

## SWT Full Council - 5 October 2021

Present: Councillor Hazel Prior-Sankey (Chair)

Councillors Richard Lees, Ian Aldridge, Benet Allen, Lee Baker, Mark Blaker, Chris Booth, Norman Cavill, Simon Coles, Hugh Davies, Dave Durdan, Kelly Durdan, Caroline Ellis, Habib Farbahi, Ed Firmin, Andrew Govier, Steve Griffiths, Barrie Hall, John Hassall, Ross Henley, Marcia Hill, Dawn Johnson, Marcus Kravis, Sue Lees, Libby Lisgo, Mark Lithgow, Janet Lloyd, Dave Mansell, Andy Milne, Simon Nicholls, Martin Peters, Andy Pritchard, Steven Pugsley, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Ray Tully, Sarah Wakefield, Brenda Weston, Keith Wheatley, Loretta Whetlor and Gwil Wren

Officers: Alison Blom-Cooper, Chris Brown, Paul Browning, Jo Comer, Lesley Dolan, Martin Evans (Shape Legal Partnership), Paul Fitzgerald, Simon Fox, Chris Hall, James Hassett, Mark Leeman, Simon Lewis, Jo O'Hara, Marcus Prouse, Clare Rendell, Amy Tregellas, Joe Wharton and Charlotte Winmill

(The meeting commenced at 6.15 pm)

### 30. Apologies

Apologies were received from Councillors S Buller, D Darch, R Habgood, A Hadley, J Hunt, C Palmer, D Perry, A Sully, N Thwaites, A Trollope-Bellew and T Venner.

### 31. Minutes of the previous meeting of Full Council

(Minutes of the meeting of Full Council held on 7 September 2021 circulated with the agenda)

**Resolved** that the minutes of Full Council held on 7 September 2021 be confirmed as a correct record.

### 32. 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 L Baker	All Items	Cheddon Fitzpaine & Taunton Charter Trustee	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 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 Mrs Hill	All Items	Taunton Charter Trustee	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 M Peters	All Items	Taunton Charter Trustee	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 R Tully	All Items	West Monkton	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

Councillors further declared the following interests:-

Agenda Item 12 – Personal Interests – Councillors N Cavill, A Pritchard and V Stock-Williams as they were Trustees of the Taunton Heritage Trust. Councillors H Davies and M Hill as they were Members of the Somerset Building

Preservation Trust. Councillor D Durdan as he owned land in the area being discussed.

Agenda Item 14 – Personal Interest – Councillor M Kravis, as his partner was a member of the RSA Team.

Agenda Item 15 – Prejudicial Interest – Councillors S Wakefield and K Wheatley as they were directors of Wellington Mills Community Interest Company.

33. **Public Participation**

Mr Alan Debenham made the following submission:-

Any serious challenge to combat Climate Emergency, in which this Council has many action proposals, must fundamentally include serious change in general lifestyle and serious change in our current monetary and financial system, globally and nationally, which I suggest - and also my Green Party - a transformation to democratic (government) created Positive Money to replace the present banks debt (loans) creation set-up.

Please see my clear example of the new ethos and operation of the new finance system. What is your opinion of how and when this new system can be implemented and what can SWT do to hurry it along its transformation path?

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

A minute's silence was observed on behalf of Adrian Dyer, the former Chief Executive of West Somerset Council.

The Chair of the Council advised councillors that she had received a lovely thank you letter from Musgrove Park Hospital for all the money raised by the Chair of Council and the Mayor of Taunton.

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

The Leader of the Council advised councillors that the Chief Executive of Somerset West and Taunton Council had resigned and that he would leave at the end of October 2021. She thanked him for all his work over the past few years and wished him well for the future.

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

No questions were received in relation to Procedure Rule 13.

37. **Financial Strategy 2021/22 to 2022/23**

During the discussion, the following points were raised:-

- Councillors highlighted that the payments of universal credit were due to be reduced and queried whether that would impact on council tax and rent payments being received by the Council.  
*The Section 151 Officer advised that he would monitor the income levels throughout the year to see if there was any impact, however, any noticeable trends might not be recorded until next year. He further advised that there was a contingency amount in the budget for this year.*
- Councillors queried what would happen going forward with the budget and the asset transfers under the One Somerset Business Case.  
*The Section 151 Officer advised that all 5 Councils assets and liabilities would be transferred to the New Council.*

**Resolved** that Full Council:-

- 2.1 Noted that the Executive approved the Financial Strategy 2021/22 to 2022/23 in July 2021.
- 2.2 Approved the revisions to the Budget and planned reserve transfers in 2021/22 as set out in Table 1 and Appendix A.
- 2.3 Approved the reallocation of £869k of HRA earmarked reserves to HRA general reserve to support and underwrite HRA Revenue Budget pressures.

38. **Report of the Joint Independent Remuneration Panel on the Member's Allowances Scheme**

During the discussion, the following points were raised:-

- John Thomson gave some background information on the review and thanked the councillors for their participation.
- Councillors queried why the Planning Committee Vice Chair had been allocated an allowance.  
*Officers had looked at the range of roles and decided that the Planning Committee Vice Chair had a significant role compared to the other Vice Chairs.*
- Councillors thanked officers and the Panel for their work.

