

## Taunton Shadow Town Council - 1 December 2022

Present:

Councillors Tom Deakin (Chair), Brian Larcombe (Vice-Chair), Chris Booth, Norman Cavill, Simon Coles, Dixie Darch, Caroline Ellis, Habib Farbahi, David Fothergill, Marcia Hill, Robert Isaacs, Dawn Johnson, Richard Lees, Sue Lees, Libby Lisgo, Martin Peters, Hazel Prior-Sankey, Francesca Smith, Ian Talbot, Brenda Weston and Keith Woodmason

Officers: Alison North, Meg Stokes, Dan Webb, Tony Bryant, Chris Hall, Paul McClean, Reg Williams and Tom Woodhams

Also Present: Councillors Mike Rigby and Sarah Wakefield

(The meeting commenced at 6.15 pm)

### 10. **Apologies**

Apologies were received from Cllrs Baker, Hunt, Smith-Roberts, Perry and Wedderkopp.

### 11. **Minutes of the previous meeting of the Taunton Shadow Town Council**

**RESOLVED** to approve that the minutes of the previous meeting of the Committee held on 3<sup>rd</sup> November 2022 were a correct record.

### 12. **Declarations of Interest**

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

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr C Booth	All Items	SWT & Wellington & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr N Cavill	All Items	SCC & West Monkton	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr D Darch	All Items	SCC & SWT	Personal	Spoke and Voted

Cllr T Deakin	All Items	SCC & SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr C Ellis	All Items	SCC & SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr H Farbahi	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr D Fothergill	All Items	SCC	Personal	Spoke and Voted
Cllr Marcia Hill	All Items	SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr R Isaacs	All Items	Cheddon Fitzpaine	Personal	Spoke and Voted
Cllr D Johnson	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr B Larcombe	All Items	Comeytrove & Lyme Regis	Personal	Spoke and Voted
Cllr R Lees	All Items	SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr S Lees	All Items	SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Lisgo	All Items	SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr H Prior-Sankey	All Items	SCC & SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Rigby	All Items	SCC	Personal	Spoke
Cllr F Smith	All Items	SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr I Talbot	All Items	Staplegrove	Personal	Spoke and Voted
Cllr S Wakefield	All Items	SCC & SWT	Personal	Spoke

Cllr B Weston	All Items	SWT & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr K Woodmason	All Items	Comeytrowe	Personal	Spoke and Voted

### 13. **Public Participation**

#### **1. Ms Helen Lawy – Taunton Green Forum**

“In the vision statement there is nothing about the climate and ecological crisis. Will the council actions be underpinned by these crises and use them to help form their ambition?”

Is the garden town still an aspiration?

Nature needs a holistic approach where we take a landscape approach. Will the town council work with surrounding parishes, SCC and EA?

How can the friends of groups work constructively with the town council?”

Response delivered by Cllr Dixie Darch:

Thank you for your question on behalf of The Green Forum. We look very much forward to working constructively with ‘The Friends of’ Groups and keeping them informed both now and in future as an external stakeholder associated with our outstanding parks, when Taunton Town Council looks to take on ownership of a large number of said Parks in the area from April next year, with finalisation of those still to come from Somerset County Council. I am sure our Stakeholder Engagement Lead and Officers from the Assets and Services Workstream would welcome a further conversation outside of the meeting.

I am also sure the Town Council when up and running will be engaging with the partners you mentioned as well as others on environmental matters in line with their statutory duties and functions.

The Garden Town work is being delivered by Somerset West and Taunton Council currently following Taunton’s designation in 2017 and recent reports on its governance have been taken through both SWT Scrutiny and Executive. The Shadow Town Council has on its Forward Plan a Briefing in January to be given on this topic by the SWT Implementation Manager which I would encourage you to attend and observe if interested.

Regarding the Vision Statement, I would caution that this is a specific programme vision statement designed to provide a summary of the future end state we want to deliver for 1<sup>st</sup> April, it is not the Vision Statement or Corporate Strategy for the Town Council itself, which will be something the Town Council will likely want to develop very quickly after the Elections in May next year for their four year term. I

wouldn't want to pre-determine those Members considerations but I am sure Climate and Ecology will be important considerations.

Thank you again.

## **2. Mr Roger House – Resident**

“On subject of report of Offices for fledgling Town Council - Support report for provision of town council offices, but think town centre operational space will soon be required also for Town Councils employees / contractors. The Schedule of assets to be transferred to the new council does not yet include the Market Charter for Taunton (which was conferred on the old Borough Council operating with the boundaries of the new town council area). My experience in trying to help promote the Produce Market up to 2010 and keep it going on the Priory Bridge Market site after the agricultural market moved suggests a more local council will better placed to promote the town. Salisbury have a massive market square and income to boot, our High Street and Castle Green are more restricted and geared to low cost community events rather than quick commercial gain for the First Tier council. The new town council will need operational space in the heart of the town centre, there is a need to reserve some on a temporary basis as for the offices.”

