and **CARRIED** with forty-one for and five against.

Resolved that Full Council:-

- 1) Approved the General Fund Revenue Budget and Capital Programme for 2020/21;
- 2) Noted the forecast Medium Term Financial Plan (MTFP) and Reserves position and noted the S151 Officers Statement on the robustness of the budget and adequacy of reserves as set out in section 21;
- 3) Approved the setting of a basic band D council tax of £164.63, comprising £162.88 for services and £1.75 on behalf of the Somerset Rivers Authority;
- 4) Approved the Special Expenses Precept of £1.91 for a basic band D council tax in respect of the unparished area of Taunton;
- 5) Approved the additions to the General Fund Capital Programme Budget of £12.015m for 2020/21, as set out in Appendix A and Table 10; and
- 6) Approved the reallocation of £3.5m from the BRR Smoothing Reserve to the Investment Risk Reserve.

Those voting **FOR** the **MOTION**: Councillors I Aldridge, B Allen, M Barr, M Blaker, C Booth, S Buller, S Coles, D Darch, H Davies, D Durden, H Farbahi, E Firmin, J Hassall, R Henley, Mrs M Hill, J Hunt, M Kravis, R Lees, S Lees, L Lisgo, J Lloyd, D Mansell, S Nicholls, C Palmer, D Perry, M Peters, P Pilkington, H Prior-Sankey, A Pritchard, M Rigby, F Smith-Roberts, P Stone, A Sully, T Venner, S Wakefield, A Wedderkopp, D Wedderkopp, B Weston, K Wheatley, L Whetlor and G Wren.

Those voting **AGAINST** the **MOTION**: Councillors R Habgood, A Milne, V Stock-Williams, N Thwaites and A Trollope-Bellew.

126. **Council Tax Resolution 2020/21**

In accordance with Standing Order 18(2)(i), the Chair called for a recorded vote to be taken and recorded in the Minutes.

The recommendations, which are detailed below, were put and were **CARRIED** with forty-six Councillors in favour:-

Resolved that:-

- 1) Full Council approved the formal Council Tax Resolution in Appendix A of the report; and
- 2) Full Council noted that if the formal Council Tax Resolution at Appendix A was approved, the total Band D Council Tax would be:-

	2019/20	2020/21	Increase
	£	£	%
Somerset West and Taunton Council	157.88	162.88	3.17
Somerset West and Taunton Council - SRA	1.75	1.75	0.00
Somerset County Council	1,138.80	1,163.47	1.99
Somerset County Council – Social Care	88.09	112.89	2.00
Somerset County Council – SRA	12.84	12.84	0.00
Police and Crime Commissioner	217.81	227.81	4.59
Devon and Somerset Fire Authority	86.52	88.24	1.99
Sub-Total	1,703.69	1,769.88	3.89
Town and Parish Council (average)	37.42	43.86	17.21
Total	1,741.11	1,813.74	4.17

Those voting **FOR** the **MOTION**: Councillors I Aldridge, B Allen, M Barr, M Blaker, C Booth, S Buller, S Coles, D Darch, H Davies, D Durden, H Farbahi, E Firmin, R Habgood, J Hassall, R Henley, Mrs M Hill, J Hunt, M Kravis, R Lees, S Lees, L Lisgo, J Lloyd, D Mansell, A Milne, S Nicholls, C Palmer, D Perry, M Peters, P Pilkington, H Prior-Sankey, A Pritchard, M Rigby, F Smith-Roberts, V Stock-Williams, P Stone, A Sully, N Thwaites, A Trollope-Bellew, T Venner, S Wakefield, A Wedderkopp, D Wedderkopp, B Weston, K Wheatley, L Whetlor and G Wren.

127. **Capital, Investment and Treasury Management Strategies 2020/21**

Resolved that Full Council:-

- 1) Noted that the Executive approved the Treasury Strategy contained within the consolidated report on 10 February 2020;
- 2) Approved the Capital and Investment Strategies and Minimum Revenue Provision policy as set out in Appendix A; and
- 3) Noted and supported the requirement for a review of the Constitution for completeness and further clarity on responsibilities for all aspects of the strategies included within this report.

128. **Voluntary and Community Sector Grants Annual Fund Review**

During the discussion, the following points were raised:-

- The Chair of the Council left the room during the debate.
- The Leader of the Council was proud of the support given through the grants issued to many organisations across the district.
- Councillors advised of a typo in the report under section 5.1 and that it should read 'In July 2016 TDBC and WSC entered into an agreement with Somerset Community Foundation'.
- Councillors advised that they had read in a local publication that the Citizens Advice Bureau were possibly due to cut the Local Support Assistance. Concern was raised as that fund was used as crisis support and would leave a huge gap in local funding.

Resolved that Full Council:-

In relation to the VCS grants within the scope of the review:

- 1) Continued funding VCS organisations at current levels for 2020/21 whilst the key points raised during the review detailed in the paper were addressed;
- 2) Requested that officers, in consultation with Councillors, carried out a review of current areas of funding and set new funding objectives in line with the Councils corporate objectives and current needs within the community and reported to the Scrutiny Committee, Executive and Full Council in September/October 2020;
- 3) Requested that officers worked closely with all grant recipients to ensure targets were met and grants were offering value for money during 20/21;
In relation to the Taunton and West Somerset Citizens Advice Organisations:
- 4) Agreed an additional allocation of £25000 within the Councils 2020/21 budget for a 'one off' grant in order to help maintain the Local Assistance Scheme and to provide staffing capacity to enable Citizens Advice Managers to engage with transformation related work;
- 5) Agreed an additional allocation of £8000 within the Councils 2020/21 budget to enable the joint commissioning of a consultant to work alongside the Citizens Advice (CA) services;
- 6) Jointly commissioned (with other District Councils and Somerset County Council) a consultant to work with the CAs to explore different operating

models, transformation of service delivery, use of technology and interventions to reduce service demand;

- 7) Undertook a comprehensive review of SWT financial support for CA services during Summer/Autumn 2020 following receipt of the consultant's report; and
- 8) Worked proactively with Citizens Advice Taunton (CAT) and West Somerset Advice (WSA) to explore suitable accommodation options.

(The Meeting ended at 9.10 pm)

Draft

SWT Full Council - 26 February 2020

Present: Councillor Hazel Prior-Sankey (Chair)

Councillors Simon Coles, Ian Aldridge, Benet Allen, Marcus Barr, Mark Blaker, Chris Booth, Sue Buller, Norman Cavill, Dixie Darch, Hugh Davies, Dave Durdan, Kelly Durdan, Caroline Ellis, Ed Firmin, Andrew Govier, Roger Habgood, John Hassall, Ross Henley, Marcia Hill, Martin Hill, John Hunt, Marcus Kravis, Andy Milne, Richard Lees, Sue Lees, Libby Lisgo, Mark Lithgow, Janet Lloyd, Dave Mansell, Simon Nicholls, Craig Palmer, Derek Perry, Martin Peters, Peter Pilkington, Andy Pritchard, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Phil Stone, Andrew Sully, Nick Thwaites, Anthony Trollope-Bellew, Sarah Wakefield, Alan Wedderkopp, Danny Wedderkopp, Brenda Weston, Keith Wheatley, Loretta Whetlor and Gwil Wren

Officers: Tim Bacon, James Barra, Hannah Cook, Lesley Dolan, Robert Downes, Paul Fitzgerald, James Hassett, Nicki Maclean, Andrew Pritchard, Lisa Redston, Clare Rendell, Ann Rhodes, Amy Tregellas, Mark Wathen and Joe Wharton

(The meeting commenced at 6.15 pm)

129. **Apologies**

Apologies were received from Councillors L Baker, P Bolton, H Farbahi, A Hadley, C Morgan, S Pugsley, R Tully and T Venner.

130. **Minutes of the previous meeting of Full Council**

(Minutes of the meetings of Full Council held on 3 December 2019, 17 December 2019, 14 January 2020 and 27 January 2020 circulated with the agenda)

Resolved that the minutes of Full Councils held on 3 December 2019, 17 December 2019, 14 January 2020 and 27 January 2020 be confirmed as a correct record.

131. **Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr M Barr	All Items	Wellington	Personal	Spoke and Voted
Cllr M Blaker	All Items	Wiveliscombe	Personal	Spoke and Voted
Cllr C Booth	All Items	Wellington and	Personal	Spoke and Voted

		Taunton Charter Trustee		
Cllr N Cavill	All Items	West Monkton	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr H Davies	All Items	SCC	Personal	Spoke and Voted
Cllr C Ellis	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr A Govier	All Items	SCC & Wellington	Personal	Spoke and Voted
Cllr J Hunt	All Items	SCC & Bishop's Hull	Personal	Spoke and Voted
Cllr R Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr S Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Lisgo	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Lithgow	All Items	Wellington	Personal	Spoke and Voted
Cllr J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke and Voted
Cllr A Milne	All Items	Porlock	Personal	Spoke and Voted
Cllr S Nicholls	All Items	Comeytrove	Personal	Spoke and Voted
Cllr C Palmer	All Items	Minehead	Personal	Spoke and Voted
Cllr D Perry	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Peters	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr P Pilkington	All Items	Timberscombe	Personal	Spoke and Voted
Cllr H Prior-Sankey	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke and Voted
Cllr F Smith	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr F Smith-Roberts	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr V Stock-Williams	All Items	Wellington	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr D Wedderkopp	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Whetlor	All Items	Watchet	Personal	Spoke and Voted

Cllr G Wren	All Items	Clerk to Milverton PC	Personal	Spoke and Voted
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The following Councillors further declared a personal interest on agenda item 9, the Future of Local Government in Somerset, as receivers of a Somerset County Council pension: Councillors I Aldridge, M Blaker, R Lees, S Lees, J Lloyd, D Mansell, H Prior-Sankey, F Smith and A Trollope-Bellew.

Councillor S Wakefield further declared a personal interest in agenda item 8, Motion on Local Independent Schools, as a Trustee of the Somerset Community Foundation.

Councillors C Ellis, M Hill, M Kravis and D Perry further declared a personal interest in agenda item 8, Motion on Independent Schools as they had a child that attended an independent school within the district.

Councillor R Habgood further declared a disclosable pecuniary interest in agenda item 14, Capital loan to YMCA Dulverton Group, as he rented land from the YMCA.

Councillor M Kravis further declared a disclosable pecuniary interest in agenda item 14, Capital Loan to YMCA Dulverton Group, as

132. **Public Participation**

Mr Sigurd Reimers made the following statement:-

Nearly half of all investments worldwide are made by pension's schemes (1). A large proportion of these investments are in fossil fuels, which are harmful to the climate and the wider environment, and particularly to the younger generation. County Council pension's schemes up and down this country are also involved in making such investments.

However, some Councils are already using their ESG (Environmental, Social and Governance) powers to find attractive alternative investments. Brunel Pensions Partnership, a pension's pool in which Somerset is a stakeholder, have just joined in signing a resolution requesting Barclays Bank to stop investing in fossil fuels. (2)

I have attended nearly all the meetings of Somerset County Council's Pensions Committee in the past three years. At most of these I have asked questions about their policy on fossil fuels investments. I have found little, if any, interest in reducing such investments, as exemplified in one of their few comments about climate change in their most recent annual report: "*For example, the Fund will not require any form of dis-investment from fossil fuels, tobacco or such like.*" (3)

This position is being held despite national resolutions about divestment coming from large constituent bodies such as some of the Unions (4).

Somerset West and Taunton Council staff contribute to and benefit financially from the Somerset County Council pensions scheme, and are therefore, probably unwittingly, contributing to the problem of continued fossil fuel use.

The Pensions Committee carries out a professional and skilful task, and it must understandably not be beholden to the vagaries of local political changes.

However, the question remains: Does this District Council believe that the climate emergency they declared on 21st February 2019 is serious enough to challenge the Pensions Committee on its apparent indifference to the effects of climate change on its future pensioners, their families and communities?

Helen Lawy (Friends of Longrun Meadow) made the following statement on agenda item 10, Taunton Strategic Flood Alleviation Improvement Scheme:-
Questions for council re flood alleviation plans for Longrun Meadow

1. Why are the EA not working with nature and following their own guidelines?
2. Where is the evidence for their claims about biodiversity?
3. What confidence can we have in the EA when the scheme designed for flooding of 1 in a 100 years is, 10 years later, not fit for purpose?
4. Why were the Friends of Longrun Meadow not consulted?

Jean Pakes (Pegasus Court Residents Association) made the following statement:-

I am speaking on behalf of the Residents' Association of Pegasus Court which overlooks Somerset Square. We are very concerned about the deterioration of this important Town Centre area. Somerset Square is near a well-used riverside footpath, a busy pedestrian river bridge, the Brewhouse Theatre, the County Cricket Ground and the new Coal Orchard Development. The present arrangement for the maintenance of this public space seems to be wholly informal, unofficial and most irregular.

Originally, Transition Town was responsible for only three raised beds in the square. In 2016 the 2 members who looked after them gave up and other members led by Brian Heath took on their care. They also planted inside the tree grills and alongside the river footpath. They took over a small bed containing a tree and shrubs. In August 2018, Transition Town gave up their responsibility. Brian Heath and his group of volunteers continued unofficially.

Many changes were made to the original shrub bed such as alteration in levels, removal of edging, insertion of steps, wooden structures, willow fencing, wheeled containers, storage boxes covered with Astroturf, pallets, boxes of plants, and a great deal of unsightly and unnecessary clutter. Insurance and Health and Safety Issues seem to have been ignored. Storage facilities were provided in Station Road and a large waste bin from Viridor placed next to the children's play area. Items are also stored now in a partially - open space belonging to "Eat the Bird" restaurant.

