

SWT Executive - 20 October 2020 held via Zoom Video Conference

Present: Councillor Federica Smith-Roberts (Chair)
Councillors Benet Allen, Chris Booth, Ross Henley, Richard Lees, Peter Pilkington, Mike Rigby, Francesca Smith and Sarah Wakefield

Officers: James Hasset, Dawn Adey, James Barra, Alison North, Andrew Pritchard, Paul Fitzgerald, Marcus Prouse, Amy Tregellas, Chris Hall, Graeme Thompson, Sue Tomlinson and Tracey Meadows (Democracy and Governance)

Also Present: Councillors Ian Aldridge, Simon Coles, John Hassall, Mark Lithgow, Janet Lloyd, Dave Mansell, Vivienne Stock-Williams, Ray Tully, Brenda Weston, Loretta Whetlor and Gwil Wren

(The meeting commenced at 6.15 pm)

36. Apologies

Apologies were received from Councillor Marcus Kravis.

37. 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 M Lithgow	All Items	Wellington	Personal	Spoke
Cllr J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke
Cllr D Mansell	All Items	Wiveliscombe	Personal	Spoke
Cllr P Pilkington	All Items	Timberscombe	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-	All Items	Taunton Charter	Personal	Spoke and Voted

Roberts		Trustee		
Cllr V Stock-Williams	All Items	Wellington	Personal	Spoke
Cllr R Tully	All Items	West Monkton	Personal	Spoke
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr L Whetlor	All Items	Watchet	Personal	Spoke

38. **Public Participation**

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

39. **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.

40. **Somerset Climate Emergency Strategy and SWT Carbon Neutrality and Climate Resilience Action Plan**

The report was introduced by the Executive Councillor Peter Pilkington, Portfolio Holder for Climate Change.

During the discussion, the following points were raised:-

- It was commented that this Strategy set an example, with Councils showing cross-party leadership which would encourage the wider community to follow.
- A query was raised as to whether the formation of the member led groups would be brought back to Full Council for sign-off, and how this work across the whole of Somerset?
- *It was confirmed that the future governance arrangements were yet to be finalised. The Somerset Waste Partnership model was one of the options being looked at.*
- A query was raised as to the impact of the Planning White Paper on these plans and it was confirmed that it was too early to say but this would be something to be monitored.
- It was commented that a lot of Towns and Parish Councils had also declared Climate Emergencies and it would be useful to have a list of those who had done so and how they could work alongside.
- Following on from the recommendation made at Scrutiny around ring-fencing £50,000 of the £500,000 fund for planting trees, a query was raised as to how the figure of £500,000 was arrived at and if this recommendation was adopted would something else be scrapped?

- Concern was raised that the Council needed to have an iterative plan for tree-planting, and specifically stipulating the amount without the due diligence being undertaken on requirement would be counterproductive at this stage.
- It was recognised that the Council could not operate alone on this issue.
- It was stated that Climate Change was the Golden Thread of everything the Council was doing, with recent examples such as the E-Scooter Trial and the Free Trees scheme for Towns and Parish Councils evidence of this.
- The Portfolio Holder thanked Councillors for the robust debate that had taken place at Scrutiny and he had taken on board the comments made.

RESOLVED that Executive recommended to Full Council that:-

1. The Somerset Climate Emergency Strategy is adopted.
2. The Carbon Neutrality and Climate Resilience Action Plan is approved.
3. A local, multi-agency Climate Emergency Task Force is established to aid delivery and implementation of the Carbon Neutrality and Climate Resilience Action Plan.
4. A supplementary "Climate Change Fund" budget of £500,000 is approved within the General Fund 2020/21 Revenue Budget, funded from General Reserves, for the delivery of Somerset West and Taunton priority actions with delegated authority to the Director External Operations and Climate Change / Assistant Director Climate Change, Regulatory Services and Asset Management to agree those priority actions in consultation with the Portfolio Holder for Climate Change. Council also be asked to approve the principle that any unspent balance of this Fund at the end of 2020/21 be carried forward to 2021/22 financial year.