**Resolved** that Full Council endorsed the recommendations of the JIRP (in section 6.4 of Appendix A), which were:

- 2.1 The Basic Allowance (BA) for all Councillors remained at the current comparative level
- 2.2 All existing Special Responsibility Allowances (SRAs) remained in place at current multiples
- 2.3 The previous SRA for the Chair of the Scrutiny Committee was extended to both Chairs of the two new committees that replaced it (Corporate Scrutiny Committee and Community Scrutiny Committee).
- 2.4 The previous SRA for the Chair of Audit, Governance and Standards Committee was extended to both Chairs of the two new committees that replaced it (Audit & Governance Committee and Standards Committee)
- 2.5 No permanent SRA was made available to the Deputy Leader but the current temporary additional provision was retained and kept at the mid-point between the Leader SRA and the cabinet member SRA on a pro rata basis.

- 2.6 No SRA was made available to the four vice chairs of Corporate Scrutiny Committee, Community Scrutiny Committee, Licensing Committee and Audit & Governance Committee.
- 2.7 A new SRA was made available to the Vice Chair of the Planning Committee set at 0.46 x BA
- 2.8 The BA (and by application of multipliers, all SRA) was inflated for 2021/22 & 2022/23 by Consumer Prices Index including owner occupiers Housing costs (CPIH)
- 2.9 Whilst the Panel felt there was an argument for looking at travel and subsistence rates in the SWT Scheme of Allowances for Members in any fundamental review that may be triggered, for this 2021/22 and 2022/23 travel allowances to be adjusted in accordance with rates set by HM Revenue and Customs (HMRC) from time to time and subsistence allowances to remain linked to increases (or decreases) in staff subsistence rate.

39. **Monkton Heathfield: SS1 Policy Area and MH2 Concept Plan and Design Principles**

During the discussion, the following points were raised:-

- Agenda items 10 and 11 were debated together.
- Councillors advised that the local Parish Councils were supportive of the recommendations, as they had been given opportunity to give their feedback on the proposals.  
*The Portfolio Holder for Planning and Transportation thanked councillors for their comments and always urged Parish Councils to ensure their comments were submitted for each planning application so that local feedback was part of the decision-making process.*
- Councillors were pleased that officers were checking proposals prior to adoption, especially due to the upcoming national planning reforms proposed by Central Government.  
*The Portfolio Holder for Planning and Transportation agreed and suggested that there would be changes made to the planning reforms by Central Government.*
- Councillors wanted to ensure that the Local Plan was protected from the Government changes.
- Councillors thanked the Portfolio Holder and officers for their work.

**Resolved** that Full Council recommended that:-

Having taken into account the comments received to the consultation and in the light of national guidance, that the Council did not proceed to adopt the SS1 Policy area Framework Plan, the draft MH2 Concept Plan and the draft MH2 Design Guidance as a material planning consideration in the determination of planning proposals.

40. **Monkton Heathfield: Land South of Manor Farm, Langaller – Masterplan and Development Guide**

**Resolved** that Full Council recommended that:-

Having reassessed the situation and taken into account the comments received to the consultation and in the light of national guidance, that the Council did not proceed to formally approve the Masterplan and Development Guide to inform pre-application discussions.

41. **Somerset Levels and Moors Phosphate Mitigation: Somerset West and Taunton - proposed programme of interim measures**

During the discussion, the following points were raised:-

- Councillors advised that they should be lobbying Government to get the water companies to do the necessary work to remove the phosphates.  
*The Portfolio Holder for Planning and Transportation agreed and advised that there was a 5-year plan to eliminate phosphates but that was too long a time frame and urgent action was needed now.*
- Councillors agreed that action was needed now and that both the water companies and agriculture sector needed to take emergency action at the root causes.
- Councillors queried whether the Sub-Committee would be open to non-Planning Committee members.  
*The Portfolio Holder for Planning and Transportation advised that the Sub-Committee would be comprised of Planning Committee members but that other councillors could attend to give advice where needed.*
- Councillors wanted to ensure that the decisions made by the Sub-Committee would not be open to legal challenge.
- Councillors suggested other mitigation measures to be included in the specification, such as tree planting and alternative farming practices.
- Councillors queried whether the local MPs were aware of the severity of the situation.  
*The Portfolio Holder for Planning and Transportation advised that the MPs had been made aware.*
- Councillors queried what regulation was Government introducing to deal with the phosphate issue.  
*The Portfolio Holder for Planning and Transportation had not received any indication that Government was due to introduce any legislation on the matter.*
- Concern was raised on the delay caused in the planning process which had impacted on the building supply chain and caused a delay in producing housing in the local area.  
*The Portfolio Holder for Planning and Transportation advised that extra resource had been taken on to help move the process forward.*
- Councillors were happy to support the recommendations to alleviate the impact on local developers and residents.

**Resolved** that Full Council:-

- a) Confirmed that the Council would, until such time as the responsibility fell to others, adopt interim measures to secure in perpetuity development which was phosphate neutral in the River Tone catchment.
- b) Confirmed that the interim measures would include monitoring with annual reporting, to take an evidence led approach to ensure that phosphate

offsets arising from the measures secured kept pace with permissions granted.