In summer 2019 the group was asked to formalise and apply for a licence and in the meantime adhere to certain conditions. Although none of these 3 things happened the Localities Team tried to find them yet more storage space so that when the blocked footpaths were cleared an agreement could be signed. This is still ongoing.

The response to our concerns has been to treat the issue as a dispute about tidiness and appearance. Our concern however is that Somerset Square is not an appropriate place for a community garden as it is being called. Such gardens are usually sited in unused and overgrown areas where a formal group can grow produce, hold events and educational activities. There is no evidence for such a need in the local community.

Somerset Square was the first scheme in the £1bn Taunton Regeneration Initiative. It was carefully landscaped as a public square. It is on the route from Firepool and extends to the area in front of the Brewhouse. The riverside path then takes pedestrians and cyclists to Goodland Gardens. We feel that Somerset Square should be on a par with Goodland Gardens with the whole of both areas being maintained by the Council to ensure continuity and consistency.

Finally, in view of the Coal Orchard development and the high quality landscaping which will be in place, we feel now would be a good time for the Council to clear and reinstate the space used by Mr. Heath's group and to resume maintenance of the whole of Somerset Square. This would ensure the unified, attractive and well-maintained appearance of all public areas in the Town Centre alongside the river.

Nigel Behan made the following statement on agenda item 9, the Future of Local Government in Somerset:-

The Leader of Somerset County Council (SCC) announced, in a Letter to the Secretary of State, last Friday 21 Friday (see SCC's press release and Letter to the Secretary of State by following this link <https://onesomerset.org.uk/>) that "I am now writing to formally ask you to invite me to submit a business case, before the summer recess, defining our unitary proposals for better, more local, joined-up public services in Somerset."

Which, more or less, is Option 3 in the "Future of Local Government in Somerset" (FoLGiS) report. SCC propose that "Therefore there will be opportunities for wider member and public involvement and engagement in these proposals."

Although it is not clear whether this will take place before (or during – to inform) the creation of a Business Case.

The 4 District Councils (Somerset West & Taunton, Mendip, Sedgemoor and South Somerset) are looking to agree a way Forward based on Option 2 (The Collaboration & Integration option, referred to as 'Get Fit + Sharing') with broadly similar reports, as is being proposed, by producing a Business Case by the Summer of 2020.

Q1. What is the SWT position if permission to proceed is granted to SCC (invited)?

Q2. Does competition between Local Authorities by creating separate Business Cases send the right message to the Electorate?

A report on previous Unitary (in the North) proposals suggested that as a strategic civic leader, local government is often the lead partner in a locality, engaging the public sector in strategic policy initiatives. This is crucial in joining up and co-ordinating policy development, implementation and regeneration across a range of agendas and governance levels. Working collaboratively with other stakeholders (community and voluntary organisations....), local government co-ordinates and provides a wide variety of essential services to the public. It promotes economic development by attracting and retaining inward investment, marketing the area as an attractive place to live and work. Local government is uniquely positioned to build the vital infrastructure needed to connect physical, environmental, economic and social strategic planning, on a number of governance and spatial levels, to community-led regeneration that could enable citizens, local residents, service users, electors, council taxpayers etc. to shape and foster ownership of the development of their local area.

Q3. The rationale of a reorganisation is to get better services for local people so will all the (forecast) money saved (by Option 2) be put back into public services?

Q4. Will (and how will) Somerset West & Taunton (and the other District Councils - same applies to the County Council) start consulting (including, for example, an indicative referendum) with citizens, local residents, service users, electors, council taxpayers (people of all ages and background) before to the completion of the respective Business Cases, seeking views on what the proposed enhanced

democratic, accountable and transparent local governance structures should look like (and what the forecast savings can be utilised for e.g. rebuilding public services/more Council Houses etc)?

All speakers would be sent a written response to their statements and questions.

133. **To receive any communications or announcements from the Chair of the Council**

The Chair of the Council made the following announcements:-

- The Chair praised the team that had taken part in the swimathon. They had swam 51 laps which equated to 102 lengths of the pool.
- She reminded Councillors of the Songs for Springtime event being held on 29 February 2020.
- The Chair advised that officers of Somerset West and Taunton Council were due to take part in a charity walk on 17 May 2020 and that Councillors were welcome to join them.
- She reminded Councillors of the procedure to follow for questions on Portfolio Holder Reports.
- Councillor L Whetlor gave thanks on behalf of Watchet Town Council and the residents of Watchet for the work carried out on the harbour wall and that they were all very grateful.

134. **To receive any communications or announcements from the Leader of the Council**

The Leader of the Council advised Councillors that following on from the Full Council meeting held on 19 February 2020, the local settlement had gone through and that it had not had any impact on the Council's budget set at that meeting.

135. **To receive any questions from Councillors in accordance with Council Procedure Rule 13**

Councillor M Blaker asked the following question:-

Rev Martin Walker, Rector of Wiveliscombe Hills, has forwarded to Councillor Mansell and myself an interesting suggestion to lay ground source heat pumps, which would need quite a bit of land to lay but once laid were covered over and the land could be used as before, in public parks for the benefit of the Council and the local community. This seemed like a good, innovative thought and I wondered, on Rev Walker's behalf, if this was something the Council might pursue?

Councillor P Pilkington responded:-

We were always open to suggestions from residents on better or innovative ideas for use of our land and parks. We'd obviously need more information in order to be able to review suitability, but was happy to have anything sent over to him.

136. **Motion on Local Independent Schools, proposed by Councillor Libby Lisgo, seconded by Councillor Brenda Weston**

During the discussion, the following points were made:-

- Councillors highlighted that many residents had decided to spend their hard earned money on education rather than on holidays or other luxury items and that parents had the right to educate their children to the best of their ability.
- Councillors believed that the current support system had helped many pupils be educated at a high level.
- Concern was raised that the outreach programs might be affected.
- Councillors highlighted that those parents who paid for their children to be privately educated actually paid for education twice as they also contributed to funds put towards state education.
- Councillors mentioned that independent schools offered some students bursaries to assist with their tuition fees.
- Councillors advised that many of the independent schools offered their facilities out to the public to use and that Councillors had positive experiences of that in the local area through sporting events and through conversations they had with the students.
- Councillors understood the sentiment of the motion due to the inequality in society but thought the motion was not detailed enough and that dialogue with the schools and further consultation should have been had prior to the motion being raised.
- Concern was raised on the charitable status many of the independent schools had and that they were a business that benefited from tax advantages.
- Councillors highlighted that some of the schools were on a financial 'knife edge'.
- The Proposer was disappointed by the lack of support from fellow Councillors and gave information on the figures that could be achieved if the motion was passed compared to the cost of fees and that it would have a low impact it would have on the independent schools.
- The Secunder agreed that independent schools supported the community and offered great education and facilities, however, the motion gave options to give back to state schools.

Resolved that the Motion was not carried.

137. **The Future of Local Government in Somerset**

During the discussion, the following points were made:-

- Some Councillors were against a unitary authority as the area would be too big and supported the option to work together with the other districts.
- Councillors gave further information on the current schemes where joint working with the other districts had been successful.
- Concern was raised on protecting local services. Councillors had been made aware that Somerset County Council spent 70% of their budget on adult social

care and that when any money needed to be saved, it came from the other 30% which would impact on other services.

- Some Councillors did not support another Ignite Transformation programme and agreed that a unitary authority would be too big and would not work for the local residents.
- Concern was raised on the pressure placed on Parish Councils if the unitary option was pursued, because they were voluntary organisations.
- Some Councillors believed that collaborative working was the best option for the local residents.
- Some Councillors were convinced that the unitary model should be pursued and did not believe that there was enough evidence to vote on the other options.
- Some Councillors thought that change was needed and supported the option for a unitary authority and believed that it would make Councillors roles easier.
- Some Councillors were conflicted on the issue. They further highlighted that the confusion that the public had on the issue was palpable.
- Councillors agreed that further debate on the subject was required and that a full business case should be compiled.

Resolved that Full Council approved:-

- 1) A full business case be prepared, which fully explored Option 2 (Collaboration and Integration), being the preferred way forward at this time. The business case should come back to Executive in July 2020, along with clear recommendations and a delivery plan;
- 2) A joint Project Board be created, with the Leader of the Council being the representative from Somerset West and Taunton Council, to oversee the work during the next stage;
- 3) Option 2 – Collaboration and Integration, as Somerset West and Taunton Council's current preferred option for the future of local government in Somerset to take forward through community consultation and engagement;
- 4) It noted that in the best interests of the communities and residents of the District, the Council would continue to work with colleagues across all tiers of local government and public service in Somerset; and
- 5) Investigation into Option 4 be started as soon as officer time was available to do so.

138. **Taunton Strategic Flood Alleviation Improvements Scheme (TSFAIS)**

During the discussion, the following points were raised:-

- Concern was raised on other areas located further upstream and the impact of flooding in those areas.
- Councillors requested managing the flow of water through natural means rather than through the flood plan.
- Councillors advised that some areas were desperate for flood defences and action needed to be taken.
- Councillors wanted community engagement in the early stages of the works.
- Councillors thanked the Environment Agency for the work they had carried out in the wider district.
- Councillors agreed that water management was difficult and that flooding hugely affected the area and more funding was needed.

Resolved that Full Council:-

- 1) Accepted the findings of the project development plan report and endorsed the recommended strategic and long term approach to the management of flood risk in Taunton, listed in section 6 of the non-technical summary;
- 2) In partnership with EA, progressed the identified short term priorities of: Longrun Meadow, the town centre defence improvements on the left bank of the River Tone (Frieze Hill to Town Bridge) and Firepool Lock to an appropriate design standard to secure the necessary consents and implementation;
- 3) Approved the allocation of £6m capital funding from already earmarked Community Infrastructure Levy, New Homes Bonus and s106 contributions, to be apportioned in consultation with the S151 Officer, to progress the identified short term priorities of Longrun Meadow and improvements to the left bank of the River Tone (Frieze Hill to Town Bridge);
- 4) Use the project development plan as a basis for future investment planning. Developed a funding strategy to support implementation of the entire preferred approach, noted that a number of schemes had wider benefits such as increased bio-diversity and public amenity that may attract sources of funding other than flood defence related. Worked with partners and stakeholders including the Environment Agency to secure appropriate national 'Flood Defence Grant in Aid' ((FDGiA) and Local Levy; Somerset River Authority grant; as well as partnership opportunities with Somerset County Council, Wessex Water; Natural England; Canal and Rivers Trust and others towards these schemes;
- 5) Noted that consultation and engagement would take place with residents, stakeholders and partners on the individual schemes in the preferred approach as they progressed to detailed design and necessary consents for implementation; and
- 6) Supported the appointment of dedicated project management capacity, to be funded from the capital allocation referred to above for an initial period of two years, to secure the necessary expertise and approvals to progress the shorter term priorities identified in recommendation 3, and to identify funding and wider opportunities as they arose.

139. **Hinkley Tourism Strategy Phase 4 Action Plan 2020 - 2023**

During the discussion, the following points were made:-

- Councillors welcomed the document and requested that it included information on disabilities.
- Councillors highlighted we needed jobs in the area that were based on the natural environment, such as tourism.
- Councillors agreed that tourism needed to be protected and commended the report.
- Councillors were delighted to support the recommendations.

Resolved that Full Council approved:-

- 1) The Phase 4 Action Plan for delivery from March 2020 onward; and
- 2) The request for drawing down £635,594 of Hinkley Point C Section 106 allocations available for tourism to deliver the Phase 4 plan.

140. **Prosperity and Economic Development Strategy**

During the discussion, the following points were raised:-

- Councillors advised that some small businesses in the area had shown concern on lack of consultation.

Details were given on the smaller groups available to independent traders to join to enable further engagement.

- Councillors were happy to see Local Development Orders, West Somerset Railway and Wellington Rail Station included in the document.
- Councillors requested more economic activity in the area.
- Councillors praised voluntary workers.
- Councillors thanked officers for their work.

Resolved that Full Council:-

- 1) Adopted the Strategy, after which a detailed operational workplan would be agreed in consultation with the Portfolio Holder during March 2020 to progress during the financial year 2020-2021; and
- 2) Agreed to the development of targeted messaging and communication materials for the different audiences.

141. **Somerset Homelessness and Rough Sleeper Strategy 2019 - 2023**

During the discussion, the following points were raised:-

- Councillors thanked officers for their work on the Strategy.
- Councillors highlighted the good work carried out by the Salvation Army.
- The Portfolio Holder for Community gave further information on the rough sleeper count and invited Councillors to join him on the next count.

Resolved that Full Council:-

- 1) Adopted the proposed Somerset Homelessness and Rough Sleeper Strategy (2019-2023); and
- 2) Provided any comment in relation to the supporting action plan for consideration by Homelessness Managers Group (the action plan to be reviewed and updated on a regular basis).

142. **Time Extension**

The Chair proposed a 30 minute time extension which was carried.

143. **Capital Loan to YMCA Dulverton Group**

During the discussion, the following points were raised:-

- Councillors agreed with the scheme and thought it was an excellent way to support the community.
- Concern was raised on the valuation of the deficit and if it was lower than the value of the loan.
- Councillors supported the loan and the assistance it would give to a local organisation that added value to the area and who helped the community.

