

Taunton Charter Trustees - 2 July 2020 held via Zoom Video Conference

Present: Councillor Francesca Smith (Mayor)
Councillors Sue Lees (Deputy Mayor), Lee Baker, Simon Coles, Caroline Ellis, Marcia Hill, Richard Lees, Libby Lisgo, Derek Perry, Martin Peters, Federica Smith-Roberts, Alan Wedderkopp and Brenda Weston

Officers: Jo Comer, Marcus Prouse and Amy Tregellas

Also Present: Councillors John Hunt and Mike Rigby
Councillors David Fothergill (Leader of Somerset County Council), Giuseppe Fraschini (Somerset County Council) and Rod Williams (Somerset County Council)

(The meeting commenced at 6.00 pm)

9. Apologies

Apologies were received from Councillors Chris Booth, Hazel Prior-Sankey and Danny Wedderkopp.

10. 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 & SWT	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr C Ellis	All Items	SWT	Personal	Spoke and Voted
Cllr D Fothergill	All Items	SCC	Personal	Spoke
Cllr G Fraschini	All Items	SCC	Personal	Spoke
Cllr Marcia Hill	All Items	SWT	Personal	Spoke and Voted
Cllr J Hunt	All Items	SCC & SWT	Personal	Spoke

Cllr R Lees	All Items	SWT	Personal	Spoke and Voted
Cllr S Lees	All Items	SWT	Personal	Spoke and Voted
Cllr L Lisgo	All Items	SWT	Personal	Spoke and Voted
Cllr M Peters	All Items	SWT	Personal	Spoke and Voted
Cllr M Rigby	All Items	SCC, SWT & Bishops Lydeard	Personal	Spoke
Cllr F Smith	All Items	SWT	Personal	Spoke and Voted
Cllr F Smith-Roberts	All Items	SWT	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr B Weston	All Items	SWT	Personal	Spoke and Voted
Cllr R Williams	All Items	SCC	Personal	Spoke

11. **Public Participation**

Four members of the public submitted statements and questions which were read out on their behalf:

1) Mr David Orr

I am a resident in the Unparished Vivary Ward of Taunton (formerly Killams and Mountfield). Taunton Unparished wards have long suffered from a democratic deficit when compared to the parished wards: No rights to statutory consultation on any community matter; no share of planning gain; no say, basically.

Highways England proposed an A358 Expressway but with just one flawed Orange route and a huge new M5 junction proposed at Killams adjacent to homes. Our Unparished ward had to fight to be heard and used our own money to fund the campaign for a meaningful consultation with multiple routes.

We worked closely with the parish of Stoke St Mary and envied their statutory consultation rights, paid clerk, community recognition and purpose. It took 3 years for this Council to be formed from Taunton Deane and West Somerset Councils. It is a major oversight that the issue of anomalous Unparished wards in Taunton was not addressed at the same time. The Charter Trustees were then formed but with the principal purpose of saving the ceremonial role of Mayor. However, that role and those costs are borne only by the Unparished wards and 45% of Taunton's population, which is neither ideal nor fair.

It is my view that the Charter Trustees should not behave as a Shadow Town Council given the limited geography and community tax base. When the coronavirus pandemic is over, the UK will be left with a wartime level of debt and effectively be in negative equity. Any "New Normal" cannot involve the costly and confusing two tiers of five councils for Somerset. The County Council unitary proposal has the merit that by removing one of the current confusing two tiers of Local Government, it creates space for a Town Council for Taunton for an area far wider than the Unparished wards. All wards in Taunton will then be equally represented.

I worked with the late Sir Chris Clarke OBE and former County Council Leader back in 2004 when he worked for the Ministry for Communities and Local Government. Our preferred unitary model in 2004 was to revert to the historic boundaries of the ancient County of Somerset (to include North Somerset and Bath & NE Somerset) and create two new unitary councils (from eight existing Councils). That is still my preferred option. In this initial survey by the County Council, I believe that each Taunton Unparished ward should make their own survey response, just as each parished ward will.

Any attempt at a single response would add to the impression that the Charter Trustees are a Shadow Town Council. It could also result in a majority vote whereby the Lib Dem in-built majority on the Charter Trustees could be seen as imposing a party political view without any serious or meaningful consultation with communities in each Unparished ward.

