

SWT Executive - 23 September 2020 held via Zoom Video Conference

Present: Councillor Federica Smith-Roberts (Chair)

Councillors Benet Allen, Chris Booth, Ross Henley, Marcus Kravis, Richard Lees, Mike Rigby, Francesca Smith and Sarah Wakefield

Officers: Alison North, Andrew Pritchard, Marcus Prouse, Amy Tregellas, Tim Bacon, Scott Weetch, Joe Wharton, Jo Comer and Julie Jordan

Also Present: Councillors Simon Coles, John Hassall, Libby Lisgo, Nick Thwaites, Anthony Trollope-Bellew, Ray Tully, Loretta Whetlor and Gwil Wren

(The meeting commenced at 6.15 pm)

26. Apologies

Apologies were received from Councillor Pilkington.

27. 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 C Booth	All Items	Wellington and Taunton Charter Trustee	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke
Cllr R Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Lisgo	All Items	Taunton Charter Trustee	Personal	Spoke
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 R Tully	All Items	West Monkton	Personal	Spoke
Cllr L Whetlor	All Items	Watchet	Personal	Spoke

28. Public Participation

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

29. **Executive Forward Plan**

(Copy of the Executive Forward Plan, circulated with the agenda).

Councillors were reminded that if they had an item they wanted to add to the agenda, that they should send their requests to the Governance Team.

Resolved that the Executive Forward Plan be noted.

30. **Community Chest Report**

The report was introduced by the Executive Councillor Chris Booth, Portfolio Holder for Community and the recommendations seconded by Councillor Smith-Roberts.

During the discussion, the following points were raised:-

- A query was raised as to whether there were criteria around organisations receiving grants from other places?
- *This was specifically queried in the application forms.*
- It was understood this fund would only be for those organisations that were very small and did not employ paid staff?
- *This was confirmed but there was flexibility. Those organisations with an income of £10,000 or less would be prioritised.*
- It was queried as to the Budget identified if not spent by the end of the current financial year?
- *A dashboard had been created which would identify the spend in real time. A decision would be taken as to where to utilise the funds if an underspend remained.*
- The Leader expressed her support for the scheme and stated that it had been highlighted during the current pandemic how the organisations to be supported by this fund underpinned everything the Council did.
- The Portfolio Holder confirmed that the intention was to launch the fund on 1st October 2020.

RESOLVED:

1. To approve a supplementary budget of £250,000 for the Community Chest, to be funded from Business Rates Retention Pilot surplus income due to be received in 2020/21.
2. Delegate authority to the Communities Portfolio Holder to make decisions relating to the spend of this fund.
3. The Communities Portfolio Holder will engage with ward members on proposed spending within their wards.

31. **Shared Legal Service Report**

The report was introduced by the Executive Councillor Ross Henley, Portfolio Holder for Corporate Resources and the recommendations seconded by Councillor Allen.

During the discussion, the following points were raised:-

- It was commented that pooling of legal resources was considered prudent when legal services could potentially be expensive.
- Queries were raised over how successful the link with Mendip District Council had been, and how the fair sharing of the service had been monitored?
- *Regular monitoring meetings were held with Mendip District Council and Service Level Agreements were in place. This piece of work would be the time to ensure the proposal was reviewed and was fit for purpose.*
- It was commented that it was important to ensure the legal service was available during the next phase of the unitary process.

RESOLVED to:

1. Noted the contents of this report.
2. Authorised the establishment of a project team to work on the development of a business case and options appraisal for the sharing of legal services between Mendip District Council, Somerset West and Taunton Council, South Somerset District Council and Sedgemoor District Council.
3. Authorised the Director of Internal Operations or her delegated representative, following consultation with the Districts' Unitary Programme Board and Unitary Steering Group, to take any and all decisions as deemed necessary to enable the business case and options appraisal to be developed to include, without limitation, finalising, approving and signing Heads of Terms and engaging any external advisers.
4. Agreed a contribution of up to £5,000 to fund the Councils one quarter share in relation to the engagement of any external advisors.
5. Authorised the Director of Internal Operations or her delegated representative to review the progressing of the shared legal services project in the event that Central Government decide to proceed with one Unitary Authority for Somerset.