Resolved that Full Council:-

- 1) Agreed the principle of a secured capital loan expected to be for 3 years but not exceeding 5 years, repayment terms to YMCA Dulverton Group of £325,000 at beneficial terms to the Council – with detailed terms as identified in section 6 of the report, to be determined through delegated authority by the S151 Officer and Portfolio holder;

- 2) Approved a £325,000 Supplementary Budget as an Investment Loan for Service Purposes in the Council's 2019/20 Capital Programme. As a capital loan, the principal payments would be treated as capital receipts and would offset the up-front expenditure; and
- 3) Delegated the Portfolio Holder and S151 Officer authority to agree the final detailed terms and conditions of the loan.

144. **Access to Information - Exclusion of Press and Public**

Resolved that the press and the public be excluded from the meeting for the items numbered 16 and 17 on the Agenda as the items contained exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

145. **Procurement Report**

Resolved that Full Council approved the confidential recommendations as written in the report.

146. **Time Extension**

The Chair proposed a 30 minute time extension which was carried.

147. **Land Acquisition Report**

Resolved that Full Council approved the confidential recommendations as written in the report.

148. **Coastal Improvement Works - report to follow**

Resolved that this item was withdrawn from the agenda.

(The Meeting ended at 10.10 pm)

Report Number: SWT 74/20

Somerset West and Taunton Council

Full Council – 27 April 2020

Changes to the Constitution – Delegation of Decision Making (Urgent Report)

This matter is the responsibility of the Leader of the Council

Report Author: Amy Tregellas, Governance Manager and Monitoring Officer

1.0 Executive Summary / Purpose of the Report

- 1.1 In light of the Coronavirus (COVID–19), a review of Part 3 of the Council’s Constitution – Responsibilities for Functions (including delegations to Officers) has been carried out to ensure that the Chief Executive (and Directors if the Chief Executive is not available) have sufficient powers to allow the business of the Council to continue to function if Council meetings are postponed on Government advice.
- 1.2 The Government has urged Councils to continue with as much business as possible, including supporting vulnerable groups and ensuring that important functions that have an economic impact such as planning, licensing, building control and environmental health, continue to be delivered as close to normal as possible.
- 1.3 To ensure that decisions can be made in the event of meeting postponements, it is proposed that Part 3 of the Council’s Constitution – Responsibilities for Functions is amended and additional decision making is delegated to the Chief Executive and in the absence of the Chief Executive, by Directors.

2.0 Recommendations

2.1 That Council agree the following changes be made to the Council’s Constitution:

a) To amend Part 3 of the Council’s Constitution - Responsibility for Functions (with the exception of decisions that legally must be made by the Council) to allow delegated authority to the Chief Executive, and to the relevant Director in the Chief Executive’s absence where not already delegated, to take Executive decisions and decisions that would fall under the remit of the Planning, Licencing and Audit, Governance and Standards Committees in consultation with the Leader of the Council (or Deputy) and the relevant Portfolio Holder, Ward Member(s) and Committee Member if practicable, if meetings of the relevant committee are unable to be held virtually;

b) To enable Councillors to make decisions by remote, virtual meetings using available technology in accordance with the Local Authorities and Police and Crime Panels

(Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

c) That delegated authority be given to the Monitoring Officer and Chief Executive to amend the Constitution to reflect any further changes that are required as a direct result of Government Legislation /Guidance resulting from the Coronavirus (COVID-19) situation.

d) These changes in procedure will cease when the Government announces that the Coronavirus (COVID-19) crisis is over and when normal meetings can resume.

3.0 Risk Assessment

3.1 It is important to ensure that the Council has a Constitution that is relevant, appropriate, fit for purpose and is legally sound, and allows decisions to be made at a time when facing the challenges of the Coronavirus (COVID-19).

4.0 Background and Full details of the Report

4.1 The Council's Constitution includes allocations of executive and non-executive functions and provides for delegations. In broad terms, the non-executive functions are strategic functions and responsibility for those functions resides with the Full Council. The vast majority of local authority functions are executive functions, and responsibility resides with the Executive. Both Full Council and Executive may then delegate powers onto committees, individual councillors, or officers. The current Responsibilities for Functions and agreed delegations is set out in Part 3 of the Constitution (last updated in March 2019).

4.2 In light of the Coronavirus (COVID-19), and the Government's recent announcement to avoid unnecessary social contact to help prevent the spread of the virus, a number of Somerset West and Taunton Council decision making meetings may be postponed and may continue to be postponed in the future.

4.3 To enable the decision making process to continue, it is proposed that meetings take place virtually, wherever possible. In the event of the Committees of the Council being unable to meet, decisions would be made under the Part 3 of the Council's Constitution - Responsibility for Functions (with the exception of decisions that legally must be made by the Council)

4.4 A directive has been received from the Secretary of State that Councils should continue to progress as much Council business as possible during the period of Coronavirus including services to vulnerable people and services that have an impact on the local economy. The Government has now introduced Legislation to allow Council's to make decisions by remote virtual meetings and the Council now has the technology in place.

4.5 It is important that decisions on Planning applications and Licensing applications continue to be made to help the local community and economy to continue to function.

4.6 It is important that Part Three of the Constitution – Responsibility for Functions (including delegations to Officers) is fit for purpose. In light of the Coronavirus the need to amend this and the Officers Scheme of delegation has been recognised, to ensure that the Council can continue to operate in the event of meeting postponements.

4.7 Portfolio Holders already have certain delegated decision making powers and these will continue to be used where appropriate with the usual call-in period.

4.8 The Chief Executive currently has the power under paragraph 5 of the Budget and policy Framework within the Council's Constitution "To take urgent decisions as follows:

"5.1 Any body or individual discharging executive functions may take a decision which is contrary to the Council's Policy Framework or contrary to or not wholly in accordance with the Budget approved by Full Council if the decision is a matter of urgency. However, the decision may only be taken:

- a) if it is not practical to convene a quorate meeting of the Full Council; and*
- b) if the Chair of the Scrutiny Committee agrees that the decision is a matter of urgency.*

5.2 The reasons why it is not practical to convene a quorate meeting of Full Council and the Chair of Scrutiny Committee's consent to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chair of Scrutiny Committee, the consent of the Vice Chair of Scrutiny Committee, and in the absence of both, the consent of the Chair of Council, will be sufficient.

5.3 Following the decision, the decision-taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency."

4.9 It is proposed to extend the delegation to all Executive decisions and decisions that would fall under the remit of the Planning, Licencing and Audit, Governance and Standards Committees as listed in the Constitution, to ensure that the Council can continue to operate in consultation with the Leader of the Council (or Deputy) and the relevant Portfolio Holder, Ward Member(s) and Committee Member if practicable, if meetings of the relevant committee are unable to be held.

5.0 Links to Corporate Strategy

5.1 The Council's Constitution set out how the Council makes decisions and is part of the overarching Governance Framework within which the Council operates

6.0 Finance / Resource Implications

6.1 There are no financial implications in respect of the recommendation within this report.

7.0 Legal Implications

7.1 These are set out and/or referred to in the body of the report.

8.0 Climate and Sustainability Implications

8.1 None arising from this report.

9.0 Safeguarding and/or Community Safety Implications

9.1 None arising from this report.

10.0 Equality and Diversity Implications

10.1 None arising from this report.

11.0 Social Value Implications

11.1 None arising from this report.

12.0 Partnership Implications

12.1 None arising from this report.

13.0 Health and Wellbeing Implications

13.1 None arising from this report.

14.0 Asset Management Implications

14.1 None arising from this report.

15.0 Data Protection Implications

15.1 None arising from this report.

16.0 Consultation Implications

16.1 None arising from this report.

17.0 Scrutiny Comments / Recommendation

17.1 This is a report for Full Council and therefore has not been to the Scrutiny Committee or Executive.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Cabinet/Executive – No**
- **Full Council – Yes**

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Report Number: SWT 75/20

Somerset West and Taunton Council

Full Council – 27 April 2020

Approval of the Annual Pay Policy Statement 2020/21

This matter is the responsibility of Cllr Ross Henley, Portfolio Holder Corporate Resources

Report Author: Nicky Rendell, HR Specialist

1 Executive Summary / Purpose of the Report

- 1.1 Section 38 (1) of the Localism Act 2011 establishes a statutory requirement for local authorities to prepare and publish a pay policy statement for each financial year, approved by Full Council.

The pay policy statement describes the pay arrangements and policies that relate to the pay of the workforce which serves Somerset West & Taunton Council. The statement describes in particular the arrangements for senior staff and its lowest paid employees.

2 Recommendations

- 2.1 It is recommended that the Pay Policy statement 2020/21 is approved for publication.

3 Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Failure to approve an annual pay policy statement would be a breach of the council's statutory duty	1	4	4
<i>The mitigations for this are the proposed publication and approval of the report</i>			

Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)

	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
			Impact				

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

4 Background and Full details of the Report

4.1 Section 38 (1) of the Localism Act 2011 requires local authorities to prepare and publish a pay policy statement for each financial year, approved by Full Council.

4.2 The pay policy statement was been drafted for approval in advance of the 31st March 2020 to ensure that the Council complies with the requirements of the above Act.

4.4.1 The data detailed in the Pay Policy statement does not reflect any pay award as we are yet to receive confirmation of the national pay award, which is normally awarded to all employees on 1 April annually with the implementation of a new NJC pay structure. The council recognises the Living Wage Foundation therefore the lowest hourly wage for an employee is £9.74 per hour.

4.4.2 The ratios between the senior pay of the Chief Executive and the three Heads of Function with the lowest paid employee show a reduction when compared to last year's ratios. The ratio between the Director and the lowest paid employee is reported for the first time as the Director post is a new post (agreed at Full Council 23/07/2020). The mean salary per full time employee is £29,815, increases on last year's report. The increase in the average salary reflects the new roles in the organisational structure following the transformation project.

4.4.3 Changes to the pension discretions are as follows:

Regulation B30 (2)

The Council will allow individual former employees leaving employment on or before 31 March 2014 the option to request early payment of benefits on or after age 55 and before

age 60 which will be considered on a case-by-case basis following the production of a business case. In these cases no additional compensation will be awarded.

No longer required as the Council only have the decision to waiver any reductions.

Regulation B30A (3)

The Council will allow the option to request an application for reinstatement of a suspended tier 3 ill health pension on or after age 55 and before age 60 which will be considered on a case-by-case including the production of evidential support. This applies to employees leaving service on or before 31 March 2014.

No longer required as the Council only have the decision to waiver any reductions.

Regulation 31 (2)

The Council will allow a post 31 March 1998/pre 1 April 2008 leaver or from a councillor member the option to request early payment of benefits on or after age 50 and before age 55 which will be considered on a case-by-case basis following the production of a business case. In these cases no additional compensation will be awarded.

There has been an update of the age from which a leaver can request early payment of benefits from 55 and before 60 to 50 and before age 55.

5. Links to Corporate Aims / Priorities

The council has a statutory duty to approve a pay policy statement on an annual basis to comply with Section 38 (1) of the Localism Act 2011.

6. Finance / Resource Implications

There are no finance or resource implications of this report.

7. Legal Implications

The council has a statutory duty to approve a pay policy statement on an annual basis to comply with Section 38 (1) of the Localism Act 2011. Failure to publish the statement before 31 March 2020 would result in the council being in breach of their statutory duty. The pay policy statement will be published on the council website, once approved by Full Council.

8. Environmental Impact Implications

There are no environmental impact implications.

9. Safeguarding and/or Community Safety Implications

There are no safeguarding or community safety implications.

10. Equality and Diversity Implications

The principles of equal pay have been fully considered in the production of this statement. The pay award will be negotiated at a national level and is applicable to all employees.

11. Social Value Implications

There are no social value implications.

12. Partnership Implications

There are no partnership implications.

13. Health and Wellbeing Implications

There are no health & wellbeing implications

14. Asset Management Implications

There are no asset management implications

15. Data Protection Implications

There are no data protection implications

16. Consultation Implications

Consultation is not required for this report.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Cabinet/Executive – Yes**
- **Full Council – Yes**

Reporting Frequency: **Annually**

List of Appendices

Appendix A	Pay policy statement explanations & remuneration of senior staff
Appendix B	Somerset West and Taunton Council grading structure
Appendix C	Local Government Pension Scheme Employers Discretions & Key Pensions policy
Appendix D	Somerset West and Taunton Council Redundancy & Redeployment Policy
Appendix E	Somerset West and Taunton Council Compensation Policy
Appendix F	Somerset West and Taunton Flexible Retirement Policy

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Somerset West & Taunton Council - Pay Policy Statement 2020/21

1. Background

The Pay Policy Statement is intended to bring together sufficient information about the different elements of the local authority's pay policies to enable local taxpayers to reach an informed view about local decisions on all aspects of pay and reward for employees. It also provides the context for the more detailed financial information that is already published by local authorities under the Code of Recommended Practice for Local Authorities on Data Transparency and by the Accounts and Audit (England) Regulations 2011.

2. Post Transformation

Somerset West and Taunton Council came into effect on the 1st April 2019 and a full organisational restructure was finalised over the subsequent months. The majority of the roles created from the transformation structure remain as was however, more recently, the Council has been organised into Directorates. This has resulted in Directors being appointed and will be followed by a transfer of employees into those Directorates. Although this change will have little impact on most, it will inevitably mean that a small proportion of roles are different.

This pay policy statement for Somerset West & Taunton Council represents the position on the pay structures and other elements of the remuneration package for staff as at 31 March 2020. However, due to the recent COVID-19 response, this report being presented to full Council has been delayed therefore some figures have been updated in line with the current date.

3. Policy statement

Somerset West & Taunton Council is committed to ensuring transparent, fair and equitable pay and reward arrangements that provide value for money and enable the recruitment and retention of employees with the skills and motivation to deliver high quality services for the council and its communities. The policies that support these objectives are summarised in this document.