41. **Coastal Protection Works Associated with the B3191**

The report was introduced by the Executive Councillor Sarah Wakefield, Portfolio Holder for Environmental Services.

During the discussion, the following points were raised:-

- As a Coastal Protection Authority, SWT was expected to bring forward protection schemes for areas designated under the Shoreline Management Plan as 'Hold the Line', which this area is entirely.
- The Scrutiny Committee were unable to support the recommendations and instead provided their own statement, which was read to the Committee;
- *"Whilst the committee wished to support moves to protect the coastline and coastal communities, the Committee expressed significant concern about the potential for responsibility and long term liability and recommend Executive and Full Council fully understand and request details on the long term liabilities going forward to ensure a full understanding of the longevity of the scheme and mitigate long term liability and risk."*

- In response, Officers clarified that the Council would appoint the designers and contractors as part of the scheme. The designers would help the Council understand the longevity of the scheme. The proposal would be based on an options appraisal and the professional design would provide the answers. The offer on the table was the subject of lengthy negotiations and was considered the best available.
- It was commented that this was a power of the Council and the funding County Council provided.
- The allusion from the Scrutiny comments of this being a bad deal were felt to be unfounded, considering the lengthy negotiations that had taken place and that this was the best deal available.
- It was commented that the existing structure had been there since 1920 and the Environment Agency immediately declared it an emergency and allocated funds to be used.
- This road was a strategic road and the economic impacts of not approving this scheme would potentially be disastrous.
- It was considered that it was the Council's duty to take on liabilities for the benefit of the people of the area.
- In relation to queries relating to use of private land it was confirmed that there will be a need to use private land and early conversations were being had with the owners who were supportive of the scheme.
- The Chair of Scrutiny sought reassurance over the affordability of it in the long-term, with expectations of liability over the next thirty and forty years. The commuted sum was hoped to be calculated correctly to cover the annual maintenance repair cost.
- The Portfolio Holder amended the wording in her recommendation to insert the word 'entirely' into recommendations 1 and 3.
- It was stated that the Council would make it clear in the agreement that SWT was not taking on liability for the B3191 road and the Council would, if the eventual commuted sum is not sufficient over a period of time, seek to return to Somerset County Council, or the relevant authority at that time, to understand their proposals for the road.

RESOLVED that Executive supported the following to Full Council:

1. That Somerset West and Taunton Council agree in principle to accept responsibility and ownership for the coastal protection structure together with a commuted sum to cover estimated maintenance over the estimated lifecycle of the asset, provided that the new infrastructure is funded entirely by the Highways Authority, Environment Agency and or other external contributors.
2. Give authority for the Director for External Operations and Climate Change and/or Assistant Director, Climate Change and Assets, in consultation with the Lead Member for Environment, the authority to negotiate the final funding agreement.
3. That Executive recommends to Full Council the approval of a Supplementary Capital Budget of £3,550,000 for the delivery of the long-term coast protection capital works, funded entirely by expected contributions from Somerset County Council and the Environment Agency.

4. That Executive endorses to Full Council an increase in the annual maintenance budget for coastal protection assets is included on the Medium Term Financial Plan, funded by the commuted sum to be received from Somerset County Council, upon completion of the works. The actual budget increases for expenditure and income will offset, with amount to be determined and approved by the budget holder in line with Financial Procedure Rules.
5. That Executive recommends to Full Council the approval of a Supplementary Capital Budget of £385,000 for the emergency works necessary at Blue Anchor, to be funded by the approved grant from the Environment Agency.

42. **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).

43. **Confidential Report - Proposed Sale of Land**

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

RESOLVED that the Executive;

1. Approved the sale of the freehold interest in the property to the Highest Bidder for a commercially confidential sum and agreed to complete the sale by 18th December 2020.
2. Approved the sale of the freehold interest in the property to the Highest Bidder for a commercially confidential sum if the deadline above cannot be met.
3. Delegated authority to the Interim Assets Manager in consultation with the s151 Officer to agree final terms and complete the sale transaction.

(The Meeting ended at 7.45 pm)

