

SWT Special Full Council - 29 April 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, 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, Simon Nicholls, Craig Palmer, Derek Perry, 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, Terry Venner, Sarah Wakefield, Alan Wedderkopp, Brenda Weston, Keith Wheatley, Loretta Whetlor and Gwil Wren

Officers: Dawn Adey, James Barraah, Lesley Dolan, Paul Fitzgerald, James Hassett, Alison North, Andrew Pritchard, Jo Comer, Marcus Prouse, Clare Rendell and Amy Tregellas

(The meeting commenced at 6.15 pm)

168. Apologies

Apologies were received from Councillors A Govier, M Peters and P Pilkington.

169. 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 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	Personal	Spoke and Voted

		Trustee		
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 D Perry	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 N Thwaites	All Items	Dulverton	Personal	Spoke and Voted
Cllr R Tully	All Items	West Monkton	Personal	Spoke and Voted
Cllr T Venner	All Items	Minehead	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & 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 S Pugsley further declared a prejudicial interest on Agenda Item 8 – Decision taken under the urgency rules regarding Additional Restrictions Grant Scheme.

The following Councillors further declared a personal interest on Agenda Item 8: Councillors I Aldridge, M Blaker, P Bolton, S Buller, N Cavill, C Ellis, R Habgood, A Hadley, M Hill, R Lees, S Lees, L Lisgo, M Lithgow, F Smith, A Trollope-Bellew, and T Venner.

170. **Public Participation - To receive only in relation to the business for which the Extraordinary Meeting has been called any questions, statements or petitions from the public in accordance with Council Procedure Rules 14,15 and 16**

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

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

The Chair of the Council did not have any announcements to make.

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

The Leader of the Council gave the following announcements:-

- The Council had received a commendation at the award ceremony for the Rural Town Planning Institute Awards for the work in bringing forward the Local Development Order for smaller enterprises.
- The Council had received a certificate of excellence for automated intelligence in record management and digital transformation.

173. **To receive only in relation to the business for which the Extraordinary Meeting has been called any questions from Councillors in accordance with Council Procedure Rule 13**

No questions were received under Procedure Rule 13.

174. **Items deferred from the meeting of Full Council held on 30 March 2021**

- a) Motion to ban sky lanterns and ceremonial balloons on Council land and raise awareness of their environmental impact.

During the discussion, the following points were raised:-

- Councillors had brought forward the Motion due to the environmental impacts on the surrounding countryside and the concern that the lanterns created a fire risk in the area.
- Councillors supported the Motion as it was an ongoing problem and action needed to be taken.
- Some concern was raised that the Motion did not go far enough, it should also include fireworks within the ban.
- Councillors supported the Motion as it provided some protection for the wildlife with the surrounding areas.

Resolved that Full Council:-

- 1) Ended the use of sky lanterns and balloons for ceremonial release to the open air from Council-owned public land.
- 2) Requested the Leader of the Council to write a letter to the

Environment Secretary of the UK Government to initiate legislation to ban sky lanterns and balloons for ceremonial use.

- 3) Raised public awareness of the harmful environmental effects and risk to animals as a result of the release of sky lanterns and balloons.

- b) To consider the Annual Report from the Chair of Scrutiny - for noting only.

The Chair of Scrutiny Committee thanked the Committee Members, his Vice Chair and officers for their work over the past year.

Resolved that Full Council noted the report.

- c) To consider the Annual Report from the Chair of Audit, Governance and Standards - for noting only.

Resolved that Full Council noted the report.

175. **Decision taken under the urgency rules regarding the Additional Restrictions Grant Scheme**

During the discussion, the following points were raised:-

- Councillors highlighted that the officers had done a brilliant job in processing the grants during the Covid Pandemic.
- Councillors thanked the officers on behalf of the businesses within their Wards.

Resolved that Full Council:-

- 2.1 Noted the decision made by the Chief Executive on 16 March 2021 under paragraph 5 of the Budget and Policy Framework within the Council's Constitution in relation to the release of funds to the Additional Restrictions Grant Scheme.
- 2.2 Reflected this new expenditure within the approved Budgets for the current year and next year.
 - a) Delegated authority to the S151 Officer to bring forward any outstanding budget amounts from financial year 2020/21 to 2021/22 to reflect timing of expenditure within the overall additional budget of £1,377,895.