4. Scope

The pay statement describes the pay arrangements that apply to the Senior Leadership Team (the senior employees) and the lowest paid employees.

For the purpose of this pay statement **senior employees** are defined as those staff in the top tiers of management; the Chief Executive, three Directors, the Strategic Finance & s151 Officer and 2 Heads of Function.

The pay and grading of employees, other than senior employees, are currently set using pay structures divided into grades within which there are spinal column points setting the pay rates. Posts are allocated to a pay grade through a process of job evaluation.

The current pay and grading structure for the workforce is set out in the attached Appendix B. The Council is awaiting results of the pay award negotiations from the NJC therefore all spinal points have a pay award pending.

For the purpose of this statement the **lowest paid employees** are defined as follows:

- Those who receive a salary equivalent to Grade C on the Council's pay structure. This is because no employee of the council is paid at a grade lower than Grade C (apprenticeships and casual employees are excluded). The lowest salary on the Grade C band as at 31 March 2020 equates to an hourly rate of £9.74 which is above the National Living Wage hourly rate (£8.21 as at 31 March 2020, moving to £8.72 on 1 April 2020).

The Council is required, for the purposes of this statement, to define the 'lowest paid employees' and also to explain why it has adopted this definition.

Other than the posts set out above (senior employees) and recognised apprentices, all posts within the council have been subject to job evaluation to assess the value of the job content and then, subject to that value, have been placed in an agreed grade.

The Council will therefore define the lowest paid employees as those on the minimum pay points as these (apart from apprentices and casual employees) are the lowest hourly rates paid to employees of the Council. The Council has adopted this definition, as it can be easily understood.

5. Remuneration of senior employees

As part of the annual Pay Policy Statement the Council must state:

- (a) The elements of remuneration for each senior employee
- (b) The policy for determining the remuneration of senior employees on recruitment.

The Senior Leadership Team are employed on fixed pay points for all posts within the top tiers and therefore remuneration in terms of salary will be fixed on appointment.

Any other elements of remuneration, as set out in Appendix A, that are relevant at the point of recruitment are highlighted accordingly.

The Leader will, after taking independent pay advice from South West Councils or similar, recommend the remuneration package on appointment to the above posts to Full Council prior to advertisement of any vacancy. The remuneration package will then have been subject to the approval of Full Council.

- (c) How any increases and additions to remuneration for each senior employee are made:

Annual cost of living pay awards are negotiated nationally by the National Joint Council (NJC) for Local Government Services and, where a pay award is agreed, these will be applied to the fixed pay point of the employee. Currently the Council has a pay award pending however we have not received confirmation of the percentage increase as yet as an agreement has not been reached. The pay scale figures below reflect the current position.

The Council has the ability to determine certain Local Government Pension Scheme Discretions. The Pension Scheme Discretions which have been adopted by Somerset West & Taunton Council are included in the annual Pay Policy Statement.

The post of Chief Executive is employed on the Terms and Conditions of Employment agreed by the Joint Negotiating Committee (JNC) for Chief Executives and all other senior employees are covered by the Terms and Conditions of Employment agreed by the JNC for Chief Officers, all of which are supplemented by local terms and conditions agreed by Somerset West & Taunton Council as the employer.

- (d) The use of performance-related pay for chief officers.

The council does not operate performance related pay schemes for any of its staff.

- (e) The use of bonuses for senior employees.

The council does not operate bonus schemes or bonus payments for any of its staff.

- (f) The approach to the payment of senior employees on their ceasing to hold office under or to be employed by the authority

Any termination payments to senior employees on ceasing office will comply with the policies current at that time, which will have been approved by the Full Council of the employing authority. No additional termination payments will be made without the approval of the Executive/Cabinet, this will include any settlement agreements, which may be subject to a confidentiality clause. The current Redundancy Policy and Retirement Policy is included in the Pay Policy statement in the appendices.

Should severance payments for staff exceed £100,000 they will be reported to Full Council for approval and in presenting information to Full Council the components of the relevant severance package will be clearly set out. These components may include salary paid in lieu, redundancy compensation, pension entitlements, holiday pay and any bonuses, fees or allowances paid.

- (g) The remuneration of senior employees who return to Local Authority employment.

Where the senior employee:

- (i) Was a previously employed senior employee who left with a severance payment and applies to return as a senior employee.

Executive/Cabinet approval would be required to authorise re-employment within the authority of a previously employed senior employee who had left with a severance payment and is seeking re-employment.

- (ii) Was previously employed by the same authority and applies to return as a senior employee under a contract for services.

Executive/Cabinet will be required to approve any award of a 'contract for services' to a senior employee who has previously been employed by the authority.

- (iii) Is in receipt of a Local Government Pension Scheme Pension.

If an employee receiving a pension from the Local Government Pension Scheme becomes re-employed then their pension could be affected. This will apply where the pension in payment arose for a reason that resulted in a strain cost being paid by the employer (e.g. redundancy, interests of efficiency, ill-health, early retirement with consent or flexible retirement). If their pension plus the earnings from their new job is higher than the final pay their pension was calculated on, then their pension will be affected. For every pound that their earnings plus pension exceed previous pay, then their pension will reduce by a pound. This abatement will last for

as long as the person exceeds their limit (so either when the new job ends or they reduce their hours so their earnings drop down below the acceptable level).

The Chief Executive is the appointed Returning Officer for Somerset West & Taunton Council and receives a fee for County, District and Parish Council and for Parliamentary Election duties. The fee for undertaking this role varies from year to year and is not subject to this policy since fee levels are set regionally and nationally.

6. Remuneration of other employees

As explained in paragraph 5 above, the pay structure for all other employees consists of grades and incremental points set out in the attached appendices. Grades are allocated to jobs through a process of job evaluation which establishes the relative value of different jobs within the workforce. The council uses the Greater London Provincial Council Scheme for job evaluation. Salaries for all employees (including senior employees) are subject to increases agreed under national pay award settlements.

The council's pay structure creates the basis of the relationship between the pay of all employees within the scope of the Pay Policy Statement.

The maximum salary for the post of Chief Executive is approximately 6:1 times the maximum salary of the lowest paid employee in the workforce (£117,300: £19,554). In the 2019/20 Pay Policy statement this figure was 6.28:1 therefore the ratio has decreased.

The maximum salary of a Director is approximately 5.11:1 times the maximum salary of the lowest paid employee in the workforce (£100,000: £19,554). In the 2019/20 Pay Policy statement the maximum salary of the Executive Director was 4.92 times the maximum salary of the lowest paid employee therefore this ratio has increased.

The maximum salary of a Head of Function is 3.99:1 (£78,030: £19,554) times the lowest paid employee, in comparison to 4.63:1 in 2019/20 statement. This ratio has therefore decreased.

The maximum salary for the post of Chief Executive is 4.2:1 times the median FTE salary (£27,905).

The maximum salary for the post of Chief Executive is approximately 3.93:1 times the mean FTE salary (£29,815), in comparison to 4.35:1 in 2019/20 statement. The ratio has therefore decreased.

7. Transparency and Publication of Data

The council will publish the Pay Policy Statement on the Somerset West & Taunton Council website alongside other information relating to transparency/open government and this can be found on:

www.somersetwestandtaunton.gov.uk

8. Review

The Localism Act requires councils to prepare and publish a pay policy statement for each financial year. The next statement is due for publication before 31 March 2021.

Remuneration to Senior Staff

The Level and Remuneration for each Chief Officer

Post	Statutory Role	Terms and Conditions and JE Status ***	Salary **	Salary Progression	Bonus or Performance related pay	Other Benefits	Pension Enhancement in Year
Chief Executive	Head of Paid Service	JNC Chief Executives – Out of JE	£117,300	No	No	Payment of Professional Subscription *Election payments – Returning Officer Payments relating to LGPS Employer Contributions	No
Director – External Operations		JNC Chief Officers – Out of JE	£100,000	No	No	Payment of Professional Subscription Payments relating to LGPS Employer Contributions	No
Director – Internal Operations		JNC Chief Officers – Out of JE	£100,000	No	No	Payment of Professional Subscription Payments relating to LGPS Employer Contributions	No
Director – Housing		JNC Chief Officers – Out of JE	£100,000	No	No	Payment of Professional Subscription Payments relating to LGPS Employer Contributions	No
Strategic Finance & S151 Officer (1)	S151 Officer	JNC Chief Officers – out of JE	£ 64,952.58 + £5,202 for s151	No	No	Payment of Professional Subscription	No

Post	Statutory Role	Terms and Conditions and JE Status ***	Salary **	Salary Progression	Bonus or Performance related pay	Other Benefits	Pension Enhancement in Year
						Payments relating to LGPS Employer Contributions	
Head of Customer		JNC Chief Officers – Out of JE	£78,030	No	No	Payment of Professional Subscription Payments relating to LGPS Employer Contributions	No
Head of Strategy		JNC Chief Officers – Out of JE	£78,030	No	No	Payment of Professional Subscription Payments relating to LGPS Employer Contributions	No

* Additional payments are made by Central Government to officers carrying out additional duties at elections. These payments will only be received when elections take place and vary according to the responsibility undertaken.

** These thresholds relate to the publication of salary information as required under the Code of Recommended Practice for Local Authorities on Data Transparency (£58,200 is the minimum of the Senior Civil Service minimum pay band) and the Audit and Accounts Regulations (£50,000)

*** JNC Chief Officers – Out of JE. The job evaluation scheme is not applicable to Chief Officer posts. The salaries of Chief Officer posts are evaluated against local market data provided by South West Councils. This data provides salary details for comparable Chief Officer posts within comparable district councils.

(1) The statutory function of monitoring officer is performed by the Performance & Governance Manager.

Appendix B – Somerset West & Taunton Pay & Grading structure
(Applicable from 1 April 2019)
Pay award pending

Grade	SCP		
A	N/A	N/A	N/A
B	N/A	N/A	N/A
C	5	6	7
	£18,795	£19,171	£19,554
D	8	9	11
	£19,945	£20,344	£21,166
E	15	17	19
	£22,911	£23,836	£24,799
F	23	24	25
	£26,999	£27,905	£28,785
G	28	29	30
	£31,371	£32,029	£32,878
H	33	34	35
	£35,934	£36,876	£37,849
I	38	39	40
	£40,760	£41,675	£42,683
J	43	44	45
	£45,591	£46,572	£47,524
K	48	49	50
	£50,421	£51,166	£51,914
L	53	54	55
	£54,149	£54,894	£55,642

Appendix C - Written Statement on Local Government Pension Scheme Employers Discretions and Key Pensions Policy

Somerset West & Taunton Council

April 2020 to 31 March 2021

LGPS (Administration) Regulations 2008

Regulation B30 (5)

With regard to the early payment of benefits on or after age 55 and before age 60 made under B30 (2) above the Council retains the right to waive the actuarial reduction of benefits on exceptional compassionate grounds.

Regulation B30A (5)

With regard to an application for reinstatement of a suspended tier 3 ill health pension on or after age 55 and before age 60 made under B30A (3) above the Council retains the right to waive the actuarial reduction of benefits on exceptional compassionate grounds.

Local Government Pension Scheme Regulations 1997 (as amended) in relation to active councillor members and pre 1 April 2008 scheme leavers.

The Council will allow a post 31 March 1998/pre 1 April 2008 leaver or from a councillor member the option to request early payment of benefits on or after age 50 and before age 55 which will be considered on a case-by-case basis following the production of a business case. In these cases no additional compensation will be awarded.

Regulation 31 (5)

With regard to the early payment of benefits made in accordance with Regulation 31 (2) the Council retains the right to waive the actuarial reduction of benefits on exceptional compassionate grounds.

Regulation 31 (7A)

The Council will allow councillor optants out and pre 1 April 2008 employee optants out the option to request payment of benefits at normal retirement date and these will be considered on a case-by-case basis following the production of a business case.

The Local Government Pension Scheme Regulations 2013

Regulation 100 (6)

It is not Council policy to extend the 12-month limit on transfer of previous pension rights into the LGPS.

Regulation 9 (1) and 9 (3)

It is Council policy to allow employee contribution rates to be determined as changes occur during the financial year.

Regulation 16(2)(e) and 16(4)(d) Funding of Additional Pension

It is not the policy of the Council to fund additional pension and the Council will not enter into a shared cost additional pension contributions arrangement other than where an employee leaving the council has requested that the council use all of the compensatory redundancy payment due to the employee to purchase additional pension benefits.

Regulation 30(6) Flexible Retirement

The Council will allow benefits to be paid to a member of staff if they reduce their hours/grade (known as flexible retirement) and this is set out in the Council's Retirement Policy. Each case will be decided individually after the consideration of a detailed business case and only applies to those aged 55 and over.

Regulation 30(8)

With regard to flexible retirement and requests from staff aged 55 or over for retirement the Council retains the right to waive the actuarial reduction of benefits on exceptional compassionate grounds.

Regulation 31 Award of Additional Pension

It is not the policy of the Council to award Employer APC for active members leaving on redundancy/efficiency other than by allowing employees leaving on grounds of redundancy/efficiency to use compensation payments to fund additional pension.

The Local Government (Early Termination of Employment) Discretionary Compensation Regulations 2006

As set out in the Redundancy Policy the Council do not limit redundancy payments to the statutory maximum weekly pay threshold and instead use the actual weekly pay of the employee. Actual weekly pay does not include payment of pension contributions.

The Council does not offer a minimum payment with regards to redundancy. Benefits are calculated using actual weekly pay and the statutory number of weeks as calculated against continuous local government service (and service covered by the Modification Order).