Should the Secretary of State start a formal consultation on options for the future of Local Government in Somerset then I would like the councillors for Unparished wards to plan to engage with their communities and give them the same consultation rights and voice as the parished wards.

That would involve the elected councillors for each Unparished ward being funded to conduct public meetings and conduct a meaningful consultation in each community before responding to the Government. Reform is long overdue and must now happen.

2) Mr Chris Mann

The Crescent in Taunton reminds us of how much business has changed in the last 50 years since your two tier management structure was last changed. All

those insurance companies moved away, using massive improvements in communication and technology to reduce costs. This is a difficult time to be considering local government reorganisation, but new home working will bring further opportunities which must be directed to reducing our unnecessarily expensive council tax which impacts severely on many who pay more council tax than income tax.

I know you have merged some services such as building control and housing standards so why not chief executives, managers and councillors like Cornwall, Bath and North East Somerset, North Somerset, Wiltshire, Dorset and 150 other unitary councils?

In the UK, most monopolies have a regulator who, while allowing business choices, will disallow or fine inappropriate expenditure, waste or poor customer service. If democracy is ever to be the regulator of council services, you councillors should act as directors for your shareholder citizens, reducing costs and resisting the explosion in management consultancy that brought us CSL, Southwest One and the Ignite so called 'transformation'. IT led transformations may be fun, and a break from routine and great for your managers CV, but they are often compared to borrowing your watch to tell you the time.

The final proof of the need for a unitary Somerset council was your council's recent spending of £20m (£500 per household) on refurbishment of an unnecessary 1970s office and an unnecessary new IT system with unplanned redundancies, at the same time as a BBC Panorama programme on social care for the sick and disabled showed that Somerset County Council were desperate for more funding. In 2014, your council announced you would move into County Hall to reduce waste and duplication. This income misallocation would not have happened under a single unitary council.

One Somerset could save between £19 and £27m a year. If councillors had voted for a unitary Somerset at Express Park in 2007, your citizens could have been saved £250m plus £90m by not approving Southwest One and the Ignite transformation.

I am impressed with the One Somerset consultation and hope it could be implemented using the knowledge and common sense of your existing staff. I trust that this time you will be able to support this quite normal reform.

3) Ms Catherine Herbert

I strongly object to the trustees considering the idea of a unitary authority without actually asking the residents of the Unparished area what their views are.

For some time now many councillors from the Unparished area have made a big issue about how important the voice of the Unparished area is and how this has not been allowed to be heard. You have all promised that you will remedy this by putting in place the review that will allow wards to become parishes or become part of a town council, but nothing seems to be moving forward with this.

The idea of a unitary and if it is good or bad is not what I am really concerned about here, I (and many others if they realised) object to your small group giving an opinion on my behalf with zero consultation.

If we had a parish council then the details of this idea would be presented and discussed openly and residents would have opportunity to give their thoughts, undoubtedly there would be a variety of opinions and the council would then have to come to a consensus, but at least people would have had an opportunity to contribute and be heard. The charter trustees are an almost invisible group that 99% of the residents of the Unparished area know absolutely nothing about and do not know that you are spending their money and giving opinions on their behalf.

The Charter Trustees do not have the authority to act as a town council, it says this clearly on the webpage about you, so you do not have any authority to give an opinion on behalf of the Unparished areas residents.

I believe that you need to hold a consultation with the Unparished area and it will be a failing of democracy if this does not happen.

I look forward to be consulted about this and indeed other matters very soon.

4) Mr Roger House

The choice of higher level Council is the most important item on tonight's agenda, but for a Unitary Council, Unparished Taunton must be changed hopefully to form a new Town Council.

My concern is that the 2007 Local Authority Act setting up Unitary councils as used by Dorset last year has clauses designed for a strong Unitary Council Base, by creating minimal assets for new parishes; legally these rules may not be able to be varied to create a strong Taunton Council.

