

## SWT Full Council - 30 March 2021

Present: Councillor Hazel Prior-Sankey (Chair)

Councillors Simon Coles, Ian Aldridge, Benet Allen, Lee Baker, Marcus Barr, Mark Blaker, Chris Booth, Paul Bolton, Sue Buller, Norman Cavill, Dixie Darch, Hugh Davies, Dave Durdan, Kelly Durdan, Caroline Ellis, Habib Farbahi, Ed Firmin, Andrew Govier, Roger Habgood, Andrew Hadley, John Hassall, Ross Henley, Marcia Hill, John Hunt, Marcus Kravis, Richard Lees, Sue Lees, Libby Lisgo, Mark Lithgow, Janet Lloyd, Dave Mansell, Andy Milne, Chris Morgan, Craig Palmer, Derek Perry, Peter Pilkington, Andy Pritchard, Steven Pugsley, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Phil Stone, Andrew Sully, Nick Thwaites, Anthony Trollope-Bellew, Ray Tully, Sarah Wakefield, Alan Wedderkopp, Danny Wedderkopp, Brenda Weston, Keith Wheatley, Loretta Whetlor and Gwil Wren

Officers: James Barrahan, Lesley Dolan, Paul Fitzgerald, James Hassett, Alison North, Andrew Pritchard, Marcus Prouse, Clare Rendell, Amy Tregellas, Chris Hall, Stuart Noyce, Joe Wharton and Julie-Ann Wyatt

(The meeting commenced at 6.15 pm)

### 140. **Apologies**

Apologies were received from Councillors M Peters, S Nicholls and T Venner.

### 141. **Minutes of the previous meeting of Full Council**

(Minutes of the meetings of Full Council held on 1 December 2020, 3 December 2020, 8 December 2020, 18 February 2021 and 23 February 2021 circulated with the agenda)

Councillors highlighted a couple of spelling mistakes within the minutes for the meeting held on 3 December 2020, which would be corrected for the records.

**Resolved** that the minutes of Full Council held on 1 December 2020, 3 December 2020, 8 December 2020, 18 February 2021 and 23 February 2021, with amendments, be confirmed as a correct record.

### 142. **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
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Cllr L Baker	All Items	Cheddon Fitzpaine & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Barr	All Items	Wellington	Personal	Spoke and Voted
Cllr M Blaker	All Items	Wiveliscombe	Personal	Spoke and Voted
Cllr P Bolton	All Items	Minehead	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 J Hunt	All Items	SCC & Bishop's Hull	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 C Morgan	All Items	Stogursey	Personal	Spoke and Voted
Cllr C Palmer	All Items	Minehead	Personal	Spoke and Voted
Cllr D Perry	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr P Pilkington	All Items	Timberscombe	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-	All Items	Wellington	Personal	Spoke and Voted

Williams				
Cllr N Thwaites	All Items	Dulverton	Personal	Spoke and Voted
Cllr R Tully	All Items	West Monkton	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr D Wedderkopp	All Items	Taunton Charter Trustee	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

Councillor M Kravis declared a personal interest on agenda item 11.

The following councillors declared a personal interest as members of the local government pension scheme:-

Councillors I Aldridge, M Blaker, M Hill, R Lees, S Lees, J Lloyd, D Mansell, H Prior-Sankey, F Smith, A Trollope-Bellew and G Wren.

143. **Public Participation**

Mr Taylor submitted the following:-

I would like to raise a question at a council meeting. My question was why were council contracts awarded to companies to renovate properties, who, when awarded the contract, sub-contract the work out to another company and get the work done at a cheaper rate and make a profit from not doing the work.? If the contractor could find someone to do the work cheaper then why couldn't the council shop around for cheaper quotations? Many thanks, Trevor Taylor.

The Portfolio Holder for Corporate Resources responded:-

Procurement processes for the provision of any contractor for the renovation of the councils assets were highly regulated and subject to a number of government procurement rules that had to be observed. All council procurement exercises had to demonstrate they were fair and transparent which precluded us from openly negotiating with individual suppliers prior to placing an order.

The council always sought to engage with the most competitive suppliers to express an interest when advertising tendering opportunities to the market but could only evaluate the price and quality of the responses returned.