The Council provides up to 15 weeks compensation, in addition to any redundancy payment as set out in the Compensation Policy.

Where additional compensation is paid the employee has the option to augment their pension benefits by using all of the additional compensation, unless specific criteria are met.

Appendix D – Somerset West & Taunton Council Redundancy & Redeployment Policy

Implementation date of policy 1st February 2020

Review date 1st February 2021

Redundancy and Redeployment Policy

Introduction

This policy covers all redundancy situations that may arise within the structure of Somerset West and Taunton Council

The Council recognise a responsibility to safeguard the job security and prospects of their employees as far as possible.

Scope

The policy applies to the employees of the Council

Aims

The aim of this policy is to set out a clear and fair process for handling redundancies. In doing so, it ensures employees, managers and UNISON are clear of the procedure that is being followed through any redundancy process.

As far as possible, the Council will seek to avoid or minimise the need for compulsory redundancies, this policy sets out the ways in which the Council will do this which now includes pay protection.

Redundancy Procedure

Consultation

Where the possibility of redundancies is identified the Council will inform and consult with the relevant trade union representatives as early as possible and before any formal decisions have been made. As part of the consultation the Council will provide the following information:

- the reasons for the proposed redundancies;
- the numbers and descriptions of employees it proposes to make redundant;
- the total number of employees of those descriptions employed at the establishment in question;
- the proposed method of selecting those who may be dismissed;
- the proposed method of carrying out the dismissals, including the period over which the dismissals are to take effect;
- the proposed method of calculating any redundancy payments;

- the number of agency workers working temporarily for, and under the supervision and direction of, the employer;
- the parts of the employer's business in which the agency workers work; and
- the type of work that the agency workers carry out.

Formal consultation shall be deemed to commence on the date when these details are given in a letter to the Branch Secretaries of UNISON.

Consultation timescales will depend upon the scale of potential redundancies and will be as follows:

- A minimum of 30 days before the first dismissal takes effect where up to 99 employees are to be made redundant over a period of 90 days or less; or
- A minimum of 45 days before the first dismissal takes effect where more than 100 employees are to be made redundant over a period of 90 days or less.

Any consultation responses received in time will be included in any committee reports to be considered by the appropriate Committee.

Measures to avoid or minimise compulsory redundancies

The Council will, in consultation with the appropriate trade union representatives explore any options to avoid or minimise the need for compulsory redundancies. Alternatives may include (not in order of priority):

- Reductions through natural staff turnover (i.e. not automatically replacing employees who leave);
- Seeking volunteers for redundancy;
- Redeployment, including retraining where appropriate;
- Stopping or reducing overtime other than contractual or emergency overtime;
- Restrictions on permanent and/or external recruitment;
- Termination of casual or agency worker arrangements;
- Flexible retirements/voluntary reduction in hours.

Employees 'at risk' of redundancy

Notification of 'at risk' status

As soon as practicable after the unions have been informed of the potential for redundancies, any individuals affected will be informed that they are 'at risk' of redundancy and that consultation has commenced. An individual will be identified as being 'at risk' of redundancy if their current post does not exist in a new structure or there will be a reduction in the number of the same post in a new structure. This will be confirmed in writing with an estimate of any redundancy payment and if applicable, pension payment due.

Throughout the consultation period, further meetings (usually mid consultation and at the end of the consultation period) will be arranged with individuals 'at risk' of redundancy to discuss any concerns, redeployment opportunities, any selection processes etc. Records of any discussions will be kept on the employee's personal file.

Rights of employees 'at risk'

Employees 'at risk' of redundancy have certain rights. The Council will make every effort to redeploy the individuals within the Council's services.

Employees are entitled to reasonable paid time off to look for alternative employment. This may include time off to attend interviews or attend relevant training courses. A reasonable amount of time is considered to be up to two days per week (pro rata for part-time employees). Such time off must be arranged in advance with the line manager.

A central register of employees 'at risk' of redundancy will be held by the People Function and those employees put 'at risk' will be informed by the People Function of all relevant vacancies arising within the Council. Efforts will be made to redeploy employees within the Council to retain skills, knowledge and experience and reasonable training will be provided if necessary.

The Council will make every effort to facilitate employees search for new employment, either through in-house support or, on occasions, outplacement specialists. Support may include; advice on writing application forms or preparing CVs, interview tips, coaching etc.

Selection for redundancy

Once a proposal for a restructure or reduction in headcount is approved and where compulsory redundancies are unavoidable, the ring fence arrangements and process of selection for redundancy will be agreed with UNISON. It may include some or all of the following criteria:

- Attendance records (other than absences covered by the Equality Act 2010);
- Disciplinary records ('live' warnings only);

- Skills and experience;
- Past performance records;
- A selection interview.

If a function or service is to be discontinued all employees directly related to the provision of that function will automatically be selected for redundancy.

If there is to be a reduction in the number of posts but the job descriptions remain largely unchanged, (i.e. duties are more than 80% the same). Selection will be based on agreed criteria and made by a selection panel that comprises of a higher level of management, at least one member of the Senior Leadership Team (SLT) and a representative from the People Function.

If a restructure involves the creation of new roles, selection for redundancy will be dependent on success at interview for those new roles. A new role is one where the duties are more than 20% different. A ring fence of employees that can apply for the new posts will be agreed with UNISON and will be based on job type, grade and/or salary levels. The appointment panel should consist of managers from a higher level of management, at least one member of SLT and a representative from the People Function.

This appointment process does not apply to posts named as Scheduled Posts on the constitution, for example the Chief Executive, as these appointments require an Appointments Committee, comprising of at least one member of each of the Councils' Executive/Cabinet.

The employee/s selected for redundancy will receive written notification of the reasons for their selection as well as their proper contractual notice in accordance with their contract of employment or statutory notice whichever is greater.

NB: The cost of redundancy is not a factor that will be taken into account when selection for redundancy is made.

Calculation of redundancy payments

Employees will be notified personally about their redundancy entitlements as soon as possible after they have been notified that they are 'at risk' of redundancy, including the compensation/severance payment in writing and details of any pension due where applicable.

The qualifying service in respect of redundancy payments is two years continuous local government service (in accordance with the Redundancy Payments (Local Government) Modification Order. Reckonable service is limited to the last 20 years before redundancy.

Statutory redundancy payments are made according to the following scale:

- (a) one and a half week's pay* for each year of employment during which the employee was aged 41 and over;
- (b) one week's pay* for each year of employment during which the employee was aged 22 to 40 inclusive;
- (c) half a week's pay* for each year of employment in which the employee was aged 21 and under.

* A week's pay is based on contractual pay and does not include occasional overtime or additional payments.

Appendix One includes a table with the number of statutory weeks entitlement according to age and continuous service.

If prior to the expiry of the employee's notice of dismissal an individual receives an offer of employment with a related employer (in accordance with the Redundancy Payments Continuity of Employment in Local Government Modification Order 1999) to start immediately or within four weeks of the end of the previous employment, a redundancy payment cannot be made by the Council.

Compensation/severance payments

The Council operate a discretionary enhanced redundancy payment scheme under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006, as compensation for the loss of employment on redundancy grounds. Details of the Councils' compensation schemes are annexed as Appendix Two.

Employees will be entitled to the discretionary compensation payment in accordance with the Compensation Policy

Redundancy and compensation payments will be made to employees within the next payroll run, provided that Payroll have been notified before the payroll deadline for that month.

Local Government Pension Scheme Payments

If you are age 55 or over, your main LGPS benefits are payable immediately without any early retirement reductions if the Council makes you redundant and you have met the two years **vesting period** in the Scheme.

Redeployment Procedure

Wherever possible employees will be redeployed to avoid compulsory redundancy.

The Council reserve the right in agreement with UNISON to apply a ring fence to new roles that are created as a result of any proposed restructures and offer them in the first instance to those employees at a similar job type grade/salary

level within the existing structure and who have the relevant skills and experience that match the job description or person specification.

Where there is more than one employee that matches the role or a group of employees to more than one role, a selection procedure panel will take place that involves a formal interview and other recruitment selection procedures.

Where there is only one individual matched with the new position they will be slotted in.

All other vacancies arising within the Council where a suitable ring fence is not identified will be offered to employees 'at risk' of redundancy in the first instance. Such vacancies will be sent initially to the People Function who will check them against the 'at risk' register for any suitable candidates. Employees will be matched according to the essential criteria on the person specification, salary levels and preferred hours of work. Consideration must also be given to any reasonable appropriate training that will enable them to perform the duties of the role.

Any employees that meet the essential criteria will be made an offer of redeployment. Where more than one employee is matched to a vacancy a selection process will apply.

Any offer of redeployment will be made in writing and will include reference to a trial period, any training available, terms and conditions and protection arrangements if applicable.

Any employees that are redeployed into a new role will be given a 4 week trial period. This period may be extended by mutual agreement.

If the trial period is successful the employee will be sent written confirmation of any changes to terms and conditions. If the trial period is deemed unsuccessful by the manager, contractual notice will be reduced by the length of the trial period.

If an offer of redeployment is made by the Council and the employee decides during the trial period that they wish to reject the offer, they must advise the People Function in writing within the trial period.

An employee who believes that a job offer is not suitable alternative employment may claim a redundancy payment. However, this will only be paid where the Council agree that the job is unsuitable. The decision will be made by a Member of SLT, taking account of any changes to terms and conditions and the level of seniority.

Pay Protection

Pay protection will be available where employment on less favourable terms is offered to an employee as an alternative to redundancy. An employee's basic pay will be protected for up to two years if the reduction in their basic pay does not exceed 17.5%.

If, by accepting alternative employment, the reduction in an employee's basic pay exceeds 17.5%, pay protection is subject to the People Business Partner or the HR Specialist and the relevant member of SLT being satisfied that there is some tangible benefit to be gained by the Council, for example, in circumstances where pay protection would be less costly than an employee's redundancy.

During the pay protection period, an employee's basic pay is protected on a 'mark time' basis. 'Mark time' means that during the period of protection, an employee's basic pay is frozen and that any increments and annual pay awards applicable to their previous job are not paid to the employee.

Appeals

If an employee is aggrieved about their selection for redundancy they have the right of appeal. The appeal must be received in writing by the People Function within 10 working days of the decision being made. Refer to Council Appeals Procedure.

If the selection for redundancy was made by the Chief Executive the employee will have the right of appeal to be heard by an Appeal Committee comprising of at least one member of each of the Councils' Executive or Cabinet.

If the selection for redundancy was made by a Member of SLT other than the Executive, the employee will have a right of appeal to be heard by the Chief Executive.

All decisions made by the appeal panel are final.

Appendix one – Table to show entitlement to statutory weeks' redundancy based on age and continuous service

		Years Service																		
		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Age	18																			
	19																			
	20	1.0	1.0	1.0	1.0															
	21	1.0	1.5	1.5	1.5	1.5														
	22	1.0	1.5	2.0	2.0	2.0	2.0													
	23	1.5	2.0	2.5	3.0	3.0	3.0	3.0												
	24	2.0	2.5	3.0	3.5	4.0	4.0	4.0	4.0											
	25	2.0	3.0	3.5	4.0	4.5	5.0	5.0	5.0	5.0										
	26	2.0	3.0	4.0	4.5	5.0	5.5	6.0	6.0	6.0	6.0									
	27	2.0	3.0	4.0	5.0	5.5	6.0	6.5	7.0	7.0	7.0	7.0								
	28	2.0	3.0	4.0	5.0	6.0	6.5	7.0	7.5	8.0	8.0	8.0	8.0							
	29	2.0	3.0	4.0	5.0	6.0	7.0	7.5	8.0	8.5	9.0	9.0	9.0	9.0						
	30	2.0	3.0	4.0	5.0	6.0	7.0	8.0	8.5	9.0	9.5	10.0	10.0	10.0	10.0					
	31	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	9.5	10.0	10.5	11.0	11.0	11.0	11.0				
	32	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	10.5	11.0	11.5	12.0	12.0	12.0	12.0			
	33	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	11.5	12.0	12.5	13.0	13.0	13.0	13.0		
	34	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	12.5	13.0	13.5	14.0	14.0	14.0	14.0	
	35	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	13.5	14.0	14.5	15.0	15.0	15.0	15.0
	36	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	14.5	15.0	15.5	16.0	16.0	16.0
	37	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	15.0	15.5	16.0	16.5	17.0	17.0
38	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	15.0	16.0	16.5	17.0	17.5	18.0	
39	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	15.0	16.0	17.0	17.5	18.0	18.5	
40	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	15.0	16.0	17.0	18.0	18.5	19.0	
41	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	15.0	16.0	17.0	18.0	19.0	19.5	
42	2.5	3.5	4.5	5.5	6.5	7.5	8.5	9.5	10.5	11.5	12.5	13.5	14.5	15.5	16.5	17.5	18.5	19.5	20.5	
43	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	15.0	16.0	17.0	18.0	19.0	20.0	21.0	
		Years Service																		
		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Age	44	3.0	4.5	5.5	6.5	7.5	8.5	9.5	10.5	11.5	12.5	13.5	14.5	15.5	16.5	17.5	18.5	19.5	20.5	21.5
	45	3.0	4.5	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	15.0	16.0	17.0	18.0	19.0	20.0	21.0	22.0
	46	3.0	4.5	6.0	7.5	8.5	9.5	10.5	11.5	12.5	13.5	14.5	15.5	16.5	17.5	18.5	19.5	20.5	21.5	22.5
	47	3.0	4.5	6.0	7.5	9.0	10.0	11.0	12.0	13.0	14.0	15.0	16.0	17.0	18.0	19.0	20.0	21.0	22.0	23.0
	48	3.0	4.5	6.0	7.5	9.0	10.5	11.5	12.5	13.5	14.5	15.5	16.5	17.5	18.5	19.5	20.5	21.5	22.5	23.5
	49	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.0	14.0	15.0	16.0	17.0	18.0	19.0	20.0	21.0	22.0	23.0	24.0
	50	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	14.5	15.5	16.5	17.5	18.5	19.5	20.5	21.5	22.5	23.5	24.5
	51	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.0	17.0	18.0	19.0	20.0	21.0	22.0	23.0	24.0	25.0
	52	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	17.5	18.5	19.5	20.5	21.5	22.5	23.5	24.5	25.5
	53	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.0	20.0	21.0	22.0	23.0	24.0	25.0	26.0
	54	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	20.5	21.5	22.5	23.5	24.5	25.5	26.5
	55	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.0	23.0	24.0	25.0	26.0	27.0
	56	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	23.5	24.5	25.5	26.5	27.5
	57	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.0	26.0	27.0	28.0
	58	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.5	26.5	27.5	28.5
	59	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.5	27.0	28.0	29.0