In Dorset's case Weymouth (47,000 population) was the only Unparished area, in July 2019 newspaper stories told of the hope of retaining some car park income rumoured to be £3 million. But at the end of the year I attended at Dorchester a Shadow Unitary Cabinet meeting, despite a last ditch request by the Chair of Weymouth and Portland Council, all the car park income was retained by the big Council.

I have passed the committee a copy of the January 2019 Functions and Assets Report for the new Weymouth Town Council with rules and proposals defining the new arrangements like:

If bodies fail to co-operate and agree on asset and financial transfers, the Minister for Local Government will intervene to limit transfers to a town council".

One of the four key principals states there should be no financial detriment to the Unitary Council. All assets required for the delivery of council services and those capable of generating income are transferred to the unitary authority.

As a special case only beach income was left with the Town Council, then set up with annual expenditure of £3.3 million and local tax of £184 for a band home.

A decade earlier in a Wiltshire reorganisation, the county town of Salisbury City Council was formed owning its massive market and event square, income generating car parks and even a Crematorium, those days appear gone.

Can the Council and Charter Trustees seek legal advice to confirm if the Dorset rules and terms apply for Taunton, so there can be no income from car parks or re-acquisition of iconic Taunton buildings like the Municipal Buildings, Market House, or the old Produce Market on Firepool, to mitigate high town centre costs that we will inherit?

The Mayor thanked all those members of the public that had submitted statements and asked questions. She stated that as a Group, the Charter Trustees had requested of SWT Officers to look into the formation of a Town/Parish Council. It was stated that the proposed savings figures provided by Mr Mann could be verified with further information. The Mayor understood that the County Council were undertaking a separate public consultation on their proposals at the current time, whereas this meeting was to discuss responding to the Town and Parish Survey as a collective Charter Trustee body.

After a request from the Mayor to clarify whether the Charter Trustees could respond to the consultation as a collective, the Clerk confirmed that the Charter Trustees had been added to the consultee list by the County Council, so they had accepted and invited the Charter Trustees to respond, either individually or as a group. In terms of a precedent The Charter Trustees for Crewe in 2009 had been uncertain as to whether they could respond to their District Council's survey on a Governance Review, but they had received legal advice that this was acceptable. However, they as a group could not agree on a collective response. The Clerk confirmed that it was for the Charter Trustees to decide whether they wished to submit a response as a collective, individually or submit none at all.

12. **Unitary Proposal and its proposed impact on the Unparished Area of Taunton**

The Mayor of Taunton introduced the item and stated that it was disappointing that the Charter Trustees had received the survey eleven days after other Town and Parish Councils and an extension to the response deadline had been requested of Somerset County Council, which had been refused. The Mayor welcomed Councillor Fothergill, Leader of Somerset County Council and introduced him to the meeting.

Firstly, Councillor David Fothergill (Leader of Somerset County Council) attended and presented an update and overview of the One Somerset Programme.

Councillor Mike Rigby (Executive member for Somerset West and Taunton Council) followed and provided an overview of the District Councils views.

During the discussion, the following points were raised:-

- It was queried as to whether the timing was right to try and re-organise the whole of democracy in Somerset during a pandemic and the economic consequences of said pandemic.
- The impact on District Council staff who had already gone through a Transformation process was going to be difficult.
- The Unitary model in the right circumstances was felt to have some merit.
- The Leader of the County Council responded that now was absolutely the time and all Councils were going to face significant challenges during the Coronavirus and getting through this required organisations to pull together. South Somerset District Council and SWT had been doing work on how to improve the current system. SCC had spent £43m on the pandemic, with thousands of staff deployed in new areas. The direction from Government and the Local Government white paper was supportive of this move.
- Cllr Rigby clarified that the only work that had been done on this was in the last couple of weeks. SWT had done no work on this until SCC resumed.
- It was stated that One Somerset did not have overall support lacking the support of the District Councils. The last re-organisation did not have a public vote, and the lack of democratic engagement in the process was questioned, and why there was no referendum.
- The Leader of the County Council responded that the Government had a clear process for Local Government re-organisation based on geography, number of residents and level of support. The consultation process would be required by the Secretary of State who would then decide.
- It was queried that Somerset County Council was struggling due to the spiralling costs of Adult and Children's Social Care and that the Unitary question had been promoted as an idea by the Leader in 2018 when merger between the two former District Councils was taking place.
- The Leader of the County Council responded that the County Council had increased reserves dramatically last year, but did have to make difficult decisions two years ago.
- The Leader of the County Council responded that the residents do not belong to SCC or SWT and they are all the same people. The primary driver was inefficiency of service, not the finances.
- The Leader of the County Council responded that concern about West Somerset Council's solvency ensured the speed with which the former Councils were merged and why he had supported that measure at the time.
- Concern was raised that the merger of the two District Councils was on track at the same time as Unitary was being raised to the National Government and an opportunity had been missed.
- The Leader of the County Council responded that Unitary should have been done in 2008 and there would have been £250 million potential for savings.
- Concerns were raised around the unitary proposal and appropriate funding levels for Town and Parish Councils and the mention of the voluntary sector being involved in key council services.