176. **Report of the Council Governance Arrangements Working Group**

During the discussion, the following points were raised:-

- Some councillors were disappointed that it was too late for the Committee System to be introduced for the 2021 Municipal Year.
- Councillors agreed that there had been good cross party action taken within the Working Group.
- Councillors thanked the Portfolio Holder for Corporate Resources for his work in steering the Working Group.

- Councillors believed that they should do what was best for the community and residents.
- Some councillors believed that the Committee System was too slow for the decision making process.
- Some councillors opposed the introduction of a Committee System with the creation of a Unitary Authority on the horizon.
- Councillors wanted to ensure that all councillors were included in the decision making process, which included back-benchers.
- Some councillors highlighted the good work and fast decisions that had been made with the use of an Executive Model, especially during the Covid Pandemic.
- Some councillors believed that the Committee System would be a better democratic process.
- Councillor Thwaites proposed that recommendation 2.4 be removed from the report. This was duly seconded by Councillor Cavill.
- Concern was raised that officers were overstretched and that the introduction of a second Scrutiny Committee would not achieve the desired results.
- The Portfolio Holder for Corporate Resources would not support the amendment.
- Councillors highlighted that the removal of recommendation 2.4 would impact on recommendation 2.5.
- Some councillors stated that they had requested two Scrutiny Committees in 2019 when the New Council was formed. Now with the creation of a Unitary Authority on the horizon, they did not believe it was the right time to introduce a second Scrutiny Committee.
- Some councillors agreed that the introduction of a second Scrutiny Committee would give councillors the opportunity to look into more varied topics.
- The vote was taken and the amendment was lost.
- Councillor Weston proposed an amendment to change the wording to recommendation 2.1 to: The Council moved to a Committee system of governance from the Council AGM on 10 May 2022, unless a decision was made to set up a Unitary Council for the area from 2023. This was the original wording agreed by the Working Group and was duly seconded by Councillor Mansell.
- The Portfolio Holder for Corporate Resources thanked the Working Group for their hard work on the project and apologised for the changed wording in recommendation 2.1. The amended wording was as result of the debate held at the Audit, Governance and Standards Committee on 12 April 2021.
- Councillors supported the amendment and queried the procedure used for a Shadow Council.
- Concern was raised on whether it was the right time to introduce a Committee System, as it would be a waste of resources for the Council during the short time left as Somerset West and Taunton Council.
- The vote was taken and the amendment was carried.
- Councillors discussed the pros and cons and the differences between a Committee System and an Executive Model.

- Councillors gave feedback from the Working Group.
- Councillors thanked officers and the Working Group for the work carried out on the project.
- The Chair proposed a 30 minute time extension which was carried.

Resolved that:-

Relating to the 2022 Municipal Year

- 2.1 The Council moved to a Committee system of governance from the Council AGM on 10 May 2022, unless a decision was made to set up a Unitary Council for the area from 2023.
- 2.2 The Council proposed to the Unitary Shadow Authority that a committee system of governance was adopted, if set up as the principal council for the area.
- 2.3 The Council wrote to the Chief Executives and Leaders of the County and Districts to request that they considered that the Shadow Authority governance arrangements were set up as a Committee system

Relating to the 2021 Municipal Year

- 2.4 That a second Scrutiny Committee was introduced from the AGM in 2021, with the focus being Corporate Scrutiny Committee and Community Scrutiny Committee. The split of workload for the two Scrutiny Committees (see Annex A at the end of this report) was approved.
- 2.5 That the number of seats on both Scrutiny Committees was 15 from the start of the 2021/2022 Municipal Year.
- 2.6 The Audit, Governance and Standards Committee was split into two separate Committees from the AGM in 2021, for the 2021/22 Municipal Year and became Audit and Governance Committee and Standards Committee. The Terms of Reference for both Committees (see Annex B and Annex C at the end of this report) was approved.
- 2.7 That the number of seats on the Audit and Governance Committee was 11 from the start of the 2021/2022 Municipal Year.
- 2.8 That the number of seats on the Standards Committee was 9 from the start of the 2021/2022 Municipal Year.
- 2.9 The role of Shadow Portfolio Holders was included within the Constitution as per the wording in Annex D to this report.
- 2.10 Officers and Portfolio Holders were reminded of requirements to provide information and notifications to Ward Councillors as per the Member Officer Protocol.
- 2.11 The Corporate Scrutiny Committee were asked to work with officers to consider a system for communicating reports to Members from representatives from outside bodies.

177. Constitution Update Report

The Chair proposed a 30 minute time extension which was lost.

The item would be deferred to the meeting of Special Full Council held on 30 April 2021.

(The Meeting ended at 9.45 pm)