60	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.5	27.0	28.5	29.5
61	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.5	27.0	28.5	30.0
62	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.5	27.0	28.5	30.0
63	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.5	27.0	28.5	30.0
64	3.0	4.5	6.0	7.5	9.0	10.5	12.0	13.5	15.0	16.5	18.0	19.5	21.0	22.5	24.0	25.5	27.0	28.5	30.0

Appendix E: Somerset West and Taunton Council - Compensation Policy

1. The Council operates a discretionary enhanced payment scheme as compensation for the loss of employment on redundancy grounds. The details of the Scheme are for information and may be amended from time to time at the discretion of the Council and after consultation with the Union. Please note the severance payments scheme is not legally binding.
2. Redundancy compensation will only be paid to staff with two or more years of service.
3. The Council exercises discretion under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006, to make compensatory payments to employees being made redundant based on a multiplier of **one and a half times** the number of weeks an employee would be entitled to under the statutory redundancy formula, inclusive of any statutory redundancy payment, up to a maximum of 45 weeks' pay. For the purposes of these calculations, a week's pay is defined as the employee's actual weekly pay, which is averaged over a twelve week period for employees whose earnings for basic hours (excluding overtime) varies from week to week. The maximum number of year's continuous service that can be counted for statutory redundancy payments is twenty years.
4. The Council requires that the full cost of any redundancies is recovered within a period not exceeding five years or by the normal retirement age, whichever is sooner.
5. Employees who are eligible to be paid a compensation payment on being made redundant, and who are members of the Local Government Pension Scheme, are given the option of converting their compensation payment (excluding the statutory redundancy payment) into augmented pensionable service. Augmentation is not an option where the compensation payment (excluding the statutory redundancy payment) purchases more pensionable service than the maximum allowable at age 65. If taken as a cash lump sum the first £30k is tax-free.
6. No compensation payments are made to employees who are allowed to retire early on the grounds of interests of efficiency of the service, irrespective of whether a voluntary request has been made by the employee or instigated by management.
7. The expression 'early retirement in the interests of the efficiency of the service' is difficult to define but the application of this scheme can be justified because: -
 - (a) it facilitates/encourages internal restructuring
 - (b) it allows for the retirement of an employee who is unable to match up to the changed requirements of his/her job
 - (c) The Local Government (Early Termination of Employment) (Discretionary Payments) (England and Wales) Regulations 2006 allow local authorities to use their discretion in the interests of the efficient exercise of that authority's functions.
8. If you retire in the interests of efficiency, you will be entitled to a lump-sum payment calculated using your actual week's pay and equating to the equivalent of the statutory

number of weeks payable for redundancy, however you will not be entitled to receive a redundancy payment from the Council. It is not possible to augment your Pension if you retire in the interests of the efficiency of the service.

9. Employees aged fifty-five years or over who are members of the Local Government Pension Scheme will receive payment of early pension retirement benefits.

Appendix F – Somerset West & Taunton Council Flexible Retirement Policy

1. Employees aged 55 who are members of the Local Government Pension Scheme are able to request payment of early retirement benefits whilst remaining in the Council's employment on reduced hours or a lower grade.
2. This right does not apply to employees who are in receipt of a redundancy payment and early pension benefits or who have taken early retirement in the interests of the efficiency of the service.
3. As a guide, a business case for flexible retirement where any reduction is minimal (e.g. less than 20% either in terms of reduced hours or lower grade) may be difficult to objectively justify.
4. Requests for flexible working may be instigated by employees who meet the criteria set out in 1 above at anytime but will only be able to make one request in any 12 month period.
5. An employee should, in the first instance, approach their line manager with a request for reduced hours, more flexible working patterns by putting their request in writing.
6. The manager will notify the HR/People Team and a meeting will be arranged within 21 days to discuss the request from the employee.
7. At this point the HR/People Team will request an estimate of early retirement benefits from the Peninsula Pensions which will be provided to the employee and be used to complete the Flexible Retirement Approval Request Form.
8. The meeting between the employee, manager and a member of the HR/People Team will discuss the request and business case and will only be referred for approval if it is operationally viable.
9. If the request is referred for approval this will be considered by the relevant Director and a member of HR.
10. It should be noted that employees who are retiring in this way before their normal retirement age will suffer an actuarial reduction in their benefits to reflect early payment. In exceptional compassionate circumstances the Council has the right to waive this actuarial reduction.
11. If the request is not referred for approval this will be confirmed to the employee in writing to the employee within 14 days of the meeting. The employee would have the right of appeal against this decision which should be made in writing to the People Business Partner or HR Specialist within 10 days of receipt of the reason for refusal of the request or refusal to waive the actuarial reduction on compassionate grounds where the request is approved.
12. Appeals will be heard by a Director advised by a member of the HR Team.

Report Number: SWT 76/20

Somerset West and Taunton Council

Full Council – 27 April 2020

Splash Point Repair Works

Report of Localities Manager – Chris Hall

(This matter is the responsibility of Cllr Marcus Kravis Executive Councillor for Asset Management and Economic Development)

1 Executive Summary

- 1.1 This report provides Members with an update on the emergency repair work carried out at Splash Point, Watchet. It spans the work undertaken prior to Christmas and the ongoing efforts to repair the wall following the repeated storms of recent months.
- 1.2 Work to Splash Point was commissioned using emergency powers held by the Chief Executive. This reports does not seek approval for expenditure to date but separates this with future expenditure. The intent is to log, as a formal record, the basis for the Chief Executive exercising their authority to commit to emergency works.
- 1.3 Taking into account the expenditure to date, and the predicted expenditure to complete the works, £1,006,000 has been committed responding to this emergency including the permanent repairs.
- 1.4 There is a requirement to secure appropriate budget and funding approval, albeit in part retrospectively, so that the works are covered within the approved capital programme and revenue budgets. It is assumed the Council will need to increase its capital borrowing for this purpose, and utilise general reserves for revenue costs.

2 Recommendations

- 2.1 It is recommended that Council support the completion of the works.
- 2.2 That Full Council approves a Capital Programme Supplementary Budget of £900,000, and approves the use of borrowing subject to the S151 Officer determining the most appropriate source of funding.
- 2.3 That Full Council approves a Revenue Budget increase of £106,000 for the asset repairs and maintenance, funded from General Reserves.

3 Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Risk: Failing to act quickly to protect the marina wall would pose risks to the marina operation as well as those living on their boats. Action could be taken against the council in the event of loss or damage caused.	Likely (4)	Major (4)	High (16)
<i>Mitigation: The Marina has been protected by the speed of the work delivered so far, this will become a permanent repair removing this specific area of risk once completed.</i>	Rare (1)	Major (4)	Low (4)
Risk: Failing to repair Splash Point in a timely fashion would result in further deterioration and could lead to destruction of boats in the storage area.	Likely (4)	Major (4)	High (16)
<i>Mitigation: Emergency repairs have been put in place and once complete will remove this risk.</i>	Rare (1)	Major (4)	Low (4)
Risk: Failing to repair Splash Point in a timely fashion would result in further deterioration and greater costs at a later date.	Likely (4)	Major (4)	High (16)
<i>Mitigation: Emergency repairs have been put in place and once complete will remove this risk.</i>	Rare (1)	Major (4)	Low (4)

4 Background

- 4.1 The wall at Splash Point, Watchet, failed in December 2019. A temporary repair was put in place whilst design options for a permanent solution were created and assessed. A design and professional fees budget of £100,000 was approved in January 2020 for this work. It was considered that in normal tidal condition this repair would have been sufficient to allow the Council to undertake a design for the permanent solution and tender openly for this work. A second failure occurred. The result of the second failure was a void approximately 5 times the size of the first; rapidly expanding towards the marina.
- 4.2 Following storm Ciara in February the temporary repair was lost and with it the remainder of the 1860's wall. This exposed the East Quay to losses of land on the quayside and presented a risk to the marina wall due to its proximity.
- 4.3 Further emergency work was undertaken to protect the marina in the first instance; clearly aimed at protecting the wider community of Watchet.
- 4.4 The risk of a catastrophic failure of the inner marina wall and the failure of previous temporary works meant repair options that fell short of a permanent solution were discounted as they too were likely to fail.
- 4.5 NOTE: The budget for works on the East Quay reinforcements should not be confused with the Splash Point emergency work. Whilst physically in close proximity they are wholly separate for budgeting purposes.

5 The Solution

- 5.1 Designers have worked within the Environment Agency framework during this episode to consider the scope of works and engage contractors to undertake the work needed to repair the damage. This is a draw down contract that assures the contractors used and the fees and charges levied when undertaking projects of this nature. It provided a fast-track through procurement activity. Any delay would have likely led to the loss of East Quay land and almost certainly the loss of the marina.
- 5.2 The emergency work included the laying a geotextile membrane and placing a variety of rock within the void created by successive storms. The post-Christmas work utilised rock of a size and scale that was not available for the temporary works completed before Christmas. In December the quarries were closed meaning we used material that was available rather than select the material by weight and volume.
- 5.3 The use of a geotextile membrane will hold in place the fine material within the East Quay and the granite boulders, over 5 tonnes, act as a fill material along with other rock that was washed out but recovered for reuse. With the instruction to the designers to move to the permanent solution much of this rock has been concreted into place to reduce the risk of further wash out.
- 5.4 The final repair will include a smooth faced sea wall to move the power of the tidal impact to a more appropriate location rather than try and break its power at this vulnerable point. This wall will include a parapet which will be built to a height not less than that of the old wall. This wall will be built with future sea level rises in mind and the foundations will be capable of taking an increase in height. The final design will incorporate a significant amount of rock armour to the east of the new wall joining up with the next area of protection. Within the area is a shorter wall section which is now showing signs of failure; if not protected this could lead to a breach of the East Quay only meters from our permanent repair. The rock armour will be the point at which the power of the waves is broken. Short piles will be drilled into the shore front to keep the rock armour in place and limit the volume of material that would otherwise be needed.
- 5.5 It is important to understand that design is more than an architectural drawing, it requires technical analysis to ensure that any scheme created meets with the needs of the client, in our case we needed to ensure that the design would stand up to the power of the tidal action at this point. Furthermore the designers were and continue to be the “Principle Designer” under the Construction Design and Management Regulations 2015, a role necessary to deliver a compliant and safe project. The designers have been required to deliver this work at speed to ensure as far as we reasonably can that the works are deliver without undue time delays.
- 5.6 We are confident that the design presented to the Council meets with the scope to deliver an emergency solution that will withstand the wave impacts, whilst not being over engineered so avoiding excessive costs.
- 5.7 The designers are continuing to look at future beach access and the cost of delivering this. There are future options to be agreed, these may range from providing emergency access/egress to a full accessible solution. These considerations do not necessarily meet the emergency powers to utilise council

resources without prior Member approval and as such they are not currently included in the costs or scope of work material to this report.

6 Financial/Resource Implications

- 6.1 Table 1 below sets out the expenditure to date and an estimate for the remainder of the works until completion. The costs are expected to be subject to VAT.

Table 1 – Estimated Total Costs (excluding VAT)

Activity and date	Design Expenditure to date £	Delivery of works to date £	Estimated Future Design Expenditure £	Estimated Future Delivery Expenditure £	Activity Totals £
Temporary repair December 2019	16,000	90,000	0	0	106,000
Emergency repair and permanent solution February 2020 onwards (On-going works)	15,000*	160,000*	85,000	740,000	1,000,000
Total	31,000	250,000	85,000	740,000	1,106,000

* Awaiting invoices

- 6.2 Table 2 identifies the funding that had been agreed and the funding required to complete the emergency works making the permanent solution.

Table 2 – Additional Budget Required

	£
Total estimated costs (capital and revenue)	1,106,000
Less: Existing Capital Budget - Design Fees (Full Council January 2020)	100,000
= Additional Budget required	1,006,000
Additional Budget split between capital and revenue:	
Capital Programme	900,000
Revenue Budget	106,000

- 6.3 Whilst the power to spend money exists within the constitution the Council are still required to fund this work. There have been no external funding contributions received for this work therefore the Council will need to access its own revenue reserves and capital resources. Funding of the Capital Programme can come from a variety of sources, as explained in the Capital Strategy approved at Full Council on 19 February 2020. In this case it is proposed to approve the use of borrowing if required, and delegate authority to the S151 Officer to determine the most appropriate source of funding as part of the overall financing of the capital programme.
- 6.4 The majority of costs are regarded as capital expenditure, and will therefore be added to the Property Plant and Equipment (PPE) asset values when the costs are incurred. If the cost is funded through borrowing this will add to the Capital Financing Requirement, and be included in the annual calculation of Minimum Revenue Provision charge to the revenue budget for debt repayment, based on estimated weighted average useful life of 46 years. Annual financing costs are therefore estimated to be in the region of £55,000 including MRP and interest costs, which will

need to be reflected in the Medium Term Financial Plan moving forward. Implications during 2020/21 will be reported as appropriate through budget monitoring.