It was normal commercial practice for larger contractors to use subcontract labour and may employ many different subcontractors to complete the works which involved a great deal of management resource the council did not have directly available.

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

The Chair of the Council reminded Councillors of the dates of the upcoming meetings of Full Council and the process to follow for agenda item 18, Reports from the Executive Councillors.

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

The Leader of the Council reminded all to take part in the public consultation on Local Government Reform by 19 April 2021.

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

No Procedure Rule 13 questions were received.

147. **Pay Policy 2021-22**

During the discussion, the following points were raised:-

- Councillors highlighted that there was not much information included within the report on the appraisal system.  
*The HR Specialist advised that the performance information that had been used was standard criteria and that officers were working on a new appraisal system which reflected the annual plan and corporate priorities and would be communicated out to staff and councillors once it had been completed.*
- Councillors queried how Somerset West and Taunton Council's (SWT) pay scale compared to other councils.  
*The HR Specialist would report back with information on council league tables.*
- Councillors requested confirmation that all SWT employees were paid more than the national living wage amount.  
*The Portfolio Holder for Corporate Resources confirmed that all SWT employees were paid above the national living wage.*

**Resolved** that Full Council approved the Pay Policy statement 2021/22.

148. **Changes to the Constitution**

During the discussion, the following points were raised:-

- Councillors queried whether the list of Member Champions would be flexible and could be added to and amended if necessary.  
*The Leader advised that special titles could be added for certain projects and that the list could be reviewed throughout the year.*
- Councillors queried whether they could attend a Member Working Group to observe the debate.  
*The Leader advised that they could attend and observe if they wished to.*

- Councillor D Mansell proposed an amendment which was duly seconded by Councillor G Wren, as follows:-
  - 2a. with the addition of Climate Change and Environmental Protection to the list of roles in Annex 1.
- Some Councillors did not agree with the amendment as the Member Champions were supposed to be for particular areas and not to replicate the Portfolio Holders roles.
- Some Councillors thought the amendment was a positive move to help towards work on the Climate Emergency.
- Councillors stated that they thought the list of roles were interesting but that there were still a lot of gaps for roles that were required.
- Councillors had sympathy for both sides of the debate but were not sure that this additional role would deliver on the work needed.
- Some Councillors were confused by the opposition to the amendment as SWT had declared a Climate Emergency and the new Member Champion role would be a positive addition to the work being carried out on Climate Change.
- A VOTE was taken on the MOTION and was LOST.
- Councillor M Blaker proposed an amendment which was duly seconded by Councillor G Wren, as follows:-
  - 2a. with the addition of Unpaid Carers to the list of roles in Annex 1.
- The Leader ACCEPTED the amendment, which became part of the substantive MOTION.
- Councillor A Trollope-Bellew proposed an amendment which was duly seconded by Councillor N Cavill, as follows:-
  - 2a. with the addition of Nuclear to the list of roles in Annex 1.
- The Leader ACCEPTED the amendment, which became part of the substantive MOTION.
- Councillors welcomed the work on Member Champion roles and were pleased to see that they were not political roles, but agreed there were still some gaps.
 

*The Leader suggested that she would arrange a meeting with the Group Leaders to discuss the roles and titles prior to the Annual Council meeting to ensure all the gaps were identified and added to the report.*

*The Monitoring Officer suggested that a delegated decision could be added to allow for the roles to be amended mid-year if necessary and she would amend the report to reflect that.*
- Councillors welcomed the report as it supported the work carried out by the Member Champions.
- Concern was raised that the review on the Constitution had been stopped and that it should still go ahead.
 

*The Leader highlighted that due to the possible creation of a Unitary Authority, was a review necessary as it would be a waste of resource during a busy time creating a Shadow Authority which would lead into the creation of a Unitary Authority, where a new Constitution would be required.*
- Councillors requested clarification on political balance within the Member Working Groups.
 