Response delivered by Cllr Tom Deakin:

Thank you very much for your question Mr House and for your engagement so far with the Community Governance Review, and now the Implementation Phase of setting up a new Town Council.

I am grateful to you for your feedback and support of the proposed accommodation option being presented to the Shadow Town Council this evening. Regarding the requirement for operational space in the town centre, as was outlined in the reports taken through Council, it was anticipated when establishing the Town Council's budget that the town council would purchase these services from the unitary from the outset. This can then be reviewed later, for example when current contracts end. Therefore there will be no requirement, at least initially, for the Town Council itself to hold operational space in the Town Centre as contracted staff will be delivering the service as is using their existing facilities.

Thank you for your comments on the continuation of Markets in the Town. I am sure Officers will take these on board. I understand that SWT Council does not directly own or manage markets in Taunton, but previously a street trading consent had been issued to the District Council's Business Development department who in turn allowed for street trading and event organisers to run markets, fairs, festivals in Taunton town centre.

In relation to events, it will be almost certain that the Town Council will want to play a key role in supporting events in the Town and as part of that budget setting exercise previously mentioned a proportion of the budget was set at £100,000 to the Town Council for Events in 2023/24. The staffing budget also includes a provision for staff to organise events in the town. The district council currently

holds an events budget of a similar amount which funds activities such as Christmas events and Christmas lights etc. and much more.

I hope this information is helpful.

Thank you.

#### 14. **Programme Vision Statement**

At the first meeting of the Shadow Town Council Councillors considered the suggested Programme Vision Statement which would provide a concise summary of the future state the Programme would deliver.

Officers had initially presented the following statement at that meeting for comment:

*“To create a safe, legal and functioning Town Council for the residents of Taunton that provides a representative body for the community that:*

- Enables the effective promotion of the well-being of residents,*
- Contributes to the provision of services in the area in an economic and efficient manner*
- Promotes community engagement and effective and convenient local government.”*

Councillors had held a discussion at the first meeting and requested that this was placed on this meeting’s agenda for a fuller discussion and finalisation. Some concern had been raised that the statement as originally presented was not sufficiently visionary or aspirational.

The Chair introduced the item and stated that the Vision Statement was only intended to cover the period of the Shadow Town Council. The Programme Manager outlined the key purpose of the Vision Statement and its relation to the programme. Further conversations would take place with the clerk when appointed to review and refine the statement and think to the longer term. A Business Architecture Model would then follow on from the Vision Statement.

Councillor Weston stated that she had spent a lot of time comparing this statement to other Town and Parish Councils. This statement as was drafted was considered functional but not inspiring. She had prepared a revised Vision Statement and Mission Statement, consulting Local Government Association Guidance. Her proposed statements were as follows;

#### **Vision**

To establish an inclusive and effective Town Council that informs, empowers and connects our communities and improves the quality of life for residents of all ages.

## **Mission**

- To consult residents, organisations and businesses in year one to identify priorities for the first five years
- To seek value for money when deciding policies and procedures
- To ensure our information, communications and venues are accessible to all residents
- To work with Somerset Council and other key agencies for the benefit of our communities
- To provide safe spaces for young people to socialise and develop interests and skills
- To adopt and promote carbon neutral policies and practices
- To protect and promote Taunton's diverse heritage, arts and cultural assets.

Councillor Deakin thanked Cllr Weston for her efforts.

During the discussion of this item, Members made comments and asked questions which included:-

- Comment was made that it was understood that this was only for the Shadow period, but there needed to be reference to the Shadow Council should help create the means for a Council that can shape Taunton's future development. There was also a desire to see reference to Taunton being a prominent destination in the South West Region. These two aspects were missing from a statement that could apply to any Council.
- It was considered imperative that residents were taken on this journey too. A suggestion was made that wording was included that stated that citizens were listened to and had a chance to influence public decision making as well as values and responds to community initiatives. The intent was that the future Council was one that embraced good ideas.
- The currently drafted Vision Statement was not considered uniquely Taunton and lacked ambition.
- A more exciting statement was considered to bring in more engagement from the public with the new Council.
- It was considered important that plain English language was used rather than more technical terms.
- It was considered difficult to determine a revised Statement and Mission at a Committee meeting.
- It was felt that the Vision Statement could be changed and altered as we went through the process as needed.
- It was suggested that the Statement also needed to encompass the need to look for central government funding e.g. Town Deals and liaising with the Community and Voluntary Sector.
- It was considered important that the Vision and Mission gave a steer to the new Town Clerk as to areas of focus.
- It was felt further work was needed to encapsulate the comments that had been made.
- Concern was raised about the Mission Statement and its risks to tie the future Town Council to a certain course.