- 6.5 The initial emergency repairs have been accounted for as revenue costs and therefore represent a cost pressure within the General Fund Revenue Budget. It is proposed to allocate funds from General Reserves to mitigate these previously unforeseen costs.

7 Legal Implications

- 7.1 The Council has a responsibility to maintain the assets at Splash Point and the East Quay. Any failure of the asset caused by the Council's negligence would likely expose the Council to challenge and financial risk.
- 7.2 The Chief Executive has the power to spend money without prior agreement of Council in an emergency, this is set out in section 4.2.3 of Part 3 of the Constitution. The Constitution states *"...to carry out the functions of the Council for civic aid and emergency planning and to take any action, including incurring expenditure, in connection with an emergency or disaster in the Council's area"*.

8 Climate and Sustainability Implications

- 8.1 Climate change will impact on the sea levels in years to come. This report does not evaluate the effects of rising sea levels. It does however reflect the reality of rising sea levels by ensuring the design is scalable to raise the height of the sea wall.
- 8.2 These are works commissioned in response to an imminent risk of significant damage. The impact of quarrying rock, transportation to site and the associated works were weighed against the impact on Watchet marina and the need to safeguard the local community.

9 Safeguarding and/or Community Safety Implications

- 9.1 There are future considerations for beach egress for those that may be caught out by an incoming tide. It is normal for public access to be removed where there is no public right of way, as is the case to the shore at Watchet, however it remains possible for members of the public to enter the beach at alternative locations and then not be able to escape the incoming tide. Watchet resident and visitors would also be used to having this access and egress and may not have considered the time needed to return to their entry point.

10 Equality and Diversity Implications

- 10.1 There are no detrimental impacts on any of the protected groups as a result of this report, however it should be noted that the failure of Splash Point removed the stepped public access and egress to and from the beach. This access was not Disability Discrimination Act Compliant.
- 10.2 Further consideration needs to be given to the future inclusion of access / egress and the design of this. A range of options exist, from an escape ladder though to a fully accessible ramp. The latter of these would be a considerable structure, needing a rise from the shore to the top of the replacement parapet wall estimated at

c11meters. There is no presumption on the Council.

11 Partnership Implications

11.1 There are no formal partnerships impacted by the content of this report.

12 Asset Management Implications

12.1 The Asset Management Team are aware of the ongoing emergency works.

13 Data Protection Implications

13.1 There are no identified implications of this report on data protection.

14 Consultation Implications

14.1 There has been, and will continued to be, a need for close working with the Onion Collective and Watchet Harbour Marina Ltd. This will be driven by the final engineering scheme; dialogue channels remain open.

Democratic Path:

- **Full Council – 27 April 2020**

Reporting Frequency: One off

Appendices:

- A) **Full Council report of 27th January 2020**

Contact Officer

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Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

Somerset West and Taunton Council

Full Council – 27 January 2020

East Quay Wall, Watchet - Maintenance

Report of Localities Manager – Chris Hall

(This matter is the responsibility of Executive Councillor Marcus Kravis)

1. Executive Summary

This report sets out the current situation with the East Quay wall, Watchet and the options that the Council have to maintain this asset into the future. It does not seek approval of a permanent solution for the repair at Splash Point, this will be dealt with separately once possible design options have been established, but does request financial approval of the design work for this permanent repair.

For the East Quay wall survey works have identified that the wall is not at imminent risk of failure but would benefit from maintenance with some reinforcing in the central and northern sections to ensure that operations can continue here into the future, and that a programme of monitoring be put in place for the entire length of the wall. The report challenges the economic advantage of undertaking the reinforcing work to the northern section and proposes alternative options.

The East Quay wall serves as part of the structure to create the marina, protects Watchet as a sea defence, and stabilises the East Quay itself. This area is used for boat storage, as a lifting facility for the marina, and a tourism offering.

The timing of this report is unrelated to the granting of the lease to the Onion Collective as the report identifies that this development has a negligible impact on the wall structure and no works to the wall are required to enable the development.

The report identifies a budget need for design work and a maintenance solution, therefore a budget request is made for £740k to design a permanent solution to the Splash Point failure and reinforce the central section of the East Quay wall with the associated professional costs.

2. Recommendations

- 2.1 It is recommended that Full Council approve the following additions to the Capital Programme, which will be funded through borrowing:
 - i) Add the following to the Capital Programme for 2019/20
 - a. The sum of £100k be allocated to the wall design works at Splash Point and
 - b. The sum of £100k be allocated to the wall design works at East Quay

- ii) Add the following to the Capital Programme for 2020/21
 - a. The sum of £500k be allocated to reinforce the East Quay wall in the central section and
 - b. The sum of £40k for project management resource to deliver this project to its conclusion.

3. Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Risk: Failing to maintain the East Quay in a timely fashion could result in deterioration with greater costs at a later date	Possible (3)	Moderate (3)	Medium (9)
<i>Mitigation: Investigations and proposals presented in this report seek approval to undertake improvement works in the central section with limited restrictions to operations in the northern section.</i>	Unlikely (2)	Moderate (3)	Low (6)
Risk: The wall fails unexpectedly resulting in a risk to public and greater costs in reacting to this as an emergency.	Possible (3)	Moderate (3)	Medium (9)
<i>Mitigation: Survey and modelling identify a theoretical risk area in the central section, the construction type here would likely lead to a bend in the structure rather than a collapse. Recommendation is to reinforce this section.</i>	Unlikely (2)	Moderate (3)	Low (6)
Risk: Failing to maintain the asset to meet the terms of the lease to the Marina Operator. Breach of these terms could place the council at risk of challenge, or at least place further strain on the relationship	Possible (3)	Moderate (3)	Medium (9)
<i>Mitigation: The Marina operator has been provided with report on condition and offered a meeting to discuss its content. We do not consider any of the restriction options to have a negative impact on their operation.</i>	Unlikely (2)	Moderate (3)	Medium (6)
Risk: Reinforcing the wall will remove a small amount of space from the Marina and increase, by that same amount the side of the East Quay, this additional land will increase the cost of the roadway surfacing which is a responsibility of the OC development. If there is an identifiable increase in cost we would anticipate the OC seeking a contribution from the council for this.	Possible (3)	Minor (2)	Low (6)

<i>Mitigation: Whilst there may be an increased area for surfacing there may be less sub base construction works needed in creating the roadway reducing the costs. Council officers will negotiate the cost changes and seek to offset OC savings on the roadway against any increased cost for surfacing.</i>	Unlikely (2)	Minor (2)	Low (4)
Risk: In order to expedite delivery of the works Members are being asked to approve a project based on estimates of costs, there is a risk that these could be incorrect once put to market	Moderate (3)	Possible (3)	Medium (9)
Mitigation: Member approval would allow the project team to undertake the design works and go to market with a tender, this will only then be converted into a contract where the overall costs of the project fall within the estimates. Should they not then a revised report will be provided for Members to reconsider.	Moderate (3)	Possible (3)	Medium (9)

4. Project Governance

- 4.1 The Project was initially being managed under the Commercial Investment functional area but with such close links to Localities, the operations of the Marina, and the Onion Collective, the Localities Manager is now overseeing this with initial project management support being provided through Localities.
- 4.2 The Project Team is made up of internal and external contributors. The internal Project Manager is Steve Hughes, with a range of others providing their technical support as required. Pick Everard and Crouch Waterfall have been providing specialist survey works and modelling.
- 4.3 The likely scale of spend and complexity of the works means that we will continue to need engineering expertise to design and potentially support the procurement process.

5. Background

- 5.1 This report does not attempt to resolve the issues that have recently been encountered with the wall at Splash Point, there are a range of options at that location that require further consideration before a design can be put to market. Therefore a budget is requested to undertake the design works at Splash Point. The design options for East Quay are less variable with the likely solution being a sheet piled front to reinforce the existing wall. However to meet our obligations under the Construction Design and Management Regulations 2015 a principle

designer still needs to be appointed and a solution drawn up by competent engineers.

- 5.2 The Authority has responsibility for the East Quay wall which has been repaired in different places at a different times over its life. There have been concerns raised about the structural integrity and the lifecycle for maintenance. In response the council commissioned a range of surveys from specialists in the industry.
- 5.3 The survey response from Pick Everard was presented to the Asset Management Group of West Somerset Council back in 2018. It was clear at this point that whilst there was no immediate risk to the public from the wall its maintenance needs to be planned for and its current condition better understood.
- 5.4 The council had previously undertaken a procurement activity to seek a contractor to deliver a maintenance scheme in advance of the OC development. The rationale for this was to complete any work necessary and be off site prior to the OC work starting, it was felt that this would minimise complexity. In reality contractors considered that this posed increased challenges in the timeframe available. It was also apparent that contractors needed additional information on the wall construction which was not available at that time.
- 5.5 Officers commissioned surveys to establish the condition of the wall ties and finite material analysis. Both of these would support the design of the maintenance scheme required as well as provide a greater understanding of the current factor of safety. These surveys were undertaken and the outcomes of these provide the most up to date information available, further reducing concerns over the East Quay wall structure.
- 5.6 The British Standard minimum factor of safety is 1.25. This means meeting the basic requirements for the wall for pedestrians, vehicles movements, and crane operations with a safety factor of 0.25 or 25%. Therefore any score below 1.25 is a fail.
- 5.7 A quay wall would normally be built to take activities with a loading of 10 kilopascals (kpa), kilopascals being a common measure of pressure. Due to the lease with the marina operator and their known use of the crane this has been increased to 20 kpa to ensure that our factor of safety relates to the known activities on site.
- 5.8 The Onion Collective's project does not include maintenance of the wall but it is clear that we will need to work with the OC and Watchet Harbour Marina Ltd to ensure that each parties operational needs are met when works are underway. Undertaking the work after the development may result in damaging the new surfaces put down by them, this could invalidate any warranties that they have for the buildings. This could also impact on warranties for the provision of the roadway which is being provided at OC's cost but will remain an asset of the council, their warranty for this is therefore to the benefit of SWaT. Reputational damage could also occur for the council where newly laid surfaces need to be lifted (or are damaged) for the wall maintenance.

- 5.9 Information that is pertinent to the OC's development has been shared with their engineers, to help inform their design and working practices. Their contractors are required to consider this information and undertake their own assessment to inform their design. The assessment of the OC engineers have been provided to the council.
- 5.10 As a point of clarity the council are not undertaking these repairs to enable the Onion Collectives development, the wall is the responsibility of the council and it serves as a structure that not only creates the East Quay, which is also part leased by the Marina Operator, but is also a sea defence for Watchet.
- 5.11 There has been no historical programme of monitoring or maintenance in place and only reactive works have been undertaken. Regardless of any recommendations to make repairs or reinforce sections a monitoring and maintenance programme must be put in place.

6. Survey works

- 6.1 A range of surveys have been undertaken over a period of time, these include but are not limited to core hole sampling, wall tie condition, location of dead man's anchors, and finite materials analysis. The Surveyors have also looked at wall construction and repairs, and life expectancy of the materials. These have all provided information for the modelling assessments.
- 6.2 The modelling has considered the likely means of failure of the wall and provided a factor of safety (fos) on each of these. These include bend moments, wall slip from the toe and overturning of the head. All results in table 1 are represented as the lowest factors of safety from any of this analysis, i.e. worst case scenarios.
- 6.3 The surveys undertook a range of modelling based on a sectional analysis of the wall. These sections were derived by the construction type and therefore the loadings required to achieve failure. This is then converted into a factor of safety with fos of 1.25 being the minimum needed for the activities and loading that are undertaken. Crane operations have the greatest weight impact on the wall exerting 20 kpa in close proximity to the wall. All outcomes assume the greatest weight loading unless stated otherwise.
- 6.4 A key message from the survey works, and one of the reasons the council were comfortable in signing off the lease to the Onion Collective, is that the surveys identify a negligible impact of the development on the wall. Therefore development, or no development, the factor of safety for the wall is unaffected. This is due to the distance of the development from the wall edge.
- 6.5 The wall for the purposes of the report is considered in the three sections. The southernmost section which adjoins The Esplanade, the central section which is the steel piled area, and the northernmost section beyond the steel piles but before the pier. These can be seen in appendix A, a diagram of the East Quay
- 6.6 In all scenarios modelled by the consultants the **southernmost** section **exceeds** the minimum factor of safety of 1.25. This may come as a surprise as visually it

looks to be in the worst condition, however due to its lower height, and a number of other factors, the wall here is stable and has the highest factor of safety rating of the three sections.