*Clarification was given by the Monitoring Officer.*

**Resolved** that Full Council approved:-

- a) The Member Champion Protocol (Appendix A), subject to the changes of:
  1. Section 2.1 was amended to read 'The appointment of Member Champions would be at the discretion of the Leader of the Council, following discussion with all Group Leaders, and then be subject to ratification by a delegated Portfolio Holder decision.
  2. The list of Member Champions was amended to include:
    - i. Unpaid Carers
    - ii. Nuclear
- b) The Member Working Group Protocol (Appendix B)
- c) Both documents becoming appendices to the SWT Constitution

149. **Community Governance Review for the Unparished Area of Taunton**

During the discussion, the following points were raised:-

- The Mayor of Taunton advised that she had written to Central Government to request that the review be treated as high priority and that a full Governance Review was carried out.
- Councillors supported the review and that it should be carried out as a priority and completed before the creation of a Unitary Council.
- Councillors were delighted that the Governance Review was due to be carried out, as it had been in the pipeline for many years.  
*The Leader thanked all Councillors for their supportive comments.*

**Resolved** that Full Council approved:-

- a) As per the resolution made by Taunton Deane Borough Council on 19<sup>th</sup> March 2018, that a Community Governance Review (CGR) of the Unparished Area of Taunton was commenced with a view to creating a new Town or Parish Council(s) from 1<sup>st</sup> April 2023.
- b) A cross party Members Working Group was established to commence the Community Governance Review for the Unparished Area of Taunton (as per the Member Working Group Protocol being approved by Council on 30<sup>th</sup> March).
- c) The Member Working Group would make reports and recommendations to Full Council (via the Taunton Charter Trustees) with regard to proposals for Terms of Reference for the review, proposals for consultation, any amendments to proposals after the public consultation, and the implementation of the final review recommendations.

150. **Capital, Investment and Treasury Strategies 2021/22 to 2025/26**

During the discussion, the following points were raised:-

- Concern was raised on the democratic pathway that the report had been taken through and that it had not gone to the Audit, Governance and Standards Committee or the Scrutiny Committee for comment.  
*The Monitoring Officer gave clarification on which committees the report was required to be taken through.*
- Concern was raised on the commercial investment section of the report.

- Concern was raised that SWT had lost out on access to the Public Works Loan Board (PWLB) funds.  
*The Section 151 Officer advised that the PWLB could be accessed for re-financing and treasury management but that he was waiting for further clarification.*
- Concern was raised on the lack of information on asset disposal.  
*The Section 151 Officer advised that through the work on the capital receipts projection, a target had been agreed and that they would work towards that to identify assets for disposal.*
- Councillors were pleased to see flexibility to borrow within the report.
- Councillors suggested that a communication strategy was needed for this information.
- Concern was raised on the Commercial Investment Board and that the voting system was not democratic.  
*The Leader advised that the Commercial Investment Strategy had been signed off and approved by Full Council and that the process had been explained several times to Councillors.*
- The Chair proposed that the meeting be extended by 30 minutes which was duly seconded and carried.
- Councillors highlighted that it was a massive document that had been worked through carefully and that Councillors needed to trust the professional guidance and decisions made by officers.

**Resolved** that Full Council:-

- 2.1 Approved the Capital, Investment and Treasury Management Strategies, and Minimum Revenue Provision policy.
- 2.2 Noted and supports the requirement for a limited review of the Constitution for completeness and consistency on responsibilities for all aspects of the CIT Strategies.

151. **Time Extension**

The Chair proposed that the meeting be extended by 30 minutes which was duly seconded and carried.

152. **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).

153. **Capital Loan to Third Party**

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

154. **Re-Admittance of the Press and Public**

The Chair of the Council proposed that the meeting be extended for 30 minutes which was duly seconded and lost.

155. **Motion to ban sky lanterns and ceremonial balloons on Council land and raise awareness of their environmental impact**

This item was deferred until the next meeting of Full Council.

156. **To consider the Annual Report from the Chair of Scrutiny**

This item was deferred until the next meeting of Full Council.

157. **To consider the Annual Report from the Chair of Audit, Governance and Standards**

This item was deferred until the next meeting of Full Council.

158. **To consider the annual reports from Executive Councillors**

The Chair of the Council advised Councillors that if they had any questions for the Portfolio Holders, they could forward them on for an answer outside of the meeting.

(The Meeting ended at 10.20 pm)