**RESOLVED** that the Shadow Town Council approved the following:

1. Deferred the approval and adoption of a Programme Vision Statement.
2. Councillor Weston's Vision and Mission Statements would be circulated to the Shadow Town Council for Councillors to feedback any suggestions, changes or additions and that document would then be presented again at the January meeting for adoption and approval.

## 15. Taunton Town Council Office Accommodation

The report sets out an option for accommodating the office and meeting space needs of the to be created Taunton Town Council. The proposed option provided stability for that Council in the short term without tying them into a lengthy commercial lease. The space proposed was a separate room on the Ground Floor of Deane House with external access and use of shared kitchen and toilet facilities. The decision on accommodation was needed as a matter of urgency so that ICT and telephony arrangements can be put in place, these were expected to have long lead in times with suppliers.

The report sought to cover the roles of Somerset West and Taunton Council with a view to the impacts on Somerset Council, as well as giving consideration to the needs of the Taunton Town Council. Somerset West and Taunton Council were able to make this offer without impacting on current working arrangements in Deane House. There was no negative impact on the Somerset Council as office rationalisation decisions have yet to be approved and the initial lease offered is limited to 12 months.

Taunton Shadow Town Council were requested to make comment on the report and recommendations.

During the discussion of this item, Members made comments and asked questions which included: -

- A request was made to be provided with a floor plan of the proposed space.
- Deane House would not need to be open to the public to allow the space to be accessed by staff or members.
- The savings of around £16,000 was considered beneficial for the Town Council to invest in services for residents.
- Clarification was sought on how many people could be accommodated in the space as a maximum?
- *Around 10 people was considered not unreasonable.*
- Clarification was provided on the costs associated with the Security Guard, who would be required to stay on whilst the building is in use for evening meetings.
- Concern was raised that the room was not sufficiently bold in signalling the arrival of the Town Council.
- It was suggested that the work to find a more permanent setting needed to start now rather than April 2023 in terms of cost/availability, with Somerset County Council and SWT pressed by this body to provide a premises for the Town Council e.g., The Old Municipal Buildings. (OMB)
- The OMB did already have existing services within it and concerns were raised about its accessibility.
- Support for the proposed option was stated and that it allowed the Council to deliver on Day One in a modern building.
- A suggestion was made of a preliminary list of alternative options for the future was suggested.

**RESOLVED** that the Taunton Shadow Town Council noted and approved of the following:

2.2. SWT Portfolio Holder for Economic Development, Planning and Transportation/ Deputy CEO & Director of Place and Climate Change approve that:

2.3 The accommodation requirements for the 'to be' Taunton Town Council are agreed and a lease is entered into for 12 months starting on 1st April 2023.

2.4 It is further recommended that consent is given to allow works to that space to commence under licence in the lead up to the lease start date.

## 16. **Technical Advisor - Project Overview and Assurance**

Reg Williams, Technical Advisor to the Project from the Society of Local Council Clerks provided an overview/assurance of the project for Councillors.

He had been involved in the project from its early inception. Other areas transitioning to Unitary around the country were some way behind the Taunton project which should be reassuring. The approval of the accommodation was important and further work could now follow. The Bank Account and insurance issues were being progressed. The Council will need rules and regulations from Day One and this work had started, including other key policies that need to be in place very early on. Both Councils had put in sufficient resources in his view to deliver this project. This project was felt to be in a good place and reassurance was given.

During the discussion of this item, Members made comments and asked questions which included: -

- Clarity was requested on the impact of Somerset Council's decision to grant Council Tax Relief on the Taunton Town Council budget?
- *Further detail would be provided on budgets at the scheduled January meeting and the detail on that particular question would be reflected in the report. The total precept number of £2.114m is a fixed amount but the tax base figures would be provided at the future meeting.*
- Other Towns such as Harrogate and Barrow-in-Furness were undergoing this same process in North Yorkshire and Cumbria respectively.

**RESOLVED** that the Shadow Town Council:

- Noted the update from the Project Technical Advisor and had provided any comments.

## 17. **Town Clerk Recruitment**

Reg Williams, Technical Advisor to the Project from the Society of Local Council Clerks provided an overview of the recruitment activity associated with the employment of a Town Clerk for the new Council. It is hoped an offer could be

made shortly after the conclusion of the interviews, being held on Friday 16<sup>th</sup> December 2022.

During the discussion of this item, Members made comments and asked questions which included: -

- Concern was raised over the impact of the postal strikes on the delivery of application forms.
- *All applications were likely to come in via email.*
- A query was raised as to the determination of the interview panel?
- *The normal process was that the Chair and Vice Chair would sit on the panel, but as the Chair is unavailable on the date he had asked Cllr Johnson to take his place. The Panel was usually no more than four people with a good demographic range.*
- Concern was raised that conflicts of interest were explored if any existing clerks that were known to existing officers/councillors.
- *This would be done if required and Councillors interested in being a reserve panellist to put themselves forward.*

**RESOLVED** that the Shadow Town Council:

1. Noted the update from the Project Technical Advisor and provided any comments.
2. Approved the nominations of Two Shadow Town Councillors (Cllrs Brian Larcombe and Dawn Johnson) to sit on the Interview Panel.