- 6.7 At high tide the **central** section of the wall **exceeds** the minimum factor of safety of 1.25. However at low tide the wall **fails** to meet the minimum requirements, this means that in theory the wall should fail but in practice it has shown no signs of doing so. Due to the construction of this section failure would most likely be seen by a bending of the sheet piles rather than a collapse. The modelling gave a range of factors of safety based on assumptions about the sheet pile types and their embedment into the bedrock. The table below takes the worst case scenario and it is therefore possible that the assumptions are predicting a situation that is worse than reality. It is nevertheless recommended to Members that this section is reinforced.
- 6.8 It is clear from the site investigation works that the central part of the structure is nearing the end of its life and were there to be no maintenance then it will inevitably fail at some point in the future.
- 6.9 With the current mud and silt level the **northern** section of the wall **exceeds** the minimum factor of safety of 1.25 at high and low tide for pedestrian and vehicle traffic, but **fails** for crane operations at **low tide only**. Officers will be advising the marina operator of this however in practice with the current marina mud levels crane operations would not occur at low tide anyway.
- 6.10 The council have a choice to reinforce this section of wall, or place a restriction on crane operations at low tide, or restrict any future dredging operation within this immediate area. The cost of including the northernmost section in the procurement is estimated to be in excess of £400k it is therefore economical to look at alternatives. It is recommended that this is excluded from the reinforcing programme and officers are instructed to work with the marina operator to limit the impact of this decision.
- 6.11 Results of the modelling shown in Table 1 below differ between low and high tide. This is caused by the volume of water at high tide placing a positive pressure on the wall front and increasing the factor of safety.

Table 1: Factor of Safety Outcomes.

No	Surcharge	kpa loading	Northern section		Central section		Southern section	
			Low Tide	High Tide	Low Tide	High Tide	Low Tide	High Tide
1	Current	10 kpa	1.3 (1.1 with silt removed)	4.0	0.7	2.7	1.8	10+
2	Current inc. crane	20 kpa	1.06	2.5	0.7	2.7	1.4	4.0
3	Current + OC	60 kpa	Outside of OC development area		Negligible effect of OC development so not modelled		1.8	10+
4	Crane + OC	70 kpa					1.4	4.0

- 6.12 As part of the analysis we sought to understand if water that entered into the structure of the East Quay at high tide washed out material as the tide fell. This finite element modelling identified no loss of fine material being washed out from the rear of the wall. In terms of the wall integrity this is a good result as it reduces the opportunity for voids to be created behind the wall.

7. The Maintenance options

- 7.1 From the survey information provided it is clear that the southern section requires no substantial maintenance works, however a plan for monitoring is required.
- 7.2 It is recommended that the central section is reinforced to allow for vehicle movements into the boat storage area and crane operations which are a condition of the lease to the marina operator. These can continue at high tide but advice will be provided to the marina operator and Onion Collective concerning low tide. Undertaking this work will also provide for longer term stability for the operation of the marina.
- 7.3 It is recommended that the northern section is excluded from the reinforcing programme and officers are instructed to work with the marina operator to limit the impact of this decision.

8. Procurement process

- 8.1 The Authority will undertake a robust procurement activity to ensure that the best options and value are established. We recommend to Members that we further instruct specialists to create the necessary engineering designs for both Splash Point and the central section of East Quay.
- 8.2 We then recommend that the design is put to market with a minimum lifespan requirement. With this quality aspect already set we can then run a procurement activity weighted in favour of price.
- 8.3 Upon approval of the recommendations the design and procurement will begin, with works being undertaken on site in 2020 / 21, and completed to a timeline that avoids further disruption on site following the conclusion of the OC development.

9. Financial resource implications

- 9.1 The financial requests of this report are currently based on estimates and cannot therefore be considered as fixed, this creates a risk in terms of the known costs, however the councils responsibility for delivery are unchanged by the costs of the project. Any further changes to the costs will be reported through the budget monitoring process.
- 9.2 The total cost requested to be added to the Capital Programme is £740k, which will

be funded from borrowing, with a revenue cost of £44k per annum to be included in the budget from 2021/22 onwards.

10. Legal Implications

- 10.1 The council have a responsibility to maintain the assets at Splash Point and East Quay, any failure of the asset caused by the council's negligence would likely expose the council to challenge and financial risk.
- 10.2 Any failure of the asset caused by the negligence of others would expose that party to challenge and financial risk and the Council would take action against them to recover all associated costs.
- 10.3 Any restrictions imposed for the northern section of the wall are not considered to be unreasonable given the known operating restrictions caused by the marina's mud.

12. Environmental Impact

- 12.1 There are no detrimental implications associated with supporting the recommendations of this report. Environmental implications could exist where Members are unable to support the necessary maintenance of this asset. With no maintenance the asset could fail in time creating pollution within the Harbour.
- 12.2 It is anticipated that an Environmental Impact Assessment will be required making reference to the reinforcing solutions proposed by contractors.

13. Safeguarding and/or Community Safety Implications

- 13.1 There are no implications resulting from the recommendations of this report being approved.

14. Asset Management Implications

- 14.1 The Asset Management Team have been involved throughout the process and support the recommendations of this report. A programme of monitoring would fall to this team to manage.

15. Data Protection Implications

- 15.1 There are no identified implications of this report on data protection.

16. Consultation Implications

- 16.1 There has been and will continued to be a need for close working with the Onion

Collective and Watchet Harbour Marina Ltd, although there is no formal consultation process.

17. Equalities Impact

17.1 There are no detrimental impacts on any of the protected groups as a result of this report and its recommendations.

18. Partnership Implications

18.1 There are no formal partnerships impacted by the content of this report.

19. Climate Change implications

19.1 Climate change will impact on the sea levels in the coming years. This report does not evaluate the effects of rising sea levels but does seek to secure funding to maintain the integrity of the sea wall for the foreseeable future.

20. Comments from Executive

20.1 At the time of writing this report the Executive committee had not met, a verbal update will be provided for Full Council summarising the questions and responses, and their recommendations.

Democratic Path:

- ~~Executive – 22nd January 2020~~
- Full Council – 27th January Date 2020

Reporting Frequency: One off

Appendices:

- A) Plan of the East Quay, Watchet
- B) Site investigations report

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Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
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Impact							

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4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 12

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 13

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 14

Document is Restricted

Report Number: SWT 80/20

Somerset West and Taunton Council

Full Council 27 April 2020

Future High Street Fund Bid

This matter is the responsibility of Executive Councillor Member Mike Rigby

Report Author: Kate Murdoch, Strategy Specialist

1 Executive Summary / Purpose of the Report (All headings to be in Arial 12 Bold)

- 1.1 The Council is due to submit the Taunton High Street Fund business case to MHCLG on 30th April 2020. In order to support the funding bid the Council is required to confirm co-funding is legally committed, subject only to formal confirmation of a grant award from the Future High Streets Fund.
- 1.2 This paper seeks member approval for the Community Infrastructure Levy allocations to support the key projects identified in the final Future High Street Fund bid.

2 Recommendations

- 2.1 Approval of Community Infrastructure Levy allocations to support the delivery of Council projects within the Future High Street Fund bid (as per Table 2 below)
- 2.2 Approval is sought subject to Government grant being awarded through the Future High Street Fund and subject to sufficient CIL funds being available in the funding years outlined in Table 2.

3 Risk Assessment (if appropriate)

- 3.1 The approval of Community Infrastructure Levy allocations are sought to provide a legal commitment to match funding on the basis that the Future High Street Fund bid is successful. If the bid is unsuccessful or a reduced grant is awarded the Community Infrastructure Levy allocations may be reviewed.

4 Background and Full details of the Report

- 4.1 In July 2019 MHCLG announced Taunton, along with 49 other towns across the country, as successful to go through to the detailed business case development stage for the Future High Street Fund. Council officers, with the support of consultants, have been working to develop the detailed business case submission, which is due to be submitted on 30th April 2020.

- 4.2 The original Taunton Future High Street Fund Expression of Interest (EOI) included a £25m Government funding ask to support the delivery of the following projects:
1. Coal Orchard development
 2. Town centre pedestrian and cycle improvements
 3. Firepool development
 4. Revolving Investment Fund to unlock town centre sites for development
 5. Taunton Public Space Improvement Project
 6. Brewhouse Theatre enhancement
- 4.3 Whilst Councils can bid for up to £25m from the Future High Street Fund, the MHCLG guidance is clear that this is a competitive bidding process and, if successful, most areas will receive approximately £5m-£10m.
- 4.4 In light of the updated MHCLG High Street Fund guidance and the work on the developing business case, the projects outlined in Table 1 are proposed as the most appropriate for inclusion in the final business case. This now has a reduced funding ask of £20.2m.
- 4.5 In order to ensure alignment with the Future High Street Fund objectives, the majority of the investment sought will be to support the delivery of key town centre sites (Firepool and Coal Orchard). These projects seek to increase residential density and improve the cultural and leisure offer with a view to increasing footfall and dwell time in the town centre.
- 4.6 Funding is also sought for the provision of additional cycle parking in the town centre and the creation of a new pedestrian & cycle route running from the Railway Station, through Firepool and Coal Orchard linking to St James Street, North Street and High Street to Vivary Park. This was a key project identified in the draft Taunton Local Cycling and Walking Infrastructure Plan and seeks to increase cycling and walking thereby reducing traffic in the town centre.

Table 1: Taunton Future High Street Ask

Future High Street Fund bid projects	Total FHSF ask
Coal Orchard Development	£2,200,000
Firepool Development	
Firepool infrastructure, public realm and enabling works	£7,910,000
Performance Venue (approx 1,500 capacity)	£9,000,000
Taunton Town Centre Cycle and Pedestrian Improvements	
Firepool Boulevard linking to station and river crossing	£1,090,000
River crossing through Coal Orchard	
St James Street - High Street - Vivary Park	
Town centre cycle parking infrastructure	
Total FHSF ask	£20,200,000

4.7 To support the delivery of key projects in the Future High Street Fund bid, the Council is required to identify match funding streams. At present the match funding streams in the final business case will include New Homes Bonus, Community Infrastructure Levy and Council borrowing. This paper only seeks member approval for the Community Infrastructure Levy allocations to support the Future High Street bid, outlined in Table 2 below. The remaining match funding streams have been sought through the specific project proposals for Coal Orchard¹, Firepool² and the Taunton town centre flood works³.

Table 2: Community Infrastructure Levy allocations to support Future High Street Fund bid:

	2022/23	2023/24
Taunton town centre cycle and pedestrian improvements to include:		
Firepool Boulevard linking to station and river crossing	£500,000	£500,000
River crossing through Coal Orchard		
Improvements to St James Street, North Street, High Street		
Improvements to pedestrian crossing at High Street/Vivary Park		
Town Centre cycle parking infrastructure		
New performance venue at Firepool		£500,000

5 Links to Corporate Strategy

5.1 The Future High Street Fund bid links with many of the Corporate Strategy objectives including:

- Facilitating the delivery of Firepool
- Supporting the enhancement of arts and cultural provision in the district
- Supporting town centres in the district to meet the challenge of changing shopping habits
- Seeking additional funding for new strategic infrastructure and regeneration projects from Government which support or enable existing communities in our district
- Meeting the challenge of Government completely withdrawing the Council's grant funding
- Ensuring our land and property assets support the achievement of the Council's objectives (including service delivery, regeneration projects and community initiatives)

¹ <https://democracy.somersetwestandtaunton.gov.uk/ieListDocuments.aspx?CId=325&MId=2504&Ver=4>

² <https://democracy.somersetwestandtaunton.gov.uk/ieListDocuments.aspx?CId=325&MId=2284&Ver=4>

³

6 Finance / Resource Implications

- 6.1 The Community Infrastructure Levy allocations outlined in Table 2, fall within the CIL allocations approved by Full Council in the Council's General Revenue and Capital Budget, on 19th February 2020⁴. Member approval is now sought to commit these CIL allocations to the specific projects identified in Table 2 above, subject to sufficient CIL funds being available.
- 6.2 These Community Infrastructure Levy allocations are required to demonstrate match funding is legally committed to support the Future High Street Fund bid. Approval is sought subject to Government grant being awarded through the Future High Street Fund. If Future High Street Fund grant is not successful or if a smaller amount of grant funding is awarded, a review of the High Street Fund project list will be undertaken and reported for member approval.

7 Legal Implications (if any)

- 7.1 None. Any legal implications have been considered as part of the member approval process for the specific projects within the High Street Fund bid.

8 Climate and Sustainability Implications (if any)

- 8.1 These have been considered as part of the member approval process for the specific projects within the High Street Fund bid (i.e Coal Orchard and Firepool proposals).

9 Safeguarding and/or Community Safety Implications (if any)

- 9.1 None

10 Equality and Diversity Implications (if any)

- 10.1 None

11 Social Value Implications (if any)

- 11.1 None

12 Partnership Implications (if any)

- 12.1 Officers are working with Somerset County Council colleagues on the proposed cycle and pedestrian improvements in the funding bid.

13 Health and Wellbeing Implications (if any)

- 13.1 None

14 Asset Management Implications (if any)

- 14.1 These have been considered as part of the member approval process for Coal Orchard and Firepool.

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15 Data Protection Implications (if any)

15.1 None

16 Consultation Implications (if any)

16.1 Key stakeholders in Taunton were invited to a workshop in February 2019 to input into proposals for inclusion in the Expression of Interest. Specific consultation and community engagement has been undertaken for the Coal Orchard and Firepool proposals.

16.2 The proposed cycle and pedestrian improvements were identified as a priority project in the draft Taunton Local Cycling and Walking Infrastructure Plan (LCWIP). The Taunton Area Cycling Campaign have input into the draft LCWIP and will continue to be engaged in the design process. Unfortunately, due to Covid 19, the workshop for this had to be cancelled but the draft design proposals will be circulated to key partners via email for them to provide comments/input.

17 Scrutiny Comments / Recommendation(s) (if any)

None – due to Covid 19 this was not reported to Scrutiny.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Cabinet/Executive – Yes**
- **Full Council – Yes**

Reporting Frequency: Once only Ad-hoc Quarterly
 Twice-yearly Annually

Contact Officers

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 16

Document is Restricted