- c) Approved a Supplementary Capital Budget of £2m for Phosphates Mitigation Interim Measures, to be included in the General Fund Capital Programme for 2021/22 and 2022/23 (profile to be agreed by S151 Officer), to be initially funded by borrowing. and agreed that associated debt financing costs were included in the MTFP.
- d) Agreed in principle that income received in respect of phosphates credits, for example through S106 contributions, be set aside first to repay borrowing and interest costs and then contributed to ongoing revenue costs associated with the interim measures implemented.
- e) Noted the financial risks and potential market and asset valuation fluctuations, supported the creation of an appropriate contingency within earmarked reserves, to be assessed and recommended by the S151 Officer as part of the annual budget report.
- f) Delegated authority to progress the purchasing of land and the creation of phosphate credits within the approved budget, and subject to a viable business case, to the Assistant Director Strategic Place and Planning in consultation with the Section 151 Officer and the Executive Councillor Member for Planning and Transportation.
- g) Delegated authority to progress the Appropriate Assessment of the interim programme of measures and its sign off by Natural England to the Assistant Director Strategic Place and Planning in consultation with the Executive Councillor Member for Planning and Transportation.
- h) Agreed the governance and delegated authority arrangements for managing and setting up the subcommittee of planning to manage the interim strategy and the purchasing of phosphate mitigation credits to meet the needs of affected development (enclosed as Appendix A).
- i) Supported where it was expedient to do so, in line with legislation and where there was a compelling case in the public interest, the use of legal powers (e.g. Compulsory Purchase Orders) to deliver cost-effective phosphate solutions.
- j) Required all new residential development to include water efficiency measures (110 litres per person per day) in line with SWT sustainability and climate change objectives, and that this would be a material planning consideration in the determination of affected proposals.
- k) With regard to determining planning applications, delegated authority to the Assistant Director of Strategic Place and Planning, the Lead Officer for Development Management and the Planning Policy Manager where appropriate to enter into Section 39 Agreements with landowners/farmers providing the mitigation project on their land.
- l) Delegated authority to the Assistant Director Strategic Place and Planning in consultation with the Executive Councillor Member for Planning and Transportation and the Phosphate Working Group to publish interim guidance clarifying the Council's position (as Local Planning Authority) on accepting Phosphate Credits purchased via third party trading platforms.

42. **Access to Information - Exclusion to the Press and Public (appendix 2 on agenda item 14 and the entirety of agenda item 15)**

**Resolved** that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business (appendix 2 on agenda item 14 and the entirety of agenda item 15) 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).

43. **Single Homelessness and Rough Sleeper Accommodation Strategy & Delivery Plan**

During the discussion, the following points were raised:-

- The Chair of Community Scrutiny gave feedback from the debate held by the Committee and wanted to ensure that their comments would be taken into consideration.  
*The Portfolio Holder for Housing gave feedback and explained why extra focus had been given on the single homelessness element of the Strategy.*
- Councillors were keen to see action being taken to end rough sleeping.
- Councillors thanked officers for their work on the Strategy.

**Resolved** that Full Council:-

- a) Adopted the Single Homelessness and Rough Sleeper Accommodation Strategy (SHRSAS) (Appendix 1) and associated Delivery Plan (Confidential Appendix 2).
- b) Approved the virement of £1.17m and a supplementary General Fund capital budget of £0.38m to support the capital investment of £1.55m as set out in section 6 and Confidential appendix 2.
- c) Delegated authority to the Section 151 Officer to make the final funding decision for any capital budgets used in the General Fund or HRA, including any reallocation of part of the capital budget (b) from the General Fund to the HRA.
- d) Noted the predicted increase in revenue costs 2022-2025, and to delegate authority to the Section 151 Officer to agree the revenue funding allocations 2022-2025 through a combination of homelessness earmarked reserves, future successful bids for government grant, and Better Care Fund grant (subject to Health and Wellbeing Board approval on 22nd November 2021).

44. **Levelling up Bid**

**Resolved** that Full Council approved the recommendations within the confidential report.

45. **Re-admittance of the Press and Public**

46. **To consider reports from Executive Councillors**

During the discussion, the following points were raised:-

- Councillors queried what was happening with the Bus Station in Taunton and highlighted that Somerset County Council had sent out consultation documents regarding bus station provisions.  
*Officers advised that a member briefing would be arranged to answer the many queries regarding the topic.*
- Councillors queried what progress had been made on the Innovation District Hub.  
*Officers advised that a report was being taken to Corporate Scrutiny for debate.*
- Councillors requested an update on the Local Plan.
- Councillors mentioned a conference for Parish Councils, to advise them of how services would be delivered under the Unitary Authority. Concern was raised that there had been rumours that Somerset County Council would become the continuing authority and how would the District Councils feed into that.  
*Officers advised that all 5 Council were working collaboratively on the structure for the Joint Committees and further detailed information would be given once the Structural Change Order was received.*

(The Meeting ended at 8.55 pm)