32. National Living Wage Report

The report was introduced by the Executive Councillor Ross Henley, Portfolio Holder for Corporate Resources and the recommendations seconded by Councillor Smith-Roberts.

During the discussion, the following points were raised:-

- *It was confirmed the Council currently paid employees equally regardless of characteristic and fulfilled its statutory obligations in terms of reporting on pay.*
- Was the Council looking to re-negotiate existing contracts?
- *The Council would not look to re-negotiate existing contracts but would talk to existing suppliers that the Council would be looking to move forward on this issue in future contracts.*
- A question was raised as to whether this had been adopted elsewhere across the country?
- *Just over forty Councils in England had brought this forward, and there was an opportunity for SWT to be an exemplar in the South West on this issue.*
- It was suggested that in negotiating with suppliers, the Council needed to be robust in ensuring the requirement for a real Living Wage was being passed on to the contracted employee.
- The Portfolio Holder for Corporate Resources expressed that it be included in the minutes that it was his keen aspiration that Steps 2 and 3 of the process as outlined in the report were completed in time for a decision by Council to be made on this matter by the end of May 2021.

RESOLVED to endorse the four stage process listed;

1. Stage 1 – Obtain approval from the Executive to proceed to Stage 2 of the process.
2. Stage 2 – Carry out an Internal Review with directorates to ascertain whether it is feasible to become an accredited Living Wage employer.
3. Stage 3 – Carry out a consultation and impact assessment with our suppliers and partners to ascertain if it is feasible to change our procurement process to become an accredited Living Wage Employer.
4. Stage 4 – If stages 2 and 3 identify that it is feasible to proceed with this project, develop an Action Plan to work towards becoming an accredited Living Wage Employer.

33. **Unitary Programme Delivery Funds Report**

The report was introduced by the Executive Councillor Federica Smith-Roberts, Leader of the Council and the recommendations seconded by Councillor Wakefield.

During the discussion, the following points were raised:-

- It was queried as to what exactly the budget would be required for?
- *The budget was required for a variety of anticipated activity as outlined in the report, including external advice, implementation, and communications with residents. Any unspent funds would be returned to reserves.*
- The specific amount of £249,000 had been requested as the maximum threshold the Executive could approve under the Constitution.

RESOLVED to:

1. Approve a supplementary budget of £249,000 funded from general reserves, for expenditure to provide resources and advice to the Council as it progresses the Stronger Somerset business case and prepares for transition.
2. Delegate authority to the Leader of the Council and/or the Chief Executive, to approve individual items of expenditure against the budget.

34. **Access to Information - Exclusion of the Press and Public**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involved 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).

35. **Purchase and Development Report**

The confidential report was introduced by the Executive Councillor Marcus Kravis, Portfolio Holder for Asset Management and Economic Development and the recommendations seconded by Councillor Booth.

RESOLVED that the Executive approved;

1. The principle of purchasing the site for up to a maximum of a confidential amount identified in the report.
2. An additional confidential budget to progress detailed design up to construction stage.
3. That funding is sought from Homes England and if a viable solution is not identified then the site should be opened up as a green space with car parking for the benefit of the area.
4. Delegated authority to the Executive Portfolio Holder for Asset Management and Economic Development and the Chief Executive, in consultation with the S151 Officer, to agree the final terms and complete the transaction, subject to satisfactory due diligence and satisfactory professional advice is received in relation to Finance, Procurement, Title, SPV, Tax and VAT and Legal and Ground Conditions specifically.
5. The acquisition to be subject to an independent valuation confirming the purchase represents value for money and the scheme is valued as outlined in the report.
6. That the development will achieve zero carbon and if possible contribute affordable housing.

(The Meeting ended at 7.43 pm)