## 18. **Implementation Plan Update**

Officers presented a verbal update on this item with a slide pack. This would be a regular item. It was reassuring to have the assurance from the external technical advisor and he was thanked for his work so far on the project. A recap was given on the Key Programme Milestones some of which had already been discussed earlier in the meeting. A reminder was given on the tranche planning.

During the discussion of this item, Members made comments and asked questions which included: -

- A query was raised as to the Photo ID requirement for this election and the publicity around that, including any information that could be given on the poll card and the risks of disenfranchisement.
- *The programme was being supported by Communications with a Communication Plan. This would be captured for the Plan.*
- *Guidance from the Electoral Commission would be circulated setting out the implications of the Election Act 2022 and an item on the Election was forthcoming in February.*
- A query was raised as to whether the Town Council was required to continue with the IDverde contract?
- *The contract with IDverde was not coming to an end as a result of the transition to a new Town Council and it would be novated to the new Somerset Council. When the contract comes to its natural end, then the Town Council could consider whether to be part of a wider contract, or go to the marketplace to commission services.*
- *Further information on the Committee structures would be brought forward in due course.*

- It was stated that the new website specification needed to be carefully developed with accessibility in mind.
- Queries were raised over ensuring the assets and spaces of those parishes being absorbed and the arrangements and contracts for the management of those, including Community Halls.
- *When the budget setting for the new Town Council was done it looked at the existing Parish budgets as building blocks, so the costs would have been factored in, accepting there may be some legal costs and processes for this transfer.*
- A progress update was also requested on the existing Parish Clerks.
- *It was considered that TUPE would apply and all three had shown some interest in the process. All were Part time. Two SWT Colleagues were also in scope. The important thing was to look after the individuals.*
- A request was made that the slides were sent out with the Agenda pack in advance of the meeting to allow Councillors time to digest the information.
- Concern was raised over the few number of meetings remaining to consider the remaining issues.
- A request was made to ensure the visibility of the Risk Register to Members was considered, including confidentially as and when necessary.
- *A written response would be provided on the impact of Pre-Election Period and the Elections team were currently working on the impacts of the new Voter ID laws. The Election costs would be re-charged to the new Town Council as it is standalone. It was estimated that costs could be up to £25,000, but it was unclear if this included the additional costs due to the new legislation.*

**RESOLVED** that the Shadow Town Council:

- Noted the update on the Implementation Plan progress and provide any comments.

## 19. **Judicial Review Update**

Legal Workstream Lead and Deputy County Solicitor Tom Woodhams gave an update on the Judicial Review Action initiated by Cheddon Fitzpaine Parish Council. He was not able to give an update on the merits of the claim or the Councils position. His update was purely in relation to the impact on the programme. There was no date for a hearing, and this could take some time to come to a substantive hearing. The effect of any order of the court if it was to happen would be to possibly set aside the Re-organisation Order in its entirety would be set aside. The impact currently on the programme was minimal. If a Clerk was recruited and the Order was not implemented the Council would need to consider what it does with that individual.

During the discussion of this item, Members made comments and asked questions which included: -

- A query was raised as to what would happen if the hearing was after 1<sup>st</sup> April 2023 and how it would be possible to revert if it passed that the date?
- *The re-organisation order takes effect on 1<sup>st</sup> April. Unless an interim order is made to cease work the Council would continue. It would be up to the Court to determine the issues in the situation enquired about.*
- A request was made that the potential situation with the Judicial Review was explained to all potential Town Clerk applicants.

- *This would be done.*
- A query was raised about any financial liabilities for the new Somerset Council as a result of the Judicial Review?
- *A written answer would be provided.*
- A query was raised to as a request for a pre-hearing to expedite the process or persuade the other party to withdraw?
- *This is being considered and Kings Counsel advice is being sought. Advice has also been sought on success at application stage.*
- Comment was made that given where we were in the process that the Council needed to continue its work and receive updates.

**RESOLVED** that the Shadow Town Council:

- Noted the update on the Judicial Review Action.

## 20. **Taunton Shadow Town Council Forward Plan**

The Chair introduced the item and proposed that the meeting scheduled for 3<sup>rd</sup> January be cancelled, and the items listed be moved to the 31<sup>st</sup> January meeting. A special meeting could be scheduled prior to vesting day if needed.

**RESOLVED** that the Shadow Town Council:

- Agreed the revised Forward Plan.

(The Meeting ended at 8.40 pm)