- The Leader of the County Council responded that if a future Taunton Town Council had no ambition to run services there would always be a safety net.
- A query was raised as to whether a Community Governance Review would have to be undertaken if the Unitary was approved?
- The Leader of the County Council responded that the creation of a town council would form part of the business case and go through on the same orders, much like Salisbury City Council did under the Wiltshire re-organisation.
- A question was raised as to how a new Unitary would approach its Housing responsibilities?
- The Leader of the County Council responded that the Business Case would look to maintain housing stock and expand it.
- Further detail was sought on the decision making powers of the Local Community Networks (LCN) and how a Town Council and LCN at same time would sit together with other elements of local government.
- The Leader of the County Council responded that the LCN's were concerned with being a decision making body for wider responsibilities.
- A query was raised as to how a unitary model would benefit Halcon and Priorswood with pockets of deprivation.
- The Leader of the County Council responded that Unitary was about creating long-term sustainable services and all the levers we need with joined-up services.
- Concerns were raised around the transfer of assets to Parish Councils and the lack of a cap on parish precepts.
- The Leader of the County Council responded that this could not be a cost-shunt exercise. It was really important to understand from Taunton their potential appetite for service delivery and conversations with Frome and Bridgwater were already being lined up.
- Cllr Rod Williams (Rowbarton and Staplegrove – SCC) commented that the Councillors were at a disadvantage without having seen the business case. He was passionate in the potential of Taunton as the County Town of Somerset. He felt that no change was not an option and that the public does not understand difference between District and County.
- Cllr Giuseppe Frascini (Taunton North – SCC) commented that the County Council was a leader on that front of Social Care. He had always been a strong supporter of a unitary model and considered that the merger of the former District Councils was when this should have been addressed.

The Mayor thanked all Councillors for attending the debate.

13. **Response to One Somerset Survey**

The Charter Trustees considered the Somerset County Council survey Questions and drafted their response. The SCC survey closing date was Friday 3rd July.

RESOLVED that The Charter Trustees for Taunton at their meeting on 2nd July 2020 were to submit the following collectively agreed comments to the One Somerset Survey being conducted by Somerset County Council and sent to all Towns and Parish Councils;

- Now was the completely wrong time to initiate this discussion and to be looking at the issue of a complete re-organisation of public services in Somerset, due to the effects and upheaval of the current Coronavirus pandemic crisis being dealt with at the current time. The economic effects of the crisis are not yet fully known and this issue should only be looked at when this situation had further stabilised.
- There were mixed views on the issue, but without sight of the Business Case, the Charter Trustees were not convinced of the evidence of benefit at this time. Without having had sight of the Business Case, the Charter Trustees have not been in full possession of the supporting evidence on which to comment, and were therefore not in a position to consult residents on an informed basis.
- The consultation was felt to be flawed, with elected representatives being given no time or opportunity to talk formally with their unparished area local residents to seek their views and feed this into the process. The process so far seemed confused, apparently involving two stages (pre-and post- publication of the Business Case?) with different questions asked of parish and town councils from those asked of the public in this first round.
- The Charter Trustees for Taunton were sent this survey 11 days after other towns and parishes were sent it, and the request for an extension to the 3rd July deadline was refused despite this oversight and this was disappointing.

(The Meeting ended at 8.47 pm)